

# YOUTH SERVICES POLICY

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| <b>Title:</b> Personal Property Reimbursement   | <b>Type:</b> A. Administrative<br><b>Sub Type:</b> 6. Employment Related Guidelines<br><b>Number:</b> A.6.2 |
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| <b>References:</b><br>Civil Code Art. 2315 and YS Policy Nos. A.1.4 "Unusual Occurrence Reports", and A.3.8 "Budget and Fiscal Management Activities" |   |
| <b>STATUS: Approved</b>   |   |
| <b>Approved By:</b> <i>William A. Sommers, Deputy Secretary</i>   | <b>Date of Approval:</b> 06/25/2021   |

**I. AUTHORITY:**

Deputy Secretary of Youth Services (YS) as contained in La. R.S. 36:405. Deviation from this policy must be approved by the Deputy Secretary.

**II. PURPOSE:**

To state the Deputy Secretary's policy regarding reimbursements to employees for damages to their personal property.

**III. APPLICABILITY:**

All employees of Youth Services.

Each Unit Head is responsible for ensuring that procedures are in place to comply with the provisions of this policy.

**IV. DEFINITIONS:**

***Unit Head*** - For the purposes of this policy, Deputy Secretary, Facility Directors and Regional Managers.

***Unusual Occurrence Report (UOR)*** - A document that must be completed by staff to report incidents or observations of events that may have an impact on any aspect of the agency. UOR forms shall be made available to all employees, working in all areas at all times. Employees must complete and submit a UOR prior to the end of their tour of duty on the day the incident was observed or comes to the employee's attention in any way. (Refer to YS Policy No. A.1.14)

**YS Central Office (CO)** - Offices of the Deputy Secretary, Undersecretary, Assistant Secretary, Chief of Operations, Probation and Parole Program Director, Secure Facilities Director, Executive Management Advisor, General Counsel, Regional Directors, and their support staff.

**V. POLICY:**

It is the Deputy Secretary's policy to reimburse employees for damages to their personal property under the following conditions:

- A. The damage must have occurred in the performance of the employee's duties and/or while the employee was on duty.
- B. The damage cannot be the result of negligence of the employee. The employee's failure to exercise reasonable care and prudence is "negligence" if that action/inaction caused or furthered the damage.
- C. The cost to repair or replace personal property damaged by the actions of a youth, or resulting from the supervision of a youth, is reimbursable provided the employee was exercising reasonable care under the circumstances when the loss occurred.
- D. Damage occurring to personal property which is covered by an employee's insurance policy will not be reimbursed or replaced by YS if the employee receives a settlement from the insurance company.
- E. Reimbursement for the replacement of a damaged item must be for the same kind of item. (Example: A reimbursement for the cost of contact lenses cannot be made if an employee's eyeglasses were broken.)
- F. Reimbursement for the replacement of a damaged item may be adjusted due to the depreciation value from the actual date of purchase.

**VI. PROCEDURES:**

- A. The employee shall submit a request for reimbursement to his supervisor by completing an Unusual Occurrence Report (UOR).
- B. Following receipt of the UOR request for reimbursement, the immediate supervisor shall:
  - 1. Take a photograph of the damaged property;
  - 2. Sign the UOR;
  - 3. Make a recommendation;

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4. Retrieve a signed affidavit from the employee affirming that the employee will not file a claim against a personal insurance policy if the request is approved; and
  5. Forward the request, photograph, and all documentation through the appropriate chain of command to the Unit Head.
- C. The Unit Head shall determine appropriate action and if approved, submit the request to the facility's business office for a facility employee, or to the Deputy Undersecretary/designee for a regional office employee or an employee of CO for processing from the agency's Imprest Fund. If the request is not approved, it shall be returned to the employee with the reason for the disapproval noted.
- D. If the request from a facility employee is approved by the Unit Head, the facility's business office shall forward the reimbursement request packet to the Deputy Undersecretary/designee requesting review and approval to process a check for the reimbursement from the facility's Imprest Fund. (Refer to YS Policy No A.3.8 for additional information about the Imprest Fund.)
- If the request from a regional office employee or an employee of CO is approved by the Unit Head and the Deputy Undersecretary/designee, the Deputy Undersecretary/designee shall forward the reimbursement request packet to Public Safety Services (PSS), Office of Management and Finance (OMF)/Accounting, requesting that a check be processed for reimbursement to the employee.
- E. If the amount of the request exceeds \$250.00, it must be approved by the Deputy Secretary or designee prior to disbursement.

**Previous Regulation/Policy Number:** A.6.2

**Previous Effective Date:** 06/13/2019

**Attachments/References:**