



DEPARTMENT OF ADMINISTRATION

Enterprise Policy

DIRECTOR'S OFFICE- ADVERSE WEATHER-2019

DIRECTOR'S OFFICE

Statewide Adverse Weather Policy

Date of Last Revision 03/14/2019

Director's Office
(401) 222-2280

1. Purpose

- a. Whenever it is determined that due to a weather-related event the normal operations of the state may need to be closed or altered, the Governor may institute a public statewide adverse weather declaration. The purpose of this policy is to establish for all agencies and employees the parameters, expectations and accountability for this statewide action.

2. Definitions

- a. **Adverse Weather Condition:** a severe or extreme weather event that may alter normal operations statewide.
- b. **Essential Employees:** state employees who are determined by their respective department or agency head (or his/her designee) to be necessary and are required to work in order to carry out the critical business of that department.
- c. **Non-essential Employees:** state employees normally considered necessary to the business of the State but whose department or agency head (or his/her designee) determines that, for the period of adverse weather conditions and/or other unusual circumstances, such employees are not essential during this period to carry out the critical business of the department. Therefore, they are excused from duty during the defined period.

3. Special Note on Collective Bargaining Agreements

- a. All provisions of a collective bargaining agreement which modify or supplement this policy shall take precedent over any portion of this policy that may be in conflict with such agreement. In case of such modification or supplementation by a collective bargaining agreement, those portions of this policy not affected thereby remain in full force and effect.

4. Determination: Closure of State Government – State of Emergency

- a. In the event of an adverse weather condition, the Governor alone has the authority to determine whether or not there shall be a change in normal business operations. This decision is made in consultation with key state personnel, to include the Director of Administration and the Executive Director of Human Resources/Personnel Administrator. The determination may include the declaration of a State of Emergency, which would direct the closure of all state government offices for a defined period of time. Included in this determination will be the specified period of time for the State of

Emergency, to include during 'standard' business hours (8:30am to 4:30pm), or a partial period of time, such as a delayed start or early closing.

- b. For the defined period of an adverse weather event which closes the state government, the following shall apply: 1) the compensation as designated in this compensation policy is the total pay calculation for an employee and is not to be calculated on top of an employee's regular wage; 2) union business leave is not an acceptable leave discharge; 3) this compensation policy is consistent with collective bargaining agreements with one exception/modification regarding credit for "administrative leave" for non-essential employees as discussed below.
 - c. All non-essential nonunion employees and all non-essential bargaining unit employees excused from duty for their regular scheduled work shift during the closure period shall be compensated at the straight time rate of compensation (administrative leave) for those hours regularly scheduled but not worked. This option shall not set a precedent of any kind and shall not be used or referred to for any purpose in any case for any future like incidents/closures.
 - d. All essential non-union "standard work week" employees, all essential nonunion "nonstandard work week" employees, and all essential non-union "nonstandard/nonexempt work week" employees directed/required to work (as defined by the applicable department or agency head) by their respective department or agency head (or his/her designee) shall be compensated for all hours worked at the rate of time and one half for each hour worked during the period of state office closure.
 - e. All essential bargaining unit "standard work week" employees, all essential bargaining unit "nonstandard work week" employees, and all essential bargaining unit "nonstandard/nonexempt work week" employees directed/required to work (as defined by the applicable department or agency head) by their respective department or agency head (or his/her designee) shall be compensated for all hours worked at the rate of time and one half for each hour worked during the period of state office closure.
 - f. All hours worked prior to or following the period of state office closure shall be compensated at the normal, standard straight time rate of compensation for those hours worked during the employee's regular scheduled work shift.
 - g. Employee who have pre-requested/pre-planned/management pre-approved leave hours scheduled within the regular standard work shift during the hours of state office closure stand as scheduled. Administrative Leave is not credited.
 - h. As defined in the Teleworking Policy, emergencies such as adverse weather may create the need for temporary teleworking. During this type of arrangement, a formal teleworking agreement is not required. An employee must contact their supervisor to request a temporary teleworking arrangement or a supervisor may require an employee who is essential to telework. In either case, Agency Director approval is required, and the compensation policy as stipulated above applies.
- 5. Determination: "Adverse Weather" – No State of Emergency – No Closure of State Government**

- a. In some circumstances, the determination may be that the state offices are open and normal operations are in effect during a weather event, but in consideration of the timing of the storm and to allow for employees to travel to or from work safely, the State may institute an Adverse Weather determination for a defined period of time. This defined period of time may include the entirety of the 'standard' business workday (8:30am to 4:30pm), or may be for a partial period of time, such as a delayed start or early closing. Under an Adverse Weather determination, employees who are unable to report for work during the Adverse Weather defined period may record such absence as either annual leave, personal leave, or leave without pay at the employee's option, subject to supervisory approval, for the period of the Adverse Weather event only. Following the ending of the Adverse Weather period, all employees are expected to report for the remainder of their scheduled shift.
- b. Any request for sick leave during this period must be considered in accordance with the pertinent provisions of applicable union contracts, State Personnel Rules, and/or State Law. Appointing authorities are reminded to continue to exercise prudence in authorizing such requests.
- c. If conditions exist that have been deemed to be hazardous that may prevent an individual employee with a severe impairment from being able to report to work at their regular work location, the employee may telephone/contact their supervisor to request an alternative work site for that day.
- d. In those cases where an employee has an authorized teleworking agreement (as defined by the Teleworking Policy) but the adverse weather event is on a day and/or time that is not part of the employee's agreement, the employee should contact their supervisor to request that they telework for the day.

6. Communication

- a. Once a final determination has been made and authorized by the Governor's Office, announcements will be posted in a timely manner to a variety of communication vehicles, to include but not limited to the state Human Resources website, the Governor's Office Landing Page and via the statewide email system.

7. Signatures



 Director of Administration

3/14/19

 Date