

REQUEST FOR BOARD ACTION
HENDERSON COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: 19 November 2014
SUBJECT: Inclement Weather/Emergency Closings Policy
PRESENTER: Jan Prichard
ATTACHMENT(S): Draft Policy

SUMMARY OF REQUEST:

Attached you will find the Inclement Weather and Emergency Closings Policy which applies to most County employees. The Board is asked to adopt this policy so that it will apply to the Register of Deeds, in order to avoid confusion should the situation arise.¹

Under N.C. Gen. Stat. §161-8, the Board has the sole authority to set the duty hours of the Office of the Register of Deeds. This policy would allow consistency for the Register of Deeds Office with the Tax Offices in the Courthouse. Both Nedra Moles and Lee King agree with this proposal.

County staff will be present and prepared if requested to give further information on this matter.

BOARD ACTION REQUESTED:

Adoption of the policy.

If the Board is so inclined, the following motion is suggested:

I move that the Board adopt the proposed Inclement Weather and Emergency Closings Policy for the Office of the Register of Deeds.

¹ Should policy for other County employees change, this matter would have to come back before this Board, due to the statute cited below.

Henderson County

INCLEMENT WEATHER

AND

EMERGENCY CLOSINGS

POLICY

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Inclement Weather and Emergency Closings

I. PURPOSE

Henderson County recognizes there may be instances of inclement weather or emergency conditions that may prevent or modify its ability to provide full services to the community. This policy sets forth guidelines for determination of modification in operating hours and services, designation of emergency employees, and how employees shall account for their time when released from their regular work schedule due to inclement weather or emergency conditions.

II. DEFINITIONS

- A. Inclement Weather - Adverse weather or other conditions that may prohibit some employees from reporting to work but do not necessitate the closing of facilities or curtailment of operations.
- B. Emergency Closing Condition – Conditions that may be hazardous to life or safety and necessitate the closing of a County facility or curtailment of operations such as: catastrophic life-threatening weather (i.e., snow, ice, hurricane, tornado), earthquake, flood, or other natural disaster, fire, equipment failure, disruption of power and/or water, contamination by hazardous agents, terrorist acts, or forced evacuations from the work site.
- C. Emergency Employees - Those employees who are required to work during emergency conditions and have been designated by their department head as essential to department operations during emergencies.

III. POLICY

Henderson County offices and facilities are OPEN to provide regular services to the public during periods of inclement weather or other conditions of a non-emergency nature. The County Manager or his/her designee shall determine if emergency conditions exist that warrant the modification of operational hours such as a late opening, closing for the full day, or early closing.

- A. Communication of Operational Hours – Employees may check the following sources to learn if the County is open for regular services, has modified operational hours, or will be closed for the day:
 - 1. Recorded announcement at 828-697-4595
 - 2. Posted to the County’s website: www.hendersoncountync.org
- B. Mandatory Operations and Emergency Employee Designation

1. Some departments and operations must continue to provide services during periods of inclement weather and emergency conditions, which include the Sheriff's Department, EMS, Central Services and maintenance staff, and other internal service department staff needed as designated by the department head.
2. The department head shall pre-determine as much as possible services required and designate emergency employees for provision of mandatory operations.
3. An emergency employee's late reporting or failure to report will result in review by the department head and can result in adjustment in leave hours, leave without pay, or disciplinary action as circumstances warrant.

C. Administrative Leave and Accounting for Time

1. Henderson County complies with federal wage and hour laws and pays overtime in accordance with the Fair Labor Standards Act for actual hours worked over forty (40) in a workweek.
2. The County Manager may authorize paid Administrative Leave when a County facility is closed due to emergency conditions.
3. During periods of inclement weather or emergency conditions resulting in the modification of operational hours or closing of County facilities, eligible exempt and non-exempt employees will be paid Administrative Leave, or may be required to use their available vacation or compensatory time or be in a leave without pay status as circumstances warrant in accordance with the attached chart (Attachment A).
4. The County Manager may authorize additional pay to exempt employees at straight time for additional hours worked when all of the following conditions occur:
 - a. The County Manager has declared a state of emergency;
 - b. Exempt employees are required to work additional hours for purposes of response and/or recovery during the emergency;
 - c. Funds are available and the department head has obtained approval from the County Manager to use such funds for this purpose.
5. Auxiliary and Temporary employees are not eligible for paid Administrative Leave.
6. Employees already scheduled off work due to vacation or sick leave are not eligible for paid Administrative Leave.

IV. PROCEDURES

A. Employee Responsibilities

1. Employees are expected to make a good faith effort to report for work at their regular start time during periods of inclement weather or other conditions of a non-emergency nature and County offices and facilities are OPEN.
2. Employees who do not report for work when County offices and facilities are OPEN must call their supervisors in advance or within thirty (30) minutes of their regular start time to inform their supervisor they will be absent and must

use available vacation or compensatory leave hours or leave without pay (refer to Attachment A).

3. Employees who leave early when County offices and facilities are OPEN must inform their supervisor prior to leaving and must use available vacation or compensatory leave hours (refer to Attachment A).
4. Employees who do not work a full day when County offices and facilities are OPEN may, with approval from their department head, work alternate hours *in the same workweek* to make up the time in lieu of using available vacation or compensatory leave hours.
5. Employees must record all actual time worked in accordance with regular timekeeping policies, as well as vacation and compensatory time used, as well as leave without pay hours (refer to Attachment A).
6. Administrative Leave authorized by the County Manager is recorded in the ADM column of the time sheet and a notation made in the comment section.

B. Department Head Responsibilities

1. Department Heads shall designate emergency employees who are required to work during emergency conditions and are essential to department operations during emergencies.
2. Department Heads shall consider the safety and welfare of their employees of utmost importance during periods of inclement weather and emergency conditions and ensure adequate supplies and equipment are available and in good operating condition in order to provide necessary services.
3. Department Heads shall seek and obtain approval from the County Manager to pay exempt employees for additional hours worked in accordance with III.C. 4. above.
4. Department Heads shall review and approve time sheets and ensure they are completed accurately in accordance with federal wage and hour laws and policy (refer to Attachment A); any discrepancies shall be addressed promptly.

V. ADMINISTRATIVE GUIDELINES

- A. In order for an employee to be considered for Administrative Leave:
 1. The employee must be a regular or project employee.
 2. The day in which operational hours are altered or County offices and facilities are closed must be a day on which the employee would normally work.
 3. The hours during which the County offices are altered or closed must fall within the employees normally scheduled work day.
- B. Work Schedules and Administrative Leave
 1. Administrative leave is recorded for non-exempt employees in the ADM column on the time sheet and recorded separately on timesheet summaries.

2. If an employee has already exceeded the hours of his/her standard workweek (i.e., 37.5), the employee does not receive Administrative Leave for hours the County offices are closed.
3. If actual hours worked on the day in which operational hours are altered are greater than the employee's scheduled work day, the employee does not receive Administrative Leave.
4. Employees who are required to use leave to make up for his/her standard workweek must use comp time, vacation leave, or leave without pay – in that order. This make up time must be within the same workweek.
5. Administrative Leave paid cannot exceed the time difference between the employee's normal start of the work day and the time of a late opening.
6. Administrative Leave paid cannot exceed the time difference between the early closing and the end of the employee's normal work day.

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ATTACHMENT A

PAY AND TIMEKEEPING FOR INCLEMENT WEATHER AND EMERGENCY CLOSINGS

Event	Employee Action	Non-exempt	Exempt
Late Opening	Does not report	Must use Vacation Leave, Comp Time or absence is leave without pay (in that order)	Must use Vacation Leave to equal standard work day
	Reports to work earlier than announced opening time & remains at work for remainder of work day	Receives pay for actual hours worked + Admin Leave for difference between actual hours worked & normal work day.	Receives full day pay
	Reports to work earlier than announced opening & leaves work prior to normal work day departure time	Receives pay for actual hours worked + Vacation, Comp Time or LWOP for hours between time employee left work and end of normal work day + Admin Leave to make up to normal work day. If AHW + Vacation/Comp/LWOP hours are equal to or greater than standard workday hours, employee does not receive Admin Leave	Receives full day pay
	Reports to work at late opening time & remains at work for remainder of work day	Receives pay for actual hours worked + Admin Leave for difference between actual hours worked & normal work day.	Receives full day pay
	Reports to work at late opening time & leaves work prior to normal work day departure time	Receives pay for actual hours worked + Vacation, Comp Time or LWOP for hours between time employee left work and end of normal work day + Admin Leave to make up to normal work day. If AHW + Vacation/Comp/LWOP hours are equal to or greater than standard workday hours, employee does not receive Admin Leave	Receives full day pay
	Reports later than announced opening	Receive pay for actual hours worked + Admin Leave for hours between his/her normal work day & delayed opening + Vacation Leave, Comp Time or remaining hours will be LWOP	Receives full day pay
	Is scheduled for vacation (vacation) or sick leave	Still recorded as vacation or sick leave	Still recorded as Vacation or Sick leave
Early Closing	Does not report	Must use Vacation Leave, Comp Time or absence is leave without pay (in that order)	Must use Vacation Leave to equal standard work day
	Reports to work & remains at work until early closing	Receive pay for actual hours worked + Admin leave for hours between his/her normal work day & early closing. AL not to exceed normal work day hours.	Receives full day pay
	Report to work but leaves work earlier than early closing time	Receives pay for actual hours worked + Vacation Leave, Comp Time, or remaining hours will be LWOP	Receives full day pay
	Is scheduled for vacation or sick leave	Still recorded as vacation or sick leave	Still recorded as Vacation or Sick leave