

Southwestern University HR Policy Q & A: Closures October, 2005

The recent University closure due to Hurricane Rita was a reminder about how much confusion regarding payroll matters there can be whenever this type of event occurs. Even though the August installment of HR Policy Q&A was on timekeeping, I thought it might be both timely (with winter approaching) and useful to focus on the University's Inclement Weather Policy and payroll practices for weather or other emergency-related closures.

As always, please contact the Human Resources department if you have questions about any of our policies and practices.

Q: What is the Inclement Weather Policy?

A: The "official" name of this policy is the "Policy Regarding Operation of the University During Inclement Weather and Other Emergency Events" (Policy). It is updated and disseminated to the entire campus community on at least an annual basis by the Vice President for Fiscal Affairs, the Provost and Dean of the Faculty, and the Vice President for Student Life. It does the following: describes how members of the community will be informed of a closure; details when the University's emergency management procedures may be initiated; identifies the responsible parties for making closure decisions; describes "key personnel;" provides emergency web site information; and, defines the scope and authority of the Chief of Police during severe weather events. The most up-to-date Policy was distributed on September 30, 2005. It is also included in the current Staff and Faculty Handbooks. The latest version of the Policy can be found on the University's web site at www.southwestern.edu/fiscalaffairs/

Q: What happens when a faculty or staff member is unable to come to work due to inclement weather, but the University doesn't officially close?

A: The Policy states, "While each person should exercise his/her best judgment with regard to road conditions and other safety concerns, Southwestern faculty and staff should come to work unless otherwise notified..."

Q: So if a staff member determines that it is not safe for them to report to work during inclement weather, how should they report their time?

A: The policy addresses this situation by stating, "If inclement weather occurs and the University remains open, employees who miss work or who leave work early because of inclement weather must use vacation time, or, if vacation leave is not available, leave without pay, for the work time missed. In these cases, the employee must secure prior permission from his/her supervisor to be absent or to leave early from work."

Q: What are the essential services which must be kept open during inclement weather?

A: The policy states that, “Physical Plant should sustain sufficient staffing to maintain residence halls and keep necessary campus buildings operational. In addition, the University Dining Services, the Bookstore, the Post Office, the Red & Charline McCombs Campus Center, the A. Frank Smith, Jr. Library Center, Computer Labs, and the Corbin J. Robertson Center should remain open.

Q: So, who determines who is included as “key personnel” for purposes of University closures?

A: Supervisors will identify key personnel who must report to work in all conditions. The actual number of identified employees may vary depending on the situation. In most cases, “key personnel” will be limited to some members of the Physical Plant staff.

Q: When a bi-weekly paid staff member is identified as a key employee and reports to work during an official University closure, how should he/she reflect the time actually worked on that day?

A: If the employee was regularly scheduled to work on the day of the closure, he/she should reflect those hours in the column on their time sheet normally used to reflect sick/vacation/holiday time, and note “paid administrative leave – University closed” for that day. In addition, the employee should reflect the actual number of hours worked in the column on their time sheet where they normally report worked time. These are the hours that will be paid at time and one-half.

Q: This is a follow-up to the previous question. How will the employee’s pay be calculated?

A: He/she will be paid in the same manner as when an employee works on a Holiday, as described in the Staff Handbook. For full-time employees, this means 8 hours of regular pay for the day of the closure plus time and one-half pay for any hours actually worked on that day. In other words, the hours actually worked will be paid at two and one-half times pay.

Q: If an employee is not regularly scheduled to be at work on the day the University is officially closed, should they also reflect the “paid administrative leave – University closed” on their time sheet?

A: No. Unless an employee was scheduled to be at work, they should not reflect any hours for the closure.

Q: What if an employee is normally scheduled to work on the day of a closure, but happens to be out on a pre-scheduled vacation day – should they then reflect “paid administrative leave – University closed” on their time sheet?

A: No. The employee should use their vacation time.

Q: This is a follow-up to the preceding question. It doesn’t seem fair that an employee should have to use their vacation time if the University was officially closed on a day when he/she was previously scheduled to be on vacation. What is the rationale for this?

A: The rationale is that the employee's vacation schedule was not affected by the University's closure, nor would he/she have been available to work if he/she was identified as a "key employee." Also, the employee was not technically scheduled to work on that day – he/she was scheduled to be on vacation. The paid administrative leave the University provides during an official closure is specifically for those employees who were scheduled to be at work on that day and would have reported for work but for the closure.

Q: If an employee works a flextime schedule and the University officially closes on a day he/she is scheduled to work, should the employee reflect the number of hours they were regularly scheduled to work on that day, even if it exceeds 8?

A: Yes. The rationale is that if the University had not been closed, the employee would have reported to work for the number of hours they were regularly scheduled to work on that day. In the case of a flextime schedule where they employee is scheduled to work, for example, 10 hours on the day of the closure, he/she should indicate 10 hours of "paid administrative leave – University closed" on his/her time sheet.

Q: This is a follow-up to the previous questions. This appears to be in direct conflict with the reporting of Holiday time for employees on a flex time schedule. Why are the "rules" different for holidays versus closures?

A: Holidays are a benefit provided to all benefit-eligible employees and must be applied equitably. The University provides 15 holidays. The University will pay up to a maximum of 8 hours for each of those designated holiday days (pro-rated for employees who work less than full-time). If an employee's flex time schedule is four 10-hour days and one of those days happens to fall on a designated holiday, the employee must either use 2 hours of vacation time or work an additional 2 hours of time during that work week. Likewise, if a holiday falls on a day the employee is not scheduled to work, they may substitute a different day to take as a holiday in order that they end up receiving 15 holidays for the year. In this way, that employee is not receiving more or less holiday time than other employees. The difference between an official closure due to inclement weather is that the employee would have reported to work on that day except for the closure. Through no fault of their own, they were not able to report to work to work the number of hours they were regularly scheduled to work on that day.

Q: If an employee is identified as a "key employee" and comes in to work on a day when the University has officially closed due to inclement weather, when will they receive their overtime pay?

A: In most instances, the employee will receive the overtime pay on the next regularly scheduled pay cycle. In some circumstances – like the Hurricane Rita situation – the University may decide to run payroll prior to the regular pay cycle as a precautionary measure, which would mean that any overtime actually worked would be processed on the following pay cycle. When this occurs, the University may also decide to run a "special" payroll to pay the overtime prior to the next pay cycle, which is what was done for the Hurricane Rita closure.