

Rule # 3-15

Inclement Weather and Administrative Closures

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§ 3-15-010 Policy

A. County employees are expected to make every effort to come to work to serve the public. This rule covers circumstances that may cause unsafe conditions for mobility and transportation and is intended to inform employees of their responsibilities and options during such conditions.

B. The Chair is responsible for declaring that an event is sufficient to close or curtail county operations, or to allow employees to leave work early, due to situations affecting the health or safety of employees and/or the public, including but not limited to inclement weather, natural or other disasters, the presence of hazardous materials or chemicals, or any other conditions which would pose a clear health or safety risk if normal operations are continued.

(ER 312, Amended, 08/08/2007; ER 288, Amended, 01/06/2005)

§ 3-15-015 Essential Employees

The county provides a wide array of services, including many emergency-related functions and other services essential to the public health and safety. The Auditor, District Attorney, the Sheriff, and each Department will develop a procedure for identifying and informing employees who are required to report for duty regardless of decisions to close or curtail other county operations, and shall inform those employees of their designation as essential and the expectations for reporting for duty. Essential employees may be required to present verification for unplanned absences occurring on days when the county has closed or curtailed other operations due to conditions described in 3-15-010(B). Verification includes, but is not limited to, medical verification for sick leave for the employee or a family member, or other independent verification, depending on the reason given, that conditions prevented the employee from reporting for duty as scheduled in order for the absence to be approved. (ER 288, Added, 01/06/2005)

§ 3-15-020 Absences

Unless the Chair has declared an event, and except as provided in MCPR 3-15-040, an employee, FLSA exempt or non-exempt, who does not report to work or reports late due to conditions described in 3-15-010(B) shall use appropriate leave as follows:

A. After notifying a supervisor, an employee may charge any time not worked to:

1. Leave without pay;
2. Compensatory time off;
3. Personal or saved holiday; or
4. Vacation leave.

B. Sick leave may not be used for this purpose.

(ER 312, Amended, 08/08/2007; ER 200 Amended, 01/06/2005)

§ 3-15-030 Partial Day Absences

A. Late Arrivals

If the Chair declares an event, FLSA non-exempt employees, who attempt to get to work on time but are unavoidably delayed, may arrive up to two hours late without penalty regardless of their scheduled start time. FLSA non-exempt employees who attempt to get to work in such a county declared event, but who are unavoidably delayed, shall not have time charged to one of the categories in MCPR 3-15-020 above unless he or she is two or more hours late, in which event all time late will be charged.

B. Early Departures

Managers and supervisors may allow FLSA non-exempt employees who expect to encounter unusual difficulty in getting home to leave early and charge the absence for the remainder of their scheduled shift in accordance with MCPR 3-15-020. All employees who live near their work sites or on well-traveled routes are expected to stay on the job until closing time.

C. Requests to Adjust Work Hours

Employees may, at the discretion of their supervisor, be allowed to adjust their work hours within the work week to make up for late arrivals and early departures that would otherwise be charged in accordance with MCPR 3-15-020, provided that no overtime or compensatory time is earned as a result of the adjustment.

(ER 312, Amended, 08/08/2007; ER 288, Amended, 01/06/2005)

§ 3-15-040 Administrative Curtailment or Closures of County Facilities

A. The Chair, District Attorney, Auditor, Sheriff or Department Director may order an unplanned curtailment of county or department operations or closure of offices or

facilities, or reassign employees to other temporary work locations, when conditions, such as those described in 3-15-010(B), that interfere with or prevent normal operations exist. The District Attorney, Auditor, Sheriff, and Department Directors shall make such judgments in consultation with the Chair and appropriate health and safety, emergency management, and/or law enforcement officials, as appropriate, and shall immediately notify all affected employees and the Chair's Office of the decision.

B. An employee who has reported to work and is directed to leave shall be paid for the remainder of the scheduled shift.

C. An employee who is directed by the county or his/her department not to report for work due to facility closure, delayed opening, and/or conditions described in 3-15-010(B) shall be compensated for regularly scheduled hours until such time as the facility or office reopens and/or the employee is reassigned to another work location.

D. An FLSA exempt employee shall not be required to use accrued paid leave or leave without pay for absences when the county or a department closes or curtails operations for periods of less than a full work week.

E. Employees already in an approved leave status at the time of closure will remain in that leave status.

(ER 312, Amended, 08/08/2007; ER 288, Amended, 01/06/2005)

§ 3-15-050 Employees with Disabilities

Employees who are disabled pursuant to the Americans with Disabilities Act may require reasonable accommodations in order to help such employees get to work during periods of inclement weather or in the event of a natural disaster. Supervisors will meet with such employees to identify an appropriate manner in which the county may help the employee get to work. Supervisors may seek assistance from the Central HR or County Attorney, if needed, and are encouraged to discuss these plans in advance with any affected bargaining agent.

(ER 312, Amended, 08/08/2007)