

## **FOR EMPLOYEES**

### **Emergency Closings - Frequently Asked Questions**

**DISCLAIMER: The following questions and answers are based on the Emergency Closings policy Updated: February 4, 2021.**

#### **Q. How do I find out if my office or worksite is closed due to emergency conditions?**

Emergency closing conditions are determined by emergency/public safety officials or your agency head in consultation with your agency's safety officer. Notification of emergency conditions may vary based on the nature of the emergency; i.e., fire, bomb threat, natural disaster, prolonged loss of power or water, etc. Each agency/university has an emergency response plan which identifies specific processes and procedures for responding to and communicating various emergency situations. You should contact your supervisor or agency Human Resources Office to learn the notification process developed by your agency.

#### **Q. How do I account for lost time from work during an emergency closing or evacuation?**

If you are a non-emergency employee impacted by an emergency closing or emergency evacuation and you are not required to work at an alternate site, you will not be required to use accrued compensatory time, vacation/bonus leave, or make up the lost time from work. Your supervisor should approve the use of "other management approved leave" to cover the absence from work during the emergency closing.

#### **Q. How do I find out if I'm an emergency or non-emergency employee?**

It is the responsibility of each agency head to predetermine and designate the emergency operations of their agency/university. Emergency designations will vary based on the nature of the emergency conditions. You should check with your supervisor or Human Resources Office to determine your status based on the nature of the specific emergency.

**Q. If I've been designated as an emergency employee, will I receive special compensation for my hours of work responding to the emergency situation?**

In addition to your regular pay and, if applicable, overtime compensation, you will receive hour for hour emergency time off (ETO) for all hours worked in response to the emergency.

**Q. As an emergency employee, are there any limitations on when I can use ETO?**

Your supervisor will be responsible for scheduling emergency time off and shall make every effort to grant this opportunity within 12 months of it being awarded. ETO should be used after compensatory time off, but before vacation, bonus or sick leave.

**Q. What happens if I'm unable to use ETO within 12 months?**

If ETO is not used within 12 months it is lost.

**Q. Can ETO transfer to another state agency or be paid out if I separate?**

No, ETO is not paid out upon separation and does not transfer to another state agency.

**Q. How will I be compensated if I'm not designated as an emergency employee but I'm called in to work in response to an emergency the same as employees who are designated as emergency workers?**

You will be compensated in the same manner as emergency employees.

**Q. What if I am a non-emergency employee and I am reassigned to a different work location or approved to work under alternative work arrangements during an emergency closing or evacuation?**

You shall be paid your regular salary for all hours worked but will not be granted emergency time off (ETO).

**Q. What happens if I am an emergency employee and fail to report to work during an emergency situation?**

Your failure to report to work or remain at work during an emergency situation may result in disciplinary action and/or requiring hours missed to be charged to leave with or without pay, as appropriate and determined by your supervisor/management.

**Q. How do I account for time not worked if the Governor declares a “State of Emergency” due to disaster/emergency conditions?**

The declaration of a “State of Emergency” by the Governor does not impact an agency/university head or designee’s authority and responsibility for making emergency closing decisions and implementing emergency response plans based on the nature of the disaster/emergency. During a “State of Emergency,” the Governor or emergency/public safety officials may order mandatory evacuations of geographic areas of the State impacted by the disaster, order mandatory closure of roads, or order mandatory curfews. In the case of State ordered mandatory evacuations, the emergency closing policy will apply to all worksites in the designated area. If you are a nonemergency employee impacted by an emergency closing or emergency evacuation and you are not required to work at an alternate site, you will not be required to use accrued compensatory time, vacation/bonus leave, or make up the lost time from work. Your supervisor should approve the use of “other management approved leave” to cover the absence from work during the emergency closing.

If you are an emergency employee, you will be expected to report to work or remain at work in compliance with your agency/university’s emergency response plan.

**Q. Are FLSA Exempt (salaried employees not eligible for overtime pay) employees compensated for overtime worked during a disaster/emergency situation?**

FLSA exempt employees may be granted compensatory time and if the Governor declares a “State of Emergency” agencies are authorized to pay overtime at straight-time rates to FLSA exempt employees in the following circumstances:

- A gubernatorial declaration of a “State of Emergency,”
- Management requires employees to work overtime for purposes of response and/or recovery during the emergency, and

- Funds are available to pay overtime. The agency shall determine if funds are available and obtain prior approval from the Office of State Budget and Management to use such funds to cover the overtime payments. The agency shall distribute any overtime pay consistently with a pre-defined standard that treats all employees equitably.

**Q. If I was on an approved leave of absence during an emergency closing, do I still have to use my accrued leave to cover the lost time from work or will I be approved to use ‘other management approved leave’ during the period of time the worksite or facility was closed?**

Yes. Employees who are on prearranged vacation leave or sick leave will charge leave to the appropriate account. You cannot use “other management approved leave” if you are on a prearranged vacation or sick leave.

Click [here](#) for more detailed information about the Emergency Closing policy.