

NORTH CAROLINA DEPARTMENT OF COMMERCE		POLICY # HR 7
Title: Adverse Weather		
Effective Date: October, 1996	Administering Authority: Human Resources Dir.	
Revisions:		
Statutory Authority (if applicable):		

Purpose: To provide an opportunity for employees to make up lost time in the event of adverse weather.

Policy:

It is the policy of the Department of Commerce to maintain normal business operations to ensure continuity of services to clients even in adverse weather conditions. It shall be the responsibility of agency employees to make a good faith effort to come to work in such conditions, but not to the extent that personal safety is compromised or threatened.

It shall be the Secretary of Commerce's decision to suspend service or declare the agency officially closed during times of inclement weather in accordance with State Personnel policy.

Make Up Provisions For Time Lost Due To Adverse Weather

In any adverse weather that results in the suspension of DOC operations or in temporarily closing the agency, employees shall charge time lost to vacation leave. If agency operations continue and remain open during adverse weather conditions, employees may exercise discretion in determining whether or not conditions warrant coming to work. If time is lost due to employee discretion, it shall also be charged to vacation leave. All time lost due to adverse weather must be charged against vacation leave on a current basis. Employees who are on prearranged vacation or sick leave will charge leave to the appropriate account with no provision for make up time.

DOC management shall permit employees to make up time lost due to adverse weather unless such an effort would seriously impede operations. Management shall make every reasonable effort to accommodate employees by considering requests to make up time lost due to adverse weather. Any time made up shall be credited to the employee's vacation leave balance and cannot be credited beyond the end of the fiscal year. If time lost due to adverse weather is not made up by the end of the fiscal year, it shall remain charged to vacation leave or shall be considered Leave Without Pay in cases where employees have overdrawn vacation leave balances.

Make Up Time Provisions For Employees Subject to FLSA

Employees whose work is subject to the provisions of the Fair Labor Standards Act shall make up time lost due to adverse weather in the same week in which the time is lost or any other work week that the employee works less than 40 hours. Employees who volunteer to make up time on a holiday shall not be eligible for Holiday Premium Pay.

It shall be the responsibility of Division Directors and Supervisors to ensure that employees making up time lost due to adverse weather are properly supervised if time is made up on holidays or other non-work days.

Essential Services

Certain organizational units of the agency are considered essential service operations and must be staffed to provide necessary services during periods of adverse weather. These organizational units, which are all under the jurisdiction of ITS, are the State Telephone Switchboard, the State Data Network, and the State Central Computer.

If necessary, management will provide transportation assistance for employees in essential service operations.

Special Provisions

When catastrophic, life-threatening weather conditions occur as a result of natural disasters such as hurricanes, tornadoes, earthquakes, floods, or similar events and it becomes necessary for authorities to order evacuation from the place of employment, the following provisions will apply:

Employees who are required to evacuate will not be required to make up time lost from work during the period officially declared hazardous to life or public safety.

Employees required to remain at work due to mandatory operations may be relieved administratively for a period of time necessary to assure the safety of their family or other dependents.

Employees required to work, even in emergency situations as described above, will be paid in accordance with DOC's policy on Hours of Work and Overtime Compensation. Every effort shall be made to compensate overtime by additional payment rather than compensatory time in these instances. Expenses for lodging shall also be considered and paid in cases of extreme emergency when an employee's ability to travel to and from home is restricted or impeded. Such requests for lodging shall be decided on a case-by-case basis.