

## ***Inclement Weather and City Emergencies Policy***

### **SCOPE**

This policy outlines the responsibilities of non-essential, emergency essential and essential employees during inclement weather, other City emergencies, or disasters. Only the Mayor, by Executive Order, may authorize the closing or late opening of City facilities or the delayed arrival of non-essential City employees. However, all essential City services must remain in operation regardless of a delayed opening or a decision to close City facilities. Essential employees assigned to essential City services are required to report to work or remain at work as scheduled during inclement weather, other City emergencies, or disasters. Essential employees who do not report to work or remain at work as scheduled will not be compensated for the hours not worked due to inclement weather or City emergencies.

### **DEFINITIONS**

**Essential City Services** - Essential City services include, but are not limited to police and fire protection, water and wastewater processing and treatment, utility maintenance, transportation services (including signal operations and maintenance) Convention Center services (including maintenance and preparation for contracted events), municipal telephone services, animal shelter, accounting, management information services, and departmental and citywide payroll functions.

**Essential Employees** - Employees who are designated as such by a department/agency head or designee for the purpose of providing essential services to City residents and/or other City employees during inclement weather, other City emergencies, and disasters when City offices are operating under the liberal leave policy or City offices are closed.

**Emergency Essential Employees** - Employees who are considered non-essential and are not generally required to respond to City emergencies outside of their normal workday, but who are designated for a period of time by their department/agency head or designee as essential. Emergency essential employees are required to report to work or remain at work as scheduled or as otherwise specifically directed due to the nature of the emergency or disaster. Employees will be informed when they are designated as emergency essential for an incident, and will return to their non-essential designation when their department/agency head deems their duties no longer necessary for that incident.

**Non-essential employees** – Employees whose functions are not considered necessary for the operation of City services and who are not required to report to work during inclement weather, City emergencies or when the City is operating under the liberal leave policy or City offices are closed.

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**Designation of Employees** – Department/agency head or designees must designate employees as either essential or non-essential by name and job classification. Copies of the official notice of designation must be sent to the Office of the Labor Commissioner (OLC).

**Hours of Operation** - Generally, City services are provided to the public in the City offices between the hours of 8:30 a.m. and 4:30 p.m. However, actual hours of work may vary based on the mission and operations of the agency.

**Liberal Leave** –Non-essential employees may use accumulated vacation or personal leave, compensatory time, or authorized leave without pay granted by the department/agency head or designee without requiring the normal advanced notice request period. Liberal leave will only be instituted when authorized by the Mayor. Non-essential Employees must call their immediate supervisor or designee to request leave and receive approval for use of leave when the liberal leave policy is in effect.

**Workday/Shift** - The hours that an employee is routinely scheduled to work in a day.

**Designation of Employees** - Department/agency heads must designate employees as either essential or non-essential by name and job classification. Copies of the official notice must be sent to the Office of the Labor Commissioner (OLC).

**Emergency Holdover/Call-In** - When circumstances necessitate, an essential employee or emergency essential employee may be held over, or called in prior to or after the employee’s normal shift, in order to perform services for the preservation of public safety. The employee’s department/agency head or designee may deem those services an emergency hold over or call-in. If the department agency/head or designee designates such services to be an emergency which requires employees to be held over or called-in, normal overtime provisions shall apply.

**IMPLEMENTATION**

The Mayor’s Office has designated the OLC to coordinate and implement this policy as necessary. In September of each year, the OLC will distribute printouts so that employees may be notified of their status as either essential, or non-essential in accordance with this policy. All designations of employees as either essential or non-essential must be indicated in the City’s HRIS when hired or as the designation changes. Department/ agency head or designees will be informed directly by the OLC of any decision to delay opening or to close City facilities.

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**ANNOUNCEMENT(S)**

An appropriate announcement of a Mayoral Executive Order on delayed opening or closing of City offices will be announced on the City of Baltimore dedicated hotline for employees, which is (410) 361-9200, radio station WBAL-AM (1090), television stations 2, 11, 13, 45, and cable station 21. The City of Baltimore is not responsible for reporting errors made by the media.

**GUIDELINES FOR DELAYED OPENING, EARLY CLOSING, OR TIME OFF BY EXECUTIVE ORDER**

The following system is adopted for City employees during inclement weather conditions, other City emergencies, or disasters:

**Delayed Opening or Early Closing**

Essential employees are required to report to work as scheduled. Liberal leave policy is in effect at the start of the workday or during the workday for non-essential employees with authorization from the agency/department head or designee.

- Non-essential employees who are absent, late for work, or leave early during a delayed opening or early closing must charge such absence to accumulated vacation, personal leave, compensatory time, or leave without pay. The department/agency head or designee may authorize such absence on an individual basis provided that essential City services remain in operation.
- Essential employees assigned to essential City services who do not report to work as scheduled during inclement weather conditions, other City emergency, or disasters will not be paid nor granted the use of accumulated leave for time missed from work. These employees may be subject to disciplinary action if waivers are not granted. The payroll marking will be “X” for the workday (unauthorized absence without pay). In the event of reasonable lateness during inclement weather, the department/agency head or designee may allow the use of accumulated leave for the hours not worked.
- Employees either essential or non-essential, who are absent, late for work, or leave early during inclement weather, other City emergency, or disasters may not charge such absence to sick leave unless: (1) a medical certificate is presented; or (2) illness is verified by the agency head; or (3) illness has occurred at least one workday before the day of inclement weather.

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**Offices Closed by Executive Order**

If non-essential City facilities are closed by Mayoral Executive Order, essential employees are required to report as scheduled. Appropriate compensation is authorized. Non-essential employees are not charged leave. The correct payroll marking for non-essential employees who do not report for duty is "P" (Permission Leave).

Essential employees who do not report to work as scheduled during inclement weather conditions, other City emergency, or disasters will not be paid or granted the use of accumulated leave time for the workday. The payroll marking will be "X" for the workday (unauthorized absence without pay). Sick leave may be charged when: (1) medical certificate is presented; (2) illness is verified by department/agency head or designee; or (3) illness occurred at least one workday before the closing.

**Report-to-Work Waivers for Essential Person**

Under certain circumstances, an essential employee(s) may be excused from reporting to work, if permission is granted prior to the shift by the department/agency head or designee. This exemption should be granted if the employee's services are not deemed crucial at the time of a delayed opening or earlier when liberal leave is in effect or when an Executive Order closes City offices. However, granting of such waivers must be thoroughly evaluated on a case-by-case basis by the agency head or designee to ensure that there will be no gap or disruption in essential City services during the inclement weather conditions, other City emergency, or disasters. When designated by the agency head or designee, any essential employee who is excused from reporting to work on that day will be treated the same as non-essential personnel for the purposes of leave usage and payroll markings.

**EMPLOYEES WORKING IN BUILDINGS THAT ARE NOT OWNED AND OPERATED BY THE CITY**

Essential and non-essential employees who work at alternative worksites may be impacted by the closing of those sites. The closings may not coincide with the directive from the Mayor. Those employees will be given the name and telephone number of a contact person to call if their building is closed by their immediate supervisor or human resources office. Employees will report to the agency's main office or alternative work site where arrangements can be made A

**AGENCY HEAD RESPONSIBILITY**

All department/agency head or their designees must designate essential employees by classifications and submit their names to the Office of the Labor Commissioner. Agencies are

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responsible for maintaining written records and HRIS (rosters and supplemental memos) of employees' designations. Employees who are newly hired, promoted, transferred, reassigned, or whose positions changed by other personnel actions, should be notified of their essential or non-essential designation within 30 days of their employment status change.

In addition, the agency/department head or designee must designate an employee and a telephone number for receiving calls and granting leave when the Inclement Weather Conditions and City Emergencies Policy has been invoked.

Some City facilities are open on weekends and holidays. The Mayor must approve closures or delayed openings of these sites before any announcement is released.

Department/agency head or designees are responsible for distributing the Inclement Weather Conditions and City Emergencies Policy to all employees. In addition to the policy distribution, communication on employees' designations is critical for employees' understanding and adherence to the Inclement Weather Conditions and City Emergencies Policy.

**TRANSPORTATION** – The City is not obligated to provide transportation services to and/or from work during inclement weather, other City emergencies, or disasters.

**RELATED POLICIES**

- AM-202-1    COMPENSATORY TIME
- AM-204-2    VACATION LEAVE
- AM-204-4    PERSONAL LEAVE
- AM-204-13    TIME-OFF BY EXECUTIVE ORDER
- AM-204-14    SICK LEAVE