



# POLICY

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| <b>Approved by:</b> Rebecca R. Hunter, Commissioner   | <b>Policy Number:</b> 12-037 (rev. 1/16) |
| <b>Signature:</b> <i>Rebecca R. Hunter</i>  | <b>Supersedes:</b> 11-050, 10-027        |
| <b>Application:</b> Executive Branch Agencies, Human Resource and Payroll Officers, Full Time Employees | <b>Effective Date:</b> October 3, 2012   |
| <b>Authority:</b> T.C.A. § 4-3-1703, T.C.A. § 8-30-104, T.C.A. § 8-30-406                               | <b>Rule:</b> Chapter 1120-06             |

**Subject:**

## **Employee Absence and State Office Closure Due to Inclement Weather**

The State of Tennessee recognizes there will be instances when inclement weather causes concerns for employees. In general, however, inclement weather does not warrant the closing of state offices, and it shall be the policy of the state to make every effort to maintain normal working hours during periods of inclement weather in order to continue providing necessary services to the citizens of the State of Tennessee.

Conditions caused by ordinary inclement weather require each employee to make a personal decision regarding safety in traveling to and from the workplace. As with any unexpected absence, employees who do not feel it is safe to travel should contact their supervisor using approved methods. Employees who do not report to work during periods of inclement weather may use accumulated annual or compensatory time for their absence. If the employee has no annual or compensatory time, then the time absent is charged as leave without pay. Employees who make the effort and report to work within a reasonable period should not be required to take leave for that absence. To be eligible, the employee must leave for work at his or her normal departure time in anticipation of regular arrival time.

Occasionally, emergency conditions caused by extreme inclement weather may warrant the closing of some state offices. When such conditions are thought to exist, the Governor or his/her designee may seek input from designated officials in the departments of Transportation and Safety, the Tennessee Emergency Management Agency, the Department of Human Resources and any other departments which may have necessary information, to determine whether state offices should be closed. State office closures due to extreme inclement weather will be made on a county by county basis and will include all offices in each designated county. The decision to close state offices due to extreme inclement weather shall only be made by the Governor or his/her designee. Notice will be timely given to the local media for

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| <b>DOHR Policy:</b><br><b>Employee Absence Due and State Office Closure</b><br><b>Due to Inclement Weather</b> | <b>Policy Number:</b> 12-037 |
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broadcast to the general public, forwarded to all appointing authorities, and communicated by other electronic media as appropriate. If state offices in a county are closed, employees other than those who work in 24-hour facilities or those who may be required by their appointing authority to work shall be excused from work and granted discretionary leave with pay.

Decisions regarding the declaration of single office locations as uninhabitable buildings are made by the Commissioner of Human Resources pursuant to policy.

Employees who work in office locations shared with county offices which have been closed by order of local government will not be required to report to work and will be granted discretionary leave with pay. The appointing authority for those employees should notify the Commissioner of Human Resources in writing, with a copy of official correspondence from the local government which authorized closure, as soon as possible after an occurrence of this type. Employees who work and/or reside in a county where all state offices have been closed by the Governor due to extreme inclement weather shall be excused from work and granted discretionary leave with pay.

Employees who are required to work when state offices have been otherwise closed shall be granted compensatory time for hours actually worked during the period of closing up to their regularly scheduled hours for the workday. Hours worked in excess of regularly scheduled hours are compensated as overtime based on each employee's status under the Fair Labor Standards Act. Part-time employees are paid for hours worked and are not eligible for discretionary leave with pay or compensatory time. Employees on previously approved leave during the affected period must continue to charge the appropriate leave and will not be eligible for discretionary leave under this policy.

Questions regarding this policy may be directed to the Agency Resource Center (ARC).