

## College Operating Procedures (COP)



<b>Procedure Title:</b>	Unscheduled Closings
<b>Procedure Number:</b>	05-0502
<b>Originating Department:</b>	Office of Human Resources
<b><u>Specific Authority:</u></b>	
Board Policy	6Hx6:5.02
Florida Statute	
Florida Administrative Code	n/a
<b>Procedure Actions:</b>	Adopted: 11/21/1996; 7/1/2000; 11/3/2004; 12/22/08; 02/16/2010; 11/1/2010; 02/24/2014, 02/17/2020
<b>Purpose Statement:</b>	To establish responsibilities and compensation procedures when there are emergency closings of the College.

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### Guidelines:

During emergency conditions, such as severe weather, natural disasters, major utility failure, or other reasons, the College may close all or parts of the Lee, Collier, or Charlotte campuses or the Hendry-Glades Center. In the event that the College is subjected to a severe natural, man-made or fiscal emergency, the President may modify these procedures as necessary.

### Procedures:

Employees will be compensated for unexpected closures, upon approval of the President (or Designee) of the College, a campus, building or office of the College upon approval of the President or his/her designee. Only employees in active pay status and not on scheduled leave of absence during the time of emergency closing shall be provided Emergency Leave.

#### I. Responsibilities:

- A. The President, in consultation with the Vice Presidents/Executives as appropriate, will determine when conditions warrant an emergency closing.
- B. When an emergency College closing is declared, the Vice Presidents/Executives are responsible for disseminating information about the closing to their units.
- C. Vice Presidents are responsible for designating functions in their areas that will close.
- D. The Vice Presidents, Deans, Executives, and Directors are responsible for designating staff (Essential Personnel and any regular staff) who are required to work when the College is closed.
- E. Essential Personnel – Florida SouthWestern State College (FSW) staff designated by College leadership to be critical to the continuation of key operations and services in the event of a declared Unscheduled Closing

## II. General:

During a declared unscheduled College closing employee may be mandated or requested to work by one's supervisor, department, or College leadership. The College will compensate for work performed during these situations as follows:

### A. Essential Personnel

Essential Personnel are designated as those personnel of the College in Public Safety, Facilities, IT, HR, and Business Services, who are required to remain after the College is closed because of a declared emergency condition. Some may be required to report to work prior to the official declaration that an emergency has ended. The College reserves the right to designate additional positions as essential according to circumstance and the needs of the College.

Employees who are deemed to be "essential personnel" during an unscheduled closing/emergency condition, and who cannot work due to their own personal emergency, may use vacation or sick leave in accordance with College policies, with the approval of the immediate supervisor. Employees who are deemed to be "essential personnel" during an official College closing/emergency condition, and who refuse to work for reasons not deemed a personal emergency, will not be paid and may be subject to disciplinary action, up to and including termination of employment.

### B. Unscheduled closing occurs on duty days (including paid holidays) for employees in active pay status:

#### a. Exempt employees

- i. **Not required to perform work** - will receive their normal salary as Emergency Leave and be paid their regular daily rate.
- ii. **Required to perform work** - in addition to receiving pay as noted above, employees working any part of a duty day will receive payment equivalent to their regular daily rate pro-rated for hours actually worked.
- iii. If an employee is on approved vacation or sick leave, hours will be reinstated to the employee's leave balance and will be automatically adjusted by Payroll.

#### b. Non-exempt (hourly) employees with regular status

- i. **Not required to perform work** - will be compensated for their normally scheduled hours as Emergency Leave.
- ii. **Required to perform work** - in addition to receiving pay as noted above, employees working any part of a duty day will receive payment equivalent to 1.5 times their regular hourly rate for hours actually worked.
- iii. If an employee is on approved vacation or sick leave, hours will be reinstated to the employee's leave balance and will be automatically adjusted by Payroll.

#### c. Temporary employees (includes OPS temps, work study, student assistants)

- i. **Not required to perform work** – employees are not eligible for Emergency Leave during Unscheduled Closings.
- ii. **Required to perform work** - employees will be paid their regular rate of pay for actual hours worked and 1.5 times their regular rate of pay after 40 hours in a pay week.

**C. Unscheduled closing occurs on non-duty days:**

**a. Exempt employees**

- i. **Required to perform work** - employees working any part of a duty day will receive payment equivalent to their regular daily rate pro-rated for hours actually worked.

**b. Non-exempt (hourly) employees**

- i. **Required to perform work** - employees working any part of a non-duty day will receive payment equivalent to 1.5 times their regular hourly rate for hours actually worked.

**D. Temporary employees (includes OPS temps, work study, student assistants)**

- a. **Required to perform work** - employees will be paid their regular rate of pay for actual hours worked and 1.5 times their regular rate of pay after 40 hours in a pay week.