



The Community College of Baltimore County
Human Resources Directive FY2011-09

**Staff Compensation for Emergency Closings
and Inclement Weather Closings; Definition of
“Essential Personnel”**

This directive is intended to clarify CCBC’s practices in compensating each category of employee during emergency closings. It is based on the language in the union agreements, the CCBC employee handbook and past practices.

Definition of Emergency Closing

Emergency closings are unplanned closings of a campus or the entire college. An emergency closing can occur during regular work days, holidays, or college recesses. Certain emergency closings may only affect one area or campus of the College (for example a power outage). In such a limited emergency, only the employees who work in the campus or area declared as closed because of an emergency will be affected by this directive. Employees not working at the declared emergency closing locations will continue to work per their normal schedules.

An emergency closing must be declared by the President, or in his/her absence, the President’s designee. The President or designee will declare the emergency closing to be over when he/she deems that the conditions that precipitated the declaration of emergency closing have improved sufficiently to allow the college to resume normal business.

Unless otherwise stated, an emergency closing will begin at 7:00am and end at 6:59am the following day. For example if the college is closed all day due to snow, then premium pay¹ associated with the closure will begin at 7:00am and end at 6:59am the next day. If the college closes mid-day at 1:00pm due to inclement weather, then premium pay will begin at 1:00pm and end at 6:59am the next day. If the college opens late at 10:30am due to weather, then premium pay will begin at 7:00am and end at 10:30am.

Definition of “Essential Personnel”

Essential positions are positions at CCBC that are critical to the health and safety of our employees and students and/or are critical to the day-to-day operations of the college. As a result of the critical functions they perform, those employees designated as essential employees are subject to being called to work during times that the employee would ordinarily be away from work. Essential employees may be required to perform work during their regularly scheduled time off, during holidays, or at other times when CCBC’s campuses are closed. For example, during periods of inclement weather, an essential employee shall be required to come to work, even though other employees are not required to come to work.

At CCBC, there are three groups along the continuum of “essential staff”.

1. Staff members who are always required to report during an emergency.
2. Staff members who are often required to report during an emergency, but only at the specific direction of their supervisor.

¹ Premium pay is usually means double time and a half if the employee works more than 40 hours in said week. Refer to the specific collective bargaining agreement for more details.

3. The remainder of CCBC staff members. On a very infrequent and unusual basis, any other staff member may be required to report during an emergency at the specific direction of their supervisor.

The following table provides additional details on the reporting responsibilities of “essential staff” at CCBC.

Unit	Essential Personnel
<p>Unit 1 Hourly Classified Staff</p>	<p>All Facilities Department Employees including Custodians, Groundskeepers, Utility Engineers, Maintenance Mechanics and General Services Staff are designated as essential personnel and required to report during all emergencies as specifically directed by their supervisor.</p> <p>For example, all groundskeepers and Snow Team Volunteers are required to report during a snow emergency as directed by their supervisor.</p> <p>For “predictable emergencies” like inclement weather, the college will first seek volunteers to report during the emergency.</p>
<p>Unit 2 Hourly Classified Staff</p>	<p>IT employees in Network and Infrastructure, Operations, Help Desk and/or Applications are often required to report during an emergency. They are required to report during an emergency event if specifically directed by their supervisor.</p> <p>Infrequently and unusually, other Unit 2 staff members may be required to report during an emergency event if specifically directed by their supervisor.</p>
<p>Unit 4 Hourly Classified Staff</p>	<p>All Certified Public Safety Officers and Facilities Department employees are required to report during all emergencies in accordance with their work schedule.</p> <p>Any other non-unit classified staff member may be required to report during an emergency if specifically directed by their supervisor, e.g., payroll staff.</p>
<p>Continuous Part Time Employees</p>	<p>All Non-certified Public Safety Officers are required to report during all emergencies in accordance with their work schedule.</p>
<p>Administrative and Professional Staff</p>	<p>All Public Safety and Facilities Department employees are required to be on duty during all emergencies. They should report to the location and at the time directed by their supervisor.</p> <p>If requested by their supervisor, other CCBC administrative and professional employees may be required to report during an emergency.</p>

Working Obligations of Essential Personnel

Essential employees are required to provide their supervisors with accurate contact telephone number(s) and address(es) so they can be contacted at home or elsewhere if the need arises. All essential personnel must be available for call-in and work during an emergency during the time of their regular shift, provided that the employee has not previously received approval for vacation or other leave.

- (1) If the employee does not respond to reasonable efforts to contact him/her or fails to provide accurate contact information, he or she will be subject to disciplinary action starting with a written reprimand and up to and including termination.
- (2) Essential personnel are expected to report for work during an emergency when required to do so. If the essential employee is unable to come to work, the employee is responsible for contacting his or her supervisor with an explanation. The supervisor may arrange for the employee to be transported to work, arrange for a later reporting time, excuse the absence, or discipline the employee starting with (step 1) written reprimand, (step 2) docking that day's pay and then (3) termination

Pay for Emergency Closings (Guidelines for all Employees)

When the President or designee declares an emergency closing, all employees, except for part-time associates, will be paid their normal hourly rate or salary for all hours that they are unable to work because of the closing. Employees who are on a paid day off or a paid leave of absence during an emergency closing will not be charged leave time for the duration of the closing.

Employees who are on unpaid FMLA, departmental medical leave or any other type of unpaid leave or unpaid days off, during an emergency closing will not be entitled to compensation for emergency closings. Employees who are on sabbatical will receive their normal sabbatical pay and will not be entitled to any additional compensation during emergency closings.

Emergency Closing Pay Guidelines for Unit 1 Employees represented by AFSCME

Emergency closings are not specifically addressed in the AFSCME agreement; however, the College considers most Unit 1 employees as "essential personnel" during these periods. (Only Unit 1 employees assigned to the Plant Operations are considered to be essential personnel subject to call-in as further detailed on the previous page.) Therefore, emergency closing hours will be considered hours worked for employees who are required to work during the emergency event. Additionally, "essential personnel" in Unit 1 may be required to work during periods of significant inclement weather (or other emergency) when the College is normally closed, for example holidays and winter or spring recess. (See HR Directives FY 2011-06 and FY 2011-08 for direction on compensation for recess leave and holidays.)

Essential personnel in Unit 1 who are required to work during emergency closings effecting their area or campus will receive regular pay plus emergency closing pay until forty hours is reached. Hours beyond that accumulation will be compensated at one and one-half times the regular hourly rate of pay.

Emergency closing hours will not be counted as hours worked in the computation of overtime for employees who were not required to work during the emergency closing, but may have worked overtime on another day during the pay period in which the emergency event occurred.

During an emergency, if an employee is at work for two or more shifts straight so that he or she will miss all or part of his or her next regular shift to rest, the employee has three options for pay. For example, if the employee worked for 24 hours straight:

1. The employee can request that the supervisor modify the employee's next regular shift to have occurred during the 24 hours just worked. The employee will be paid 16 hours of premium pay and 8 hours of regular pay for those 24 hours worked.
2. The employee and supervisor can mutually agree to delay the employee's next regular shift to that afternoon or evening. In this case, the employee will be paid 24 hours of premium pay and 8 hours of regular pay for those 32 hours worked.
3. The employee may use vacation, sick or personal leave for the next regular shift. (In accordance with the AFSCME collective bargaining agreement, vacation, sick or personal leave taken under these conditions will not count as "hours worked" for overtime computation.)

Emergency Closing Pay Guidelines for Unit 2 Classified Employees represented by CWA

Sections 6.9 and 7.11 of the CWA agreement address emergency closings. Section 6.9 states that "only those hours actually worked shall be included in the computation of overtime". Section 7.11 states that "when it is determined by the President that a general emergency exists of a nature that requires closing of the offices, an employee who reports as directed shall be paid at the regular rate for each hour worked, and for each hour that the employee normally would work until those hours accumulate forty hours. Any work beyond that accumulation shall be compensated at one and one-half times their regular rate".

The College considers certain Unit 2 employees as "essential personnel" during emergency closings. Because "essential personnel" may vary, dependent upon the timing of (and reason for) the emergency closing, only those employees whose essential designation is approved by a Vice President will be considered as "essential personnel" for the computation of overtime.

Annually, the appropriate vice president will sign a roster indicating pre-approval of essential status for unit 2 staff who are frequently asked by their supervisor to report in an emergency, e. g. IT employees in Network and Infrastructure, Operations and Help Desk. For these employees the supervisor's signature on the employee's exception report will authorize emergency pay. For other unit 2 employees, the appropriate vice president will sign the essential employee's exception report on a timely basis confirming their approval of "essential" designation for each specific emergency. These employees will receive regular pay for hours worked during the emergency closing, plus emergency closing pay, until forty hours is reached. Hours beyond that accumulation will be compensated at one and one-half times the regular rate.

Emergency closing hours will not be counted as hours worked in the computation of overtime for Unit 2 employees who (1) did not work during the emergency closing, (2) worked during the emergency closing but were not deemed "essential", or (3) worked overtime on another day during the pay period in which the emergency event occurred.

Emergency Closing Pay Guidelines for Non-Unit Classified Employees

The CCBC handbook does not specifically address emergency closing pay for non-unit classified employees. However, it is the College's intent to treat non-unit classified and Unit 2 classified employees equally in this regard.

The College considers public safety employees and certain other non-unit classified employees as “essential personnel” during emergency closings. Because “essential personnel” may vary (except for certified and non-certified public safety officers who are always considered “essential personnel”), dependent upon the timing of the emergency closing, only those employees whose essential designation is approved by a Vice President will be considered as “essential personnel” for the computation of overtime. (For each specific emergency, the appropriate vice president will sign the essential employee’s exception report on a timely basis confirming his or her approval of “essential” designation.) These employees will receive regular pay for hours worked plus emergency closing pay until forty hours is reached. Hours beyond that accumulation will be compensated at one and one-half times the regular hourly rate.

Emergency closing hours will not be counted as hours worked in the computation of overtime for non-unit classified employees who (1) did not work during the emergency closing, (2) worked during the emergency closing but were not deemed “essential”, or (3) worked overtime on another day during the pay period in which the emergency event occurred.

Emergency Closing Pay Guidelines for Part-time Associates and Continuous Part Time Employees

Part-time associates, i.e., temporary hourly employees and continuous part time employees who work hours during emergency closings (e.g., part time public safety officers) are paid straight time for the hours worked. Hours beyond forty physically worked in a pay week are paid at one and one-half the hourly rate. Part-time associates and continuous part-time employees do not receive emergency closing pay.

Emergency Closing Pay Guidelines for Administrative, Professional and Faculty Employees

Administrative and professional employees as well as full-time faculty are salaried and, as such, are not entitled to extra compensation if they work during emergency closings.