



## **Administrative Regulations**

### **Office of the Mayor**

**Title:** EMERGENCIES AND CLOSINGS

**A.R. Number:** 1.5 **Effective Date:** 10/31/17 **Page:** 1 of 5

**Supersedes:** Emergencies & Closings **A.R.:** 1.6 **DATED:** 1/5/2016

#### **I. PURPOSE**

The purpose of this policy is to ensure that all employees are properly notified and compensated when weather or other emergency circumstances force the closing of most City offices. This includes both formal declared emergencies and other occasions not formally declared as an emergency.

#### **II. POLICY**

This policy provides the Chief Administrative Officer (CAO) or designee, the flexibility needed to take swift and appropriate action in such circumstances. This policy does not prohibit City Administration or Agencies from establishing other hours of operation that are necessary to carry out the business of the City government, establishing emergency practices consistent with operating needs and City policy, or determining which employees are essential or non-essential.

#### **III. PROCEDURES**

##### **A. General**

1. Declaration of an Emergency– The Mayor, CAO, or City Council have the authority to declare that there exists in the City an emergency, which constitutes a danger to the safety, health, peace, good order and welfare of the citizens of the City.

In the event of an emergency or inclement weather, the City Administration will make every effort to open facilities to the public and employees should assume they must report as normal. However, if roads are too dangerous for travel or there is structural damage to a building, the administration may decide to delay opening or close City facilities until conditions improve. Staff should seek current information by:

- a. Calling your voice mail from an outside phone. A message left on your office voice mail will announce any closures or delayed openings. Call the designated voicemail access number (646-1500) and follow the instructions for those with a mail box on the system by pressing the star key, and entering your extension and password when prompted.
  - b. Listening to area broadcast news outlets for closings and delayed opening notices, including WTVR, WWBT, WRIC and WRVA radio, 1140 AM.
  - c. Watching your email for an early closing announcement when dangerous weather or other dangerous conditions occur during working hours.
  - d. Visit [www.richmondgov.com](http://www.richmondgov.com) and follow the City on Twitter @CityRichmondVA for updates of City events.
  - e. Contacting your immediate supervisor if you have any questions.
2. Employee Notification – The CAO shall ensure that all employees are properly notified and compensated in accordance with the appropriate Administrative Regulation(s). Unless otherwise notified by sources identified in this Administrative Regulation, all personnel are to assume that the City of Richmond will be open for business regardless of any weather or other emergency condition that may develop. Employees must report to work and should expect that all offices will be fully operational unless notified by a media broadcast. If a media broadcast indicates that offices are in any status other than fully operational, the status (e.g., late opening or early closing) will be broadcast via one or all of the following:



## **Administrative Regulations**

### **Office of the Mayor**

**Title:** EMERGENCIES AND CLOSINGS

**A.R. Number:** 1.5 **Effective Date:** 10/31/17 **Page:** 2 of 5

**Supersedes:** Emergencies and Closings **A.R.:** 1.6 **DATED:** 1/5/2016

- a. Broadcast voice mail
- b. Broadcast E-mail
- c. Television broadcast: WTVR-TV 6; WRIC-TV 8; WWBT-TV 12
- d. Radio broadcast: WRVA 1140 AM

It is the employee's responsibility, prior to reporting for duty, to monitor the above listed broadcast media or call 804-646-1500 for a recorded message pertaining to the status of offices for that day.

If a non-essential employee elects not to report to work due to emergency or adverse weather conditions when offices are open, the employee will be charged annual leave for the time period in which offices are open. If the employee does not have annual leave, then the hours will be treated as "leave without pay".

3. Continuity of Critical Operations - The continuity of critical operations/services during adverse weather or other emergency conditions is essential. Departments may be required to maintain the minimum level of staff needed to provide services. Under conditions of emergencies and/or closings, essential employees may be required to report to work when other City employees are not required to do so.

Departments are responsible for notifying their respective employees and maintaining and posting a list of essential employees. During an emergency and/or closing, an employee who is not listed on the essential personnel staffing list may still be designated as essential, and must report to work.

#### **B. Compensation for Declared Emergency**

1. Non-exempt employees, as defined by FLSA, either essential or non-essential, who are required to work during a declared emergency will receive regular pay for the day or shift worked plus any additional hours worked. Employees may also be granted additional time or compensation, on an hour-for-hour basis, for all hours worked during the emergency. The CAO or designee will determine the hours to which this provision applies. The CAO designee has the discretion to apply this provision to selected groups of employees performing emergency work and may apply this provision in non-continuous time units (e.g., after normal work hours or weekends). Overtime is required for non-exempt employees who work more than the allowed hours of their work cycle (weekly, biweekly, 28 days). The additional time or compensation discussed above is in addition to any required overtime payment.
2. Exempt employees who are required to work due to the emergency are not eligible for either overtime payment or compensatory time. However, due to the situation and in recognition of their service, exempt employees may be eligible for administrative leave. Administrative leave is awarded by the Agency/Department Head and should be taken at the earliest possible time. Administrative leave must be used as leave and is not compensable. Administrative leave earned and not used within 26 pay periods will be forfeited.
3. All employees who were not required to work their regular day or shift due to the emergency will receive regular pay for that day or shift.
4. For essential employees, the Appointing Authority or designee is authorized to cancel previously approved leave to ensure these employees are available for work during the emergency period.



## Administrative Regulations

### Office of the Mayor

Title: EMERGENCIES AND CLOSINGS

A.R. Number: 1.5 Effective Date: 10/31/17 Page: 3 of 5

Supersedes: Emergencies and Closings A.R.: 1.6 DATED: 1/5/2016

#### C. Closings and Delayed Openings

1. **Full Closing** – If City offices are fully closed, employees who are not designated as essential will be excused from work. Essential employees may be required to report to work. Essential employees who do not report to work during closed status when required to do so will be placed on unauthorized leave without pay and may be disciplined, up to and including termination. If an emergency is not declared, the CAO or designee has the discretion to provide the emergency pay provisions outlined in Section B. Non-essential employees who are on pre-approved leave will not have leave time charged for the designated time in which the City is officially closed.
2. **Early Closing** – If City offices are closed early, employees who are not designated as essential will be excused from work. Essential employees may be required to remain at work. Essential employees who do not remain at work when required to do so during closed status will be placed on unauthorized leave without pay and may be disciplined, up to and including termination. Employees who work their full shift or workday will receive no additional compensation. Non-essential employees who are on pre-approved leave will have leave time charged for the entire period for which the leave was approved.
3. **Delayed Openings** – If the opening of offices is delayed, essential employees may be required to report for normal working hours. All non-essential personnel are expected to report at the broadcasted time. If an employee reports later than the broadcasted opening time, the employee will be charged leave time for the period of absence between the late opening time and the time the employee actually reports for duty.

In the event that the opening of offices is delayed, non-essential employees that work flexible schedules will revert back to the standard work schedule of 8:00 a.m. to 5:00 p.m. For example, if the employee's flexible schedule is from 7:00 a.m. to 4:00 p.m. and the offices open at 10:00 a.m., the employee would report for work from 10:00 a.m. until 5:00 p.m. If the employee leaves earlier than 5:00 p.m., the difference in hours will be charged to annual leave. Employees who work their full shift or workday will receive no additional compensation. Non-essential employees who are on pre-approved leave will have leave time charged for the designated time in which the City is officially closed.

4. **Partial Closings/Locations** – If the emergency or other circumstance is limited to a portion of City offices (as determined by the CAO or designee), employees may be relocated to an unaffected designated area of the City. Employees who fail to report to the designated location may be placed on unauthorized leave without pay status, and may be disciplined, up to and including termination. Employees who work their full shift or workday will receive no additional compensation. Non-essential employees who are on pre-approved leave will have leave time charged for the designated time in which the City offices are officially closed.

#### D. Liberal Leave Determinations

Under certain emergency conditions, the CAO or designee may declare liberal leave for non-essential employees. Such determinations are reported to the media and are posted in accordance with section III.A.2.

The following conditions apply when liberal leave is in effect:

1. Non-essential employees are allowed to be absent for a portion of a workday or the entire workday and are charged paid leave (i.e., vacation or compensatory) or leave without pay, as appropriate, for the period of absence. Employees must notify their supervisors if they intend to take leave.
2. Non-essential employees arriving late under a liberal leave determination will not be penalized for tardiness, but will be charged paid leave or leave without pay, as appropriate, for the period between the regular starting time and their arrival.



## Administrative Regulations

### Office of the Mayor

Title: EMERGENCIES AND CLOSINGS

A.R. Number: 1.5 Effective Date: 10/31/17 Page: 4 of 5

Supersedes: Emergencies and Closings A.R.: 1.6 DATED: 1/5/2016

3. If liberal leave is announced during the workday, non-essential employees will be permitted to leave the work site, at their discretion after apprising their supervisors. Employees will be charged paid leave or leave without pay, as appropriate, for the period between their departure and the end of their regular workday.
4. Liberal leave determinations do not apply to essential employees. Essential employees are required to report for work when liberal leave is declared, unless they are specifically excused by their supervisors.
5. Employees may not use sick leave for a liberal leave absence unless the absence meets the criteria for Personnel Rule 6.4 – Sick Leave (i.e., personal illness; non-compensable bodily injury or disease; infection with or exposure to a contagious disease such that his or her presence on the job might jeopardize the health of others; to keep a medial appointment; or immediate family illness).

#### IV. DEFINITIONS

Terms	Definitions
Delayed Openings	The opening of offices is delayed due to adverse weather conditions or other emergency circumstances.
Early Closing	The closing time of offices is adjusted to an earlier time due to adverse weather conditions or other emergency circumstances.
Essential	Personnel designated by each Agency/Department Head that are “essential” to the effective operations of the City because of his/her responsibilities to protect and serve the citizens of Richmond. An individual may be determined as essential in one given situation (i.e., snow storms/removal) and non-essential in another situation (i.e., sewer maintenance). The decision to designate an individual as essential is determined by the Agency/Department Head.
Exempt	A classification for which overtime compensation (payment or compensatory time) is not required under the Fair Labor Standards Act. Positions classified as exempt are so noted in the Compensation Plan.
Full Closing	City offices are fully closed for the entire workday due to adverse weather conditions or other emergency circumstances.
Liberal Leave	Leave/time-off requested by employees and granted by supervisors without delay in the time of an emergency. This is at the discretion of the CAO, Mayor or City Council and only for non-essential employees.
Non-Essential	Personnel who are not designated as “essential” for the emergency or closing.
Non-exempt	A classification for which overtime compensation (payment or compensatory time) is required by the Fair Labor Standards Act. Positions classified as non-exempt are so noted in the Compensation Plan.
Partial Closings/Locations	If the emergency or other circumstance is limited to a portion of the City.



**Administrative Regulations**

**Office of the Mayor**

**Title:** EMERGENCIES AND CLOSINGS

**A.R. Number:** 1.5 **Effective Date:** 10/31/17 **Page:** 5 of 5

**Supersedes:** Emergencies and Closings **A.R.:** 1.6 **DATED:** 1/5/2016


**V. AUTHORITY**

City Pay Ordinance;  
FLSA

**VI. REGULATION UPDATE**

The Department of Human Resources shall be responsible for modifications to this Policy.

**RECOMMEND APPROVAL:**

  
\_\_\_\_\_  
**CHIEF ADMINISTRATIVE OFFICER**

**APPROVED:**

  
\_\_\_\_\_  
**MAYOR**