

POLICY/ADMINISTRATIVE PROCEDURE/ADMINISTRATIVE DIRECTIVE

SECTION: HUMAN RESOURCES	REFERENCE NUMBER: 110.03
SUBJECT: ATTENDANCE	INITIAL EFFECTIVE DATE: 10/30/84
TITLE: INCLEMENT WEATHER	LAST REVISION DATE: 6/7/21

ADMINISTRATIVE DIRECTIVE:

The City of Denton (“City”) is responsible for providing Police, Fire, EMS, electric, water, wastewater, streets, drainage, traffic, and other supporting services to residents in Denton with or without inclement weather conditions. Given these responsibilities, it is the policy of the City to remain open during most periods of inclement weather; however, where extraordinary circumstances warrant, due to weather or other unforeseen business interruption, the City Manager or their designee may close City offices or facilities. Should this occur, employees are encouraged to listen to media broadcasts and check the City’s website during periods of adverse weather to find out if the facility is open or closed on a given day or contact their department manager at least one (1) hour before their scheduled starting work time to determine if closure is required. The City Manager or their designee will make the decision whether City offices or facilities are open, closed, or will be delayed in opening due to inclement weather and will communicate this to employees utilizing emergency broadcasting or media resources (e.g., text messages, email, and posting on the City’s homepage of its website).

A. Delayed Opening or Closing of City Offices or Facilities

Employees should never assume City offices or facilities will be closed. All instructions regarding the delayed opening or closing of City offices or facilities will be issued by the City Manager or their designee.

B. Reporting to Work During Inclement Weather

Although City offices or facilities may remain open, City employees are expected to use their judgment in determining whether they can safely report to work due to inclement weather.

The procedure for reporting an absence due to inclement weather conditions is the same as for any other absence. The employee should comply with their department’s call-in procedures in the event of inclement weather.

If weather conditions are so severe that an employee feels they cannot safely report for work and City offices remain open, the supervisor may account for the employee’s absence by use of one of the following methods:

1. Allow the employee to utilize accrued vacation time.
2. Reduce the employee's pay for hours not worked; however, to comply with the Fair Labor

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Standards Act, exempt employees *must* be allowed to use any accrued vacation time. Any unpaid time should be coded as authorized unpaid leave.

3. Allow the employee to flex their time *within the same workweek* to make up some or all the time missed due to the inclement weather.
4. Permit the employee to telecommute for the day(s) of the inclement weather provided the employee's job duties can be performed at home. All non-exempt employees must report and record all hours worked remotely.
5. If the employee does not have internet service or utilities, or the internet services or any other resources necessary for the employee to perform their job duties remotely become unavailable due to the inclement weather, then the employee will not be permitted to telecommute and must either physically come into their City office and work or ask their supervisor for permission to use their vacation time or to flex their time for work time missed.

C. Employees in Essential Positions

Employees in positions that are considered "essential" should plan to ensure that they are able to report for work in the event of inclement weather.

Department heads or their designee will determine the positions that will be essential personnel in the event of inclement weather. Supervisors shall advise employees, prior to any threat of inclement weather, that they are in positions considered to be essential in the event of inclement weather. Employees also have a responsibility to check with their supervisor to ensure that they are not in a position that is considered essential in the event of inclement weather.

As the City is responsible for providing vital public services, department heads or their designee may modify an employee's position that was initially categorized as non-essential to essential given the needs of the department and the City during a period of inclement weather. If this occurs, the employee's supervisor will advise the employee that their position has been modified to essential.

The City is responsible for vital public services that must be continued regardless of weather conditions; therefore, employees in essential positions will be *required to report for work* unless informed otherwise by their supervisor. Employees in essential positions who work during inclement weather will receive regular pay. Overtime will be calculated for non-exempt employees when hours worked exceed 40 in the workweek (for Police and Fire Civil Service exceptions, see the Overtime policy no. 106.04.).

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If a non-exempt employee in an essential position fails to report for duty, the supervisor will consider the relevant facts provided to determine if the employee's failure to report for duty is reasonable. If the supervisor determines the employee's reason for failing to report for duty is unreasonable, the supervisor may allow the employee to use accrued vacation time or may elect to code the employee's time as unauthorized unpaid leave. Before coding the employee's time as unauthorized unpaid leave, the supervisor must consult with Human Resources. Any use of unauthorized, unpaid leave may be accompanied by corrective action pursuant to the Corrective Action policy no. 109.01.

Although an exempt employee must be paid any accrued vacation time if they fail to report to work, an exempt employee in an essential position may still be subject to corrective action, including a suspension without pay. The level of corrective action used shall be proportionate to the severity of the offense and the employee's prior corrective action history.

D. Compensation During Inclement Weather Conditions

If City offices have delayed openings, early closures, or are closed entirely by the City Manager or their designee due to inclement weather, employees in regular full-time or regular part-time "non-essential" positions will be paid, but only if normally scheduled to work that day and only for those hours that the employee would normally work. This time off will be recorded as "authorized paid leave" and will not be considered time worked for overtime purposes. Seasonal and temporary employees will not be paid; however, supervisors are encouraged to allow employees to make up the hours lost when possible.

If an employee's position can be performed when telecommuting and the employee's supervisor approves the temporary telecommuting arrangement due to inclement weather, the employee is expected to work from their remote location as they normally would work in order to be compensated.

If City offices have delayed openings, early closures, or are closed entirely by the City Manager or their designee due to inclement weather and if the employee cannot telecommute from their remote location due to loss of internet or power, the employee will be paid, but only if normally scheduled to work that day and only for those hours that the employee would normally work. This time off will be recorded as "authorized paid leave" and will not be considered time worked for overtime purposes.

If City offices is open and the employee has been permitted to telecommute from home due to inclement weather, an employee will be paid for their actual hours worked. If the employee becomes unable to telecommute from their remote location due to a loss of internet or power and cannot perform any of their job duties without internet services or power, the employee will not be paid for loss time in which they did not actually work. However, the employee can use their accrued

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vacation time to cover their loss time.