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| SUBJECT: Temporary Interruption of Employment | NUMBER: 60.015.01 |
| DIVISION: Human Resource Services Division | EFFECTIVE DATE: 11/01/06 |

APPROVED: Signature on file with the Human Resource Services Division

POLICY STATEMENT: State agencies shall assure services provided to the citizens of Oregon are curtailed by closing operations only under extreme conditions which preclude or interfere with normal agency operations.

AUTHORITY: 240.145(3); 240.250; 240.551; HRSD State Policies 20.005.20, 50.025.01

APPLICABILITY: Classified unrepresented, management service, unclassified executive service, unclassified unrepresented, and unrepresented temporary employees.

ATTACHMENTS: None

DEFINITIONS: See HRSD State Policy 10.000.01, Definitions; and OAR 105-010-0000

POLICY:

(1) State agencies shall assure services provided to the citizens of Oregon are curtailed by closing operations only under extreme conditions which preclude or interfere with normal agency operations.

(a) REASON(S) FOR CURTAILMENT OR CLOSURE

(A) The state may curtail agency operations or close for unexpected or unusual reasons such as the presence of hazardous material or chemicals, hazardous environmental conditions, inclement weather, or for other situations requiring assurance of health or safety of employees and/or the public. Hazardous environmental conditions are defined as internal or external environmental conditions having natural or man-made causes (e.g., flood, fire, earthquake).

(B) Any decision to curtail operations or close due to hazardous environmental conditions or inclement weather shall be based on information including, but not limited to, road conditions (as announced by the Department of Transportation), weather forecasts, building conditions, the accessibility of egresses and parking areas, and discussions with local government officials regarding the status of their building conditions.

(b) DESIGNATED OFFICIALS TO DETERMINE CURTAILMENTS AND CLOSURES

(A) Designated officials shall determine unplanned curtailment of state agency operations or closure of agency worksites (except for 24 hour facilities) due to the reasons identified in (1)(a) as follows:

(i) Geographical Area Curtailment/Closures:

- (I) For Portland Metro and Salem Metro areas: the Director, Department of Administrative Services (DAS). The decision shall be made in consultation with the appropriate agency representatives, such as the State Office Building Manager and Public Health Officer in Portland, Department of Transportation (state or regional offices), and local government officials. The Director of DAS may make individual agency exceptions for individual buildings based upon a request of the agency head for the impacted site. Decisions shall be communicated to employees and the media as indicated in section (2).
- (II) For all other geographical areas: the appropriate **Department of Human Services (DHS) CAF District Managers**. The decision shall be made in consultation with the field offices from the Employment and Transportation Departments. Decisions shall be communicated to employees, other local state offices, the Director of DAS, and the media.

(ii) Agency Head Curtailment/Closures:

- (I) An agency head may order an unplanned curtailment of his/her agency's operations or closure of worksites and/or facilities, or reassign employees when hazardous environmental conditions that interfere with normal operations exist. If such a decision is made, the agency head shall provide notice to the Director of DAS, agency employees, and the media if appropriate.

(c) 24 HOUR FACILITIES

- (A) For agency facilities that operate on a 24-hour basis (e.g., state hospitals, correctional facilities, state operated group homes, state operated school facilities): the agency director shall make the decision about who needs to report to work. Those employees who are uncertain of their status should contact their workplace for instructions about whether they need to report to work. The associated agencies shall maintain a plan that describes their procedures.

(d) ESSENTIAL PERSONNEL

- (A) Agency directors may designate essential personnel who, by the nature of their assigned duties, are essential to agency operations during curtailment or closure of agency operations. Designated employees must be notified that they have been identified as essential personnel and are required to report, as directed, regardless of closure or curtailment. Agencies shall provide essential personnel with instructions on how to proceed in the event of closure or curtailment.

(2) Procedures

(a) NOTIFICATION OF CURTAILED OPERATIONS OR CLOSURES

- (A) Employees should rely on the media outlets listed in section (2)(a)(D) for information about unplanned curtailment of agency operations or closure. DAS shall also post such curtailments or closures on its home page: <http://www.oregon.gov/DAS/index.shtml>. Each agency may develop additional internal procedures for notifying employees and the public of unplanned curtailment of operations or closures.
- (B) If a curtailment or closure decision is made during normal business hours, the official designated in Section (1)(b)(A)(i) shall notify each agency head or local area manager by telephone.
- (C) If a curtailment or closure decision is made before the start of the work day, the official designated in Section (1)(b)(A)(i) shall notify the media outlets listed below by 5:00 a.m. Notification to appropriate managers in government offices shall be made by 5:00 a.m. Agencies shall establish communication procedures for employees who start work at or prior to 6:00 a.m.

(D) At a minimum, the following regional media outlets shall be contacted when operations are curtailed or closed in accordance with (1)(b)(A)(i)(I):

CORVALLIS
KLOO 106.3 FM / 1340 AM

EUGENE
KUGN 590 AM

PORTLAND
KATU-TV
KGW-TV
KOIN-TV
KPTV
KEX 1190 AM
KINK 101.9 FM
KKSJ 97.1 FM
KOPB 91.5 FM
KUPL 98.7 FM / 970 AM
KXL 750 AM

SALEM
KBZY 1490 AM
KSND 95.1 FM
KYKN 1430 AM

(E) **DHS CAF District Managers** shall establish local media outlets to contact in the event of agency curtailment of operations or closure.

(b) LEAVE-RELATED CONSIDERATIONS

(A) The following are general guidelines related to employee leave in the event of agency curtailment of operations or closure.

(i) When an agency and/or worksite is deemed open for operation:

(I) An employee, other than a temporary, who has reported to work and is directed to leave, shall be paid for the remainder of his or her scheduled shift.

(II) Temporary employees shall only receive compensation for actual time worked.

(III) An employee, FLSA-exempt or non-exempt, who chooses not to report to work or chooses to leave work prior to the end of a shift due to hazardous environmental conditions or inclement weather, shall use appropriate accrued leave with pay or leave without pay for those absences.

(i) Upon subsequent closure the employee who has chosen not to report to work or chose to leave prior to the end of their shift would remain on leave. However, if an FLSA exempt employee does not have appropriate paid leave available to cover the hours associated with the closure, the employee shall be placed on miscellaneous paid leave for the period of the closure.

- (ii) When the agency and/or worksite is closed:
 - (I) Employees shall not report to work, unless otherwise directed.
 - (II) An FLSA-exempt employee:
 - (i) shall be placed on miscellaneous paid leave and shall not be required to use accrued paid leave or leave without pay for absences when the state or an agency curtails or closes operations for periods of less than one full work week.
 - (ii) shall be required to use appropriate accrued paid leave or leave without pay for closures that extend for a full work week(s).
 - (III) An FLSA-non-exempt employee shall be required to use appropriate accrued paid leave (vacation leave, personal business leave or compensatory time) or leave without pay for absences when the state or an agency curtails or closes operations.
- (iii) At the discretion of the agency, employees may be permitted to make up time within the same workweek as the hours missed.
- (B) A temporary disruption of employment caused by curtailment of agency operations or closure is not considered a layoff when the interruption does not exceed 15 calendar days and all employees are returned to work.
- (C) Leave-related questions should be directed to the agency's human resources staff.

(3) Policy Clarification:

- (a) Portland Metro Area includes but is not limited to the following cities: Beaverton, Clackamas, Gresham, Hillsboro, Lake Oswego, Milwaukie, Oregon City, Portland, Tigard and Troutdale.
 - (b) Salem Metro Area includes but is not limited to the following cities: Albany, Dallas, McMinnville, Monmouth/Independence, Sublimity, Salem/Keizer and Woodburn.
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