

EAST COUNTY FIRE & RESCUE
Policies, Procedures, and Guidelines

SUBJECT: Inclement Weather

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PAGE: 1 of 3

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POLICY: Inclement Weather Pay Practices

East County Fire & Rescue will make every effort to maintain normal work hours during inclement weather. However, East County Fire & Rescue administrative offices may be closed in the event of inclement weather, natural disaster, or other emergency. The decision to close the administrative office will be made by the Fire Chief or other administrator designated by the Chief.

PROVISIONS

1. Emergency Personnel

- a. Emergency Personnel are expected to be at work during inclement weather situations at their regularly scheduled work times, or as called in by their supervisors.
- b. If a person is considered an Emergency Personnel he/she must make whatever arrangements are necessary within the bounds of their own safety to arrive at their work station on time, or they may be subject to disciplinary action.
- c. Emergency Personnel may elect to spend the night prior to their regularly scheduled shift, as space allows within ECFR facilities and locations. In doing so, the employee recognizes this does not constitute "work hours", and as such, will not be compensated for this time.

2. All Other Non-Exempt Personnel-Business as Usual

- a. In the event of Inclement Weather where the administrative office remains open, all employees will be expected to make reasonable efforts to get to work.

- b. Employees unable to arrive for work on any such day will be charged one (1) day of vacation, this may be waived at the discretion of the Fire Chief depending on the circumstances. If no vacation time is available, the nonexempt employee will not be paid for the day.
- c. All employees who are unable to report to work should call the administrative office or their immediate supervisor and report their absence 90 minutes prior to the start of their work day— if they are able to reach a phone—or it may be considered an unexcused absence.
- d. Permission may be granted for personnel to “work from home” when travel from their place of residence to their work location would be considered a safety issue to a reasonable person. It will be the responsibility of the employee to plan ahead—by taking work home—once becoming informed of a possible severe weather condition.
- e. The District reserves the right to pick the employee up and bring them to work. The District would be responsible for returning the employee to their residence at the end of the employee’s shift. If the District is unable to return the employee to their residence, within the employees normal commute time, the employee would receive additional hourly compensation for hours worked until such time as they are returned home.
- f. On days when weather conditions worsen as the day progresses, East County Fire & Rescue may decide to close early. In such cases, an announcement will be made to all employees. Employees will be expected to remain at work until the appointed closing time, unless their day ends prior to that time, or unless they receive permission from their supervisor to do otherwise.

3. All Other Non-Exempt Personnel-Closure of Administrative Office

- a. Prior to normal starting time, East County Fire & Rescue may announce that due to inclement weather the administrative office will be closed. In such cases, all full-time employees will be paid for such time off. Part-time employees will only be paid if normally scheduled to work that day and only for those hours which the employee would normally work.

4. Exempt Personnel-The below Department of Labor ruling will be followed.

- a. Closings - Employers who elect to close during such periods must pay the weekly salary for an exempt employee during the closure. Thus, regardless of

whether an employee was at work for the entire week, the employee should receive their non-fluctuating salary for the week. An employer may require an exempt employee to use accrued leave for days of absence during such a closure but the employer continues to be obligated to pay the full salary of the exempt employee, regardless of whether the employee has a leave balance. Thus, in the latter case, an employer may be required to advance leave.

- b.** Continuing operations - Employers who remain open during such periods must pay an exempt employee for any partial or whole day the employee reports to work during such periods; however, for days where an exempt employee elects not to report to work, the employer is free to deduct accrued leave for such absences from the employee's leave bank. If the exempt employee is not yet eligible for accrued leave or has exhausted such leave, an employer may make reductions from pay for whole day absences.
- c.** An employer may not make partial-day deductions from exempt employee pay for less than a full day absence regardless of whether the employee has any accrued leave.

