

Section 26. Adverse Weather Conditions

In the event of adverse weather conditions, Town offices and departments shall remain open for the full scheduled workday unless authorization for early closing or other deviation from regular business hours is received from the Town Manager. All departments and offices shall receive advance notice of any authorized early closing or delayed opening.

The Town of Shallotte has a responsibility to provide essential services even during periods of adverse weather or other emergency conditions. Adequate staff are required to operate these critical services seven days per week and 24 hours per day in all weather. Department heads shall designate which employees are essential employees required to report to work regardless of weather or other emergency conditions. The list of essential employees by position shall be provided to the Town Manager and Human Resources Manager

Compensation

Non-essential employees will be paid for those hours worked prior to and after the event that caused the Town Manager to close, delay, or cancel Town offices and/or services. If Town offices and/or services remain closed for a standard business workday or more, the Town Manager will have the authority to grant leave with pay for adverse weather conditions not to exceed 3 days based on the accrual rate for that department per fiscal year (10.6 Fire, 8.5 Police, 8 Admin/Maint).

Those employees designated by their Department Head as being essential employees and who must work to maintain the safety and well-being of the Town during adverse weather conditions will be compensated based on the following:

- Non-exempt employees will receive their base rate of pay for all hours worked in accordance with all applicable Town policies and Fair Labor Standards Act (FLSA) related to compensation. In addition, employees will receive one day of adverse weather pay for each day worked during adverse weather conditions, not to exceed three (3) days per fiscal year, based on the current accrual rate for that department (10.6 Fire, 8.5 Police, 8 Admin/Maint). These hours will not be included when calculating overtime pay.

If the Town Manager authorizes a delayed opening or early closure for non-essential employees, essential employees shall be credited hours worked during the affected period using department multipliers (Fire: 1.33 hours per hour worked; Police: 1.07 hours per hour worked). Credited hours apply only to the affected period and may be used shall be applied to adverse weather pay. They shall not count toward overtime unless required by FLSA or during a declared State of Emergency, and do not apply to full-day closures.

- Exempt employees will receive their base rate of pay for all hours worked not to exceed forty (40) hours. Exempt employees who have worked in excess of forty (40) hours during adverse weather conditions will receive eight (8) hours of compensatory time per day worked, not to exceed twenty-four (24) hours per fiscal year. In addition, if the State of Emergency declaration is proclaimed for the Town, all exempt employees will be compensated for any time worked in excess of forty (40) hours in a standard seven-day workweek at one and one-half (1 ½) times the regular hourly rate.

Employees who leave work before an official early closing time, as well as employees who report for work late or do not report for work because of adverse weather conditions may use earned vacation or

compensatory leave for days or hours not worked. Sick leave may not be used to cover absences due to adverse weather. If an employee is sick, sick leave may be used. If the employee does not have any compensatory or vacation leave accrued, the employee will be placed in a Leave Without Pay status. Employees on approved vacation leave, sick leave, or leave without pay when an official closing is declared will be charged for vacation, sick, or leave without pay as arranged.

Move Current Section 27 to Section 28:

Section 27: Break Time for Nursing Mothers

Proposed New Section 27:

Section 27. Emergency or Disaster Compensation Policy

I. Purpose

This policy applies during a declared State of Emergency or other serious event, such as a hurricane, when extremely hazardous conditions and safety risks require normal Town operations to be delayed, modified, or temporarily closed.

The period during which this policy is in effect will begin when a formal Local State of Emergency is declared by the Mayor or Town Council. The period will conclude when the applicable emergency declaration is terminated or rescinded.

Essential & Non-Essential Personnel

Department Directors will designate positions as either Essential or Non-Essential prior to an emergency event. These designations may be reviewed and updated as operational needs change.

1. Essential Personnel are expected to report to work as scheduled or as directed during the period this policy is in effect. Employees may be assigned duties outside of their normal responsibilities as necessary to support emergency operations.
2. Non-Essential Personnel may be temporarily released from work during a Town closure or emergency event.

II. Compensation During a Town Closure

During the period this policy is in effect and a Town closure has been implemented, the following compensation provisions will apply:

a. Exempt Essential Employees

Exempt Essential Employees who are required to work during a Town closure will receive emergency compensation at one and one-half (1.5) times their regular rate of pay for all hours worked during a declared State of Emergency. Bona-fide meal, rest, or sleep periods during which the employee is completely relieved from duty will not be considered hours worked.

b. Non-Exempt Essential Employees

Non-Exempt Essential Employees will receive emergency compensation at one and one-half (1.5) times their regular rate of pay for all hours worked during a declared State of Emergency. Bona-fide meal, rest, or sleep periods during which the employee is completely relieved from duty will not be considered hours worked.

c. Non-Exempt Non-Essential Employees

Non-Exempt Non-Essential Employees who are not required to work during the a declared State of Emergency will follow the Adverse Weather Conditions Policy located in Article VII, Section 26. If the closure extends beyond the period addressed in the Adverse Weather Conditions Policy, additional Adverse Weather Leave may be authorized by the Town Manager.

Adverse Weather Leave authorized under this section will be paid at the employee's regular base rate of pay and will not be considered hours worked for overtime purposes.

III. General Provisions

Employees required to work during an emergency or disaster must accurately record all hours worked, including regular and overtime hours separately, and remain in communication with their supervisor.

Employees who are unable to report to work as directed must notify their supervisor as soon as possible. Employees who fail to report to work or remain absent without authorization may be subject to disciplinary action in accordance with Town policy.

The Town Manager may assign employees to other duties or work locations as necessary to support emergency operations.

The Town Manager will administer this policy based on the nature and duration of the emergency or disaster, consistent with applicable federal and state law.

Section 28: Break Time for Nursing Mothers