

County Operations During Emergency Situations and Inclement Weather

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PURPOSE

The County will continue to provide essential services during an emergency and inclement weather situation. Rarely, a facility may be closed, select non-essential services may be suspended, or hours of operation may be shortened at the direction of the King County Executive, department director, or agency head.

This policy provides direction on closure of facilities, employee reporting requirements, expectations, pay and continuity of operations during emergencies and inclement weather. It is a companion document to the [King County Guidelines for Workforce Management in an Emergency](#) and King County agencies' Continuity of Operations Plans (COOP).

POLICY

Closure of County Facilities:

- Administrative offices and King County operations will remain open during emergency and inclement weather situations that do not pose an immediate life, health, or safety risk to County staff, visitors, or customers, unless directed otherwise by the King County Executive, department director or agency head.
- Closures or evacuations of County facilities, other than for immediate life, health or safety issues, must be authorized by the Executive, his/her designee, or the respective department director if unable to contact the Executive's office.
- Evacuation or lockdown of County owned or leased facilities in the downtown core shall be conducted as necessary by the Department of Executive Services, Facilities Management Division.
- Continued closure of a County facility beyond the first day (or partial day) must be approved by the executive; otherwise, the facility will be deemed open.
- Closure and/or evacuation of offices and facilities in leased buildings, where management of such buildings is by other than King County, shall be conducted as required by the building or facility owner or director. If such closure or evacuation occurs, the responsible department or division director may direct employees to an alternative worksite as appropriate.

Employee Designations:

As part of each department's COOP, employees should be assigned one of the following designations that clarifies their role and expectations in the event there is an emergency or inclement weather that disrupts normal County operations (see [King County Guidelines for Workforce Management in an Emergency](#)):

- *First responders*: employees who, in the early stages of an emergency or inclement weather situation are responsible for the protection and preservation of life, property, evidence, the environment, and/or the restoration of order.
- *Mission-critical*: employees who perform work or have the skills needed to deliver and maintain the County's essential functions and services even in emergencies or inclement weather.
- *Non-mission critical*: employees who provide functions or services that may be delayed or suspended in emergencies or inclement weather.

Requirement to Report to Work, Absences, and Use of Leave:

Unless otherwise directed by the County Executive, department director or agency head, all employees, regardless of designation, are expected to report to work or request leave during an emergency or inclement weather.

First responders and mission-critical employees: must report to work as directed, even if a facility is closed or County operations are reduced during an emergency or inclement weather. Pre-approved vacation, compensatory time, and/or executive leave may be rescinded for these employees. These employees may be subject to discipline for failing to report to work.

- If the circumstances arising from the emergency or inclement weather make it impossible to report to work, these employees must still contact their supervisor to report their status, and to receive further instructions, assignments, and/or alternative work sites.

Non-mission critical employees: should not presume that they do not have to report to work during an emergency or inclement weather; however, during these situations, these employees may request, and the supervisor may approve, the use of compensatory time, vacation time, executive leave, or (if the employee has no leave accruals) leave without pay to cover absences during this time.

If during an emergency or inclement weather, department management determines that a function or service can be fulfilled by an employee while telecommuting, as determined by department management, then telecommuting may be allowed or may be required by the employee's department.

- Employees should have a telecommuting agreement on file, if permitted or required to telecommute.
- Telecommuting will be considered a "designated alternative work site" under the terms of this policy.

If employees cannot come to work or must leave work early, they must notify and request authorization from their supervisor in advance to be absent from work in accordance with department and County policies and applicable provisions of their collective bargaining agreement.

Closure of schools or daycare facilities as a result of the emergency or inclement weather does not change an employee's duty to report to work, remain at work if you are *first responders* or *mission critical* designated employee, or request to use leave to cover an absence.

Payment of Wages During Facility Closure, Suspension of Service, Reduced Hours of Operation:

In the rare instance when facilities are closed, services are suspended, or hours of operations are reduced by order of the Executive, respective department director or agency head, and no alternative site is designated from which the employee is assigned to work, payment of wages to employees will be made as follows:

- Employees in the management line of succession (as established in each department's COOP), and employees designated as *first responders* and *mission critical* who are unable to report to work will have their leave time charged to vacation leave, compensatory time, executive leave or leave without pay unless the department director or designee determines that regular pay is warranted and waives the charging of the time missed.
- *Non-mission critical* regular, provisional, appointed, probationary and term-limited temporary employees scheduled to work will be paid their normal pay for the work day and until such time as the facility is reopened, alternative worksites are arranged or a reduction in force is implemented. If the shutdown extends for more than one week, the status of displaced workers may be reviewed by the executive to determine whether a reduction in force due to either lack of funds or lack of work is in order.
 - This applies to affected FLSA-exempt employees as well as FLSA non-exempt employees.
 - Only hours actually worked will be used to determine overtime eligibility for FLSA non-exempt employees.
- Temporary employees (other than provisional, probationary and term-limited temporary), administrative interns, and non-regular part time employees will be paid only for hours actually worked.
- Employees who, prior to a facility closure or reduction in the hours of operation, have previously requested and have been approved for time off (e.g., vacation leave, sick leave, compensatory time off, executive leave, leave of absence without pay) will have hours deducted from their accruals as approved in accordance with established policies for their use (unless the employees are designated *first responders* or *mission critical* and their pre-approved leave is rescinded).
- If a facility closes after the start of an employee's shift, scheduled employees who did not report or contact the appointing authority or designee prior to the facility closure are considered to be on an unauthorized absence and are subject to leave without pay for the full day and may be subject to discipline in accordance with County and department policy. However, the department director or designee, can at his/her discretion, authorize the employee to use appropriate leave for the absence on a case-by-case basis.
- When a department director or agency administrator closes operations in his or her agency during the workday or orders employees to leave the premises because of an emergency or inclement weather, employees (regular, provisional, appointed, probationary and term-limited temporary) currently working or scheduled to work, but whose shifts have not yet begun, will be paid for the normally scheduled work day. *First responders* and *mission-critical* staff may be required to continue working.
- If the start of the normal work day is delayed due to an emergency or inclement weather, employees (regular, provisional, appointed, probationary and term-limited temporary) scheduled to work will be paid their normal wages for the entirety of their scheduled shift.

- Employees who are designated *first responders* or *mission critical* and are required to remain near the work site during their time off may have lodging and a per diem for meals provided while the emergency or incident response is in effect. Employees who are *non-mission critical* are not eligible for County-provided lodging or a per diem, unless they are assigned to a *mission-critical* position or set of duties.

Continuity of Operations:

- Management may temporarily suspend provisions of collective bargaining agreements in order to maintain continuity of operations. This should be done in consultation with the Office of Labor Relations (OLR) to the extent possible and provided the delay in doing so does not add additional safety risk to the situation. If this is not practical, OLR should be notified as soon as is reasonably possible. Impacts of the temporary suspension of such provisions will be bargained after the emergency or inclement weather situation is resolved or as soon as possible after normal business has resumed.
- Department management may deploy their workforce as they deem appropriate in order to maintain essential services and continuity of operations. This includes assigning employees work outside their normal duties or requiring them to report to an alternative work site.

Communications:

- The King County Executive, department director, or agency head will communicate messages about emergencies or inclement weather that impact County operations via methods deemed appropriate for each situation, including through KC Inform – King County’s emergency notification system. Employees’ County email accounts are automatically registered in KC Inform. All employees are also encouraged to provide and maintain personal information through the [KCInform Notification System](#).
- Department management should make every reasonable effort to allow employees who have reported to work to check on the status of their families, providing that doing so does not compromise emergency response functions.

In the event that any provision of this Human Resources Bulletin conflicts with an applicable provision of a collective bargaining agreement or binding past practices thereunder, the latter shall prevail.

QUESTIONS/COMMENTS

Contact your [Department Human Resource Manager](#) if you have questions or comments.