



TACOMA HOUSING AUTHORITY

RESOLUTION 2014-1-22 (1)

DATE: January 22, 2014
TO: Board of Commissioners
FROM: Michael Mirra, Executive Director
RE: Adoption of Severe Weather and Emergency Conditions policy

Background

This resolution would revise THA's Severe Weather and Emergency Conditions policy (formally called Inclement Weather policy). The redlined revisions show in the attached draft.

Under the main change hourly employees will no longer be paid when THA closes for snow or emergency conditions. There are several reasons for this change:

- The change would eliminate an unfairness that arises under the present policy. Presently, when the agency closes because of weather, some employees, mainly maintenance staff, still have to come to work. Thus, all receive their regular pay while some receive for working and some receive it for not working, NOTE: The exempt, non-hourly, staff will continue to receive pay when the agency closes. Federal Labor Standards Act requires this. Yet, they usually work considerably more than 40 hours week. They also work from home when the offices are closed.
- THA wants to be sensitive to public perception about the judicious and appropriate use of public funds. For similar reason, the City of Tacoma and Pierce County have adopted these same changes.
- Hourly employees will be able to use annual leave or a personal holiday so that they can be paid. THA offers generous leave benefits.

Staff invited comment about this change from all staff and representatives of our two unions. No one offered any notable concerns.

Recommendation

Approve Resolution 2014-1-22(1) amending THA's Severe Weather and Emergency Conditions policy in the ways substantially like those shown on the attached draft.



TACOMA HOUSING AUTHORITY

RESOLUTION 2014-1-22 (1)

ADOPTION OF THE SEVERE WEATHER AND EMERGENCY CONDITIONS POLICY

Whereas, The Severe Weather and Emergency Conditions policy sets forth the basis on which decisions may be made regarding payment of wages for employees during times when the THA's offices are closed;

Whereas, the proposed changes would address an unfairness under the present policy that pays some staff for working and others for not working during weather emergencies that close the agency.

Whereas, THA wants to be sensitive to public perception about the judicious and appropriate use of public funds;

Whereas, This policy has been thoroughly vetted. All THA employees, Supervisors, Directors and THA's two unions were given an opportunity to comment on the policy revision;

Resolved by the Board of Commissioners of the Housing Authority of the City of Tacoma, Washington that: The Board adopt the "Severe Weather and Emergency Conditions" policy in substantially the form set forth in the attached draft, allowing for changes to format and procedures, and other changes pursuant to THA Policy G-01 on the Adoption, Amendment and Promulgation of Policies.

Approved: January 22, 2014



Greg Mowat, Chairman
STAN RUMBANSKI VICE CHAIR



TACOMA HOUSING AUTHORITY

Policy No. HR-10.40
Policy Severe Weather and Emergency Conditions (former Inclement Weather policy)
Date *REVISED* January 14, 2014

1. Purpose

The Tacoma Housing Authority provides an array of critical public services and is responsible for the safety of its residents. It is THA's policy to remain open during normal business hours including during periods of severe weather and emergency conditions unless it is physically impossible for employees to travel. Employees should be prepared for severe weather during winter months. Unless the Executive Director declares the agency closed or delay opening because of weather conditions or other Emergency, all employees are expected to report to work on time. There may be times, however, that an employee may feel that for personal safety reasons, they may need to arrive late to work, depart early, or not come in at all.

2. Sources for Policy

- ▶ THA and OPEIU Collective Bargaining Agreement
- ▶ THA and Trades Collective Bargaining Agreement
- ▶ Federal Labor Standards Act (FLSA)
- ▶ THA Policy HR-45.01 Relationship of Personnel Policies to Collective Bargaining Agreements

3. Scope of Policy

This policy applies to all THA staff.

4. Who is Responsible for Implementing Policy

Who	Responsibilities
Executive Director	▶ to determine when the agency should close or be on a restricted schedule;
HR Director	▶ to put up-to-date information on THA's main phone line (253) 207-4400 (no later than 7:00 am) and web site, to inform the public of agency office closures or any delays in opening and; ▶ to put a message on the THA Severe Weather Hotline (253) 207-4424 (no later than 7:00 am) to inform employees of Emergency or Non-emergency conditions, agency office closure or delays in opening.
Department Directors	▶ to define, well in advance, critical and/or minimal staffing required to adequately maintain operations of necessary departments during severe weather conditions.
Portfolio Manager and Maintenance Manager	▶ to identify in writing which maintenance personnel are to be part of the Designated Maintenance Emergency Service Personnel. ▶ To notify, well in advance, Designated Maintenance Emergency Service personnel minimal staffing required to

- adequately maintain operations of THA properties during severe weather and emergency conditions
- Employees
- ▶ Make a deliberate effort to arrive at work on time and be prepared to complete the entire work shift;
 - ▶ Each employee is expected to notify their supervisor, in the same manner as any other occasion, their inability to report for work as scheduled.

5. Definitions

Severe Weather	When weather phenomena such as rain, wind, or snow causes roads to be unsafe for common passage; most often when the Department of Transportation requests drivers to refrain from operating their personal vehicles.
THA Severe Weather Hotline	A special phone line set up for employees only will update employees of any office closure or delays in opening. The Severe Weather Hotline is 253-207-4424.
Designated Maintenance Emergency Service Personnel	Those employees who, due to the nature of their specific job duties or the nature of the emergency which has occurred, must report to work to ensure that public health and safety needs of critical operational requirements are met.
Emergency	An unusual situation which may be due to weather or other conditions affecting THA's service area and surrounding counties. During an Emergency, THA offices may be closed for all or partial days. Only the Executive Director or his designee can declare Emergency conditions. A declaration of emergency will be a rare event. An example of an emergency condition might be a widespread blizzard affecting all of Pierce and surrounding counties, rendering roads impassable.
Severe Weather/ Nonemergency Conditions	Any weather occurrence, natural disaster or local technical problem that may be isolated to only parts of the THA service area and that may prevent some employees from reporting to work on time or at all. A regular operating schedule would typically be in effect. A decision by an employee to delay or not come to work is based on their personal circumstance and evaluation of their personal safety. A severe weather event will be announced on the THA Severe Weather Hotline 253-207-4424. Only a declared severe weather event will trigger the Liberal Leave policy (see below). Any condition which affects only a few employees will not be considered Severe Weather for purposes of applying this policy.
Liberal Leave	<p>The leave (annual leave, personal holidays, or leave without pay) taken by an employee following the Hotline announcement that the Authority is open and that Liberal Leave is in effect.</p> <p>Non-exempt (hourly) employees may arrive up to one hour late without penalty. Any time in excess of one hour will be charged to annual leave in 30-minute increments. If the employee has no accrued annual leave available, he/she must use leave without pay. Hourly employees who arrive late during a period of severe weather will not be subject to disciplinary action under THA's attendance</p>

policy.

Personal Holidays may be used only in increments of eight hours. Use of leave in these circumstances can be without the prior supervisory approval usually required for such paid time off.

Employees are expected to notify their supervisor, in the same manner as any other occasion, their inability to report for work as scheduled.

Ad-hoc Telecommuting Under this policy and only with the approval of his/her supervisor, an employee may work from home during a severe weather event. Employees are expected to notify their supervisor, in the same manner as any other occasion, their inability to report for work as scheduled and to request ad-hoc telecommuting. Supervisors are required to verify what work can be completed when approving ad-hoc telecommuting. Telecommuting is never allowed as a substitute for dependent care.

6. Forms Associated with this Policy

None

7. Policy

7.1 THA recognizes that severe weather and emergency conditions can cause problems or significantly impair safety getting to and from work. This policy provides guidance for employees and supervisors during those conditions. Employees are encouraged to consider alternate modes of transportation to arrive at work safely. This policy is meant to cover two different situations:

- **Severe weather** or other **nonemergency conditions**, such as a localized power outage or moderate snowstorm which may have an impact on some normal work operations
- a declared **Emergency** resulting in offices closing for all or partial work days

7.1.1 **Severe Weather/ Nonemergency Conditions – Agency Open**

Any employee who is unable to report to work due to severe weather will first use any accrued annual leave or personal holiday leave. The employee shall be placed on leave without pay if no other leave is available. It is the employee's responsibility to notify their supervisor, in the same manner as any other occasion, their inability to report for work as scheduled. Exempt employees shall not be required to use leave for partial days.

Probationary employees who need to take leave during a period of severe weather will be allowed to use accrued leave for this purpose. If their employment is terminated before the end of their probationary period, any leave so used will be deducted from their final paycheck.

Because their overtime is calculated over 40 hours in one pay week, OPEIU and non-represented hourly employee have the option to flex their schedule during a pay week to make-up any hours missed due to their inability to work a full or partial day. This practice requires supervisor approval and time missed must be

made-up during the same pay week (Saturday through Friday). Make-up time cannot result in an overtime situation.

In no circumstance may sick leave be used as compensation for any absence due to a severe weather event or in lieu of any other available paid or unpaid leave.

Employees should note and supervisors should approve leave time taken during severe weather on the next or following pay period's time sheet. It is important to begin to track leave hours as soon as possible in order to accurately reflect leave taken.

7.1.2 Emergency Conditions – Agency Closed for Full or Partial Days

If the Executive Director decides not to open for business or to open on a reduced schedule, the Human Resource Director will put that announcement on the THA main phone line and the Severe Weather Hotline no later than 7:00 AM.

When THA offices are closed due to emergency conditions, hourly employees may use any combination of the following options to account for scheduled work time:

1. Accrued Vacation leave
2. Personal Holiday leave (to be used in 8 hour increments only)
3. Ad-hoc telecommuting (requires coordination with and approval by supervisor)
4. Temporary change in work schedule for the work week (requires coordination with and approval by supervisor)
5. Leave without pay (LWOP) May only be used if no accrued vacation leave or Personal Holiday time is available)

If an office is closed early, hourly employees may use any combination of the above options to account for scheduled work time to the end of their regular shift.

Because overtime is calculated over 40 hours in one pay week, OPEIU and non-represented hourly employee have the option to flex their schedule during a pay week to make-up any hours missed due to the agency being closed for a full or partial day. This practice requires supervisor approval and time missed must be made-up during the same pay week (Saturday through Friday).

7.2 Designated Maintenance Emergency Service Personnel

The Portfolio Manager and Maintenance Supervisor are responsible for designating in writing those employees considered Designated Maintenance Emergency Service personnel. A list of Designated Maintenance Emergency Service personnel should be updated periodically. Employees should be notified in advance that they are so designated. The requirement that these employees report to work during periods of emergency leave and/or liberal leave must be stated.

Designated Maintenance Emergency Service personnel are required to report for work as needed during a designated Emergency. Such employees who work during an emergency will receive their regular straight time pay for the employee's normal work shift[s] for the day[s] of the emergency plus any overtime required by the work. Designated Maintenance Emergency Service personnel will be expected to respond to emergency work orders until 4:30, at which time the On-Call Program starts. The employee's distance from the work site and likelihood of availability during weather emergencies should be considered when selecting Designated Maintenance Emergency Service personnel.