

BOS Policy No. 37

Title: CLOSING/DELAYED OPENING OF TOWN OF CHARLTON MUNICIPAL OFFICES/BUILDINGS IN EVENT OF SNOW, DISASTER OR OTHER CIRCUMSTANCES – EMPLOYEE RESPONSIBILITIES AND COMPENSATION

Accepted/approved on: September 1, 2004

Amended on: January 25, 2011

- 1.0 **PURPOSE:** This policy shall define a procedure for the closing/delayed opening of the municipal buildings which are under the control of the Board of Selectmen, due to snow or other natural or emergency conditions
 - 1.1 This policy shall not apply to School Department, Highway Department personnel, Police & Fire Department personnel and other public safety personnel. However, this policy shall apply to Highway Department assistants if approved by their department head and to Police & Fire Department assistants, Council on Aging assistant and all Library Personnel if, and for so long as, endorsed by their appointing authority.
- 2.0 **STATEMENT:** Unless the Municipal Office Building and/or another Town building or buildings are officially closed as designated under Section 3.0 CLOSING, the following shall apply.
 - 2.1 All employees are expected to report as scheduled for work.
 - 2.2 If an employee is going to be late for work, the employee should let her or his supervisor know, by telephone as soon as reasonably possible and before the scheduled starting time. If an employee is going to be more than one hour late for work, vacation or personal time must be used for the amount of time not worked, and the employee must notify her or his supervisor as to same following the procedure set forth in second sentence of § 2.3 immediately below.
 - 2.3 In the event that an employee is unable to get to work (on a day that the building in which she or he works is open for business) due to any circumstance described herein, the employee will be allowed to use a personal or vacation day to offset the potential of lost wages. Provided, however, that in order to exercise this option, the employee must notify her or his supervisor within two business days, by telephone or email, and inform such supervisor at that time: (a) of the decision to use such a day; and (b) of which type of leave day, be it personal or vacation, that the employee is choosing to use.
 - 2.4 As soon as reasonably possible: (a) each Department Head, by means of an email to the Town Administrator, must notify the Board of Selectmen regarding the staffing of such Department Head's office; and (b) the Town Administrator in turn shall inform the Chair of the Board of Selectmen of such.
- 3.0 **CLOSING OF OFFICES PRIOR TO START OF WORK DAY:** In the event that a snowstorm, or other natural disaster or emergency circumstance, requires that certain Town Buildings, or Building, be closed prior to the start of the work day, the decision to close the building(s) shall be made as follows:

- 3.1 The Town Administrator shall consult with the Police Department and Highway Superintendent, and/or other appropriate emergency personnel such as Fire and Emergency Management, regarding the issue at hand. The Town Administrator shall then inform the Chairman of the Board of Selectmen of this information. The Chairman of the Board of Selectmen shall then make the decision to open or close the building(s).
- 3.2 If the decision to close is made prior to the start of work, the Town Administrator or such Administrator's designee shall provide notice in the following ways: 1) an email shall be sent to department heads; 2) a voice message on the town's internal phone system (presently x2430); 3) a notice shall be posted on the Charlton website; and 4) an announcement on the following radio stations: WESO 970AM / WTAG 580AM / WSRS 96.1 FM
- 3.3 The procedure outlined above (3.1 and 3.2) shall also be used for a Delayed Opening of the Town of certain Town Buildings under the control of the Board of Selectmen.
- 4.0 **CLOSING OF OFFICES DURING WORK DAY:** If the closing occurs during working hours, the Town Administrator or such Administrator's designee shall have notice of same announced over the intercom to all employees in the Municipal Office Building and to all off-site employees who normally work in such Building via telephone, and shall have the appropriate Department Head(s) in other buildings notify their department's employees by whatever reasonable means is most appropriate.

5.0 COMPENSATION

- 5.1 In the event that one or more town buildings under the direction of the Board of Selectmen is or are closed pursuant to this policy, each employee who would have or would have continued to work but for such closure will be compensated, in full, for such time as the employee would actually have worked if it were not for such closure and so long as such official closure remains in effect.
- Provided, however: (a) that in the event such a building is reopened prior to the end of an employee's normal work shift and the Town Administrator or such Administrator's designee notifies the employee by telephone of such re-opening by speaking with the employee or an adult member of the employee's household, or by leaving a message on the employee's answering machine or voice mail, the employee shall report for work within thirty (30) minutes and shall not be compensated for any part of a shift not worked after such reporting time; and (b) that nor shall an employee be paid for any work time missed following the time specified in any delayed opening time notice, such as in case of a one or two hour delayed opening in an ice storm situation.
- 5.2 In the event that a town building under the direction of the Board of Selectmen is closed, any employee using vacation time, personal time, or sick time on the day that the building is closed will not be compensated under Section 5.1.
- 5.3 If an employee is not scheduled to work because of vacation, personal, sick, compensatory and/or bereavement time, the employee will not receive compensation or credit for any time that the building is closed.

5.4 The provisions of 5.1 – 5.3 above are intended to prevent an employee from losing pay solely due to the employer’s decision to close or delay the opening of a municipal building, and to prevent duplicative payment to any employee receiving any type of pay from the Town during the period of such delay or closure. The provisions of this Policy shall therefore be construed and interpreted in such a way as to effectuate the aforementioned intent.

6.0 DEPARTMENT HEAD RESPONSIBILITY FOR ADEQUATE STAFFING

It is the responsibility of the Department Head to ensure that there is adequate office coverage at all times when Town buildings are open for business.

7.0 CONSTRUCTION OF POLICY VIS-À-VIS COLLECTIVE BARGAINING AGREEMENT HOLIDAY PAY PROVISIONS

No collective bargaining agreement provision specifying that an employee is precluded from receiving holiday pay if such employee takes an “unscheduled” day off the day immediately before or after a holiday shall be construed in such a manner as to disqualify an employee from receiving such holiday pay solely due to the fact that a town building is closed pursuant to this policy. In other words, solely for this purpose, a day when the Board of Selectmen closes a building in accordance with this Policy shall not be considered an “unscheduled” day off for purposes of such a collective bargaining agreement provision.

This Policy, as amended above, shall take effect immediately upon approval by the Board of Selectmen, whereupon it shall supersede all earlier versions of this Policy.