

UNIVERSITY POLICY FOR GENERAL ADMINISTRATION

Policy No. UPGA-2

POLICY REGARDING WEATHER-RELATED AND/OR EMERGENCY CLOSINGS AND DELAYS

1 General Information.

1.1 Scope: This policy describes notification procedures and student and employee attendance expectations in the event of a delay or closing of the institutions.

1.2 Authority: W. Va. Code §18B-1-6

1.3 Passage Date: ~~June 28, 2019~~

1.4 Effective Date: ~~August 1, 2019~~

1.5 Controlling over: Marshall University

1.6 History:

1.6.1 This policy amends GA-9 (effective August 1, 2019), which amended UPGA-2 (effective June 11, 2019), which amended GA-9 (effective October 15, 2009), which amended GA-9 (effective March 8, 2006) which replaced Executive Policy Bulletin No. 7, (revised February 1, 2005). The amendments provide for ~~a form of compensatory time for employees required to work during a closing mandating excused absences in the event of inclement weather when the university operates under a normal schedule.~~

2 Policy.

2.1 Generally, it is Marshall University's policy to maintain its normal schedule, even when conditions are inclement. However, that is not always possible.

3 Huntington Campus Delays and Closings.

3.1 In those instances when it is necessary to alter the schedule in response to weather conditions, every effort will be made to notify all those affected—students, faculty, staff and the general public—as expeditiously and as comprehensively as possible in the following ways:

3.1.1 The university subscribes to a third-party service to provide notifications by e-mail, text message, and telephone, referred to as “MU Alert” at Marshall. All students, faculty and staff will be enrolled in the MU Alert database with their university e-mail addresses, and, in the case of faculty and staff, their office telephone numbers. Students, faculty and staff may provide additional contact methods, including those for text messaging and cell phone numbers, through the use of the myMU portal.

In cases of weather-related or other emergency closings and delays, University Communications staff will use MU Alert to send notification.

3.1.2 Television stations in Huntington and Charleston will be notified.

3.1.3 Radio stations in Huntington and Charleston will be asked to announce the delay or closing.

3.1.4 Time permitting; newspapers in Huntington and Charleston will be notified. Often, however, decisions must be made after deadlines of newspapers.

3.1.5 The Office of University Communications will communicate the specific details of the delay or closing to the Office of Public Safety at 304-696-HELP.

3.1.6 Notifications will be posted on the University's official social media accounts.

3.2 Information about closing, cancellations, or delays will ordinarily be disseminated to area radio and television stations. The authoritative correct statement of the University's condition (Huntington) is stipulated to be the message on the main page of the website at <http://www.marshall.edu>.

3.3 This section applies only to the Huntington campus and all releases should make it clear that it relates only to the Huntington campus. The chief administrative officer (as designated by the University president) will manage the weather-related closings policy for the South Charleston campus and other education centers for the respective location, and all releases should make clear that the release applies only to the affected location. The South Charleston phone number is 304-746-2500. See Section 4 for information on procedures for other locations.

3.4 Types of delays and closings:

3.4.1 University Closed: All classes suspended and offices closed.

3.4.2 Classes Cancelled: All classes suspended; offices open.

3.4.3 Classes Non-Mandatory: Classes meet as normal and offices are open. Instructors are required to excuse absences to students in in-person classes who are unable to travel to the class.

3.4.4 Delay Code A: Means a delay in the opening of classes BUT no delay in the opening of offices. Delays will usually be in the range of one to two hours. Employees are expected to report to work at their normal starting times unless they feel that travel is unsafe. If an employee feels that he/she cannot travel safely to work, he/she may charge accrued annual leave for the portion of the workday from 8:00 a.m. (or their normal start time) until their arrival at work.

3.4.5 Delay Code B: Means a delay in the opening of classes AND a delay in the opening of offices. Delays will usually be in the range of one to two hours. Employees do not have to report to their offices until the stated delay time. If they believe they cannot travel to work safely by the stated delay time, they may charge accrued annual leave for the work hours from the stated delay time until they can next report to work.

3.4.6 Class operation under delays: Under both categories of delay, students should go to the class that would begin at the stated delay time or the class that would have convened within 30 minutes of the stated delay time. A two-hour delay means that classes that begin at 10:00 a.m. begin on time. Classes that begin at 9:30 a.m. meet at 10:00 a.m. and continue for the remaining period of that class.

3.4.7 Exceptions with regard to employees: Certain critical and emergency employees may be required to report to work on time or earlier than normally scheduled despite the particular delay code published.

3.5 Staff and administrative personnel procedures:

3.5.1 The university will be completely closed only rarely and in extreme situations since it is essential that public safety be maintained, that buildings and equipment be protected and that

services be provided for those students housed in campus facilities. Therefore, under Classes Cancelled, above, all university staff and administrative employees will be expected to report to work, unless notified otherwise.

3.5.2 In the event of critical need, certain employees may be required to report to work or temporarily reside on campus to ensure human safety and preservation of university property or facilities.

3.5.2.1 Employees may be eligible for substitute time off (STO) if they were directed by their supervisor to be present for work during a period of inclement weather closing or other emergency closing. Eligible individuals must be in regular-status, leave-accruing employment and must have received a direct instruction from their supervisor to be present for work during such a closing. Eligible part-time employees may receive STO on a pro rata basis according to appointed percentage time unless they actually worked longer than their appointed hours. The provision of STO for such periods of inclement weather/other emergency closing is authorized by the responsible vice president or his/her designee.

3.5.2.2 In order to provide STO to an eligible employee, the supervisor must produce a statement to be preserved in the employing department which will include (1) identification of the affected employee(s); (2) a statement that the employee(s) was/were directed by him/her to come to work or remain at work for any or all of a period of inclement weather/other emergency closing; and (3) a statement of why it was necessary to require the employee(s) to attend work. A copy of the statement(s) should be sent to Human Resource Services.

3.5.2.3 The following should be noted: (1) eligibility for STO is not determined on the basis of being a member of a work group or work unit deemed essential; (2) status as a federal Fair Labor Standards Act (FLSA) non-exempt or exempt employee does not apply because the periods of inclement weather/other emergency closing do not represent overtime; (3) no employee is eligible for STO who was present for work for some or all of the periods of inclement weather/other emergency closing on a voluntary or elective basis; (4) premium pay or premium compensatory time off for holidays worked does not apply because the inclement weather/other emergency closings are not holidays; (5) STO is not compensatory time off as used in calculations of Fair Labor Standards Act overtime for hours actually worked; (6) STO may be provided in cases where the employee was directed to report to work at a time prior to the determination of inclement weather/other emergency closing [such direction will be construed to mean a stated requirement to come to work just as if inclement weather/other emergency closing had actually been announced]; and (7) STO made available due to inclement weather or other emergency closing must be used within one year of its award.

3.5.2.4 Nothing in this process shall preclude a non-exempt employee from earning additional straight time or Fair Labor Standards Act (FLSA) overtime pay or compensatory time off for weeks which include emergency closing(s) and during which the subject employee worked more than 37.5 hours (with respect to additional straight time pay) or worked more than 40.0 hours (with respect to FLSA overtime pay or compensatory time off).

3.5.3 Individual employees may, in their best judgment, determine the risk of travel to be too great and elect to remain home. Those who do should contact their respective supervisors and indicate they are: (1) taking annual leave that day, or (2) taking compensatory time, in the event compensatory time is owed to them.

3.5.4 In the event a building, or section of a building is closed (because of heat loss, power outage, etc.) employees working in that affected area will be permitted to take their work to

another area or building on campus. Or, in consultation with the supervisor, the employee may elect to take annual leave that day, or take compensatory time off.

3.5.5 In the event of an extreme situation (tornado, flood, ice storm, campus disturbance, etc.) and the employees' presence is not desired on campus, this information will be disseminated via MU Alert. A decision as to whether the missed time will be chargeable to annual leave, compensatory time, or a non-pay situation will be determined by the president and communicated through supervisors.

3.5.6 Supervisors must take steps to ensure offices and workstations are open to employees at all time when those employees are expected to be at work, including inclement weather situations and other disruptive situations.

3.6 Faculty:

3.6.1 Once operations are resumed, deans and departmental chairs must take steps to ensure that faculty meet their scheduled classes or substitutes secured so that class schedules are met.

3.7 Decision Making:

3.7.1 Decisions on closings and/or delays will be made jointly by the Chief of Staff, Senior Vice President for Academic Affairs and the Senior Vice President for Operations following the consultation with other appropriate officials, including the President. Should only one or two of those three persons be available, the ones available will make the decision.

3.7.2 Every effort will be made to reach decisions to allow time for adequate notification of those affected.

4 South Charleston campus and other education centers:

4.1 Because weather conditions can vary substantially, it is possible that classes will be delayed or cancelled at some locations and not at others. The chief administrative officer for each location, in consultation with local staff, will decide on class cancellations.

4.1.1 South Charleston campus: Notification of delays or cancellations at the South Charleston campus will be announced by (a) University website (b) MU Alert (c) University official Facebook and Twitter social accounts, and (d) local media. Students may check the status of their classes by checking the website.

4.1.2 Point Pleasant, Beckley, Teays Valley and other educational centers: Procedures for delayed openings and class cancellations are similar to those for the South Charleston campus. At Point Pleasant, Beckley, and Teays Valley, information regarding cancellations will be provided on the University website, and through MU Alert, the University's official Facebook and Twitter social media accounts, and local media.

4.1.3 Remote locations and other educational centers: Because there may be classes meeting on an irregular schedule in a geographically dispersed area throughout the semester, decisions about whether to meet during inclement weather will be made by the instructor. Those decisions will be transmitted to students by e-mail or other methods as agreed by students and the instructor.

4.2 Types of delays and closings for the South Charleston campus:

- 4.2.1 South Charleston Closed: All classes cancelled and offices closed.
- 4.2.2 South Charleston Classes Cancelled: All classes cancelled. Details provided by site.
- 4.2.3 South Charleston Classes non-mandatory: Classes meet as normal. Instructors must excuse absences for students in in-person classes who are unable to travel to class.
- 4.2.4 South Charleston Delay: A delay in the beginning of non-class activities, e.g. a two-hour delay would mean the normal workday would begin at 10:00 a.m. rather than 8:00 a.m.

5 Marshall University School of Medicine

5.1 Due to the unique nature of its obligations to its constituents, the Marshall University School of Medicine may maintain a separate set of procedures for weather-related and emergency closings.