



Authorized Closings Leave and Compensation Policy

No. 4305

Policy Effective Date:
2/10/2021

Policy Owner:
Bryan Garey

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(Contact Person)
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Affected Parties:
Undergraduate
Graduate
Faculty
Staff
Other

Companion Policies:
Authorized Closings,
No. 5600

1.0 Purpose
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1.0 Purpose

This policy defines how employees are to charge time off and compensation when the university is affected by inclement weather, natural disasters, emergencies and other conditions that may cause operations to be suspended or curtailed.

The provisions of this policy apply to all university employees.

2.0 Policy

It is the policy of Virginia Tech to operate in accordance with the approved university calendar and to maintain full operations unless specifically closed. During an authorized closing, employees will be notified of the university's operating status based on the university's official communication channels described in Policy 5600. During an authorized closing, employees designated as emergency personnel are required to work and will receive compensatory leave, non-emergency personnel who typically perform their duties at the employer's central workplace are not required to work and will receive compensatory leave, and non-emergency personnel who telework on authorized telework arrangements are expected to continue working their normal schedule and will not receive compensatory leave. Such periods of leave should be reported as Authorized Closing (AC).

When authorized closings occur for emergencies other than inclement weather, or natural disaster, emergency personnel will be designated on a case-by-case basis. Employees will be compensated as documented below in Section 2.2.

Emergency employees who do not report to work for an authorized closing are subject to disciplinary action up to and including separation from employment, unless they are on pre-approved scheduled leave or sick leave.

2.1 Determination of Emergency Personnel

It is the responsibility of administration to inform employees designated as *emergency personnel* that they are required to work during authorized closings.

1. Departments shall notify employees annually prior to the winter season, when specific storm activity is anticipated, or when it can be predetermined that for certain types of emergencies these employees' services will be necessary.
2. During the employment interview, applicants should be informed if the position is designated as emergency personnel. Offer letters should be updated to include the emergency designation for wage and salaried positions. Offer letter templates in Virginia Tech's recruitment system include an emergency personnel statement that can be added to offer letters.
3. Occasionally non-emergency personnel may become emergency and vice versa. Administrators shall give employees reasonable notice regarding changes in their status. Changes in status will normally be made by the department head.



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4. For large scale emergencies, all employees in senior management positions (Senior Administrative Officers, Deans, Vice Presidents, Department Chairs, Directors, and equivalent positions), as well as leadership/management positions such as laboratory and facility managers, student service and support managers, are considered *emergency personnel*.
5. If a Board of Visitors meeting is scheduled to be held during an authorized closing, employees (salaried and wage) who work directly with the Board or its committees may be designated as emergency personnel for the meeting. When possible, employees affected will be given advance notice of emergency status. The Secretary of the Board will be responsible for disseminating such notice.

There are many positions on campus that qualify for *emergency personnel* designation based upon on-going projects and/or work priorities at the time. For example, during school sessions most dining services employees would be considered essential to the operations of the university. In the event of an emergency closing during the summer months, fewer food service staff may be designated as *emergency personnel*. In an administrative unit, such as the university Payroll Office, all employees would not normally be designated as *emergency personnel*. However, during payroll *close out*, that designation may change to ensure payroll deadlines are met.



2.2 Compensation / Leave

2.2.1 Salaried Personnel

	Non-Emergency Salaried Personnel	Emergency Salaried Personnel
All Day Closings	<ol style="list-style-type: none"> 1. ...absent because of an authorized all-day closing will be paid for those hours. To qualify for payment, employees must work or be on pre-approved leave the scheduled work day before and the scheduled workday after the closing. Pre-approved leave is defined as <i>leave that is approved prior to the time it is to be taken; therefore, it must be approved prior to the emergency condition that resulted in the authorized closing.</i> 2. ...who report to the employer’s central workplace during an all-day closing as a result of not having heard the closing announcement or who choose to work during the authorized closing shall not normally receive compensatory leave, except in extenuating circumstances when the department head designates the employee as <i>emergency personnel</i>. Therefore, non-emergency personnel who work without the permission of the department head during periods of authorized closing shall not be credited with compensatory leave. 3. ...who typically work at the location affected by the authorized closing, but are working at an alternate location not affected by the authorized closing, are not eligible for the authorized closing and will not earn compensatory leave. 4. ...who telework on authorized telework arrangements will be required to work. Such employees are not eligible for the authorized closing and will not earn compensatory leave. 	<ol style="list-style-type: none"> 1. ...must report to or remain at work as scheduled during authorized closings. They will be credited with authorized closing leave for the hours worked to be used at a later time. Authorized closing leave must be used within 12 months of the date earned; once lapsed, it may not be used as leave or be paid out. If emergency salaried personnel do not report to or remain at work as scheduled, he/she must charge time missed to accrued leave balances, or leave-without-pay, as appropriate and are subject to disciplinary action. The provisions of section 2.2.1.1 also apply. 2. ...who are non-exempt under the <i>Fair Labor Standards Act</i> and work over 40 hours in the work week will be eligible for overtime payment or leave pursuant to a department or unit’s common practice. For additional information on the treatment of authorized closing leave and overtime payment or leave, see the Human Resources website. 3. ...who are exempt under the <i>Fair Labor Standards Act</i> are <u>not</u> eligible for overtime payment or compensatory time for the hours worked over 40 in a work week.



	Non-Emergency Salaried Personnel	Emergency Salaried Personnel
Early Closing or Late Opening	<ol style="list-style-type: none"> 1. ...who work all or part of the work schedule not affected by the authorized closing qualify for the authorized closing. 2. ...who do not report to or remain at work as scheduled must charge time missed to accrued leave balances or leave without pay as appropriate. 3. ...who leave work prior to the announcement of an early closing may not charge the difference in time to authorized closing leave described in this policy. Hours covered by the authorized closing should be charged to Authorized Closing (AC). The difference in time must be charged to accrued leave, or leave-without-pay, as appropriate. The provisions of section 2.2.1.1 also apply. 4. ...who work at the employer’s central workplace during periods of authorized closing without approval of the department head shall not be credited with authorized closing leave. 5. ...who typically work at the location impacted by the authorized closing, but are working at an alternate location not affected by the authorized closing, are not eligible for the authorized closing and will not earn compensatory leave. 6. ...who telework on authorized telework arrangements will be required to work their normal work schedule. Such employees are not eligible for the authorized closing and will not earn compensatory leave. 	<ol style="list-style-type: none"> 1. ...who do not report to or remain at work as scheduled must charge time missed to accrued leave balances, or leave-without-pay, as appropriate and are subject to disciplinary action. The provisions of section 2.2.1.1 also apply.



	Non-Emergency Salaried Personnel	Emergency Salaried Personnel
<p>Alternate Work Schedules</p> <p>(as defined in Policy 4300, Hours of Work for University and Classified Staff, https://policies.vt.edu/assets/4300.pdf) and the Virginia Department of Human Resource Management Hours of Work, Policy 1.25 (https://www.dhrm.virginia.gov/docs/default-source/hrpolicy/pol1_25hoursofwork.pdf?sfvrsn=2)</p>	<ol style="list-style-type: none"> 1. <i>...for an all-day closing</i>, will be paid for the authorized closing for the hours they are scheduled to work that day. An alternate schedule could be comprised of more/less than eight hours in a work day; therefore, the employee will receive pay for their entire schedule for an all-day closing. 2. <i>...for a partial-day closing</i>, shall receive authorized closing leave for the portion of their shift during which the university was officially closed. 3...<i>for all-day and partial-day closings</i>, who telework on authorized telework arrangements will be required to work their normal work schedule. Such employees are not eligible for the authorized closing and will not earn compensatory leave....whose scheduled day off falls on a day when Virginia Tech operations are closed, will not be credited with authorized closing leave. 	<ol style="list-style-type: none"> 1. ...will receive authorized closing leave for the portion of the normal schedule worked during the authorized closing that day and will be paid for regular rate of pay for hours worked. 2. ...whose scheduled day off falls on a day when Virginia Tech operations are closed, will not be credited with authorized closing leave, unless required to come to work.
<p>First Day of Appointment</p>	<ol style="list-style-type: none"> 1. <i>...for all-day closing</i>, will receive pay for that day but do not work, unless teleworking on authorized telework arrangements, and the day will be designated as their beginning work date if he/she works the entire day following the authorized closing, or is on pre-approved leave for the day following authorized closing. 2. <i>...for a partial-day closing</i>, unless teleworking on authorized telework arrangements, must report to work at the employer's central workplace, for the hours of their scheduled shift the university is open, but shall receive authorized closing leave for the portion of their shift during which the university was officially closed. 	<p>...date of appointment remains the same, however if the employee does not report to work, the supervisor may require the employee to use leave or leave without pay as appropriate.</p>



	Non-Emergency Salaried Personnel	Emergency Salaried Personnel
Effective Date of Resignation	...whose resignations are effective on the day of an <i>all-day closing</i> may not qualify for payment and the separation date may be subject to change.	...whose resignations are effective on the day of an all-day closing, and who do not report for work, may not qualify for payment and the separation date may be subject to change.
On Leave	<p>...who are on approved leave with pay, i.e. vacation during authorized closing periods, will not be charged leave for such periods. Instead, the time will be recorded as an Authorized Closing (AC).</p> <p>...who are on approved extended leave (i.e. short-term disability, family medical leave act, paid parental leave, worker's comp or leave without pay etc.) during an authorized closing are ineligible for the authorized closing, and applicable leave balances will be charged for the day.</p>	



	Non-Emergency Salaried Personnel	Emergency Salaried Personnel		
<p>Holidays</p>	<p>Virginia Tech typically observes certain holidays by closing, such as Christmas Day, New Year's Day, Thanksgiving Day, The Day After Thanksgiving, Martin Luther King, Jr. Day, Independence Day, Labor Day, and Memorial Day. For further information, refer to "Guidelines on Holidays," Policy 4315.</p> <p>The university is open on the other designated staff holidays, such as Columbus Day and Yorktown Victory Day, Election Day, Veteran's Day, and George Washington Day because classes are in session. If an authorized closing is announced on one of these designated staff holidays, the following rules apply:</p> <table border="1" data-bbox="483 654 2001 1247"> <tr> <td data-bbox="483 654 1421 1247"> <p>1. ...who work the authorized closing on a holiday will:</p> <ul style="list-style-type: none"> • be paid for regular hours worked, • earn compensatory leave for the holiday (no more than 8 hours), if they are normally eligible, and • not earn authorized closing compensatory leave unless designated as emergency personnel by the department head and for time worked over 8 hours. <p>2. ...who do not work the authorized closing on a holiday will:</p> <ul style="list-style-type: none"> • be paid regular hours based on the holiday, and • not earn compensatory leave for either the holiday or the authorized closing. </td> <td data-bbox="1421 654 2001 1247"> <p>1. ...who work the authorized closing on a holiday will:</p> <ul style="list-style-type: none"> • be paid for regular hours worked; • earn compensatory leave for the holiday (no more than 8 hours), if they are normally eligible; • earn authorized closing compensatory leave for time worked over 8 hours; and • if non-exempt under the <i>Fair Labor Standards Act</i>, be compensated at time and a half for hours worked over 40 in the workweek. <p>2. ...who do not work will:</p> <ul style="list-style-type: none"> • be paid regular pay for the holiday, and • not earn authorized closing leave. </td> </tr> </table> <p>All compensatory holiday leave and authorized closing leave must be used within 12 months of the date earned (once lapsed it is no longer eligible to be used or paid out).</p> <p>In cases where an employee is on Leave Without Pay (LWOP) immediately prior to or after a holiday, he/she is not eligible to earn the holiday and as a result would be on LWOP for an authorized closing that falls on a holiday.</p>		<p>1. ...who work the authorized closing on a holiday will:</p> <ul style="list-style-type: none"> • be paid for regular hours worked, • earn compensatory leave for the holiday (no more than 8 hours), if they are normally eligible, and • not earn authorized closing compensatory leave unless designated as emergency personnel by the department head and for time worked over 8 hours. <p>2. ...who do not work the authorized closing on a holiday will:</p> <ul style="list-style-type: none"> • be paid regular hours based on the holiday, and • not earn compensatory leave for either the holiday or the authorized closing. 	<p>1. ...who work the authorized closing on a holiday will:</p> <ul style="list-style-type: none"> • be paid for regular hours worked; • earn compensatory leave for the holiday (no more than 8 hours), if they are normally eligible; • earn authorized closing compensatory leave for time worked over 8 hours; and • if non-exempt under the <i>Fair Labor Standards Act</i>, be compensated at time and a half for hours worked over 40 in the workweek. <p>2. ...who do not work will:</p> <ul style="list-style-type: none"> • be paid regular pay for the holiday, and • not earn authorized closing leave.
<p>1. ...who work the authorized closing on a holiday will:</p> <ul style="list-style-type: none"> • be paid for regular hours worked, • earn compensatory leave for the holiday (no more than 8 hours), if they are normally eligible, and • not earn authorized closing compensatory leave unless designated as emergency personnel by the department head and for time worked over 8 hours. <p>2. ...who do not work the authorized closing on a holiday will:</p> <ul style="list-style-type: none"> • be paid regular hours based on the holiday, and • not earn compensatory leave for either the holiday or the authorized closing. 	<p>1. ...who work the authorized closing on a holiday will:</p> <ul style="list-style-type: none"> • be paid for regular hours worked; • earn compensatory leave for the holiday (no more than 8 hours), if they are normally eligible; • earn authorized closing compensatory leave for time worked over 8 hours; and • if non-exempt under the <i>Fair Labor Standards Act</i>, be compensated at time and a half for hours worked over 40 in the workweek. <p>2. ...who do not work will:</p> <ul style="list-style-type: none"> • be paid regular pay for the holiday, and • not earn authorized closing leave. 			



2.2.1.1 If the Employee Has No Leave Balances to Cover Missed Hours

This section applies to non-emergency salaried personnel who leave the central workplace before the announcement of an early closing and to emergency salaried personnel who do not report to or remain at work as scheduled during an authorized closing. Pay and leave earnings will be withheld for employees who have no leave balances to cover the time missed due to authorized closings, including leaving the workplace early, unless the supervisor can adjust the hours of work in the workweek to make up for the missed hours. Holidays are not earned if the employee is on LWOP the workday before or the workday after a holiday.

2.2.2 Wage Personnel

2.2.2.1 Wage employees designated as *emergency personnel* should report during an authorized closing, and will be paid for the hours worked during authorized closing periods. No compensatory leave will be accrued by wage employees.

2.2.2.2 Wage employees who are not designated as *emergency personnel* should not report during an authorized closing unless the department head designates them as *emergency personnel* at the time of closing as described in section 2.1.

2.2.2.3 Wage employees are not paid for time not worked in the event of a delayed opening or authorized closing.

2.2.3 Telework

2.2.3.1 During an authorized closing, non-emergency personnel who telework on authorized telework arrangements are expected to continue working their normal schedule and are not eligible for the authorized closing and will not earn compensatory leave. Employees who telework are required to perform work subject to telework agreements, which guidelines are described in Policy 4325, Alternate Work Site and Telework Policy (<https://policies.vt.edu/assets/4325.pdf>).

2.2.3.2 If employees who telework on authorized telework arrangements are not able to do so due to a power outage or other condition preventing the ability to work during an authorized closing, they should consult immediately with their supervisor.

2.3 Transportation Difficulties

Virginia Tech understands that transportation difficulties may occur during inclement weather. Transportation difficulties are defined as delays caused by unclear roads or extreme weather conditions.

Employees who do not report to work as scheduled when the university is not closed must charge time missed to accrued leave, or leave without pay, as appropriate. However, supervisors may allow employees (salaried or wage) up to a maximum of one hour past the start of their normal shift to report to work during conditions of transportation difficulties without incurring loss of pay (wage employees) or using leave (salaried employees) for the minutes missed.

Non-emergency personnel who anticipate transportation difficulties due to inclement weather conditions when the university is not closed are urged to seek permission from supervisors to shorten their normal work shift through the use of accrued leave. Supervisors should make every effort to accommodate these requests.



Emergency personnel should have a conversation with their supervisor, well in advance of the inclement weather season, to share information on the roads they must travel and the distance from home to work so management is aware of potential hazards, which could keep employees from reaching their place of work in inclement weather situations. Employees know the conditions and the terrain they must travel to reach their work site. If they find themselves in situations where they feel their safety is compromised, they are strongly encouraged to make reasonable and rational choices when deciding to come to work or stay home. These decisions must, however, be communicated with the supervisor as soon as possible. Management reserves the right to determine whether the conditions were sufficient to warrant either not reporting to work or reporting late. In inclement weather situations, it is the responsibility of each employee to confirm if and when to report to work that day.

2.4 Re-opening the University

Employees should report at their regularly scheduled arrival time on the day that the university re-opens.

2.5 Policy Exception

An exception to this policy may be granted by the university President, Senior Vice President and Chief Business Officer, the Executive Vice President and Provost, the Vice President for Human Resources, or their designee, if the conditions justify it.

3.0 Communication Plan Procedures

All authorized closings resulting from inclement weather, natural disasters, or emergency conditions will be announced through the Communication Plan described in Policy 5600.

3.1 Supervisor and Employee Responsibilities

Department heads should develop a communications plan for employees to follow in the event of emergency situations. In doing so, managers should anticipate the needs of essential operations, especially those of employees with alternate work schedules (i.e., shift work and weekends); organize a text/telephone tree; and share detailed instructions to ensure adequate coverage and clear communications. This is particularly important when the identification of *emergency personnel* is contingent upon the circumstances of the closing and are, thus, subject to change.

3.2 Weekend Closings

Employees who are scheduled to work on the traditional Saturday/Sunday weekend as part of their regular work week are responsible for following their departmental plan or they must contact their supervisor. Such announcements will not normally be made through the authorized communications channels.

4.0 Definitions

Emergency Personnel: For the purpose of this policy, emergency personnel are those employees assigned to positions identified by their departments as necessary to the maintenance of the vital operations and services of the university and must report to or remain at work at the employer's central workplace during authorized closings. Emergency personnel are required to work when classes are cancelled and during other periods of authorized closing.

Non-Emergency Personnel: For the purpose of this policy, non-emergency personnel are those employees who are not required to report to work at the employer's central workplace during authorized closings. Nevertheless, non-



emergency personnel who telework on authorized telework arrangements are expected to continue working their normal schedule.

Central Workplace: The university location where the employee normally performs his/her duties.

Pre-Approved Leave: Leave that has been requested by the employee and approved by management prior to the emergency condition that resulted in the authorized closing.

Alternate Work Schedule: A schedule that could be comprised of more/less than eight hours in a work-day, non-traditional work days (Saturdays/Sundays), and/or non-traditional work hours. Virginia Tech may implement work schedules that differ from the standard workweek (typically a Monday - Friday, 8:00 AM – 5:00 PM, 40-hour per week schedule) if such schedules are deemed to promote efficient agency operations.

Responsible University Authorities: University officials assigned authority by the President to authorize emergency notifications to provide alert, warning and safety or protection instructions. A listing of these positions is contained in the Emergency Notification System Protocols.

Shift Work Schedule: Typically, a defined work schedule other than the standard 8:00 a.m. to 5:00 p.m. schedule.

5.0 References

Emergency Notification System Protocols

Faculty Handbook

<https://faculty.vt.edu/faculty-handbook.html>

Fair Labor Standards Act

<https://www.dol.gov/agencies/whd/flsa>

Procedure for Delayed Opening, Early Closing or All-Day Closing Due to Weather Conditions

University Policy 4300, Hours of Work for University and Classified Staff

<https://policies.vt.edu/assets/4300.pdf>

University Policy 4320, Fair Labor Standards Act

<https://policies.vt.edu/assets/4320.pdf>

University Policy 4325, Alternate Work Site and Telework Policy

<https://policies.vt.edu/assets/4325.pdf>

University Policy 5600, Authorized Closings

<https://policies.vt.edu/assets/5600.pdf>

Virginia Department of Human Resource Management, Policy 1.25, Hours of Work

https://www.dhrm.virginia.gov/docs/default-source/hrpolicy/pol1_25hoursofwork.pdf?sfvrsn=2



Virginia Department of Human Resource Management, Policy 1.35, Emergency Closing

https://www.dhrm.virginia.gov/docs/default-source/hrpolicy/poll-35emergencyclosings.pdf?sfvrsn=fee77b0f_4

Virginia Department of Human Resource Management, Policies and Procedures Manual

<https://www.dhrm.virginia.gov/hrpolicies>

6.0 Approval and Revisions

- Revision 11
 - Updates to position titles and/or responsibilities due to university reorganization.
 - New Section 2.2, #5 added, designating individuals in certain administrative positions as “essential personnel” for large scale emergencies.

Approved March 28, 2008 by the University President, Charles W. Steger.
- Revision 12

Technical corrections, including: changing leave type reported from Inclement Weather (IW) to Authorized Closing (AC); referencing the university Policy 4300 Hours of Work in sections 2.3 and 2.4; adding Martin Luther King, Jr., Day as an observed holiday in section 2.6.5; changing the name of Policy 4325, Alternate Work Site and Telework Policy; and updating the methods for communicating authorized closing information in section 3.1.

Approved January 17, 2010 by University President, Charles W. Steger
- Revision 13

Added Section 3.4 regarding Emergency Notifications; removed separate responsibility for cancellation of classes and added provision that if the university is closed, classes are cancelled; added reference to the detailed procedure regarding these closures that is to be maintained by the Vice President for Administrative Services; added section 2.1.2 regarding cancellation of weekend operations; technical corrections, including removing WVTF radio station and the university switchboard from list of official communications channels, updating external web-links, and slight reorganization of some sections for clarity.

Approved November 11, 2011 by University President, Charles W. Steger.
- Revision 14

Language modified in Section 3.4.1 pertaining to actions during a *Shelter in Place* or *Secure in Place* alert.

Approved October 3, 2012 by University President, Charles W. Steger.
- Revision 15

Combined and re-organized several sub-sections under “2.3 Compensation” into table format for ease of reference. Updated titles, technical and grammatical corrections.

Approved September 4, 2015 by University President, Timothy D. Sands.
- Revision 16

Reworded information in the table for clarification.

Approved January 20, 2017 by University President, Timothy D. Sands.



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- Revision 17
Technical updates to titles.
Approved February 2, 2018 by University President, Timothy D. Sands.
- Revision 18
Separated compensation information into this new policy. Vice President for Operations policy information on Authorized Closings is outlined in policy 5600, Authorized Closing.
Approved February 7, 2019 by Vice President for Human Resources, Bryan Garey.
- Revision 19
 - Changed policy title from “Authorized Closings Leave Policy” to “Authorized Closings Leave and Compensation Policy.”
 - In Sections 2.1 and 2.2.1, clarifying language related to offer letter templates, rate of pay for hours worked, examples of approved extended leave, and holidays.
 - Technical updates to web links, position titles, references and grammar and provide consistency of terms throughout the policy.Approved August 10, 2020 by Vice President for Human Resources, Bryan Garey.
- Revision 20
 - In Sections 2.0 and 2.2.1, added clarifying language related to employees who telework on authorized telework arrangements.
 - In Section 2.1, added paragraph #5, addressing impact of authorized closing on scheduled Board of Visitors meetings.
 - In Section 2.2.1.1, added clarifying language regarding impact to employees who do not follow the authorized closings schedule.
 - Added Section 2.2.3 Telework.
 - In Section 4.0, added definition for Central Workplace and added clarifying language to definitions for Emergency Personnel and Non-Emergency Personnel.
 - Technical updates to web links, references, and grammar.Approved February 10, 2021 by Vice President for Human Resources, Bryan Garey.

APPROVED:

Signature

Date