

# Compensation and Leave Protocols: School Closings and District Closings

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The Superintendent or designee will be responsible for determining school closings and district closings. Determination of travel safety of employees to and from work on such days is primarily the responsibility of each employee.

The decision on whether or not to cancel after-school extra-curricular and co-curricular activities, sporting events, and/or continuing education classes shall be the responsibility of the School Principal, Athletic Director, Recreation Director or Technical Director, except in the case of a district closing/delay (see below).

## Definitions

**District Offices:** All offices of the Principal, office of Essex Junction Recreation and Parks, office of Property Services, and the central office.

**School closing:** Day classes/in-service activities are canceled for students/teachers. All District Offices remain open. CTE evening classes will be independently reported by CTE.

**District closing:** All District Offices and schools are closed.

**School Delay:** The commencement of classes for students/teacher in-service activities has been delayed. District offices shall remain open during normal office hours.

**District Delay:** A delayed opening of the District Offices and schools.

## **School Year**

**Employee:** Those employees who are contracted to work the school calendar in relation to student attendance. This category also includes those who work an extended year, which may exceed the school year, but fewer hours than 12-month employees.

## **12-month**

**Employee:** Those employees contracted to work 52 weeks per year (full year), regardless of student attendance.

## **Essential Service**

**Employee:** Those employees, as defined by their immediate supervisor, as performing essential services, even during district closings. The identification of essential service employees may vary depending on the needs of the school/department at a particular time.

## **Non-Essential**

**Employees:** 12-month employees who are not needed to perform essential services for the district during a district closing/delay.

**Exempt Employee:** Employees that are exempt from the overtime provisions of the Fair Labor Standards Act (FLSA). This shall include all employees paid on a salaried basis.

**Non-Exempt Employee:** Employees that are entitled, under FLSA, to overtime for hours worked in excess of 40 in a work week. This shall include all hourly paid employees.

### School Closings & Delays

All school closings and delays shall be announced via media outlets (i.e., television, radio, and internet) per announced district protocols. It is the responsibility of the employee to obtain school-closing/delay information. Schools may opt to set up a phone tree for employee notification purposes.

#### A. In the event of a **school closing**.

##### 1. Before a work shift has commenced

- a) The school year employee will likely have the opportunity to complete the work on a future make-up school day. As such, said employee shall not be expected to attend work, will not be compensated for the closing day, nor will they be able to take a charged leave day (whether or not pre-arranged).
- b) The 12-month employee will be requested to work their normal work shift. The supervisor may request or approve an alternative shift. The 12-month employee who cannot attend work shall utilize appropriate available paid leave time. If no appropriate paid leave is available, the employee may take the day without pay with approval from the immediate supervisor.

##### 2. After a work shift has commenced:

- a) If the closing will **not** result in a make up day at the end of the school year, the school year employee shall be compensated as if s/he worked a full shift. The employee shall be instructed to indicated actual hours worked on the timesheet plus "Administrative Directed Leave" to total one full contracted day of pay. If the closing **will** result in a make up school day, the school year employee will only be paid for hours actually worked on the day of the closing.
- b) The 12-month employee shall be expected to work his/her regular shift. The supervisor may request or approve an alternative shift. If the 12-month employee is unable to complete his/her work shift, s/he shall utilize appropriate available paid leave time. If no appropriate paid leave is available, the employee may take the remainder of the day off without pay with approval from the immediate supervisor.

#### B. In the event of a **school delay**:

1. The school year employee's work shift shall also be delayed a commensurate amount of time unless the supervisor requests otherwise. Since a school delay shall not result in a make up day at the end of the school year, the school-year employee shall be compensated as if s/he worked a full shift. The employee shall be instructed to indicated actual hours worked on his/her timesheet plus "Administrative Directed Leave" for up to the duration of the delayed opening not to exceed one full contracted day of pay.

2. The 12-month employee shall be expected to work his/her regular shift. The supervisor may request or approve an alternative shift. If the 12-month employee is unable to complete his/her work shift, s/he shall utilize appropriate available paid leave time. If no appropriate paid leave is available, the employee may take the remainder of the day off without pay with approval from the immediate supervisor.

### District Closings & Delays

In the event of a district closing, the Superintendent or designee shall notify all school principals and directors. It is the responsibility of the principal/director to notify employees whom they supervise of a district closing. The use of a phone tree is encouraged for this purpose.

#### A. In the event of a **district closing**

##### 1. Before a work shift has commenced

- a) The school year employee shall be treated the same as if it were a school closing (see above).
- b) The non-essential 12-month employee shall be released from his/her work duties, and shall be compensated for the day since this time cannot be made up. These employees are instructed to indicate "Administrative Directed Leave" on her/his timesheet and shall be compensated for one full contracted day.
- c) The non-exempt 12-month essential service employee shall be requested to work and maintain their work shift until released by her/his supervisor. The essential service employee in attendance shall receive double time for hours worked. If early release, the essential service employee in attendance shall receive straight time pay (under "Administrative Directed Leave") for the remainder of his/her work shift. Those who cannot attend work shall be compensated for the day under "Administrative Directed Leave" similar to that of a non-essential employee.

##### 2. After a work shift has commenced:

- a) The school year employee shall be treated the same as if it were a school closing (see above).
- b) The non-essential 12-month employee shall be released from her/his work duties, but shall receive compensation for their full work shift. These employees are instructed to indicate their actual hours worked plus "Administrative Directed Leave" on their timesheet for remaining hours to total one full day of compensation.
- c) The 12-month essential service employees in attendance shall maintain his/her work shift until released by their supervisor. The non-exempt employee shall receive double time for hours worked beyond the stated district closing time. If early release, the essential service employee shall receive straight time pay (under "Administrative Directed Leave") for the remainder of his/her work shift.

#### B. In the event of a **district delay**:

1. The school year employee shall be treated the same as if it were a school delay (see above).

2. The non-essential 12-month employee's work shift shall also be delayed a commensurate amount of time. The non-essential 12-month employee shall be compensated as if s/he worked a full shift. The employee shall be instructed to indicated actual hours worked on his/her timesheet plus "Administrative Directed Leave" for up to the duration of the delayed opening not to exceed one full contracted day of pay.
  3. The 12-month essential service employee shall be requested to work their regular shift (as determined by the supervisor). The non-exempt essential service employee in attendance shall receive double time for hours worked up until the time the district opened. Those who cannot attend work until the delayed opening shall be compensated as if s/he worked a full shift, using "Administrative Directed Leave" for up to the duration of the delayed opening not to exceed one full contracted day of pay.
- C. The 12-month employee who is out on a **pre-scheduled/pre-authorized leave** during a district closing or delay shall only use said leave to cover the portion of the day the district was open (if any) during their regular work shift; the remaining time shall be recorded as "Administrative Directed Leave". Likewise, the school year employee who is out on a pre-scheduled/pre-authorized leave during a school/district closing or delay that will **not** result in a make-up day will only be charged with such leave for the portion of the day (if any) the school/district remained open during their regularly scheduled work shift; the remaining time shall be recorded as "Administrative Directed Leave".
- D. Employees that are not normally scheduled to work on the day of a school or district closing/delay shall not receive compensation for said day.
- E. The 12-month exempt employee who is in attendance during a district closing or delay shall receive compensatory time ("comp time") equivalent to the number of hours worked, not to exceed one day of "comp time" per day of district closing. Said "comp time" must be used prior to the end of the contract year in which it was incurred. Any unused "comp time" at the end of the contract year shall be lost.
- F. A separate district closing/delay decision shall be made for first and second shift. First shift employees shall be notified of a district closing/delay by 6:00 am (when possible). Second shift employees shall be notified of a district closing/delay by 1:00 pm (when possible). The 12-month employee shall assume that the district offices will remain open even when there is no school, unless notified otherwise (i.e., district closing).
- G. In the event of a district closing during second shift, all after school extra-curricular and co-curricular activities, sporting events, and continuing education classes shall be cancelled unless otherwise approved by the Superintendent.