

STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

PROCEDURE

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TITLE: HAZARDOUS WEATHER AND EMERGENCY LEAVE

POLICY REFERENCE NUMBER: 8-3-105

DIVISION OF RESPONSIBILITY: Human Resource Services

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DATE OF LAST REVISION: July 9, 2020

**DISCLAIMER**

**PURSUANT TO SECTION 41-1-110 OF THE CODE OF LAWS OF SC, AS AMENDED, THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE SC STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION / THE SC TECHNICAL COLLEGE SYSTEM. THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION/THE SC TECHNICAL COLLEGE SYSTEM RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.**

**I. HAZARDOUS WEATHER AND EMERGENCY LEAVE**

- A. Upon issuing a Declaration of Emergency, the Governor has the authority to excuse all employees of state government from reporting to work during extreme weather or other emergency conditions. “Emergency conditions” means circumstances that would expose employees to harmful or unsafe conditions as determined by the Governor’s Office. Unless such a Declaration of Emergency has been issued, all state government employees are expected to report to work.

Exception – This does not preclude the closure or necessary immediate evacuation of a facility by the System/College President in the interest of personal safety.

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- B. The Declaration may be applicable to all employees in the entire state, or only to those employees who live or work in one geographical region of the state, or a combination of geographical regions.
- C. It may be determined by the System/College President that essential personnel (security, maintenance, etc.) are needed to maintain the facilities during extreme weather or emergency situations. The System/College President, or designee, shall identify and notify essential employees by position, classification, or internal title. All other employees will not be expected to report to work.

## **II. NOTIFICATION OF DECLARATION OF EMERGENCY (HAZARDOUS WEATHER OR DECLARED EMERGENCY)**

### A. Normal Working Hours

1. Between the hours of 8:00 a.m. and 5:00 p.m., the Declaration of Emergency shall be communicated from the Governor's Office to the South Carolina Emergency Management Division. System Office/College campus(es) and College location(s) and their employees shall follow the same hazardous weather decisions made by the county government officials where the System Office/College campus(es) and College location(s) is located. The South Carolina Emergency Management Division (SCEMD) will communicate the Declaration of Emergency (by county) to each agency through their website.
2. When the Governor has issued a Declaration of Emergency to close the agency due to weather or other emergency situations, the System /College President or designee will notify his staff and all colleges affected by the Governor's declaration.

### B. Off-Duty Hours

1. Between the hours of 5:00 p.m. and 8:00 a.m., all Declarations of Emergency will be transmitted by the Governor's Office to the South Carolina Emergency Management Division (SCEMD). System Office/College campus(es) and College location(s) and their employees shall follow the same hazardous weather emergency decisions made by the county government officials where the System Office/College campus(es) and college location(s) is located.

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Employees should assume individual responsibility for monitoring the media. Employees may also determine whether a state office is closed or delayed in opening by going to the SCEMD website ([www.scemd.org](http://www.scemd.org)) to find the delayed openings or closings of state offices by county

2. As decisions regarding hazardous weather and college closings have to be made early, the System/College President is authorized to evacuate/close a facility in the interest of personal safety. Employees should assume individual responsibility for monitoring local media for such closures.

### **III. NON-WEATHER RELATED CLOSURES**

In accordance with the South Carolina Department of Administration's Division of State Human Resources (DSHR) Regulations, the System/College President is authorized to evacuate/close a facility in the interest of personal safety.

### **IV. ACCOUNTABILITY FOR TIME LOST DURING HAZARDOUS WEATHER CONDITIONS, DECLARATION OF EMERGENCY OR OTHER SYSTEM OFFICE/COLLEGE CLOSURES**

- A. When the Governor makes a Declaration of Emergency the System Office/College campus(es) and College location(s) are to be closed and all employees, except for essential personnel, are excused from reporting to work.

Leave Eligible employees will account for time lost, selecting from the following alternatives:

1. Use accrued annual leave or faculty non-work days.
  2. Take leave without pay.
  3. Take accrued compensatory time (non-exempt employees).
  4. Make up time lost from work within ninety (90) days at a time(s) scheduled and approved by the System/College President or designee.
- B. In accordance with SC Code of Laws 8-11-57 and State Human Resources Regulations, only the Governor can provide state employees with up to five days leave with pay per declaration of each state of emergency for absences from work due to the state of emergency for hazardous weather.

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- C. Agencies will receive official notification of the Governor's decision for leave with pay for absences from work due to the state of emergency for hazardous weather.
  
- D. Leave Records

The System Office/College shall maintain all leave records for each employee eligible for such leave. Such records shall be reviewed by or reported to the employee no less than once per calendar year and be supported by individual leave requests.

Failure to report leave taken is considered a falsification of work/time records and could be construed as being paid for hours not worked in violation of S.C. Code Ann. § 8-11-30 and may be subject to disciplinary action up to and including termination.