On Monday, February 11, 2019, the Department of Human Resources announced a weather-related delay affecting non-essential employees who live or work in New Castle County. Please share this information with your organization. A separate communication will be sent from Human Resources to all eSTAR Auditors in each division and facility.

Captured below is the starting and ending time of the February 11, 2019 SWCE announcement to be used for pay administration purposes.

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| --- | --- | --- | --- | --- |
| **NEW CASTLE COUNTY** | Monday | February 11, 2019 | **Starting at 8:00a.m.** on Monday, February 11, 2019 | **Ending at 10:00 a.m.** on Monday, February 11, 2019 |

**ESSENTIAL EMPLOYEES**

Essential employees that live or work in New Castle during the hours stated above for February 11th SWCE declared by the State will get additional compensation of either paid time or compensatory time for their regularly scheduled shift. The maximum additional compensation for one shift for an essential employee on compressed or alternate work schedules is 7.5 hours. It is **not paid** as overtime--it is additional paid time, hour-for-hour, at the base salary rate.

Essential employees, including those who report as directed, are compensated for hours worked during their regular work schedule while a SWCE has been declared by the State. The term “regular work schedule” means the employee’s normally scheduled hours of work during non-emergency times. Compensation will be at their regular hourly rate of pay, plus equal time off for hours worked during their regular schedule up to a maximum of 7.5 hours per shift.

Agencies have the authority to determine whether the additional compensation will be paid time or compensatory time. Equal time off for employees in FLSA-covered positions may be paid in cash or compensatory time at the agency’s discretion, subject to availability of funds. Equal time off for employees in FLSA-exempt positions (not overtime eligible) will normally be paid compensatory time, unless special approval is authorized as provided in the Merit Rules or Budget Act.

**Example #1:**

 FLSA-covered essential employee’s required work schedule is Monday – Friday 7:00 a.m. to 3:30 p.m.

 SWCE is declared **8:00 a.m. through 10:00 a.m.** Monday, February 11th for employees that live or work in New Castle County.

 During the SWCE the employee is mandated to work 7:00 a.m. through 3:30 p.m. on Monday, February 11th .

 Essential employee will be paid for 7.5 hours worked from 7:00 a.m. to 3:30 p.m.

PLUS

 Essential employee will receive 2.00 hours of equal time off because they worked their regular scheduled shift [7:00 a.m. to 3:30 p.m.] during the SWCE event which began at 8:00 a.m. and ended at 10:00 a.m.

OR

 Essential employee will receive 2.00 hours of regular pay [at the Division’s discretion] because they worked their regular scheduled shift [7:00 a.m. to 3:30 p.m.] during the SWCE event which began at 8:00 a.m. and ended at 10:00 a.m.

**Example # 2:**

 FLSA-covered essential employee’s required work schedule is Monday – Friday 11:00 p.m. to 7:30 a.m.

 SWCE is declared **8:00 a.m. through 10:00 a.m.** on Monday, February 11th for employees that live or work in New Castle County.

 The employee works 11:00 p.m. Sunday, February 10th through 7:30 a.m. Monday, February 11th.

** Essential employee was not at work during the declared SWCE on Monday, February 11th ; therefore will receive 0.00 hours of equal time off or 0.00 hours of pay.**

**Example #3:**

 FLSA-covered essential employee’s required work schedule is Monday – Friday 3:00 p.m. to 11:30 p.m.

 SWCE is declared **8:00 a.m. through 10:00 a.m.** on Monday, February 11th for employees that live or work in New Castle County.

 Essential employee reports to work at 3:00 p.m. on Monday, February 11th and is not affected by the SWCE delayed opening; therefore will receive 0.00 hours of equal time off or 0.00 hours of pay.

* Please apply appropriate merit and union contract rules for overtime if applicable.

NOTE: Rules for **FLSA-Exempt** essential employees will apply as above; however SWCE can only be offered as a compensatory time.

NOTE: Other rules for SHOC members may apply.

**NON-ESSENTIAL EMPLOYEES**

Non-essential employees who live or work in New Castle County will receive the equivalent time off of their regular scheduled shift during the SWCE event.

Non-essential employees who work compressed or flexible schedules that fall outside regular business hours do not need to adjust their schedules for February 11, 2019.. If they were scheduled to work during the SWCE, they receive credit as if they worked their normally scheduled compressed or alternate work schedule. Those employees who were not scheduled to work during the SWCE will receive no compensation for a SWCE delayed opening.

**EXAMPLE #4:**

 Non-essential employee’s flexible work schedule is :

Monday Off

Tuesday 10 hours

Wednesday 10 hours

Thursday 10 hours

Friday 7.5 hours

 Non-essential employee will not receive additional compensation or time off for Monday due to the SWCE event.

**EXAMPLE #5:**

 Non-essential employee works Monday – Friday 7:00 a.m. to 3:30 p.m.

 Non-essential employee that lives or works in New Castle County would not be expected to report to work at 7:00 a.m. due to the SWCE delayed opening.

 Non-essential employee will be compensated as if they reported to work at 7:00 a.m. and will not be expected to work beyond 3:30 p.m. due to the SWCE delayed opening.

**EXAMPLE #6:**

 Non-essential employee works Monday – Friday 9:00 a.m. to 5:30 p.m.

 Non-essential employee that lives or works in New Castle County would not be expected to report to work at 9:00 a.m. due to the SWCE delayed opening.

 Non-essential employee will be compensated as if they reported to work at 9:00 a.m. and will be expected to work until 5:30 p.m.

**CASUAL/SEASONAL EMPLOYEES**

* Casual/Seasonal employees are paid for hours worked. Most Casual/Seasonal employees are FLSA-covered.
* Casual/Seasonal employees that did not work during the SWCE event will not be paid.
* Casual/Seasonal employees that actually working during the SWCE event will be paid for hours worked only.
* Casual/Seasonal employees that worked during the SWCE event will not receive any additional compensation or time off for the SWCE event.

**OTHER INFORMATION**

* **Below is a link to Frequently Asked Questions related to the SWCE. These provide further detail.**

[**https://dhr.delaware.gov/closings/faq.shtml**](https://dhr.delaware.gov/closings/faq.shtml)



Below are instructions for entering SWCE time. **NOTE: ONLY AUDITORS CAN INSERT THE PAY CODE FOR SWCE ON THE EMPLOYEE’S TIMESHEET.** Once entered, managers may approve the time sheet. Remember that timesheets must be approved by our required deadline. Refer to the DHSS Job Aids on the eSTAR website. If you have additional questions, contact your local HR group.

SWCE pay codes to use as illustrated in **EXAMPLES** below:

**For non-essential employee** enter pay code SWE\_CLOSINGS Severe Weather/Emerg Closing.

Enter hours that include the February 11, 2019 announced SWCE that began at 8:00 a.m. and ended at 10:00 a.m.



**For essential employee** enter pay code SWE\_WORKED Severe Weather/Emerg Worked.

Enter hours the essential employee worked during the SWCE **not to exceed 2.00 hours.**



**For essential employee electing compensatory time in lieu of pay** enter pay code CSWE Comp Severe Weather Earned

Enter hours the essential employee worked during the SWCE **not to exceed 2.0 hours.**



All compensatory time [earned and used] including time earned for this SWCE event, **must be recorded on the employee’s timesheet** or it may be forfeited.

Questions may be directed to your local Human Resources Group:

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| **Human Resources Office** | **Telephone Number** |
| New Castle County | 302-255-9070 |
| Kent/Sussex Regional Office | 302-744-4558 |
| DHCI/Governor Bacon | 302-223-1550 |
| Stockley Center | 302-933-3000 |
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