

THIS COMMUNICATION PROVIDES IMPORTANT DIRECTIONS FOR AUDITORS AND MANAGERS FOR HANDLING SWCE TIMESHEET ENTRIES.

On Thursday, January 4, 2018 and January 5, 2018, the State’s Department of Human Resources announced weather-related closings affecting non-essential employees who live or work in New Castle County, Kent County and Sussex County.

Captured below is the starting and ending time of the January 4th and January 5th SWCE announcement to be used for pay administration purposes.

SUSSEX COUNTY	Thursday & Friday	January 4, 2018 & January 5, 2018	<u>Starting at 8:00 a.m.</u> on Thursday, January 4, 2018	<u>Ending at 4:30 p.m.</u> on Friday, January 5, 2018
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NEW CASTLE & KENT COUNTY	Thursday & Friday	January 4, 2018 & January 5, 2018	<u>Starting at 8:00a.m.</u> on Thursday, January 4, 2018	<u>Ending at 10:00 a.m.</u> on Friday, January 5, 2018
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ESSENTIAL EMPLOYEES

Essential employees that live or work in New Castle, Kent County and Sussex County during the hours stated above for the January 4th and January 5th 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.

Division leadership have the authority to determine whether the additional compensation for Essential Personnel 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 division's discretion, subject to availability of funds. Equal time off for employees in FLSA-exempt positions (not overtime eligible) will normally be paid as 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.** Thursday, January 4th and Friday, January 5th in New Castle and Kent County.
- During the SWCE the employee is required/mandated to work 7:00 through 3:30 p.m. Thursday, January 4th.
- Essential employee will be paid at their regular rate of pay for the 7.5 hours worked from 7:00 a.m. to 3:30 p.m.
PLUS
- Essential employee will receive 6.5 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. the following day.
OR
- Essential employee will receive 6.5 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 4:30 p.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 4:30 p.m.** Thursday, January 4th, and Friday, January 5th in Sussex County
- The employee works 11:00 p.m. Thursday, January 4th through 7:30 a.m. Friday, January 5th.
- Essential employee will be paid at their regular rate of pay for the 7.5 hours worked from 11:00 p.m. through 7:30 a.m.
PLUS
- Essential employee will receive 7.5 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 4:30 p.m. the following day.
OR
- Essential employee will receive 7.5 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 4:30 p.m. the following day.

Example #3:

- FLSA-covered essential employee's required work schedule is Monday – Friday 8:00 a.m. to 4:30 p.m.
- SWCE is declared **8:00 a.m. through 11:59 p.m.** Thursday, January 4, 2018.
- During the SWCE the employee is required/mandated to work 8:00 a.m. through 8:00 p.m. Thursday, January 4th.

- Essential employee will be paid at their regular rate of pay plus overtime for the 11 hours worked from 8:00 a.m. to 8:00 p.m.
PLUS
- Essential employee will receive 7.5 hours of equal time off because they worked their regular scheduled shift [8:00 a.m. to 4:30 p.m.] during the SWCE event which began at 8:00 a.m. and ended at 11:59 p.m.
OR
- Essential employee will receive 7.5 hours of regular pay [at the Division's discretion] because they worked their regular scheduled shift [8:00 a.m. to 4:30 p.m.] during the SWCE event which began at 8:00 a.m. and ended at 11:59 p.m.
 - 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, Kent County and Sussex 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 January 4, 2018 and January 5, 2018. 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 day.

EXAMPLE #4:

- Non-essential employee's flexible work schedule is:

Monday	7.50 hours
Tuesday	10 hours
Wednesday	10 hours
Thursday	OFF
Friday	10 hours
- Non-essential employee will not receive additional compensation or time off for Thursday due to the SWCE event.

CASUAL/SEASONAL EMPLOYEES

Casual/Seasonal employees are paid only for hours worked--they will not receive equal time off as cash or Compensatory Time.

Casual/Seasonal employees that did not work during the SWCE event will not be paid.

OTHER INFORMATION

- **Employees on approved leave**

Employees who were on approved leave during the times as indicated above will have their leave records adjusted based on their regular scheduled shift. Approved leave includes annual leave, sick leave, and floating holidays. Please call if confirmation is needed on any other type of leave not specifically listed.

From Severe Weather Conditions and Emergencies FAQ: *An example would be an employee on an alternate work schedule reports at 7 a.m. to 3:30 p.m. rather than 8 a.m. to 4:30 p.m. daily, but the Governor issues an announcement for the State to be closed that day during normal working hours. The employee who reports at 7 a.m. is not expected to come to work at 7 a.m. and leave at 8 a.m. On that day, the employee gets the benefit of the entire day off without being charged leave. However, if the employee is already out on approved leave, they are charged leave for the first hour, but not for the rest of the day.*

- **Non-Essential employees unable to report to work at times outside of the declared SWCE event**

Non-Essential employees who were unable to report to work at times outside of the declared SWCE event due to the weather and road conditions may use any available annual leave, available floating holiday(s) and/or compensatory time **only**. Use of available sick leave is not permissible.

- **Employees in Leave Without Pay**

Employees in a leave without pay status do not receive any additional compensation or time off during the SWCE event.

- **Reporting to work in error during the SWCE event**

Non-essential employees who reported to work in error are not entitled to nor are they to receive any additional compensation or time off.

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

<http://delawarepersonnel.com/closings/faq.shtml>



Following are instructions for entering SWCE time into eSTAR Timesheets. Please note that only Auditors can perform the pay code transactions. Once entered, managers may approve the time sheet. Remember that Timesheets must be approved by Noon on Tuesday. 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 match the hours scheduled to work.

Tue 03/14	<input type="button" value="+"/>	WK_SCH_ELAPSED Work Scheduled	7.50
	<input type="button" value="+"/>	SWE_CLOSINGS Severe Weather/Emerg Closing	7.50



For essential employee enter pay code SWE_WORKED Severe Weather/Emerg Worked.

Enter hours the essential employee worked during the SWCE **not to exceed 7.5 hours.**

Tue 03/14	<input type="button" value="+"/>	CLOCK Clock Time	07:57 am 04:02 pm
	<input type="button" value="+"/>	SWE_WORKED Severe Weather/Emerg Worked	7.50

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 7.5 hours.**

Tue 03/14			
		CSWE Comp Severe Weather Earned	7.50

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:

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