

A MESSAGE FROM HUMAN RESOURCES REGARDING THE SEVERE WEATHER EVENT

AFFECTED COUNTY	DAY OF WEEK	DATE	START DATE & TIME	END DATE & TIME
Sussex, Kent, & New Castle, COUNTY	Friday	January 7	<u>Starting at 8:00 A.M.</u> on Friday January 7, 2022	<u>Ending at 10:00 A.M.</u> on Friday January 7, 2022

ESSENTIAL EMPLOYEES

Essential employees that live or work in the affected county during the severe weather event (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 employees on a compressed or alternate work schedule is 2 hours between 8:00 AM and 10: AM on January 4, 2022. It is **not paid** as overtime--it is additional paid time, hour-for-hour, at the base salary rate.

Essential employees and employees that are required to report as directed during a severe weather event, are compensated for hours worked during their regular work schedule while an SWCE has been declared. The term "regular work schedule" means the employee's normally scheduled hours of work during non-emergency times. Compensation will be at the regular hourly rate of pay, plus equal time off, for hours worked during the regular schedule up to a maximum of 2 hours per shift between 8:00 AM and 10:00 AM on January 4, 2022.

Division leadership has the authority to determine whether the additional compensation for essential employees will be paid time or compensatory time.

Fair Labor Standards Act (FLSA)-covered Employees

Equal time off may be paid in cash or compensatory time at the division's discretion, subject to availability of funds.

Fair Labor Standards Act (FLSA)-exempt Employees

Equal time off that is not overtime eligible will be paid as Compensatory Time, unless special approval is authorized as provided in the Merit Rules or Budget Act.

NON-ESSENTIAL EMPLOYEES

Non-essential employees that live or work in the affected county during the severe weather event (SWCE) declared by the State will receive the equivalent time off of their regular scheduled shift during the SWCE event. Employees should only receive SWCE hours for hours the employee did not work during the event.

Employees who work compressed or flexible schedules that fall outside regular business hours do not need to adjust their schedules for the date of this event. 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 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. Supervisors are encouraged to have casual/seasonal employees, adversely affected by the severe weather event, make up the hours missed during the same week, if operationally possible.

OTHER INFORMATION

Employees on approved, eligible leave

Employees who were on approved leave during the time indicated above will have their leave records adjusted based on their regular work schedule. Approved leave includes annual leave and sick leave; Family and Medical Leave Act (FMLA), Workers Comp, and Paid Parental Leaves are not eligible for this credit. Please contact HR if confirmation is needed on any other type of leave not specifically listed.

In response to several inquiries, the established practice for non-essential employees who worked during the SWCE event are not entitled to nor are they to receive any additional compensation.

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

For non-essential employees who were unable to report to work at times outside the specified SWCE period due to the weather and road conditions, the Governor requests that supervisors allow employees to use any available annual leave, floating holiday, and/or compensatory time previously earned. Sick leave cannot be used.

Employees on Leave Without Pay

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

Frequently Asked Questions related to the SWCE can be found [here](#).

**Questions may be directed to the eSTAR
Coordinator [DHSS eSTAR@delaware.gov](mailto:DHSS_eSTAR@delaware.gov).**