Policies for All Staff Employees

Adverse or Unsafe Working Conditions

Effective: April 1, 2008
Last Updated: July 1, 2010

Responsible University Office: University Human Resources
Responsible University Administrator: Senior Vice President and Chief Financial Officer
Policy Contact: University Human Resources

A. Scope

This policy applies to all Staff employees.

B. Policy Statement

1. There may be times when the physical conditions of a workplace make it impossible or impractical for employees to work in their usual work location. Adverse or unsafe conditions could affect a specific building, part of a building, an area of campus, or an entire campus

2. In such circumstances and with the proper approvals, affected employees can be reassigned or released from work subject to the procedures described below.

C. Procedures

1. Reassignment or release from work due to adverse or unsafe working conditions
   a. Based on an assessment of adverse or unsafe working conditions, the chancellor, provost, or appropriate vice president may direct employees to work in another location or may close the workplace by directing employees not to report to work and/or by releasing those affected employees who are already at work. To the extent that unsafe or adverse working conditions can be anticipated, employees will be given advance notice not to report to work. Pay and leave issues will be addressed in all cases in accordance with this policy.

   b. The chancellor, provost, or appropriate vice president has the authority to close a specific building or
part of a building, an area of a campus, or an entire campus. Management will use its best efforts to designate and communicate the closing and reopening times.

c. During the period that a workplace is closed, the university will attempt to resolve the adverse or unsafe working condition or identify alternative work locations and arrangements so that employees are able to return to work as soon as possible. The university retains the right to assign a person to a different work location at its discretion.

d. If the adverse or unsafe working condition is limited to a specific building, part of a building, or to a specific area of a campus, and other portions of the campus remain open, employees who do work during such periods will receive their regular rate of pay. This includes employees assigned to rectify, repair, or otherwise perform work related to the situation.

e. If the situation is widespread and severe such that the entire campus is closed, emergency Support and Service Staff who are required to work will receive their regular rate of pay plus time and one-half additional time or pay, as determined by the department head. Professional Staff will receive their regular rate of pay.

i. It is the responsibility of the department head to designate which jobs, if any, are subject to emergency work requirements

2. Closing of a workplace for up to five working days

a. If a workplace is closed pursuant to this policy, the affected employees who were scheduled to work and were not at work solely because of the adverse working conditions will incur no loss of pay and will not be required to cover any absences due to the closing for up to five working days. The absence is to be coded as Adverse Working Conditions (ADW). Employees who were not scheduled to work or were not at work because of such reasons as vacation, holiday, sick time, funeral, or leave of any type whether paid or unpaid, will continue in that status and their absence will be coded according to the particular reason for the absence.

b. Any portion of an employee's regular workday counts as one day for the purposes of this policy.

3. Closings that extend beyond five working days

a. Whenever a workplace is closed pursuant to this policy for more than five working days, Support and Service Staff must cover any additional time away from work using one or more of the following:

i. Accrued vacation, holiday, or income protection time

ii. Accrued compensatory time

iii. Absence without pay and with benefit accrual (AWB)

iv. With department head approval, work at a different location on or off campus

v. With department head approval, make up the time on an hour-for-hour basis within the same workweek of the absence. Hours made up in addition to 40 hours in pay status in a workweek are subject to overtime compensation.

b. Whenever a workplace is closed pursuant to this policy for more than five working days, Professional
Staff must cover any additional time away from work using one or more of the following:

i. Accrued paid time off or sick leave account time (in full days for PAE Staff and hour-for-hour for PAO and PAU Staff).

ii. Accrued compensatory time for PAO Staff.

iii. Absence without pay and with benefit accrual (AWB).

iv. With department head approval, work at a different location on or off campus.

v. With department head approval, PAO and PAU Staff may make up time on an hour-for-hour basis in the same work week of the absence. Hours made up in addition to 40 hours in pay status in a workweek are subject to overtime compensation.

c. The use of any type of paid time off to cover time away due to adverse or unsafe working conditions does not count against the maximum amount that can be used in a calendar year.

D. Definitions

1. Adverse or unsafe working conditions covered by this policy are physical conditions of a workplace that make it impossible or impractical for employees to work in their usual work location. Examples of adverse or unsafe conditions are loss of heat or electricity, damaged buildings, restricted access to an area of campus due to flooding or tornado damage, or situations that implicate personal safety.

2. Adverse or unsafe conditions could affect a specific building or part of a building, an area of a campus, or an entire campus.

E. Sanctions

Managers, supervisors, and employees who violate this policy are subject to disciplinary action, up to and including termination.

F. Web Address for this Policy

hr.iu.edu/policies/appointed/adverse_working.html