



# MARIPOSA COUNTY

Human Resources/Risk Management · (209) 742-1379



## **RESOLUTION - ACTION REQUESTED 2017-177**

MEETING: April 4, 2017

TO: The Board of Supervisors

FROM: Steve Johnson, Human Resources Director - Risk Manager

RE: Inclement Weather and Hazardous Conditions Policy

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### **RECOMMENDATION AND JUSTIFICATION:**

Approve the attached Inclement Weather and Hazardous Conditions Policy.

On January 23, 2017, heavy snow forced the County's Interim County Administrative Officer ("CAO") to declare a snow day for County employees.

As a result of this event, County staff, including the CAO, Human Resources Director, Auditor, several members of the County Board of Supervisors and County Department Heads, engaged in a vigorous discussion on how to proceed if a similar incident occurred again in the future.

In lieu of a County Policy, County staff relied in part on a 2011 Memorandum from the then CAO to both administer issues related to the most recent snow day, and act as a template for the attached draft Inclement Weather and Hazardous Conditions Policy.

The following were the guiding principles that staff used in developing the draft Policy:

- The intent of the Policy is to ensure that employees are kept financially "whole" and is not intended to be a windfall for staff. Under the Policy, employees are compensated for the number of hours they would have worked in order to keep them whole. For some that may be eight hours; others ten or more. If a snow day is called in the middle of the shift, they should get paid as though it were a normal shift.
- For an employee that has already called in sick or is on vacation, they will use their accrued leave time to account for this scheduled time off.
- The CAO will have the authority to declare a closure of County facilities for inclement weather or hazardous conditions. It is very likely that this decision will be made in close coordination with the Sheriff, Public Works Director, local School District and other County stakeholders.
- The County, through its Department Heads, will decide which employees are deemed to be "essential" for the purpose of working on a snow day or equivalent, but will base this determination on whether the employee's work impacts the health and safety of the customers that he or she serves. As an example, a Deputy Sheriff or Maintenance Worker who drives a snow plow would be

considered essential employees, but an office employee in Human Resources would not.

Staff does not recommend that a snow day or equivalent be treated as a County Holiday, as County Holidays are very closely synchronized with State and Federal declared Holidays and are scheduled well in advance.

Staff also does not recommend that the Board approve any retroactive pay or benefits for County employee's who worked on January 23rd, other than that pay and benefits that they already have received, consistent with the attached Policy and County "past practice."

Staff shared a draft of the Policy for review and comments with both the County's Bargaining Unit representatives and Department Heads.

**BACKGROUND AND HISTORY OF BOARD ACTIONS:**

There is no County Policy currently in place that deals with the administration of issues related to inclement weather and hazardous conditions. In lieu of a Board approved Policy, staff is currently relying on a 2011 Memorandum to serve as a "past practice" for this purpose.

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

Without approval of this Policy, staff will continue to have to rely on documents that do not have the approval of the Board of Supervisors to administer issues related to inclement weather and hazardous conditions.

**ATTACHMENTS:**

**Inclement Weather Policy April 2017 (DOCX)**

**CAO RECOMMENDATION**

Requested Action Recommended

  
Dallin Kimble, Interim CAO 3/30/2017

**RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]**

**MOVER:** Kevin Cann, District IV Supervisor

**SECONDER:** Merlin Jones, District II Supervisor

**AYES:** Menetrey, Smallcombe, Jones, Long, Cann

**MARIPOSA COUNTY**  
**INCLEMENT WEATHER AND HAZARDOUS CONDITIONS POLICY**  
**April, 2017**

Where extraordinary circumstances such as inclement weather, hazardous roads, power outages, fallen trees, or other unsafe conditions beyond the control of the County exist, the County Administrative Officer or his or her designee may order the closure of one or more facilities and/or the elimination of services.

The County Administrative Officer may order the cessation of a service or services by finding that: (1) permitting the employees to work at that facility would pose a hazard to their health and welfare; (2) due to the circumstances, productive work could not be accomplished by the personnel assigned to the affected function or service; (3) travel on County roads would be hazardous to a significant portion of County staff; or (4) for other circumstances as determined by the County Administrative Officer.

In the event that the County Administrative Officer orders the cessation of a service or services under this Policy, non-essential employees will be directed not to report to work or to cease working if they have already begun their shift. These employees shall be paid their regular rate of pay for their entire scheduled shift.

Employees who are not scheduled to work on a day when a cessation of services is ordered will not receive any compensation. Employees who have leave scheduled on a day when a cessation of services is ordered will be required to use their scheduled leave.

Employees designated as essential by the County must report to work and will receive their regular rate of pay for all hours worked. The County, through its department heads, shall have the sole discretion to determine which employees are essential. Essential employees are defined as those employees whose work impacts the health and safety of citizens and those that they serve.

In the event that an employee feels that his/her safety is at risk due to inclement weather, the employee may, after meeting all departmental call-in requirements, and consulting with their Supervisor where practical, request leave time rather than reporting to work. Department heads should be liberal in their approval of such requests where possible.