

# What every company needs to include in its inclement weather policy



A solid inclement weather policy addresses the issues bound to arise when snow, ice, hurricanes, and other treacherous events make traveling to the office questionable or even impossible. Such forethought demonstrates concern for employee safety and provides a point of reference about wages, telework, and other relevant matters.

The following serves as a guideline for what to include when creating an inclement weather policy. Feature the final version in your employee handbook, and draw people's attention to the information again before the start of winter or another season in which bad weather is likely to occur in your area.

## Start with your organization's general philosophy

While it is in a company's best interest to stay open whenever possible, safety must remain the top priority. Employees should not feel pressured to risk their lives to get to work. A "get in or else" attitude is not only physically dangerous, it demolishes morale because employees feel the employer does not care.

Alice Gilman, Esq., an expert on payroll issues, suggests beginning an inclement weather policy with the company's general intention regarding attendance during rough weather. Sample statements might read something like:

- The company expects everyone to make a *reasonable* effort to report to work in inclement weather

situations.

- Severe weather is expected during the winter. While driving may be difficult, when caution is exercised, the roads are normally passable. Except in cases of severe storms, we are expected to work our regular hours.

## **Outline how inclement weather decisions get communicated**

Include in your policy information on how the company lets people know whether or not the office will be closed. Swift communication keeps workers from heading out unnecessarily. If the office will remain open, the early heads-up helps them plan their travel and childcare arrangements. Some organizations set a deadline – if nobody has contacted you by a certain time, assume the business is open.

Let staff members know the means by which they can expect notification (text, email, phone tree, etc.). No doubt should exist on how an employee will be contacted, when, and by whom. A closure message on the company's general phone line, website, and/or social media serves as back-up confirmation and keeps customers and vendors in the loop.

Encourage people to use good judgment if by chance they do not receive a message but conditions appear unsafe. If, for instance, someone cannot check email when a snowstorm causes a widespread power outage, she likely can assume others are experiencing the same conditions and the office is closed. Confirm if and when possible, but make safety the number one concern.

## **Present specifics regarding pay**

As a topic of great importance to employees (and the one bound to generate the most questions), spell out payment policies in detail in your inclement weather policy.

The Fair Labor Standards Act (FLSA) states that exempt employees must be paid their entire workweek salary if they performed any work during that period. Thus, if your company closes for the day due to a snowstorm, salaried employees still receive their usual compensation.

Matters are trickier when it comes to non-exempt staff members since companies have more flexibility on how to handle payment. Your inclement weather policy needs clarity on this subject so that hourly workers know exactly where things stand. Issues to address in writing include:

- If the office is closed for the day, will hourly workers still be paid in full for the time they were scheduled to work?
- If the company does not pay hourly employees when the office is closed due to bad weather, can workers receive compensation through alternate means, such as making up the time a different day, using accumulated paid time off, or borrowing against future paid time off?
- Does company payment policy differ by whether the closure is mandatory (one ordered due to situations such as travel restrictions or evacuation orders) or discretionary?
- What happens during partial closings that result in sending people home due to impending inclement weather? (Some companies, for example, state that employees who have worked less than four hours will receive four hours of pay, and employees who have worked longer than four hours will get a full day's pay.)



**Layout attendance**

## **and telecommuting options**

In addition to cases in which the office closes for everyone, a variety of other situations exist that potentially affect attendance when bad weather occurs. People may arrive late due to poor road conditions, public transportation problems, or the need to secure childcare because of a school closing. Some workers may say they must stay home due to fear of traveling or the lack of a baby-sitter. An effective inclement weather policy should address these concerns with a predetermined stance regarding things such as:

- Is there a grace period for arrival on such days?
- Who do employees need to notify, by when, and by what contact method if they will be late or cannot make it in at all? Is leaving a message sufficient, or does the person need to speak directly with his manager?
- Will people calling in sick on a day when the weather is bad be required to back up their claim with a doctor's note?

Some companies provide employees the option of working from home rather than braving the elements on questionable days. An inclement weather policy should cover various issues related to telecommuting, such as who can do it (i.e., anyone or only certain roles), whether remote work requires managerial approval (and if so, how to obtain it properly), and what constitutes "working" (such as perhaps completing virtual training activities as a substitute for regular tasks).

For many employers, concerns over COVID-19 expanded the range of what could be done at home and by whom. Organizations that already had telecommuting information as part of their inclement weather policy prior to the crisis may want to revisit their statements now to update for greater possibilities. Likewise, businesses that previously shunned telework as an alternative on days with extreme weather conditions may want to reconsider in light of what they discovered during the pandemic. Employees appreciate the added flexibility when Mother Nature throws a curveball – or perhaps in this case, a snowball!