

MEMORANDUM

Date: September 19, 2018
To: HR Council
From: Chris Chiron
Re: OSHR Leave Provisions for Hurricane Florence

The Office of State Human Resources recognizes that many employees reside in areas that remain dangerous due to flooding, debris or power outages and that, in the short term, some employees need flexibility while their living situation is stabilized. Employees may live in a flooded area, or one that will be flooded soon. They might be staying in a shelter, they might have major damage to their home that makes it uninhabitable, or they will need to live elsewhere while extensive repairs are made.

OSHR has approved the following options to help employees address their short-term needs while also ensuring the continued operations of state government:

- **Condition 3 for Evacuation Orders:** Last week, OSHR approved an extension of Condition 3 use under the University Adverse Weather and Emergency Closings policy to cover voluntary and mandatory evacuation orders for counties where employees live and/or work. This remains in effect, and institutions do not have to request Condition 3 status from the UNC System Office for affected institutions or work locations. Institutions still report the dates/times and affected areas/locations to the System Office using the regular adverse weather reporting form after the fact. OSHR is not requiring reporting for Condition 3 granted on an individual basis to affected employees whose area of residence is under an evacuation order, so you can manage those locally. There has not been a time limit placed on this provision, so this will cover any new evacuations orders that may result this week or next as after-effects of the Hurricane.
- **Satellite Locations under Condition 3:** Several institutions have off-campus work locations in affected areas. As a general rule, these locations should follow the status of the local UNC institution. For example, work locations in the Wilmington area should follow the Condition levels determined for UNC-W unless there is specific damage unique to the worksite that may require a Condition level different than UNC-W's.
- **Other Condition 3 Eligibility:** All other requests for Condition 3 not covered by the evacuation provision above must be approved by the System Office under regular policy requirements.
- **Expansion of Make-Up Time:** OSHR will extend the make-up provisions of the Adverse Weather and Emergency Closings policy for an additional 90 days. This will allow employees up to 180 calendar days to make up work time missed due to hurricane-related issues.
- **Other Management Approved Leave for Difficult Living Situations:** If an employee's living situation is still evolving due to ongoing safety risks, major damage to their primary residence, or other serious hurricane-related impacts, the employee may be eligible for Other Management-Approved Leave (OMAL). As a short-term measure, OSHR has approved up to 40 hours of OMAL for these employees to cover absences for the employee's regular work schedule for the work week of September 16-23. Institutions must ensure that the application of this benefit is applied in a fair and consistent basis. Employees are responsible for providing documentation of their hardship to their supervisor by whatever standards institutional HR may put in place to manage this. This leave applies to employees in counties included in the federal Major Disaster Declaration as well as counties that the state has requested be included. Updated maps will be provided by OSHR; the current map, which includes 18 counties (attached), is expected to grow.

That said, the map is not meant to be the exclusive resource for making decisions, but rather it is offered as a baseline from which institutions may choose to grant exceptions. For example, if you can determine that an employee's residence has sustained major damage due to the storm (tree falling on the house, etc.) even if the residence is outside the Major Disaster counties, you have the discretion to allow the employee to apply this leave for absences this week to address those issues.

- **OMAL for Loss of or Substantial Damage to Primary Residence:** Beginning Monday, September 24 and based on available funds, institutions may provide up to 80 hours of OMAL to employees who need time off to address loss of, or substantial damage to, their primary residence for damage that was sustained between September 14-24. This will be available to affected employees for use only within the first 60 calendar days after damage occurred. Institutions may determine any documentation requirements the employee would need to provide, such as documented meetings with contractors, job estimates, or receipts for purchased supplies. OSHR assumes most storm-related damage will have been incurred by September 24, but will reassess that end date if there is information that shows some further delayed effects from the storm.
- **Community Service Leave Eligible Organizations:** OSHR has provided a temporary expansion of eligible organizations that allows state employees to volunteer for organized efforts coordinated by a local government (county or municipality) entity to address Hurricane Florence recovery activities in addition to regular coverage for activities provided by established nonprofits.
- **Community Service Leave Additional Hours:** Relatedly, OSHR has approved an additional 16 hours (two days) of paid CSL leave, exclusively for storm-related volunteer activities. This increases the maximum amount of paid CSL leave from 24 hours to 40 hours for the remainder of 2018. The additional CSL will expire on December 31, 2018. Employees should obtain prior approval from their supervisor and be responsible for providing documentation that additional hours used are storm-related, according to any institutional HR guidelines.
- **Storm-Related Overtime Pay for FSLA Exempt Employees:** Per the Hours of Work and Overtime Compensation policy (Section 4, Page 74 - [Overtime Pay for Exempt Employees When the Governor Declares an Emergency or a Disaster](#)), institutions may provide straight-time overtime pay for emergency-related activities to FSLA exempt employees. Such pay is subject to available funds and prior approval from OSBM. Work with your institution's budget office regarding these approvals.

Three other related items for UNC institutions:

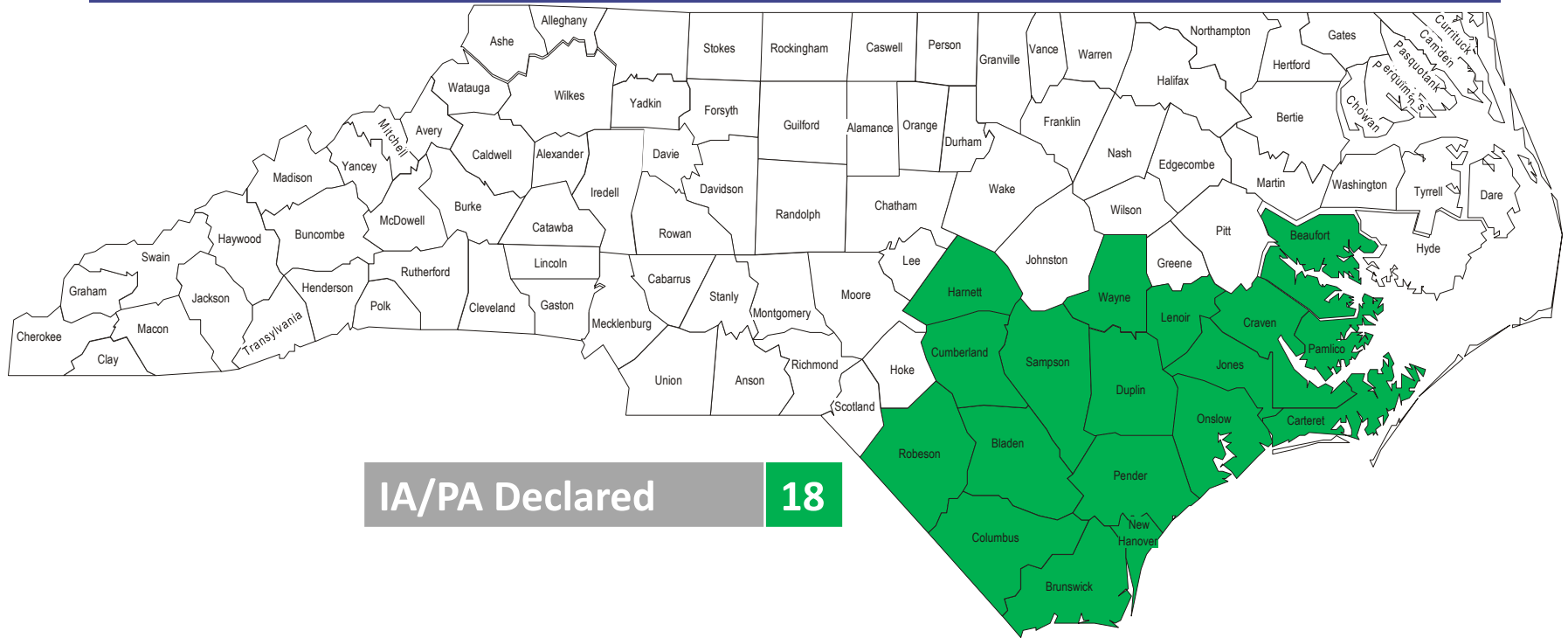
- **Redeployment of University Staff to Affected Institutions:** Several UNC institutions are lending staff to affected campuses for repair and recovery efforts. OSHR has not provided any additional compensation options for these employees beyond what is provided in the list above. Normal rules regarding compensation for travel expenses and overtime would apply. If the affected institution is still operating under Condition 2 or 3, the loaned employees would be eligible for Adverse Weather ETO for each hour worked.
- **University Donations:** The UNC System Office has set up a donation account on the Giving to UNC site to collect monetary donations for the affected UNC Institutions. To make a donation, go to the [Giving to UNC landing page](#) and select "View All Giving Opportunities"; the first option in the pop up menu should be "Disaster Relief Fund (Hurricane Florence Relief Fund)." Check that box continue with the rest of the donation process.
- **UNC Hurricane Florence Page:** The System Office has set up a webpage with [the latest University news related to Hurricane Florence](#).

Please note that institutional HR offices are responsible for ensuring appropriate justification and documentation is maintained for all these leave options.

We hope that these options help our valued state employees as they progress in their recovery from the storm. OSHR will continue to explore additional ways to help state employees deal with the aftermath of the hurricane.

OSHR is developing an FAQ for these provisions. Please submit questions to Chris Chiron by Noon Thursday, September 20 so that I can provide these to OSHR by the end of that day.

Disaster Declaration



- Expedited disaster declaration for IA/PA/HM approved 14 Sept 18.
- 18 Counties for IA/PA: Beaufort, Bladen, Brunswick, Carteret, Columbus, Craven, Cumberland, Duplin, Harnett, Jones, Lenoir, New Hanover, Onslow, Pamlico, Pender, Robeson, Sampson and Wayne.
- Hazard Mitigation approved for all counties and Indian Tribes.
- Additional designations are currently being requested.