

Michigan Civil Service Commission

Regulation 5.06

Subject: Compensation Under Conditions of General Emergency		
SPDOC No.: 16-06 <u>22-14</u>	Effective Date: January 1, 202 <u>3</u> 17	Replaces: Reg. 5.06 (SPDOC 0716-0614 , October- <u>January 17</u> , 20 <u>1</u> 07)

1. Purpose

This regulation establishes ~~the standards and procedures for to pay~~compensating employees under conditions of general emergency.

2. CSC Rule References

5-4 Additional Compensation: Overtime, etc.

5-4.1 Additional Compensation

An appointing authority may require an employee to work under special conditions. An eligible employee working under the following special conditions is paid the pay premiums provided in this rule in accordance with the regulations.

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3. Standards

A. Definition. Conditions of general emergency include, ~~but are not necessarily limited to,~~ severe or unusual weather, civil disturbance, loss of utilities, physical ~~plant~~ failures, or similar occurrences. Such conditions may be widespread or limited to specific work locations.

B. Administrative Determination. When conditions in an affected area or a specific location warrant, state facilities may be ordered closed or, if closure is ~~not~~impossible because of the ~~necessity~~need to continue services, a facility may be declared inaccessible. The decision to close a state facility or declare it inaccessible is at the full discretion of the Governor or designated representative. The appointing authority is responsible for receiving and documenting ~~the~~ appropriate authorization for closure or declared inaccessibility.

C. Compensation.

1. When a state facility is closed or declared inaccessible in accordance with this regulation, employees ~~who cannot~~unable to report for work due to such conditions are granted administrative leave to cover ~~their~~ absence during normally scheduled

- hours of work for ~~the~~ a period of closure or declared inaccessibility. An employee ~~who is~~ sent home under such conditions after completing ~~a~~ portion of the regularly scheduled shift is granted administrative leave for the balance of the shift.
2. An employee ~~may be~~ required to work during situations of closure or declared inaccessibility. ~~In these instances, the employee is compensated~~ paid as follows:
 - a. At the employee's base rate of pay during all hours of the employee's regularly scheduled shift.
 - b. In accordance with regulation 5.02, for all hours worked outside the employee's regularly scheduled shift.
 - c. In addition to pay, an employee is granted paid time off equal to the number of hours worked during the period of closure or declared inaccessibility.

D. Additional Timekeeping Procedures.

1. If a state facility has not been closed or declared inaccessible ~~in accordance with the definition in~~ under this procedure, and an employee ~~is absent or is unable to~~ cannot work because of such conditions, an appointing authority may approve ~~the employee is allowed to use~~ of annual leave or compensatory time credits to cover the absence ~~from work~~. If the employee ~~does not have~~ lacks sufficient credits, or ~~the employee~~ chooses, the employee is placed on lost time.
- ~~2. When an employee is absent from a scheduled work period, a portion of which is covered by a declaration of closure or inaccessibility, annual leave or compensatory credits may be used to cover that portion of the employee's absence not covered by administrative leave. If sufficient credits are not available, or the employee chooses, the employee is placed on lost time.~~
- ~~3~~2. Employees ~~who are~~ absent due to sick or annual leave usage, or who ~~have~~ previously scheduled ~~annual~~ leave during ~~the~~ a period of closure or inaccessibility, or who have an approved remote work agreement, are ~~not entitled to~~ ineligible for administrative leave.
 - a. If an employee previously on sick or annual leave is scheduled to return to work while ~~the~~ a building remains closed or inaccessible, the employee ~~then becomes~~ is eligible for ~~such~~ administrative leave for the remaining portion of closure or inaccessibility.
 - b. Employees who incur lost time ~~as the result~~ because of applying ~~ication of~~ this regulation receive credit for a completed biweekly work period for all other purposes.

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c. An employee with an approved remote work agreement scheduled to work at a facility declared closed or inaccessible will be directed to work from their approved remote work location.

CONTACT

Questions on this regulation may be directed to Compensation, Civil Service Commission, P.O. Box 30002, 400 South Pine Street, Lansing, Michigan 48909; ~~by telephone at 517-241-0837 or 517-373-7618~~; or ~~to~~ MCSC-Compensation@mi.gov.