

CHAPTER 4-07-08 WORKING AND INCLEMENT WEATHER CONDITIONS

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4-07-08-01. Scope of chapter.

This chapter applies to all state and local government agencies, departments, institutions, and boards and commissions that employ individuals in positions classified by human resource management services.

History: Effective September 1, 1992; amended effective November 1, 1996; July 1, 2004.

General Authority: NDCC 54-44.3-12

Law Implemented: NDCC 54-44.3-12(1)

4-07-08-02. Reporting to work.

During inclement weather conditions unless otherwise notified by an authorized official, each employee shall report to work as scheduled at the appointed time.

History: Effective September 1, 1992.

General Authority: NDCC 54-44.3-12

Law Implemented: NDCC 54-44.3-12(1)

4-07-08-03. Reporting late or leaving early.

An employee who either reports to work late, or who leaves work early during inclement weather conditions while the employee's place of work remains open, must be charged appropriate leave for the time not worked.

History: Effective September 1, 1992.

General Authority: NDCC 54-44.3-12

Law Implemented: NDCC 54-44.3-12(1)

4-07-08-04. Key positions.

An appointing authority may designate key positions. Individuals occupying those positions shall provide continuing services or essential services as required during emergency or inclement weather conditions when the agency is closed by an authorized official. An individual occupying a key position may be provided extra compensation, in addition to the regular pay rate, for performing required work during a period when agency facilities or normal operations have been closed or curtailed due to emergency or inclement weather conditions.

History: Effective September 1, 1992.

General Authority: NDCC 54-44.3-12

Law Implemented: NDCC 54-44.3-12(1)

4-07-08-05. No pay reduced.

An appointing authority may not reduce the pay of an employee who is released from work due to an emergency or inclement weather conditions by an authorized official for those hours the employee was not required to work.

History: Effective September 1, 1992.

General Authority: NDCC 54-44.3-12

Law Implemented: NDCC 54-44.3-12(1)

4-07-08-06. Employee not scheduled to work.

An employee not scheduled to report for work at an agency closed due to emergency or inclement weather conditions may not be provided additional compensation or time off due to the agency closing. However, an employee who had previously been granted leave for time off on a day when an agency is subsequently closed due to emergency or inclement weather conditions may not be charged leave for that day.

History: Effective September 1, 1992.

General Authority: NDCC 54-44.3-12

Law Implemented: NDCC 54-44.3-12(1)