Essential Positions (20.052)

Introduction
This policy provides the duties and responsibilities for Brown University department heads and administrative staff regarding non-deferrable services and essential positions during emergency administrative closures.

Policy Statement
Brown University will make every effort to communicate broadly and repetitively throughout any emergency consistent with its "Principles and Communications Regarding Weather-Related Closings and Delays." Department heads will designate positions as essential based on the operational needs and the specific situation surrounding the emergency administrative closure.

Department heads will ensure that their business continuity plans are up-to-date and communicated to staff on a regular basis. Department heads should be as flexible as possible to enable essential staff to work from home or other remote locations.

Definitions
Emergency administrative closure: An unscheduled suspension of the University's administrative operations due to inclement weather, a natural or man-made disaster, the outbreak of pandemic illnesses and/or any other unforeseen circumstances. A decision to close or delay the opening of administrative offices and functions due to an emergency shall be made by the University's Executive Vice President for Finance and Administration consistent with the University's "Principles and Communications Regarding Weather-Related Closings and Delays."

Essential Position: A position that has been designated as critical because its responsibilities include non-deferrable services that must be performed despite an emergency administrative closure. Positions may be designated as essential on an academic year, seasonal or situational basis, e.g., in the event of a snow emergency or a public health crisis. In addition, any position may be designated as essential at any point during an emergency, even if not designated as essential prior to the emergency.

- **On-Campus:** An essential position that is required to report to campus to his/her normal work location (or an alternate site if necessary) for work during an emergency administrative closure. An employee serving in an on-campus essential position may have to report to work even if the emergency administrative closure occurs during a time that he/she is not regularly scheduled to work.
- **Remote Access:** An essential position that is required to perform non-deferrable work during emergency closures but is not necessarily required to do so at his/her normal workspace. Instead, a remote access employee may perform his/her non-deferrable work remotely from home or another off-campus location. If a department head designates an essential position as a remote access position, he/she must coordinate with Computer and Information Services to ensure the employee has the appropriate computer access and security to work remotely if required.
- **Special Situations:** Situations may arise where any position may be designated as essential at any point during an emergency, even if not designated as essential prior to the emergency.

Non-deferrable services/operations: A service or operation that is necessary to maintain or protect the health, safety, or physical well-being of the University's personnel (students, staff, and faculty), critical administrative functions, academic mission, facilities and/or assets (including research projects).

Standby Position: A position that is not designated as essential and as such its incumbent is not
required to work during an emergency administrative closure. Note: as outlined above any position may be designated as essential at any point during an emergency, even if not designated as essential prior to the emergency.

**Responsibilities**

**Essential Position Responsibilities**
Employees in essential positions are expected to report to campus or to work remotely, when approved in advance, during an emergency unless specifically directed by their department not to report or if directed by civil emergency or medical authorities not to report. An essential employee may be required to report for an unscheduled shift, reschedule vacation leave and/or work more than his/her regularly scheduled hours during an emergency. In addition, an essential employee must:

- Maintain updated emergency contact information in Workday.
- Discuss alternative work arrangements with his/her supervisor in advance of an emergency, such as working from home or another location in case of an emergency.
- Understand work assignments that must be completed during an emergency administrative closure.
- Work during emergency administrative closures; whether on campus, at home or at another location.

**Standby Position Responsibilities**
Employees in standby positions should not report to campus during an emergency.

**Department Head Responsibilities**

- Ensure that his/her department is appropriately staffed during emergency administrative closures. Determinations of appropriate staffing may vary based on the academic calendar, season or situation.
- Submit his/her list of essential positions as part of the department's annual Business Continuity Plan update. Lists should indicate whether the position is an on-campus or remote access position and/or essential on an academic year, seasonal or situational basis.
- Where possible, notify employees in writing that they serve in essential positions.
- Direct supervisors and their employees to define, document, and keep up to date a list of meaningful work that must be completed during an emergency administrative closure.
- Create, maintain and communicate business continuity plans to staff.
- Plan for and provide flexible work arrangements during emergency administrative closures to the extent possible.
- Communicate work expectations to staff regularly and repetitively.
- Provide timekeeping instructions to non-exempt employees.
- Refer employees to the Faculty and Staff Assistance Program or other support resources as needed and appropriate.
- Implement directives from University administrators and civil emergency or medical authorities.

**Procedures**

**Compensation During Emergency Closures**

- Employees who are released from work due to administrative closings or delays or Emergency Closure will receive their normal pay. Employees scheduled for sick time (e.g., for a doctor's appointment) or vacation time on days when emergency administrative closures or delays are declared will not be affected by the closings for purposes of sick or vacation time and their scheduled time will be deducted as normal.
• Non-exempt employees who occupy essential positions and who perform work during an emergency administrative closure will receive compensatory time off for actual hours worked (or overtime if required by the FLSA).
• Exempt who occupy essential positions and who work during an emergency administrative closure will receive their regular pay.
• Standby positions will receive their normal base pay for the time they were regularly scheduled to work during an emergency administrative closure. Non-exempt employees who were not scheduled to work will not be paid.
• If seasonal/intermittent employees are required to work during an emergency administrative closure, they will be paid for actual time worked.
• On campus overnight stays. Employees in essential positions whose work requires them to stay on campus overnight during an emergency administrative closure or whose non-deferrable work results in overnight service on-campus will be provided with or reimbursed for accommodations, but will not be compensated for rest/sleep time.
• Union staff members will be compensated and expected to report for duty during emergency administrative closures in accordance with the terms of their respective collective bargaining agreements.

Related Policies
Principles and Communications Regarding Weather-Related Closings and Delays
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