



Essential Positions Policy

POL 08.10.04

Effective Date: April 22, 2020

1.0 Policy Purpose

The purpose of this policy is to provide the duties and responsibilities for Brown University department heads and administrative staff regarding non-deferrable services and Essential Positions during Emergency and/or Administrative Closures.

2.0 To Whom the Policy Applies

This policy applies to all staff positions at the University. Where the terms of this policy are in conflict with Union collective bargaining agreements, such agreements shall govern the treatment of covered Union staff members. Where the terms of this policy provide a different benefit than the applicable collective bargaining agreement for Union staff members, such employees shall receive the greater benefit unless otherwise stated in the terms and conditions of the applicable collective bargaining agreement.

3.0 Policy Statement

Certain essential services and/or non-deferrable services are required to be maintained in any Emergency and/or Administrative Closure. Department heads should designate positions as essential based on the operational needs and the specific situation surrounding the Emergency and/or Administrative Closure or suspension of normal operations. Brown University will make every effort to communicate widely and regularly throughout any emergency consistent with the Emergency and/or Administrative Closures and Delays Standard Operating Procedures (SOP).

4.0 Definitions

For the purpose of this policy, the terms below have the following definitions:

Business Continuity Plans: A framework that focuses on planning for the continued operations, services and activities across campus during a wide range of potential long-term emergencies or disruptions to ordinary operations. For planning purposes, long term may range from two days to several weeks.

Emergency and/or 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, or designee, consistent with the University's Emergency and/or Administrative Closures SOP.

Essential Position: A position that has been designated as critical because its responsibilities include non-deferrable services that must be performed despite an Emergency and/or 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 their 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 their 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.

5.0 Responsibilities

All individuals to whom this policy applies are responsible for becoming familiar with and following this policy. University supervisors are responsible for promoting the understanding of this policy and for taking appropriate steps to help ensure compliance with it.

5.1 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 and/or Administrative Closure.
- Work during Emergency and/or Administrative Closures; whether On-Campus, at home or at another location.

5.2 Standby Position Responsibilities

Employees in Standby Positions should not report to campus during an emergency.

5.3 Department Head Responsibilities

- Ensure that their department is appropriately staffed during Emergency and/or Administrative Closure. Determinations of appropriate staffing may vary based on the academic calendar, season or situation.
- Submit their 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.
- 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 and/or Administrative Closure.
- Create, maintain and communicate Business Continuity Plans to staff.
- Plan for and provide flexible work arrangements during Emergency and/or Administrative Closure 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.

6.0 Consequences for Violating this Policy

Failure to comply with this and related policies is subject to disciplinary action, up to and including suspension without pay, or termination of employment or association with the University, in accordance with applicable (e.g., staff, faculty, student) disciplinary procedures.

7.0 Related Information

This policy is not a legal document. This policy does not confer a term of employment, nor is the language intended to establish a contract of employment, express or implied, between any employee and Brown University. The University reserves the right to change, amend or terminate any of its human resources policies at any time for any reason.

Brown University is a community in which employees are encouraged to share workplace concerns with University leadership. Additionally, [Brown's Anonymous Reporting Hotline](#) allows anonymous and confidential reporting on matters of concern online or by phone (877-318-9184).

The following information complements and supplements this document. The information is intended to help explain this policy and is not an all-inclusive list of policies, procedures, laws and requirements.

7.1 Related Policies:

- [Non-Exempt Staff Pay](#)
- [Exempt Staff Pay](#)
- [Paid Time Off \(Vacation Time\)](#)

7.2 Related Procedures:

- [Emergency Administrative Closures and Delays SOP](#)

7.3 Related Forms:

- [Business Continuity Plan Template](#)

7.4 Frequently Asked Questions (FAQs): N/A

7.5 Other Related Information:

- [Brown Ready webpage](#)

8.0 Policy Owner and Contact

8.1 Policy Owner: Vice President of University Human Resources

8.2 Policy Approved by: Executive Vice President for Finance & Administration

8.3 Contact Information: Sr. Director of Employee and Labor Relations, University Human Resources

- Telephone: 401-863-3715
- Email: laborandemployeerelations@brown.edu

9.0 Policy History

9.1 Policy Effective Date: April 22, 2020

9.2 Policy Last Reviewed: May 8, 2020

9.3 Policy Update/Review Summary: Added definition of business continuity plan. Also updated/converted "Principles and Communications Regarding Weather-Related Closings and Delays" into SOP titled "Emergency and/or Administrative Closures". Policy disclaimer notice added in section 7.0 on May 8, 2020. Policy footer removed on June 19, 2020. Previous policy version superseded by this policy:

- Essential Positions (20.052), Revision Date: March 12, 2019