

Number: PPD - 0019
Subject: Emergency Closing Policy

I. SCOPE

This policy applies to the Virginia Institute of Marine Science (VIMS) and to all of its employees (faculty, staff, and students) including agents of VIMS. It defines the policy and procedures related to closing of VIMS or a portion of VIMS in the event of an emergency.

II. PURPOSE

VIMS seeks to ensure the safety of its students, faculty, staff, and visitors, safeguard its academic programs, preserve its academic research and protect its facilities in the event of an emergency. This policy defines the process for closing all or part VIMS as well as expectations for VIMS employees and students. It establishes requirements to maintain operational continuity and recovery when a change in operating status is necessary. It also establishes the policy and procedures for compensating employees for absences from work during an emergency closing, in compliance with Virginia Department of Human Resources Management Policy 1.35.

III. DEFINITIONS

- A. **Authorized Closing** - The period of time VIMS operations are officially closed and non-essential employees are not required to work. Such closings may be authorized for an entire workday or a part of a workday.
- B. **Delayed opening/early closing**: The modification of normal operating hours for non-essential employees.
- C. **Emergency Management Team**: The Emergency Management Team (EMT) is responsible for overall coordination of the Institute's emergency preparedness efforts that plan for, guide, respond to, and recover from a crisis.
- D. **Essential Employees** – An employee whose assigned job duties and responsibilities are considered critical to maintaining the essential operations of VIMS when changes in operating status occur due to an emergency event. Employees designated as essential are needed to meet the immediate needs of repair and restoration, student care, academic programs, research programs, and/or general operations.
 - a. The Dean and Director, Associate Dean for Research and Advisory Services, Associate Dean of Academic Affairs, Chief Operations Officer, Chief Financial Officer, and the Executive Director of Facilities Management are considered to be essential employees.

- b. Section Chairs and Center Directors may designate employees in their units that attend to live animals as essential employees.
 - c. All positions within the Facilities Management Department at VIMS are designated as essential employees. All Facilities Management personnel are expected to report to work when VIMS is officially closed for emergencies unless otherwise authorized by their supervisor.
 - d. The Dean and Director may designate other employees as essential on an as needed basis.
- E. **Emergency Event:** Any event, natural or man-made, with the potential to create unsafe conditions, cause injuries or deaths, disrupt operations, cause physical or environmental damage, that would require VIMS to close. Examples include but are not limited to: severe weather, radiological event, hazardous spill, civil disturbance or public health threat.
- F. **Essential VIMS Operations:** Those operations defined in VIMS's emergency response plan as essential for the response to, the recovery from or the continuation of critical operations in an emergency event.
- G. **Evacuation:** The decision to close the academic, and administrative facilities and restrict access to buildings at VIMS.
- H. **Grace Period:** A maximum of up to two hours past the start of the normal or altered scheduled work day to report to work.
- I. **Non-Essential Employees** - An employee whose assigned job duties and responsibilities are not critical to maintaining the essential services of VIMS when normal operations are disrupted as a result of an emergency event.
- J. **Non-Exempt Employee:** An employee covered by the Fair Labor Standards Act (FLSA) who is entitled to overtime pay for hours worked over 40 during a work week. Exempt or non-exempt status is documented in an employee's position description.

IV. **ESSENTIAL EMPLOYEES -**

Essential operational and professional employees will be credited with administrative leave for the total number of work hours VIMS was closed in accordance with their work schedule. The amount of administrative leave will depend on employee's work schedule.

Non-exempt employees required to work during an emergency closing will receive additional compensation for each hour worked during the closing. Non-exempt employees will be compensated with either leave or pay in accordance with their overtime election designation on file with Human Resources. As required by the FLSA, non-exempt employees are eligible for overtime pay or leave if total hours worked in the

work week exceed 40 hours. Administrative leave and all other leave hours are not included in the calculation for hours worked.

Exempt employees will receive compensation in the form of compensatory leave for those hours worked during authorized closures.

Employees designated as essential who do not report to work and are not on pre-approved leave are not eligible for administrative leave and must submit appropriate leave for the entire closing.

Employees on pre-approved leave with pay for the authorized closing will not have the time charged to their personal leave balances.

V. NON-ESSENTIAL EMPLOYEES:

Non-essential operational and professional employees will be granted administrative leave for the total number of work hours VIMS was closed in accordance with their work schedule. The amount of administrative leave will depend on the employee's work schedule. Non-essential hourly employees do not receive administrative leave and are not compensated for hours they have not worked.

Non-exempt employees must work and/or be in a paid leave status on the last workday before and the first workday after an emergency closing to be eligible for the administrative leave. Employees on pre-approved leave with pay for the authorized closing will not have the time charged to their personal leave balances.

Non-essential employees whose scheduled day off falls on a day when their work area is closed will not be credited with administrative leave.

VI. REPORTING TO WORK

1. ESSENTIAL EMPLOYEES

Essential employees are expected to report to work according to their regular work schedule during an emergency event. Essential employees who fail to report to work will be charged with leave for the hours missed during the closing.

If an essential employee is unable to report to work at the scheduled time, the employee must contact their supervisor immediately to provide an explanation. The employee's supervisor may offer the employee other options such as providing transportation or allowing the employee to take leave.

2. NON-ESSENTIAL EMPLOYEES

Non-essential employees are encouraged, and under certain conditions may be required, to stay away from campus when VIMS is closed. This allows VIMS to respond to and recover from an emergency event in a safe and efficient manner. Non-essential employees should report to work during an authorized closing if they are requested to do so by their supervisor.

Non-essential employees may be directed to return to work if the specific needs of their departments require them to do so to maintain essential operations and/or to respond and restore normal Institute operations. It will be the supervisor's responsibility to determine if additional employees are required during this time. In such cases, supervisors may request that non-essential employees report to work at the start of their regular work schedule or at a specified time. A non-essential employee may also be requested to work at home or at an alternate work location during a closing, especially if the closing is of significant duration.

Requiring an employee to work at home or at an alternate work location will not change their non-essential status to essential; if this situation occurs during an authorized closing, the employee will receive compensation in addition to the administrative leave granted for these closures.

Non-essential employees must report to work when requested to do so by their supervisors. A non-essential employee who cannot report to their regular work location or alternate work location or who cannot work at home when requested by the supervisor, must contact the supervisor immediately to provide an explanation.

Essential and/or non-essential employees who fail to report, fail to contact their supervisor, or fail to respond to a supervisor's request may be subject to disciplinary action.

VII. CLOSING DECISIONS

Decisions to close VIMS facilities to the general public and/or students, staff, and faculty will be made by the Dean and Director or, in his absence, the Chief Operations Officer. Authority to close the Eastern Shore Laboratory rests with the Director of that facility who will notify the Dean and Director of any decision to close or delay opening.

VIMS will strive to remain open. If, however, conditions are such that maintaining a substantial level of academic and research activity is impossible or dangerous, the Institute will be closed. Such announcements will cancel all classes and work obligations for everyone except those employees identified as essential. Faculty, staff and students should monitor VIMS's Home Page and local media for closing and re-opening information.

For a weather event, the Chief Operations Officer (COO) will contact the Dean and Director, or his designee, regarding the weather conditions at the Gloucester Point campus the evening prior or no later than approximately 5:00 a.m. on any day in question. The Dean and Director will render at that time a decision on closure or delayed opening. The COO will then contact the Director of News and Media (DNM) - within 15 minutes of the decision rendered by the Dean, providing instructions regarding VIMS opening. The COO will be responsible for communicating decisions on closings to the VIMS community. The DNM will be responsible for communicating decisions on closings to the television and radio stations.

Unit heads should determine essential services and personnel based on their respective operations to ensure that those essential services are maintained during an emergency event.

VIII. EVACUATION

If the emergency event is predicted to be of major significance and duration, the Institute may, in addition to ceasing normal operations, require the evacuation of campus. This will result in the closing and securing of all buildings on campus. Faculty, staff and students other than those essential to the response to and recovery from the event will be required to remain off campus.

IX. NOTIFICATION OF CLOSING

The decision to close VIMS in full or in part or to evacuate will be announced as soon as practicable using available data.

VIMS will announce closings, late openings and evacuations using a variety of internal and external media including the RAVE alert system, VIMS's website, Facebook, Twitter and local public media outlets. Employees may also call VIMS's closings and delays information telephone line 804-684-7000 to obtain the latest information. Dependent upon the emergency event, messages are updated as necessary.

At VIMS, the responsibility of notification to the campus community has been delegated to the Chief Operations Officer. Employees should ensure that their contact information in Banner is current.

X. INDIVIDUAL AWARENESS AND TRANSPORTATION DIFFICULTIES

For employees who encounter extreme transportation difficulties under emergency conditions, supervisors may allow a maximum of up to two hours past the start of a normal or delayed opening to report to work. This grace period will be considered lost time and need not be applied to leave balances, nor should the employees otherwise experience loss of pay, if in the judgment of the supervisor such lost time was justifiable in view of weather or other conditions, the employee will receive administrative leave for the hours the Institute is closed.

XI. AUTHORITY AND APPROVAL

This policy has been approved by the Dean and Director of VIMS.

XII. RELATED POLICIES OR OTHER DOCUMENTS

- [VIMS Emergency Operations Plan](#)
- [VIMS Continuity of Operations Plan](#)
- Individual Position Descriptions

[Compensatory Leave Policy \(DHRM Policy 3.10\)](#)

Date: July 1, 2009
Rev.: Feb. 15, 2010
Rev.: May 6, 2010
Rev.: Dec. 10, 2010
Rev.: Dec. 3, 2013
Rev.: Dec. 3, 2014
Rev.: March 11, 2021
Rev.: September 12, 2023