

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

INTER-OFFICE MEMORANDUM

TO: Department Directors and Agency Heads
Associate Directors and Assistant Directors
Human Resources Administrators
Key Personnel Officers
Chief Financial Officers
Chief Payroll Officers
Labor Union Officials

FROM: Richard A. Licht
Director
Department of Administration



DATE: October 31, 2012 (Wed)

SUBJECT: **COMPENSATION POLICY: HURRICANE SANDY - CLOSURE OF STATE GOVERNMENT - STATE OF EMERGENCY** for period ranging from 7:00 AM Monday, October 29 through 3:00 PM Tuesday, October 30, 2012

BACKGROUND:

Governor Lincoln D. Chafee directed closure of state government due to Hurricane Sandy and issued Executive Orders #12-07 and Executive Order #12-08 both dated Monday, October 29, 2012 and both entitled Closure of State Government.

SPECIFICALLY:

Executive Orders #12-07 and #12-08 direct closure of state government ordering that non-essential State offices and agencies shall be closed (as defined by the applicable department or agency head) on Monday, October 29, 2012 and Tuesday, October 30, 2012 and non-essential personnel (as defined by the applicable department or agency head) shall not report to work for the period ranging from 7:00 AM on Monday, October 29, 2012 through 3:00 PM on Tuesday, October 30, 2012. For purposes of this policy, all subsequent shift operations shall resume and personnel (as defined by the applicable department or agency head) shall report to work as scheduled at 3:00 PM Tuesday, October 30, 2012.

DEFINITIONS:

For purposes of this policy memo, the following definitions shall apply:

ESSENTIAL EMPLOYEES shall be those state employees who on Monday, October 29, 2012 between the hours of 7:00 AM through Tuesday, October 30, 2012 at 3:00 PM were determined by their respective department or agency head (or his/her designee) to be necessary and were required to work in order to carry out on that date during said hours the critical business of that department under the emergency condition that then existed.

NON-ESSENTIAL EMPLOYEES shall be those state employees normally considered necessary to the business of the State but whose department or agency head (or his/her designee) determined on Monday, October 29, 2012 between the hours of 7:00 AM through Tuesday, October 30, 2012 at 3:00 PM that such employees were not essential on that date during said hours to carry out the critical business of that department. Therefore, they were excused from duty.

**Closure of State Government
Hurricane Sandy – October 29/30, 2012
Compensation Policy
PAGE 2 of 2**

COMPENSATION POLICY:

This compensation policy includes the **total rate** for the hours physically worked and is **not a premium to be calculated on top of the regular wage**. Further, Union business leave is not an acceptable leave discharge. Finally, this compensation policy is consistent with collective bargaining agreements with one exception/modification regarding credit for “administrative leave” for nonessential employees as discussed below. This policy is applicable to all employees as follows:

- All **non-essential nonunion** employees and all **non-essential bargaining unit** employees excused from duty for their regular scheduled work shift (during the closure) shall be compensated at the **straight time rate of compensation (administrative leave)** for those hours regularly scheduled but not worked. This option shall not set a precedent of any kind and shall not be used or referred to for any purpose in any case for any future like incidents/closures.
- All **essential non-union** “standard work week” employees, all essential non-union “nonstandard work week” employees, and all essential non-union “nonstandard/nonexempt work week” employees directed/required to work (as defined by the applicable department or agency head) by their respective department or agency head (or his/her designee) shall be compensated for all hours worked at the **rate of time and one half** for each hour worked during the period ranging from 7:00 AM on Monday, October 29, 2012 through 3:00 PM on Tuesday, October 30, 2012.
- All **essential bargaining unit** “standard work week” employees, all essential bargaining unit “nonstandard work week” employees, and all essential bargaining unit “nonstandard/nonexempt work week” employees directed/required to work (as defined by the applicable department or agency head) by their respective department or agency head (or his/her designee) shall be compensated for all hours worked at the **rate of time and one half** for each hour worked during the period ranging from 7:00 AM on Monday, October 29, 2012 through 3:00 PM on Tuesday, October 30, 2012.
- All hours worked prior to 7:00 AM on Monday, October 29, 2012 and after 3:00 PM on Tuesday, October 30, 2012 shall be compensated at the normal standard straight time rate of compensation for those hours worked during the employee’s regular scheduled work shift.

NOTE: All provisions of a collective bargaining agreement which modify or supplement this policy shall take precedent over any portion of this policy that may be in conflict with such agreement. In case of such modification or supplementation by a collective bargaining agreement, those portions of this policy not affected thereby remain in full force and effect.

NOTE: Inquiries relating to policy requirements should be addressed initially to respective department Human Resources Administrators and subsequently to Anthony A. Bucci, Personnel Administrator (telephone: 222-2160 email: Anthony.Bucci@hr.ri.gov).

NOTE: PAYROLL REPORTING guidelines shall follow in a separate communication.

*******END*******

INTER-OFFICE MEMORANDUM

Office of Accounts and Control

**TO: Chief Payroll Officers
All State Agencies**

DATE: October 31, 2012

**FROM: Louise M. Anderson
Associate Controller - Operations**

**SUBJECT: Procedure for Posting Hours for October 29-30, 2012
CPO 13-06**

Per the Compensation Policy dated 10/31/2012, employees will charge one of the following;

- Any hours physically worked during a regular scheduled shift on Monday, 10/29/2012 or during a regular scheduled shift up to 3 PM on Tuesday, 10/30/2012 will code Holiday Straight Standard (HS) or Holiday Straight Non-Standard (HN) for the hours worked.
- Any hours not worked related to their regular scheduled shifts should be coded as Administrative Leave (A).

Administrative leave will be paid out at straight time. For every (HS) or (HN) hour posted, the employee will be paid one extra half hour for pay period 9 (check date 11/9/12). For example: An employee who worked 8 AM to 12 PM would charge 4 hours HS/HN and 3 hours Administrative Leave. They will be paid for 4 hours at time and one half (or the equivalent of 6 hours straight time) and 3 hours straight time for a total of 9 hours at straight time.

This does not apply to the RI Brotherhood of Correctional Officers.



FILED
SECRETARY OF STATE

OCT 29 2012 11:30 AM

PUBLIC INFORMATION
CENTER

State of Rhode Island and Providence Plantations

State House, Room 224
Providence, Rhode Island 02903
401-222-2080

Lincoln D. Chafee
Governor

EXECUTIVE ORDER

12-07

October 29, 2012

CLOSURE OF STATE GOVERNMENT

WHEREAS, a potential disaster emergency due to the advent of Hurricane Sandy is imminent; and

WHEREAS, there is a threat of widespread or severe damage, injury, loss of life and property resulting from this storm; and

WHEREAS, sustained high winds and heavy rains could result in dangerous conditions, coastal storm warnings, flooding and other potential hazards which pose an imminent threat to public safety as well as damage to public and private property; and

WHEREAS, the health, safety and resources of the people of the State of Rhode Island are endangered thereby; and

WHEREAS, due to the duration and potential impact of this event, normal operations of state agencies will be severely impacted.

NOW, THEREFORE, I, Lincoln D. Chafee, by virtue of the authority vested in me as Governor of the State of Rhode Island and Providence Plantations, pursuant to Title 30, Chapter 15 of the Rhode Island General Laws, do hereby order and direct the following:

1. Pursuant to this Order, I hereby order that non-essential State offices and agencies shall be closed on Monday, October 29, 2012, and non-essential personnel shall not report to work. Essential personnel, as determined by their respective agencies, should report to work.

Executive Order 12-07

October 29, 2012

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2. Pursuant to the emergency powers granted by Rhode Island General Laws, and any other applicable provisions of state or federal law, I shall from time to time issue additional recommendations, directions and orders as circumstances require, either written or verbal; and

3. While this proclamation does not presently constitute a complete travel ban, or closure of the Rhode Island airports, or a declared bank holiday pursuant to Rhode Island General Laws §19-13-5 (unless explicitly incorporated in a subsequent Order), private businesses and citizens are encouraged to limit non-essential activities and travel in order to allow state and local officials to respond to and recover from the storm.

So Ordered:



Lincoln D. Chafee
Governor

Dated: Oct. 29, 12



State of Rhode Island and Providence Plantations
State House, Room 224
Providence, Rhode Island 02903
401-222-2080

FILED
SECRETARY OF STATE
OCT 29 2012
PUBLIC INFORMATION
CENTER

Lincoln D. Chafee
Governor

EXECUTIVE ORDER

12-08

October 29, 2012

CLOSURE OF STATE GOVERNMENT

WHEREAS, a potential disaster emergency due to the advent of Hurricane Sandy is imminent; and

WHEREAS, there is a threat of widespread or severe damage, injury, loss of life and property resulting from this storm; and

WHEREAS, sustained high winds and heavy rains could result in dangerous conditions, coastal storm warnings, flooding and other potential hazards which pose an imminent threat to public safety as well as damage to public and private property; and

WHEREAS, the health, safety and resources of the people of the State of Rhode Island are endangered thereby; and

WHEREAS, due to the duration and potential impact of this event, normal operations of state agencies will be severely impacted.

NOW, THEREFORE, I, Lincoln D. Chafee, by virtue of the authority vested in me as Governor of the State of Rhode Island and Providence Plantations, pursuant to Title 30, Chapter 15 of the Rhode Island General Laws, do hereby order and direct the following:

1. Pursuant to this Order, I hereby order that non-essential State offices and agencies shall remain closed for the "first shift" (as defined by the applicable department or agency head) on Tuesday, October 30, 2012, and non-essential "first shift" personnel shall not report to work. Essential personnel, as determined by their respective agencies, shall report to work for the "first shift"; and

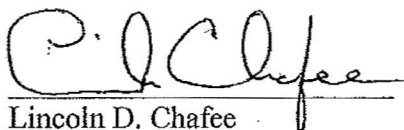
Executive Order 12-08

October 29, 2012

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2. Pursuant to the emergency powers granted by Rhode Island General Laws, and any other applicable provisions of state or federal law, I shall from time to time issue additional recommendations, directions and orders as circumstances require, either written or verbal; and

So Ordered:

A handwritten signature in cursive script, appearing to read "L. D. Chafee", written over a horizontal line.

Lincoln D. Chafee
Governor

Dated: Oct. 29, 12