

OPM 00-07

DATE: February 1, 2000

TO: All Appointing Authorities

FROM: Oscar B. Jackson, Jr., Administrator and
Cabinet Secretary of Human Resources

**RE: Leave Provisions During January 26-28, 2000
Hazardous Weather Conditions**

Much of the state experienced severe weather conditions January 26-28, 2000, which resulted in Department of Public Safety Commissioner Bob Ricks, pursuant to Executive Order 99-06 (March 9, 1999), authorizing agencies or parts of agencies to maintain basic minimum services as follows: January 26 (beginning at Noon); January 27 (all day); and January 28 (first two hours of the work day). Commissioner Rick's decision covered the Oklahoma City metropolitan area, which includes the following counties: Canadian, Cleveland, Lincoln, Logan, McClain, Oklahoma and Pottawatomie. Decisions outside these counties were made by appointing authorities on an individual basis as necessary

Although Commissioner Ricks' announcements to the media and his communication to state agencies clearly indicated that only employees designated as staffing essential agency functions should report to work, some miscommunication occurred. Many agencies remained open, staffed by employees designated to staff essential agency functions, and some agencies closed all or parts of their offices. Questions have been raised regarding the appropriate leave provisions for the various situations across the state.

Merit Rule 530:10-15-72 describes "Leave provisions when services are temporarily reduced due to hazardous weather conditions (automatically allowed authorized absences)", and Merit Rule 530:10-15-71 describes "Leave when an office is temporarily closed due to unsafe working conditions (paid administrative leave)". Both rules have, as a statutory basis, Title 74, 840-2.20A, Agency closings and reductions in services.

Due to the level of miscommunication occurring during the January 26-28 hazardous weather period, and following discussions with the Governor's Office and the Department of Public Safety, I recommend that all appointing authorities grant paid administrative leave to state employees not reporting to work as a result of hazardous weather conditions from noon January 26 thru 10:00 a.m. January 28, 2000. Employees previously approved to be absent from work during this period and who were not expected to work on these days would be covered by the type of leave previously approved, and would not be eligible for the paid administrative leave. This recommendation only applies to this particular set of circumstances.

The Office of Personnel Management, the Department of Public Safety and the Department of Central Services will examine these issues over the next few weeks with appointing authorities in the interest of improving the process by which hazardous weather condition decisions are made and communicated to agencies, employees and the general public.