

## **Guidance for Designating "Essential Employees"**

Partial or full-day closings of state owned or leased buildings may be authorized as a result of hazardous road conditions, emergency circumstances, or other reasons in accordance with Management Directive 530.17, Partial and Full-Day Closings of State Offices. Agencies decide which of their essential functions must continue and which employees must remain at work, even when closings are announced.

Annual notifications of essential designations should be provided in writing to those employees who can reasonably be expected to be designated as essential at some point during the year. The notification should include a description of when they are considered essential and the employee's signature should be obtained. The signed form should be kept in the Official Personnel File.

Annual notifications of essential designations should be provided to employees, in writing. The notification should include a description of when they are considered essential and the employee's signature. Convenient times to communicate with employees may include but certainly aren't limited to: annually, in conjunction with review and submission of the agency's COOP plan update; whenever an employee transitions to a new position or assumes new responsibilities; during employee performance reviews; whenever a new employee is hired; or before winter.

Agencies should also remind employees who are designated as "non-essential" that their status may temporarily change depending on the timing, nature and scope of the disruption.

#### Where to Find More Guidance

Management Directive, 530.17 Amended, *Partial and Full-Day Closings of State Offices*, provides a definition and guidance on essential employees.

• The directive defines **essential employees** as: *Employees who are designated as required to work when an office closing is authorized, usually in operations that must provide services around the clock. The designation of essential can depend upon the employees' duties, as well as the circumstances for the closing.* 

• The directive defines **non-essential employees** as: *Employees who are not required to work when an office closing is authorized.* <u>Occasionally, non-essential employees may be required to work if skeleton crews must be maintained or if specific work must be performed to meet deadlines.</u>

It is important to point out that the definitions include the words "usually" and "occasionally" (emphasis added in the previous paragraphs). Since every disruption is unique, managers should expect to evaluate *each situation as it arises* and determine which employees may be essential, given the circumstances. Managers should be trained and prepared to quickly communicate with their agency's HR office and their employees in disruptive circumstances.

### **Examples of Essential Employees**

The Office of Administration, Bureau of Employee Benefits and Services, Absence and Safety Division provides the following examples of essential employees and how circumstances may impact the designation.

The designation of essential depends on an employee's duties as well as the circumstances for the closing. It is important that effective communications occur between supervisors and employees in circumstances where an employee may not always be deemed essential.

- **Example 1:** A custodial worker in the capitol complex.
  - This employee may be essential to clear snow from sidewalks and steps around Capitol complex buildings. The employee may be required to report on time and may be designated as essential for delayed openings. However, the employee may not be essential if the Governor declares a state of emergency and offices are closed.
- Example 2: A clerical employee with a deadline responsibility

  This employee may have the responsibility to perform a certain task on a certain day. On the day this task must be performed, the employee may be essential. However, on any other day, the employee may not be essential.
- **Example 3:** Employee responsible for custody or care of inmates or patients. This employee may be essential in all cases to ensure care or custody.

Prior to making any decision to close offices and release employees, careful consideration is always given in balancing the health, safety and welfare of our employees with the need to continue to continue essential services and operations based on all available information at the time of the incident. Authority to close offices is provided within the Management Directive; please consult with the Human Resource Office for clarification of the authority to close offices.

#### **Badges for Essential Employees**

As a reminder, employees who are expected to be designated as "essential" at some point during the year must be provided with photo identification access badges. The badges must include an "Emergency Response" designation to obtain access to closed roads and commonwealth buildings during emergency conditions. Employees must keep the photo identification access badges in their possession for use if stopped by police. Such passage may be allowed only when travel conditions are deemed satisfactory to proceed without danger. To obtain appropriately labeled badges, **contact your agency's DGS Security Coordinator** in accordance with Management Directive 625.10, Card Reader and Emergency Response Access to Certain Capitol Complex Buildings and Other State Office Buildings.

#### **Additional Assistance**

For assistance, please contact your agency's HR director. OA's Continuity of Government Office 717-705-5590 and Absence and Safety Division 717.787.9872 are also available to work with your agency's COOP manager and HR director.

# Sample Written Notification for Essential Employees

(Employee Name)

To:

From:	(Employee Supervisor)	
Subject	: Essential Function Notification	
natural only em service	gency) may have to suspend operation disaster, fire, or related hazard. When aployees in positions that have been d report to and/or continue working. A e operational suspension is lifted.	n the (Agency) suspends operations esignated as performing an essential
circums (choose	stances/under certain conditions) and e one: at any time the agency suspend	•
difficult	g specific information about what the e ry getting to work or if the employee's ency childcare responsibilities or ill or i	
	let me know if you have questions abo ded operations.	out your responsibilities during
	reviewed the notification with the empered essential and procedures to follow	ployee, explained that their position is during an operational suspension.
Supervi	isor signature:	Date:
	stand that my position is designated a ons), and that I am to continue working	
Employ	ee Signature:	Date: