



4.11 INCLEMENT WEATHER

Purpose

Citizens of Portland expect the City of Portland to offer continued public service and emergency services during periods of inclement weather. This rule covers conditions that limit transportation or mobility such as snowstorms, ice storms, wind storms, earthquakes, volcanic eruptions, floods or any formal declaration by the Mayor of inclement weather which may cause unsafe driving conditions for both public and private transportation.

During periods of inclement weather, employees are expected to report to work unless directed not to do so by the Mayor. City employees are required to follow written bureau rules and/or bureau directives on inclement weather.

Authority

Only the Mayor, or if the Mayor is unavailable, the President of City Council, is authorized to make the decision to close City offices and buildings, except for those City Bureaus with facilities that are under their sole direction and control and are also outside the City of Portland downtown area. These facilities include: Bureau of Parks and Recreation Community Centers, Parks Natural Areas and Pools; Bureau of Environmental Services Wastewater Treatment Plant, Tryon Creek Wastewater Treatment Plant, Water Pollution Control Lab; Portland Water Bureau Bull Run Headworks; and other locations as designated by the operating bureau and Commissioner in Charge. For those facilities only, the Commissioner in Charge is authorized to make the decision to close during periods of inclement weather.

Attendance and Inclement Weather Rules

Written bureau work rules shall govern how employees should deal with periods of inclement weather. Bureau rules may not allow for pay for time not worked and such work rules shall be consistent with the state wage and hour laws, applicable labor agreements, City Charter, City Code and this administrative rule.

Compensation Rules for Bureaus

1. Only the Mayor, or if the Mayor is unavailable, the President of City Council, is authorized to allow employees to be paid for time not worked or to authorize hour for hour overtime for employees who are exempt from the Federal Fair Labor Standards Act (FLSA), but are required to work extended hours due to inclement weather or other emergencies as noted in the "Purpose" section above.
2. Where late arrivals or early departures are allowed, bureaus shall require employees to charge any absence due to inclement weather to vacation or compensatory time, except as provided in below.
3. Bureaus may permit employees to make up short periods of absence due to inclement weather within the pay period, provided such activity does not conflict with City rules or applicable collective bargaining agreements, and that such adjusted work time does not result in additional overtime payments.

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4. Telecommuting may be allowed, if practical, as an accommodation for a disabled employee under the Americans with Disabilities Act, whose normal form of transportation to work is not accessible due to the inclement weather.
 5. Use of sick leave is not allowed for absence due to inclement weather.
 6. Nothing in this rule is intended to modify collective bargaining agreements.
 7. Nothing in this rule authorizes bureau to adopt pay practices contrary to the federal and state wage and hour laws and regulations concerning employees exempt from federal overtime pay requirements.

Non-represented FLSA Exempt employees shall be charged for absences due to inclement weather in accordance with the [Administrative Rule on Overtime- FLSA Exempt Employees](#).

References

City Charter, Section 2-610, City Business, Time Devoted to.

“All officers and employees receiving pay from this City for full time work shall devote their time during business or duty hours to the interest of the City, except where excused as in this Charter provided”

Administrative Rule History

Adopted by Council March 6, 2002, Ordinance No. 176302
Effective April 5, 2002
Revised July 1, 2004
Revised December 12, 2017
Revised February 15, 2018
