

Policies

Subject Facility Closure Policy
Section Emergency Management
Approved by Marissa Madrigal, Chief Operating Officer
Approved on May 17, 2022
Replaces Facility Closure, Adopted November 1, 2018

Policy Purpose: This policy sets forth procedures and pay policies for facility closures.

Policy

1. This policy is applicable to all Metro employees, facilities and sites.
2. Where provisions of an applicable collective bargaining agreement directly conflict with this policy, the provisions of that agreement will prevail.
3. Definitions.
 - a. Essential employees are employees, designated by their Department Director, who are deemed required to be on site at a Metro facility to ensure safety, security, and continuity of operations during the closure of a facility or curtailment of operations.
 - b. Facility closure: Closure of a facility includes any and all hours in which services normally provided to the public are unavailable.
 - c. Facility Closure pay: Compensation an Employee receives if their facility closes and they do not report to work or they leave work early for safety reasons and their facility subsequently closes. See Section 17.d.
 - d. Emergency Closure pay: Compensation an Essential Employee receives if their facility closes and they are required to report to work. See Section 17.e.
4. The COO or their designee may decide to curtail operations or close a Metro facility or work facility during inclement weather, unsafe conditions, or regional emergency in order to protect the health and safety of employees and the public, or to protect Metro property.
5. The COO or their designee may delegate responsibility to Facility Directors to make determinations for facilities under their authority. Employees shall follow any specific building closure procedures established and maintained at each facility.
6. In a time-sensitive emergency, the most senior director or supervisor at a single facility may authorize the immediate curtailment of operations to protect employees and the public. The most senior director or supervisor or their designee must provide information as soon as reasonably possible to the COO or their designee and to Emergency Management for the reason for curtailment of operations.

7. All employees are expected to make every reasonable effort to report to work on time and to work their scheduled hours, subject to this policy. Weather and road conditions vary throughout the region and employees should use their discretion as to whether they think it is safe to travel from their home to work.
8. In a time-sensitive emergency, the most senior director or supervisor on site at the affected facility may designate an otherwise non-essential employee to assume the role of an essential employee to ensure safety, security and continuity of operations during the closure of a facility or curtailment of operations.
9. Non-essential employees who report to a facility during a facility closure will be sent home.
10. Visitor venues must comply with client contract requirements when determining facility closure.
11. Each department will maintain and update a for each facility or worksite a Facility Closure Standard Operating Procedure (SOP) that outlines the process for notifying employees of building closure or curtailment including the earliest time such information is made available and in which communication methods (phone, email, text). The SOP will also include a list of classifications and duties which may be considered essential during an emergency.
12. Unhealthy Air Quality.
 - a. To protect the health and safety of Metro employees performing outdoor work, Metro will take precautionary actions at their facilities when outdoor air quality is forecasted to be unhealthy for four (4) or more hours.
 - b. Air quality will be determined by the National Oceanic and Atmospheric Administration (NOAA) National Weather Service published Air Quality Index and communicated to facilities by emergency management. Air quality will be determined by the closest government sensor to the Metro facility as measured on www.airnow.gov.
 - c. Detailed required actions are located on the Facility Closure Standard Operating Procedures (SOPs) attached to this policy.
13. Extreme Heat.
 - a. To protect the health and safety of Metro employees performing outdoor work, Metro will take precautionary actions at their facilities when temperatures meet or exceed Heat Index 80 degrees F.
 - b. All Metro facilities will comply with the [Metro Heat Illness Prevention Policy](#).
 - c. Metro facilities should utilize available mechanical ventilation and air filtration systems.
 - d. Heat Index will be determined by the National Oceanic and Atmospheric Administration (NOAA) National Weather Service published Heat Index and communicated to facilities by emergency management. Heat Index will be determined by the closest government sensor to the Metro facility as measured by [NOAA Heat Risk](#).
 - e. Workload during extreme heat is defined as:
 - i. Light workload – regularly sitting or standing, very little lifting or physical labor.

- ii. Medium workload - regular walking, light lifting or other physical labor.
 - iii. Heavy workload – Fast paced walking, heavy lifting and other physical labor.
 - f. Detailed required actions are located on the Facility Closure Standard Operating Procedures attached to this policy.

- 14. Snow and Ice Travel.
 - a. When PBOT or another transportation agency near one or more Metro facilities asks the public to limit trips to essential travel, employees required to report to a Metro facility should take steps to ensure safe travel to their work location. Employees can check road status and sign up for winter weather alerts and emails at [PBOT Winter Weather](#).
 - b. If conditions are present but forecasted to clear in the next hour or are currently clear but forecasted to get appreciably worse, a delayed opening or early closure may be warranted.

- 15. Extreme Cold.
 - a. Cold exposure and extreme cold conditions: To protect the health and safety of Metro employees performing outdoor work, Metro will take precautionary actions at their facilities when outdoor temperatures are at or below 35 degrees F or a comparable wind chill or at or below 40 degrees with precipitation over one (1) inch.
 - b. Precautionary actions include providing additional breaks for warming, reductions or rotation of work duties to reduce times outside/exposure, adjustments to HVAC systems for additional warmth, access to warming shelters or creation of temporary warming shelters with heating devices, access to hot water, and additional protective gear rated for lower temperatures including coats, pants or coveralls, gloves, hats and other items.

- 16. Notification Procedures.
 - a. The following procedures apply when the Chief Operating Officer (COO) determines that a late opening, early closing, or closing of a Metro facility is warranted.
 - b. Notification: If conditions warrant curtailed operations or building closure, Metro employees should determine their work site's status before reporting to work.
 - i. Notifications of building closures for Metro facilities will normally be available via email and at <http://www.flashalertportland.net/closures-cats.html> by 6:30 AM or earlier if outlined in a facility's closure SOP.
 - ii. Building closures for site specific venues will be communicated via the process established by each venue and in coordination with the COO. This includes OCC, Expo, Portland's Centers for the Arts, Oregon Zoo, WPES, and Parks and Nature.
 - iii. Additionally, Metro will change the recorded message at (503) 505-5500 to reflect a closure or a late opening at each of our affected Metro facilities. Closure information may be available on radio or television stations. However, employees should confirm closure information directly by checking email or <http://www.flashalertportland.net/closures-cats.html> or calling (503) 505-5500.
 - iv. If no announcement is made about a Metro facility, employees should assume that facility remains open and should report to work as scheduled.
 - v. Visitor venues must comply with contract requirements and work with affected clients on decisions to continue or close an event.

17. Compensation of employees during facility closure. Except as otherwise provided by law or collective bargaining agreements, employees will be paid as follows during building closures:
- a. Facility remains open: If a facility remains open and an employee scheduled to work determines that weather/road conditions make it unsafe to travel to their worksite, the employee may use accrued leave other than sick leave for that shift. With approval of the manager, the employee may be allowed to work additional hours within the same pay period to make up missed time so long as it does not result in overtime compensation for the employee.
 - b. Employees not scheduled to work: Employees not scheduled to work or scheduled to be on approved leave during any facility closure will be compensated consistent with the work schedule or approved leave and shall record their time according to the applicable leave policy without adjustment for the facility closure.
 - c. Modified Schedule: In the event of a delayed opening or early closure of a facility, the modified hours will be treated as the full workday for employees who report to work.
 - i. If the modified schedule is due to unhealthy air quality, employees with established medical conditions that make them sensitive to air quality will be permitted to work at an alternate work facility, remote work, or if not possible, to use accrued sick leave and, if eligible, FMLA. Sensitive groups include, for example, people with heart or lung disease, adults over age 65, and people with a history of asthma.
 - ii. For all other weather events or hazardous conditions which result in a modified schedule:
 - a. Any employee who is unable to report to work as directed in the modified schedule for that day may take the time as unpaid leave or may charge the absence to any accrued leave balance, except sick leave, but will not be credited with paid time for the modified schedule.
 - b. Non-exempt employees who require additional travel time may take the time as unpaid leave or may charge the time to any accrued leave balance, except sick leave.
 - c. Employees unable to work the full modified schedule shall follow department procedures for notifying Metro of the absence.
 - d. Facility Closure Pay.
 - i. Employees receive Facility Closure pay when
 - a. They are scheduled to work but called off due to their facility's closure and are unable to work remote; or
 - b. The employee determines it is unsafe to travel to work due to weather or hazardous conditions, or those conditions require the Employee to request to leave the worksite early to travel home, and later the Employer closes the worksite.
 - ii. Facility Closure pay is an employee's regular rate of pay
 - e. Emergency Closure Pay.
 - i. Employees designated as essential personnel or any non-essential employees directed to and who are required to report to work when their worksite has been closed, or within a 1.25 mile radius of Metro Regional Center when it is closed, due to inclement weather, unsafe conditions or regional emergency shall be compensated for all hours worked during their designated shift at an overtime rate of one and one-half times pay, in

addition to their regular pay, for a total of two and one-half times their pay (2.5x).

- f. In instances where a facility closes or emergency closure pay is implemented, an employee who worked an overnight, graveyard, or third shift immediately prior, the guidelines of this policy will be applied.

18. Remote work: Employees who have an approved telework agreement will work remotely for their scheduled shift, even if a facility is closed.

- a. For employees who report to a work location, the supervisor may authorize remote work in the event of facility closure or because weather/road conditions make travel unsafe.
- b. Employees working remote will not receive emergency closure pay.
- c. At the COO discretion, Employer may provide facility closure pay to employees who telework in instances where regional emergencies significantly disrupt employees ability to work remotely such as widespread power outages.

Responsibilities

Employees/Interns

- Become familiar with facility closure procedure for specific work site
- Complete required trainings regarding heat illness prevention
- If eligible, make remote work arrangements in advance of events that could result in building closure or curtailment

Supervisors

- Make remote work arrangements for eligible employees in advance of events that could result in building closure or curtailment.
- Ensure implementation of this policy in the workplace

Department directors

- Ensure resources are available to implement this policy

Reference:

Facility Closure Standard Operating Procedures, including Attachments