

Adverse or Unsafe Working Conditions

HR-11-10

About This Policy

Effective Dates:

08-01-1981

Last Updated:

06-01-2022

Responsible University Administrator:

Vice President for Human Resources

Policy Contact:

[IU Human Resources](#)

askHR@iu.edu

Scope

This policy applies to all staff and part time employees.

Policy Statement

1. There may be times when conditions make it impossible or impractical for employees to work in their usual work location. Adverse or unsafe conditions could affect a specific building, part of a building, an area of campus, or an entire campus.
2. Only the chancellor, provost, or appropriate vice president has the authority to close a specific building or part of a building, an area of a campus, or an entire campus.
3. In such circumstances and with the proper approvals, affected employees can be reassigned or released from work subject to the procedures described in this policy.
4. Management will use its best efforts to designate and communicate the closing and reopening times.
5. Pay and leave issues will be addressed in all cases under this policy.

Procedure

1. Reassignment or release from work:
 - a. A unit in consultation with campus human resources or Indiana University Human Resources (IU HR) will assess working conditions.
 - b. If a specific building or part of a building, an area of a campus, or an entire campus is closed by the chancellor, provost, or appropriate vice president, employees may be directed to work in another location, released from work, or informed not to report to work.
 - i. The university retains the right to assign an employee to a different work location.
 - c. To the extent that the university can anticipate unsafe or adverse working conditions, employees will be given advance notice not to report to work.
 - d. When a workplace is closed, the university will attempt to resolve the adverse or unsafe working conditions or identify alternative work locations and arrangements so that employees can return to work as soon as possible.
 - e. If the adverse or unsafe working condition is limited to a specific building, part of a building, or a specific campus area, employees working in the unaffected areas of the campus that remain open will receive their regular pay rate.

- i. Employees assigned to rectify, repair, or otherwise perform work related to the situation will receive their regular pay rate.
 - f. If the situation is widespread and severe such that the entire campus is closed, emergency Non-Exempt (excluding PAO and PAU) staff and part time employees who are required to work in the adverse working conditions will receive their regular pay rate plus time and one-half additional time or pay, as determined by the unit head. Exempt staff and Non-Exempt Non-Union PAO and PAU staff will receive their regular pay rate.
 - i. It is the responsibility of the unit head to designate which roles, if any, are subject to emergency work requirements.
 - ii. Adverse Working Conditions premium earnings are included in the calculation of the overtime (FLSA) rate.
2. Closing of a workplace for up to five working days
 - a. If a workplace is closed under this policy, the affected staff employees who were scheduled to work and were not at work solely because of the adverse working conditions will incur no loss of pay and will not be required to cover any absences due to the closing for up to five working days.
 - i. The absence is to be coded as Adverse Working Conditions (ADW) for staff employees.
 - ii. Staff employees who were not scheduled to work, on paid time off, or on paid or unpaid leave will continue in that status. Their absence will be coded according to the particular reason for the absence.
 - iii. Absences are without pay for part time employees.
 - b. Any portion of a staff employee's regular workday counts as one day under this policy.
3. Closings that extend beyond five working days
 - a. Whenever a workplace is closed under this policy for more than five working days, staff must cover any additional time away from work using one or more of the following:
 - i. Non-exempt (excluding PAO and PAU) staff may use accrued vacation, holiday, income protection time, or compensatory time.
 - ii. Exempt and Non-Exempt Non-Union PAO and PAU staff may use accrued PTO or holiday time. Non-Exempt Non-Union PAO and PAU staff may also use accrued compensatory time.
 - a. Exempt staff use half or full-day increments, and Non-Exempt Non-Union PAO and PAU staff use hour by hour.
 - iii. Absence without pay and with benefit accrual (AWB)
 - iv. With unit head approval, work at a different location on or off-campus
 - v. With unit head approval, make up the time on an hour-for-hour basis within the same workweek of the absence. Hours made up in addition to 40 hours in pay status in a workweek are subject to overtime compensation.
4. When the campus is closed, all staff working remotely will be compensated at their regular pay rate.
5. A campus closure does not necessarily mean this policy applies to employees working at locations outside the immediate campus area. These situations will be addressed on a case-by-case basis.

Definitions

1. *Adverse or unsafe working conditions* covered by this policy are physical conditions of a specific building, part of a building, an area of campus, or an entire campus that make it impossible or impractical for employees to work in their usual work location. Examples include loss of heat or electricity, damaged buildings, flooding or tornado damage, or situations that implicate personal safety.

Sanctions

Managers, supervisors, and employees who violate this policy are subject to disciplinary action, up to and including termination.

History

January 2022

Updated "temporary" employee nomenclature to "part time".

January 2022

Updated based on PTO policy change.

August 2021

IU HR completed a full and substantive review to assess the ongoing need and effectiveness.

February 2021

Updated the staff employee group terms due to Job Framework Redesign Project.

November 2017

Updated to remove PAS salary plan.

September 2017

Updates to the overtime (FLSA) explanation.

December 2016

Revised to add PAS salary plan.

April 2016

Replaces the following policies:

Union or Employee Group	Policy
AFSCME (BL, IN, SB)	10.1 - Adverse or Unsafe Working Conditions
AFSCME Police	Adverse or Unsafe Working Conditions
CWA	7.4 - Adverse or Unsafe Working Conditions
Professional Staff and Support and Service Staff not Covered by a Union	8.2 - Adverse or Unsafe Working Conditions
Temporary	5.6 - Adverse or Unsafe Working Conditions