



**MINNESOTA STATE**  
Board of Trustees

**AGENDA ITEM SUMMARY**

**NAME:** Workforce and Organizational Effectiveness  
Committee

**DATE:** November 15, 2023

**TITLE:** Proposed Amendment to Board Policy 4.4 Weather /  
Short Term Emergency Closings (Second Reading)

Action

Review and Discussion

*This item is required by policy*

**PRESENTERS**

Eric Davis, Vice Chancellor for Human Resources

**PURPOSE**

Board Policy 1A.1 Minnesota State Colleges and Universities Organization and Administration, Part 6. Board Policies and System Procedures requires board review and approval of proposed board policy changes and that each board policy is reviewed at least once every five years.

**BACKGROUND INFORMATION**

The authority to cancel classes or other college or university activities due to weather conditions or other short-term emergencies resides with the college or university president or the president's designee. A president or designee may also close a college or university campus due to a weather or other short-term emergency of six (6) calendar days or less in accordance with this policy.

Proposed amendments include updating outdated references to MnSCU or the former Department of Employee Relations and to clarify the effect of closure when a college or university employee is authorized to telework from home or an alternative site. The expectation is the employee who is authorized to telework or has the means to work from home will continue to work so long as the short-term emergency does not prevent them from safely performing work at their alternate work site or remote work location.

**RECOMMENDED ACTION**

The Workforce and Organizational Effectiveness Committee recommends that the Board of Trustees approve the proposed amendment to Policy 4.4 Weather / Short Term Emergency Closings.

*Date Presented to the Workforce and Organizational Effectiveness Committee: 11/15/23*

*Date Presented to the Board of Trustees:* 11/15/23  
*Date of Implementation:* 11/15/23

## PROPOSED CHANGES (SECOND READING DRAFT)

Single underlining represents proposed new language.

Strikeouts represent existing language proposed to be removed.

### 4.4 Weather / Short-Term Emergency Closings

#### Part 1. Authority to Cancel Classes or Other College or University Activities ~~Cancellation of Classes due to Weather or other Short Term Emergencies.~~

The authority to cancel classes or other college or university activities due to weather ~~conditions~~ or other short-term emergencies resides with the college or university president or the president's designee. See Board Policy 1A.10 Emergency Management ~~is applicable for long term closures.~~

Cancellation of classes or other activities does not excuse any employee from work. With supervisor approval, ~~E~~employees of the college or university, including faculty, may take personal leave, vacation leave, or use earned compensatory time when classes or other activities are canceled and they choose to be absent from work.

#### Part 2. Campus Closing ~~d~~Due to Weather or e~~Other~~ Emergency.

A president or designee may close all or a portion of a college or university campus due to a weather or other short-term emergency of six~~6~~ calendar days or less ~~in accordance with this policy.~~ See Board Policy 1A.10 Long Term Emergency Management ~~is applicable for long term closures.~~

The closure of state agencies by the Commissioner of ~~the Department of Employee Relations- Minnesota Management and Budget~~ does not apply to MnSCU Minnesota State colleges and universities. ~~institutions.~~ Pursuant to Minn. Stat. Chapter 12. Emergency Management § 12.21 Governor, ~~T~~the Governor of Minnesota has emergency powers to issue an executive order to change the work schedule of executive branch employees in cases of natural disaster or other emergencies. ~~[(M.S. Section 12.21 -)]. This does apply to Minnesota State Colleges and Universities employees.~~

#### Subpart A. Weather emergencies.

The college or university president shall develop written procedures that~~which~~ will be used to determine when weather conditions constitute a threat to the health and safety of students and college or university employees. ~~and students.~~ The written procedures must~~shall~~ identify the following:

1. Processes for assessment of weather and travel conditions (temperature, wind, precipitation, condition of roads). At a minimum, one state and one Pertinent state and local authorities ~~iesy~~ should be referenced~~contacted~~ as part of an assessment of weather and travel conditions. The following offices are suggested as authorities to reference~~contact~~:
- o State Highway Patrol District Office
- o Minnesota Department of Transportation - district offices
- o County and city law enforcement offices

- 43                   ○ County and city highway maintenance offices
- 44                   ○ Local school districts
- 45       2. Positions and employees of the college or university who provide services that are
- 46       essential to protect life and property during campus closings due to weather
- 47       conditions. These "weather essential" employees will not be excused from work
- 48       duty during campus closings.
- 49       3. Methods of notification of campus closings appropriate to students, employees,
- 50       students and the public.

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52       **Subpart B. Filing-**

53       A copy of the written procedures ~~must~~shall be filed with the Chancellor.

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55       **Subpart C. Other emergencies-**

56       The college or university president shall maintain: ~~a list of~~

- 57           1. emergency ~~situations~~ operations plans and continuity of operations plans (other
- 58           than those which are due to weather conditions) ~~for which that specify processes~~
- 59           and procedure when campus closure would be an appropriate action. ~~A list of and~~
- 60           2. a list of essential employees that would not be excused from work duty during
- 61           campus closings due to identified emergency conditions. ~~shall be maintained by the~~
- 62           president.

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64       **Subpart D. Effect of closure-**

65       When a campus closing is declared, college and/or university employees ~~may be~~are excused

66       from work with pay if alternative working arrangements are not practical as determined by

67       the president or designee. Employees who are authorized and scheduled to telework, or

68       have the means and are approved to work from home or an alternative site, will continue to

69       work if the short-term emergency does not prevent them from safely performing work at

70       their home or alternative site.

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72       An employee's absence with pay for an individual emergency situation ~~must~~shall not exceed

73       the equivalent of two work-days unless the ~~C~~chancellor authorizes a longer period. A

74       campus closure applies to all employees without regard to labor contract. Weather or other

75       emergency essential employees who are not excused from work will be paid at their regular

76       rate of pay.

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78       **Subpart E. Timeframe-**

79       The declaration of a campus closure ~~must~~shall, whenever possible, clearly identify the

80       timeframe when employees are excused from work.

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82       **Subpart F. Notice to the Chancellor-**

83       Each college or university shall notify the ~~C~~chancellor or designee after the decision is made

84       to close a campus due to weather ~~conditions~~ or other emergency conditions. This notice will

85       be used by the system office to respond to inquiries regarding campus closures.

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87       **Part 3. System Office-**

88 The Commissioner of ~~Minnesota Management and Budget the Department of Employee-~~  
89 ~~Relations~~ has authority to excuse employees of the system office with pay due to weather or  
90 other emergencies. The ~~C~~hancellor may also excuse employees of the system office due to  
91 weather or other emergencies and may pay employees with the approval of the Commissioner  
92 of ~~Minnesota Management and Budget the Department of Employee Relations~~ for such  
93 absence. Decisions by a president to close a campus apply to employees of the system office  
94 ~~when~~ assigned to ~~a in person~~ work ~~station at on~~ that campus.  
95 ~~Statutory Authority: 1994 Minnesota Statutes, section 43A.05, subdivision 4 (see related~~  
96 ~~documents below).~~

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## Related Documents

- [Board Policy 1A.10 Emergency Management](#)

To view any of the following related statutes, go to the [Revisor's Office website](#). You can conduct a search from this site by typing in the statute number.

- [Minn.esota Stat.ute 12.21 Governor](#)
- [Minn.esota Stat.ute 43A.05 Powers and Responsibilities; Personnel](#), subd. 4.

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## Policy History

**Date of Adoption:** 10/16/96

**Date of Implementation:** 10/16/96

**Date of Last Review:** 7/18/07

### **Date and Subject of Amendment:**

*[Xx/xx/23 – Updated the Part 1. Heading, clarified the current practices and processes used at the colleges and universities, deleted outdated language, replaced the Commissioner of the Department of Employee Relations with the Commissioner of Minnesota Management and Budget, and applied the writing standards.](#)*

*11/16/11 - Effective 1/1/12, the Board of Trustees amends all board policies to change the term "Office of the Chancellor" to "system office," and to make necessary related grammatical changes.*

*7/18/07 - Amends policy to create distinction between short term emergencies and long term emergencies. Amends Part 2, Subpart D to clarify president's sole authority to excuse employees from work with pay only extends up to 2 days, longer paid absences requires approval by the Chancellor. Amends Part 3 to include language consistent with the current statute which provides that the Commissioner of the Department of Employee Relations has authority to release employees of the Office of the Chancellor with pay due to weather or other emergencies. It also clarifies that employees of the Office of the Chancellor who work on a campus will be governed by the decision of the president to close the campus.*

Click here for additional 4.4 [HISTORY](#)