

# STATE OF DELAWARE



## EXECUTIVE DEPARTMENT DOVER

EXECUTIVE ORDER  
NUMBER SIXTY-EIGHT

TO: HEADS OF ALL STATE DEPARTMENTS AND AGENCIES

RE: WEATHER EMERGENCIES: EMPLOYEE OBLIGATIONS.

WHEREAS, during the severe winter weather in 1977 and 1978, many questions were raised concerning the policy of the Executive Branch of the State of Delaware on employee obligations during extreme weather conditions; and

WHEREAS, it is imperative that within the Executive Branch there be a uniform policy, with appropriate flexibility, on employee absence during extreme environmental situations; and

WHEREAS, employee absence due to weather or disaster should be most infrequent, happening only in the most unusual circumstances.

NOW, THEREFORE, I, PIERRE S. du PONT, IV, by virtue of the authority vested in me as Governor of the State of Delaware, do hereby declare and order the following:

1. The Governor has the sole authority to excuse employees of the Executive Branch from reporting to work during extreme weather conditions. The Governor shall issue a Declaration of Emergency Day stating that, because of the extreme weather conditions, employees are excused from reporting to work. Unless such a Declaration of an Emergency Day has been issued, all employees of the Executive Branch are expected at work.

2. The Declaration may be applicable to all Executive Branch employees in the entire State, or only to those employees in one geographical region of the State or a combination of geographical regions. Employees who live or work within the region or regions specified in the Declaration are excused from reporting to work.

3. The Declaration may require essential employees to work on any Emergency Day. Essential employees who live or work in a region or regions covered by the Governor's Declaration and required to work are entitled to compensation at the regular hourly rate for the first shift worked, and one and one-half (1 1/2) the regular hourly rate for additional consecutive shifts worked. All essential employees who live or work in a region covered by the Governor's Declaration who are required to work are also entitled to equal time off for work performed during the first seven and one-half (7 1/2) hours worked.

4. All department and agency heads shall identify essential employees by position, classification, or internal title and post a list thereof. No change of the essential employee roster is authorized after the Governor's Declaration of an emergency day.

5. Unless the Governor's Declaration covers a day which is a statutory holiday of the State, the emergency day shall not be considered a holiday for pay purposes.

6. If a natural or man-made emergency develops during working hours, department heads and other chief administrative officers within the Executive Branch may allow their non-essential employees to leave work early. However, they may not allow such employees to leave more than two hours before the end of their regularly scheduled day, or darkness, whichever occurs first, without the Governor's approval. No loss of pay or accumulative time off will occur in the event of early dismissal. However, early dismissal will not operate to excuse unauthorized absence from work.

7. If extreme weather conditions force any employee to be late for work, the employee shall contact his or her supervisor, inform of the impending lateness, and state the expected time of arrival for work. Reasonable delay in arriving at work due to poor travel conditions will not be a basis for charging of vacation time.

8. If, on days when he is required to work, any employee cannot reach work due to extreme weather conditions and calls the supervisor(s), the employee will not be paid for the absence, but may elect to use vacation or compensatory time, if any, to cover the absence. Sick leave may not be used for this purpose, unless sickness is documented.

9. This Executive Order is applicable to all employees of the Executive Branch of the government of the State of Delaware, and is to be followed by all state departments and agencies other than the legislative, the judiciary and offices under their respective jurisdictions.

APPROVED this *18th* day of *December*  
1978.

*Richard L. Rothenberg*  
Governor

ATTEST:

*Marion C. Keefe*  
Secretary of State

