



D 2020 232

EXECUTIVE ORDER

Weather and Safety Conditions

Pursuant to the authority vested in the Governor of the State of Colorado, and in particular pursuant to Article IV, Section 2, of the Colorado Constitution I, Jared Polis, Governor of the State of Colorado, hereby issue this Executive Order establishing weather and safety conditions directives for State employees.

I. Background and Purpose

The State of Colorado experiences adverse weather and safety conditions throughout the year. State government must continue to operate at full capacity during these events, but adverse conditions or safety concerns may require certain State facilities to close temporarily or alter work hours. In these extraordinary circumstances, the Governor or the Executive Directors of the State agencies must have the discretion to decide whether to close or alter normal hours of operation by, for example, delaying start times, closing early, or approving telework.

All employees of the Executive Branch of State government are expected to work pursuant to assigned schedules regardless of adverse weather and safety conditions, subject to the provisions of this Executive Order. Higher education institutions, the departments of Law, State, Treasury and Education, and the General Assembly are not included in this Executive Order and may establish independent policies based on their respective needs.

This Executive Order establishes weather and safety directives for State employees and rescinds and replaces past Executive Orders or policies concerning weather and safety conditions.

II. Directives

- A. Adverse weather and safety conditions will cause the closure of State facilities only in extreme circumstances. Adverse weather and safety conditions include but are not limited to: snow, ice, fire, flood, extremely poor air quality, a terrorist attack, pandemic, epidemic, or another condition that may compromise employee health or prevent employees from safely traveling to or from work, or safely performing work at an approved location.
- B. For the purpose of this Executive Order, the Denver metropolitan area is defined as Denver and its surrounding suburbs within a fifteen (15) mile radius.

- C. For the purpose of this Executive Order, a closure means a State facility is closed for the work day; a delayed start means a State facility will open after the start of the work day; an early release means a State facility will close before the end of the work day.
- D. Within the Denver Metropolitan Area: The Governor or Governor's Chief of Staff shall determine whether existing or anticipated adverse weather or safety conditions necessitate closure, delayed start, or early release from State facilities within the Denver metropolitan area. The Department of Personnel & Administration (DPA) will notify Executive Directors via email of the Governor's or Chief of Staff's decisions. In exceptional circumstances, Executive Directors may also, after notifying the Governor, make independent closure or delayed start determinations.
- E. Outside the Denver Metropolitan Area: During times of adverse weather and safety conditions, the Governor may decide to make closure, delayed start, or early release decisions outside the Denver metropolitan area. Alternatively, Executive Directors, or their designated representatives, are delegated the authority to close State facilities outside of the Denver metropolitan area after notifying the Governor's office. In addition, Executive Directors are delegated the authority to declare a delayed start, stagger the release times of employees, or allow for other alternative work arrangements, such as teleworking, when conditions exist that warrant such action. If the Governor has already made a closure, delayed start, or early release decision regarding a facility outside the Denver metropolitan area, an Executive Director may not override that decision, but may choose to close a facility after the Governor has already declared a delayed start.
- F. If the Governor or Executive Directors close State facilities, affected State employees will be granted administrative leave subject to the following provisions:
- a. State facilities and Essential or Critical employees necessary to the health and safety of the State must remain in service during adverse weather and safety conditions. Executive Directors shall predetermine which functions are Essential or Critical during adverse weather and safety conditions. State employees who are required to work during a closure will remain on their regular pay rate and will not be granted a future day of administrative leave.
 - b. Emergency road closures made by the State, county or municipal governments, or by the Colorado State Patrol will be honored by the State. State employees affected by State or local road closures may be granted administrative leave by their appointing authority.

- G. As appropriate during a closure, delayed start, or early release, Executive Directors may authorize the use of telework to ensure the safety of State employees and continuity of service. The specific parameters for telework in the case of adverse weather and safety conditions should be included in agency policy and, to the extent it is practical, balance personal, familial, and community obligations with the responsibilities of work.

III. Responsibilities and Communication

The following responsibilities are assigned to implement this order:

- A. The Governor's Chief of Staff or other designee will be the point of contact in the Governor's Office for adverse weather and safety conditions.
- B. The Colorado State Patrol and Colorado Department of Transportation shall keep the Governor's Office and DPA informed on road conditions and closures.
- C. Upon a closure, delayed start, or early release of State offices in the Denver metropolitan area, DPA will initiate communication by multiple channels to notify employees.
- D. Executive Directors shall designate, in advance, those employees who are Essential or Critical during adverse weather and safety conditions. In addition, Executive Directors shall develop an internal procedure to communicate with employees and process adverse weather and safety decisions, including reporting, telework expectations, or other standards of practice required for continuity of operations.
- E. The State Personnel Director and Executive Director of DPA shall adopt a Universal Policy for Weather and Safety Conditions to detail closure, delayed start, or early release procedures, and clarify matters affecting employees, including employee eligibility for administrative leave.

IV. Duration

Previous Executive Orders and policies concerning adverse weather and safety conditions for State employees are hereby superseded and replaced by this Executive Order. This Executive Order shall remain in effect unless modified or rescinded by future Executive Order of the Governor.



GIVEN under my hand and
the Executive Seal of the
State of Colorado, this
twenty-ninth day of October,
2020.

A handwritten signature in blue ink that reads "Jared Polis". The signature is written in a cursive style and is positioned above the printed name and title.

Jared Polis
Governor