



# Hazardous Weather Closure Practices



**CONTENTS**

Introduction..... 3

Current Office Closure Practice..... 3

Other State Closure Practices ..... 3

Recommendations ..... 4

Appendix - Detailed Summary of State Closure Practices ..... 6

## INTRODUCTION

In November 2024, Governor Henry McMaster requested that the South Carolina Department of Administration Division of State Human Resources (DSHR) review the current procedure used to determine when state offices close due to inclement weather or other emergency situations. Currently, state government offices are closed if the county government officials where the state office is located determine that the county government offices should close.

## CURRENT OFFICE CLOSURE PRACTICE

The Governor has directed that, generally, when inclement weather occurs in South Carolina, state government offices and their employees will follow the same weather hazard decisions made by county government officials where the state offices are located. For example, if a county closes its offices, the state agencies in that county will close as well. Information regarding closings and delayed openings is posted on the South Carolina Emergency Management Division's website.

If state offices are closed, essential employees may be required to report to work even if state offices are closed for inclement weather. Each state agency is responsible for identifying their essential employees based on position, classification, or internal title. In addition, employees whose position allows them to telework are expected to telework to the fullest extent possible when state offices are closed.

Employees absent from work due to the closure of a state office may receive leave for this time if the governor authorizes leave in accordance with Section 8-11-57 of the South Carolina Code of Laws. Section 8-11-57 states that “[n]otwithstanding any other provision of law, whenever the Governor declares a state of emergency or orders all or some state offices closed due to hazardous weather conditions, he may authorize up to five days leave with pay for affected state employees who are absent from work due to the state of emergency or the hazardous weather conditions.”

## OTHER STATE CLOSURE PRACTICES

DSHR began its review by examining the procedures other states use when determining when to close state offices. This review included 11 states located primarily in the southeast. As demonstrated in the table below, in seven of the 11 states reviewed, the governor has sole or shared authority to close state offices. In two states, Maryland and Minnesota, authority to close state offices rests primarily with centralized authorities other than the governor. In the remaining two states agency heads are primarily responsible for determining if their agency offices close.

One state, Virginia, delegates closing decisions concerning colleges and universities to the presidents of the institutions. It is important to note that due to the structure of a state's higher education system, decisions regarding campus closures may not be governed by the same authority as other state agencies and, therefore, were not included in the review.

<b>State</b>	<b>Authority to Authorize Closure</b>
Alabama	The Governor has the authority to close state offices.
Florida	Agencies have the authority to close their offices.
Georgia	The Governor determines if conditions warrant the closures of multiple state agencies.  Agency Directors have the authority to close all or part of their agency.
Kentucky	The Governor has the authority to close state offices or send employees home early.
Louisiana	An official office closure can be mandated by the appointing authority or the Governor. The appointing authority is analogous to an Agency Director.
Maryland	The authority to close state offices rests with the Secretary of Transportation, Secretary of General Services or Secretary of Personnel depending on the cause of the closure.
Minnesota	Minnesota Management and Budget (MMB) monitors for severe weather and can close state offices in the executive branch.  An agency head can choose to close their agency office(s) due to weather or other emergency situations.
North Carolina	The agency head determines if an agency closes except in cases of mandatory evacuations in which case state offices close in the affected areas.
Tennessee	The Governor has the authority to close state offices.
Virginia	The Governor makes closing decisions about the daytime work hours of administrative agencies in the Richmond Metro Area when emergency conditions affect more than one agency.  Agency heads outside the Richmond Metro Area make closing decisions for their agencies.  All college and university presidents make closing decisions for their institutions.
West Virginia	The Governor has the authority to close state offices.

A detailed summary of the procedures used by other states can be found in the appendix.

## **RECOMMENDATIONS**

DSHR recommends that the State of South Carolina adopt a hybrid approach to determining when state offices close. Under this proposal, the Governor will determine when and if state offices close in Richland and Lexington counties because these counties include the highest number of state employees and the central offices for most state agencies. The Governor may, at his discretion, consult with the Department of Transportation, Department of Public Safety, South Carolina Emergency Management Division, Department of Administration and any other departments which may be necessary to make this determination.

For all other counties, unless otherwise directed by the governor, state government offices will follow the same weather hazard decisions made by county government officials where the state offices are located.

DSHR does not recommend a change to the requirement that essential employees be required to report to work at the discretion of their agency head or designee even if state offices are closed for inclement weather or other emergencies. In addition, employees whose position allows them to telework would still be expected to telework to the fullest extent possible when state offices are closed.

Note: the recommendations in this report are intended to address “normal” hazardous weather events with the understanding that each event is unique and may require a different approach based on the specific situation.

## APPENDIX - DETAILED SUMMARY OF STATE CLOSURE PRACTICES

State	Authority to Authorize Closure
Alabama	<p>State government offices may be closed at the direction of the Governor.</p> <p>State agency heads will receive instructions from the Governor's Office or the State Personnel Director if closures are authorized.</p> <p><i>Link to additional information:</i> <a href="#">AL State of Emergency</a></p>
Florida	<p>Executive Order Number 24-208 states that agencies themselves are given the authority to close.</p> <p>“All state agencies responsible for the use of state buildings and facilities may close such buildings and facilities in those portions of the State affected by this emergency, to the extent necessary to meet this emergency”.</p> <p>Agencies must report the closure of state buildings/facilities to the Division of Emergency Management.</p> <p>It is up to the Secretary of the Department of Management Services to Maintain an accurate list of closures.</p> <p><i>Link to additional information:</i> <a href="#">FL Executive Order 24-208</a></p>
Georgia	<p>Heads of specific agencies (listed below) will make recommendations to the Governor if citizens, clients, or employees are in danger, or if conditions impact an agency’s regular work and responsibilities.</p> <ul style="list-style-type: none"> <li>• Dept of Administrative Services</li> <li>• Georgia Emergency Management Agency</li> <li>• Department of Transportation</li> <li>• Department of Public Safety</li> </ul> <p>Decisions that affect the closure of a single agency or small group are made by the head of that agency.</p> <p>If any part of an agency is closed by action of the governor or an agency head, employees will be credited with regular paid hours.</p> <p><i>Link to additional information:</i> <a href="#">Inclement Weather State Policy   Georgia Department of Administrative Services (ga.gov)</a></p>

Kentucky	<p>The Governor has the authority to close state offices or send employees home early.</p> <p>The governor’s office consults with Kentucky Emergency Management.</p> <p><i>Link to additional information:</i> <a href="#">KY Adverse Weather Leave</a></p>
Louisiana	<p>An official office closure can be mandated by the appointing authority or the Governor and occurs when there has been a determination that it is not possible for employees to work due to local conditions.</p> <p>An official office closure may involve one building, an entire facility, an entire city, or an entire area of the state.</p> <p>Typically, for executive branch agencies, the Commissioner of Administration will declare state office closures by specific parishes. The listing of official office closures may change throughout a declared emergency or event.</p> <p><i>Link to additional information:</i> <a href="#">LA Official Office Closures</a></p>
Maryland	<p>Authority to Determine and Declare Emergency Conditions.</p> <ul style="list-style-type: none"> <li>• The Secretary of Transportation or his or her designee may declare the existence of emergency conditions arising from extreme weather conditions which, in his or her judgment, result in dangerous traffic or highway conditions; and thereupon, he or she may grant emergency release time to affected employees following consultation with the Secretaries of Personnel and General Services (or their designees).</li> <li>• The Secretary of General Services or his or her designee may declare the existence of emergency conditions arising from a fire, a physical plant failure, or other unsafe conditions in the Baltimore or Annapolis State Office Building complex; and thereupon, he or she may grant emergency release time to affected employees following consultation with the Secretaries of Personnel and Transportation (or their designees).</li> <li>• The Secretary of Personnel or his or her designee may declare the existence of emergency conditions arising from circumstances other than those set forth in Subsections (1) or (2) of this Section; and thereupon may grant emergency release time to affected employees following consultation with the Secretaries of Transportation and General Services (or their designees).</li> <li>• The head of any facility other than one in the Baltimore or Annapolis State Office Building Complex may recommend that emergency conditions arising from a fire or a physical plant failure or other unsafe conditions exist and may grant emergency release time to employees of the facility with the approval of the Secretary of the affected department and the Secretary of Personnel.</li> </ul>

Maryland, continued	<p>The individuals enumerated previously shall contact the proper local police, fire, highway, weather service, or civil defense personnel, or other appropriate local personnel, to obtain information concerning existing conditions, and shall evaluate the information to determine whether an emergency condition exists.</p> <p><i>Link to additional information:</i> <a href="#">MD Employee Release Under Emergency Conditions</a></p>
Minnesota	<p>Minnesota Management and Budget (MMB) monitors for severe weather and can close state offices in the executive branch. Only MMB has authority to authorize state agencies in the executive branch to pay employees who do not work during emergency situations when the office is closed.</p> <p>It is very rare MMB will close all state offices. Most MMB-issued emergency closures occur at specific offices or in specific geographic locations. If MMB closes an office, agencies must ensure critical priority services are adequately staffed. This may require some employees to work during an emergency.</p> <p>An agency head can choose to close their agency office(s) due to weather or other emergency situations. If the agency head closes an office, employees who do not work due to the emergency must cover the absence with vacation leave, an adjusted work schedule, compensatory time, or leave without pay unless paid emergency leave is approved by the MMB commissioner.</p> <p>Before closing an office, the agency head must:</p> <ul style="list-style-type: none"> <li>• Notify the Enterprise Continuity Steering Team as soon as possible regarding the emergency.</li> <li>• Notify the Enterprise Continuity Director, or the Minnesota Duty Officer (after business hours) as soon as possible regarding the emergency.</li> <li>• Notify the agency-based Chief Business Technology Officer (CBTO) as soon as possible regarding the emergency. It is MNIT’s responsibility to communicate to MNIT staff regarding local contingency plans as a result of the emergency.</li> <li>• Ensure critical priority services are adequately staffed.</li> <li>• Determine whether the agency head wants to request paid emergency leave from the MMB commissioner for employees who do not work due to the emergency. Emergency paid leave is not guaranteed.</li> </ul> <p><i>Link to additional information:</i> <a href="#">MN Office Closures During Weather Emergencies</a></p>
North Carolina	<p>Emergency conditions are determined by emergency/public safety officials or the agency head in consultation with the agency’s safety officer or designee to be hazardous to life or safety of both the general public as well as employees at a specific location or worksite.</p>



<p>North Carolina, continued</p>	<p>The declaration of a “State of Emergency” by the Governor does not affect an agency head or designee’s authority and responsibility for making emergency closing decisions and implementing emergency response plans based on the nature of the disaster/emergency.</p> <p>In the case of State ordered mandatory evacuations, the emergency closing policy will apply to all worksites in the designated area.</p> <p>Adverse weather conditions typically do not result in an emergency closing at a work location or worksite. Emergency closings are site-specific and dependent upon the determination of an emergency/public safety official or an agency head that the location is not safe for general public, customers, clients, patients, and employees (both non-Emergency and Emergency) to remain at the work location.</p> <p>Emergency worksite evacuations typically occur because of catastrophic life-threatening weather conditions such as hurricanes, tornados, floods, etc.</p> <p>The State of North Carolina does not close due to winter storms (snow and ice) that impact travel conditions (accumulation of ice/snow on roads, parking lots, and sidewalks).</p> <p><i>Link to additional information: <a href="#">NC Emergency Closing Policy</a></i></p>
<p>Tennessee</p>	<p>Occasionally, emergency conditions caused by extreme inclement weather may warrant the closing of some State offices. When such conditions are thought to exist, the Governor or his/her designee may seek input from designated officials in the departments of Human Resources, Transportation, Safety, the Tennessee Emergency Management Agency, and any other departments which may have necessary information, to determine whether state offices should be closed.</p> <p>State office closures due to extreme inclement weather will be made on a county-by-county basis and will include all offices in each designated county. The decision to close state offices due to extreme inclement weather shall only be made by the Governor or his/her designee.</p> <p>Timely notice will be provided to the local media for broadcast to the general public, forwarded to all appointing authorities, and communicated by other electronic media as appropriate.</p> <p><i>Link to additional information: <a href="#">TN Employee Absence and State Office Closure</a></i></p>
<p>Virginia</p>	<p>The Virginia Department of Emergency Management provides status reports to the Governor who then, if warranted, will declare a state of emergency.</p> <p>The Governor makes closing decisions about the daytime work hours of administrative agencies in the Richmond Metro Area when emergency conditions affect more than one agency. This area includes the City of Richmond and the counties of Chesterfield, Henrico, and Hanover.</p>

Virginia, continued	<p>Agency heads outside the Richmond Metro Area make closing decisions for their agencies.</p> <p>All college and university presidents make closing decisions for their institutions.</p> <p><i>Link to additional information:</i> <a href="#">VA Emergency Office Closings</a></p>
West Virginia	<p>The state of West Virginia, Division of Personnel’s Emergency Situations/Inclement Weather Policy provides that, unless specifically directed otherwise by the Governor or Governor’s designee, all (essential and non-essential) employees are required to report to work as scheduled during inclement weather.</p> <p><i>Link to additional information:</i> <a href="#">WV Emergency Situations</a></p>