



## **It's a "State of Emergency", you can't expect me to come to work! Or can you?**

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### **How employers should handle a State of Emergency**

When the weather turns ugly or your area is hit with a natural disaster, it can cause a lot of scrambling and questions. Throw on top of that your governor declaring a State of Emergency, and it can make employers confused as to what they can and cannot require of their employees.

Here is the skinny on a "State of Emergency" and what it means for private employers.

#### **1. What is a State of Emergency?**

A State of Emergency is declared when state financial aid is needed to assist with the aftermath of a disaster. The sooner a State of Emergency is declared for a current or impending disaster, the sooner the affected area will receive the funds that they need to get back to normal. If the financial need is greater than the state can provide, a State of Emergency can grant the state federal assistance for the disaster. Overall, this declaration is mainly a budgetary implementation.

There may be other precautions issued by the Governor in regards to the disaster, but these are normally just **SUGGESTIONS** and not **REQUIREMENTS** for everyone's safety.

## **2. Do employees have come to work during a State of Emergency?**

The State of Emergency is not intended to dictate how an employer should conduct their business. It is up to each individual employer to determine how they will handle a disaster situation regardless of whether a State of Emergency is declared or not. This is why it's very important that you have a clearly defined policy Inclement Weather/ Natural Disaster policy that you can refer to if your employees have questions about how they will be paid during periods of inclement weather.

Not sure how to get started with an Inclement Weather policy, check out this [guideline](#).

## **3. Can employers discipline employees that do not show up to work during a State of Emergency?**

Disciplinary measures are solely up to the discretion of the employer. The State of Emergency should not have any bearing on how an employee discipline situation is handled.

Communicating clearly about the company's expectations when any of these issues arise, should help to mitigate any of these problems. We recommend that it be clearly stated in the Employee handbook how absences are to be handled. Overall, consistency should be the key and will provide a positive environment for everyone.

If you still have any questions about a State of Emergency, don't hesitate to contact McCloskey Partners for the answers.

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