

POLICY NAME: Modified Operations

POLICY NUMBER: Unique identifier assigned by OARC. Leave this area blank.

Authority Title and Review Information:	Name and Date
Approval Authority:	President
Responsible Executive:	Executive Vice President Administration
Responsible Office:	MSU Human Resources
Responsible Officer:	Vice President and Chief Human Resource Officer
Policy Category:	Administration and Operations
Effective Date:	2023
Last Review Date:	2019
Next Review Date:	2026

I. POLICY STATEMENT

The purpose of the Modified Operations Policy is to provide authority and directives to the campus community to respond systematically to various emergency situations the organization may face.

II. SCOPE

This applies to all University Employees on all campuses

III. DEFINITIONS

Business Continuity Plans: Unit plans that identify essential functions, operations, and employees.

Critical Employee with Essential Functions: Employees who must work during emergency situations, either onsite or remotely.

Emergency: any situation that can affect the health and safety of campus students, employees, or visitors.

Modified Operations: Short-term suspension of standard operations during emergency situations, specifically designated by the President, that will allow an appropriate response from key University units.

IV. POLICY

The University's policy is to maintain all operations unless emergency situations arise that force the University to modify operations or services for a short duration. Units must have a Business Continuity Plan to maintain key university research and assets, and key services continue throughout the emergency.

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Decision Authority

The President or authorized designee will decide to move to enact the Modified Operations policy, which primarily affects students, faculty, and staff. The Emergency Manager and the local Emergency Agency shall advise the President, Vice President, and Chief Safety Officer, and the MSU Chief of Police.¹

Colleges, departments, schools, and other campus units will not move to modified operations independently. Deans, Directors, and other heads of operations must receive authorization from the President or authorized designee before moving to Modified Operations under the terms of this Policy.

Modified Operations

Moving to Modified Operations means an official temporary suspension or delay of some or all designated university operations and events due to severe weather, major utility failure, or other emergency or unusual circumstances that may endanger students and employees or are otherwise unsuitable for the continuation of normal operations.²

Functions designated as essential under a Unit's Business Continuity Plan (BCP) continue, and critical employees with essential functions must work as directed by their supervisor or designee.

The supervisor—any employee who has another person reporting to them—under the direction of the unit BCP is responsible for communicating with their employees regarding their status as critical employees with essential functions for the given situation; or as designated in the unit's BCP.

1. It is acknowledged that conditions that result in Modified Operations for the East Lansing campus may not be applicable to all MSU property and functions. Modified Operations communication plans will be location specific.
2. While all MSU employees are critical, the Modified Operations policy is intended to clarify who should work to maintain human and animal life and critical services and infrastructure functions. These employees are critical with essential functions. For example, faculty members not deemed critical employees are certainly free to engage in research, instructional support (e.g., holding a supplemental online office hour), and other service-related activities, so long as they do not interfere with emergency operations (e.g., working remotely).

University Notification Procedures

If a decision is made to move to Modified Operations, University Communications will notify local news outlets and place messages on the University's homepage, www.msu.edu, and various social media networks. The Michigan State University Department of Police and Public Safety will issue an Emergency Notification message. Specific information regarding the status of classes, operations, and other functions will be included in the notification.

Reporting for Work

Faculty and Academic Staff: Faculty and academic staff deemed non-critical may use their professional judgment to work during Modified Operations as long as they do not interfere with emergency operations.

Staff Employees: Employees designated as critical with essential functions under a department's BCP must report to work during Modified Operations. Supervisors or any employee who has employees reporting to them may use their professional judgment to designate additional employees as critical due to the needs of the unit; for example, the need to complete a specific project or address other time-critical matters. Designations may occur before, at the start, or during modified operations. Employees must comply with all relevant policies, procedures, and guidelines during emergencies or other critical situations, including safety protocols and guidelines.

Additionally, MSU has a variety of work that must be continued during the emergency period. Supervisors or designees, under guidance from unit direction, may determine who is essential with critical functions and when they need to report. In all cases, supervisors are responsible for promptly informing employees that they are designated as critical with essential functions, when and where to report for work.

Depending on the nature of their work, critical employees may be required to report to work at their designated location or be allowed to work remotely. Units and supervisors should establish reliable means of communication with employees as part of their BCP.

The following guidelines apply:

- Critical with essential functions and must travel to onsite work location to perform duties
 - Must report to work
 - Receive regular pay and an additional day off at a later date*.
- Critical with essential functions but can perform duties from a remote location
 - Must perform work
 - Receive regular pay and an additional day off at a later date*.
- Non-critical but without a remote work agreement (RWA). Regularly performs work duties onsite.

- Does not work
- Receive regular pay
- Non-critical with RWA allowing hybrid or fully remote work
 - May be required to work. The unit will provide guidance.
 - Receive regular pay
 - Utilize leave bank if do not perform work

Employees are responsible for monitoring communication for return-to-work notifications and any information concerning changes to their designation as critical or non-critical.

*Units are responsible for communicating parameters for utilizing time.

Summary of Various Operation Statuses

Classes & Campus Operations Conducted as Usual: *	Standard operations, no emerging situation. All employees are expected to report to work.
Classes Canceled:	The decision to cancel classes has been made. All employees are expected to report to work.*
Modified Operations:	Modified Operations has been declared to respond to the situation. Classes are canceled, and non-essential operations are suspended. Only critical employees with essential functions as defined in the department's BCP should report working remotely or in person as determined by their supervisor, based on the unit's needs during the Modified Operations period.

Chart 1 Operation Status

*Although the University is open during adverse conditions, supervisors may alter work schedules to make allowances for unique travel needs. Employees are advised to use discretion and caution regarding their health and safety. Employees must still account for their typical workday by working or taking approved leave.

V. Policy Procedures

1. Business Continuity Plan: Units must complete a Business Continuity Plan. Units must communicate the plan with employees and notify those designated as critical employees. The BCP shall be reviewed and updated annually. See Attachment A.
2. Compensation and Time Instructions During Modified Operations for Support Staff. See chart 2.

Type of Employee	Status During Modified Operations	Compensation	Instructions for Time Administrators
Critical Employee with essential functions	Reported to work either in person or remotely.	<p>An employee will receive regular base pay Hours worked count toward overtime compensation as applicable.</p> <p>Employee will receive hour-for-hour compensatory time at a later date</p>	<p>For Regular Hourly employees and 1585 Temporary employees, code hours as regular hours for all hours worked.</p> <p>The HR/Payroll system will calculate any necessary overtime.</p> <p>No action is needed for Regular CT and Overtime-Eligible Salary employees (Grade 11 and below). These employees will be paid as usual, and hours will count as time worked.</p> <p>For CT shift employees, shift premiums need to be reported as usual.</p> <p>No action is needed for Overtime-Exempt Salary employees (Grade Level 12 and above). These employees will be paid as usual.</p>
Critical Employee with essential functions	Did not report to work	<p>The employee is required to use vacation, compensatory, or personal leave.</p> <p>The unit may consider corrective action as applicable</p>	<p>For Regular Hourly employees, code any hours worked that day as time worked and hours not worked as vacation, compensatory, or personal time.</p> <p>For CT employees, no action is needed for hours worked. Vacation, compensatory, or personal time should be recorded for hours not worked. If the employee does not have</p>

			leave available, unpaid time should be recorded. If an exempt employee does not have leave, the time administrator should call Human Resources for guidance before docking pay.
Non-critical Employees who work onsite and do not have a Remote Work Agreement	Should not work	Employee will receive regular base pay Hours recorded during modified operations will count toward overtime compensation.	<p>For Regular Hourly employees (except CT employees) and 1585 Temporary employees, code as having worked regular hours.</p> <p>These employees will be paid as usual and the hours off during modified operations will count as time worked.</p> <p>No action is needed for Regular CT and Overtime-Eligible Salary employees (Grade 11 and below). These employees will be paid as usual, and hours will count as time worked.</p> <p>For CT shift employees, shift premiums need to be reported as usual.</p> <p>No action is needed for Overtime-Exempt Salary employees (Grade Level 12 and above). These employees will be paid as usual in the system.</p>

Chart 2 Compensation and Time during Modified Operations

Miscellaneous:

On-Call employees and student employees who are critical will be paid for the hours actually worked. These employees are not entitled to equivalent time off. Additional information will be provided as necessary depending on the nature of the Modified Operations.

For employees who had previously scheduled time off before the period of Modified Operations (e.g., vacation or personal time), time administrators should not charge against the employee's vacation/personal balance.

Employees whose regular days off come during Modified Operations are not entitled to an equivalent time

Questions on properly recording and entering time in the HR/Payroll system should be directed to the Payroll Office at 517-355-5020 or payroll@msu.edu.

Questions about university policies and rules should be directed to the Office of Employee Relations at 517-353-5510 or hr.er@hr.msu.edu.

VI. VIOLATIONS

Violations that interfere with the orderly operations of the University and endanger the community will be managed through current disciplinary procedures

VII. RELATED INFORMATION AND ATTACHMENTS

Will provide additional information on BCP; template, related information.

VIII. HISTORY

First Issued November 2014
Revision XXXX 2019
Revision XXXX 2023

NOTE: OARC will complete the table below

Action	Description
Issued: (no additional information needed in this section)	1. [executive position/committee, month/date/year] 2. [month/date/year]
Approved by: (no additional information needed in this section)	1. [committee, name, date] 2. [name] 3. [date]
Revised: (no additional information needed in this section).	1. [committee/executive position title with name] 2. [month/date/year] 3. Revisions include section 2.2 ...