2.14.13 Institutional Closings

An institutional closing is a planned suspension of KCTCS operations that is scheduled in advance. Eligible regular employees shall receive paid leave time during institutional closings due to scheduled maintenance and other purposes.

Annual Institutional Closing
KCTCS will observe a two-week institutional closing each year beginning in the latter part of December and includes Christmas Eve, Christmas Day, and New Year’s Day and ending in early January. The institutional closing schedule will be listed on the KCTCS website.

Other institutional closing days may be granted by action of the Board of Regents or the KCTCS President.

Holidays
In addition to institutional closing days, there are separate days during the year that are officially designated as KCTCS holidays that are specified in the KCTCS policy regarding holidays.

Compensation during an Institutional Closing
Eligible employees shall be authorized to receive compensation related to institutional closings through one of two avenues:

A. Institutional closing leave entitlement
B. Working during an institutional closing

Employee/Supervisor Duty to Plan in Advance: For employees who work during an institutional closing or who are on paid institutional closing leave, supervisors and employees are encouraged to coordinate and use advance planning and adjusted/flexible scheduling during a week in which the institutional closing occurs, in order to try to ensure that regular full-time employees reach, but do not exceed, 37.5 hours of combined work hours and paid institutional closing hours (or the designated prorated amount for regular part-time employees) when feasible.

Compensation provisions during an institutional closing are as follows:

A. Paid Institutional Closing Leave Entitlement (non-essential personnel)

Regular Full-Time/Regular Part-Time Employees on a Regular Work Schedule
Except for designated essential personnel, eligible regular full-time employees shall be granted time off work with paid leave during an institutional closing. In addition, eligible regular part-time employees (i.e., those who work a schedule of 50% or more of a full-time schedule on an annualized basis) shall be granted time off work with paid leave during an institutional closing on a pro rata percentage to full time.
Eligibility in Alternate Schedules and Circumstances

Work schedules and employee status for both regular full-time employees and regular part-time employees may affect employees’ eligibility for institutional closing pay and other compensation as follows:

1. Regular Full-Time/Regular Part-Time Employees on Flex-Time/Alternate Schedules: If an eligible regular part-time employees (i.e., those who work a schedule of 50% or more of a full-time schedule on an annualized basis) work a flex-time, evening, or night schedule and/or the employee’s scheduled work week is not consistent throughout the year, paid institutional closing leave at a pro rata percentage to full-time will be calculated based on the average number of hours worked per week on an annualized basis.

2. Institutional Closing on a Previously Non-Scheduled Work Day: If an eligible regular full-time employee or eligible regular part-time employee who meets the eligibility requirements would otherwise not be scheduled to work on the institutional closing day, time off with pay shall be granted on another day within a week of when the institutional closing occurs.

3. Ineligible Regular Part-Time Employees: Regular part-time employees who work a schedule of less than 50% of a full-time schedule shall not receive paid leave during an institutional closing.

4. Temporary Employees: Temporary employees (full-time or part-time) shall not receive paid leave during an institutional closing.

5. Effect of Retirement on Institutional Closing Pay: Employees whose retirements occur during a designated institutional closing period shall receive the institutional closing leave pay up to and including on their last day of employment.

6. Effect of Other Leave on Institutional Closing Pay: If an institutional closing occurs while employees are on authorized paid leave such as vacation leave, sick/temporary disability leave, bereavement leave, or compensatory leave, an otherwise eligible employee is entitled to emergency closing leave and shall not be charged vacation leave, sick/temporary disability leave time, bereavement leave, or compensatory leave for the institutional closing.

7. No-Pay Status: Employees in a no pay status for any portion of either the scheduled work day or leave day that falls immediately before and/or after an institutional closing are not eligible, and therefore shall not receive paid institutional closing leave.

8. Weekly Overtime Calculation: Paid leave time due to an institutional closing is not counted as "time worked" for the purpose of calculation of overtime compensation for the week for eligible employees.
B. Working during an Institutional Closing (essential personnel)

Essential Services
When essential services are required during an institutional closing (as well as an emergency closing or holiday), KCTCS shall officially designate employees to work as “essential personnel” and assign them to work on the institutional closing day, and/or during other times necessitated by the institutional closing that are outside of employees’ normally scheduled work hours (i.e., evenings and weekends).

The following definitions and practices apply to issues surrounding “essential personnel” who perform essential services regarding their hours worked on KCTCS designated holidays:

1. Essential Personnel Definition: Definitions of “essential personnel” and “non-essential personnel are included in the KCTCS policy regarding emergency closings.

2. Designation of Essential Personnel: To the extent possible, supervisors shall designate “essential personnel” in advance of an institutional closing and shall communicate to them their responsibilities and assigned work hours for an institutional closing during which they are required to work. For a given institutional closing, essential personnel may be assigned to work a full day or only a partial day(s) on the actual closing days and/or on evenings/weekends adjacent to the closing days. Supervisors shall also notify the payroll department of essential personnel when they do work during an emergency closing, preferably via their employees’ time sheets.

3. Applicable Compensation: The applicable compensation for essential personnel for hours worked during an institutional closing varies by personnel system and is addressed below:

   a. Definitions: “Exempt” and “nonexempt” positions are defined in the KCTCS policy regarding compensation.

   b. Exempt Employees Compensation: Essential personnel under all personnel systems who are exempt employees required to work during an institutional closing shall receive their regular pay rate for hours worked during the closing. Any additional provision, if applicable, is stated below.

   c. Compensation and Overtime Provisions for Essential Personnel: The following information specifies the compensation and overtime provisions regarding essential personnel for hours worked during an institutional closing.

       KCTCS Personnel System – Nonexempt Employees
       For hours worked during an institutional closing (full or partial day), essential personnel shall:
Receive pay at their regular pay rate. In addition, because they are considered to have worked overtime, for the hours worked they shall be paid at 1½ times their regular rate. If necessary and feasible, employee work schedules may be adjusted for the week in order to maintain the regular number of total hours to be worked.

Receive institutional closing pay for the regular pay rate for those hours worked on evenings/weekend days that are adjacent to the institutional closing (but are not designated as an institutional closing since they are weekend days). In addition, because they are considered to have worked overtime, for these hours worked they shall be paid at 1½ times their regular rate.

UK Personnel System

Nonexempt Employees
For hours worked during an institutional closing (full or partial day), essential personnel shall:

- Be paid at the regular pay rate (unless total hours worked are in excess of 40 hours for the week), and take equal time off within 6 weeks of the institutional closing.
- Be paid at the regular rate on weekend days that are adjacent to the institutional closing period (but are not designated as an institutional closing since they are weekend days) unless total hours worked are in excess of 40 hours for the week, and take equal time off within 6 weeks of the institutional closing.
- Be paid the overtime rate of 1.5 hours for every hour worked in excess of 40 hours during the week in which the work on the institutional closing occurs, if it is not possible to adjust employee work schedules for the week in order to maintain the regular number of total hours to be worked.

Exempt Employees
For hours worked during an institutional closing (full or partial day) and adjacent weekends, essential personnel shall:

- Be paid at the regular pay rate, and take equal time off within 6 weeks of the institutional closing.

151B/18A Personnel System

Nonexempt Employees
For hours worked during an institutional closing (full or partial day), essential personnel shall:

- Be paid at the regular pay rate, unless total hours worked are in excess of 40 hours for the week.
- Be paid at the regular pay rate for working on weekend days that are adjacent to the (but are not designated as an institutional
closing since they are weekend days), unless total hours worked are in excess of 40 hours for the week.

- Receive overtime compensation for every hour worked in excess of 40 hours during the week in which the work on an institutional closing occurs (if it is not possible to adjust employee work schedules for the week in order to maintain the regular number of total hours to be worked), in accordance with the administrative regulations for KRS Chapters 18A and KRS Chapter 151B (see Appendix 1 of Section 2 of the KCTCS Administrative Policies and Procedures).

**Exempt Employees**

For hours worked on an institutional closing (full or partial day), essential personnel shall:

- Be paid at their regular pay rate.
- During the week in which the work on the institutional closing occurs, if the total hours worked in that work week exceed 40 hours, when combined with all other hours worked during that same work week, employees shall receive compensatory time at the regular rate for the hours worked in excess of 40 hours (if it is not possible to adjust employee work schedules for the week in order to maintain the regular number of total hours worked), in accordance with the administrative regulations for KRS Chapters 18A and KRS Chapter 151B (see Appendix 1 of Section 2 of the KCTCS Administrative Policies and Procedures).

**Related Policies**

Additional provisions regarding institutional closings shall be adhered to in accordance with other KCTCS policies and procedure(s) related to compensation and leaves of absence.

In addition, KCTCS has separate policies and procedures governing leaves due to holidays and emergency closings.

For institutional closings:

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(Include all dates in chronological order)