

Division of Operations
Emergency Snow Premium Pay
FAQs

Revised February 3, 2021

Non-Holiday Week Questions-

- 1) I was called in to work a snow and ice event but we didn't go out right away. How do I code my time?**

While waiting to begin actual removal or treatment of snow and ice; code time to Activity 521, Regular Time (no task). When actual removal or treatment of snow and ice begins and Accomplishment (Clock Hours) is recorded then code time worked to Activity 521, Task 10.

- 2) I am an equipment operator (or engineering technician) and eligible for overtime (non-exempt). I was assigned to plow snow during a snow and ice event. How do I code my time?**

During a snow and ice event, for removal or treatment of snow and ice on travel way, ramps, interchanges, and widening's code your time to Activity 521, Task 10. For more details, see the Maintenance Activity Guidelines for Activity 521.

- 3) I am a facility/refrigeration technician, or a radio communication employee who is working while there is a snow and ice event. How should I code my time?**

There would be no change in coding your time; unless you are involved in direct support of the snow and ice event.

- 4) I am an employee in the Area or District Office and was working as the radio dispatcher or operating the stockroom during a snow and ice event. How should I code my time?**

Area or District office employees who are directed or asked to modify their normal work hours by extending their work hours; the hours beyond their normal work hours would be Activity 521, Task 10.

If the Area or District Office employees are working their normal work schedule, they will code to the appropriate maintenance project number with Activity 521, Regular Time (no task).

- 5) I am an employee in the Area or District Office and was entering road conditions into RCRS or answering calls from the public or media during a snow and ice event during normal work hours. How should I code my time?**

The entering of road conditions into RCRS and answering calls from the public, during normal work hours, will be considered a temporary reassignment of duties and not eligible for premium pay. Employees will code to the appropriate maintenance project number with Activity 521, Regular Time (no task).

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6) Policy examples for office support staff:

- **employees who are directed or asked to modify their normal work hours by extending their work hours. The hours beyond their normal work hours during a SNICE event would be paid at a premium pay rate.**

Example--Employee's normal work hours are 8 – 5. Employee is assigned to work direct support in the stockroom from 8 am – 8 pm. Hours worked from 8 -5 are coded to 521, Regular Time. Premium pay is paid from 5 pm – 8 pm, coded to 521, Task 10.

- **employees who are called back to work outside their normal work hours during a SNICE event (they are paid Premium Pay starting with the time they report back to work, NOT for their normal work hours that day).**

Example—Employee's normal work hours are 8 -5. Employee is called back in to work direct support in the stockroom from 8 pm to Midnight. Premium pay is paid from 8 pm to Midnight, coded to 521, Task 10.

7) Can I receive premium pay when I am plowing shoulders?

After the snow and ice event, employees who are performing critical snow removal from shoulders, gore areas, and in front of longitudinal barriers in order to provide emergency parking areas, or prepare for an impending storm; should be coded to Activity 521, Task 10.

All other clean-up operations code your time to Activity 521, Regular Time (no task).

8) I am involved in actual removal or treatment of snow and ice during a snow and ice event. How do I code my time when I take a break, reload my truck, or I have to wait for minor equipment repairs?

Continue to code your time to Activity 521, Task 10 for short interruptions (less than 1 hour +/-) to snow removal activities. If there is a major equipment failure which prevents you from returning to snow removal activities and you begin performing other work to support the snow and ice event, under a modified work schedule, you will continue to code your time to Activity 521, Task 10.

9) I had to report to work at a different location than I normally report to. How should I code the travel time to and from the work site?

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Page 2 of the Maintenance Activity Guidelines Manual states that travel time to and from the work site is included in the maintenance activity. Code your travel time to the task performed upon arrival at the new location per Maintenance Activity Guidelines.

If you are required to travel the day before a SNICE event to provide snow and ice support to another Area or District; your time should be charged to Activity 521, Regular Time (no task).

10) How should I code my time when I am doing early morning “frost checks”?

Frost checks are part of routine road patrol and you should code your time to Activity 521, Regular Time (no task).

11) I am an equipment operator on “nighthawk” duty watching for changing weather conditions. Does this qualify as emergency work?

Nighthawk work is planned and will not qualify as emergency work.

In a holiday week, on a non-holiday, the non-KOSE covered employees that are performing Surveillance prior to an impending SNICE event will need to report their time in the AD-EM column to make their holiday count as time worked.

On a holiday, the time for both non-KOSE and KOSE covered employees will be reported in the AD-EM column for performing Surveillance prior to an impending SNICE event.

12) We need to mix material during a snow and ice event to keep up with the storm. How do I code my time?

If you are working, during an event, your time mixing material should be coded to Activity 521, Task 10.

When there is not a snow event, the mixing of material should be coded to Activity 521, Regular Time (no task).

13) I am a Temporary Utility worker that is mixing brine or loading salt into plow trucks during a SNICE event. How do I code my time?

Utility Temp employees who are not in a SNICE temp position, that are mixing brine or loading salt into plow trucks, during a SNICE event, will code to Activity 521, Task 10.

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*SNICE Temporary Employees or Temps hired strictly for SNICE duty will always be coded to the 521, No Task.

14) I am a SNICE temporary worker; do I get Snow Premium Pay?

Temporary SNICE workers do not get premium pay – all work would be coded to 521, No Task. They do receive holiday pay for work on a holiday. Their time does not need to be coded to Task EM.

15) I am not a Supervisor, but I am supervising the night shift (i.e. Equipment Operator Specialist, etc.). How do I code my time during a snow and ice event?

For non-exempt, KOSE covered positions the following applies:

For snow and ice removal performed during a snow and ice event during a non-holiday week, code the hours worked that meets the Task 10 definition, to activity 521, Task 10.

16) I am a mechanic; do I get Snow Premium Pay during normal work hours?

Mechanics working on critical SNICE equipment during the event will get premium pay for their work on the SNICE equipment. This includes work on SNICE Equipment during their normal work hours. Updated 2-3-2021.

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Maintenance Superintendent and Supervisor Questions:

17) I am a Maintenance Superintendent that is not eligible for overtime (exempt) but I am functioning as an equipment operator during a snow and ice event. How do I code my time?

For snow and ice removal or support during a snow and ice event:

Not on a Holiday—Code the hours worked during the normal schedule to Activity 521, Task 10. If you continue to work the snow and ice event after the normal schedule and the work is approved as emergency work, then code 2-hour blocks to Activity 521, Task EM. This will be paid as emergency pay. **Exempt employees never need a Form 12.**

On a Holiday—if the day you work is a holiday; code the actual time worked to Activity 521, Task EM. You will receive holiday pay, not emergency pay, if the work was authorized.

18) I am a Maintenance Supervisor that is eligible for overtime (non-exempt) but I am functioning as an equipment operator during a snow and ice event. How do I code my time?

For non-exempt, non-KOSE covered positions the following applies:

Non-Holiday Week-- Hours worked during normal work schedule--Time worked during the snow event that meets the definition for premium pay during the normal work schedule will be coded to Activity 521, Task 10, and will pay snow premium pay.

In a Holiday Week--Time worked during the snow event that meets the definition for premium pay during the normal work schedule will be coded to Activity 521, Task 10, and will pay snow premium pay.

Hours worked on holiday or outside normal work schedule--Time worked during the snow event that meets the definition for premium pay on the holiday or outside the normal work schedule in a holiday week will be coded to Activity 521, **Task EM**. You will also need to submit a DOT 12. The 521, **Task EM**, will convert the holiday credit to the earning code HOO, which counts as time worked in the weekly overtime calculation, and pays snow premium pay. Time worked on the holiday will be paid as holiday pay which is paid at the 1.5 rate or at the FLSA overtime rate. The rate paid is dependent upon the number of hours already worked in the week that count towards overtime.

Holiday Week Coding:

19) What is holiday credit and how is it coded?

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Holiday credit is pay received for paid time off on a designated holiday. Temporary employees do not receive holiday credit. Holiday credit is paid at the 1.0 rate and counts towards leave accrual. For non-exempts, the determination of how holiday credit counts towards overtime depends upon KOSE status and if an emergency event was worked during the week.

Holiday Credit for Non-Exempt KOSE covered position--

If the non-exempt KOSE employee did not work on the holiday, then the holiday credit would convert to the HOO earnings code and count as time worked in the weekly overtime calculation.

If the non-exempt KOSE employee worked on the holiday on a qualified emergency (coded to **Task EM/DOT 12 completed**), all the holiday credit would stay as HOO and count as time worked in the weekly overtime calculation. They will receive holiday pay for hours worked on the holiday.

If the non-exempt KOSE employee worked in the holiday week but not on the holiday on a qualified emergency (no DOT 12), all the holiday credit would stay as HOO and count as time worked in the weekly overtime calculation. They will receive holiday pay for hours worked on the holiday.

If the non-exempt KOSE employee worked all the holiday on a non-emergency (i.e., construction inspection) then the 8 hrs. of holiday credit will appear as the earnings code HDC/HD1 and does not count as time worked. They will receive holiday pay for hours worked on the holiday.

If the non-exempt KOSE employee worked under 8 hours on the holiday on a non-emergency, then the holiday credit is split between the HDC & HOO holiday credit earnings codes. For example, if the KOSE employee worked 3 hours on the holiday, non-emergency, his holiday credit would be 3 hrs. HDC (not counting towards overtime) and 5 hrs. HOO, holiday credit counting towards overtime. The employee will receive holiday pay for hours worked on the holiday.

Holiday Credit for Non-Exempt non-KOSE covered position-

If the non-exempt is in a position that is either considered temporary, original probation, confidential, or supervisory, they are in a non-KOSE covered position. The following rules apply for holiday credit.

If the non-exempt non-KOSE employee did not work on the holiday, then the holiday credit (HDC/HD1) will not count as time worked in the weekly overtime calculation.

If the non-exempt non-KOSE employee worked on a qualified emergency in the holiday week (coded to **Task EM/DOT 12 completed**), all the holiday credit will convert to the HOO earnings code and count as time worked in the weekly overtime calculation. They will receive holiday pay for hours worked on the holiday.

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If the non-exempt non-KOSE employee worked on the holiday on a non-emergency (i.e., construction inspection) then the 8 hrs. of holiday credit will remain as the earnings code HDC/HD1 and does not count as time worked. They will receive holiday pay for hours worked on the holiday.

20) What is Holiday Compensation/Holiday Pay?

Holiday compensation commonly known as holiday pay is pay received for time worked on the holiday. All authorized work incurred on a holiday is paid holiday pay regardless of exempt or non-exempt status. Non-exempts will receive holiday pay at the 1.5 rate or the FLSA overtime rate, dependent upon the number of hours already worked in the week that count towards overtime. If the non-exempt employee is already in Overtime status on the holiday, they will also receive holiday premium pay (HDV) at the .5 rate for the overtime hours worked on the holiday.

21) How is Overtime Pay calculated?

Time worked by Non-exempt employees counts towards the overtime calculation and is often referred to as FLSA (Fair Labor Standards Act) hours. An employee must have over 40 FLSA hours to be in overtime status. Leave time taken such as vacation and sick do not count towards overtime but do count towards leave accrual and is often referred to as CTLA (Counts Towards Leave Accrual) hours.

The Overtime rate is calculated on a weekly FLSA rate which includes the amount paid for pay modifiers such as shift differential, standby pay, snow pay, etc.

Overtime is calculated by multiplying the OT hours by .5 of the FLSA rate and adding that product to the OT hours X the hourly rate for the week.

The inclusion of the pay modifiers slightly increases the rate paid for overtime and explains why an employee may notice a few cents difference in the FLSA rate between weeks.

22) Does Activity 521, Task 10 always meet the criteria for Emergency Work (non-exempt) which would convert the holiday credit to HOO for overtime calculation purposes during a holiday week?

No. During a holiday week, coding to Activity 521, Task 10 does not automatically convert the holiday credit to HOO credit which counts towards the overtime calculation. See below for proper coding depending upon KOSE/Non-KOSE status.

Non-exempt, KOSE covered positions--

On the Holiday-- For work performed during a snow and ice event on a holiday that meets the definition of task 10, code the hours worked to Activity 521, **Task EM**. You will also need to submit a DOT 12. The 521, **Task EM**, will convert the entire holiday credit to the earnings code HOO, which counts as time

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worked in the weekly overtime calculation, and pays snow premium pay. Time worked on the holiday will either be paid as holiday pay or overtime, dependent upon the number of hours already worked in the week that count towards overtime.

In the Holiday week, but not on the Holiday--For work performed during a snow and ice event during a holiday week but not on the holiday that meets the definition of Task 10, code the hours worked to Activity 521, Task 10. The entire holiday credit will convert to the earnings code HOO, which counts as time worked in the weekly overtime calculation, and pays snow premium pay. Per regulation, if the KOSE covered employee did not work on the holiday; then the holiday credit is automatically converted to HOO credit.

Non-Exempt, Non-KOSE covered positions –

Certain non-exempt job codes are not considered KOSE covered, if the position is temporary, in a confidential position, or is supervisory, they are not covered by KOSE.

On the Holiday--For work performed during a snow and ice event on a holiday that meets the definition of task 10, code the hours worked to Activity 521, **Task EM**. You will also need to submit a DOT 12. The 521, **Task EM**, will convert the entire holiday credit to HOO, which counts towards the weekly overtime calculation, and pays snow premium pay. Time worked on the holiday will either be paid as holiday pay or overtime.

In the Holiday week, but not on the Holiday--For work performed during a snow and ice event during a holiday week but not on the holiday that meets the definition of task 10, code the hours worked outside the normal schedule to Activity 521, **Task EM**. You will need to submit a DOT 12. The entire holiday credit will convert to HOO, which counts towards the weekly overtime calculation, and snow premium pay will be paid. Code the hours worked inside the normal schedule to Activity 521, Task 10. The different coding is necessary for non-KOSE staff because coding to task 10 alone will not convert the holiday credit to HOO.

23) I worked 7 hours on Monday, which was a holiday, and would like to flex my time at the end of the week. How many hours would I be able to flex?

If the non-exempt employee worked an emergency event, it will convert the holiday credit to the earnings code HOO, which will count as time worked for overtime calculation purposes. Time

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worked on the holiday is paid at the holiday pay rate and counts as time worked for overtime calculations. The employee must work 40 hours before Overtime is paid. If the Supervisor approves the flexing of hours, the employee would be able to flex 7 hours of time during the work week in this example. Please consult with your payroll staff for time calculations to determine available amount of time to be flexed.

The following chart may assist in further understanding the overtime calculation in this example:

Emergency Event Worked on the Holiday by Non-Exempt-flexed hours						
Day	Hrs	FLSA Weekly Total	Earn Code		Rate pd at	Amt paid assuming \$10 hourly rate
Sun						
Mon	7	7	HDP	Holiday Pay	1.5 rate	\$ 105.00
	8	15	HOO	Holiday Credit	1.0 rate	\$ 80.00
						Holiday credit converted to HOO, which counts as time worked
Tues	8	23	REG	Regular	1.0 rate	\$ 80.00
Wed	8	31	REG	Regular	1.0 rate	\$ 80.00
Th	8	39	REG	Regular	1.0 rate	\$ 80.00
Fr	1	40	REG	Regular	1.0 rate	\$ 10.00
Sat						
	<u>40</u>					\$435.00
Employee only needs one hour on Friday to reach 40 FLSA hours						
Earnings codes are classified as FLSA hours (counting towards overtime) & CTLA hours (counting towards leave accrual)						
Overtime is not earned until the FLSA hours exceed 40						

In this example, if the employee worked 8 hours on Friday, 7 hours would then be paid at the FLSA Overtime Rate.