

Media Mention: Emily Massey Featured in HR Professionals Magazine

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HR Professionals Magazine recently featured an article written by labor and employment attorney Emily Massey.

The article, "Your Employer Survival Toolkit," details some tips employers can utilize to minimize the effects natural disasters or adverse weather events can have on businesses as it relates to employment laws that may be implicated in such situations. From the article:



Ensure Wage and Hour Compliance

A common question is whether or not employers are required to pay employees when the weather is bad, or the office is closed. The answer depends on the type of employee and the employer's policies.

Employers are not required to pay employees who are not exempt and are paid on an hourly basis under the Fair Labor Standards Act (FLSA) when the employee does not come to work. Therefore, if the office is closed for all or part of a workday, the employer only needs to pay the non-exempt employee for the time during which he or she was actually at work. However, an employer's policy may allow or require the non-exempt employee to apply PTO or vacation time when absent due to adverse weather or the office being closed. Additionally, employers with flexible work policies may permit employees to work from home

instead of coming into the office. In this situation, it is important to remember that the employer must pay if the non-exempt employee performs work while away from the office—whether on his or her own accord or at the employer's request. As another option, employers may institute a policy that they will pay all employees when the office is officially closed.

You can also learn more about implementing an inclement weather policy, unpaid leaves of absences, and preparing for military absences by reading the full article here:

<https://hrprofessionalsmagazine.com/2019/12/31/your-employer-survival-toolkit/>.