



Spencer J. Cox

Governor

**EXECUTIVE ORDER
2023-03**

Providing Optional Administrative Leave to Support Community Flood Responses

WHEREAS, Utah has experienced high levels of precipitation this winter season, leading to snowpack levels exceeding 150% in most of the state;

WHEREAS, the precipitation is already causing flooding and creating risks of flooding throughout Utah;

WHEREAS, these risks may persist throughout the upcoming months, as snow melts and as Utah receives additional precipitation;

WHEREAS, in the face of these conditions, flood mitigation and relief is a crucial effort that depends on the support of Utah's communities;

WHEREAS, Utah's cities and counties would greatly benefit from volunteers to assist in flood mitigation and relief;

WHEREAS, Utah is the number one state in the nation for volunteerism and a place where people come together for the common good;

WHEREAS, Utah's public employees are unified in their devotion to their communities;

NOW, THEREFORE, I, Spencer J. Cox, governor of the state of Utah, by the authority vested in me by the Constitution and laws of this state, hereby order the following:

1. Application.

- a. This executive order applies to all state executive branch agencies.

2. Definitions. As used in this order:

a. "Agency"

1. includes:

1. a department, division, office, bureau, or other organization within the state executive branch, including the State Tax Commission, the National Guard, and the Board of Pardons and Parole; and

ii. does not include:

1. an institution of higher education;
2. the Utah Board of Higher Education;
3. the State Board of Education;

4. an independent entity as defined in Utah Code § 63E-1-102;
 5. the Attorney General's Office;
 6. the State Auditor's Office;
 7. the State Treasurer's Office;
 8. the Legislative Branch; or
 9. the Judicial Branch.
- b. "Employee" means a benefited agency employee.

3. Specific Requirements

- a. Each agency:
 - i. shall grant all employees up to eight (8) hours of administrative leave, as defined in Utah Administrative Code R477-1-1, and hereafter referred to as "flood response leave," to take time away from their normal state employment responsibilities to volunteer to assist with flood relief activities in the state of Utah, including flood prevention, mitigation, or any other response to flooding or potential flooding;
 - ii. shall set appropriate limitations and ensure that the agency's critical work is not unduly interrupted;
 - iii. shall postpone or deny the use of flood response leave if an employee's use of this leave will significantly harm the agency, including the agency incurring incremental costs, or if the employee's normal state employment responsibilities already include flood relief activities;
 - iv. shall inform all agency employees of this Order; and
 - v. may not count flood response leave toward the 18-week maximum of unprotected leave set forth in DHRM rule R477-7-1(11).
- b. Each employee wanting to use flood response leave shall:
 - i. request and receive individual permission from their agency leadership to use flood response leave; and
 - ii. acknowledge that serving in response to flooding is voluntary and that performing any work and travel to and from where they provide flood related service is completely separate and segregated from their employment with the state.
- c. Each employee may break up the flood response leave into hourly segments as long as the leave used for this purpose does not exceed eight (8) hours.
- d. Both full-time and part-time employees are eligible for participation. Part-time employees may receive a prorated amount of administrative leave time.
- e. The Division of Human Resource Management (DHRM) shall issue guidance and policies to ensure the implementation of this Order.
- f. The Finance Division of the Department of Government Operations shall work with DHRM to support the implementation of this Order.

THIS ORDER is effective immediately and shall expire on August 31, 2023.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done in Salt Lake City, Utah, on this, the 16th day of March, 2023.

Spencer J. Cox
Governor, State of Utah

Deidre M. Henderson
Lieutenant Governor, State of Utah

ATTEST: