

EMPLOYMENT POLICY

Adverse Weather

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1. Scope & Purpose

- 1.1. Lothian recognises the need to maintain a balance between the need for continued operations and customer service with the health, safety and welfare of our employees during adverse weather conditions.
- 1.2. The purpose of this policy is to outline the business approach to the management of employee attendance and place of work during adverse weather conditions.

2. Adverse Weather Conditions – Definition

- 2.1. There is no specific definition for adverse weather; however, for the purpose of this policy it includes any weather conditions that might lead to significant disruption to the network or a substantial number of employees being unable to attend their usual place of work, despite their best efforts.

3. Communication during periods of Adverse Weather Conditions

- 3.1. Direction will be provided by the Board of Directors with respect to how emergency and weather updates are communicated. In addition, employees are expected to continue to follow procedures or management direction for communicating when they are not reporting for work or working from alternative locations, e.g. from home.

4. Key Principles

The following principles should be applied, during periods of adverse weather conditions:

- 4.1. All employees are expected to adhere to the absence reporting procedures detailed in the Attendance at Work policy.
- 4.2. A red weather warning is the most severe weather warning that the Met Office can issue. It means that it is likely that the weather will cause damage - for example, to buildings and roads. It also means that there could be a risk to lives if caution is not exercised. The Met Office advises that when it issues a red weather warning, people should stay away from areas which could be potentially dangerous and they should follow the advice of the emergency services and local authorities. Employees who travel to work by public transport and private vehicle would not be expected to travel if there is a risk to their personal safety. In such exceptional

circumstances the Board of Directors may issue a direct instruction to employees regarding the need to close buildings or reduce service provision.

- 4.3. In all other circumstances, employees will be expected to present themselves for duty appropriately. This may mean, with management approval, at an alternative work base or working from home where this is possible, or reporting before or after the red weather warning / period of adverse weather, for partial completion of their scheduled duty.
- 4.4. If an employee is in a role in which they cannot work from home, paid leave may be granted by the manager. In such circumstances full consideration should be given to the following points:
 - The line manager should discuss with the employee their specific circumstances, to determine if there is a genuine case for non-attendance.
 - Due consideration should be given to the extent of the adverse weather for that area/where the employee lives and the employee's attempt and consideration to attend work.
- 4.5. Notwithstanding the aforementioned, a maximum of two days paid leave may be granted. Where further leave is necessary the manager may wish to approve a period of annual leave.

5. Responsibilities of the Employee

- 5.1. It is the responsibility of all employees to make every effort to attend for duty at their normal place of work, for example utilising alternative modes of transport including walking, cycling, train, tram, bus or car share, including consideration of reporting before or after the period of adverse weather / red weather warning.
- 5.2. In the event of unforeseen circumstances employees will take all reasonable steps to report his/her inability to attend for duty as soon as is practicably possible to their manager, in accordance with Lothian's Attendance at Work Policy.
- 5.3. Employees shall not unreasonably refuse to comply with temporary redeployment to an alternative base or undertake other duties.

6. Responsibilities of the Manager

- 6.1. In the event of unforeseen circumstances a manager shall ensure that adequate and appropriate communications and reporting mechanisms exist to enable employees to fulfil their role and responsibilities.

- 6.2. During such times of significant adverse weather, or a red weather warning, managers should workforce plan in advance to ensure they have the minimum number of employees required on site to meet the level of service provision and maintenance requirements being provided at that time.
- 6.3. A manager may consider a range of factors impacting upon an employee's ability to attend for duty. This might involve (not in a priority order):
- Distance travelled to work.
 - Suitable clothing and footwear.
 - Prevailing weather conditions and their estimated duration.
 - An employee's regular mode of transport.
 - The safety of the employee.
 - Individual requests from people with any physical impairment that may present additional barriers to attendance at work in bad weather conditions.
 - The requirements of the business area.
 - The capacity for redeployment to a more accessible or appropriate base along with the provision of alternative duties.
 - The need to use alternative communication mediums and transport systems.
 - Any other factors pertaining at the time.
- 6.4. Where such circumstances arise and the employee is unable to attend for duty, a number of options may be considered and discussed with the employee. These might include:
- Unpaid leave.
 - Use of flexible leave – allowing the employee to work back any time taken.
 - Use of annual leave.
 - Marking the employee absent where no notification of their inability to attend is received. (**NB** This will require a reporting arrangement through to the Payroll Department).
- 6.5. Where a manager determines that an employee has presented themselves for duty at their normal or alternative base after the usual starting time but due solely to adverse conditions, payment shall not be unreasonably withheld.
- 6.6. Equally, where an emergency situation arises during an employee's shift, line managers shall exercise their discretion to enable the employee(s) to leave their place of work early or be redeployed to an alternative base in order to maintain a safe system of working and appropriate level of service.

- 6.7. The manager will have regard to all relevant circumstances and inform the employee of what action to take, in conjunction with their Director or Board of Directors.
- 6.8. A manager will consider the use of appropriate internal communication mechanisms to inform the wider business of changes in service provision.
- 6.9. If an employee is in a role in which they cannot work from home, paid leave may be granted by the manager. In such circumstances full consideration should be given to the following points:
 - The line manager should discuss with the employee their specific circumstances, to determine if there is a genuine case for non-attendance.
 - Due consideration should be given to the extent of the adverse weather for that area/where the employee lives and the employee's attempt and consideration to attend work.

7. Major Incidents

- 7.1. The decision to declare a major incident will always be a judgment made in a specific local and operational context, and there are no precise and universal thresholds or triggers. A major incident is beyond the scope of business-as-usual operations, and is likely to involve serious harm, damage, disruption or risk to human life or welfare, essential services, the environment or national security.
- 7.2. In such instances, communications will be issued by management to employees to provide advice and guidance in the specific circumstances, in conjunction with this policy.

8. Disputes arising from the application of this policy

- 8.1. Where matters of individual dispute regarding the application of these guidelines cannot be resolved at the lowest appropriate level, the matter may be referred through the Grievance procedure.

9. Linked Policies

- Attendance at Work Policy
- Other Leave Policy
- Homeworking Policy

10. Version Control

Version No.	Date of Change	Change made by:	Key Amendments
V1.0	31/08/2018	P Pemberton	Published
V2.0	14/10/2020	S Murphy	Minor changes made
V3.0	26/10/2021	S Murphy	No changes made
V4.0	04/09/2024	D Calciu	Minor changes made - Clauses 5.1 and 6.2
V5.0	1 April 2025	D Calciu	Minor changes to clauses: 2.1, 4.2, 4.3, 5.1, 6.2

This policy does not form part of employees' terms and conditions of employment and may be varied from time to time in accordance with business and legislative requirements.