



EFFINGHAM COUNTY BOARD OF COMMISSIONERS

Human Resources Standards of Practice

Standards of Practice: Section 5.05	Issue Date: 4/10/2020 New ____ Revised ____ Supersedes Policy Dated:
Title: Emergency Conditions	Approved By Effingham County Board of Commissioners

5.05 - EMERGENCY CONDITIONS

Nothing in this policy shall override any policy held by any department which is essential to disaster relief nor does this policy alter the work requirements of any county employee.

A. PURPOSE

To establish a procedure to determine pay allowances that may be given to employees when the County closes a facility due to emergency conditions prior, or subsequent, to the commencement of a workday. It implements uniform procedures for the payment and tracking of wages during an impending or declared emergency and/or disaster response and recovery period for employees classified as either exempt or non-exempt under the Fair Labor Standards Act (FLSA). In an emergency, this policy is intended to ensure fair and equitable compensation for Effingham County employees. This policy shall remain in effect regardless of whether federal reimbursement is anticipated.

B. STANDARD

The interpretation and administration of this policy shall be the responsibility of the County Manager and/or the Human Resource Director. The County Manager, with the concurrence of the Board of Commissioners, shall have the responsibility for canceling a work shift or closing a facility or, if emergency conditions arise after a scheduled shift has begun, for closing the facility and permitting employees to leave work early.

C. PROCEDURE

The County Manager shall announce facility closings. The County Manager, with the concurrence of the Board of Commissioners, may authorize activation of this policy during a declared state of local emergency for/in Effingham County, or during a



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period of Mutual Aid (county to county aid within the state); Emergency Management Assistance Compact (official federally recognized organization for state to state mutual aid); or similar assignment outside Effingham County, where work is being performed in an area where a declared state of emergency exists:

1. Non-exempt employees in civilian roles (classified at 2080 hours annually) shall receive their regular rate of pay, plus overtime (time and one-half) for all hours worked in excess of 40 hours per week when asked to work in support of a declared emergency.

2. Non-exempt employees in emergency services (classified at 2756 hours annually) shall receive their regular rate of pay, plus overtime (time and one-half) for all hours worked in excess of 212 hours per 28 day pay cycle when asked to work in support of a declared emergency.

3. Exempt employees shall receive their normal salary, plus overtime (time and one half) for all hours worked in excess of 43 hours per week when directly related to the declared emergency. Extra paid hours worked will not be counted for or against annual admin hours.

4. During activations of this policy, all available efforts should be made to ensure employees not actively work beyond 16 hours in any given 24 hour period. A period of rest or "down time" of 8 hours within any given 24 hour period is advised to ensure employee safety.

5. Departments will track straight-time and overtime salary expenses that are directly related to the declared state of emergency. A report detailing the straight time and overtime hours is required to be submitted to Human Resources, the Finance Department, and the Effingham County Emergency Management Agency. Reports should include who the employees are, where and when they worked, and what duties were performed.

6. During a declared emergency, conditions may be such that it is hazardous for some employees to report to work. In situations such as this, the County Manager / County Commission Chairman may grant paid Office Closed Leave to prevent financial hardship to employees. This leave pay will be applied to all county employees, regardless of classification, similar to holiday pay.



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7. In cases when the Chief Judge of Superior Court declares a judicial emergency, the treatment of effected employee compensation will be determined through consultation with the ECBOC Chairman, the Chief Judge and the County Manager.

8. Payment of leave time during a declared emergency will occur based on the criteria outlined below:

a. Office Closed Leave Is Authorized

1. Employees who are not authorized to work: During conditions that make it hazardous for employees to report to work, the County Manager / County Commission Chairman may direct employees to NOT report for work and close County offices. In situations such as this, the County Manager / County Commission Chairman may grant Office Closed Leave to employees who are not authorized to work.

2. Employees who are authorized to work: During conditions that make it hazardous for employees to report to work, some employees will still be asked to report to work to mitigate the hazardous conditions. In situations such as this and where the County Manager / County Commission Chairman has authorized Office Closed Leave, the employees working will receive equitable compensation. Employees working will be paid for all hours worked as described in Paragraphs 1 or 2 above **PLUS** receive straight time pay for the Office Closed Leave. This includes time spent in standby or staging.

b. Office Closed Leave Is NOT Authorized

1. Employees who are not authorized to Work: In circumstances where the County Manager / County Commission Chairman has not granted leave and employees who are not authorized to work, or who are unable to report to work, shall utilize Paid Time Off leave in accordance with existing policies. Otherwise, employees will be placed on unpaid leave until the declared emergency ends or the County Manager / County Commission Chairman has re-opened County offices.

2. Employees who are authorized to work: In circumstances where the County Manager / County Commission Chairman has not granted leave



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yet the employees are authorized to work, the employees working will be paid for all hours worked as described in Paragraphs 1 or 2 above.

9. Employees taking any type of approved leave prior to or during the declared emergency will not receive Office Close Leave under this policy and will be paid according to the originally approved leave request. Employees whose leave is cancelled as a result of the declared emergency are compensated according to Paragraphs 8. A and B above.

D. RESPONSIBILITIES:

1. It will be the employee’s responsibility to accurately track and report all hours worked and assigned activities to their supervisor. Time spent in standby or staging must be clearly defined on the employees’ time record. Standby and staging time is accounted for differently and must be separated from hours worked.

2. It will be the department’s responsibility to verify all hours worked. Since departments are responsible for all wages paid to County employees during an Emergency or Disaster response and recovery period, departments should carefully review hours submitted, including those for alternate work assignments by employees assigned to their department during an emergency work assignment.

3. It is important that departments maintain accurate time keeping records during Emergency or Disaster response and recovery periods.

4. It will be the responsibility of the department director or constitutional officer to assure that all grant funded employees are utilized in accordance with grant requirements.

E. COMPENSATION TYPES

What are the four types of compensation?

Office Closed Leave Authorized – Do Not Report: If the County Manager / County Commission Chairman grants Office Closed Leave during a declared emergency, employees who are not asked to report to work will receive compensation



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up to the maximum amount of paid Office Closed Leave granted by the County Manager.

Office Closed Leave Authorized – Report: If the County Manager / County Commission Chairman grants paid Office Closed Leave during a declared emergency, employees who are asked to report to work will receive the Office Closed Leave plus compensation for all hours worked in accordance with the provisions of this policy. This will apply to both exempt and non-exempt employees.

No Office Closed Leave Authorized – Do Not Report: If the County Manager / County Commission Chairman does not grant paid Office Closed Leave and employees are not asked to report to work, employees must use accrued personal leave to be compensated, or be placed on unpaid leave until the emergency ends.

No Office Closed Leave Authorized – Report: If the County Manager / County Commission Chairman does not grant paid Office Closed Leave and employees are asked to report to work, employees will be paid based on their status as non-exempt or exempt employees, for work performed in support of a declared emergency.

F. COMPENSATION

1. Once employees are notified of a declared local state of emergency, employees will activate to their Emergency Work Assignments. Once employees begin working their assignments, compensation will be paid based on the employees' classification. This compensation policy is for work performed in support of a declared emergency. Employees working their normal work assignments, meaning non-emergency or non-disaster response and recovery, will be paid according to applicable federal and state laws.

2. The policy provides that non-exempt employees will receive their regular rate of pay per hour, plus any overtime hours worked in excess of 40 hours in one week. All overtime hours will be paid at the rate of one and one-half times the regular rate of pay. *Emergency service employees will receive their regular rate of pay per hour, plus any overtime hours worked in excess of 212 hours in a 28 day pay cycle. All overtime hours will be paid at the rate of one and one-half times the regular rate of pay.*



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G. TRACKING TIME WORKED

1. Departments will be responsible for verifying the type and number of hours worked for all their employees, depending on the employees' status, whether paid Office Closed Leave has been granted, and the employees' assignment. The department is responsible for providing detailed reports indicating the name of the employee, where and when they worked, and the duties performed.

2. Departments may require employees to report hours worked using any reasonable method available, depending on the circumstances of the emergency and the employees' role. Where this information is requested, employees are urged to provide as much assistance as possible to ensure accurate time capture.

H. LONG-TERM CLOSINGS / SPECIAL CIRCUMSTANCES

In the event that an emergency causes an entire facility or any part thereof to be closed for two (2) or more days, or in the event of unusual circumstances, pay allowance provisions for all employees shall be determined by the Board of Commissioners, County Manager, and/or the Human Resource Director.

I. CRITICAL WORKFORCE

In the event of severe weather, employees such as EMS, Public Safety, Sheriff's Department, Prison, Public Works, and certain administrative personnel will be designated as critical workforce personnel. As such, these employees will be required to remain on duty for the duration of the event. Any employee who fails to remain on duty will be subject to disciplinary action; up to and including termination.

STATE OF EMERGENCY CONDITIONS FREQUENTLY ASKED QUESTIONS (FAQs)

What is the intent of the State of Emergency Conditions? The intent of the policy is to provide an orderly compensation plan for Effingham County employees during a period of emergency or disaster response and recovery. Emergency operations and disaster response and recovery can occur during a period of declared local emergency or under a period of Mutual Aid. The latter is an instance where Effingham County mobilizes to assist another county or state during an emergency or disaster.



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When does this policy apply? The State of Emergency Conditions will apply in the event of a declared state of local emergency in Effingham County. The ECBOC Chairman, at the recommendation of the County Manager and the Director of Emergency Management, will declare the local state of emergency.

How will I be paid if I work an Emergency or Disaster response and recovery assignment and I am an exempt employee? Exempt employees who perform work in support of a declared local emergency will be paid their regular salary. In addition, exempt employees who work in excess of 43 hours in a work week, if directly related to the declared emergency, will be paid straight time for all hours worked in excess of 43 hours per week.

What if I don't work during a period of declared emergency? Do I receive compensation? This depends on your status during a declared emergency. There are four compensation types that will determine your compensation status during a period of declared emergencies (see Paragraph 8 in the Policy).

If I am asked to report for work after I have evacuated, how will I be paid? If you have traveled out of town as part of an evacuation order and are asked to return to work during the evacuation period, your commute time back to Effingham County will be counted as work time, and you will be paid for the travel time necessary to return, plus actual work time once you report for work.

If I am out of town on personal leave and asked to report for work, how will I be paid? If you are out of town and travel is not related to an evacuation order, you will not be paid for travel time to Effingham County, and your paid work time will begin once you report for work.

If I am working out of town and asked to report back for work, how will I be paid? If you were instructed to report to an out of town location to perform work and then asked to return to Effingham County, your travel time to the out of town location and your travel time back to Effingham County will be counted as work time.

If I am working during the emergency event and cannot leave due to safety reasons, how will I be paid? There may be times when it is not safe or legal to travel around the County. During periods such as this, it is expected that employees will remain at their



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work location, even if their shift has ended. This time will be treated as work time.

If I only work part of the day and it's during a period when Office Closed Leave is authorized, how will I be paid? Non-exempt employees who work part of a day that has been authorized for Office Closed Leave, will be paid for the hours worked plus receive the full number of hours of authorized Office Closed Leave. Exempt employees will receive the full number of hours of authorized Office Closed Leave. The County Manager will determine whether additional pay will be granted to exempt employees during the period of administrative leave.

I am a new employee, but my start date was moved because of an emergency or disaster event. Will I still be paid based on my originally scheduled start date? No. Pay will begin on your first actual day of work.

I need extra time to prepare to evacuate but Office Closed Leave is only allowed for a portion of the day. How will I be paid? If you are scheduled to work, but did not report to work because you needed time to prepare to evacuate, you will be granted the authorized hours of Office Closed Leave, but must use vacation time for the additional hours in the work day not covered by the Office Closed Leave.

I am required to work during the emergency event and also required to sleep at my assigned location. Am I paid for this time? All time that you are required to be at a facility or on site will be treated as work time, regardless of whether you have sleep time. This includes, but is not limited to, employees who work in the EOC, shelter in an assigned office/housing facility, and emergency service employees who are required to remain at given work sites.

How will I be compensated for Office Closed Leave if my regular work schedule is greater than eight hours per day or if I normally work on the weekend? Office Closed Leave will be calculated on the regular work day of the employee, for any days County offices that will be closed to the public.

What if I am already scheduled to be on approved personal leave during a declared emergency? Employees on approved personal leave during a declared emergency will be paid according to their leave approval, and not under this policy.



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What if I am on approved personal leave, but must report due to my Employee Category? Employees already on approved personal leave who report to work due to their emergency work assignment will be paid according to this policy. Employees already on approved leave that are required to report, but don't report will be paid according to their leave approval.

What if I am scheduled to go on approved personal leave and a local emergency is declared? Employees approved to take personal leave who are advised to report may have their personal leave canceled so that they can participate in the emergency or disaster response and recovery effort. If this happens, employees will be paid according to this policy.

What if the facility is closed before my scheduled workday begins? Exempt and non-exempt regular employees will be paid for the regularly scheduled shift.

What if the facility remains open and I don't come to work? Non-exempt employees failing to report to work when there is a snowstorm, etc. and the facility remains open, will not be paid for the day, nor will they be permitted to charge this lost time to Paid Time Off, unless such time off had been previously granted. Employees arriving late on such days will be paid for the actual time worked.

What if the facility closes after a regular workday has begun?

a. Nonexempt employees who report to work but leave prior to the time the facility is officially closed will be paid up to the time they leave the facility.

b. Nonexempt employees who report to work and remain at work until the facility is officially closed will be paid for the entire workday.