

**City of Richardson
Interdepartmental Policy and Procedure**

CRITICAL EMERGENCY RESPONSE WORKPLACE DISRUPTION

POLICY: This policy is intended to provide a consistent policy dealing with emergency situations that may affect employees' ability to report to work, and to establish equitable procedures and compensation for those situations. For the purpose of this Policy, employee shall mean any person employed by the City, including those individuals on a part-time or internship basis. However, the term does not include independent contractors.

Employees should always assume the City is open unless they are notified via the Emergency Notification System (email, phone call, text) or a closure is announced on the city's website at <http://www.cor.net> , on local broadcasting television channels, and via radio through the Emergency Alert System Local Primary Source of WBAP 820 AM and KSCS 96.3 FM.

I. Purpose

- A. To define workplace disruption.
- B. To define critical and non-critical personnel as applied to workplace disruptions.
- C. To establish procedures including compensation and alternate work arrangements for such emergencies.

II. Definition of Workplace Disruption

- A. Any incident severely affecting city employees, facilities or operations resulting in the need for the City Manager to activate the Emergency Operations Plan or Continuity of Operations Plan. These incidents include, but are not limited to severe winter weather, natural disasters, utility disruption, extreme illnesses, terrorist threats, fires, biological agents or toxic substances.
- B. This policy does not apply to personal emergencies or localized conditions affecting smaller populations such as transit system failures, school closures or bridge/road closures.

III. Definition of Essential Functions and Essential Personnel Performing Essential Functions

- A. Employees with a critical emergency response or business continuity role as outlined in each department's Emergency Operations Plan by position or as

identified in the Continuity of Operations Plan (COOP) as “Key Personnel” or defined as essential personnel by their supervisor to perform the essential functions of the department, refer to department specific plans for personnel and function listings. For departments with first responder requirements such as Fire and Police, their department rules, policies and procedures will apply pertaining to reporting for duty during a workplace disruption or emergency period.

- B. The terms “Essential” and “Non-Essential” apply to critical or time sensitive work performed during workplace disruptions rather than to the value of work or the employees who perform it.

IV. Emergency Re-assignment

- A. Department heads may, at their discretion, assign employees alternative job functions, outside of the employee’s normal scope of work, as necessary to ensure essential functions are performed to provide for continued operation of the city.

V. City (facilities) Remains Open

- A. In situations where employees are not able to report to work due to a safety issue related to an emergency, all employees are required to check-in with their supervisor as soon as possible (prior to their shift) or at least by their regular assigned shift time unless notified to report earlier.
- B. The City is committed to promoting employee safety in the workplace. In alignment with this commitment:
 - 1. During a time of identified pandemic infectious disease risk, if an employee is ill and potentially related to the pandemic, the said employee should return to work not sooner than 24 hours without fever and doctor’s release.
 - 2. If an employee is subject to an extended isolation or quarantine period secondary to threat of or confirmation of infectious disease as identified by a public health authority (local, county or state), the City employee is not permitted to return to work until “cleared” by the identifying health authority. If telecommuting is an option, the employee’s telecommuting work plan must be approved by their supervisor before telecommuting begins.
 - 3. For circumstances making travel to and from work challenging, supervisors should allow for reasonable late arrivals and flexible work schedules, telecommuting and early departures when possible. Not all departments will be able to accommodate such flexibility; for example, work areas providing emergency services do not have such flexibility.

- C. Employees should make reasonable efforts to come to work when it is safe to do so unless an official closure is announced.
- D. If unable to report to work, employees must advise their supervisor as soon as possible.
- E. If telecommuting is an option during workplace disruption, the employee's telecommuting work plan must be approved by their supervisor before telecommuting begins.

VI. City (facilities) Closure

- A. Any closure of city facilities shall be authorized by the City Manager or designee.
- B. When a City facility is closed during an employee's work shift, employees may be released by their supervisor to leave early provided doing so will not have an adverse effect on emergency operations or business continuity. See Section VII: Pay Practices to determine how employee(s) can be paid for remainder of assigned shift.
- C. Supervisors are responsible for notifying subordinate employees assigned to later shifts of a closure.

VII. Pay Practices

- A. Exempt Employees
 - 1. Essential personnel, as identified in the Continuity of Operations Plan, who work during a workplace disruption or emergency response will be compensated at their regular salary.
 - 2. Exempt Employees assigned to work, but are unable to work due to a workplace disruption or emergency response, as designated by the City Manager, will be compensated at their regular salary.
 - 3. Monthly leave accrual(s) will be awarded for the time employees are paid but are unable to work due to facility closure and/or workplace disruption.
 - 4. If an emergency is designated by the City Manager, the City Manager may authorize additional emergency compensation and/or compensatory

time for exempt employees at straight time (hour for hour) for their contributions during the designated workplace disruption.

B. Non-Exempt Employees

1. During the 72 hours immediately after a workplace disruption or emergency period, as designated by the City Manager, the nonexempt employees assigned to work will be compensated at regular salary for **days worked** relative to the event.
2. During the 72 hours immediately after a workplace disruption or emergency period, as designated by the City Manager, if nonexempt employees are scheduled to work but are **directed not to do so by their supervisor as a result of a facility closure or workplace disruption**, they will be paid at regular pay for their regular shift assignment times.
3. During and after the first 72 hours of a workplace disruption or emergency period, as designated by the City Manager, when non-exempt employees are scheduled to work and are not able to perform their work responsibilities either in the workplace or while telecommuting due to legitimate personal reasons, he/she may request one of the following alternatives:
 - i. Accrued vacation, if available
 - ii. Accrued Compensatory Time when applicable
 - iii. Leave without pay if accrued vacation or compensatory time is not available.
4. Monthly leave accrual(s) will be awarded for the time employees are paid but are unable to work due to facility closure

C. Time Sheet Coding

1. During times of designated emergency, workplace disruption or facility closure, staff must utilize the Disaster Recovery Time Sheet provided in Tab J of each departmental annex of the City of Richardson Continuity of Operations Plan. The payroll code "ER-Emergency Response" has been designated by Payroll specifically for tracking personnel's time and attendance during such incidents.

VIII. Disaster Unemployment Assistance

Disaster Unemployment Assistance (DUA) provides financial assistance to individuals whose employment has been lost or interrupted as a direct result of a major disaster and who applied and are not eligible for regular unemployment insurance benefits.

During a major disaster which is declared by the President of the United States, DUA is generally available to any unemployed worker who lived, worked, or was scheduled to work in the disaster area at the time of the disaster; and due to the disaster:

- no longer has a job or a place to work; or
- cannot reach the place of work; or
- cannot work due to damage to the place of work; or
- cannot work because of an injury caused by the disaster.

DUA benefits are payable to individuals only for weeks of unemployment in the Disaster Assistance Period, which begins with the first day of the week following the date the major disaster began and for up to 26 weeks after the date the disaster was declared by the President, as long as the individual's unemployment continues to be a result of the major disaster.

In the event of a disaster, the Texas Workforce Commission will publish announcements about the availability of DUA. To file a claim, individuals should contact Texas Workforce Commission

IX. Comments

It is recognized that circumstances addressed by this policy are beyond direct control of city management and employees. This policy attempts to balance considerations of reasonableness, safety, equity, and responsibility for employees affected by emergency situations. Any exceptions to any section of this policy will be at the discretion of the City Manager.

Approved Original Signed by Dan Johnson

Date 05-05-2015