

**CITY OF BEAUMONT
POLICIES AND PROCEDURES**

Policy Number: 2.9

Subject: Evacuation/City Closure

Effective Date: 09/03/2017

Approved by: Kyle Hayes/ 09/03/2017
City Manager/Date

Chris Catalina/ 09/03/ 2017
Personnel Director/Date

I. PURPOSE

- A. The purpose of this policy is to provide guidelines for employees that will ensure a continuation of public services during the essential periods of declared emergencies or disasters.
- B. This policy will be applicable to all employees and sets out responsibilities before, during and after disasters to ensure that city employees function as a team in protecting the city's vital assets, maintaining essential city services, and restoring city services.
- C. Employees covered by a collective bargaining agreement will adhere to the conditions outlined in the agreement.
- D. The actions necessary under this policy will be implemented whenever the City Manager or designee, in accordance with the City Emergency Management Plan, declares that conditions warrant it.
- E. Should inclement weather or other emergency conditions arise, the city may suspend normal operations in order to meet extraordinary needs. Each emergency situation is unique, and while this policy is intended for overall guidance, the City Administration reserves the right to evaluate this policy and issue specific procedures as dictated by the circumstances of the emergency.
- F. The intent of this policy is to ensure that all employees are paid a premium rate of pay for all hours actually worked under this policy and to ensure that all full-time employees are made whole for any hours that they are unable to work in order to meet their weekly or pay period required hours.

II. DEFINITIONS

- A. Disaster - The occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property that results from natural or man-made cause,

including hurricane, tornado, fire, flood, wind, storm, oil spill, or other water contamination, blight, drought, infestation, explosion, civil disturbance, chemical accident, riot, hostile military, terrorist activity, or other public calamity that threatens public health or safety.

- B. Evacuation - When the Mayor recommends or orders the citizenry to leave the entire city as a protective measure due to the occurrence or imminent threat of a disaster.
- C. City Closure – City Closure occurs when the City Manager orders the closure of all non-essential City offices. For continuity of operations, the City Manager may reopen individual offices without affecting the status of City Closure.
- D. Essential Personnel - All city employees are key to the successful operation of the city; however, some employees have been identified as essential personnel. These employees may be required to work immediately before, during, or immediately after an emergency or disaster as required by the circumstances and determined by their department director.
- E. Non-Essential Personnel - All employees whose presence is not essential in carrying out the Emergency Plan, but cannot leave their positions until released by their supervisor and must return to work as usual under normal operations after emergency status has ended.

III. RULES/PROCEDURES

In order to meet the needs of citizens and continue the operations of the organization, essential personnel, as required by the circumstances and determined by their department director, are required to stay and work before, during, and after a disaster or return immediately after a disaster.

IV. EMPLOYER RESPONSIBILITIES

- A. Department Directors will designate essential personnel for essential jobs.
- B. The city will provide required training through the National Incident Management System (NIMS) for essential personnel.
- C. Department Directors are responsible for the development and implementation of a process for communicating with employees, whereby employees can be called in to work at times other than their normal shift hours.

- D. Department Directors/Division Managers will monitor the status of employees who are on Family Medical Leave and modified duty to ensure their status is accurate and up-to-date.
- E. Department Directors, or designees, will document all hours worked on emergency activities, if any, by hourly and exempt personnel, including their assignments.
- F. Department Directors will reassess on a case-by-case basis all approved vacation leave requests for employees who are off duty, on vacation or personal leave, and will use discretion in deciding to cancel, re-approve, or reschedule the leave.
- G. There may be instances when only certain buildings/offices are officially closed. In these instances, the affected employees will be compensated in accordance with this policy.
- H. Compensation for hours “Worked” during a mandatory evacuation period will be as follows.
 - 1. Full-time (hourly/exempt) - employees regularly scheduled to work will be paid straight time for their normally scheduled hours. In addition, they will receive 1.5 times their regular rate of pay for all hours actually worked during the evacuation period. Employees may choose to accrue compensatory time in lieu of compensation for time worked outside their normally scheduled hours. Compensatory time “in excess” of the maximum allowed by City Policy may be accrued in this situation but must be used within 360 days beginning with the first return to work day.
 - 2. Full-time (hourly) - employees who are not regularly scheduled to work, but are required to work, will receive 2.5 times their regular rate of pay for all hours actually worked during the evacuation period.
 - 3. If a holiday occurs during a mandatory evacuation period, the employee shall be paid in accordance with Employee Leave Policy No. 2.0, Section XI Holidays, except as otherwise provided for in the collective bargaining agreement.
 - 4. Auxiliary employees will receive 1.5 times their normal rate of pay for all

hours worked.

5. Compensation for time spent eating and sleeping will be paid in accordance with FLSA guidelines.

I. Compensation for hours “Not Worked” during a mandatory evacuation period will be as follows:

1. All employees, except Auxiliary employees, will be paid at straight time for their normally scheduled hours.

J. Compensation for hours “Worked” during a declared city closure will be as follows:

1. Full-time (hourly/exempt) - employees will receive 1.5 times their regular rate of pay for all hours actually worked during the declared closure. Employees may choose to accrue compensatory time in lieu of compensation for time worked outside their normally scheduled hours. Compensatory time “in excess” of the maximum allowed by City Policy may be accrued in this situation but must be used within 360 days beginning with the first return to work day.

2. If a holiday occurs during a city closure, the employee shall be paid in accordance with Employee Leave Policy No. 2.0, Section XI Holidays, except as otherwise provided for in the collective bargaining agreement.

3. Auxiliary employees will receive 1.5 times their normal rate of pay for all hours worked.

4. Compensation for time spent eating and sleeping will be paid in accordance with FLSA guidelines.

K. Compensation for hours “Not Worked” during a declared city closure will be as follows:

1. All employees, except Auxiliary employees, will be paid at straight time for their normally scheduled hours.

L. Compensation for hours “Not Worked” during a voluntary evacuation will be as

follows:

1. Employees may use personal, vacation, and/or compensatory time off until the evacuation is either called off or becomes mandatory. Employees must notify and receive approval from their supervisor before using this time off.
- M. The City Manager or his/her designee may authorize an exempt employee to work overtime and be compensated 1.5 times their regular rate of pay for work that is a direct result from an event that initiated a mandatory evacuation or city closure.
- N. Employees utilizing scheduled time off when a mandatory evacuation or city closure occurs will have their time coded as evacuation pay or city closure pay whichever is applicable until which time the mandatory evacuation or city closure pay ends. When the city resumes operations and all employees are to report back to work, the scheduled time off will return to being coded as accrued leave if supervisory approval had been granted for the additional time off. This leave includes personal leave, vacation, short-term disability (STD), sick leave, compensatory time, and time off without pay. It will also include Family Medical Leave (FMLA) time.
- O. The work status of an employee may vary or change due to the situation. The employee must be contacted and clearly informed as to whether or not he or she is expected to be at work. Employees must make contact numbers available.

V. EMPLOYEE RESPONSIBILITIES

- A. If you are an essential employee, you must plan carefully. The City will not offer shelter for family members and/or loved ones in the event of an evacuation.
- B. Families of employees are strongly encouraged to evacuate when an order is issued. Family evacuation may be earlier than officially ordered. If it is necessary for an essential employee to evacuate his/her family, it must be done in a timely manner to allow the essential employee time to return to work prior to the beginning of the disaster for which there is advanced notice, i.e., a hurricane.
- C. If an announcement for a mandatory evacuation is made, non-essential employees are expected to leave the area immediately. The employees should not expect to

use any city buildings or sites as a shelter for themselves or their family.

- D. If the employee is unable to return to work when offices are reopened, the employee must give notification per instruction given prior to the evacuation by his/her department director or division manager.
1. This leave time will be charged to accrued leave. If an employee does not have accrued leave, time off will be without pay.
 2. If the employee does not make reasonable efforts to contact the department director or division manager as stated above, the employee will be subject to disciplinary action, up to and including termination.
 3. If an employee, without prior supervisory approval, fails to report to work as instructed, he/she will be subject to disciplinary action up to and including termination.
 4. It is the responsibility of the supervisor to submit notification to Human Resources regarding an employee's inability to report to work due to the following reasons:
 1. The employee is on Family Medical Leave (FMLA) for an eligible purpose.
 2. The employee is on approved bereavement leave due to the death of an immediate family member.
 3. The employee is on limited duty and cannot perform the essential functions of his/her job with medical documentation to confirm the restrictions.

E. Evacuation/Disaster Acknowledgment Form - Attachment A

Attachment A

EVACUATION/DISASTER EMPLOYEE ACKNOWLEDGMENT FORM

I _____ acknowledge that I have been designated an essential employee in my department for purposes of evacuation, disasters or any other declared emergencies. I further understand that as an employee at will my failure to report or remain for work shall constitute grounds for disciplinary action up to and including immediate termination.

Employee Name: _____ Date: _____

Supervisor's Name: _____ Date: _____

Routing: Employee, Supervisor and Human Resources