

	<b>POLICY AND/OR PROCEDURE</b>	<b>NUMBER HR 05-05</b>
	<b>SUBJECT</b>  <b>DISASTER PAY PRACTICES (NON-EXEMPT)</b>	<b>EFFECTIVE OCTOBER 21, 2005</b>
		<b>CANCELS</b>
		<b>DISTRIBUTION ALL DEPARTMENT HEADS AND EMPLOYEES</b>
<b>APPROVED</b> 	<b>APPROVED</b> 	
<b>DIRECTOR OF HUMAN RESOURCES</b>	<b>CITY MANAGER</b>	<b>PAGE 1 of 5</b>

**I) POLICY:**

This policy defines how the City of Riviera Beach shall implement the method of compensation for employees called in and/or required to work a normal schedule or extra hours as a result of a disaster. This policy also addresses employees who are unable and/or requested not to report to work as a result of a disaster.

**II) PURPOSE:**

The purpose of this policy is to establish a pay practice policy to compensate employees called in or required to work beyond their normal scheduled work shift/hour. It is also to establish pay guidelines for employees who are told to stay home or unable to report to work as scheduled due to the disaster.

**III) PROCEDURE:**

**A. DISASTER DECLARATION**

The Mayor or the City Manager, with the consent of the City Council, may establish the actual time periods of the declared disaster specifying actual dates and times that each phase of the disaster pay policy will be implemented, if any. Department Heads are not permitted to authorize any of these policy provisions without the City Manager's approval.

**B. NON-ESSENTIAL PERSONNEL**

**1. DEFINITION**

Non-essential personnel are those employees who are not required to provide around the clock coverage and are not critical to the operation of the City of Riviera Beach.

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## **2. SCHEDULED TO WORK, BUT TOLD NOT TO REPORT TO WORK**

Employees who are scheduled to work, but are told not to report because the City has been declared in a state of local emergency, are considered non-essential personnel and are excused from work. Although not working, these employees will be compensated for their normal scheduled work hours. This time will not be counted towards the computation of overtime.

However, once the disaster has passed, a press release through the news media or through the department director/supervisor will be made advising employees to report for work. At that time, employees should make every reasonable effort to report to work by relieving personnel who have worked through the disaster and assisting in the clean up recovery process when authorized.

## **3. SCHEDULED TO WORK, BUT CALLED IN SICK/OTHER**

Employees who are scheduled to work during the disaster, but who call in sick, are required to provide medical documentation for the absence in order to receive paid sick leave. Employees who call in for personal reasons may be excused at the discretion of the department head. The employee will have to use sick or vacation leave for this time off, if the employee has leave time available.

## **4. SCHEDULED TO WORK BEYOND NORMAL WORK WEEK**

Employees who report to work as scheduled and as directed, will receive their normal compensation until they work beyond their scheduled work shift. All hours worked beyond their normal work week schedule during the City declared disaster period shall be paid at an overtime rate.

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## 5. SCHEDULED OFF, BUT CALLED INTO WORK

Employees who are called into work during their scheduled off hours will be compensated at time and one half (1 ½) for all hours worked during the declared disaster, irrespective of whether they have worked their normal shift.

## 6. SCHEDULED APPROVED LEAVE

Employees who are scheduled off for a pre-approved vacation leave, sick leave, jury duty, leave of absence, good cause day or any other types of leave will not receive credit for pre-approved time or an additional day off if there is a declared disaster during their absence unless the employee is called into work and reports for work. The employee's pre-approved absence will be paid by the appropriate type of leave requested.

## C. ESSENTIAL PERSONNEL

### 1. DEFINITION

Certain City personnel are designated as essential personnel and required to remain on duty immediately before, during and after the declared disaster. Essential employees are sworn police personnel, uniform fire personnel, communications operators, all utility district plant and field workers, dock attendants and marina folk lift operators. Other essential personnel include all employees in the Property Maintenance, Street & Canals, Strom Water, and Vehicle Maintenance Divisions of the Public Works Department, the entire personnel of the Parks Division of the Recreation and Parks Department; also any other positions as defined and approved by the City Manager. Positions in these categories are required to provide around the clock coverage and are essential to the operation of the City of Riviera Beach during the time of a declared disaster.

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**2. SCHEDULED TO WORK BUT CALLED IN SICK/OTHER**

Employees who are scheduled to work, but call in sick, are required to provide medical documentation for the absence in order to be paid their regular sick leave, irrespective of the number of days absent for illness. Employees who call in for personal reasons, family and/or other reasons will not be permitted to use sick/vacation leave. Exceptions may be considered on a case by case basis by the employee's department director.

**3. SCHEDULED TO WORK BEYOND NORMAL WORK WEEK**

Essential employees are required to report to work as scheduled. They are entitled to additional pay if required to work based upon the bargaining union agreement. However, if the position is not covered by a bargaining union agreement, they will receive overtime for any hours worked above their regular shift, provided that they will have worked their normal scheduled work week.

**4. SCHEDULED OFF BUT CALLED INTO WORK**

Sworn police personnel, general employees, and uniform fire personnel covered under bargaining agreements are guaranteed three (3) hours paid at time and one half (1 ½) their regular base rate if called into work on a scheduled day off for any hours worked in excess of their normal work week hours. Employees not covered under a bargaining agreement shall receive time and one half (1 ½) hours worked in excess of their normal work week.

**5. SCHEDULED APPROVED LEAVE**

Employees who are scheduled off for a pre-approved vacation leave, sick leave, jury duty, leave of absence, good cause day or any other type of leave will not receive credit for the pre-approved leave or an additional day off if there is a declared disaster during their absence unless the employee is called into work and reports for work. The employee's pre-approved absence will be paid by the appropriate type of leave requested.

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**D. TEMPORARY AND PART-TIME EMPLOYEES**

Temporary and part-time employees will receive compensation only if they are authorized to work on the declared disaster days. If the employees report for work beyond 40 hours during the pay period of the declared disaster, then the temporary or part-time employee will receive overtime compensation.

**E. DISCIPLINARY ACTION**

Employees who do not comply with any portion of this Disaster Pay Practice Policy may be disciplined up to and including termination.