



## **611 - EMERGENCY STATUS**

### **I. PURPOSE**

The safety of the citizens of Newport News and those employed by the City is the primary concern of City Management. The purpose of this policy is to establish guidelines to provide continuance of essential City services during an emergency or inclement weather conditions that will provide the necessary protection of both citizens and employees. As such, these guidelines include the work and pay status of City employees.

The City Manager or their designee will determine when the provisions of this policy are implemented, including deciding if the closure will be citywide or site specific. In addition, the City Manager has the sole discretion to provide any additional compensation outside the parameters of this policy. If any issues of compensation arise which are not included in this policy, the City Manager will make the appropriate determination upon consideration of all circumstances and in consultation with the Director of Human Resources.

### **II. EMERGENCY PLANNING**

To the extent possible, department directors will plan for and determine in advance which positions are designated as "essential" and which positions are considered "non-essential" in a variety of emergency conditions. Departments will be responsible for preparing emergency response plans that address activities to ensure continuity of operations and essential services. Each department will ensure annually that a current continuity of operations and essential services plan is provided to the Division of Emergency Management, and that a current list of positions with essential and non-essential designations is provided to the Department of Human Resources. Department directors will notify employees in essential positions, preferably in writing, that their position is designated as essential under identified circumstances or conditions. In certain instances, a specific emergency condition may require a position to be determined as essential when, for other conditions, the position was not essential.

### **III. DEFINITIONS**

#### **A. Essential Positions**

Positions are generally defined as those needed to continue critical services regardless of, or pursuant to, an emergency situation. Critical services may vary depending upon the nature of the emergency or weather event. Departments are responsible for identifying essential positions for each emergency situation in accordance with the federal Department of Homeland Security's Guidance on Essential Critical Infrastructure. These positions will be updated annually based on the department's essential services plan on file with the City's Division of Emergency Management and approved by the Department of Human Resources.

**B. Non-Essential Positions**

Positions that are generally not designated as essential. However, certain emergency conditions may require management to determine a position as essential that was previously not identified as such.

**C. Emergency Conditions**

1. The City Manager or their designee may close a portion of, or all of, City operations in order to properly respond to an emergency.
2. Emergency conditions may include, but are not limited to such occurrences as explosions, fires, major power or system failures, inclement weather conditions, declared pandemics, and other natural or man-made events or occurrences as determined by the City Manager. In addition, emergency conditions may be either site specific or citywide. Emergency conditions may exist without a declaration of a local emergency under the Code of Virginia, Section 44-146.21.
3. Inclement weather conditions may include, but are not limited to, such occurrences as snow or ice storms, hurricanes, tornadoes, nor'easters and/or the reasonable anticipation of such conditions.

**D. Partial Day Closures**

1. A delayed opening is any instance where normal City business hours (Monday through Friday, 8:00 a.m. - 5:00 p.m.) are modified to accommodate emergency conditions and City offices open later than 8:00 a.m.
2. An early closing is any instance where the normal City business hours (8:00 a.m. - 5:00 p.m.) are modified to accommodate emergency conditions and City offices close earlier than 5:00 p.m.
3. Non-essential employees should report to work at their normal time or when the City re-opens, whichever is later.

**E. Full Day Closure**

The closing of one specific site or all citywide operations (excluding 24-hour operations) for the duration of the regularly scheduled operating hours (Monday through Friday, 8:00 a.m. - 5:00 p.m.).

**IV. DESIGNATIONS AND NOTICES**

The City Manager will determine which City services need to be continued in order to meet the vital health, safety and other needs of the community during emergency conditions. When a response to an emergency situation is required, the City Manager will direct the appropriate response. Official announcements of closings and delays will be communicated through all

available and applicable media sources, which may include mass dissemination through an electronic critical event management system. Employees are responsible for maintaining accurate and updated contact information on file with the City, including phone numbers, email addresses, and individual contact preferences.

**V. COMPENSATION FOR EMERGENCY CONDITIONS**

Full-time employees who are in an active pay status will not forfeit any regular compensation as a result of an emergency declaration.

**A. Essential Personnel\***

1. Overtime eligible employees who are required to work in an emergency declaration which results in a full day closure will also be paid emergency compensation equal to the lesser of the number of hours actually worked or eight hours. All hours actually worked will be paid in accordance with the Personnel Administrative Manual, Section 610-Pay Computation and Overtime.
2. Employees in overtime exempt positions who work during emergency conditions may receive discretionary time off with approval from their department director, or designee in accordance with Section 610.

**B. Non-Essential Personnel\***

1. Temporary and regular part-time employees are compensated only for hours worked.
2. No additional emergency compensation will be paid to non-essential employees who through failure to receive notification of a partial or complete closing, approved telework, or for other reasons, perform work during an emergency closing.

\*Refer to Emergency Closure Payroll Guidelines for guidance related to specific operations and schedules, as well as timesheet completion and payroll submission.

**VI. SAFETY**

Departments shall have the responsibility to monitor work schedules during emergency conditions and determine if employee schedules need to be adjusted during periods of response. Some emergency conditions may require employees to work additional shifts or hours in order to address services and resolve problems. Departments shall have the responsibility to monitor their employees' work hours to ensure each employee is given periods of adequate rest.

**VII. LIBERAL LEAVE**

Liberal leave conditions for non-essential employees may be declared by the City Manager during periods when the City is generally open, but emergency conditions exist. When liberal leave has been declared by the City Manager, it is expected that employees will use their best judgment to determine if they can report to or remain at work without taking unnecessary risk regarding their safety. In the event an employee determines that they cannot report to or remain at work without taking unnecessary risk, a request for leave can be made to the appropriate level of supervision for review, and approval when appropriate.

When liberal leave procedures are in effect, employees may request to use the appropriate leave, including compensatory time, without the usual advance notice. Requests for liberal leave will generally be approved unless operations will be severely impaired by the employee's absence. The appropriate level of supervision will make the determination whether to grant an employee's request for liberal leave.

*Supersedes/Amends: 611, 02/01/2019*

Approved:



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City Manager