611 - EMERGENCY STATUS

I. PURPOSE

The purpose of this policy is to establish guidelines to ensure continuance of essential City services during an emergency or inclement weather conditions. These guidelines include the work and pay status of City employees.

The City Manager will determine when the provisions of this policy are implemented including determining when essential employees receive additional compensation and 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 upon consideration of existing policies and procedures and the advice of the Director of Human Resources, will make the appropriate determination.

II. EMERGENCY PLANNING

To the extent possible, department directors will plan for and determine in advance which positions are considered “essential” and which positions are considered “non-essential” to 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 updated lists of essential and non-essential personnel are provided to both the Division of Emergency Management and the Department of Human Resources. Department directors will notify employees in essential positions, preferably in writing, that their position is designated as essential. The Division of Emergency Management will have responsibility to survey departments on an annual basis to ensure the list of essential personnel is current. 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. City Manager

Any reference made in this policy to the City Manager shall include their designee.

B. Essential Positions

These positions are generally defined as those positions needed to continue critical services regardless of, or pursuant to, an emergency situation. Critical services include, but are not limited to the following:

1. All public safety operations, emergency communications, public water supply, detention, medical services, transportation or similar functions on a twenty-four (24) hour schedule;
2. Operation and maintenance of equipment supporting the above services or which is essential for maintaining highways, roads, streets and municipal parking lots in the City;

3. Dissemination of essential information to the public on a continual basis, regarding road conditions, shelters or other emergency services. Other services may be declared as essential to specific City operations depending on the nature of the emergency.

C. Non-Essential Positions

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

D. Emergency Conditions

These emergency conditions may include, but are not limited to such occurrences as explosions, fires, major power or system failures, inclement weather conditions, 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 local emergency under the Code of Virginia, Section 44-146.21.

E. Inclement Weather Conditions

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.

F. Delayed Opening

A delayed opening is any instance where normal City business hours (8:00 a.m. - 5:00 p.m.) are modified to accommodate emergency conditions and City offices open later than 8:00 a.m. However, if a work site normally opens at 10:00 a.m., and the City is on a two (2) hour delay, these employees are expected to report on time at 10:00 a.m.

G. Early Closing

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.
H. Closure

The closing of one specific site or all citywide operations (excluding 24-hour operations) for the duration of the regularly scheduled operating hours (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 order the appropriate response. For events that occur overnight, the announcement of government office closings will be made prior to the beginning of the workday, usually by 5:30 a.m. For events that occur at other times, the decision to close or modify business hours will be made as soon as practical. The official communication of closings or delays will be posted on the City’s Internet site and employee emergency information phone number. Employees should utilize these two sources as the primary means of determining the status of City operations during times of emergencies. The City Manager may close a portion of or all of City operations in order to properly respond to an emergency.

Communication of cancellations, postponements, closings or similar actions will also be accomplished by other written or verbal messages and/or announcements, including those transmitted through local news media. The City is not responsible for the accuracy or timeliness of information disseminated by the news media. Employees should rely on the phone line and web site, if available, to determine the status of City operations during emergency conditions. The following avenues will be used by the City as appropriate to facilitate communication to employees and the public.

- Employee Emergency Information Phone Number – 757-926-7075 (recorded message)
- Internet – http://www.nnva.gov/ (“urgent” banner on City’s main web page)
- Local TV Stations – WVEC (13), WAVY (10), WTKR (3)
- Local Radio Stations – as many local radio stations as possible will be contacted
- Postmaster Email Messages – For certain situations during regular business hours
- Automated messages via phone, text and email through NNALERT

V. PROCEDURES

When the City Manager determines that emergency conditions exist, or directs an emergency response, essential personnel will remain on their shift if the shift is currently in process, or report to work at the usual starting time of their work shift, or as directed by their department head or designee. Non-essential personnel will be relieved of duties for either the full or partial day as directed. Policy Section 609, City Work Schedules and Schedule Changes, and Section 610, Pay Computation and Overtime, will remain in effect during times of emergencies.
VI. COMPENSATION FOR EMERGENCY CONDITIONS

A. All Full-Time Employees

1. When emergency conditions occur during the City’s normal business hours and the City Manager declares that City Offices will be closed for a full day, all full-time employees in an active pay status will receive eight (8) hours of compensation at the employee’s regular rate of pay, which will not be considered as time worked for overtime computation purposes.

B. Non-Essential Personnel

1. Regular full-time employees who are directed to report late or to leave early due to emergency conditions will not forfeit any regular compensation.

2. If Liberal Leave, under Section IX of this policy, was not directed by the City Manager, employees who did not report to work by taking unscheduled leave (who otherwise were expected to be at work) on a day the City closed early under this policy, will be charged a full day of paid personal leave or compensatory time, if available, or will be charged with leave without pay (LWOP) if no accrued leave or compensatory time is available. Employees not reporting for work when required may be subject to disciplinary action in accordance with policy.

3. Employees who were previously scheduled off on paid leave or who requested leave due to illness or injury for the full or partial day will be charged leave for that time off. Employees who are out on leave without pay (LWOP) will not be compensated.

4. Temporary and regular part-time employees are compensated only for hours worked.

5. No additional compensation will be paid to non-essential employees who, through failure to receive notification of partial or complete closing, report to, or remain at work.

C. Essential Personnel

1. Essential employees in non-exempt (overtime eligible) positions who work during emergency conditions will be paid for all time worked in accordance with standard compensation policies.

2. Essential employees in overtime exempt positions who work during emergency conditions may receive discretionary time off with approval from their department director, or designee. Refer to Section 610, Pay Computation and Overtime, section, IV. C.
3. Employees in essential positions who fail to report as directed will be required to use paid personal leave or compensatory time, if available, or may forfeit pay and may be subject to disciplinary action unless the absence is specifically approved by the department head.

4. If a regular full-time essential employee is asked not to report to work during emergency conditions and additional hours are not established for the employee to achieve 40 hours for the work week, then the employee’s weekly hours will be made whole so there is no loss of compensation.

VII. **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.

VIII. **SPECIAL TEAMS**

The City of Newport News utilizes emergency response teams for the purpose of ensuring continuity of operations and are considered essential personnel. The City Manager is authorized to establish special emergency response teams for a specifically designed scope of work.

*Administrative Support Team (AST)* – provides administrative support to the Incident Management Team (IMT). An AST member may be required to attend training and exercises in order to understand their specific role in an emergency situation.

*Community Emergency Response Team (CERT)* – provides logistical and operational support in the event of an emergency that requires activation of Emergency Shelters and/or Point of Distribution sites and in other circumstances as determined by the City Manager. CERT members must complete a 24-hour training program. City employees may participate in this volunteer activity; however, it is not expected or directed. This activity is not considered work time when the assigned work is distinctly separate from the employee’s regular City position responsibilities and hours volunteered are outside of their normal schedule.

*Incident Management Team (IMT)* – refers to the Incident Commander and appropriate command and general staff assigned to an incident.

IX. **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, if 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. During liberal leave situations, if an employee is determined to be essential and, therefore, is required to work, no additional compensation is provided other than compensation in accordance with standard compensation policies.

Supersedes/Amends: 611, 03/01/2017

Approved:

[Signature]
City Manager