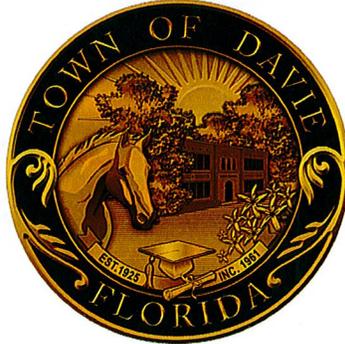


**TOWN OF DAVIE
HUMAN RESOURCES DEPARTMENT**



**LEAVE FOR DISASTERS AND OTHER EMERGENCY CONDITIONS
SOP #22-005**

September 19, 2012

SUMMARY OF REVISED, DELETED, OR ADDED MATERIAL

This operating procedure shall replace the Personnel Rules and Regulations and Policies enacted prior to the effective date of this Operating Procedure.

Revision	Date	Responsible Department	Description of Change
1	September 19, 2012	Human Resources	Initial Release

APPROVALS:

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Author

9/24/12

Date

Becky Buech

Town Administrator

9-24-12

Date

1-1. PURPOSE.

This operating procedure establishes guidelines for approval of administrative leave for all employees during disasters or emergency conditions, and for approval of extraordinary pay for employees whose positions are not covered by any collective bargaining unit.

1-2. SCOPE.

This operating procedure applies to all employees of the Town of Davie (Town) in the Regular Service (regardless of probationary or other status), as well as all Executive, Part-Time, Seasonal employees, and volunteers.

1-3. REFERENCES.

- a. Chapter 252, Florida Statutes (F.S.).

1-4. DEFINITIONS.

- a. **Administrative Leave.** Administrative leave is an authorized leave of absence with pay used to cover an employee's absence from work that is not charged against an employee's earned leave. Administrative leave is only used in an amount necessary to bring an employee up to the regularly scheduled hours in the relevant work period and cannot result in overtime payment.
 - b. **Declared Emergency.** A condition that the Town Administrator or his or her designee has, by Resolution of the Town Council, declared to be an emergency.
 - c. **Delegated Authority.** Town Administrator, Fire Chief or Fire Chief's Designee or as otherwise delegated by the Mayor.
 - d. **Disaster or Other Emergency.** A potential catastrophe caused by weather or other closing of facilities. Such an emergency includes, but is not limited to, the failure of man-made devices, the presence of hazardous materials, fires, bomb threats, riots or other situations that endanger the health or safety of the employees or clients of occupying a facility.
 - e. **Extraordinary Pay:** within the context of this operating procedure, extraordinary pay may be earned when a non-represented employee, filling a position below that of Department Director, is required to work and remain on duty to provide essential services during an emergency or disaster. Extraordinary Pay shall be calculated at time and one-half per hour worked under these circumstances.
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1-5. POLICY.

- a. Declared Emergency by Order of the Town Council.
 1. Based on the requirements of the Resolution, the delegated authority shall determine which affected facilities, or portions thereof, are located in the area covered by the Resolution.
 2. When facilities are closed, employees deemed necessary to provide essential services by the delegated authority are assigned to work and remain at the work location. All employees of the Town of Davie are designated pursuant to position description as essential employees and may be directed to report to work. Failure to report to work unless under a pre-approved Federal Family Medical Leave act authorized absence may be grounds for discipline up to and including dismissal.
 3. All employees will be required to contact their immediate supervisor and in their absence, their Department Director and will be responsible to call the Town of Davie hotline in order to find out when and where they will be working. Directives to work or come to work shall be through these sources and no employee shall receive reporting instructions from any media source. Employees will be expected to contact the sources identified on a daily basis till their eventual return to work and expiration of the declared emergency or other disaster.
 4. For any closure beyond seven consecutive workdays, approval from Town Council must be requested, in writing, through the Town Administrator. Requests should include a proposed course of action including the closing or the possibility of closing the facility, the assignment of affected employees to other work areas, or the release of all or part of the workforce.
 5. Post Disaster Recovery Activities may require certain employees to perform specific Declared Emergency cost recovery activities or disaster reporting functions, those employees may be entitled to Extraordinary Pay for those hours worked over and above regularly scheduled work hours. Eligibility will be determined by the Budget & Finance Director in concurrence with the Human Resources Director and Fire Chief. The time period for payment for such activities will have a prescribed start and end date as documented by the Budget and Finance Director in consultation with the emergency manager.
 6. In the event an employee is assigned to work or is told to report at a certain time and then is later ordered not to report by the Town of Davie, the employee shall not be docked those hours if that cancellation results in the employee working less than their regularly scheduled number of hours during the work week. Employees who fail to report to work as directed or who do not accept their work assignment during the emergency may be charged leave hours, placed on leave without pay and/or may be
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- subject to disciplinary action up to and including dismissal in accordance with the Personnel Policies governing Discipline.
- b.** Disaster or other Emergency without an Official Declaration of Emergency by Order of the Town Council.
- 1.** In any disaster or other emergency which is not a declared emergency, the delegated authority determines whether the facilities, or any portion thereof, are affected by the disaster or other emergency and are to be closed for up to seven consecutive workdays.
 - 2.** When facilities are closed, employees deemed necessary to provide essential services by the delegated authority are assigned to work and remain at the work location. All employees of the Town of Davie are designated pursuant to position description as essential employees and may be directed to report to work. Failure to report to work unless under a pre-approved Federal Family Medical Leave act authorized absence may be grounds for discipline up to and including dismissal.
 - 3.** All employees will be required to contact their immediate supervisor and in their absence, their Department Director and will be responsible to call the Town of Davie hotline in order to find out when and where they will be working. Directives to work or come to work shall be through these sources and no employee shall receive reporting instructions from any media source. Employees will be expected to contact the sources identified on a daily basis till their eventual return to work and expiration of the declared emergency or other disaster.
 - 4.** In the event an employee is assigned to work or is told to report at a certain time and then is later ordered not to report by the Town of Davie, the employee shall not be docked those hours if that cancellation results in the employee working less than their regularly scheduled number of hours during the work week. Employees who fail to report to work as directed or who do not accept their work assignment during the emergency may be charged leave hours, placed on leave without pay and/or may be subject to disciplinary action up to and including dismissal in accordance with the Personnel Policies governing Discipline.
- c.** Employees on Approved Leave. Employees who are under a prior approved leave of absence or scheduled holiday during an emergency or disaster will not have the leave of absence changed to administrative leave, unless otherwise addressed by Town Council or under any collective bargaining agreement.
- d.** Contract, Non-Classified, and Temporary Employees. Contract, Non-Classified, and Temporary Employees are not eligible for administrative leave or extraordinary pay during a Declared Emergency or Other Emergency Without an Official Declaration of Emergency by order of the Town Council.
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1-6. PROCEDURE.

- a. Employees assigned to facilities the Town of Davie has closed shall be released from duty and granted administrative leave for the period their facility is closed, except for those employees the Town of Davie determines are necessary for providing essential services and are ordered to work at the direction of the Fire Chief or Fire Chief Designee to work.
 - b. Essential Services Employees.
 - 1. Those full-time employees and part-time employees whom the Town of Davie requires to report for duty to provide essential services shall be granted extraordinary pay pursuant to collective bargaining agreement or at time and one half hours per hour worked during the period the facility is closed only if they hold a position below that of Department Director. For purposes of administering this section, the Human Resources Director shall maintain a listing of Department Director positions or above. Some employees may be entitled to double time under specified provisions of collective bargaining agreements (Employees cannot receive administrative leave and extraordinary pay for the same day).
 - 2. Essential employees directed to report to work and who perform work must record hours worked during a Declared Emergency and/or Other Emergency in a manner prescribed and directed by the Budget and Finance Director.
 - c. In the event that employees are unable to travel to their office or facility due to the affects of an emergency or disaster, and their work-site or portion thereof, remains open, such employees shall not be granted administrative leave, unless otherwise addressed by Resolution or the Town Administrator. Such employees may request to use their available leaves to cover their absence from work, with the exception of sick leave, unless they meet the criteria for sick leave usage. Nothing in this provision shall be construed as affecting any rights under any collective bargaining agreement.
 - d. In anticipation of a forecasted emergency or disaster, affected employees may be approved to use their own leave prior to the anticipated disaster or emergency in order to secure their families and/or personal properties. Such employees shall not be granted administrative leave for such absence from their work location, unless otherwise addressed by Resolution or other delegated authority. The employee may be scheduled additional hours of work to assure the employee works the normally scheduled hours for the work or pay period.
 - e. Nothing in this operating procedure will be construed to conflict with the Fair Labor Standards Act (FLSA); all non-exempt employees who work beyond 40 hours in any work week will be entitled to overtime in accordance with the Act's provisions. Collective Bargaining Agreements may supplement the FLSA.
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