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INCLEMENT WEATHER POLICY

Comments: This policy supersedes and rescinds all policies in conflict herewith.

I. PURPOSE

To establish guidelines for **reporting to work, payment, and operation** during declared emergencies (disasters), severe weather, and during the period of disaster recovery.

II. POLICY

It is the policy of the City of Kings Mountain to provide essential health and safety services during a severe weather event, disaster or emergency in a way that best promotes the welfare of the citizens of Kings Mountain and demonstrates a commitment to the safety of all City employees. During such an event certain City policies and procedures may be modified or suspended if the modification or suspension is appropriately authorized and is necessary to provide essential health and safety services.

During such events, City services which are not immediately needed, will be curtailed, delayed, or suspended if, in the judgment of the City Manager, the provision of that service unnecessarily exposes the public or employees of the City to undue risk.

DEFINITIONS

EXEMPT- Employees who are not subject to overtime pay

NON-EXEMPT Employees who are subject to Fair Labor Standards Act (FLSA) regulations.

These employees must be compensated at the rate of time and one half their regular base pay rate for any time worked over the 40 hours in one workweek. Sworn police and firefighters who are in non-exempt positions are subject to overtime payment based on work beyond designated hours in the 28-day work cycle.

SCHEDULED TO WORK- Employees who are expected to be at work (pre-emergency) to perform their normal duties. These employees receive regular pay for the regular work day. If they are non-exempt, they receive overtime pay based on FLSA guidelines.

NOT-SCHEDULED TO WORK- Employees who were not expected to be at work prior to the start of the emergency (may be on a normal day off or on a scheduled leave day).

Any employee deemed critical to the emergency operation may be called in to respond to the situation.

OPTIONAL WORK DAY – Closed to the public due to hazardous situation but employee is given the option of reporting to work or taking available annual leave or leave without pay.

SEVERE WEATHER - Heavy snow and or ice, tornado, hurricanes, heavy rain or related weather event.

EMERGENCY/DISASTER - Sudden unexpected event that creates much damage and/or suffering (severe weather is one example); the City Manager may declare a state of emergency for City government operations or State and Federal officials may declare emergency for the geographic area.

DISASTER RELATED WORK- Tasks directly related to the event or recovery from the emergency. Some employees, due to the nature of their work, i.e. sworn law enforcement personnel, communications (information and public relations) related personnel, general service workers, etc., may perform their normal tasks but on a more intense basis. This should be considered disaster related work.

GROUP 1 EMPLOYEES by the nature of the job are required to report to work. This is a part of their responsibility as public servants in the particular jobs that they have chosen. These employees are scheduled to report to work in spite of or because of the event. These are the employees necessary to aid during and immediately following a declared emergency or severe weather event.

GROUP 2 EMPLOYEES are relieved from duty whenever a limited service schedule is put into effect by the City Manager.

LIMITED SERVICE SCHEDULE- City Hall and other buildings are closed and certain services are not available as determined by the City Manager.

DELAYED SERVICE SCHEDULE - City Hall and other buildings open at a time that is later than the regularly scheduled business day or may close at an earlier time than the regularly scheduled business day as determined by the City Manager.

III. PROCEDURES

A. The City Manager will determine when/if a limited service schedule is to be in effect and when/if a delayed service schedule should be in effect. However, the City Manager may choose to designate an optional work day (see definition). Should an emergency occur after normal business hours, information will be made available on local radio and TV stations concerning reporting to work. In peculiar situations (i.e. power outage - no radio or TV access) or as instructed prior to the event, the City Manager may inform the Police Chief of the work status and have Department Heads contact the Police

Department's Dispatcher or contact certain departments heads who will then contact the remaining department heads. Likewise, Department Heads will assume responsibility for contacting and informing their employees.

If an emergency occurs during normal business hours, the City Manager's Office will notify Department Heads. Department Heads must notify their respective employees.

B. Department Heads are responsible for ensuring that information is appropriately communicated to employees within his/her department and for determining (in advance whenever possible) which employees are required for work as defined in this policy. Department Heads must ensure that upon hire, employees are notified concerning this policy and the Group to which they are assigned. After implementation of this policy, Department Heads will be informed as to which group each employee or classification of employees will be assigned based on the required duties and the nature of the emergencies generally encountered.

Exempt and non-exempt employees should record their time on a disaster time record, as well as their regular time sheet. Department Heads are also responsible for insuring that appropriate records are maintained and that applicable FEMA records are completed in a timely manner.

Group 1

Group 1 employees are compensated based on their exempt or non-exempt status. Employees are to be notified of their status with the understanding that Group 1 or Group 2 designations can be changed temporarily, based upon the prevailing needs of the organization and the nature of the emergency. This designation will be made by the Department Head upon approval by the City Manager.

Group 1 employees are given either hour for hour compensatory leave time for hours worked in addition to the applicable base or overtime pay (subject to FLSA guidelines) when a limited service schedule is affected by the City Manager. Department Heads and City Manager positions are not eligible to receive this additional time.

Transportation will be provided when it is practical for Group 1 employees.

No additional compensatory time is given during a delayed service schedule.

A Department Head may authorize employees to provide transportation in appropriate City equipment.

With the approval of the City Manager's Office, Department Heads can authorize Group 1 employees to take City vehicles home for use during the emergency situation

Lodging and meals may also be provided for Group 1 employees when necessary to keep an essential function of City government operating during an emergency. The City

Manager (or designee) may authorize a Department Head to provide lodging and meals for any workers required to remain at the work site or in close proximity to the work site during an emergency. Supervisors should consult the Human Resources Department to receive appropriate FLSA information regarding pay for Group 1 employees who are lodged.

Failure to report to work is an offense that will result in disciplinary action for Group 1 employees.

Group 2

Group 2 employees receive regular pay for hours they were scheduled to work which should be recorded as other paid leave on the regular time sheet. The number of other paid leave hours recorded should only be enough to ensure that the employee receives a full paycheck. The employees who are relieved from duty must be available to be called in if needed. Temporary employees are not eligible for other paid leave.

For Group 2 employees, if call in procedures are followed, paid compensatory or annual leave or (if no paid leave is available) leave without pay may be used for delayed service schedule days when the employee does not report to work.

The Department Head is responsible for consistent application of discipline and appropriate use of leave for his/her department.

Leave Status

Employees who are already (pre-emergency) in an approved leave status that encompasses the period of a declared state of emergency, will remain on and be charged with appropriate leave if they are not called in to respond during the emergency or if they are unable to respond during the emergency.

No additional leave is given to Group 2 employees who report prior to the scheduled opening or who report on limited service schedule days. No additional leave is given to an employee who comes to work when not required to do so.

Employees on a limited service schedule of an hour or more shall be expected to forfeit lunch breaks; however, they may be allowed, as designated by the department head to take a fifteen minute break or eat at their station while working if permissible.

No leave is charged to employees who report within one hour following the designated opening for a delayed service day or who report to work within one hour following their regularly scheduled reporting time during an emergency.

Any employee may be required to work during a particular emergency and must report to work as required. If a certain number of Group 1 employees are not needed during an emergency, they may be temporarily designated Group 2.

Department Heads are encouraged to recognize employees who made additional effort, worked additional hours and to celebrate excellent service given.

Part time employees are paid for hours worked only and are not generally required to report to work during emergencies. Deviations from this are based on advance notice to the employee by the Department Head.

ALL EMPLOYEES ARE SUBJECT TO BEING RECLASSIFIED INTO GROUP 1 BY THE CITY MANAGER AS THE SITUATION DICTATES

GROUP 1

Fire Department (scheduled employees) OR as designated by Fire Chief

Police Department (scheduled employees) OR as designated by Police Chief

Gas Department employees as designated by Dept. Head

Electric Department employees as designated by Dept. Head

Water Department employees as designated by Dept. Head

Risk Manager

Codes/Inspections employees as designated by Dept. Head

Cemetery Workers may be required to assist Public Works

Public Works – includes Garage, Sanitation, and Street employees as designated by Dept. Head

GROUP 2

All other Departments