

HUMAN RESOURCES POLICY		No. HR-036
OFFICE OF PRIMARY RESPONSIBILITY	EFFECTIVE DATE: 10/28/04	Page 1 of 3
Human Resources	Rev. # Revised:	

SUBJECT: Emergency Compensation and Work Assignment Policy

REPLACES: N/A

PURPOSE: All employees are considered important members of LYNX' emergency preparation and response efforts in the event of any natural, technological, or human-caused emergency or disaster. The following policy addresses pertinent issues regarding the responsibilities of employees during emergency preparation and response efforts and compensation expectations during an emergency or disaster.

SCOPE:

This policy shall apply to **all employees** of the Authority.

AUTHORITY:

Part II, Chapter 343, Florida Statutes
Administrative Rule 3

POLICY: For purposes of this policy, an emergency or disaster is defined as any natural, technological, or human-caused emergency or disaster where a State of Emergency has officially been declared by the Governor of the State of Florida, the LYNX Board of Directors, the LYNX Executive Director, or any other public official with the authority to declare a State of Emergency.

1. Because LYNX provides the community with much needed public transportation, it is important for us to resume our services as quickly and as safely as possible. "Mission Critical Team Members" must make emergency preparation plans for their family, their residence, and other property in advance of an emergency situation to the maximum extent possible. This includes but is not limited to making arrangements for necessary dependent care and residential preparedness/security.

2. Employees will be identified as either “Mission Critical Team Members” or “Support Personnel” of the emergency preparation and response team by their department director. Each employee shall understand their role prior to an emergency and act accordingly.
 - a. When there is advance notice of a situation that will require emergency preparation and response (including but not limited to hurricane and tropical storm watches and warnings), and any other time when it is possible to do so, “Mission Critical Team Members” are required to prepare their homes and family for the impending emergency at least 48 hours in advance.
 - b. “Support Personnel” are all other employees who are not designated as “Mission Critical Team Members.” Support personnel who are released from duty during the emergency shall be expected to return to their normal work schedule as soon as possible or when otherwise notified after the emergency has occurred. Because of the many needs of the community during a disaster situation, support personnel will be called upon to perform a variety of functions, many of which may have no relationship to the position they hold.
3. Employees will be paid for work related to emergency preparation and response according to the following guidelines:
 - a. Employees who are designated by their department director and who are assigned to work during emergencies will be compensated for all additional hours worked, as provided for in this policy or applicable collective bargaining agreements. In the event of a conflict between this policy and a collective bargaining agreement, the provisions of the collective bargaining agreement will control as to any compensation issues in an emergency situation.
 - b. It is the department’s responsibility to verify any emergency hours worked and approve all payment.
 - c. When LYNX operations are closed down before the start of a scheduled workday, employees normally scheduled to work who are instructed not to report to work will receive full pay for the workday.
 - d. When LYNX operations are closed down during a scheduled workday in anticipation of an emergency situation, all employees who report to work and are subsequently released by the Executive Director will be paid for their normal work schedule. If a non-exempt employee requests and is authorized to leave work earlier than the official closing of a LYNX facility or requests and is authorized to not report to work that day, they will be charged with accrued vacation time, or in the event they have no accrued time available, leave without pay. Exempt employees will be charged with accrued vacation time for time taken off. If an exempt employee has no accrued vacation time remaining, he or she will be paid (or not paid) for time taken off in accordance with applicable law.

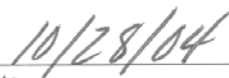
- e. Employees already on official leave will not receive any additional paid time off and will be paid according to their original leave request.
 - f. Exempt employees and non-exempt employees, whether considered "Mission Critical" or "Support" employees, required to work hours in addition to their normal work schedule before, during, or after an emergency will be paid as follows and as authorized by the Executive Director: exempt employees will be paid for time worked at an hourly rate equal to their annual salary divided by 2080 hours, and non-exempt employees will be paid overtime. **All worked hours must be documented and must be directly related to emergency preparedness (before) or emergency response and recovery (during and after).** If hours are not documented, the employee will not receive emergency compensation pay. The window of time available for emergency compensation pay to exempt employees will be determined by the Executive Director based on a review of each emergency event and is not intended to jeopardize their exempt status during normal conditions.
4. If an employee is directed to report to work during an emergency, or in an emergency preparation and/or response situation, and the employee refused to do so (without just cause based on extraordinary circumstances) they will not be paid and may be subject to disciplinary action up to and including termination.
- a. An employee who believes that there are extraordinary circumstances that give rise to just cause for the employee to not report to work during an emergency, or in an emergency preparation and/or response situation, shall notify his or her department director or his or her designee about his or her situation as soon as possible after the employee becomes aware of the circumstances.

Nothing in this policy changes the employment-at-will relationship or creates an express or implied contract or promise concerning the Authority's rules, policies, and/or procedures, including those rules, policies, and/or procedures the Authority will implement in the future. The Authority retains the right to establish, change, and abolish its rules, policies, and/or procedures at will and as it sees fit.

BOARD APPROVED: 10/28/04




 Executive Director's Signature



 Date



 Department Director's Signature



 Date