**Human Resource Records**

Version 1.2 released on 12/19/19

To be utilized for Position Classifications, Job Descriptions, Progressions, and Personnel Policies Revisions. Use other more specified RFAs for other record types including Contracts, CBAs, MOUs, Work’s Compensation Orders and Miscellaneous

<table>
<thead>
<tr>
<th>CITY COUNCIL USE ONLY</th>
<th>TRACKING #</th>
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<tbody>
<tr>
<td>Date Received:</td>
<td>-------------</td>
</tr>
<tr>
<td>Committee Date:</td>
<td>-------------</td>
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<tr>
<td>1st Agenda Date:</td>
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<tr>
<td>Hearing Date:</td>
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<tr>
<td>2nd Agenda Date:</td>
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<table>
<thead>
<tr>
<th>CITY CLERK USE ONLY</th>
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<tbody>
<tr>
<td>Date: 03-16-2020</td>
</tr>
<tr>
<td>Item #: 2003.00497</td>
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</table>

All department items requiring Council approval must be submitted through the Mayor's Office.

### Primary Details

<table>
<thead>
<tr>
<th>Board Approval</th>
<th>Other Board Name</th>
<th>City Council Approval</th>
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<tbody>
<tr>
<td>Department</td>
<td>Contact Name</td>
<td></td>
</tr>
<tr>
<td>Human Resources</td>
<td>Erica Felix-Warwick</td>
<td>No</td>
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<table>
<thead>
<tr>
<th>HR Record Type</th>
<th>Policy Section</th>
<th>Policy Title</th>
<th>Description (Subject)</th>
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<tbody>
<tr>
<td>Revision of Personnel Policies</td>
<td>811</td>
<td>811 Hazardous Conditions</td>
<td>Revisions and emergency exceptions to Hazardous Conditions policy</td>
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### Budget

Funding Source(s)

**TOTAL:**

Enter the funding source(s) using the appropriate Munis funding format: Org (Allocation Code)-Object-Amount (1001211-531401-$10.00) or Project Sting-Amount (144104.AbstrTitle5413102.6001-4043122-541102-$30,000.01)

### Approvals

<table>
<thead>
<tr>
<th>Department:</th>
<th>Legal:</th>
<th>Board:</th>
<th>Mayor:</th>
<th>Other:</th>
<th>Date: 3/16/2020</th>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
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<td>MAR 16 2020</td>
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</table>
Policy Statement

Background Information
Emergency revision to policy 811, specifically expanding the use of Hazardous Conditions Pay to any employee (sworn or non-sworn) who misses work due to exposure or quarantine that impacts their ability to perform their basic job responsibilities. By approval the Mayor waives the 40 hour maximum for use of hazardous conditions pay effective immediately and until completion of the current Covid-19 emergency declaration. This revision does not preclude employees from being required to work remotely if they have access to do so. All employees absent from work related to Covid-19 Pandemic are to notify Dr. Berry and will have leave coded as Hazardous Conditions Pay per the attached policy. Required/emergency personnel that are not under quarantine or required to care for sick family members are still expected to report for work.

Provide background information on the requested action.

Summation of the Requested Action
Request emergency revisions to PPPM 811 to include the exceptions outlined above.

Summarize the pertinent details of the requested action

Other Pertinent Details

Provide any additional information that should be considered when considering approval of this contract document.

Processing Information for City Clerk's Office

Post Execution Processing
☐ Mail vendor copy (add'tl signature copies attached)
☐ Must be filed with other governmental entity
☐ Add'tl governmental entity approval(s) required

Additional Routing and Processing Details
Because of the critical nature of the public services the City provides, circumstances rarely warrant closing of City offices. However, each employee needs to make a personal judgment pertaining to his/her personal safety in traveling to and from work, understanding that any absences puts a greater burden on those employees that come to work despite difficult conditions. This policy will apply whenever there is a hazardous condition to insure the public continues to receive necessary services and to provide for the safety and well-being of City employees. This policy is applicable only to non-sworn employees.

Definitions

Hazardous Condition - is a situation or condition the Mayor finds constitutes an immediate potential threat to the life, health, safety, and/or welfare of the City’s employees or to the life, health, safety, and/or welfare of the inhabitants of the City. Each Hazardous Condition is a separate and unique condition.

A pandemic or other widespread infectious disease with an impact on society is included in the definition of Hazardous Condition.

Isolation – means to separate sick people with a contagious disease from people who are not sick

Quarantine – is a restriction of movement on persons who may have been exposed to an infectious disease but who do not have a confirmed medical diagnosis.

Adverse Driving Condition - is a circumstance in which the Mayor finds the condition of the roadways constitutes an immediate potential threat to the life, health, safety, and/or welfare of the City's employees or to the life, health, safety, and/or welfare of the inhabitants of the City. Each Adverse Driving Condition is a separate and unique condition.

Essential Required Hazardous Condition Personnel - are those non-sworn employees deemed by their department heads to be necessary to the work of the City during the time a Hazardous Condition or an Adverse Driving Condition has been declared. Nothing contained herein shall limit the authority of the Mayor or a department head to require personnel to report to any City or non-City work site including telecommuting (see PPPM 816) or to require any employee to undertake additional duties in response to the declared condition. Assignment as Essential Required Hazardous Condition Personnel shall be considered a condition of employment.

Non-Essential Required Hazardous Condition Personnel - are those non-sworn employees not required by their department heads to report to work during the time a Hazardous Condition has been declared.
.15 Regular Working Hours - are the periods of time during which an employee is regularly scheduled for work.

.16 Emergency Leave Policy - allows Non-Required Hazardous Condition Personnel, with the permission of their supervisors, to make unscheduled use of their accrued vacation leave, compensatory time or Floating Holidays or to use leave without pay (LWOP) immediately before or after the time that a Hazardous Condition is declared or during the time an Adverse Driving Condition is declared.

.161 Floating Holidays used under the Emergency Leave Policy must be expended in whole day increments.

.17 Hazardous Condition Leave - provides non-sworn employees paid leave during the time in which a Hazardous Condition has been declared by the Mayor, up to a maximum of forty (40) hours, without having to use accrued leave for a period of time as declared by the Mayor.

.171 Eligibility for Hazardous Condition Leave may include any employee whose ability to perform their basic job responsibilities is impacted by, but not limited to, the following:

.1711 Exposure to an infectious disease during a pandemic.

.1712 Quarantine.

.1713 Isolation

.1714 Care for self or household members which is related to the Hazardous Condition.

.1715 Closure of or imposition of staff reduction at a City facility.

.2 Authority and Procedure

.21 The Mayor or designee may declare, verbally or in writing, the existence of a Hazardous Condition or an Adverse Driving Condition and take the actions deemed prudent and necessary under such condition. The Mayor's actions may include instituting an Emergency Leave Policy for Non-Required Hazardous Condition Personnel; altering or reducing Regular Working Hours for Non-Required Hazardous Condition Personnel; requiring or allowing employees to work remotely; causing or allowing departments, divisions, and/or specific work locations to be closed or to operate with reduced personnel when such personnel are not required to respond to the Hazardous Condition; ordering employees to report to duty outside of Regular Working Hours; and providing such other extraordinary responses as the Mayor or designee deems essential.

.22 Required Hazardous Condition Personnel
.221 Non-Exempt employees who have been designated as Essential Required Hazardous Condition personnel will be paid at their regular rate for all hours worked during the period of time the Hazardous Condition is in effect.

.222 Exempt employees who have been designated as Essential Required Hazardous Condition personnel and who are required to work during such periods as a condition of employment will receive their regular rate of pay only.

.23 Provision for Leave Time

.231 Collective Bargaining Agreements to Apply. FLSA non-exempt employees required to work beyond their regular work schedule during a declaration of a Hazardous Condition or an Adverse Driving Condition shall receive such compensation for hours actually worked as is provided in their respective collective bargaining agreements, where applicable, or in the Personnel Policies and Procedures Manual.

.232 Hazardous Condition - Paid Leave for Non-Essential Required Personnel. When a Hazardous Condition is declared, and the Mayor authorizes reduced working hours for Non-Essential Required Hazardous Condition Personnel, such personnel will be granted Hazardous Condition Leave for the time authorized by the Mayor.

.233 Provisions for Leave Usage

.2331 A Non-Essential Required Hazardous Condition Personnel who reports late for duty after a Hazardous Condition has ended or leaves duty before the Hazardous Condition is declared by the Mayor will be charged Vacation Leave or compensatory time for those hours not authorized by the Mayor. Floating Holidays may also be used but only in whole day increments. If an employee has no accrued paid leave or the absence is not approved in advance, such employee will be charged leave without pay and may be subject to disciplinary action.

.2332 Leave approved prior to the declaration of a Hazardous Condition shall be counted against leave balances on the day or days a Hazardous Condition is declared in the amounts originally approved, unless the Non-Essential Required Hazardous Condition Personnel is required to report to work that day.

.2333 A Non-Essential Required Hazardous Condition Personnel who is denied use of leave under the Emergency Leave Policy during a Hazardous Condition or an Adverse Driving
Condition required to work and does not report for some or all duty on such day, will be charged LWOP for the entire period missed and may be subject to disciplinary action.

.2334 Employees serving disciplinary suspension during a Hazardous Condition are not eligible to receive Hazardous Condition Leave.

.2335 Temporary Employees are not eligible for paid leave under this policy. Temporary employees, with the permission of supervisors, may be allowed to flex their hours to make up missed time once the Hazardous Condition is ended. Such flex time may only be used within regular work hours and on regular work days and must be worked within the same work week the time was missed.

.23351 The Mayor may waive at their discretion.

.2336 The number of hours the City is officially closed during the employees scheduled workday or workweek will be recorded on-time sheets and leave records as Hazardous Condition Leave and will be recorded in the Time and Attendance System as such. Hazardous Condition Leave will not be counted as time worked when computing overtime.

.234 Failure to Report for Duty. Essential Hazardous Condition Personnel who fail to report to work may be charged LWOP for the hours they did not report for duty and will be subject to disciplinary action.

.3 Employee Responsibility

Any employee who knows or believes a Hazardous Condition has been declared and is not sure when or if he or she is required to report to work, is responsible for contacting his or her supervisor or another person within the departmental chain of command for instructions on reporting to work.

.31 The City may designate a reporting procedure for employees when a Hazardous Condition is declared. All employees are required to follow such a procedure and failure to do so may subject them to disciplinary action.

.34.32 Any Non-Essential Hazardous Condition Personnel whose department or division is closed should not report to work who reports to duty after a Hazardous Condition has been declared which results in their department or division being closed should not report to work, and doing so may subject them to disciplinary action.
.32 Non-exempt employees may not work at home or at any non-City site without the express permission of their Department Head and the Personnel Director. Violations may result in disciplinary action for the employee and/or their supervisor.

.33 Any City employee may be required to work from home or at a non-City site even if a Hazardous Condition has been declared.

.34 Non-exempt employees should not work from home or at any non-City site without approval through a process designated by the City. Violations may result in disciplinary action for the employee and/or their supervisor.