



20 N. Swinton Avenue
Delray Beach, FL 33444

Agenda Item # 100
September 28, 2017

~ CRA BOARD SUMMARY ~
**CRA HUMAN RESOURCES POLICIES & PROCEDURES MANUAL
EMERGENCY CONDITIONS PAY POLICY**

The Delray Beach CRA Human Resources Policies & Procedures Manual (HR Manual) was last modified on September 23, 2014. Currently, the CRA does not have an Emergency Conditions Pay policy and procedure included in the HR Manual. During Hurricane Matthew in 2016, the CRA followed the City of Delray Beach Emergency Conditions Pay policy and procedure. The policy determined how employees are paid in the event of a designated City emergency and municipal facilities are closed.

After discussing the procedures that were followed during Hurricane Irma with the CRA General Counsel, CRA staff requested CRA General Counsel draft the attached Emergency Conditions Pay Policy. Unlike the City, the CRA does not have essential or key staff that is required to work during an emergency. Therefore, it is recommended that the CRA adopt its own Emergency Conditions Pay Policy. The proposed policy would compensate CRA full time exempt and non-exempt employees for their regular scheduled hours during the declared emergency. Designated CRA personnel that are required to assess the condition of CRA properties during the declared emergency (i.e. CRA Project Manager and CRA Property/Project Manager) would be paid time and one-half of the regular rate of pay for hours worked when the office is closed during a declared emergency. The proposed policy will be codified as Section 40 of the CRA's HR Manual.

Recommended Action:

Approve the Amendment to the Delray Beach CRA Human Resources Policies and Procedures Manual to include Section 40 – Emergency Conditions Pay Policy.

Submitted By: Lori Hayward, Finance and Operations Director

Attachment: CRA Proposed Emergency Conditions Pay Policy

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DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY

EMERGENCY CONDITIONS PAY POLICY

Section 40 – Emergency Conditions Pay Policy

1. Purpose.

To establish levels of compensation for full-time exempt and non-exempt employees who are released from work or who are called back to perform Community Redevelopment Agency (“CRA”) work during the threat or occurrence of a hurricane, severe storm, civil disaster, or other emergency conditions affecting the City of Delray Beach (“City”).

2. Local State of Emergency.

A local emergency shall be deemed to have commenced when the City’s authorized representative declares a state of local emergency. Immediately following such declaration, the CRA Executive Director (or Acting CRA Executive Director) will inform each CRA employee in as timely a manner as possible by written or electronic communication that a state of civil emergency is in effect. The state of local civil emergency shall continue in effect until rescinded in writing by the City.

3. Authority and duration of Emergency Pay Policy coverage.

The provisions of this Emergency Pay Policy shall become effective immediately following the declaration of a state of civil emergency by the City, and are considered from that point to take precedence over all other Personnel Rules and Regulations and policies of the CRA in the matters of pay, compensation and leave as hereinafter set forth. The provisions of this Emergency Pay Policy shall apply for the entire time period during which the declared state of civil emergency exists, as determined by the City.

4. Employee responsibilities.

Full-Time Exempt and Non-Exempt Employees may be released from their normal work duties and schedules as circumstances dictate, subject to the following conditions:

1. the employee is to remain in periodic contact with their supervisor or other designated representatives in accordance with CRA procedures;
2. the employee is to be available to respond to assignments as directed; and
3. the employee is to be prepared to work any overtime hours that may be required in advance of or following an emergency event.

5. Duty to Work

An employee who is directed to report to work during a declared civil emergency, and fails to do so, is subject to being disciplined, up to and including termination. In addition to any disciplinary action, the employee shall forfeit any compensation payable under these policies, except compensation for hours actually worked.

6. Employee compensation.

Any Full-Time Exempt or Non-Exempt employee shall be paid their regular rate of pay during a declared emergency. In the event a Full Time Exempt or Non-Exempt Employee is required to report to work during the emergency, the employee will be compensated at a premium rate of one and one-half times their regular base rate of pay for all hours actually worked, including hours which would otherwise qualify for overtime pay (time and one-half).

7. Standby and Call back pay

No employee is entitled to nor shall receive standby pay or call back pay during a period of local emergency.

8. Record Keeping.

All employees are responsible for keeping accurate time logs/records for hours worked during a declared state of emergency. The submission of a request for compensation for time worked when the employee did not actually work during a period of local emergency is grounds for termination of employment.

9. Handling of leave requests during a declared emergency.

- A. Leave requests approved prior to a declared emergency will be honored if, in the opinion of the CRA's Executive Director, the employee's absence will not adversely affect the CRA's ability to effectively respond to the emergency. An employee who is on a previously approved leave that was not revoked prior to the specified civil emergency time period is not eligible for administrative leave with pay or any other form of special compensation that may be made available under the provisions of this policy.
- B. All employees are subject to having previously approved leave cancelled, and new requests for leave denied, based upon an overriding organizational need to have the employee report for duty to fulfill their job assignments during an emergency. All employees who request sick leave immediately prior to, during, or in recovery from a declared emergency may be required by the department director to submit appropriate medical documentation to verify their sick leave request.

10. Holiday Pay.

If the declared emergency time period should encompass a holiday, an employee is eligible to receive any applicable holiday pay they are due in addition to any special compensation that is

to be paid to under the conditions outlined in Sub-Section 6 above.

11. Suspension of other compensation rules

During periods of declared local emergencies, the provisions of this policy supersede all other provisions for scheduling and compensation set forth in any other CRA Policy, rule, or regulation.