

**CITY OF VENICE**  
**CIVIL EMERGENCY PAY POLICY**

A civil emergency, including, but not limited to riots, civil disorders, epidemics, power failure, hurricane conditions, or similar conditions, may develop that requires the temporary closing of all or some of the departments and facilities of the city. The purpose of this document is to describe additional pay policies should a civil emergency be declared and the closing of departments and facilities is deemed necessary.

**EMERGENCY DECLARATION**

A civil emergency is declared pursuant to Section 26-33 of the Code of Ordinances, City of Venice, Florida. As part of the emergency declaration, various city departments and facilities may suspend operations and be considered closed.

In the event that a state of civil emergency is declared, the city may suspend the non-monetary provisions of the city's collective bargaining agreements during the time of the declared civil emergency. During a declared civil emergency, there are certain city services that will be considered essential and must be maintained. As such, there will be certain employees who will be considered essential employees during a declared civil emergency as they have the skills and qualifications necessary to maintain essential city services.

**NOTIFICATION**

The city manager, or designee, will notify department heads of the emergency declaration and department heads will see that their respective division heads and employees are notified as to the extent and scope of the civil emergency declaration.

The director of administrative services, or designee, will notify in writing the Fraternal Order of Police, International Association of Firefighters, and American Federation of State, County, and Municipal Employees presidents or their designees of the dates and times that the civil emergency is declared and the date and times of the conclusion of the civil emergency declaration that suspends the non-monetary provisions of the agreements. Notifications shall be made within a reasonable time after the conclusion of a declaration.

**ESSENTIAL EMPLOYEES**

Certain essential city services are required to be maintained in any declared civil emergency. The employees involved in these essential services are excused from work only with the specific authorization of their department head or designee. A department head, or designee, may cancel or rescind the approved leave of an essential employee during a declared civil emergency.

Employees in essential services include sworn law enforcement personnel, communicators, fire personnel, neighborhood point of distribution staff, public information officer, public works and utilities employees, public works and utilities supervisors and managers, and senior managers city-wide. Other employees may be considered essential on a case-by-case basis as determined by the mayor, city council, city manager, department heads, or one of their designees.

It is the intent of the city to notify each employee prior to an emergency situation if he or she is considered an essential employee, what their obligations may be, and to establish procedures to let him or her know whether they will be required to work. As each declared civil emergency may vary in effect upon employees and operations, the city may be required to modify duties and the status of an employee at any time during a declared civil emergency.

Failure to report to work during declared civil emergencies by essential employees may be cause for disciplinary action up to and including termination.

### **VARIATIONS IN EMERGENCY SITUATIONS**

Emergencies may vary in their effect upon employees and operations on different shifts and at different locations. For example, city operations may close on one shift and not another or one location may be closed, but not another. In certain circumstances, the city may not close but may release employees on one shift early because of transportation or other problems.

When a civil emergency is declared, it may be precautionary in nature and may be declared before the actual emergency conditions exist and end after emergency conditions have passed.

Each situation is studied and a decision is made on the basis of specific conditions existing at the time at the particular location.

### **CIVIL EMERGENCY PAY**

Essential, non-exempt employees shall be paid at double their regular hourly rate for all hours worked during the declared civil emergency pay period. The civil emergency pay period will be the civil emergency declaration period.

During a declared civil emergency, essential, exempt employees may be required to work. The city strives to be fair and reasonable in payment for services provided during a declared civil emergency.

For that reason, essential, exempt employees shall be paid at double their regular hourly rate for all hours worked during the declared civil emergency pay period. An exempt employee's regular hourly pay rate shall be the regular hourly rate defined for that employee by the city in the normal course of city business. Charter officers of the city are not eligible to earn civil emergency pay. However, in the case of an extraordinary event or circumstance, city council may award additional pay or compensatory time off leave accrual to charter officers.

Compensatory time off leave accrual will not be permitted for hours worked during a declared civil emergency pay period. However, the city manager, or designee on a case-by-case basis may make exceptions to this policy. If the city manager or designee approves compensatory time off leave accrual, an employee, both non-exempt and exempt, shall receive compensatory time off at the rate of two hours for each hour worked during the declared civil emergency pay period.

Hours worked for which an employee has received civil emergency pay at double their regular hourly rate shall not count towards overtime.

## **CLOSING PAY FOR EMPLOYEES**

Non-essential, non-exempt employees regularly scheduled to work during a declared civil emergency and who are not able to work during the declared civil emergency due to the closing of a facility, or another valid reason as defined and approved by the city manager, or designee, may be eligible for closing pay. If eligible, the amount of closing pay for the non-essential, non-exempt employee will be the employee's regular hourly rate for the normally scheduled work. Closing pay hours paid, but not worked, shall not count towards overtime.

Non-essential, exempt employees regularly scheduled to report to work during a civil emergency and who are not able to work during the civil emergency due to the closing of a facility, or another valid reason as defined and approved by the city manager, or designee, shall receive their regular pay for the normally scheduled work.

Essential, non-exempt employees regularly scheduled to work during a declared civil emergency who are not directed to work during a declared civil emergency and are not able to work during the declared civil emergency due to the closing of a facility, or another valid reason as defined and approved by the city manager, or designee, may be eligible for closing pay. If eligible, the amount of closing pay for the essential, non-exempt employee will be the employee's regular hourly rate for the normally scheduled work. Closing pay hours paid, but not worked, shall not count towards overtime.

Essential, exempt employees regularly scheduled to report to work during a declared civil emergency who are not directed to work during a declared civil emergency and are not able to work during the declared civil emergency due to the closing of a facility, or another valid reason as defined and approved by the city manager, or designee, shall receive their regular pay for the normally scheduled work.

Essential, non-exempt employees directed to work during a declared civil emergency and who do not work shall only receive closing pay at the discretion and approval of the city manager, or designee. If approved, the amount of closing pay will be his or her regular hourly rate for normally scheduled work. Closing pay hours paid, but not worked, shall not count towards overtime. Failure to report to work during declared civil emergencies by employees required for essential services may be cause for disciplinary action up to and including termination.

Essential, exempt employees directed to work during a declared civil emergency and who do not work would receive their regular pay for the normally scheduled work. However, failure to report to work during declared civil emergencies by employees required for essential services may be cause for disciplinary action up to and including termination.