



POLICY: 6Hx28: 3C-01.5

Responsible Executive: Vice President,
Organizational Development & Human
Resources

Policy Contacts: Director, HR Policy &
Compliance Programs

Specific Authority: 1001.64, F.S.

Law Implemented: 1001.64, F.S.

Effective Date: 06-26-2019

Date of Last Policy Review: 06-26-2019

Emergency Management: Emergency or Disaster Work Assignments and Compensation

Policy Statement:

Valencia College may implement, determined to be appropriate, designated work assignments and emergency duty compensation for certain College employees before, during, and/or after emergency situations, disasters and/or adverse work conditions that may impact the health and safety of the College community. The College President, or designee, shall determine the need to partially or completely suspend College operations based upon the scope and nature of the event(s) to include implementing and deactivating this policy as appropriate.

The College adheres to all applicable federal and state laws, rules, and regulations governing designated states of emergency. The College President, or designee(s), shall establish procedures to implement this policy.

Policy History:

Adopted 06-26-2019

Related Policies:

College Policy 6Hx28: 3C-01 Total Rewards: Compensation & Hours of Work for Employees of the College

College Policy 6Hx28: 3D-10 Military Leave

College Policy 6Hx28:10-01 Reporting Incidents, Accidents, or Injuries

Procedures:

I. Emergency or Disaster Work Assignments

A. Essential Employee Designation

- 1 The College President or designee shall identify department operations to maintain before, during and/or immediately after an emergency or disaster where the College or portions of the College may be partially or completely closed for operations. In collaboration with senior leadership, departments are responsible for designating essential positions required to work before (Preparedness Phase), during (Response Phase) and/or immediately after (Recovery Phase) an emergency or disaster as applicable.
- 2 Before, during, and/or after an emergency or disaster, employees may perform duties relevant to their current position, may be temporarily reassigned to a different campus location, and/or temporarily reassigned to duties other than the duties associated with their current position. Designated essential employees shall be notified of their schedule and role in advance of the emergency or disaster, as soon as possible in the event of an immediate emergency or disaster, or as necessary based upon operational needs.
- 3 Designated essential employees are required to report to work as directed and are not excused unless they are on approved leave by the supervisor or designee. Designated essential employees who are unable to report to work before, during, or after an emergency or disaster shall contact their supervisor as soon as possible. If conditions exist where contact cannot be accomplished, employees shall make contact as soon as possible. Employees who are unsuccessful in contacting their supervisor shall call the Emergency Operations Center (EOC) at 407-582-1000 as soon as possible to communicate their inability to report to work. Designated essential employees who are given an assignment and who fail to report to their work assignment without a supervisor or designee approved valid reason may be considered as having an unexcused absence(s) and may be subject to disciplinary action up to and including termination. An essential employee assigned to duty and absent from work without approval may be subject to disciplinary action. An essential employee assigned to duty who has not communicated with the College regarding their absence, is absent from work for three (3) consecutive workdays without approval, and does not return to work may be considered to have abandoned the position and to have resigned from the College. For additional information, see College Policy 6Hx28: 3F-05.2 Abandonment of Position.

- 4 The vice president of ODHR or designee shall compile a list of designated essential positions and associated employee names who have been authorized to work on-site during College closures for applicable ODHR resources (i.e. emergency duty pay, workers' compensation, etc.).

B. Non-Essential Employee Designation

- 1 Employees whose position is not identified as an essential position are excused from reporting to the work location during the designated emergency or disaster where the College is partially or completely closed. For non-essential positions, the supervisor or designee may identify alternate work locations or other arrangements for business continuity as applicable or the supervisor may temporarily suspend work based upon the circumstances.
- 2 Based upon the nature and scope of the emergency or disaster, positions may change from non-essential to essential designation either before, during and/or immediately after an emergency or disaster, as determined by the supervisor or designee.

II. Emergency or Disaster Compensation During College Closures – To receive compensation during a designated emergency or disaster that resulted in a whole or partial College closure as approved by the College President or designee, employees must have worked in their essential position; non-essential position when assigned alternate work locations or other arrangements for business continuity; or whose work has been temporarily suspended during the timeframe of the College closure. (Note: During emergency situations, disasters, or adverse work conditions that may impact the health and safety of the College community, alternate work arrangements may be identified for business continuity as applicable. If alternate work arrangements are unable to be identified or work temporarily suspended by the supervisor, only areas impacted shall be eligible for essential or non-essential employee compensation as deemed appropriate by the College President or designee.) Emergency or disaster compensation for eligible employees are as follows:

A. Non-Essential Employee Designation

- 1 Designated non-essential full-time non-exempt (hourly) employees, part-time non-exempt employees, part time instructors who complete timesheets, institutional work study students, and federal work study students who do not have alternate work arrangements or whose work is temporarily suspended by their supervisor are excused from working and not required to complete any timesheets during a College closure. These employees shall monitor the Valencia College social media accounts/website, local media website, television and radio stations for information and

instructions on when to report back to the worksite.

- a Designated non-essential full-time non-exempt employees, part-time non-exempt employees, part time instructors who complete timesheets and institutional work study students who were scheduled to work where the College was partially or completely closed shall document the hours they would have worked as “Leave with Pay” in the web time entry system. Only hours needed to bring the work week up to 40 hours for full-time employees shall be recorded in the web time entry system as overtime shall not be paid on “Leave with Pay” hours. With supervisor approval, schedules may be adjusted within the work week as necessary and based upon when the College reopens to account for the “Leave with Pay” days.
 - b Designated non-essential federal work study students who complete timesheets shall document the hours scheduled to work during the College closure as “Leave with Pay” in the web time entry system only if the College closure is considered a designated emergency or disaster by the State of Florida or other federal agency; or in accordance with applicable federal regulation. With supervisor approval, schedules may be adjusted within the work week as necessary and based upon when the College reopens.
- 2 Designated non-essential faculty (full- and part-time) paid via contract and exempt staff who do not have alternate work arrangements or whose work is temporarily suspended by their supervisor are excused from working during the College closure and are granted “Leave with Pay”. These employees shall monitor the Valencia College social media accounts/website, local media website, television and radio stations for information and instructions on when to report back to the worksite. Designated non-essential faculty (full- and part-time) paid via contract and exempt staff do not complete web time entry and shall receive pay commensurate with their scheduled hours during the College closure.
 - 3 Designated non-essential grant employees who do not have alternate work arrangements or whose work is temporarily suspended by their supervisor are excused from working during the College closure. These employees shall monitor the Valencia College social media accounts/website, local media website, television and radio stations for information and instructions on when to report back to the worksite. Grant employees shall be paid in accordance with specific requirements and limitations of

the grant. Once the College reopens for normal business, grant employees shall be notified as to how they shall document the hours scheduled to work during the applicable College closure.

- 4 Any employees on approved leave (i.e. vacation, personal, sick leave, or unpaid leave) prior to the College closure would still apply as approved leave during the closure. Employees on approved leave (paid or unpaid) are not eligible for “Leave with Pay” since those employees were not scheduled to work and, therefore, are not impacted by the College closure. Employees who planned vacation, personal, or sick leave that was to begin during the closure, may work with their supervisors to cancel the certificate of absence (COA) in the Request and Manage My Leave system and submit a new COA for review and approval as appropriate. Employees whose vacation, personal or sick leave may need to be extended after the College reopens for business may submit a new COA in the Request and Manage My Leave system for review and approval as appropriate.
 - 5 When applicable, supervisors have discretion to approve or deny COA requests from employees who request to take additional time off to prepare for the emergency or disaster or who request to take additional time off after the College reopens for normal business to recover from the emergency or disaster. For approved additional time off, eligible employees would need to use their accrued personal leave, accrued vacation leave, or leave without pay if all applicable leave is exhausted.
- B. Essential Employee Designation – The College President or designee shall submit to ODHR the names of designated essential employees who worked during any of the phases where the College was partially or completely closed along with each employee’s total number of hours worked during that period. Designated essential employees who are required to work during the College closure shall be paid ‘Emergency Duty Pay’ as follows:
- 1 Designated essential full-time non-exempt (hourly) employees shall document all hours worked as “Hours Worked” in the web time entry system. Documented time shall include hours worked during the applicable College closure as approved by the College President or designee. Designated essential full-time, non-exempt employees who work more than 40 hours in a week shall be paid time and a half for any hours over 40 in each work week. Designated essential full-time, non-exempt employees shall also receive additional straight time pay for all hours worked during the applicable College closure.
 - 2 Designated essential part-time non-exempt (hourly) employees shall document all hours worked as “Regular Pay Part-Time Employee” in the web time entry system. Documented time shall

include hours worked during the applicable College closure as approved by the College President or designee. Designated essential part-time, non-exempt employees who work more than 40 hours in a week shall be paid time and a half for any hours over 40 in each work week. Designated essential part-time, non-exempt employees shall also receive additional straight time pay for hours worked during the applicable College closure.

- 3 Designated essential full-time exempt employees do not complete web time entry. Designated essential full-time exempt employees who worked during the applicable College closure shall receive additional straight time pay at the normal salary rate for time worked during the applicable College closure.
- 4 All additional straight time pay for time worked during the applicable College closure shall be paid out in a one-time, lump sum payment that is included in the employee's regularly scheduled pay within 90 days after the institution returns to normal business. Manual separate checks shall not be issued.
- 5 In preparation for College closure and when possible, designated essential employees who complete web time entry timesheets shall have all hours worked documented in the web time entry system up until the College closure or as soon as possible and no later than once the College reopens for normal business.

III. Additional Leave for Emergency or Disaster Related Issues

- A. The College President or designee may authorize additional paid leave as applicable to eligible employees for resolving personal emergency or disaster related repairs or issues. If approved by the College President or designee, full- and part-time non-exempt employees shall record this leave used as "Leave with Pay" in the web time entry system and submit a corresponding COA in the Request and Manage My Leave system for supervisor review and approval. Exempt employees do not complete web time entry and shall submit a COA in the Request and Manage My Leave system for supervisor review and approval.
- B. Employees may be approved to use available and applicable leave balances or unpaid leave to resolve disaster or emergency related issues if the College does not authorize additional paid leave or leave may be needed beyond the approved "Leave with Pay". Employees shall discuss with their immediate supervisor any additional time needed to resolve personal emergency or disaster related issues and submit a COA as appropriate for supervisor review and approval.

IV. Adverse Work Conditions

- A. Work Assignments – There may be times when immediate situations such as power failures, water failures, or similar types of situations adversely impact a department, area, building, and/or campus and disrupts normal business operations. Due to these adverse work conditions, departments shall evaluate operational needs and have the discretion to offer flexibility in work schedules to enable faculty and staff the opportunity to continue working in order to maintain or resume operations to the extent possible. Interim measures may include and are not limited to: facilitating working from home or other remote location; allowing full-time employees to work part-time or providing flexible work schedules; working at a different campus; or other appropriate interim solution until the area is able to resume normal operations. The department may work in collaboration with its respective ODHR Regional Solution Center(s) for other appropriate options; or potential identification of “Leave with Pay” for a short duration until an interim solution becomes available or the area is able to resume normal operations.
- B. Compensation – If it is determined that “Leave with Pay” is a short term interim solution, the respective ODHR Regional Solution Center shall notify the VP of ODHR for final evaluation and authorization. These rare events may occur due to circumstances outside of the department’s control and no other available interim measure(s) is (are) available in maintaining or resuming operations to the extent possible. If approved, ODHR Payroll Services shall be notified and provided with a list of impacted employees to include the affected timeframe. If approved, exempt and non-exempt employees shall submit “Leave with Pay” COAs for the affected timeframe with the reason of “adverse work conditions”.

V. Work-Related Injury or Illness During College Closure

- A. ODHR shall communicate workers’ compensation available resources to Safety and Security Services prior to a designated College closure for employees who may need to seek treatment for a work-related injury during a College closure.
- B. Designated essential employees who incur a work-related injury during a College closure shall follow the normal reporting procedures by contacting their supervisor (if available during the emergency or disaster) or designee and a representative of Security Services for completion of the “Security Incident Report”. See College Policy 6Hx28: 10-01 Incidents, Accidents, or Injuries for reporting a work-related injury or illness.

VI. Employees Called to Active Duty Supporting Emergency or Disaster Situations

- A. Valencia College full- and part time employees who are part of the

uniformed services and called to active duty to provide support during an emergency or disaster shall promptly provide notice to their supervisors and submit a COA for Military Leave Granted along with supporting documentation. Those employees who do not have supporting documentation at the time of initial notification shall provide the documentation as soon as possible and no later than upon their return from the short-term service. See College Policy 6Hx28: 3D-10 Military Leave for additional leave and health benefit information for full-time employees with military assignments.

- B. Eligible full-time and part-time employees who are called to active duty to provide emergency or disaster support prior to the College closure and complete web time entry shall document their regularly scheduled hours as “Military Leave”. Employees who are called to active duty to provide emergency or disaster support during the College closure and complete web time entry shall document the hours scheduled to work during the College closure as “Leave with Pay” until the active duty commences. Once active duty commences, the hours scheduled to work shall be documented as “Military Leave” until the military leave ends.

Procedure History: 06-26-2019

Date of Last Procedure Review: 06-26-2019

Procedure Superseded by Amended Procedure 6Hx28:3C-01.5