

	TITLE Compensation to Employees for Hours Worked During Incident Response		ATTACHMENTS:
	PROPOSER UNIT General Government – Human Resources		
NUMBER C-4	ISSUE DATE 01/05/2017	REVISION DATE 02/05/2026	TOTAL PAGES 4

I. PURPOSE:

Establishes a city-wide policy of compensation applicable during a City emergency/critical incident (e.g., hurricane, storm, flood, terrorist attack, etc.)

The City of Gainesville recognizes that certain non-exempt employees not part of a public safety bargaining unit (Fire and Police) may be considered essential personnel during a Declared Emergency/Incident and may be required to work as part of the Emergency/Incident response when City facilities are closed during a regular business day. While this is expected during an Emergency/Incident, such employees shall be compensated at their Emergency/Incident rate.

The City of Gainesville recognizes that employees who are in jobs that are exempt from overtime requirements of the Fair Labor Standards Act are paid on a salary basis. This includes those employees classified as members of the Managerial, Administrative and Professional (MAPs) Pay Plans. For a variety of reasons, such employees may be required to work extensive time beyond normal work hours as part of the Emergency/Incident response regardless of whether City offices have been closed. While this is normal and expected during an Emergency/Incident, such employees shall be paid at their Emergency/Incident rate.

II. SCOPE:

This policy applies to all full-time and part-time regular employees of the City of Gainesville – General Government who are not part of a public safety bargaining unit (Fire and Police). This policy does not apply to Department Directors and above.

III. DEFINITIONS:

As used in this policy, unless the context clearly requires otherwise, the following words and terms shall have the meaning ascribed:

City Facility Closure: Refers to instances when City facilities and offices are declared closed by the City Manager or their designee on business days (generally, Monday through Friday), during a Declared Emergency/Incident.

Eligible exempt (salary) employees: Exempt regular employees, excluding Charter Officers, and Department Directors.

Eligible non-exempt (hourly) employees: Non-exempt regular employees not a part of a public safety bargaining unit (Fire and Police).

Essential Personnel: For the purposes of this policy, an employee that is not a public safety employee (Fire and Police) and deemed essential by their department director and is required to assist the City in emergency/disaster preparedness, planning and/or response and mitigation during an emergency/disaster such as a hurricane. Essential Employees will assist with preparedness, readying, mitigation and recovery, and restoring City services.

Incident: Any condition which constitutes a civil emergency or catastrophic condition, or a state of crisis management, when so determined by the Mayor or appropriate Charter officer(s).

Incident period: The time interval, as designated by the Mayor or appropriate Charter officer(s), during which the incident occurs.

Major disaster: Any natural catastrophe (including any hurricane, tornado, storm, high water, wind driven water, landslide, mudslide, snowstorm, or drought), or regardless of cause, any fire, flood, or explosion.

Scheduled Workweek: The hours an employee is scheduled to provide service to the City (e.g. a forty-hour employee might be scheduled to work 24 hours the week of Thanksgiving).

Workweek: Any seven-day period beginning 12:01am Monday and ending 12:00 midnight Sunday.

IV. GENERAL PROVISIONS:

A. Civil emergency, catastrophic conditions, or state of crisis management, involving city facilities or operations.

If it is determined that civil emergency, catastrophic conditions, or state of crisis management exists or are imminent (incident), including, but not limited to, riots, civil disorders, major disasters, or similar catastrophes, employees of

the city who perform services on or for city facilities or operations related thereto may be required to work during the critical incident or work hours significantly in excess of their regularly scheduled workweek.

B. Incident period(s), level of compensation.

When an incident is triggered, eligible employees who perform services relating to the incident shall be compensated according to the following:

1. *Non-Exempt (hourly) Employees Considered Essential Personnel Who Work While the City is Closed for Regular Business:*

During a Declared Emergency/Incident and the City is closed for regular business, non-exempt (hourly) employees required to work through the date the City re-opens to the public for normal operations, shall be compensated at one and one half times (1.5) their regular rate of pay for all hours worked (their Emergency/Incident Rate) for each full business day that City facilities are closed. If City facilities are closed for less than a full business day, then employees will be paid their regular rate of pay for any hours worked and their Emergency/Incident Rate of pay (1.5 times their regular rate of pay) for the number of hours that City facilities are closed and employees perform work related to the Emergency/Incident. (For example, if City facilities are closed from 8:00 am – 12:00 pm on a business day, but open from 1:00 pm – 5:00 pm, employees in this category would receive four (4) hours of straight time pay and 4 hours of Emergency/Incident pay). Only those hours worked will count towards the computation of overtime.

2. *Non-Exempt (hourly) Employees Who Work During a Declared Emergency with no declared City Facility/Office Closure:*

There may be instances where the City is under a declared state of emergency, but City offices remain open for business (e.g. there is no declared City Facility/Office closure).

Work performed in these instances by non-exempt (hourly) employees will be compensated according to the provisions within their respective labor agreements and/or City policy.

3. *Exempt (salary) Employees Considered Essential Personnel Who Work During Emergency/Incident Period(s), regardless of whether the City is Closed for Regular Business:*

During a Declared Emergency/Incident period, regardless of whether the City is closed for regular business or not, exempt (salary) employees, that are not Charter Officers or Department Directors, required to work relating to the Emergency/Incident shall be compensated beginning with the fifty-first hour of service during a single workweek related to the Emergency/Incident at their straight rate of pay (their Emergency/Incident Rate).

4. *Non-Exempt (hourly) or Exempt (salary) Employees Not Required to Work While the City is Closed for Regular Business:*

During a Declared Emergency/Incident and the City is closed for regular business, full-time employees not required to work through the date the City re-opens to the public for normal operations, shall receive full pay for their regularly scheduled work hours and such hours shall count as “time worked” for purposes of computing overtime.

5. *Employees Scheduled to be on Personal Leave or Off-Duty during Critical Incident and/or While the City is Closed for Regular Business:*

Employees who had scheduled time off and who are not required to come into work, will have the scheduled leave charged against their leave balance accordingly. The City reserves the right to revoke any pre-approved leave during a City emergency/critical incident.

C. Recordkeeping

All hours worked (regular and overtime) in preparation for, response to, or recovery from a Declared Emergency/Incident, (including, but not limited to removing debris from public roads, rights-of-way, and eligible property to eliminate immediate threats to life, health, and safety, as well as actions taken before, during, and after a disaster to protect public health and safety, such as emergency response, search and rescue, security, temporary shelters, sandbagging, and temporary repairs to prevent further damage) must be documented and submitted using the designated form, as determined by the City’s emergency management team. The hours will be reviewed by the employee’s department and Payroll within the current pay period of the Declared Emergency/Incident.

Adopted: 01/05/2017
Revised: 02/05/2026