

LAMAR UNIVERSITY
MANUAL OF ADMINISTRATIVE POLICIES AND PROCEDURES

SECTION: Human Resources**MAPP 02.02.08****AREA: Compensation****SUBJECT: Emergency/Essential Personnel Pay Policy****I. POLICY**

- A. In extraordinary circumstances, Lamar University (LU) may suspend classes and normal operations in whole or in part. During a Suspension of Operations, Lamar has certain University functions that must remain operational. Infrastructure components critical to University operations may be rendered inoperable by an emergency. Continuity and recovery plans must be developed to assure prompt restoration of services in case a failure occurs.
- B. To maintain continuity, LU identifies Essential Personnel who remain on campus to ensure that critical infrastructure components are uninterrupted during an emergency. During this Suspension of Operations, all staff designated as required to work ("Essential Personnel") must fulfill their duties set forth in this policy in order to (1) ensure continuation of critical University operations; (2) attend to the needs of students and other members of the University community; and (3) protect the University's assets.
- C. Essential Personnel may be required to perform duties as directed by their supervisors before, during, and after an emergency. These duties may not be consistent with normal, daily responsibilities. As Essential Personnel, employees are exempt from any general policy for campus closure and work release.
- D. When they are designated as Essential Personnel, staff members must acknowledge that they serve in this role and may be called to campus to work before, during, and/or after an emergency.
- E. Because each disaster is unique, every staff member needed during an emergency cannot be fully known beforehand. A staff member whose position may not be considered essential before an emergency may become essential to responding to a particular disaster. Thus, staff members not originally designated as Essential Personnel may be called to campus to work before, during, and/or after an emergency.
- F. Because Essential Personnel are on campus during an emergency event, it is important that they be situated in safe locations. The University's emergency management procedures should specify the locations of operations as well as shelter and sleeping locations.

II. PURPOSE AND SCOPE

- A. This policy outlines requirements for (1) work schedule assignment, and (2) pay or compensation for regular full-time and part-time employees in the event of a University-declared emergency or “non-University”-declared emergency/natural disaster.
- B. This policy provides guidelines for designating and utilizing Essential Personnel during University emergencies. During a Suspension of Operations, Essential Personnel provide services that relate directly to the health, safety, and welfare of the University, ensure continuity of key operations, and maintain and protect LU property.
- C. This policy establishes guidelines for pay continuance during a period of time, to be defined by the LU President or President’s Designee, when a University-declared or “non-University”-declared emergency/natural disaster prevents employees from performing their regular duties.
- D. This policy applies to benefits-eligible staff employees of Lamar University. The policy does not apply to faculty positions or positions that require student status as a condition of employment.

III. POLICY ROLES AND RESPONSIBILITIES

- A. Once a Suspension of Operations has been declared, Human Resources is responsible for administering this policy on Emergency/Essential Personnel Pay.

IV. DEFINITIONS

- A. **Campus.** All buildings and facilities under the control of the University, regardless of whether these are located on the main LU campus or elsewhere.
- B. **Damage Assessment Task Force (DATF).** Team responsible for conducting a preliminary damage and safety evaluation of campus after an emergency.
- C. **Essential Personnel.** Staff members designated by Unit Heads/Department Heads, the Executive Operations Team (EOT) and/or the Emergency Management Team (EMT) to be critical to the continuation of key operations and services in the event of a Suspension of Operations. Essential Personnel provide services that relate directly to the health, safety, and welfare of the University, ensure continuity of key operations, and maintain and protect University property. Essential Personnel may be classified as a member of the Ride-Out Team and/or a member of the Recovery Team. Essential Personnel include employees needed for the short period of time until access to campus is expected to be restored. The Essential Personnel activated during a Suspension of Operations may vary depending on the circumstances and nature and severity of the event.
- D. **Essential Services.** Services determined to be critical to the functioning of the University. In the event of a Suspension of Operations, the Executive Operations Team (EOT) in consultation with the Emergency Management Team (EMT) will determine which services are essential based on the nature of the event.
- E. **Emergency Management Team (EMT).** Team comprised of a pre-identified group of University Staff members that fill the Incident Command System Command and Section Chief positions during emergencies.

- F. **Executive Operations Team (EOT).** Team comprised of a pre-identified group of University-wide leaders and possible other subject matter experts as requested that reports to the President.
- G. **Exempt Staff Member.** Defined under the Fair Labor Standards Act (FLSA) as a staff member holding a *bona fide* executive, administrative, or professional position that is not subject to the overtime provisions of the Act. Exempt staff members are considered salaried and cannot be docked for anything less than a full day's work.
- H. **Non-Exempt Staff Member.** Defined under FLSA as a staff member holding a position that is subject to the provisions of the Act.
- I. **"Non-University"-Declared Emergency/Natural Disaster.** An emergency declaration made by an authority outside the University. This authority might be the President of the United States or another federal, state, regional, county, municipal, or other authority with the power to declare the area within and around LU as in a state of emergency. The emergency may be due to a natural disaster (e.g., hurricane, flooding, etc.) or human-caused event.
- J. **Operational Status.** The categorization, in terms of its degree of severity, of a situation that has led to a Suspension of Operations. This categorization may, in turn, affect the activation and work requirements of Essential Personnel.
- K. **President's Designee.** Also known as **Designee.** LU employee designated beforehand to serve as the "President's Designee" should the LU President not be available or able to perform his/her duties. In these situations, the President's Designee has the authority to make decisions on the President's behalf. These decisions may cover all University operations or may be restricted to a specific subset of the President's duties.
- L. **Recovery Team.** Team comprised of Essential Personnel who return to work after the campus has been cleared by the Damage Assessment Task Force (DATF) but is still under Suspension of Operations.
- M. **Ride-Out Team.** Team comprised of Essential Personnel that will remain on campus working to ensure that critical infrastructure components are uninterrupted during an emergency incident.
- N. **Staff Member.** An individual employed in any non-faculty category by Lamar University, including an individual who is deemed to be either exempt or non-exempt under the provisions of FLSA and/or applicable state law.
- O. **Suspension of Operations.** The decision of the President or President's Designee to suspend University operations in whole or in part. A Suspension of Operations may include University closure and/or class cancellation.
- P. **Unit.** A generic emergency management term used to describe any distinct entity within the University, including but not limited to divisions, departments, institutes, schools, colleges, centers, offices, programs, and sub-divisions therein.
- Q. **Unit Head.** Also known as **Department Head.** The highest-ranking administrator in a division, center, college/school, department, or other unit within the University.
- R. **University-Declared Emergency.** An emergency declaration made by the Lamar University President or President's Designee. The emergency may be due to a natural disaster (e.g., hurricane, flooding, etc.) or human-caused event.

V. PROCEDURES: WORK SCHEDULING FOR SUSPENSION OF OPERATIONS**A. IDENTIFICATION OF ESSENTIAL PERSONNEL**

1. Unit Heads (also called Department Heads) are responsible for identifying staff members to be designated as Essential Personnel for their respective organizations and submitting these names for approval by the EOT and EMT.
2. Essential Personnel may be classified as a member of the Ride-Out Team and/or a member of the Recovery Team.
3. Unit Heads are responsible for notifying staff members who have been identified as Essential Personnel, in writing, that they have received this designation. The Unit Head should describe the duties and responsibilities the staff member may have as Essential Personnel during a Suspension of Operations. The Unit Head should also review this policy on compensation with his/her Essential Personnel.
4. Personnel in charge of specific departmental operations are to be identified and listed in the unit's Business Continuity of Operations Plan (COOP). This determination is made based on the essential duties of the jobs and the needs of the University. The Essential Personnel who are activated during a Suspension of Operations may vary depending on the circumstances and the nature and severity of the event.
5. Unit Heads will create and maintain a current list of Essential Personnel and provide the list upon request to the EOT or EMT.

B. DECLARING A SUSPENSION OF OPERATIONS AND OPERATIONAL STATUS

1. The LU President or President's Designee makes decisions regarding Suspension of Operations and Operational Status, in consultation with other University leadership as appropriate, necessary, and feasible.
2. If an emergency event is anticipated (for example, during a Hurricane "Watch" period), Unit Heads are to remind Essential Personnel of the immediate need to secure their homes and prepare their families for the impending storm. It may be necessary to provide Essential Personnel with a few hours of administrative leave prior to the official closing of the University. However, Essential Personnel are expected to report to work prior to the closing.
3. Once a Suspension of Operations has been declared, the Office of University Communications then notifies all those affected by the Suspension of Operations through Lamar's channels of communication, which include, but are not limited to, the LU website, LU email, social media, emergency apps (e.g., LiveSafe), and internal emergency contact lists. Official announcements may also be made through LU and non-LU broadcast news media, as appropriate. During a Suspension of Operations, employees should regularly check the University's communication channels and listen regularly to broadcast news stations for updated information.

C. STAFFING DETERMINATIONS DURING SUSPENSION OF OPERATIONS

1. The EOT and/or EMT will evaluate the University's need to activate Essential Personnel and the need for any additional personnel who may be required in light of the nature and severity of the Suspension of Operations. The EOT/EMT's determination of these staffing needs will be communicated promptly to the appropriate Unit Heads, who will designate any additional staff members as necessary.
2. Unit Heads will promptly notify the identified Essential Personnel of the need to report for duty. The notification will be written (for example, text message or email) and serve as a record of the notification. The notification will include:
 - The date and time, so that the notice can be used as confirmation of activation for pay purposes.
 - The anticipated duration of the Suspension of Operations.
 - The expected work schedules for all Essential Personnel.

D. REPORTING FOR DUTY DURING SUSPENSION OF OPERATIONS

1. Unit Heads have the authority and responsibility to notify members of their units (Essential Personnel) who are activated and required to perform their duties during a Suspension of Operations. All Essential Personnel required to report to or remain at work (i.e., staff members whose work units are not closed, or those called into work by their Unit Head) will work as scheduled by the EOT.
2. Once activated, Essential Personnel must report to work as soon as feasible. Essential Personnel must remain on duty as instructed to ensure the uninterrupted delivery of Essential Services, unless directed or permitted to do otherwise by their respective unit administrator.
3. It is strongly recommended that, throughout the duration of a Suspension of Operations, Essential Personnel retain a copy of this policy and the written notification of their activation to establish their identity to authorities. Essential Personnel should carry these items with their standard professional or personal photo identification (Lamar University ID card, driver's license, etc.).
4. Once on campus, specific identification credentials will be provided to Essential Personnel by their Unit Head or other appropriate personnel. These credentials must be worn for the duration of the Suspension of Operations.

E. FAILURE TO REPORT TO WORK DURING SUSPENSION OF OPERATIONS

1. A staff member who has been informed that his/her position is subject to emergency duty (Essential Personnel) and who subsequently fails to report when called for such duty may be subject to disciplinary action, up to and including termination, unless the employee provides an acceptable reason for failure to report for duty.
2. Essential Personnel who are required to work during a Suspension of Operations but are unable to do so as scheduled, for whatever reason, must contact their immediate supervisor

to report the absence in advance of the essential staff member's scheduled work starting time.

VI. PROCEDURES: COMPENSATION DURING SUSPENSION OF OPERATIONS

A. ESSENTIAL PERSONNEL: NON-EXEMPT STAFF

1. Non-exempt staff members who are required to report to work or remain at work during the Suspension of Operations of their respective work unit receive the following compensation: 2.5 times their regular rate (i.e., their regular hourly rate plus 1.5 times their hourly rate) for all hours they spend in emergency designated status during a Suspension of Operations.
2. The premium pay described in this section is intended to include the provisions under the Fair Labor Standards Act for compensation at 1.5 times regular rate, for hours worked over 40 in a week.

B. ESSENTIAL PERSONNEL: EXEMPT STAFF

1. Exempt staff members who are required to report to work or remain at work during the Suspension of Operations of their respective work unit receive the following compensation: 2.5 times their regular rate (i.e., their regular rate of pay plus 1.5 times their regular rate) for all hours they spend in emergency designated status during a Suspension of Operations.
1. Exempt staff at the level of Vice President, the equivalent, or above may be expected to report and maintain a log of activities but will not receive additional compensation for their service during a Suspension of Operations.

C. DAILY LOG AND COMPENSATION

1. Each Essential Personnel member is required to maintain a detailed daily log of activities/tasks performed and the hours and minutes spent on each task. Personnel can ask their supervisors or the EMT if there is a required format for the log. The log is to be turned in to the appropriate member of the EMT at the end of each day. This log will form the basis of extra pay awarded to Essential Personnel and the basis of FEMA reconciliation of damage recovery costs.

D. TIMING OF COMPENSATION FOR ESSENTIAL PERSONNEL

1. The University makes every effort to process compensation for Essential Personnel as quickly as possible. However, the process may be slower than expected due to the amount of time needed to process forms (both Lamar HR forms and FEMA forms), account for and verify time spent in emergency status, reconcile accounts, and distribute pay.
2. Given potential delays in emergency pay, Essential Personnel are asked to remain patient while waiting to receive their pay. Essential Personnel can reduce the waiting period by providing accurate and timely information needed to process their emergency pay. Personnel may contact LU Human Resources to check on the status of their emergency pay and offer additional information or documents that may shorten the waiting period.

E. REIMBURSEMENT

1. Essential Personnel may receive reimbursement for lodging, meals, and mileage in accordance with campus travel policies when having to report to work during Suspension of Operations.

F. NON-ESSENTIAL PERSONNEL

1. The following compensation policies will be in effect for staff members whose respective work units are subject to Suspension of Operations and who are not designated as Essential Personnel or otherwise required to work during Suspension of Operations.
 - Exempt and non-exempt staff members will receive their regular rates of pay, even though Suspension of Operations prevents them from working.
 - Upon notice of official University closing, Non-Essential Personnel are to leave the campus **and not report to work until further notice**. An employee who reports for work during an official closing and is not required or authorized to work (i.e., not designated as Essential Personnel) will be turned away and may be subject to disciplinary action.
 - Staff members who have scheduled vacation, sick leave, or other time off prior to the Suspension of Operations may not rescind these time-off requests after the announcement of Suspension of Operations.
 - If a Suspension of Operations occurs for a portion of the day, or for a specified part of the University facility, a non-exempt staff member in an affected work unit may be directed to leave work earlier than the scheduled closing time, provided the staff member's supervisor has a record of the early departure. Safety of employees and students will be the primary determinant in an early-release decision.
 - Employees recently hired and scheduled to start on a date when the University is closed during an event covered by this policy will be paid consistent with their offer of employment and as with other staff.

VII. REVIEW AND RESPONSIBILITY

Responsible Party: Associate Vice President for Human Resources

Vice President for Finance and Operations

Review: Every three years on or before May 1

VIII. APPROVAL

Jeremy C. Alltop	02/28/2020
Vice President for Finance and Operations	Date

Kenneth R. Evans	02/29/2020
President	Date

REVISION LOG

Revision Number	Date	Description of Changes
1	08/04/2017	Initial version issued.
2	02/22/2018	Revised.
	05/26/2018	Approved by President.
3	10/08/2019	Format revised to be more consistent with standard MAPP format. Compensation policies clarified for Essential Personnel (exempt and non-exempt). Policies for designating Essential Personnel clarified.
	02/29/2020	Revised version approved by President.