



Lumpkin County, Georgia

To: Lumpkin County BOC Staff
From: Lumpkin County Board of Commissioners
Subject: Critical Incident Pay
Date: February 16, 2016

This memo is issued by the Board of Commissioners to assist staff in understanding the Board's intent for Critical Incident Pay.

The policy has two purposes:

- 1) To make non-essential personnel, who are told to stay home when offices are closed, "whole" so that their pay is not reduced by situations out of their control.
- 2) To "double-pay" essential personnel who work when county offices are closed for reasons relating to weather or some type of disaster.

To that end, the Board directs staff to interpret the policy in the following manner:

- Exempt (salaried) personnel who are essential during a critical incident will not receive double pay.
- Non-essential personnel may receive CIPay, up to eight hours out of any 24 hour operating period, to make them whole. Non-essential personnel may not receive CIPay in excess of hours required to make them whole.
- Essential personnel get paid CIPay *only* for the hours actually worked on an hour-for-hour basis.
- Employees not scheduled to work during Critical Incident times and who are not called upon to work, do not receive CIPay.

Chris Dockery,
Chairman, Lumpkin County Board of Commissioners

Date



Lumpkin County, Georgia

Date: Jan. 27, 2015

Agenda Item: Critical Incident Pay

Item Description: Request for BOC direction and intent regarding Critical Incident Pay Policy.

Facts & Historical Information:

In February, 2015, the BOC voted to supply 32 hours of Administrative Leave time per year for non-essential personnel when County offices are closed and non-essential personnel are, in essence, directed not to report to work. A few months later, the Board agreed that employees deemed to be essential personnel who are required to work during the time offices are closed should be paid both for the time they worked *and* Administrative Leave Time so a new Critical Incident Pay policy was created.

Since the inception of this policy, it has become clear that there are multiple interpretations of how individuals want the policy to be applied. The policy is attached.

It would seem that the policy has two purposes

- 1) To make non-essential personnel who are told to stay home when offices are closed “whole” so that their pay is not reduced by situations out of their control.
- 2) To “double-pay” essential personnel who work when county offices are closed for reasons relating to weather or some type of disaster.

The policy specifically states that “. . . essential personnel will be paid. . . hour-for-hour for a maximum of eight hours. . . .” However, as mentioned above, interpretation issues have arisen, some examples follow:

- Some managers wanted their employees to be paid for time worked as well as for the maximum number of CIPay hours available in a day. This means that the non-essential employee would receive more than 40 hours in a week.
- Some managers have requested that their employees be considered as both essential and non-essential, meaning that if the employee came in and worked three hours out of an eight hour day when offices were closed, the manager wants the employee to receive CIPay hours to make the employee whole for the rest of the day, plus wants the employee to be double-paid for the hours the employee worked on that day.
- Some managers do not agree with the hour-for-hour section of the policy and feel that any essential employee who worked on a day when county offices were closed should receive the full eight hours of pay even if the employee worked less than eight hours.

Staff requests that the Board of Commissioners give guidance regarding the Board's intent for this policy. Specifically, staff's interpretation of this policy is:

- 1) Non-essential personnel may receive CIPay, up to eight hours, to make them whole. Non-essential personnel may not receive CIPay in excess of hours required to make them whole.
- 2) Essential personnel get paid CIPay *only* for the hours actually worked on an hour-for-hour basis.
- 3) Employees not scheduled to work during Critical Incident times and who are not called upon to work, do not receive CIPay.

The above has been staff's interpretation, does the Board concur?

Section 7: Critical Incident Pay

Should the decision be made to close County offices due to inclement weather, a critical incident, or other disaster situation, the Board of Commissioners has established that up to 32 hours of paid Critical Incident Pay, on a calendar year basis, will be available to all full time, regularly scheduled personnel.

The County Manager will, after coordination with the Board of Commissioners, make a decision regarding closure of county offices (to include partial days such as delayed openings or early closings) and non-essential personnel will be instructed not to report to work. Critical Incident Pay will only be available when county offices are closed during normal business hours. No Critical Incident Pay will be available for situations that begin and/or end outside of normal, weekday business hours (e.g., an event that begins at 2a.m. on a Saturday and ends 42 hours later at 8p.m. on Sunday would not require the closure of county offices during normal weekday business hours and would not qualify for Critical Incident Pay.)

Non-essential personnel will receive an equal number of hours pay to correspond with the office closure (e.g., a full day's closure = 8 hours pay, closing at 1p.m. = 4 hours pay, etc.) Employees who voluntarily choose to report to work or stay at work during this time will be paid for time worked and may have Critical Incident Pay applied to make their pay whole for the work day, but will not be paid as an essential employee. Departments with essential personnel (any personnel deemed by the County Manager as necessary to sustain and conduct emergency operations) will be expected to schedule and staff employees as needed. Employees of those departments must check with their supervisor for such purposes. When Critical Incident Pay is invoked, essential personnel will be paid for all time worked and will additionally be paid hour-for-hour for a maximum of eight hours within a 24 hour operation cycle. Any night shift or swing shift personnel would be entitled to Critical Incident/Emergency Event pay if the majority of their shift falls within the 24 hour operational cycle. Shifts that begin within two hours or less of the time county offices reopen, or when county offices would not normally be open (i.e. weekends and holidays), will not qualify for Critical Incident Pay. For both essential and non-essential employees, Critical Incident Pay will not count towards overtime. Additionally, Critical Incident Pay will not be applied during scheduled holidays since employees will be compensated according to the Holiday Pay Policy.

Should all hours set aside by the Board of Commissioners for Critical Incident Pay be exhausted and county offices be closed, non-essential employees will be allowed to use either Comp Time or Annual Leave to make a shift or shifts whole, or employees may take the time as unpaid.