

4-OP-C-7-E1.13 Essential Personnel Designation & Compensation

Responsible Executive: Finance & Administration

Approving Official: Vice President for Finance & Administration

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I. INTRODUCTION

• This policy provides guidance to departments on identifying and compensating ~~essential those~~ employees, ~~including designated as~~ Essential Critical Personnel ~~and Medium Priority Personnel, that who~~ may be required to work during a University emergency and/or closure. The ~~designation~~determination of a University closure shall be made by the University President, or designee.

II. POLICY

A. Certain emergency events may result in the suspension of normal University activities to ensure the safety and security of students, staff, and faculty. Essential Critical Personnel are defined as employees required to work when in When interruptions in University operations occur due to an emergency, and the emergency closure requires personnel to ~~, departments should exercise efficient use of their resources while ensuring~~ ensure the safety and welfare of the ~~U~~university community, the continuity of key operations, and the protection of ~~U~~university property. ~~For some emergencies, such as impending weather, the University closure period may be different from the imminent threat period. Departments may designate specific or all employees as essential critical personnel, requiring them to work during the University closure. Employees that may be required to work before, during, or after a University closure will fall into the following categories: The following guidelines apply to those designated as Essential Critical Personnel:~~

1.A. ~~Essential Critical Personnel~~

a. Essential Critical Personnel (ECP) are Exempt and ~~N~~nonexempt employees that support critical functions at the University-wide or department level that cannot be paused during a ~~University~~University-wide closure.

a.b. Departments should designate employees as Essential Critical Personnel in advance of an emergency and maintain a

record of such designation at the department level. In weather-related emergencies, such as a hurricane with an anticipated impact on the department location, pre-determining Essential Critical Personnel ECP assignments are recommended. Otherwise, designation and notification to ECP Essential Critical Personnel should occur immediately upon announcement of the University closure.

b-c. Employees whose presence may be required to maintain an on-campus campus presence on-campus or remote availability is as necessary to ensure the continuity of business operations and the safety and security of the campus community and University resources before, during, or after the imminent threat emergency period. This includes during the occurrence of adverse weather conditions and/or emergency events.

c. May be required to work and/or remain on campus during a period of imminent threat, which includes adverse weather conditions and/or emergency events.

d. Employees designated as Essential Critical Personnel will be required to report to work, onsite or remote, as determined by the Dean, Director, Department Head, or designee. Any exemptions from reporting to work must be approved by the Dean, Director, Department Head, or designee.

e. Departments should designate employees as Essential Critical Personnel and maintain a record of such designation at the department level. In weather-related emergencies such as a hurricane with an anticipated impact on the department location, pre-determining essential critical personnel assignments is recommended. Otherwise, designation should occur prior to the University closure immediately upon announcement of the University closure. Final reports of those that have been designated as Essential Critical Personnel and performed job duties during the closure are due shall be submitted to Human Resources no later than 72 hours after business operations have resumed.

2. Medium Priority Personnel

a. Exempt and nonexempt employees that support functions of individual departments/units.

b. Employees whose presence on-campus or remote availability may be requested immediately before or after the imminent threat period.

~~e.e.~~ Employees who may need to work additional hours in preparation for or following the University closure, either on campus or remotely, as identified by the Dean, Director, Department Head, or designee.

~~d. Must receive approval from the Dean, Director, Department Head, or designee before performing work during a University closure or working additional hours outside of regularly scheduled hours.~~

~~e. Departments should designate employees as Medium Priority Personnel and maintain a record of such designation at the department level.~~

- B. Employees directly involved with the protection of life and property (~~i.e.g.~~, law enforcement) and patient care (~~i.e.g.~~, nurses and emergency first responders) are considered essential in emergencies based on the duties inherent in their position. They do not require designation under this policy. Compensation for such employees is consistent with the terms and conditions of their employment and applicable University policies. (see 4-OP-C-7-E1.2 Compensatory Leave)
- C. The compensation of Essential Critical Personnel shall be contingent upon determined by their FLSA classification, pay band, and essential personnel designation level.

1. Premium Compensation

- a. Payment of one-and-half multiplied by an employee's hourly rate for work performed during an emergency closure of the University. ECP Premium payment Will be paid will be in addition to any regular rate of pay and/or leave reported before or after the University closure. Payment will be made within 30 days of the University's reopening.
- b. Reserved for nonexempt employees only who are designated and activated to duty as Essential Critical Personnel.
- c. In limited situations, may May be provided to employees for working hours beyond their work schedule for essential university tasks preparing for known emergencies occurring before or after the closure period but during the same workweek as the University closure. Advanced approval by the DDHH and Chief Human Resource Officer will be required for premium compensation outside of the Uuniversity closure period. Employees working beyond their scheduled hours on non-essential tasks or those who did not receive approval for premium compensation will receive Compensatory Leave. (see 4-OP-C-7-E1.2 Compensatory Leave)
- d. Exempt level employees, and nonexempt employees who were not designated as Essential Critical Personnel -are ineligible for

Premium Compensation for work performed during the University closure.

2. Straight-time compensatory leave

- a. Exempt employees in pay bands 1 - 10 will be eligible to earn straight-time compensatory leave for working during a University closure.

3. Other compensation guidelines

- a. Exempt employees in pay band 11 and above will not be eligible for premium compensation or to earn compensatory leave during the closure.
- b. Employees who worked during the closure and were not designated as ~~e~~Essential, ~~or medium-priority-level~~ Critical ~~P~~ersonnel will be credited for hours worked and have their Administrative Leave use for that period reduced.

III. LEGAL SUPPORT, JUSTIFICATION, AND REVIEW OF THIS POLICY

- The President holds delegated authority from the Board of Trustees to establish personnel policies. This has been further delegated to the Vice-President(s) and appropriate officials. Constitutional authority, state statutes, federal statutes, Florida Board of Governors regulations, and University regulations authorize the policy:
 - Florida Constitution Article IX, Section 7
 - Section 1001.706(5)(a), Florida Statutes
 - BOG Regulation 1.001(5)(6)(a)
 - FSU Regulation FSU-4.001
 - Fair Labor Standards Act
- This policy shall be reviewed by the Chief Human Resources Officer every seven years for its effectiveness. The Office of Human Resources shall make recommendations to the Vice President for Finance and Administration for any modification or elimination.