



State of Ohio Administrative Policy

Public Safety Emergency

No:
Human Resources
HR-11

Effective:
January 12, 2018

Issued By:

Robert Blair, Director

1.0 Purpose

To establish a uniform policy for all agencies to implement during a public safety emergency.

A glossary of terms found in this policy is located in Appendix A - Definitions. The first occurrence of a defined term is in ***bold italics***. To go directly to a term's definition, click on the bold and italicized term. To return to the body of the policy, click on the defined term.

2.0 Policy

It is the policy of the State of Ohio to consistently apply this policy to all employees, regardless of whether they are classified, unclassified, exempt from collective bargaining, or subject to applicable collective bargaining agreements.

- 2.1 **Public Safety Emergency Declaration:** The authority to declare a ***public safety emergency*** rests solely with the Governor in consultation with the Director of the Department of Public Safety (DPS). A public safety emergency declaration can only be made by the Governor or the Governor's designee. The Director of DPS is the Governor's designee to declare a public safety emergency. The Director of DPS shall consult with appropriate state agency and local officials and gather necessary information for use in determining the need for a public safety emergency declaration. A public safety emergency cannot be declared by an individual agency, department, or director.

Emergency declarations that are not public safety emergency declarations do not trigger implementation of this policy and do not impact a state employee's obligation to travel to and from work.

2.2 **Communication:** When a public safety emergency is declared, the Director of DPS shall communicate the public safety emergency declaration and its parameters to designated agency personnel.

2.2.1 Each agency head, director, or appointing authority shall designate a representative and an alternate to be responsible for receiving notice that a public safety emergency has been declared by the Director of DPS. Designated agency representatives are responsible for advising all appropriate supervisors in their departments, agencies, boards, or commissions of the public safety emergency.

2.2.2 All designated agency representatives should: 1) have telephone and cell phone capabilities and 2) be exempt employees or employees who have been designated as being expected to work during a public safety emergency.

2.3 **Designating Employees:** Each year, by the first day of October, all agencies must create and maintain a list of **employees who are expected to work during a public safety emergency**. Employees who are expected to work during a public safety emergency are commonly referred to as essential employees. This list should contain the names, phone numbers, and classifications of a skeleton crew of employees whose presence at the work site is critical to maintaining operations and essential office functions during any public safety emergency, such as those state employees who are essential to maintaining security, health and safety, and critical office operations.

Critical office operations vary from agency to agency depending upon agency type. Agencies with twenty-four (24) hour operations and agencies with institutional, law enforcement, residential, or custodial functions will typically require more employees to maintain essential office operations than an administrative or regulatory agency. Whether an employee is expected to be at work may depend upon the particular activities that are occurring in the agency. For example, during certain time periods in a payroll cycle, specific payroll officers may be employees whose presence at the work site is critical to processing the payroll. As such, those employees may be expected to work during the public safety emergency when those payroll processes are occurring at the agency.

Similarly, critical dates and deadlines may assist in determining those employees who should work during a public safety emergency. For example, those employees who assist with the preparation and filing of certain legal or fiscal records or those who are critical to the issuance of vital licenses and permits may be required to work during a public safety emergency since they deal with matters that are determined by specific deadlines and filing dates.

Employees who are expected to work during a public safety emergency should be advised of their designation in writing and of the expectation that they work during public safety emergencies unless otherwise advised. However, they are not guaranteed work. Nothing in this policy prevents appointing authorities from using their discretion in sending

employees home or instructing them not to report for work once a public safety emergency has been declared. Employees who do not appear on the list of employees expected to work during a public safety emergency are generally not required to work during a public safety emergency and will be designated as **excused employees**.

Further instructions on identifying employees for public safety emergencies in the Ohio Administrative Knowledge System (OAKS) Human Capital Management (HCM) module are attached to this policy as Attachment 1. Employees who are expected to work during the public safety emergency should be issued cards to facilitate their travel to and from work on state roadways and highways during a declared public safety emergency. Agency employees previously issued agency identification cards may use those cards (or other picture identification) and an agency letter designating them as employees who are expected to work during the public safety emergency. Members of the Ohio National Guard should carry their U.S. Armed Forces Identification Card and an agency letter designating them as employees who are expected to work during the public safety emergency.

- 2.4 **Granting Leave When No Public Safety Emergency is Declared:** Snow emergencies may be declared by local sheriffs in certain counties, yet if no formal public safety emergency is declared by the Governor or Governor's designee, state public offices shall remain open, and employees are expected to report to work as normally scheduled. Should there be a snow emergency declared by a local sheriff, agency directors and department heads are encouraged to exercise their judgment and discretion to permit employees to use any accrued vacation, personal leave or compensatory time if such employees choose not to come to work due to extenuating circumstances caused by the locally-declared snow emergency. Employees with no or inadequate accrued leave may be granted leave without pay.
- 2.4.1 Nothing in this policy prevents an appointing authority from using its discretion to temporarily reassign employees to indoor job duties, consistent with their job classification, so that such employees are not subject to extreme conditions related to a snow emergency declared by a county sheriff. For example, an agency may reassign an individual to an indoor shift so that the employee avoids performing unnecessary road or travel-related duties during days or shifts of especially inclement weather.
- 2.5 **Compensating Exempt Employees During a Public Safety Emergency:** Employees who are exempt from collective bargaining should be compensated during a public safety emergency as follows:
- 2.5.1 Excused exempt employees who either do not report for work or who are sent home as a result of a declared public safety emergency shall be paid for those hours they were scheduled to work during the declared public safety emergency at their regular rate of pay.

- Excused exempt employees should not normally be required to remain at work during a declared public safety emergency.
- On the rare occasion that excused exempt employees are required to work due to the absence of an employee who is expected to work during a public safety emergency or due to another extenuating circumstance, they shall be treated the same as exempt employees who are expected to work during a public safety emergency.
- Those excused exempt employees who work during a public safety emergency after being instructed not to report to work or who are released from work are entitled to their regular rate of pay and shall not receive the stipend as a result of the public safety emergency.

2.5.2 Exempt employees who are expected to work during a public safety emergency must report to work regardless of the conditions.

- Exempt employees who are expected to work during a declared public safety emergency and do work during such an emergency, shall receive an \$8/hour stipend in addition to their regular rate of pay pursuant to ORC 124.15(D) for each hour those employees work during the public safety emergency.
- Exempt employees who are expected to work during a public safety emergency and who are instructed not to report to work or who are released from work during a public safety emergency shall be paid at their regular rate of pay and shall not receive the stipend as a result of the public safety emergency.

2.6 **Compensating Bargaining Unit Employees:** To determine compensation for bargaining unit employees, agencies should refer to their specific collective bargaining agreements. Generally, bargaining unit employees are compensated as follows:

2.6.1 Excused bargaining unit employees who do not report for work or who are sent home as a result of a declared public safety emergency shall be paid for those hours of work that they were scheduled to work at their regular rate of pay.

- Excused bargaining unit employees should not be permitted to remain at work during a declared public safety emergency.
- On the rare occasion that excused bargaining unit employees are required to work during a declared public safety emergency, they shall be treated the same as bargaining unit employees who are expected to work during a public safety emergency and shall be paid a stipend, if any, as provided under the contract.

- 2.6.2 Bargaining unit employees who are expected to work during a public safety emergency must report to work as scheduled regardless of the conditions unless otherwise advised. These employees shall be paid their total rate of pay for each hour worked during a public safety emergency. In addition, for each hour worked during a public safety emergency, such employee shall receive the applicable hourly stipend, if any, as provided under the contract. Please refer to the appropriate collective bargaining agreement for premium rates.
- 2.7 **Managing Leave Requests during a Public Safety Emergency:** In accordance with their internal policies, each agency should determine whether the employee's leave request was "pre-scheduled." Any employee who is on pre-scheduled leave during a public safety emergency shall be charged leave regardless of the public safety emergency declaration. However, if the employee's leave request was not pre-scheduled, and if the employee does not appear on the list of employees who were expected to work during a public safety emergency, the employee should receive compensation at their regular rate of pay for the hours the employee was scheduled to work during the public safety emergency, and should be charged leave for any remaining scheduled hours of work not covered by the public safety emergency declaration.
- 2.8 **Teleworking:** Teleworkers who work from home are not eligible for any stipend, any public safety emergency leave, or any additional compensatory time or overtime compensation for the hours they were scheduled to work during the public safety emergency.
- 2.9 **Training:** Designated agency representatives and their alternates will be notified of an annual training course which will be held by the Departments of Public Safety and Administrative Services.
- 2.10 **Notification and Enforcement Procedures:** Each agency is responsible for designating an agency representative and alternate(s) and for maintaining a list of employees who are expected to work during the public safety emergency in accordance with section 2.3 of this policy.
- 2.10.1 Each year, by the first day of October, agencies must enter into the OAKS HCM module the names, phone numbers, and classifications of the employees who are expected to work during the public safety emergency. This system is online at: www.myohio.gov.
- 2.10.2 Each agency must notify its employees of that status in writing and, if appropriate, issue the employees identification cards.
- 2.10.3 Agencies are responsible for properly reporting any increased payments for employees to Payroll Processing, when applicable.

3.0 Authority

ORC 124.04, 124.09, 124.15(D), 5502.21(F); OAC 123:1-46-01, 123:1-47-01(B); applicable collective bargaining agreements

This policy supersedes any previously issued directive or policy and will remain effective until canceled or superseded.

4.0 Revision History

Date	Description of Change
10/06/2011	Last issue date.
01/12/2018	Policy reissued; updated compensation for exempt employees required to report to work during an emergency.

5.0 Inquiries

Direct inquiries about this policy to:

Labor Relations and Human Resources Policy Section
Office of Collective Bargaining
Ohio Department of Administrative Services
1602 West Broad Street
Columbus, Ohio 43223

614.752.5393 | DASHRD.HRPolicy@das.ohio.gov

State of Ohio Administrative Policies may be found online at
www.das.ohio.gov/forStateAgencies/Policies.aspx

6.0 Attachments

Attachment 1 – Job Aid: Designating Essential Personnel During a Public Safety Emergency

Appendix A - Definitions

- a. Emergency. Any period during which the Congress of the United States or a chief executive has declared or proclaimed that an emergency exists. This formal declaration or proclamation can be made by the chief executive of any political subdivision, including the Governor, for natural disaster, man-made disaster, hazardous materials incidents or civil disturbance.

- b. Employees Who Are Expected To Work During A Public Safety Emergency. Employees expected to report to work during a public safety emergency. This definition applies to exempt and bargaining unit employees.
- c. Excused Employees. Employees who do not appear on the list of employees expected to work during a public safety emergency. This definition applies to exempt and bargaining unit employees.
- d. Public Safety Emergency. A term of art which refers to all formal declarations or proclamations which may limit a state employee's obligation to travel to and from work for a specific period of time. Such emergencies may include, but are not limited to, severe weather conditions like snowstorms.

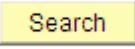


Attachment 1

Designating Essential Personnel During a Public Safety Emergency

Before starting, please navigate into HCM through myOhio.

1. Click  on the left navigation menu.
2. Click  on the right side of the screen.
3. Click  on the right side of the screen.
4. Click  on the right side of the screen.

5. Enter the Position Number, click the **Include History** box, and click .

[Favorites](#) | [Main Menu](#) > [Organizational Development](#) > [Position Management](#) > [Maintain Positions/Budgets](#) > [Add/Update Position Info](#)

Add/Update Position Info

Enter any information you have and click Search. Leave fields blank for a list of all values.

Search Criteria

Position Number:	begins with	<input type="text" value="19998356"/>
Description:	begins with	<input type="text"/>
Position Status:	=	<input type="text"/>
Business Unit:	begins with	<input type="text"/> 
Department:	begins with	<input type="text"/> 
Job Code:	begins with	<input type="text"/> 
Reports To Position Number:	begins with	<input type="text"/>

Include History **Correct History** **Case Sensitive**

Limit the number of results to (up to 300):

[Basic Search](#)  [Save Search Criteria](#)

- You **will** need to add a row to the employee's Position Information section, change the Effective Date field to the desired date, input GIC in the Reason field, checkmark the Key Position box, and SAVE.



Removing the Essential Personnel Designation

Before starting, please navigate into HCM through myOhio.

- Click  on the left navigation menu.
- Click  on the right side of the screen.
- Click  on the right side of the screen.
- Click  on the right side of the screen.

5. Enter the Employee ID, click the **Include History** box, and click Search.

Favorites Main Menu > Organizational Development > Position Management > Maintain Positions/Budgets > Add/Update Position Info

Add/Update Position Info

Enter any information you have and click Search. Leave fields blank for a list of all values.

Find an Existing Value Add a New Value

Search Criteria

Position Number: begins with 19998356

Description: begins with

Position Status: =

Business Unit: begins with

Department: begins with

Job Code: begins with

Reports To Position Number: begins with

Include History Correct History Case Sensitive

Limit the number of results to (up to 300): 300

Search Clear [Basic Search](#) [Save Search Criteria](#)

7. You **will** need to add a row to the employee's Position Information section, change the Effective Date field to the desired date, input GIC in the Reason field, uncheck the Key Position box, and SAVE.

Description Specific Information Budget and Incumbents Oh Posattributes

Position Information Find | View All First 1 of 7 Last

Position Number:

Headcount Status: Filled Current Head Count: 1 out of 1

*Effective Date: 11/08/2016 *Status: Active

Reason: GIC General Information Change Action Date: 11/08/2016

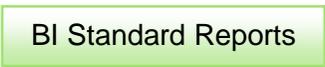
*Position Status: Approved Status Date: 01/20/2008 **Key Position**

Job Information

Running the Public Safety Emergency Essential Employee Query



Before starting, please navigate into Ohio Business Intelligence Cognos Connection through myOhio. This query will provide you with a list of employees with your agency that have been designated as essential for a public safety emergency.

1. Click  near the top of the page.
2. Click  on the left side of the screen.
3. Click  on the left side of the screen.
4. Click  on the left side of the screen.
5. Click  on the left side of the screen.
6. Click  on the left side of the screen.

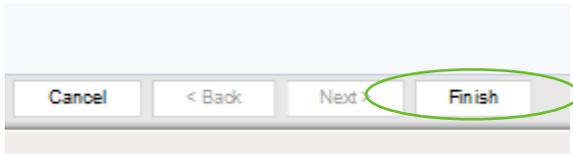


7. This will bring up the below screen. Enter the appropriate three character agency, board, or commission acronym, i.e, DAS.





8. Click the Finish button at the bottom of the page



9. The report will populate in the format below. Redaction was added for privacy.

Ohio Cognos Connection - WFP-0061 Emergency Essential Employees 10004510 Log Off

Keep this version

Ohio Business Intelligence

WFP-0061 Emergency Essential Employees Report

Department	Department Description	Employee ID	Employee Name	Key Position	Position Number	Position Description	Supervisor Name	Supervisor Employee ID	Hourly Rate
DAS101000	Administrative Support Divisn	[REDACTED]	[REDACTED]	Y	[REDACTED]	Financial Analyst Supervisor	[REDACTED]	[REDACTED]	\$44.84
DAS101000	Administrative Support Divisn	[REDACTED]	[REDACTED]	Y	[REDACTED]	Public Information Officer 2	[REDACTED]	[REDACTED]	\$35.72
DAS101000	Administrative Support Divisn	[REDACTED]	[REDACTED]	Y	[REDACTED]	DIRECTOR 4	[REDACTED]	[REDACTED]	\$65.97
DAS101000	Administrative Support Divisn	[REDACTED]	[REDACTED]	Y	[REDACTED]	Human Capital Management Mgr	[REDACTED]	[REDACTED]	\$40.49
DAS101000	Administrative Support Divisn	[REDACTED]	[REDACTED]	Y	[REDACTED]	Financial Manager	[REDACTED]	[REDACTED]	\$49.28
DAS101000	Administrative Support Divisn	[REDACTED]	[REDACTED]	Y	[REDACTED]	Human Capital Management Adm 1	[REDACTED]	[REDACTED]	\$41.83