

## **SECTION 9 EMERGENCY CLOSING**

- I. Jefferson County will make every effort to provide all services to citizens, even in cases of extreme adverse weather or other emergencies. Therefore, the County will almost always remain open to conduct regular business during normally scheduled hours. Under extraordinary conditions, however, the County may:
- A) **Close entirely while asking essential personnel to report/stay on duty.** This status may apply under unusual, extreme conditions. If the County is closed, non-essential employees are not to report. However, certain employees necessary to protect the public, secure/protect property may be asked to report for duty on a case-by-case basis. These employees will be notified in response to each specific emergency.
  - B) **Delay opening while asking essential personnel to report/stay on duty.** This status may apply when severe weather conditions interfere with employee travel but conditions are expected to improve. Operations will normally be cancelled during the time of the delayed opening with essential personnel expected to report. If conditions do not improve, a decision may be made later to close the County (essential personnel reporting).
  - C) **Release early while asking essential personnel to report/stay on duty.** This status may apply when severe weather conditions interfere with employee travel. Offices may continue to operate (possibly with reduced staffing). As a result, some staff may be asked to remain on duty by the supervisor. Any shift employees should check with their supervisor to determine whether or not to report. Essential personnel will be expected to remain until relieved or notified by their supervisors to leave.
  - D) **Localized and Temporary Closing.** Extreme conditions (i.e. prolonged electrical outages, water leaks, fumes etc.) occasionally may make working conditions in a particular building or location intolerable. Supervisors or employees in the affected unit(s) should discuss the problem with their supervisors who may consult with the Human Resources/Risk Management Department. If the problem cannot be resolved, closing may be considered as a last resort. Such closures must be authorized by the Elected Official or Department Head (after consulting with their Court Liaison).

**Note:** The extraordinary pay for essential employees described in section III (C) of this policy may not apply in the case of delayed opening or early release and will not apply in the case of localized/temporary closing. Such decisions will be made on a case by case basis by the County Judge/Commissioner's Court.

- II. Jefferson County Commissioners' Court has adopted the following emergency closing procedures:
- A) Whenever a Jefferson County Commissioner, the County Judge or Emergency Management Coordinator has reason to believe that an emergency situation exists (or is

imminent) necessitating closure of County facilities, if time permits, an emergency meeting of the Jefferson County Commissioners' Court shall be held to consider official action.

- B) If, in the opinion of the County Judge, or, in his absence, of the senior available County Commissioner, insufficient time exists to hold an emergency meeting of the Commissioners' Court, then that individual shall, based on concern over safety of County employees and other citizens as well as interest in the availability of governmental services, determine whether to close buildings in whole or in part.
- C) Once a decision has been made to close any governmental building, the County Judge or County Commissioner making the decision (or designated staff) shall make every attempt to notify local media to inform citizens of such closure. Affected County Department Heads/Elected Officials will also be notified of the closure.
- D) Each Elected Official/Department Head should determine and implement whatever actions would be necessary to: protect employees, customers, visitors, equipment, vital records and other assets, particularly during the first three days of the event and during restoration of operations.

Each Elected Official/Department Head should maintain current contact information on their employees. All employees are strongly encouraged to register with Blackboard Connect.

The County's operating status will be communicated to as many local television and radio stations as possible. Jefferson County will provide general information on our operating status through the Blackboard Connect service and through our website: [co.jefferson.tx.us](http://co.jefferson.tx.us). We may also issue an informational telephone number and/or post updates at the Texas Association of Counties (TAC) website: [www.county.org](http://www.county.org).

### III. Pay Practices during Emergency Closure

Jefferson County will provide pay/paid leave for essential and non essential employees in the event of certain emergencies including, but not limited to: hurricanes, tornados, floods, fires and other Acts of God; nuclear, chemical and biological emergencies, terrorist attack or any other emergency declared by a federal, state or local authority. Nothing in this policy shall be construed as changing the "at will" or the regular exempt/nonexempt status of any person employed by Jefferson County.

**Note: The pay practices described below will NOT apply to any essential personnel who are covered under a collective bargaining agreement (CBA). Such employees will be paid in accordance with the terms of their CBA.**

- A) In the event that an emergency closing is ordered, non-essential regular full-time employees will be paid their regular wages as the day(s) will be recorded as an official

closed day(s). This time off is not considered time worked and will not be used to determine eligibility for overtime. Part-time employees will not be compensated for time lost due to a closing.

- B) Any employee who is off or scheduled to be off on sick leave, FMLA or disciplinary leave without pay during a period of emergency closure shall have their leave recorded as such. Any essential employee who is off on paid leave may be required to return to work immediately. (In situations involving an “emergency evacuation order,” as defined by Chapter 22, Texas Labor Code, any essential employee who fails to report to work as scheduled/requested during inclement weather or disaster may be subject to disciplinary action, up to and including termination, if such employee is necessary to provide for the safety and well being of the general public or is otherwise necessary for the restoration of vital services.)
- C) Whenever there is an official emergency closure of all County operations that involves a Declaration of an Emergency by the County Judge, all approved essential employees (exempt or non-exempt) required to remain at work/report to work will be compensated at their regular rate of pay. In addition, they will receive premium or extraordinary pay at 1 times their hourly salary for the duration of the emergency declaration for all documented time during which work is performed. The maximum number of work hours which may be recorded for any work day is limited to 24 hours per day during the first 72 hours of the emergency closure and 18 hours per day thereafter. All hours must be documented in a format approved by the County Auditor.
- D) All essential employees must be designated and made aware of their assignments prior to an emergency closing. A list of essential employees and job duties during the emergency should be provided to the Emergency Management Coordinator and County Auditor and must be approved by the County Judge. The County Judge may also designate additional employees as essential during an emergency closing as necessary. Essential employees are those who are required to stay at their assigned areas performing necessary tasks during the emergency, or those who may be asked to return to work after an immediate threat is over. The list for each department should be updated at least annually. Such personnel may include: Corrections Officers, Deputy Sheriffs, Roads & Bridges crews, Emergency Management personnel, Residential Supervisors, Detention Officers and/or other personnel designated by the County Judge, County Commissioners, Sheriff or other Elected Officials/Department Heads. All other employees should report to their designated work areas as soon as possible following the order/announcement for resumption of normal operations, via instructions from their Elected Officials/Department Heads.

**Note:** Any employee who has not been designated and approved as essential prior to the emergency closing/declaration will not be eligible to receive the extraordinary pay described in section (C) above.

- E) In the instance of localized or temporary closing, the affected employees will be compensated in accordance with section III (A), and all unaffected employees’ compensation will be the same as during regular working conditions.

- F) Once the order for Mandatory Evacuation or Closure Order is lifted, employees must report back to work by the date instructed in the Order.

If conditions are such that County offices are safe and normal operations are proceeding, but travel may be extremely difficult, the County may announce to non-essential staff to use their own discretion to decide whether or not to report to work. Any days/hours not worked will be charged to vacation, personal leave, or compensatory time, or time without pay. An employee choosing to take the day off must notify his/her supervisor immediately for approval of paid leave.