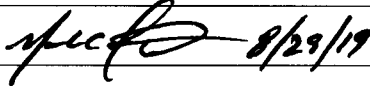


**CITY OF NEW BERN  
ADMINISTRATIVE ORDERS  
OF THE CITY MANAGER**

<b>ADMISTRATIVE ORDER 1.3</b>
<b>EMERGENCY RESPONSE EMPLOYEE POLICY</b>
To: All City Employees
From: Mark Stephens, City Manager  8/29/19
Maintained By: Administration
Date: August 29, 2019
Update to August 22, 2018 Policy

**Section 1. Purpose**

The purpose of this policy is to establish how an emergency response is determined, a method of payment for the City of New Bern personnel during emergency responses when there is a disruption in normal work operations, and to ensure an adequate work force in response to emergencies.

**Section 2. Definitions**

*Department Head* - Employees that head one of the departments recognized by the City of New Bern's Organization Structure.

*Designated Personnel* – Employees that occupy positions that would deal with emergency response, cleanup, or recovery from an extraordinary weather condition or disaster and Public Safety. Individual Department Heads will determine who is or is not designated for each emergency response on a case-by-case basis.

*Emergency Response* – City Staff's reaction to an occurrence that is different from situations faced in the normal scope of operations caused by disasters, manmade or natural, or by unusual weather or an unusual work situation requiring long and unusual hours for preparation, response and recovery.

*Exempt Personnel* – Employees that by virtue of their position and/or job duties are exempt from provisions of the *Fair Labor Standards Act*.

*Non-Designated Personnel* – Employees that occupy positions that do not deal with emergency response, cleanup, or recovery from extraordinary weather conditions or disasters, or who would not be effectively utilized during the occurrence of an emergency response. Individual Department Heads will determine who is or is not designed for each emergency response on a case-by-case basis.

*Non-Mandatory Exempt Personnel* - Employees that by virtue of their position and/or job duties, are subject to the provisions of the *Fair Labor Standards Act*.

### **Section 3. Determination of an Emergency Response**

The City Manager of the City of New Bern will determine whether or not an emergency response is necessary. The City Manager may make the determination based on his judgment, a written recommendation from Department Heads, or declaration from local or state officials.

For pay purposes, the City Manager will designate the beginning time of the event. Because recovery efforts may continue longer for some departments, the City Manager will also designate the ending time for each department as he/she deems appropriate.

### **Section 4. Administrative Leave with Pay**

The City Manager will authorize Administrative Leave with pay as a result of an event requiring the closure of city offices. ALL employees *who worked or were scheduled to work* during the time period designated for Administrative Leave will be authorized pay for those hours of Administrative Leave. All Administrative Leave will be paid at regular time and will not be included in the computation of overtime.

### **Section 5. Timesheets**

1. All employees should record all hours worked (regular, callback, standby) and any leave taken (vacation, sick, holiday, military, etc.).
2. As indicated in Section 4, if an employee worked or was scheduled to work during an Administrative Leave period, those Administrative Leave hours, authorized by the City Manager should be recorded on the timesheet based on their regularly scheduled shift for each 24 hour period, i.e. up to but not to exceed 8, 10 or 12 hours.
3. All employees should record storm hours worked with time in, time out, and total hours. These hours should be in addition to time recorded elsewhere on the timesheet.
4. Exempt employees should record total hours for regular hours worked and in/out time from storm hours worked. If the total hours exceed 80; however, an exempt employee will not be paid for more than 80 hours.
5. Department Heads need to distinguish between changing an employee's schedule, callback time, and standby time. If the employee is advised prior to leaving work that they will be required to return to work at a specific time, and that time is known/scheduled ahead of time, this is a scheduled change and callback time is not authorized; however, those hours would be included in the computation of overtime. If they are not provided a specific time to report, but are told they will have to report at some future time that would be considered standby until the employee is called to work, which will result in callback time.
6. Any time spent by an employee "sequestered" at a City Facility or a City-arranged hotel should be considered hours worked and would be included in the computation of overtime.


### **Section 6. Meals**

1. Whenever possible, the Department Heads will arrange to purchase and prepare food at a City Facility. If that is not possible, or if that is not practical given a work crew's location during a mean time, the employees are authorized and encouraged to use the purchasing card (PCard) up to the per-diem rate for that meal.
2. If meals are obtained outside of City facilities, a PCard should be utilized whenever possible.

3. In no case will an employee be reimbursed for meals over and above the authorized government per-diem meal rates. Supervisors should take care to ensure meals are purchased with the Pcard fall within these rates, which are available at <https://www.gsa.gov/travel/plan-book/per-diem-rates>
4. Employees may be authorized reimbursement of the per-diem meal rate by the City Manager for meals during the storm event. This would not include meals provided by the City at a City-owned facility.
5. Should employees' meals cost more than the authorized per-diem meal rates, the employee will be responsible for paying/repaying the difference.

**Section 7. Disciplinary Action**

During an emergency response, employees who are Designated Personnel and required to report to work may be disciplined up to and including termination, for failure to report for duty at the specified time by their Department Head or Supervisor.

  
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Mark A. Stephens  
City Manager

8/29/19  
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Date