

NCH

Title: Severe Weather - HR

## Purpose

It is the policy of NCH to maintain continuity of sufficient operations during a declared severe weather disaster, to establish a special compensation program for those employees designated as essential for work performed during severe weather, and to establish consistent pay practices for all employees, which shall apply during a severe weather event. This policy shall be interpreted and applied in a manner compliant with all applicable law. This policy sets forth how employees will be paid during periods prior to, during, and after a declared disaster.

## Policy

NCH Healthcare (NCH) must maintain essential services and operations during any emergency conditions providing for the protection, safety and health of all patients and employees. Hurricanes are a fact of life in Southwest Florida and as a community health care system we have the responsibility to the citizens of Collier County to remain open and available during a declared severe weather disaster.

Essential employees are those who have critical functions to support the organization during and immediately after a declared severe weather disaster. Essential employees working in clinical areas and scheduled to work during a hurricane are expected to report for duty as scheduled. Those essential employees who are scheduled to work will be classified as Team A. Essential employees not scheduled to work during a disaster will be classified as Team B. Department leadership will adjust their staffing levels according to anticipated needs and volume for the disaster.

Essential employees in non-clinical areas (such as Central Distribution, Public Safety and Human Resources) may be divided into two teams. Team A members report to work and remain at the facility during the severe weather. Team B members may be required to work while Team A prepares their homes before the storm. Then Team B will shelter at home during the storm and report to work as soon as possible once the storm passes.

For the purposes of this policy, a declared severe weather disaster (hereinafter “weather disaster”) starts 48 hours pre-storm and ends 48 hours post-storm. The weather disaster period is a rolling 48-hour period based on the actual landfall of the storm.

During a weather disaster an essential employee may qualify for an exemption if they meet one or more of the following criteria and complete the registration application by June 1. This exemption must be renewed each year using the online registration system. When an employee’s exempt status changes during the timeframe June 1<sup>st</sup> to November 30<sup>th</sup> due to a qualifying event, the employee must notify Human Resources. Eligibility for exemption includes:

1. Having a child under the age of two (2). When both parents are employed by NCH, then only one (1) employee can be exempt.
2. Employee has responsibility to provide care as the primary caregiver for an elderly immediate relative who cannot care for themselves on a routine basis and there are no other adult family members to provide care.
3. To provide care as the primary caregiver for an immediate family member who is handicapped or has a chronic illness.
4. Employees are also employed by a local community or state agency (Sheriff, EMS, Fire Rescue, etc.) that requires them to work during severe weather.

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The exemption period begins when a [Code Brown \(Severe Weather\)](#) is activated according to policy and ends when the Code Brown is cleared or an all clear has been communicated by county officials. This is generally 48 hours pre and post storm. Employees who are approved for exemption will be required to report to work for all scheduled shifts prior to Code Brown activation and report to work for the next scheduled shift following the weather disaster.

When an employee has more than one employer and NCH is the primary employer, the employee will be required to report to NCH as scheduled. When NCH is not the primary employer, department directors will work with the employee to coordinate whenever possible with the primary employers scheduling requirements.

Non-essential employees, while important to our healthcare system, are not critical during the weather disaster. These employees will work with their department leadership on scheduling and return to work when operations have resumed. Scheduled non-essential employees are required to be present to work until the Code Brown is called, even with an exemption. Non-essential employees may register online to be considered to work during the storm. See Volunteering below.

### **Employee On-site Lodging**

NCH will provide employee lodging for essential employees on Team A who are scheduled or called in to work during a weather disaster. Each essential employee will be assigned to a designated area for lodging. Please refer to the Hurricane Handbook on myNCH for a list of approved items to bring to on-site lodging.

### **Childcare Services**

NCH will make every effort to provide emergency childcare services when necessary.

Severe Weather Childcare may be available for all employees if Collier County or Lee schools close before or after a storm. When both parents are required to work, childcare may be available for children ages two (2) to twelve (12). Care will be predominately provided by authorized NCH employees and approved volunteers.

### **Volunteering**

Whether in clinical or non-clinical roles, non-essential employees are encouraged to volunteer. Typically, volunteers are needed in the areas of food service, employee lodging, or to perform functions of other employees who are unable to report to work. Employees will complete an online registration form to be designated as a volunteer. Employees who accept assignments during severe weather will be obligated to work those shifts. Failure to work the scheduled shift will result in corrective action as outlined in the policy below.

### **Registration**

NCH utilizes an online registration system for essential employees requesting an exemption or non-essential employees who would like to volunteer. The registration system is open during the month of May. Changes can only be made after June 1<sup>st</sup> with a qualifying event by notifying Human Resources within thirty (30) days. New hires will be required to register through the duration of hurricane season.

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**Event Periods**

In the case of a forecasted event such as a hurricane, employee compensation practices will be divided into the following three periods: 1) preparation, 2) disaster response, and 3) disaster recovery. In the case of non-forecasted events, the applicable period will be designated by members of the Executive team and applicable pay practices will apply.

Non-essential employees may be required to perform services outside of their normal job responsibilities, such as transporting people or property, delivering communications, assisting with food services, performing environmental services or materials management, to name a few. Non-essential employees will be paid for all hours worked, including any overtime hours, in compliance with applicable law.

1. **Preparation Period:** The preparation period is a period prior to the event during which special work may be necessary to ensure NCH is prepared for the anticipated disaster event. During this preparation period, all employees may be required to assist in the operational preparations for the forecasted disaster. The following pay practices will apply during the preparation period:
  - a. Non-essential employees will be paid their normal rate of pay, inclusive of applicable shift differentials, for the first 40 hours worked in a workweek. Non-essential employees who work more than 40 hours in a workweek will be paid overtime, calculated at one and one-half times their regular rate of pay.
  - b. Exempt non-management and management employees will continue to receive their normal pay.
  - c. Non-essential hourly employees who request and are approved for time off during this period may choose to use PTO or take time off without pay. Exempt employees are required to use PTO for work time missed.
  
2. **Disaster Response Period:** The commencement of the Disaster Response Period will be designated by members of the Executive Team. Response will be formally designated when conditions will soon make it no longer safe to travel to or from the facility. Non-essential employees (not part of the Response Team) will be released from duty and sent home. Employees assigned to the Response Team will report to work according to special assignments and schedules.

All employees designated as Response Team are considered essential and expected to report to work. Non-essential employees should not report to work, nor attempt to seek shelter, at any NCH Campus. Non-essential employees who do attempt to come to any NCH Campus during the Disaster Response Period will be turned away and will need to use an alternative shelter. To the extent possible, non-essential employees can work remotely, with the approval of their departmental leadership, and they will receive normal pay for time worked.

The following pay practices will apply during the designated Response and Disaster period:

- a. Non-exempt employees who are designated as essential employees will be paid their normal hourly rate, as well as applicable shift differentials, for all hours worked and for all hours during which they are in an "Engaged to Wait" status.
  - i. Employees will be completely relieved from duty for at least 8 consecutive hours every 24 hours. This time is off duty and not paid.
  - ii. When off-duty, employees are expected to stay in the designated location at NCH for lodging and should not perform any work duties. If work duties are performed during

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off-duty time, the team member should report the time worked to their leader so that they may be paid appropriately and have their schedules adjusted.

- b. Exempt employees who are designated as essential will receive their normal salary. At the conclusion of the Disaster Response Period, essential exempt employees will report the number of hours worked during the period that is over the employee's regular scheduled work hours to their leadership team. Those exempt employees will then be able to take an equivalent number of hours off with pay without having to use PTO or DOT. This excludes providers. The days off with pay must be taken within 30 days of the conclusion of the Disaster Recovery Period.
  - c. Exempt employees who are not designated as essential are required to use PTO or DOT for time away from work. Exempt employees without enough PTO balance will be advanced PTO time as necessary so that they receive full pay based on their normal work schedule, in which case the employees will have a negative PTO balance until future PTO accrual replenishes the amount of PTO advanced. Employees in their introductory period will be eligible to use PTO for missed work time, including the ability to go into a negative balance. Any employee who does not return from this time off period, regardless of reasoning, will be required to make restitution to NCH, or be sent to collections.
3. **Disaster Recovery Period:** The Disaster Recovery Period is a period of special work time, if necessary, after the disaster event to restore the facilities to normal operations. During this post disaster period, employees who are part of the Recovery Team will be called in to assist in any necessary cleanup of the NCH facilities and/or restoration of normal operations. The following pay practices apply during the Disaster Recovery Period:
- a. Non-exempt employees will be paid their normal rate of pay, inclusive of applicable shift differentials, for the first 40 hours worked in a workweek. Non-exempt employees who work more than 40 hours in a workweek will be paid overtime, calculated at one and one-half times their regular pay.
  - b. Exempt non-management and management employees will continue to receive their normal pay.
  - c. Non-exempt employees who request time off during this period may choose to use PTO or take time off without pay. Exempt employees are required to use PTO for work time missed.

### Other

Time for employees who already have scheduled PTO time off during the days of the disaster should be recorded in the time and attendance system in accordance with the time off type that was approved.

Employees designated as essential who work during the Disaster Response Period are to report to their manager or designee upon arrival and prior to leaving NCH to receive assignments and to ensure proper recording of time. If the time clocks are operational, non-exempt employees should clock in and out to record time in the appropriate cost center.

NCH will make every effort to ensure that employees timely receive the correct pay based on their actual worked hours and in accordance with the established pay periods and pay dates; however, events beyond NCH's control may occur that delay the processing of payroll and/or limit the ability to accurately process payroll.

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### Failure to Report for Duty

If an employee is scheduled to work and does not report for duty during a severe weather disaster, the following will apply:

1. Employees who are within their initial 90-day introductory period call and off from work during a weather disaster will be considered to have abandoned their job and will be terminated.
2. Employees who have successfully completed their initial 90-day introductory period and who call off from work during a weather disaster will receive a Step Three corrective action and will not be eligible to utilize PTO for that time off. Exceptions may be made for extraordinary circumstances.
3. Any employee who does not call in nor report for work will be considered to have abandoned their job and will receive a minimum Step Three corrective action up to and including termination.
4. Failure to report to work as scheduled following the denial of a request for time off will result in a Step Three correction on the first occurrence. This includes employees who want to evacuate and have been told that they need to be at work as scheduled.
5. Employees who call to report the inability to report for work due to severe weather conditions in their immediate locale and emergency transportation cannot reach them will be reviewed on a case-by-case basis. Determination of future employment status will be subject to review and approval by the appropriate Chief over the area and the Chief Human Resources Officer. Employees who are on approved time off during any portion of a weather disaster and are not able to return to work due to cancelled flights shall provide documentation validating the original flight's confirmed dates.
6. All grievances pursuant to action taken under this policy will be reviewed collectively by the same grievance committee.