



**CITY OF SHAVANO PARK**  
900 Saddletree Court  
Shavano Park, TX 78231

## **CITY POLICY 21**

SUBJECT: Disaster & Emergency Pay Policy

25 October 2021

### **1. Reference**

- a) Texas Government Code Chapter 418

**2. Purpose.** The purpose of this policy is to provide guidelines for compensation of City employees during a disaster or emergency situation.

- a) An emergency situation under this policy occurs upon declaration of a disaster by the Mayor of the City of Shavano Park or his designee as authorized pursuant to Texas Government Code Chapter 418.
- b) This policy will also be in effect whenever the Mayor declares that emergency condition(s) warrant implementation, either in preparation, or as a reaction to, a disastrous event either natural or manmade or other emergencies or disasters which threaten the critical infrastructure or safety of the City of Shavano Park or its citizens.

**3. Staff Point-of-Contact.** The staff point of contact for this policy is the City Manager at 210.493.3478 or at [citymanager@shavanopark.org](mailto:citymanager@shavanopark.org).

### **5. Definitions**

- a) *State of Disaster.* A period of time in which a disaster exists.
- b) *Disaster.* Is defined under Texas Law as the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or man-made cause, including fire, flood, earthquake, wind, storm, wave action, oil spill or other water contamination, volcanic activity, epidemic, air contamination, blight, drought, infestation, explosion, riot, hostile military or paramilitary action, other public calamity requiring emergency action, or energy emergency.
- c) *Essential Personnel.* An employee of the City of Shavano Park identified by the City Manager to be part of the emergency response team before, during, or after any emergency or disaster. In order to meet the needs of citizens and continue the operations of the City, essential personnel are required to stay and work before, during and after a disaster or emergency situation.

### **6. Pay Policy**

- a) Department Heads will designate essential personnel for essential jobs and submit the positions of such designated personnel to the City Manager by June 1<sup>st</sup> of each year. Each designated employee shall be made aware through written communication that they have been designated as an essential employee.
- b) The City Manager may call any designated essential employees to return to work before, during or after an emergency or disaster. Essential employees shall be made aware of the

City Manager return to work requirement by telephone or in person. Undesignated essential employees do not receive overtime pay status as outlined below.

- c) Compensation for hours **“Scheduled/Worked”** by **essential personnel** beginning on the date of the declared emergency or disaster will be declared overtime status:
  1. **Full-time (hourly) employees** will receive overtime status pay at one and a half (1 ½) times their normal rate of pay for all hours worked during the declared emergency or disaster.
  2. **Full-time (exempt) employees** will receive overtime status pay at one and a half (1 ½) times their normal rate of pay for all hours worked during the declared emergency or disaster.
  3. On the date of an emergency or disaster, **all essential employees, whether exempt or non-exempt, shall begin to be paid time and one-half (1 ½) per hour worked. There will not be the mandatory working of 40, 80 or 53 hours to reach disaster pay.**
- d) **Non-essential personnel** will be compensated for hours **“Not Worked”** during a declared emergency or disaster at their normal rate of pay for their normally scheduled work hours. This shall only be instituted for the non-essential personnel if the City Manager deems the employee is unable to safely arrive at work or their office is closed.
- e) Any employee who is prevented from attending work due to an emergency or disaster shall maintain daily telephone or personal contact with their department head. An employee who is not prevented from maintaining telephone or personal contact, and who fails to do so, may be subject to disciplinary actions and/or may be considered as having voluntarily resigned his or her position.
- f) **Essential personnel on Family Medical Leave** shall not be required to return to work during an emergency or disaster. However, essential personnel on family medical leave who do not return to work shall not receive overtime pay for the hours **“Not Worked”** during an emergency or disaster.