



**GREATER NAPLES FIRE RESCUE DISTRICT  
BOARD OF FIRE COMMISSIONERS  
Action Item Worksheet**

**NEW BUSINESS**

**Agenda Item:** III. E.  
**Subject:** Disaster Policies  
**Meeting Date:** May 8, 2024  
**Prepared By:** Chris Wolfe, Interim Fire Chief

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**Background**

It is necessary to update Policy #611 State of Emergency- Employee Scheduling and Compensation and implement a separate policy for employee and scheduling for disasters declared outside of the District to ensure proper staffing and pay in the event of a state of emergency.

**Funding Source/Financial Impact**

Overtime costs incurred would most likely be reimbursed during a state of emergency declaration.

**Recommendation**


Approve the revised Policy #611 State of Emergency- Employee Scheduling and Compensation and Policy #614 Disaster Declaration Outside District- Employee Scheduling and Compensation.

**Potential Motion**

I move to approve the revised Policy #611 State of Emergency- Employee Scheduling and Compensation and Policy #614 Disaster Declaration Outside District- Employee Scheduling and Compensation.

**Attachments**

1. Policy #611 State of Emergency- Employee Scheduling and Compensation
2. Policy #614 Disaster Declaration Outside District- Employee Scheduling and Compensation.

	<b>GREATER NAPLES FIRE RESCUE DISTRICT</b> Policy	
	<b>Policy# 611</b> <b>State of Emergency Within District- Employee Scheduling and Compensation</b>	
<b>Section:</b>	<b>Page:</b>	
<b>Approved Date:</b>	<b>Revised Date:</b>	

**Purpose:**

This policy is crucial in establishing the levels of compensation for our dedicated regular and part-time employees. It outlines the procedures for those who are released from work, retained, or called back to perform District work during the threat or occurrence of a hurricane, severe storm, civil disaster, or other emergency conditions affecting the Greater Naples Fire Rescue District.

If a disaster impacts another jurisdiction and requires an unusual and/or extended deployment of District assets or personnel to assist in the control or mitigation of the event, refer to Policy #614 Disaster Declaration Outside District – Employee Scheduling and Compensation.

**Policy:**

The provisions of this Policy shall become effective immediately following the declaration of a State of Emergency by the Board Chairman. They are designed to take precedence over all other personnel rules and regulations, policies and collective bargaining agreements of the District in the matter of pay, compensation and leave. This Policy applies for the entire duration of the declared state of emergency, as determined by the Board Chairman.

Designation of Employees to establish Pay and Compensation – In a manner to be determined by the Fire Chief (or designee), all employees (regardless of full- or part-time, exempt or non-exempt will be classified into one of the following three categories:

- A. Essential Mandatory Personnel: The assistance of these employees is considered essential to the District’s ability to function and provide public services in the event of a state of emergency.
- B. Essential Personnel: Depending on circumstances and needs, the assistance of these employees may be required in the event of a state of emergency.
- C. Non-Essential Personnel: The assistance of these employees is normally not required during a state of emergency.

Employees who are classified as Category “A” (Essential Mandatory Personnel) are expected to report for work at the beginning of their assigned shift, work their entire shift, and be prepared to work any overtime hours as may be required under emergency conditions.

Category “A” employees may also be required to work on unscheduled days or hours and should be prepared to perform outside their normal scope of duties. Category “A” employees may be required to remain at a designated facility during some portion of the emergency event.

Employees who are classified as Category “B” (Essential Personnel) employees should be prepared to report to work and should be prepared to work any overtime hours if required to do so.

Category “B” employees may also be required to report for work on unscheduled days or hours, and should be prepared to perform tasks outside their normal scope of duties.

Employees classified as Category “C” (Non-Essential Personnel) may be released from their normal work duties and scheduled as circumstances dictate, subject to the following procedures.

- The employee is to remain in periodic contact with their supervisor or other designated representative in accordance with District procedures
- Be available to call back assignments as directed
- Be prepared to work any overtime hours that may be required in advance of, or following an emergency event

The District retains the right to change an employee’s designation (as “A,” “B,” or “C”) at any time based on the type of emergency and the level or stage of response that is deemed appropriate by District management to address the emergency.

**Duty to Work** – An employee directed to work during a declared emergency and fails to do so is subject to being disciplined, up to and including termination. In addition to any disciplinary action, the employee shall forfeit any compensation payable under this policy except compensation for hours actually worked.

**Employee Compensation** – Any employee classified as either “A” (Essential/Mandatory) or “B” (Essential) who is exempt from the overtime provisions of the Fair Labor Standards Act will be compensated at a rate of 1 ½ times the employee's current Hourly Rate for all hours worked over 40 hours.

**Standby and Callback Pay**—No employee is entitled to or shall receive standby pay or callback pay during a local emergency.

**Record Keeping**—All employees are responsible for keeping accurate time logs/records for hours worked during a declared state of emergency. Submitting a request for compensation for time worked when the employee did not actually work during a period of local emergency is grounds for termination of employment.


**Handling of Leave Requests during Declared Emergency** – Leave requests approved prior to a declared emergency will be honored in accordance with the current Collective Bargaining Agreement (CBA). If not specified in the CBA, such requests will be granted if in the opinion of the Fire Chief the employee’s absence will not adversely affect the District’s ability to effectively respond to the emergency. However, all employees are subject to having previously approved leave cancelled, and new requests for leave denied, based upon an overriding

organizational need to have the employee report for duty to fulfill their job responsibilities during an emergency. Any off-duty employee who anticipated being unavailable to respond to a call back assignment associated with an emergency has the responsibility to discuss their plans with their Section Manager and request to be relieved from callback responsibilities for the duration of the anticipated duration of the emergency. The Section Manager will evaluate the employee's reasons for the request to be relieved of possible callback responsibilities and notify the employee of the decision as soon as possible. All employees who request sick leave immediately prior to, during, or in recovery from a declared emergency may be required by the Fire Chief to submit appropriate medical documentation to verify their sick leave request.

An employee on a previously approved leave that was not revoked before the specified emergency time period is not eligible for administrative leave with pay or any other form of special compensation that may be made available under the provisions of this Policy.

Holiday Pay- If the declared emergency time period should encompass a District-recognized holiday, an employee is eligible to receive any applicable holiday pay or benefit they are due in addition to any special compensation that is to be paid under the conditions that may be made available under the provisions of this Policy.

Suspension of other Compensation Rules- During periods of declared emergencies, the provisions of this Policy supersede all other provisions for scheduling and compensation outlined in other Districts regulations or addressed explicitly in the current Collective Bargaining Agreement about emergency declarations.

	<b>GREATER NAPLES FIRE RESCUE DISTRICT</b> Policy	
	<b>Policy# 614</b> <b>Disaster Declaration Outside District- Employee Scheduling and Compensation</b>	
<b>Section:</b>	<b>Page:</b>	
<b>Approved Date:</b>	<b>Revised Date:</b>	

**Purpose:**

To establish the compensation levels for our esteemed regular and part-time employees, who play a crucial role when deployed to assist in the control, management, or mitigation of a Declared Disaster that impacts another jurisdiction or district.

This Policy pertains to disaster declarations outside the District. If a disaster impacts the Greater Naples Fire Rescue District, refer to Policy #611 State of Emergency Within District—Employee Scheduling and Compensation.

**Policy:**

Authority and Duration of Emergency Pay – The provisions of this Policy, under the esteemed leadership of the Fire Chief and Board Chairman, shall become effective immediately following the Declaration of a Disaster state of emergency outside of the District. These provisions are considered to take precedence over all other personnel rules and regulations, policies and collective bargaining agreements of the District in the matter of pay, compensation and leave as hereafter set forth. The provisions of this Policy shall apply to the entire time period during which the declared state of emergency exists, as determined by the Fire Chief.

The Fire Chief may issue a Disaster Declaration when a manmade or natural event impacts another jurisdiction, which requires an unusual and/or extended deployment of District assets or personnel to assist in the control or mitigation of the event. The Disaster Declaration shall be based upon the facts from information provided by the Florida Department of Emergency Management. Before making a Disaster Declaration, the Fire Chief shall attempt to consult with individual Fire Board Commission members, if available. Such Disaster Declaration shall be made in writing, and a copy shall be provided to the GNFR Board of Fire Commissioners.

In a manner to be determined by the Fire Chief, any employee deployed to a Declared Disaster outside of the District shall be eligible for overtime payment. Deployed non-exempt employees, exempt employees, members of the Command Staff, and the Fire Chief are eligible. Overtime payment shall be calculated at 1 ½ times the employee’s current Hourly Rate for all hours worked over 40 hours.

During events that GRFR has been requested and missioned to support the State of Florida through the State Emergency Response Plan (SERP), they shall be compensated beginning at mobilization time and continuing continuously until demobilized from the home agency.

**Duty to Work**—An employee who is directed to work during a declared emergency outside of the District and agrees to do so but fails to do so is subject to discipline, up to and including termination. In addition to any disciplinary action, the employee shall forfeit any compensation payable under this policy except compensation for hours actually worked.

#### Example of Compensation Calculation

An employee who is exempt from the overtime provisions of the Fair Labor Standards Act, will be compensated as follows:

Example: If missioned and deployed in support of the State of Florida under the State Emergency Response Plan (SERP), you will be compensated from your departure time from a GNFR facility and continue continuously until you are demobilized from the GNFR facility.

**Record Keeping** – All employees are responsible for keeping accurate time logs/records for hours worked during a declared disaster outside the District. These logs/records shall be submitted for review by the Fire Chief or designee for verification and approval. The hours worked will be submitted for payment upon approval and authorization by the Fire Chief or designee. The submission of a request for compensation for time worked when the employee did not actually work is grounds for termination of employment.

**Fair Labor Standards Act (FLSA)**- This policy is drafted and adopted with the intent and understanding that it complies with the rules, regulations, and case law regarding overtime payments to executive or managerial employees of state and local government agencies. In no case is this policy drafted with the intent to circumvent the executive or managerial exemptions granted to these positions under current rules and regulations of the United States Department of Labor. Furthermore, this policy will not be utilized to make null and void the exempt status of otherwise salaried employees related to the Fair Labor Standards Act (FLSA).

**Handling of Leave Requests during Declared Emergency** – Leave requests approved before a declared emergency will be honored in accordance with the current Collective Bargaining Agreement (CBA). If not specified in the CBA, such requests will be granted if, in the opinion of the Fire Chief, the employee's absence will not adversely affect the District's ability to respond to the emergency effectively. However, all employees are subject to having previously approved leave canceled and new requests for leave denied, based upon an overriding organizational need to have the employee report for duty to fulfill their job responsibilities during an emergency. Any off-duty employee who anticipated being unavailable to respond to a callback assignment associated with an emergency has the responsibility to discuss their plans with their Section Manager and request to be relieved from callback responsibilities for the anticipated duration of the emergency. The Section Manager will evaluate the employee's reasons for the request to be relieved of possible callback responsibilities and notify the employee of the decision as soon as possible. All employees who request sick leave immediately before, during, or in recovery from

a declared emergency may be required by the Fire Chief to submit appropriate medical documentation to verify their sick leave request.

An employee on a previously approved leave that was not revoked before the specified emergency time period is not eligible for administrative leave with pay or any other form of special compensation that may be made available under the provisions of this Policy.

Holiday Pay- If the declared emergency time period should encompass a District-recognized holiday, an employee is eligible to receive any applicable holiday pay or benefit they are due in addition to any special compensation to be paid under the conditions that may be made available under the provisions of this Policy.

Suspension of other Compensation Rules- During periods of declared emergencies, the provisions of this Policy supersede all other provisions for scheduling and compensation set forth in other Districts regulations or specifically addressed in the current Collective Bargaining Agreement in reference to emergency declarations.