

Knoxville Campus Policy: FI00007-K Emergency Closure Pay	
Version 1	Effective Date: 04/27/2018

Office of Budget and Finance

Pay in the Event of an Emergency Closure

PURPOSE:

This protocol provides guidance on adjustments to normal payroll and human resources procedures to address the unique circumstances and requirements of an emergency in regards to employee compensation. The goal is to provide flexible guidance to execute adjusted compensation protocols that protects the financial solvency of the university by ensuring the capability to compensate employees designated as necessary for response and recovery and easing the financial impact of employees not designated to work during the closure. This procedure is subject to change depending on the unique circumstances of an even and upon approval by the Chancellor, his/her designee, or the Policy Group. Any reference to compensation throughout this document is subject to the University's ability to fund the benefit.

Short-Term Closure in the Event of a Natural Disaster, Medical Emergency/Pandemic, or Man-Made Disaster

For the purposes of this procedure/protocol and for emergency closures, a short-term closure will be defined as a continuous seven-day period or less.

Under normal circumstances, short-term closures will be addressed by the Administrative Closure Policy (HRO320). In this event, the Chancellor, or his/her designee, will announce the closure indicating the days affected, the hours of the closure, and the employees who will be impacted. Emergency closures will be established by a formal declaration of an emergency by the Chancellor or his/her representative. During an emergency closing, regular exempt and non-exempt employees will be paid for their regularly scheduled work hours for up to three days, at which point the status of the emergency closure will be reevaluated.

For the purposes of this procedure/protocol and for emergency closure, the Chancellor and/or his/her designee will define the designated responders. The designated responders may differ depending upon the emergency. Designated emergency response personnel who are non-exempt will receive the designated administrative leave pay and, in addition, will be paid for all hours worked during the emergency. Should the combination of administrative closing and hours worked exceed 40 hours during the work week, those hours that are in excess of 40 hours will be remunerated at the rate of time and one-half.

Knoxville Campus Policy: FI00007-K Emergency Closure Pay	
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Designated emergency response personnel who are exempt will be paid for a standard work week that may include a combination of administrative closure pay and regular pay. Exempt employees, including faculty, will not receive additional pay for hours worked during a short-term closure.

Long-Term Closure in the Event of a Natural Disaster, Medical Emergency/Pandemic, or Man-Made Disaster

For the purposes of this procedure/protocol, long-term closure is any closure that exceeds seven consecutive days and a formal declaration of an emergency is established by the Chancellor or his/her designee. The eighth day of the event signifies that the event qualifies as a long-term event/closure.

Non-Exempt Staff

Non-exempt employees who are not required to work during the closure may elect to use their personal leave day, banked compensatory time, accrued annual leave, and sick leave, if available and in that order to ensure they will continue to be paid. Employees may elect to keep up to 40 hours of annual and/or sick leave. Once the employees' paid time off has been exhausted, the employee will be put in a leave without pay status for the duration of the closure or until their employment ends.

During the period of unpaid leave, the University will continue to pay its portion of the employees' health insurance for the first month, to be reviewed each month thereafter. However, to ensure the employees' insurance will continue unabated, the employees must remit their payment for their specific insurance. Failure to remit the payment in a timely fashion will cause the health insurance to lapse. All other employee benefits will be handled according to Leave of Absence Policy (HR0335).

Non-exempt employees, who are designated as emergency response personnel and are required to work, will receive their regular rate of pay for all hours worked up to 40 hours in a week and then will receive time and one-half for any and all hours worked in excess of 40 hours worked during the week. Depending on the type and severity of the emergency, hazard pay may be considered and awarded.

Exempt Staff

Exempt employees who are not required to work during the closure must use their accrued annual leave and sick leave, in that order, to ensure they will continue to receive their salary. Employees may elect to keep up to 40 hours of annual and/or sick leave. Once the employees' paid time off has been exhausted, the employee will be placed in a leave without pay status for the duration of the closure or until their employment ends.

Knoxville Campus Policy: FI00007-K Emergency Closure Pay	
Version 1	Effective Date: 04/27/2018

During the period of unpaid leave, the University will continue to pay its portion of the health insurance premiums. However, to ensure the employees' insurance will continue unabated, the employees must remit the monthly payment. Failure to make the payment in a timely fashion will cause the health insurance to lapse. All other benefits will be handled according to Leave of Absence Policy (HR0335).

Exempt employees who are designated as emergency response personnel and are required to work will receive their regular rate of pay for the time worked. Depending on the type and severity of the emergency, hazard pay may be considered and awarded.

Tenured and Tenured-Track Faculty

Tenured and tenured-track faculty who are appointed on a 9-month appointment will continue to receive their regular pay for the duration of the emergency. Non-tenure track faculty on a 9-month appointment will be determined based on the terms of their appointment letter. Tenured and tenure-track faculty on a 12-month appointment will be treated like exempt staff since they are in a leave accrual status.

General Provisions

In the event of an emergency closure, an adjustment in the employees longevity date may result should the closure last for an extended period of time. Leave without pay may also impact an employee's years of creditable service under TCRS retirement guidelines. However, under emergency closure provisions, constructed annual dates **will not** be impacted.

A long-term emergency closure will result in the suspension of the Sick Leave Bank.

On-Call Pay and Special Event Pay are not applicable during times of emergency closure.

All faculty and staff who are in an unpaid status during the emergency closure are eligible to apply for benefits under the State Unemployment Compensation Program.

All time-tracking for designated emergency response personnel must be submitted to the Emergency Operations Center (EOC), Finance and Administrative Section for tracking and processing by Emergency Support Function 7: Resource Support. Activation of additional employees beyond the previously approved categories must be coordinated through the EOC and approved by the Finance and Administrative chief.