DMA POLICY: 3-0212

NAME: EMERGENCY EVENT COMPENSATION POLICY
Reference: 10-3-103, 2-16-117, 39-4-107 M.C.A.; MOM 3-05-1

APPROVED SIGNATURE: John E. Walsh

EFFECTIVE DATE: September 1, 2008

Given the agency's responsibility to respond to emergency or disaster incidents that threaten life and/or property it is inevitable that employees will be required to work in excess of eight hours per day and/or on Saturdays, Sundays, and holidays.

A policy is needed to provide fair and equitable pay and to aide in the recruitment and retention of qualified employees who work outside of a normal work schedule to support emergency events or recovery efforts related to the emergency event.

DEFINITIONS:

Emergency Event: An Incident, Emergency or Disaster event as defined in MCA 10-3-103 that threatens life and/or property requiring response or recovery actions by Disaster and Emergency Services Division personnel or response to a request for assistance from another State under the Emergency Management Assistance Compact (EMAC) as defined in MCA-10-3 Part 10.

Emergency Event Workday: A scheduled work shift contained within one calendar day (0001 - 2400 hours).

Normal Work Schedule: A normal work schedule is defined as five consecutive eight hour workdays occurring on Monday through Friday between 8:00 am and 5:00 p.m. unless modified by mutual agreement of the employer and the employee (MCA 2-16-117).

Normal Workday: A period of eight hours constitutes a normal workday (MCA 39-4-107).

Situational Pay: Pay based on situations atypical in either the majority of jobs in Montana State government or in jobs used to make market pay comparisons. To be compensable, a job situation should be one that causes difficulty in recruitment and retention because of job requirements such as unusual hours of work, environmental hazards, or unusual physical demands. Some examples of situational pay are hazardous duty pay, on-call pay, subsistence pay and pay for excessive travel. (M.O.M. 3-5010)

EMERGENCY EVENT TIME ACCOUNTING POLICY:

Emergency Events covered under this policy:

a. Response to emergency events within the State of Montana that require activation of the State Emergency Coordination Center (SECC) as defined in the SECC SOP.
b. Response to emergency events at the request of another State under the Emergency Management Assistance Compact (EMAC).

The Disaster and Emergency Services Administrator or designee must approve response by Disaster and Emergency Services Division personnel to a request for assistance from another State under the Emergency Management Assistance Compact (EMAC).

An employee will be assigned to the emergency event using the standard SECC overhead resource order form. Every day worked by an employee assigned to an incident is considered an emergency event workday until the incident is over or the employee is officially released from the emergency event by the SECC Manager.

All exempt and non-exempt employees assigned to an emergency event are converted from a 40 hour weekly schedule to an 8 hour daily schedule and are compensated at a situational pay rate equal to 1 ½ times their regular rate for all hours worked in excess of 8 hours in an emergency event work day.

All employees assigned to an emergency event are compensated at a situational pay rate equal to 1 ½ times their regular rate for all hours worked on Saturday and Sunday.

All hours worked on a holiday that are directly related to the emergency event are to be compensated at the appropriate rate and charged to the event.

Leave cannot be taken to put an employee into a situational pay status.

All situational pay will be charged to the emergency event.

When the employee is officially demobilized from the emergency event they will return to a 40 hour weekly schedule.

Compensatory time may not be banked for hours worked outside the employee's normal work schedule where there is a Governor's Disaster, Emergency, or Incident Declaration associated with the emergency event or when responding to a request from another State under the Emergency Management Assistance Compact (EMAC).