

City of Red Bluff
Administrative Policies & Procedures – Personnel Manual

Subject: Declared Health Emergencies	Number: 22-52
	Effective Date: 10/17/2023
Departments Affected: All	Supersedes (Number/Date):
Authority: Section 2.82-A. Red Bluff City Code	File References: Approved: Approved by City Council on: 10/17/2023

Overview: This rule provides guidance for employee use of leave and the continuation of work in the event of a Federal, State, or local declared health emergency. When emergency operations result in a disruption of work, this rule will be superseded by the City disaster plan as integrated by the Office of Emergency Services.

Applicable to: All employees

Guidelines: Whether it is caused by a natural disaster, man-made error, or unforeseen events, City business may be disrupted by a health emergency. It is an employee’s responsibility to follow official guidance related to the containment of the disease or health emergency.

Continuation of Work Plan

In the case of a declared health emergency, it is the City’s goal to continue providing essential services to the community, although tasks and locations may be temporarily changed. Departments should plan in advance to establish the following at a minimum:

- A plan to provide essential services.
- Tasks that can be completed remotely at another City facility or from the employee’s home.
- Tasks that may keep employees productive, including assisting other departments.
- Tasks related to obligations as a disaster service worker.

Staff will be instructed as to when and where to report based upon the circumstances created by the event. A Department Head may order some or all employees to perform work during their regularly scheduled hours at an alternate work location.

Disaster Service Worker

All City of Red Bluff employees are disaster service workers. Should the work disruption be caused by a declared health emergency, employees who are unable to perform their regular duties may be assigned to other areas of

City of Red Bluff
AP&P 22-52 Declared Health Emergencies Policy

need.

Facility Closure During a Declared Health Emergency

During a declared health emergency, the employee should plan on reporting to work at their usual workplace unless they are contacted by the Department Head or their designee. The Department Head may initiate contact procedures once the impact of the declared health emergency has been determined. A Department Head, or their designee, may make the decision to release employees, depending on the severity of the circumstances.

If an employee is required to report to work but is not put to work or furnished with less than half of their usual or scheduled day's work, they must be paid for half the usual or scheduled day's work, but in no event less than three hours at their regular rate of pay.

Each Department Head is responsible for coordinating the shutdown of non-emergency or public safety operations with the employees involved within the department/division. This should be done in compliance with the City of Red Bluff Personnel Policies Manual or Memorandum of Understanding, whichever may be applicable. Time lost to the employee during a declared health emergency can be compensated by one or a combination of the following:

1. At the request of the employee, accrued employee benefits, like vacation, administrative leave, or ATO/CTO, may be used; or
2. The employee can choose to be sent home on paid status which means being available by phone and remaining fit for duty to return to work as quickly as feasible upon the end of emergency conditions or restoration of power. The employee can also perform work duties remotely as requested by their supervisor.
3. The employee may arrange a flexible work schedule to make up the time lost during the facility closure period. Under this method, the employee must make up the lost time within 14 days from the day of the closure.

Employees With Health Symptoms Related to the Emergency

An employee who comes to work exhibiting communicable illness symptoms may be directed to go home and not come to work until they are free of symptoms in accordance with the guidelines established by the California Division of Occupational Safety and Health (Cal/OSHA) or California Department of Public Health (CDPH). Employees may work from home if job duties allow and it is approved by their Department Head, use any available leave balances to cover the period of the absence, or be in unpaid status.

Employees who have either exhausted their leave accruals or those who have elected to go unpaid may do so for an initial period, which does not exceed 30 calendar days, regardless of the number of actual unpaid hours. The Department Head or their designee shall consult with the employee after the initial period to determine if the need for the employee to continue off work in an unpaid status still exists.

Employees who have recently traveled to an identified high-risk area will be

City of Red Bluff
AP&P 22-52 Declared Health Emergencies Policy

directed to stay home for the minimum period as identified by the California Department of Public Health (CDPH).

Medical certification will not be required to substantiate illness related to the health emergency. Departments are asked to suspend the accumulation of any sick leave occurrences for employees during the emergency, including those with excessive leave usage or for employees suspected of abuse of leave.

Departments will follow the City's procedures for Work-Related Injury or Illness Reporting in the event an employee requests to file a worker's compensation claim.

Flexing Hours

At the Department Head's discretion, they may allow flexible hours in order to keep employees at work as much as possible. An example of when this may be appropriate is when an employee's childcare situation has changed due to a school or daycare closure.

A Department Head may choose to reduce the hours that they are open to the public in order to reduce employees' exposure to the public.

Compensation and Leave During Declared Health Emergencies

Compensation: Employees will be paid for actual hours worked, whether at the worksite or off-site.

Exempt Employees: In recognition of the requirement that exempt employees occasionally work beyond a normal workday, some flexibility is allowed for authorized time off with pay during the normal workday or workweek. If an employee has worked a total of 40 or more hours in a workweek, they are not required to use leave accruals for partial day absences. However, an absence equal to or greater than half of the employee's regularly scheduled workday shall be deducted from an exempt employee's appropriate leave accruals when the employee has not worked 40 or more hours in a workweek. In accordance with this Rule, salary deductions are not permissible for partial days. See AP&P 22-30: Exempt Employees for more information.

Benefit Programs: Employees may be eligible for unemployment insurance benefits, or State Disability, or Paid Family Leave to care for a qualifying family member.

Use of Leave: An employee may request to use sick leave, administrative leave, ATO, vacation, or compensatory time off to receive compensation during a declared health emergency, including while in isolation, quarantine, or shelter-in-place. The City cannot require an employee to use leave bank accruals for declared health emergency related absences, and the employee may choose to be in an unpaid status. See below for further information regarding *Unpaid Leave*.

Family Medical Leave: Employees who take time off due to their own serious illness or to care for an ill family member may be eligible for Family Medical Leave or Paid Family Leave under the existing statute.

City of Red Bluff
AP&P 22-52 Declared Health Emergencies Policy

Exhaustion of Leave: If an employee requests time off and is approved when there is leave available, and then exhausts available leave or has leave advanced, the original time off request may be retroactively denied. Or if the employee no longer has sufficient leave accrued to cover the full period of the request for leave, the leave granted may be restricted to the actual amount of accruals available.

Unpaid Leave:

Employees who elect to go unpaid due to a declared health emergency related absence may do so for an initial period, which does not exceed 30 calendar days, regardless of the number of unpaid hours. The Department Head or their designee shall consult with the employee after the initial period to determine if the need for the employee to continue off work in an unpaid status still exists.

Sick Leave and vacation do not accrue during periods of unpaid leave. Human Resources will adjust sick leave and prorate it accordingly for any unpaid absences within a pay period prior to processing payroll. Unpaid hours are not counted toward seniority.

Employees who are in a fully unpaid status must establish a payment plan with the Finance Department and Human Resources for the full cost of health insurance premiums.

The employee is responsible for keeping up-to-date contact information available to their supervisor and/or Department Head.

The supervisors should work with the Department Head and staff to create a continuation of work plan. If directed to do so by the Department Head, the supervisors will initiate contact procedures in the event there is a declared health emergency.

The Department Head or their designee will determine whether employees should be released during a declared health emergency, following the guidelines in this rule. They are also responsible for initiating contact procedures in the event there is a declared health emergency prior to the workday. The Department Head will determine the employee's work plan for off-site work and sign the employee agreement.

References: California Code of Regulations, Title 8, Section 3205; Labor Code §230.8; www.cdph.ca.gov;