



*Division of
Administrative Affairs*

Department of Human Resources Policy #1 Essential Personnel

Version #2.0

Effective: 03/19/2014

Revised: 06/30/2021

1. PURPOSE:

The purpose of this policy is to provide a framework for the identification and deployment of Essential Personnel before, during and after emergencies, disasters, or other events as deemed appropriate by FAU President or designee (called 'emergency event') that affect any University facilities and/or campuses or University operations/services to provide services that relate directly to the health, safety, and welfare of the University, ensure continuity of critical/essential operations, and maintain and protect University property and assets.

2. POLICY STATEMENT:

- 2.1. During the preparation, response, and recovery phases of emergencies, essential units and personnel provide services that relate directly to the health, safety, and welfare of the University community, ensure continuity of critical/essential services, and maintain and protect University assets.
- 2.2. In the event of severe weather conditions or emergency situations, the University may suspend operations and/or cancel classes in whole or part. If this occurs, all units and employees deemed essential must report to their leadership as soon as conditions reasonably permit. Unit leadership must instruct, based on essential services required to be performed, essential employees to remain at work, perform remote work or report to their campuses or facilities as soon as conditions reasonably permit.
- 2.3. All Essential Personnel are expected to remain at work, perform remote work or report to work in emergency situations. If an Essential Employee cannot report to or remain at work, then the employee must contact his or her supervisor as soon as possible. Failure to remain at, report to work, or perform remote work as directed during an emergency may result in disciplinary action, where appropriate, up to and including termination.
- 2.4. This policy provides further guidance and directives as outlined in Florida Atlantic University Emergency Management Policy (University Policy 1.14), Personnel Policy (University Policy 7.5), and Employee Standards and Disciplinary Procedures (University Regulation 5.012).
- 2.5. This policy does not apply to emergencies that are contained and unit-specific and does not require campus or university-level action

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3. CONCEPTS AND DEFINITIONS:

- 3.1. Critical Services and Essential Functions: are defined as those services and operations that are determined to be critical to the functioning of the University. In the event of suspension of operations, the President or designee, in consultation with the Executive Policy Group, will determine which critical services and essential functions are needed depending on the nature of the event.
- 3.2. Emergency Operations Team (EOT): is comprised of members of staff who provide situational awareness and other pertinent information to the EPG. This team executes the emergency-related policies determined by the EPG and establishes response strategies and tactics, deploys resources, and implements the recovery process.
- 3.3. Essential Personnel/Persons: defined as University employees or contracted workers designated by the President, Provost and/or Vice Presidents to be critical to providing services that relate directly to the health, safety, and welfare of the University community, ensuring continuity of critical/essential operations, and maintaining and protecting University property and assets, in the event of a suspension of operations.
- 3.4. Executive Policy Group (EPG): is comprised of leaders of the University's key emergency management units and provides guidance and makes decisions and policy in response to emergency situations/events. This group determines how, when, and what to communicate to the University community during emergencies. It provides counsel and advice to the President and provides direction to the Emergency Operations Team.
- 3.5. Suspension of Operations: defined as the decision of the President or designee, in consultation with members of the EPG, to suspend operations, in whole or part, due to the degree of severity of the situation as it relates to the safety, health and welfare of the University community and/or protection of University property and assets.
- 3.6. University Unit: is defined as an academic, academic support, research, administrative or service unit or area under the auspices of the University.

4. RESPONSIBILITIES:

- 4.1. University President (or designee):
 - 4.1.1. Shall direct all senior administrative officials, or designees, to designate essential persons for their respective areas or units, as well as appropriate contracted service providers, needed to provide services that relate directly to the health, safety, and welfare of the University community during a suspension of operations, to ensure continuity of critical/essential operations and functions, and maintenance and protection of University assets.
 - 4.1.2. Shall assess emergency situations affecting FAU campuses or operations, and in consultation with appropriate senior administrative officials, make a determination if it is necessary to suspend operations, in whole or part.

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- 4.1.3. Shall direct senior administrative officials to initiate activation procedures or protocols regarding essential personnel needed to operationalize the courses of action prompted by the suspension of operations.
- 4.1.4. Shall assess emergency situations affecting FAU campuses or operations, and in consultation with appropriate senior administrative officials, make a determination to resume operations, in whole or part.

- 4.2. Senior Administrative Officials, to include Vice Presidents:
 - 4.2.1. Must ensure that essential persons are designated for areas or units under their purview.
 - 4.2.2. Shall ensure that all leaders of units containing essential persons and direct supervisors of essential persons undergo appropriate training regarding oversight of essential persons.
 - 4.2.3. Must ensure that appropriate contracts and contract language, activation and deactivation plans, procedures or protocols are developed by units containing essential personnel (under the auspices of the University or contracted service providers), to provide services during a suspension of operations, to include tracking of time and labor for cost recovery and compensation purposes, and disciplinary and non-compliance measures, as applicable, in coordination with appropriate units, such as risk management, procurement, etc.

- 4.3. Leaders of Units Containing Essential Persons and Direct Supervisors of Essential Persons:
 - 4.3.1. Must meet with essential personnel, including contracted service provider representatives, under their purview upon hire, at least annually, or when there is a change in duties and responsibilities, and discuss this policy and the expectations of the role.
 - 4.3.2. Shall undergo oversight and management of essential personnel training within 60-days of hire or within 30-days of assumption of supervisory duties and responsibilities.
 - 4.3.3. Shall enact plans, and oversee and document activation and deactivation actions, to include notification, and activities during a suspension of operations, for all essential personnel under their purview, including contracted service provider personnel.
 - 4.3.4. Shall work with the Department of Human Resources to enact appropriate disciplinary and non-compliance measures for essential University employees and with the Office of General Counsel for essential contracted service personnel.
 - 4.3.5. Shall maintain current designations of all essential personnel (University and contracted service provider personnel) and provide current rosters of essential contracted service provider personnel to the Department of Emergency Management.
 - 4.3.6. Shall oversee the tracking of essential persons' activities and time during a suspension of operations for related purposes, such as cost recovery and compensation or disciplinary action.
 - 4.3.7. Shall provide documentation in a timely manner to appropriate University units as requested.

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4.4. Department of Human Resources:

- 4.4.1. Shall develop and administer the essential personnel program for University employees to support all suspension of operations activities, to include database administration, data/information collection, development and timely review of associated content and supporting materials and resources, provision of training and education, tracking and reporting, implementation of disciplinary measures, activation and deactivation of essential personnel, and temporary hiring and workforce supplementation.
- 4.4.2. Shall oversee and facilitate the process of temporary hiring and workforce supplementation as necessary to provide critical services and continue essential operations, to include providing identification, and coordinating appropriate support, training and resources.

4.5. Department of Emergency Management:

- 4.5.1. Shall support the administration of the University employee essential personnel program, as appropriate.
- 4.5.2. Shall provide support for and guidance to units that utilize contracted service providers to provide critical services or perform essential functions on behalf of the University.

4.6. Essential Personnel/Persons:

- 4.6.1. Shall undergo training within 60-days of hire or transfer into a role designated as an essential person.
- 4.6.2. Must remain on duty or perform remote work as instructed, or report to work as soon as feasible to ensure the uninterrupted delivery of essential services, unless directed or permitted otherwise by their respective unit leadership.
- 4.6.3. Shall retain a copy of this policy, proof of designation, and the notification of their activation, to establish their identity to authorities.
- 4.6.4. Shall wear or conspicuously display, while onsite, credentials provided by the University for identification during an order of suspension of operations.
- 4.6.5. Track activities and time for appropriate purposes, such as cost recovery and compensation.

4.7. Non-Essential Persons:

- 4.7.1. Shall adhere to activation directives to supplement the workforce, as necessary.

4.8. Contracted Service Providers:

- 4.8.1. Must have activation and deactivation plans, procedures or protocols, and provide trained employees to perform essential functions or provide critical services required during a suspension of operations.

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4.8.2. Must provide information to University units, as appropriate, for purposes such as access control, cost recovery, and payment.

5. PROCEDURES:

5.1. Designation of Essential Personnel:

5.1.1. Role or position is designated as essential depending on whether it supports the provision and/or continuation of the University's critical services or essential functions.

5.1.2. Department of Human Resources provides written documentation of essential person designation to employee upon hiring, transfer, reclassification, or changes to duties that support designation.

5.1.3. Department of Human Resources provides training to essential persons, unit leadership and direct supervisors.

5.2. Declaration of Suspension of Operations:

5.2.1. The University President or designee orders a suspension of operations up to and including a declaration of a University or Campus State of Emergency based on the potential or actual impacts to life safety, critical services or essential functions.

5.2.2. Measures necessary to meet the emergency and, to the extent possible, safeguard persons and property are enacted, to include recall, remote work or remain protocol and procedures for essential personnel.

5.2.3. The University President, senior administrative officials, unit leaders and direct supervisors of essential personnel direct, oversee, and enact recall, remote work and/or remain plans, procedures and protocol for essential personnel to perform essential functions and provide critical services.

5.3. Staffing During a Suspension of Operations:

5.3.1. Essential personnel remain on duty, perform remote work or report to work as instructed to ensure the uninterrupted delivery of critical services, unless directed or permitted otherwise by their respective unit leaders.

5.3.1.1. University essential person who cannot remain on duty, perform remote work or report to work notifies their direct supervisor and/or unit leader as soon as circumstances permit.

5.3.1.2. University essential person provides documentation of extenuating circumstances as requested.

5.3.1.3. University employee who does not have approved exceptions to report for essential personnel duty may be subject to the University's disciplinary process, up to and including termination of employment.

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5.3.1.4. Contracted service provider entities activate plans to support suspension of University operations.

5.3.2. When a need arises for temporary hiring and workforce supplementation, the Department of Human Resources coordinates and facilitates the process with the respective units.

5.3.2.1. This process is only used in the most serious emergencies and requesting units need to follow appropriate directives and guidance set forth by the Department of Human Resources.

5.3.2.2. University employees who are not designated as essential may be recalled, instructed to perform remote work or directed to remain at work to perform essential functions or provide critical services. Appropriate support, training and resources are to be furnished to them to be able to perform the duties at hand.

5.4. Resumption of Operations:

5.4.1. The University President or designee orders a resumption of operations based on mitigation or management of the potential or actual impacts to life safety, critical services or essential functions.

5.4.2. All units with essential personnel activate appropriate resumption and deactivation plans, including contracted service providers, and reporting and documentation efforts by all parties should be completed and provided to the appropriate units or entities.

5.5. Compensation During a Suspension of Operations:

5.5.1. Consistent with University policies, Special Circumstances Paid Leave shall be provided to employees scheduled to work during a suspension of operations in accordance with University Policy 7.5.L.2.

5.5.1.1. Specifics on how employees, who work, or do not work, during the emergency closing of the University, will be compensated are outlined in the table below:

Classification	Worked	Not Worked
Faculty and AMP	Special Circumstances Paid Leave for Emergency Closing	Regular Salary
SP	Special Circumstances Paid Leave. Overtime will only be earned when hours worked during the emergency closing exceeds 40 hours in a work week.	Regular Salary
OPS – hourly (includes student employees)	Paid for hours worked. Overtime will only be earned when hours worked during the emergency closing exceeds 40 hours in a work week.	No pay
OPS – exempt (includes student employees)	Regular salary	Regular Salary

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6. ENFORCEMENT:

6.1. The Department of Human Resources has the authority to enforce this policy on behalf of the University.

7. RELATED INFORMATION:

- University Policy 7.5 – Personnel
- University Policy 1.14 – Emergency Management
- University Regulation 5.015 – Personnel Policies
- University Regulation 5.012 – Employee Standards and Disciplinary Measures
- FAU Comprehensive Emergency Management Plan (CEMP):
<https://www.fau.edu/emergency/univeristyplans.php>
- FAU Employee Essential Personnel Program:
http://www.fau.edu/hr/employee_relations/essential_personnel.php
- FAU Contracted Services Essential Personnel:
<http://www.fau.edu/emergency/essentialpersonnel.php>

Approved and issued by order of:

Chitra Iyer
ASSISTANT VICE PRESIDENT, HUMAN RESOURCES

DATE:

POLICY MAINTENANCE SECTION

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Time-sensitive Items	N/A

THIS POLICY RESCINDS ALL OTHER WRITTEN DIRECTIVES REGARDING THIS TOPIC.

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8. RECORD OF CHANGES/STATUS CONTROL:

Version	Date	Summary of Changes	Reviewed By
2.0	05/28/21	<ul style="list-style-type: none">Expanded Policy Statement (Section 2)Expanded Concepts and Definitions (Section 3)Addition of Responsibilities (<i>new</i> Section 4)Expanded Procedures (<i>new</i> Section 5)Enforcement of Policy (<i>new</i> Section 6)Related Information (<i>new</i> Section 7)	<ul style="list-style-type: none">Chitra IyerStacy Volnick