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**CITY OF MARATHON, FLORIDA
RESOLUTION 2016-40**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA AMENDING CHAPTER 11, SECTION 13 OF THE EMPLOYEE POLICIES AND PROCEDURES BY AMENDING SUBSECTION D, WHICH PROVIDES THE METHOD AND AMOUNT OF COMPENSATION TO BE PAID TO CITY OF MARATHON EMPLOYEES DURING A PUBLIC EMERGENCY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, it is essential to preserve continuity of government and maintain the City of Marathon Florida (the "City") essential operations before, during and after a Public Emergency; and

WHEREAS, it is crucial that City employees be available for the continuity of government and to maintain the City's essential operations before, during and after a Public Emergency; and

WHEREAS, the City finds that it is in the best interest of its employees to establish a policy describing the method and amount of compensation to be paid to the City employees during a Public Emergency; and

WHEREAS, the City Council desires to amend the City's Employee Policies and Procedures dated 08/01/2013, to incorporate said policy in Chapter 11, section 13 Emergency Procedures.

WHEREAS, the Public Emergency Policy is required to facilitate the accounting for and payment to the City's employees during a Public Emergency.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF MARATHON, FLORIDA AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Public Emergency Policy. The Emergency Procedures in Chapter 11, section 13.D. are hereby amended and shall be incorporated into the City Employees Policies and Procedures dated 08/01/2013 as follows:

Chapter 11 Miscellaneous Provisions Section 13 Emergency Procedures

D. Compensation for Employees

1. Definitions

- A. **Public Emergency:** Any occurrence, or threat thereof, whether natural, technological, or man-made, in war or in peace, which results or may result in substantial injury or harm to the population or substantial damage to or

loss of property. For the purpose of this Resolution, the City Manager or designee may declare a Public Emergency with or without a declaration of a State of Emergency.

- B. Emergency Leave: Time off with pay granted to all City employees once the City manager or designee ceases normal City operations due to a public emergency. Emergency leave applies only to an employee's regular work hours during the time that the City Manager or designee has ceased normal City operations.
- C. Authorized Employee: An employee approved to do Emergency Response Work and /or to staff the Emergency Operations Center once the City Manager or designee has ceased the normal operations of the City due to a public emergency.
- D. Emergency Response Work: work performed by an Authorized Employee during the time that the City Manager or designee ceases normal City operations due to a public emergency.

2. Employee Responsibility

- A. All employees questioning their designation and responsibilities during an Emergency Leave shall contact their Supervisor or Department Director to confirm their duties and responsibilities and the fulfilment of such duties and responsibilities.

3. Pay Policies

- A. All employees, including the City Manager, are entitled to receive full pay during the time the City Manager or designee has ceased City operations and has authorized Emergency Leave whether or not they work.
 - a. Employees who do not work during an Emergency Leave will receive their regular compensation.
 - b. An Authorized Employee who performs Emergency Response Work will receive additional compensation for actual hours worked.

4. Compensation

- A. Compensation for Authorized Employees who perform Emergency Response Work will be as follows:
 - a. Non-exempt employees will be compensated at two times their regular hourly rate for all hours actually worked. All overtime hours worked during this time will also be compensated at two times an employee's regular hourly rate.
 - b. Exempt employees, including the City Manager, will receive their regular salary plus an hourly rate for all hours actually worked. An exempt employee's hourly rate will be calculated by dividing an employee's annual salary by fifty-two and then dividing by forty.
 - c. If an employee, for any reason, does not report to work when the City resumes normal operations and Emergency Leave is no longer

in effect, that employee will utilize accrued vacation or comp leave, in accordance with the Policies and Procedures. In the absence of accrued leave, the employee will take leave without pay. It is the responsibility of all employees to notify his or her Supervisor or Department Director if he or she is unable to report to work.

5. Timesheets

A. Detailed timesheets for all employees must be submitted to the payroll department to account for all hours worked. Timesheets shall include the following: department name, employee name, date and time worked (i.e. in @ 0800 and out @ 1500), details of Emergency Response Work performed and must be signed by Department Director.

Section 3. Effective Date: This Resolution shall become effective immediately upon its adoption.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 10th DAY OF MAY 2016.


THE CITY OF MARATHON, FLORIDA



Mayor Mark Senmartin

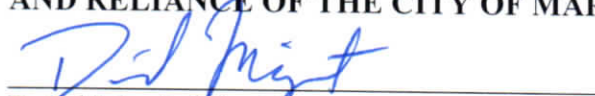
AYES: Bartus, Zieg, Kelly, Coldiron, Senmartin
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST:



Diane Clavier, City Clerk
(City Seal)

APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:



David Migut, City Attorney