



RESPONSIBLE DEPARTMENT: Human Resources		SUBJECT: Disaster Pay
PAGES: 3		REPLACES POLICY (NUMBER/DATE): OLOA HR.1.185 03/17/2014 STEL HR458 09/15/1999 SFMC HR.08.015 12/01/2015 OLOL ECEP014 01/01/018
ORIGINAL EFFECTIVE DATE: 11/15/2019	REVISED EFFECTIVE DATE:	POLICY NUMBER: HR.02.008

<p>SCOPE:</p> <p>Applies to team members employed by Franciscan Missionaries of Our Lady Health System, Inc. (“FMOLHS”) and its wholly owned affiliates (collectively referred to herein as “Affiliates”).</p>
<p>PURPOSE:</p> <p>To establish guidelines for compensation of team members when disaster plans or inclement weather actions have been activated.</p>
<p>POLICY:</p> <p>When an emergency such as a mass casualty disaster, inclement weather, or other emergency occurs, staffing decisions will be made to assure that patient care and operational needs are met. In these situations, team members will be compensated for all hours worked, including resting/sleep time when applicable, consistent with Fair Labor Standards Act.</p>
<p>DEFINITIONS:</p> <p>“Core Business Departments” means those work units which have been designated by the facility President as significant to the continued operations of the facility and which are required to be staffed appropriately and operational during an emergency event.</p> <p>“Key Leaders” include those members of management who are necessary to maintain core service and critical functions of the facility during an emergency or inclement weather event as determined by the facility President.</p> <p>“Resting Rate” means the team member’s base pay with shift differentials that would be payable during sleep/resting time when no actual work is performed. Only Core Personnel qualify for resting pay when they are required to stay within the hospital during an emergency. Rest periods during which a team member receives the resting rate is not considered as actual worked time for the calculation of overtime. Team members who are simply sheltering at the facility for safety purposes and who are not scheduled to work are not paid for the shelter time.</p> <p>“Core Personnel” means workforce members who are identified as necessary to maintain the critical functions or operations of the department.</p>

PROCEDURE:

Worked hours continue to be paid in compliance with policy and law during an emergency or periods of natural disaster.

- Non-exempt/Hourly Team members are paid for all hours worked.
- Exempt Team members are paid consistent with exempt status guidelines.

Team Members are responsible for recording all time worked and are encouraged in such circumstances to proactively provide documentation to their timekeeper to assure timely pay should the time record system not be available.

Non-Exempt-Core Business Departments:

Team Members who work in Core Business Departments and remain in the hospital to ensure continued operations and timely staff availability will be compensated during all hours. Actual worked hours will be paid at the normal rate including shift differentials.

Though certain periods of rest time can, by law, be unpaid, FMOLHS and Affiliates have determined that any resting or sleep time at the hospital which a team member works during a disaster will be paid at the team member's regular rate of pay, including shift differentials.

Non-Exempt team members who do not report to work may use available Paid Time off (PTO) to cover the absence. Otherwise, the absence is unpaid.

Anyone who is designated as a core business department team member and who refuses to come to work during Inclement Weather or a Code situation is subject to a 3 scheduled days/shifts disciplinary suspension/final written warning (or termination if they are already in the disciplinary process). If the team member is unable to report to work due to disaster related conditions such as, but way of example, road closures or other unsafe conditions, s/he will not be penalized for the absence and must use PTO as available.

Non-Exempt-Partner/Other Departments:

Team Members who work in Partner Departments or other areas and are scheduled to work but who are called-off due to the disaster may use PTO time to cover the absence.

Partner team members called-off scheduled shifts who choose to stay in hospital facilities strictly for his/her personal safety/comfort will not be paid for such time; however, he/she may use PTO to cover the absence from his/her otherwise scheduled hours. Partner team members will be paid for actual time worked, if any; any sleep/resting time for the team member's personal purposes while simply utilizing safe shelter is not compensable in these circumstances.

Exempt Team Members/Key Leaders:

Exempt team members including Key Leaders are paid consistent with exempt status guidelines, regardless of whether full scheduled hours are worked, during the emergency or natural disaster unless the team member had pre-scheduled PTO. Exempt team members who chose not to work at all during the emergency or natural disaster are required to use available PTO to cover the absence.

Note: The information described herein does not create any legal rights and FMOLHS reserves the right to deviate from, revise or eliminate this policy, at any time, in its sole discretion.

STATUTORY/REGULATORY AUTHORITY:

Fair Labor Standards Act
HR.01.014 Inclement Weather Policy
Emergency Code Grey

ATTACHMENTS:

N/A

Policy Oversight by:

Chief Human Resources Officer