

 <p><b>ONEIDA</b> <b>STANDARD OPERATING PROCEDURE</b></p>	<p>TITLE: Emergency Closure Determination, Communication &amp; Compensation</p>	<p>ORIGINATION DATE: January 15, 2021 REVISION DATE: September 8, 2022 EFFECTIVE DATE: After last signature</p>
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<p>EEO REFERENCE NUMBER: 3</p>	<p>APPROVED BY: <i>HRD Compensation &amp; Benefits Director</i> Josh Cottrell <small>Digitally signed by Josh Cottrell Date: 2022.11.30 11:27:03 -06'00'</small></p>	<p>DATE:</p>
<p>PAGE NO: 1 of 5</p>	<p>REVIEWED BY: <i>EEO Director</i> Matthew J. Denny Sr. <small>Digitally signed by Matthew J. Denny Sr. Date: 2022.12.01 08:22:45 -06'00'</small></p> <p>APPROVED BY: <i>Executive HR Director</i> Todd VanDen Heuvel <small>Date: 2022.12.01 13:44:33 -06'00'</small></p>	<p>DATE:</p>

## 1.0 PURPOSE

- 1.1 To standardize the process for the determination, communication, and compensation of Emergency Closures.

## 2.0 DEFINITIONS

- 2.1 Alternative Worksite: Another Oneida Nation Department/Building.
- 2.2 Building Manager: An individual responsible for the coordination, correspondence, and follow-up for any building related maintenance or security.
- 2.3 Civil Unrest: An activity arising from a mass act of civil disobedience (*such as a demonstration, riot, or strike*) in which the participants become hostile toward authority.
- 2.4 Critical Areas:
  - 2.4.1 Anna John Resident Centered Care Community
  - 2.4.2 Child/Day Care Departments
  - 2.4.3 Comprehensive Health Division
  - 2.4.4 Emergency Management
  - 2.4.5 Gaming Division
  - 2.4.6 Internal Security Department
  - 2.4.7 Management Information Systems
  - 2.4.8 Police Department (OPD)
  - 2.4.9 Public Works Department
  - 2.4.10 Retail/Enterprise Division
  - 2.4.11 Surveillance Department
  - 2.4.12 Tribal School System
  - 2.4.13 Oneida Housing Authority

- 2.5 Emergency Closures: Unexpected closures within the Oneida Nation due to an emergency/incident.
- 2.6 Emergency/Incident:
  - 2.6.1 Fire
  - 2.6.2 Hazardous Material
  - 2.6.3 Health Emergency
  - 2.6.4 Medical
  - 2.6.5 Pandemic
  - 2.6.6 Civil Unrest
  - 2.6.7 Terrorism
  - 2.6.8 Transportation
  - 2.6.9 Utility Failure
  - 2.6.10 Violence
  - 2.6.11 Weather
- 2.7 Exempt: A position which is paid a pre-determined amount or salary and is not eligible for overtime.
- 2.8 Flex Time: A system which allows supervisors the ability to provide employees with a flexible work schedule by allowing various starting and finishing times, provided the employee meets the required number of hours in their work week.
- 2.9 General Manager Level Positions: The highest level in the Chain of Command under the Oneida Business Committee; this includes the following positions:
  - 2.9.1 Chief Financial Officer
  - 2.9.2 Chief Judicial Officer
  - 2.9.3 Chief of Police
  - 2.9.4 Executive Human Resources Director
  - 2.9.5 Gaming General Manager
  - 2.9.6 General Manager
  - 2.9.7 Intergovernmental Affairs Director
  - 2.9.8 Retail General Manager
- 2.10 Individual Locations: Departments and Buildings.
- 2.11 Intergovernmental Affairs & Communication Department (IGAC): The Department responsible for all information communicated internally/externally.
- 2.12 Hard Lockdown: A lockdown which involves an individual Oneida Nation building.
  - 2.12.1 A hard lockdown indicates an immediate threat to or near a building – it requires the facility to go into an internal emergency procedure.
  - 2.12.2 This means that all staff cannot move around within the facility and are required to remain within a locked room.
- 2.13 Non-Exempt: A position paid for work performed by the hour and is eligible for overtime pay when the employee works over 40 hours within a work week.
- 2.14 Oneida Emergency Management (EM): The Department responsible for emergency planning, emergency operations, and coordinating the response for a disaster/incident, and or state of emergency, which occurs within the Oneida Reservation boundaries.
- 2.15 Oneida Police Department (OPD): The Department charged with the preservation of public order, the promotion of public safety, and the prevention and/or detection of crime within the Oneida Reservation boundaries.

- 2.16 Phone Trees: A list of employee emergency contact phone numbers provided to each immediate supervisor.
- 2.17 Soft Lockdown: A lockdown which involves a town, city, or county.
  - 2.17.1 A soft lockdown is used when a possible threat is identified in the surrounding area.
  - 2.17.2 This would involve any safety risk that is happening outside of the facility – for example, a bank robbery, burglary.
- 2.18 Telecommuting: Arrangement between employee and supervisor which allows work to be performed away from the workplace.

### **3.0 WORK STANDARDS/PROCEDURES**

- 3.1 Critical Areas, as defined in this SOP, shall have their own Emergency Closure Procedures approved by their areas and on file at HRD.
- 3.2 All individual departments are responsible for ensuring employee Phone Trees for their respective areas are up to date.
- 3.3 All individual departments are responsible for immediately notifying EM, OPD and their chain-of-command if their individual location is having an emergency/incident that could potentially require an Emergency Closure.
- 3.4 Being eligible for emergency compensation does not guarantee compensation.

#### Emergency Closure Determination & Communication (Individual Locations)

- 3.5 With General Manager Level approval, a department and/or Building Manager has the discretion to request individual location closure due to an emergency/incident.
- 3.6 EM and OPD have the authority to make a joint decision to close a location due to an emergency, with or without General Manager Level Position approval.
- 3.7 Department and/or Building Managers shall utilize their phone trees to communicate the closure.
- 3.8 When an Individual Location is closed due to an emergency, the General Manager Level position shall determine if alternative work arrangements are available such as alternative worksite or telecommuting.
  - 3.8.1 If alternative work arrangements are not available, employee may utilize:
    - 3.8.1.1 Vacation/Personal Time, or
    - 3.8.1.2 Time off without pay, or
    - 3.8.1.3 Emergency closure compensation if eligible.
- 3.9 Department and/or Building Managers shall communicate the closure to the organization via Nation-wide email.

#### Emergency Closure Determination & Communication (Nation-wide)

- 3.10 EM and OPD will use the following methods of communication and/or forecasting to learn of the existence of a real or potential emergency:
  - 3.10.1 First-hand knowledge from General Manager Level Positions or Department and/or Building Managers of emergency issues, conditions and/or incidents.
  - 3.10.2 Monitoring and assessing National, State, Local and Tribal issues and/or conditions.
- 3.11 EM and OPD will make the determination whether an emergency warrants emergency closure of the Nation.
- 3.12 EM and OPD may make a joint recommendation to the OBC if they believe a Nation-

wide closure is necessary.

- 3.12.1 The OBC will determine if the emergency warrants closure.
- 3.12.2 If the OBC is unable to make the determination, EM has full authority to make the determination for a Nation-wide closure.
- 3.13 The OBC does have the authority to determine if an emergency warrants closure with or without a joint recommendation from EM and OPD.
- 3.14 If an emergency results in a Nation-wide full day closure, late start, and/or early release, the following communication procedures shall apply:
  - 3.14.1 EM will contact the IGAC for immediate media and/or Nation-wide communication.
  - 3.14.2 EM will contact the General Manager Level Positions to confirm closure.
  - 3.14.3 The General Manager Level Positions will utilize the Phone Tree to further communicate the closure to all employees within their chain of command.
- 3.15 Employees are encouraged to monitor the following modes of communication evident times of emergency/incidents, and/or state of emergency (*i.e., severe weather conditions*):
  - 3.15.1 Notification from supervisor (*i.e., text or call*).
  - 3.15.2 Oneida Email for Nation-wide Communications.
  - 3.15.3 RAVE Alert Emergency Messaging System
  - 3.15.4 Local media (*television/radio/social media*) for community notifications.

#### Emergency Closure Compensation Eligibility

- 3.16 Being eligible for emergency compensation does not guarantee compensation.
- 3.17 All regular and limited term status employees are eligible for emergency closure compensation when an emergency closure is declared by Emergency Management, Oneida Police Department, or the Oneida Business Committee.
  - 3.17.1 Temporary employees are not eligible for emergency closure compensation.
- 3.18 Employee must be scheduled to be at work at the time of an emergency closure, in order to be eligible for emergency closure compensation.
  - 3.18.1 All employees are eligible for emergency closure compensation if an emergency is declared before the start of their shift.
  - 3.18.2 Employees who do not report to work are ineligible for emergency closure compensation if an emergency is declared after the start of their shift.
- 3.19 Employees on a pre-approved scheduled day off or telecommuting are not eligible for emergency closure compensation.
- 3.20 If an alternative worksite or telecommuting is made available to the employee during an emergency closure and the employee chooses to not report to work, they are not eligible for emergency closure compensation.

#### Emergency Closure Compensation

- 3.21 Being eligible for emergency compensation does not guarantee compensation.
- 3.22 Employees are eligible up to 24 hours of emergency closure compensation per fiscal year.

- 3.23 When an emergency is declared, employees are eligible for emergency closure time for any remaining unworked time for their scheduled shift for that day.
- 3.24 Supervisors shall ensure employees do not exceed 40 hours in a work week as a result of receiving emergency closure compensation.
- 3.25 Supervisors shall enter the emergency closure compensation in KRONOS.

#### **4.0 REFERENCES**

- 4.1 Emergency Management Ordinance, Chapter 302
- 4.2 Emergency Communication Plan SOP
- 4.3 Emergency Response Plan (BC Resolution 01-27-21-B)
- 4.4 National Incident Management System (BC Resolution 03-14-07A)
- 4.5 Personnel Policies and Procedures, Section IV.2.b.1
- 4.6 Personnel Policies and Procedures, Section VI, Safety and Health