


Title:	<b>Public Safety Emergency</b>
Procedure #:	<b>50-LR-03-05</b>
Policy Reference:	50-LR-03 Safety and Security
Legal Reference:	R.C. 3304.15, 3304.16, 124.18, Ohio Adm.Code 123:1-46-01; DAS Policy HR-11 "Public Safety Emergency", appropriate Collective Bargaining Agreements
Effective Date:	February 12, 2024
Approved:	Kevin L. Miller, Director 
Origin:	Division of Human Resources
Supersedes:	50-LR-03-05 (11/02/15 [Reviewed 11/18/16, 10/04/17])
History:	50-LR-03-05 (01/07/13)
Review/ Implementation	Begin Review – 08/11/25 Implement Revisions By – 02/09/26

## I. PURPOSE

The purpose of this procedure is to provide direction for steps which are to be followed during a public safety emergency in accordance with appropriate federal (e.g., Code of Federal Regulations [C.F.R.]) and state law (i.e., Ohio Revised Code [R.C.], Ohio Administrative Code [Ohio Adm.Code]) Governor directives and executive orders, other governing agency (e.g., DAS, OBM) policy or guidance, and/or Director expectations.

## II. APPLICABILITY

This policy applies to all OOD employees.

## III. DEFINITIONS

Refer to the "Safety and Security" policy (50-LR-03) for definitions.

Essential Employees – a skeletal crew of designated employees (exempt or bargaining unit) whose presence at an OOD location is critical to maintaining operations and essential office functions during a public safety emergency (i.e., employees who are essential to maintaining security, health and safety, and critical office operations).

Non-essential Employees – employees who are not identified by the agency as being essential during an emergency.

## IV. PROCEDURES

### A. General

1. The declaration of a public safety emergency rests solely with the Governor, or their designee (i.e., Department of Public Safety [DPS] Director). OOD shall remain open for business during normal hours of operation unless a public safety emergency is declared.



## Opportunities for Ohioans with Disabilities

- a. As long as there are no alerts on television, radio, our website ([www.OOD.ohio.gov](http://www.OOD.ohio.gov)), the Safety Office Alert Line (855-772-4968), Facebook, or Twitter employees shall report to work as usual.
  2. The Director shall identify an OOD employee and an alternate to be the designated agents for receipt of the Governor or the DPS Director's notice of a public safety emergency.
    - a. The designated agents shall then be responsible for contacting OOD management so that all staff can be notified.
- B. Declared Public Safety Emergency
1. Essential Employees
    - a. OOD shall create and maintain a list of essential employees (i.e., employees who are expected to work during a public safety emergency).
      - i. Employees who are designated as essential employees are advised, in writing, of the designation on an annual basis, normally by October 1<sup>st</sup>.
      - ii. Essential employees shall provide a phone number at which they can be reached. An e-mail address and cellular phone (if home number is number provided) information may also be requested.
    - b. If a public safety emergency has been declared by the Governor or DPS Director, essential employees shall report to work unless otherwise advised.
    - c. If essential employees are in the workplace and a public safety emergency is declared, they shall continue working.
    - d. Employees who are deemed essential shall be issued an "Essential Employee Card" to be in their possession to facilitate their travel to and from work on state roadways and highways during a declared emergency.
    - e. Essential employees who work during a declared public safety emergency shall be given overtime
    - f. Exempt employees who are expected to work during a declared public safety emergency and do so at an OOD location (i.e., not at home), shall receive an \$8/hour stipend in addition to their regular rate of pay pursuant to ORC 124.15(D) for each hour.
    - g. Exempt employees who are expected to work during a public safety emergency and who are instructed not to report to work at a location other than their home, or are released from work from a location other than their home during a public safety emergency, shall be paid at their regular rate of pay (i.e., shall not receive the stipend).
    - h. Essential bargaining unit employees shall be paid at the rate provided under their collective bargaining agreement.
  2. Non-Essential Employees
    - a. If a public safety emergency has been declared by the Governor or the DPS Director, non-essential employees (exempt and bargaining unit) are NOT required to report to work.



- b. Employees who do not report for work or who are sent home as a result of a declared public safety emergency shall be paid for their full scheduled shift(s) at their regular rate of pay.
- c. Exempt employees who are in the workplace when a public safety emergency is declared shall be excused from the workplace but may volunteer, with supervisor approval, to stay and work their regularly scheduled hours.
  - i. Exempt employees who are approved to stay and work their regularly scheduled hours are not entitled to overtime compensation or compensatory time and shall be paid at their regular rate of pay.
- d. Bargaining unit employees who are in the workplace when a public safety emergency is declared are NOT permitted to continue working and shall be excused from the workplace.
  - i. If a bargaining unit employee decides to remain on site, due to safety or personal circumstances preventing them from being able to leave, they shall not perform any official work and/or duties and shall not be compensated.
- e. On the rare occasion when non-essential employees are required to remain at work due to the absence of essential employees, they shall be compensated accordingly.
  - i. Non-essential exempt employees shall be entitled to overtime compensation or compensatory time, in addition to their regular rate of pay.
  - ii. Non-essential bargaining unit employees shall be paid at the rate provided under their collective bargaining agreement.
- 3. Teleworkers who work from home are not eligible for any stipend, any public safety emergency leave, or any additional compensatory time or overtime compensation for the hours they were scheduled to work during the public safety emergency.
- 4. Any employee who is on scheduled leave during a declared public safety emergency shall be charged the leave, as requested, regardless of the declared public safety emergency.
- 5. County Advisory
  - a. Weather advisory may be declared by the county sheriff in:
    - i. county of an employee's residence; or
    - ii. county the employee travels through; or
    - iii. county of the employee's report-in location.
  - b. If an advisory issued by a county sheriff prohibits an employee's travel to work (Level 3 only), with supervisory permission, employees may be permitted to work from home, use accrued vacation, personal leave, compensatory leave or make up work hours if they choose not to come to work due to extenuating circumstances caused by extreme conditions.
    - i. If an employee is without leave, requests for leave without pay will be liberally granted during a travel restriction.



## Opportunities for Ohioans with Disabilities

- c. If an OOD location is in a county that has prohibited travel (Level 3), then employees should work with their supervisors to determine appropriate alternate work locations or employees may use leave.
  - i. Employees should call the Safety Office Alert Line (855-772-4968) for information about office closures and emergency report-in directions.
- d. If an employee was to report to a Non-OOD location in a county that has prohibited travel, they should work with their supervisor to determine an alternate work location in an unrestricted county or they may use leave.
- e. In the event that only Franklin County is impacted by a Level 3 emergency, no direct calls will be made to employees.
  - i. Employees should call the Safety Office Alert Line at (855) 772-4968 for clarification about work status in Franklin County and if applicable, emergency report-in direction.

### FORMS AND ATTACHMENTS

- N/A

### RESOURCES

- 50-LR-15 Discipline Policy, 50-LR-15.A Discipline Grid

### REVIEW

It is the responsibility of the Deputy Director, or designee, to review this procedure, on or before, the date listed in the header and if applicable, make any necessary revisions. The Deputy Director or designee shall document the review as required in "Policy and Procedure Process" (10-ADM-01).