

**CITY OF NEW ORLEANS  
CHIEF ADMINISTRATIVE OFFICE**

**POLICY MEMORANDUM NO. 112 (R)**

**May 31, 2022**

**TO: All Departments, Boards, Agencies, and Commissions**

**FROM: Gilbert A. Montañó, Chief Administrative Officer** 

**SUBJECT: Emergency and Office Closure Leave and Pay Policies**

**I. PURPOSE**

The purpose of this memorandum is to provide standards for all Departments, Offices, Agencies, Boards and Commissions to follow with regard to Emergency Pay and Leave, as well as other unforeseen non-emergency circumstances that necessitate closure of City operations.

**II. APPLICABILITY**

This policy applies to all classified and unclassified employees.

**III. DEFINITIONS**

**A. Declared Emergency:** This occurs when the Mayor of New Orleans declares that the City is in an Official State of Emergency pursuant to the City's Home Rule Charter, Section 4-206(3)(d).

**B. Essential Employees:** Employees who by virtue of their presence, specialized function, or necessary skills, are essential to conducting the business or certain operational needs of the City and are, therefore, required to report for duty. Whenever possible, the appointing authority will notify employees of Essential designation and report for duty requirements in advance. Designation of Essential employee status may vary depending on the circumstance. Departments must submit a list of Essential personnel and contact information to the Office of Homeland Security, as directed in Policy Memo 34(R).

**C. Reserve Employees:** Employees who may not be initially required to report for duty during an emergency declaration, but who are required to report to or remain at work within thirty-six (36) hours when ordered by the Director of Homeland Security. Once activated, Reserve employees become Essential employees until they are deactivated by the Director of Homeland Security. Departments must submit a list of Reserve personnel, contact information, and additional information to the Office of Homeland Security, as directed by Policy Memo 34(R).

**D. Grant Funded Employees:** Employees whose salaries and benefits are funded through federal and/or state grant and by the scope of the respective grant are required and pre-determined as Essential to report to and remain at work during a declaration of emergency.

**E. Leave Day:** The leave day as defined in the Civil Service Rules.

**F. Emergency Pay:** Employees will be compensated at an additional fifty percent above the normal rate of pay for all hours worked for non-exempt employees and an additional fifty percent of the normal weekly salary, or fraction thereof, for exempt employees. All other pay policies, such as holiday pay, etc. remain applicable and unaffected during an emergency.

#### **IV. GENERAL PROVISIONS**

##### **A. OFFICIAL DECLARATION OF EMERGENCY:**

The emergency period begins at the point that the Mayor of New Orleans makes the official declaration of a State of Emergency and issues an official Mayoral Proclamation identifying the effective date and cause of the emergency. A communication will be sent by the Chief Administrative Officer notifying all Departments, Offices, Agencies, Boards, and Commissions to begin necessary preparations. Emergency leave and pay for eligible employees starts when a notice is sent from the Chief Administrative Officer that only Essential employees must report to work and Reserve employees must not report to work, in accordance with Civil Service Rules.

Employee eligibility for emergency leave and pay ends when the Mayor announces that the State of Emergency has ended or an announcement is made that City offices are open for business and employees are to report to work, whichever comes first. The Chief Administrative Officer will issue this announcement to all Departments, Offices, Agencies, Boards, and Commissions.

##### **B. PAY POLICY FOR ESSENTIAL EMPLOYEES:**

Essential employees will be paid in accordance with Civil Service Rules.

##### **C. PAY POLICY FOR RESERVE EMPLOYEES:**

In accordance with Civil Service Rules, when it becomes necessary for Reserve employees to remain away from work on any day when the Mayor has declared an official emergency that results in the closure of City operations, official emergency leave pay will be subject to the following:

1. When the Reserve employees who are scheduled to work are released from duty due to an emergency, the appointing authority should adjust the employee's work schedule to allow the employee to make up the scheduled hours missed from work. If that is not possible, the remaining hours the employee was scheduled to work will be paid.
2. Reserve employees who report their intention to not report to work prior to an emergency closure of City operations will be required to use accrued annual leave or such leave as deemed appropriate.
3. Reserve employees who have pre-scheduled leave arrangements on the day of emergency closure of City operations will be required to use their accrued leave throughout the scheduled leave period and will not be eligible for emergency leave while on scheduled annual or sick leave.

#### **D. EMERGENCY REPORTING REQUIREMENTS:**

Employees who are called back to duty or assigned work beyond their regular schedule must document their time. In order to receive emergency pay, employees must complete and submit force account labor summary records, and any other documentation required by the Office of Homeland Security, and those records must correspond to the hours recorded in the City's payroll system.

#### **E. NON-EMERGENCY DEPARTMENTAL CLOSURES:**

1. When an appointing authority reduces, suspends, or closes its operations due to concerns about the health and safety of the public or its employees, it may direct employees not to report to work. In advance of such reduction, suspension, or closure, the appointing authority must send written notice to the Department of Civil Service Personnel Director.
2. To the extent practicable, the appointing authority should adjust the work schedules of those employees affected by the reduction, suspension, or closure in order to allow the employee to make up the hours they were not able to work during that work period. However, if such rescheduling is not practicable, the appointing authority shall allow the employees time off without loss of pay as civil leave.

#### **F. CLOSURE ANNOUNCEMENT AND COMMUNICATION:**

1. Announcement will be made on major television and radio stations regarding the emergency closing of certain City operations.
2. The Chief Administrative Officer will designate the business day hours that City operations will remain closed for emergencies.

3. The Chief Administrative Officer will notify all appointing authorities of an emergency closure of City operations.
4. The Chief Administrative Officer will make the determination of whether or not exempt employees will be eligible for overtime pay for declared emergencies.
5. Appointing authorities must notify the Chief Administrative Officer of any non-emergency departmental operation closures.

## **V. INQUIRIES**

Questions concerning this memorandum may be addressed to the Chief Administrative Office at 658-8600.

GAM/cah