

Emergency Office Closure Workforce Planning Policy

Policy Number:		References and Related Documents
Section:	Administration	Workforce Planning Worksheet
Sub-Section:	Manage	Departmental Workplace Scan and Contingency Planning Worksheet
Interpreter:	Executive Director/Human Resources	Emergency Preparedness for Working at Home, Information Sheet
Authority:	Council	WorkSafeBC: Health and safety responsibilities when working from home; published, March 19, 2020. Retrieved from https://www.worksafebc.com
Effective Date:		Occupational Health & Safety (OHS) Act and Regulations
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Replaces:		Workstation Ergonomics and Sanitization
Last Modified:		

1.0 Policy Intent

- 1.1 <insert Employer legal name> (“the Employer”), when permissible, will maintain business operations and essential services operations during emergency office closures which may come about as a result of actual states or warnings issued related to natural disasters, public health and safety advisories, or resulting from a federal, provincial or local State of Emergency.
- 1.2 <insert Employer legal name> (“the Employer”) is committed to providing and maintaining a healthy and safe workplace for employees and other persons at or near the workplace and complying with the requirements of the Occupational Health & Safety (OHS) Act and Regulations, and Class Orders issued.
- 1.3 In the case of extenuating circumstances whereby Chief and Council are unable to convene in a timely manner to authorize an office closure, the Executive Director has authority over occupational health and safety matters and when there is a real or imminent threat to employee safety will issue emergency office closures of not more than two days in duration for matters outlined in section 1.1, and scheduled employees will gain earnings during this office closure. When reasonable the Executive Director will consult with Chief and Council regarding this emergency office closure requirement.
- 1.4 A Council decision is required for an emergency office closure exceeding two days in duration and will be reviewed for approval at a duly convened (special, if necessary) meeting of the Chief and Council, in consultation with the Executive Director. The Executive Director shall notify the Management Team regarding the outcome, and managers will immediately notify their employees.
- 1.5 A decision of Council requiring a continued emergency office closure shall be documented in Council Minutes and a formal written advisory shall be prepared and issued to the community from Chief and Council, with copy to the Executive Director. A formal written administrative advisory shall be issued from the Executive Director to the Management Team, with copy to Chief and Council.

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1.6 This document serves as our Emergency Office Closure Workforce Planning Policy, and should be read in conjunction with all other Employer policies and relevant legislation.

2.0 Definitions

2.1 **“stress reduction period”** means a period of time in extraordinary circumstances where business is not as usual, and the period occurs during the first 14 days of an emergency office closure.

2.2 **“essential services”** means any class of services vital to the health and welfare of the community, and includes: Health Care, Public Health, Human Services, Public Safety, Water and Wastewater, Transportation and Logistics, Public Works, Communications and Information Technology, Community-Based Essential Functions and Government Operations, Supply Chains, Construction, Financial activities, Environmental Services, Utilities and Community Services, Research and Justice Services.

2.3 **“business as usual”** means an unchanged state of business affairs despite difficulties or disturbances.

2.4 **“due diligence”** means the level of judgement, care, prudence, determination, and activity that a person would reasonably be expected to do under particular circumstances.

3.0 Policy Statement

3.1 <insert Employer legal name> shall apply this policy in emergency office closures of less than and greater than two days.

3.2 Following a decision of Council to close offices for more than two days relating to emergency measures outlined in section 1.1, a transition team consisting of the Executive Director, the Management Team, Human Resources, and the Chair of the Joint Occupational Health and Safety Committee shall be immediately assembled to prepare workforce transition plans. Workforce transition plans will be communicated to all employees within fourteen days of the initial closure.

3.3 The first fourteen days of any emergency office closure shall be deemed a **stress reduction period** in which employees will continue to gain earnings while the transition team conducts workplace scanning and contingency and transition work plans. During this timeframe it is understood that business is not as usual.

3.4 Within the stress reduction period, provided a budgeted employee is ready, willing and able to work, the budgeted employee will be paid an emergency wage supplement for the days the employee is not able to work in the workplace due to the emergency closure and the amount shall be equal to an average day’s pay for each day of closure within the fourteen day period. Employees who are able to return to the physical workplace will receive the Employer’s paid emergency wage supplement, to be taken as time in lieu at a later date.

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- 3.5 Within the first fourteen days a workforce strategy will be developed by the transition team, and should the closure extend past fourteen days, and be determined to extend for at least another fourteen days or more, a transition plan will be implemented on the fifteenth day of office closure. Managers and supervisors will communicate the departmental transition plans to their employees.
- 3.6 On the fifteen day of office closure the Executive Director will advance all benefits of pay that would have been accrued throughout the calendar year (i.e.: sick pay, family responsibility pay) as though they have been earned so that employees may utilize them as needed.
- 3.7 On the fifteenth day the Employer paid emergency wage supplement shall cease and any workers who are deemed **essential services** and continue to work in the physical workplace shall receive an hourly shift premium of not less than \$2.00 per hour, but in any case the hourly shift premium will be an amount determined by taking into consideration local, provincial, and/or national averages for hourly shift premiums for similar work during similar emergencies, and any amount greater than \$2.00 per hour shall be authorized by Band Council Resolution.
- 3.8 Hourly shift premiums do not form part of an employee’s regular hourly rate of pay, is not awarded on overtime pay, and is recorded as a separate unit of pay on paystubs.
- 3.9 Hourly shift premiums continue during the life of the emergency office closure and will cease on the first day that the workplace reopens for **business as usual**.
- 3.10 <insert Employer legal name> shall consult the Joint Occupational Health and Safety Committee to ensure the appropriateness of workplace safety policies.
- 3.11 <insert Employer legal name> will respect the right of workers to be consulted regarding the development and implementation of work transition planning and any changes to this policy; in the event of any revisions to this policy employees will receive an updated copy of the policy via the **electronic Staff Bulletin E-mail group**.
- 3.12 This policy informs workforce planning and compensation decisions.
- 3.13 This policy sets out expectations for workforce planning and implementation and employee compensation during a requirement for emergency office closure.

4.0 Procedure and Guidelines

Transition Team

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- 4.1 In step one the transition team will perform a *due diligence* review, working in conjunction with the Executive Director and Human Resources, managers shall be responsible to review and evaluate their departments to identify essential services workers, and the staffing levels and the staffing requirements for the department during the emergency office closure as well as the urgency of those requirements. In step one a manager will determine:
- a) The structure of department operations during the emergency closure (i.e.: if possible pending nature of closure, which employees are required to work on-site and provide essential services, and which employees will work remotely (telework), or a combination of both), and;
 - b) Treatment of employee schedules, work planning, and performance management, and;
 - c) Determine retention and reduction requirements, and potential to temporarily restructure positions, and any opportunities to reassign employees within the organization.
- 4.2 In performing due diligence the manager will consider the classification of employment as per contractual obligations, workers' safety, benefits plans, and employer policies in effect, and notice periods for workforce reduction.
- 4.3 Due diligence will take into consideration budgeted employee positions, the financial goals and capabilities of the organization, including effect(s) on funding and revenue resulting from any non-operational units, and will consider operating revenue losses incurred. If available, emergency government wage subsidy programs to assist the Employer with subsidizing wages during a Class Order(s) will also be considered.
- 4.4 In step two, to close information gaps managers shall finalize departmental plans and communicate the plans to employees. Managers will give employees clear communication about the transition plans that keep them apprised of the planning process, releasing appropriate planning information, to assist in alleviating uncertainty. Staffing matters deemed urgent or essential and required to progress through the closure, such as safety training, will be implemented promptly.

Operations, Strategic Initiatives, Scheduling

- 4.5 Operational work goals in an emergency office closure are to maintain essential services to the community, maintain essential business services to internal and external stakeholders, maintain work productivity, and retain employees where possible.

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- 4.6 Essential services and business operations shall be provided on-site where permissible, while maintaining all buildings in a lockdown state with no public admittance. Only controlled numbers of employees will be permitted in each building, while maintaining controlled safety measures.
- 4.7 Where possible employees will perform telework (remote work/work from home). Telework assignments will be issued to those employees who agree to work via telework, and such agreements will cover matters such as, but may not be limited to:
- a) Work duties and responsibilities
 - b) Home office work location
 - c) Home office ergonomics
 - d) Work schedule and day logs
 - e) Technology, equipment, materials and supports
 - f) Confidentiality and security
 - g) OHS matters for working from home.
- 4.8 Where possible employees may perform a combination of both on-site work and telework.
- 4.9 Organizational culture and employee morale and motivation must be supported through regular staff engagement, including staff meetings and one-on-one engagement, and may include teleconferencing, videoconferencing, and individual phone calls.
- 4.10 Organizational goals will continue to be a priority and a focus on achieving long-term goals shall continue to the extent that they can be worked on.
- 4.11 In some cases there may be a reduction in services levels, but service goals will be maintained and employees and their managers will spend efforts in researching and developing new service models.
- 4.12 <insert Employer legal name> will address risks and hazards associated with work during emergency office closures.
- 4.13 Employee user credentials (i.e. employee email accounts) will remain active during an emergency office closure to ensure all employees are able to gain regular access to information and updates.

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- 4.14 Regular office hours shall be maintained where possible and employees will be notified of any requirement for revised office hours. Employees will work according to a schedule. Employees will not assign their work. Extra-hours must be approved by the employee's supervisor.
- 4.15 Time spent in the performance of work duties must accurately record start and finish times on the timesheet, including modified schedules and split shifts.
- 4.16 Employees working remote (telework) must maintain a teleworker day-log and will record any requirements for multiple starting and stopping periods throughout the day.
- 4.17 Schedules must be approved by the authorizing manager and may include:
- a) Flex-time: working a set number of hours with flexible start and finish times, agreed upon with set limits;
 - b) Flex-time around core hours: employees must be working during core hours but there is some flexibility outside core hours;
 - c) Compressed work week: working longer hours per day or shift in exchange for a day off;
 - d) Split shifts: working two or more shifts, separated by a non-working resting period, over a defined amount of time (i.e. two shifts over a 12 hour period);
 - e) Reduced hours: work fewer hours than a reduced work week; and,
 - f) Job sharing: allowing two employees to jointly fill one full-time job at the same time, with responsibilities and working time shared or divided between them.
- 4.18 Work performed during an emergency office closure may include: regular duties on-site; regular duties that can be performed remotely; regular duties performed both on-site and remotely combined; and may also include distance learning; extra-ordinary research; program planning; and other work as agreed between the manager and employee.
- 4.19 Employees working on-site during an emergency office closure are assured of the following:
- a) All buildings will remain under lockdown and no persons other than employees will be permitted entrance;
 - b) Managers will schedule on-site workers and will maintain minimum occupants in each building;
 - c) Each on-site worker will share a portion of responsibilities and obligations to maintaining workplace safety and disinfecting individual workspaces as per the Workstation and Work Area Disinfecting Policy;
 - d) Each on-site office worker will follow safety rules related to safe arrival and departure from work;

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- e) In the case of office closure due to infectious disease employees shall avoid stopping at locations on their way to their shift;
- f) PPE safety rules will be addressed on a case-by-case basis pending the position and PPE requirement(s) for that worker to perform their work.

4.20 During an emergency office closure lasting longer than fourteen days, the Employer may implement selective hiring freezes; with the exception of hiring that is necessary (i.e.: essential services) all other hiring may be placed on hold or cancelled. Essential services postings will remain posted.

Compensation - Wages, Wages Subsidies, Benefits, and Benefits of Pay

- 4.21 Provided a budgeted employee is ready, willing, and available for work during the stress reduction period, that employee shall earn the Employer paid emergency wage subsidy pay established for that period.
- 4.22 Provided a budgeted employee is working either on-site or remotely during the stress reduction period, that employee is eligible to earn the Employer's emergency wage subsidy pay established for that period as time in lieu for use at a later date.
- 4.23 Provided the emergency office closure extends past the fourteenth day and a budgeted employee is required to work on-site that employee shall receive an hourly shift premium of not less than \$2.00 per hour, or an amount greater, if approved by Band Council Resolution.
- 4.24 Employees who continue to work shall be paid accordingly.
- 4.25 Employees must submit a Leave Request for any application for leave and leaves must be approved prior to taking the leave.
- 4.26 Where an employee is not available for work due to a requirement for protected leave, the employee may use all available accruals to gain regular earnings prior to a record of employment denoting the protected leave being issued, or may set aside accruals for use after returning to work. Benefits shall continue pending contractual and legislation obligations.
- 4.27 Where no work is available for a budgeted employee, the employee may use all available accruals to gain regular earnings prior to a record of employment being issued, denoting temporary lay-off due to shortage of work. Benefits shall continue pending contractual and legislation obligations.

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4.28 Where the Government issues legislation for wage subsidy programs for matters covered by a current Class Order and where an employee is eligible for the wage subsidy program, benefits shall continue pending contractual and legislation obligations.

4.29 Employees who enter into provincial or national wage subsidy programs (i.e. in 2020 the Canada Emergency Relief Benefit - CERB), recognizing continued employment status, shall continue to:

- a) accrue their annual vacation entitlements; and,
- b) remain enrolled in the employer's health benefits program - the employer shall cover the cost of weekly indemnity insurance on their behalf, for as long as the individual remains an employee.

4.30 Employees participating in a protected leave or temporary lay-off and/or in a wage subsidy program, wanting to continue contributions to their pension plan may continue to do so, provided the employee contributes their regular share the employer shall continue to match.

Performance Management

4.31 Managers will continue to measure progress at regular intervals, and will address performance issues via face-to-face (in-person/video) when possible, by phone as a secondary method, and by email when the first two methods are not available and when following up on performance and work goals.

Training, Development, Education

4.32 Travel for Employer sanctioned business may be suspended during an emergency office closure, and if the nature of the closure results from a public health concern such as a pandemic travel will be suspended.

4.33 Training and development and education programs may be suspended while a new emergency operating structure, and workforce planning, is determined.

Management Authorizations

4.34 Managers will remain available during regular business hours and will provide authorizations using digital signatures where necessary.

5.0 Roles and Responsibilities

5.1 Council:

- a) Approve Emergency Office Closures due to reasons set out in section 1.1.

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5.2 Executive Director:

- a) Oversee the implementation of governance directives, the financial performance of the operations, and people performance; and
- b) Ensure compliance with and oversee the implementation of:
 - i. Occupational Health and Safety Act and Regulations
 - ii. Legislation
 - iii. Class Orders
 - iv. Common Law
 - v. Employer policies
 - vi. Chain of command and communication requirements
 - vii. Transition team due diligence and workforce planning
 - viii. Assigning responsibilities and directing the work of Department Heads.

5.3 Department Heads/Managers:

- a) Under the direction of the Executive Director, ensure:
 - i. the day to day management and implementation of service units and programs;
 - ii. develop systems, policies and procedures for department operations that govern relationships between <insert Employer legal name> and its employees, and clients, agents and affiliates, to meet legislation requirements. Such systems, policies, and procedures shall address, but may not be limited to:
 - Workforce planning
 - Performance management
 - Workplace safety and safe work practices
 - Policy communication and information updates

5.4 Human Resources:

- a) Assist managers in their review of ethical considerations related to workforce planning, such as:
 - i. Contractual provisions and obligations
 - ii. Legal Restrictions
 - iii. Employee relations

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5.5 Employees:

- a) Participate in modified work routines and modified work duties to the extent possible
- b) Report safety concerns
- c) Inform immediate supervisor, or manager or safety representative, if you do not have the proper information on hazards
- d) User personal protective equipment as required.

5.6 Joint Occupational Health & Safety Committee and Worker Representatives:

- a) Monitor the implementation and compliance of this policy through auditing and workplace inspections.

This Policy will be reviewed biennially and may be updated from time to time.

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<insert Employer legal name> – Policy <insert policy number>

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Dated at **<insert town>**, British Columbia, this **<##>** day of, **<month>**, 2020.

Approved, Signed, Sealed and Delivered by the **<insert name of Nation>** Nation Chief and Council.

Chief Councillor

<insert name>

Councillor

<insert name>

Councillor

<insert name>

Councillor

<insert name>

Councillor

<insert name>

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Councillor

<insert name>

Councillor

<insert name>

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