

RESOLUTION NO. 20210824.1

A RESOLUTION OF THE CITY OF PANAMA CITY, FLORIDA, AUTHORIZING OVERTIME PAYMENTS FOR SALARIED EMPLOYEES; OVERTIME AND ADMINISTRATIVE LEAVE PAYMENTS FOR ESSENTIAL HOURLY EMPLOYEES REQUIRED TO WORK DURING THE STORM; AND ADMINISTRATIVE LEAVE PAYMENTS FOR NON-ESSENTIAL HOURLY EMPLOYEES WHO ARE REGULARLY SCHEDULED TO WORK BUT ARE DIRECTED NOT TO WORK DURING A DELARED EMERGENCY OR DISASTER SITUATION; AND SPECIFICALLY REGARDING TROPICAL STORM FRED.

WHEREAS, the CITY of PANAMA CITY, FLORIDA, hereinafter referred to as “THE CITY” has been devastated by emergency and disaster situations in the past; and

WHEREAS, the threat of such storms still exist, including the most recent Tropical Storm Fred; and

WHEREAS, it is an obligation of the CITY as a matter of public policy to protect the public safety and to ensure the economic recovery of the CITY; and

WHEREAS, THE CITY has chosen to be prepared to respond to the potential storm threat; and

WHEREAS, the salaried employees have responded and performed without any overtime payment consideration in the past; and

WHEREAS, non-salaried employees are compensated for hours worked beyond the routine work week, however the CITY recognizes that they should be compensated when required to respond during the storm because they are essential personnel or miss work during the storm because they are non-essential personnel; and

WHEREAS, the CITY recognizes these situations are beyond the control or good management practices of the employees; and

WHEREAS, the CITY of PANAMA CITY, FLORIDA Mayor and City Commissioners have determined that the emergency response contribution of all CITY employees will be recognized and compensated;

NOW, THEREFORE BE IT RESOLVED by the City of Panama City, Florida as follows:

1. In the interest of equity and fairness, the CITY of PANAMA CITY, FLORIDA City Commission has considered this concern and does hereby pass the following resolution.

2. Background: In emergency and disaster situations salaried employees and essential hourly employees are called upon to perform to the fullest and work excessive hours beyond the routine work week and non-essential hourly employees are directed to not work due to the emergency situation. In the past, these circumstances have created a situation of inequity to the responding workforce on behalf of all citizens in the CITY of PANAMA CITY, FLORIDA.
3. Based on the anticipation that such circumstances will happen in the future, the CITY of PANAMA CITY, FLORIDA City Commission has determined that the CITY of PANAMA CITY, FLORIDA administration will amend the personnel policies and procedures to reflect the will of this Board to permit overtime payments to salaried personnel and essential hourly personnel and administrative leave payments to non-essential hourly personnel who are employed by the CITY of PANAMA CITY, FLORIDA.
4. NOW THEREFORE, the CITY of PANAMA CITY, FLORIDA Mayor and City Commissioners recognize the fairness for overtime payments for all CITY employees by virtue of this resolution and hereby directs the CITY Administration to amend the CITY personnel policies and regulations to provide for the payment of overtime to salaried employees and hourly employees, including administrative leave payments under the following conditions:
 - a. Overtime payments to salaried and hourly employees will be permitted only during the emergency response period resulting from a declared emergency or disaster situation as determined by the CITY, the Governor and/or President of the United States respectively.
 - b. Overtime payments to salaried employees shall come into effect when the salaried employee exceeds fifty (50) hours of physical work in any applicable workweek as set out in Item (a) above.
 - c. Overtime payments to salaried employees shall be consistent with the policy for paying overtime to hourly employees, but in no event shall exceed time and a half for the physical work hours as set out in Item (a) above.
 - d. Overtime payments to hourly employees shall come into effect when the hourly employee responds physically to work during the time City Hall is closed to all non-essential personnel and during an emergency response.
 - e. Administrative Leave payments will be paid to all hourly employees who are scheduled to work during a declared emergency for the hours they are regularly scheduled to work and will be paid in that amount to the hourly employees who physically work in addition to their overtime payments as set out in Item (d) above and to the hourly employees who are directed to not respond physically to work because they are not required or essential personnel.

- f. There will be no overtime payment or administrative leave payment to any employee who is not regularly scheduled to work on the day of the emergency and who does not physically work.
- 5. The CITY administration is further directed to bring before the City Commission the recommended change to the CITY personnel policies and procedures for consideration, adoption and ratification no later than thirty (30) days from the adoption of this resolution.
- 6. The CITY administration shall bring such additional closing data/information, as is the current practice and/or may be required by the City Commission who are considering this resolution for adoption.
- 7. The CITY shall apply this resolution retroactively to Tropical Storm Fred which made landfall on August 16, 2021, in Panama City, Florida.

PASSED, APPROVED, AND ADOPTED by the City Commission of the City of Panama City, Florida, at its regular meeting on August 24, 2021.

CITY OF PANAMA CITY

By: _____
Greg Brudnicki, Mayor

ATTEST:

Jan Smith, City Clerk - Treasurer