

Recommendation: Repeal & Relocate

**WEST VIRGINIA UNIVERSITY
BOARD OF GOVERNORS
POLICY 53**

EMERGENCY CALL-IN

Section 1. General

- 1.1 Purpose. – To establish that a regular, non-exempt employee will receive a guarantee of at least two and one-half (2.5) hours of compensation, in consideration of the inconvenience of returning to work outside of his/her regular work schedule for emergency call-in situations.
- 1.2 Authority. – W. Va. Code §18B-1-6 and §18B-2A-4; HEPC Series 4 (133 WVCSR 4); and WVU BOG Policy # 45
- 1.3 Scope. – The benefits of this policy apply to all regular, non-exempt employees of the West Virginia University Board of Governors.
- 1.4 Effective Date. – May 1, 2009
- 1.5 Revision History. – This is the first emergency call-in policy implemented by the West Virginia University Board of Governors.

Section 2. Policy

- 2.1 All regular, non-exempt employees of the West Virginia University Board of Governors who respond to a request for emergency call-in shall be guaranteed a minimum of two and one-half (2.5) hours of compensation, at the applicable rate of pay, for each occasion in which the employee responds in an emergency call-in situation, at the request of management.

Section 3. Responsibility for Interpretation

- 3.1 Responsibility for interpretation of this policy rests with the Office for Legal Affairs.

Section 4. Responsibility for Application/Development of Procedures

- 4.1 Responsibility for application of this policy and the development of procedures rests with the Division of Human Resources, in consultation with Legal Affairs. Any procedures developed by the Division of Human Resources or material changes thereto shall be posted for ten (10) working days before the procedures become effective.
- 4.2 For additional information regarding the application of this policy please refer to the **Emergency Call-In procedure** (set forth below.)

**WEST VIRGINIA UNIVERSITY
DIVISION OF HUMAN RESOURCES**

EMERGENCY CALL-IN PROCEDURE

Section 1. General

- 1.1 Purpose. - To outline the circumstances under which an eligible employee will receive a guarantee of at least two and one-half (2.5) hours of compensation, in consideration of the inconvenience of returning to work outside of his/her regular work schedule.
- 1.2 Authority. – [WVU-BOG Policy # 53 – Emergency Call-In](#)
- 1.3 Scope. – The benefits of this policy apply to all regular, non-exempt employees of the West Virginia University Board of Governors.
- 1.4 Effective Date. – May 1, 2009
- 1.5 Revision History. – This is the first emergency call-in procedure implemented by the West Virginia University Division of Human Resources.

Section 2. Definitions

- 2.1 Eligible Employee – a regular employee who is designated as non-exempt under the Fair Labor Standards Act.
- 2.2 Emergency Call-In – is when an eligible employee has left the work site, and is requested to respond, on short notice, to an emergency work situation to:
- protect or provide emergency services to people, property, facilities or equipment;
 - mitigate unsafe situations or conditions; and/or
 - avoid significant service disruption.
- 2.2.1 An emergency call-in may involve either going into work prior to the eligible employee's scheduled shift, coming back to work after the eligible employee's scheduled shift has ended, or coming into work on a scheduled day off.
- 2.2.2 An employee who is asked to report early for his/her regular shift, or stay late after his/her regular shift is not eligible for emergency call-in

compensation, because these hours are adjacent to his/her normal working hours. However, the employee will be compensated for all hours worked in accordance with University policies and procedures.

Section 3. Procedure

- 3.1 An eligible employee, who responds to a request for emergency call-in, shall be guaranteed a minimum of two and one-half (2.5) hours of compensation, at the applicable rate of pay, for each occasion in which the eligible employee responds in an emergency call-in situation.
- 3.2 An eligible employee, who responds to a request for emergency call-in on a University recognized holiday or emergency closure, shall be guaranteed a minimum of two and one-half (2.5) hours of holiday/emergency closure premium compensation, for each occasion in which the eligible employee responds in an emergency call-in situation.
- 3.3 Management will have the option to offer compensatory time off in lieu of monetary compensation. Supervisors should note that an eligible employee must also agree to be compensated with compensatory time off, and should refer to University policies and procedures for more information.
- 3.4 Emergency call-in hours will count toward any calculations of overtime pay, in accordance with University policies and procedures.
- 3.5 Emergency call-in opportunities will be offered to qualified, eligible employees in descending order of seniority. Qualifications for emergency call-in situations include the ability to report quickly as required by the specifics of the emergency situation.
 - 3.5.1 For the purpose of this procedure, seniority will be measured by the requirements for the payment of annual increment. For more information on years of service calculations for annual increment payments please see West Virginia University Board of Governors Policy # 32.
 - 3.5.2 Subsequent emergency call-in opportunities are offered to the next senior, qualified, eligible employee.
 - 3.5.3 If the emergency call-in offer is refused by all eligible employees, the assignment will be made to the least senior eligible employee, qualified to perform the work.
 - 3.5.4 Subsequent emergency call-in opportunities will be assigned in ascending order of seniority.

- 3.5.5 If an eligible employee refuses an emergency call-in opportunity he/she will not again be eligible for consideration until all eligible employees have been offered an emergency call-in opportunity.

Section 4. Responsibility for Interpretation

- 4.1 Responsibility for interpretation of this procedure rests with the Division of Human Resources. Any procedures developed by the Division of Human Resources or material changes thereto shall be posted for ten (10) working days before the procedures become effective.

Section 5. Responsibility for Implementation

- 5.1 Management is responsible for determining when an emergency call-in situation exists. Supervisors of eligible employee's are responsible for adhering to the requirements of this procedure, completing all required documentation and ensuring that an eligible employee receives appropriate compensation for emergency call-in situations. Failure by a supervisor to comply with the requirements of this procedure may result in disciplinary action.