



City of Oelwein Public Works On Call Policy

Purpose: The City of Oelwein provides a continuous twenty-four hour a day, seven day a week service to its citizens. Therefore, it is necessary for certain employees to respond to any reasonable request for duty at any hour of the day or night.

General Description or Summary of Policy: The purpose of this Policy is to provide coverage by a City of Oelwein Public Works employee during hours not covered by the normal work schedule. Employees assigned to be "On Call" under this policy shall follow the requirements and expectations set forth herein. The expectations set out below will allow the on-call employee to generally go about their personal life while on call and shall in no event require the employee to be on call at the workplace or at any other specific location. The employee shall be considered "Waiting to be Engaged"¹ as that phrase is explained by the Fair Labor Standards Act (FLSA) not "Engaged to Wait"² and shall not, therefore, be considered to be working and eligible for overtime while on call unless responding to a call as set forth below.

Qualifications and Assignments

A. Employee Qualifications:

1. To be eligible to serve "on call", employees must be pre-qualified as determined by the City based on the following criteria:
 1. Employees' training, skills, experience, and familiarity in handling the typical emergency or after-hour situations.
 2. Employee must have the licensure necessary to operate equipment that may be required in emergency on call situations.
 3. Employee must be prepared to answer calls or return calls within 30 minutes of receipt, and, therefore, must regularly be in a position where employee has adequate cell phone reception.
 4. Be in a position to be in Oelwein responding to subject matter of call within 1.5 hours of receipt of the initial call as shown by the City cell phone records.

- B. Assignment Schedule: A schedule will be prepared with consideration given to the City's needs and employees' work schedules. The "On-Call" schedule shall normally commence starting on Wednesday at 3:30 PM and ending at 7:00 AM the following Wednesday. However, Assignments

¹ **Waiting to be Engaged:** If an employee who is on-call is able to use his or her time freely and is not performing a specific assigned task, that employee is considered "waiting to be engaged" otherwise known as "stand-by." The employee can be available by telephone if needed; however, since he or she is waiting (off-duty), the employee is not required to be compensated for that time.

² **Engaged to Wait:** When an employee is required to stay at the workplace or is so near to the workplace the he or she cannot use his or her time freely, the employee is "engaged to wait (on-duty)" otherwise known as "on-call" and the employee is compensated for the time.



will be made at intervals and of durations deemed appropriate. Weekend and Holiday on call will be for the duration of the day. Holidays are determined by the Oelwein Personnel Manual.

- C. Employees that are on call will provide the phone to the designated employee for the day. Once the workday has commenced, the on call employee will take the phone home. During a normal workday, an employee will not remain on call.

Response Procedures and Expectations of On Call Employee:

- A. Cell Phone: The employee shall carry the City provided "On Call Cell Phone" and shall remain in areas with cell phone service while on call.
- B. Conduct and Behavior: The employee shall practice a professional commitment to "public service" while dealing with the specific situation in a common sense and sensitive manner. Employees are expected to be familiar with on call procedures set out herein and to be available for calls as required by this policy. The employee shall, while on call, remain physically able to respond by refraining from activities which might impair their ability to respond and/or perform the necessary duties. On call employees who do not meet the requirements of this section shall be subject to disciplinary action up to and including termination of employment.
- C. Responsibility and Authority: The employee is responsible for determining whether a call to respond, requires prompt attention to protect or preserve people or property, or otherwise cannot reasonably wait until the start of the next scheduled workday. (See Exhibit A for guidance.) The employee shall collect pertinent information (name, address, and telephone number of the reporting party or alarm dialer) and a full description of the need for an after-hours response. If it is determined by the employee that the situation, requires prompt attention to protect or preserve people or property, or otherwise cannot reasonably wait until the start of the next scheduled workday, the employee shall respond as soon as possible, within a maximum of 1.5 hours (90) minutes. If the situation does not require prompt action, the employee shall notify the reporting party that their request will be forwarded to the responsible party/agency at the start of the next business day.
- D. Record Keeping: Employee shall clock in and clock out when responding to a call unless circumstances dictate otherwise, in which event, a record of the time spent by the employee shall be made as soon as is practicable. (Emergency or exigent circumstances.)
- E. An employee who is sick or can no longer be on call must contact their supervisor to initiate a handoff of the on call phone.

Compensation:

On Call Pay: City Employees assigned to on call status shall be compensated in the form of a payment equivalent to one hour of their base wage per regular work day. Weekends and Holidays shall be compensated at two hours of their base wage each day of on call. These rates cannot be converted to compensatory time and only covers on call time.

- A. Overtime Pay: When responding to a call out the responding employees shall be compensated at 1.5 times their regular pay (Overtime) as stated in the city personnel policy.
- B. When responding to a call, the employee shall be paid for the following time:



- a. Regardless of the time spent by the employee responding to the call out, if the time spent is less than two hours, the employee shall be compensated for two hours of work per city personnel policy.
- b. If, however, during that two-hour window, measured from the time the employee clocks in till the employee is again called out, the employee will not be compensated for another two hour minimum period.
- c. If the call back exceeds two hours the employee shall be compensated for actual time worked, from clocking in to clocking out.
- d. Should an employee be unable to fulfill the entire day and or shift of on call, the employee will not be compensated.
- e. On Call Pay shall not be reduced or utilized in any fashion when compensating an employee for call out pay, all call out pay, calculated above, shall be in addition to on call pay.

Calling in Additional Staff:

- A. When responding to a call the employee shall determine whether it is necessary or appropriate to call additional staff to respond. In making this decision the employee shall work through the following steps or considerations.
 - a. Consider whether the call involves potentially dangerous activity, where having another employee involved is necessary to ensure the safety of the on-call employee or when a faster response time may be necessary.
 - b. If not necessary, respond to the call.
 - c. If necessary, contact other appropriate staff to respond with on call staff.
 - i. If faster response time is required then the On Call employee can provide, they shall call out other personnel to meet that time constraint.
 - ii. If unsure, call the superintendent or other designated person for review. If unavailable, the employee is provided the leniency in determining the acceptable response.
 - d. The On Call employee will contact additional staff members in the order of on call for the year. This process ensures that employees understand they may be called for additional aide considering they are next on the on call schedule.

Trading or Transfer of On Call Shifts:

Substitutions shall be minimized and only done when absolutely necessary. The scheduled employee is responsible for finding a substitute. The substitute shall be eligible for on call work and the substitution shall be subject to the prior approval of the superintendent or designee.

Incident Report:

A detailed record of each call-out / response / no response shall be documented on a "Incident Report" form. Information to include:

- a. The information needed for the log is as follows:



1. Date, time, and name of reporting party.
2. Task description including specific details of special circumstances involved and location.
3. Action(s) taken, and time involved.
4. Additional personnel called out to assist and equipment used.
5. Any other pertinent information policy\standby
6. Report to be submitted to the superintendent or designee for review.



Exhibit A

EMERGENCY, NON-EMERGENCY and SITUATIONS NOT COVERED

The following, while not including all situations, is a list of typical situations where a response is appropriate:

1. Sanitary sewer main blockage, alarm at a sewer lift station, or Wastewater Treatment Plant.
2. Major street problem, such as a severely damaged or missing stop sign, major depression in street or sidewalk, missing or seriously damaged drainage grate or manhole cover, and downed tree or large broken tree limb blocking the traveled way.
3. Significant flooding of streets and/or buildings.
4. Traffic accident seriously affecting public safety involving a damaged traffic signal, hazardous street-light, or large amount of debris on a City street.
5. Sewer backing into a residence or overflowing into roads creeks, etc.
6. Emergency support requests by the Police Department or the Fire Department.
7. Malfunction of traffic signal. Provide traffic control as necessary.
8. Alarm set off, broken window, or door at public building. Contact Police Dept. and have report made on incident.
9. Calls requiring Emergency Locates that will have the callers on Site off normal business hours.
10. Leaking fire hydrant, main breaks, dialer alarm call for the Water department.

Non-Emergency Situations: The following is a list of situations where an emergency response is not appropriate:

1. Minor street problem such as small bump, pothole, rough spot, or minor amount of glass, mud, or debris on the street.
2. Street light burned out or malfunctioning (cycling or on during the day).
3. "Private" problems not in the public right-of-way. Unless they hazardous to the public.

Situations Not Covered:

When a request for emergency assistance is received and the situation is not clearly covered herein, the on-call person shall evaluate the facts and act accordingly. If necessary, contact the superintendent or designee. If they are unavailable and reasonable doubt exists as to the seriousness of the problem, respond to the request.