

## **POLICY 16 -- OTHER TYPES OF LEAVE**

### **16.8 Volunteer Emergency Services Response During Working Hours**

- (A) Purpose. The City recognizes that volunteer fire and emergency service organizations depend upon the availability of trained volunteers, particularly during normal working hours. Consistent with Iowa Code Section 100B.14, the City may authorize an eligible employee to leave the employee's regular City assignment to respond to a qualifying emergency incident under the conditions established in this section. This section is intended to support emergency response while preserving safe staffing and the continuous delivery of essential City services.
- (B) Eligibility and Annual Registration. An employee is eligible to request release under this section only if the employee is an active member in good standing of the Oelwein Fire Department or of a recognized neighboring volunteer fire department, rescue organization, or emergency medical service. Before an employee may be released under this section, the employee shall provide the City Clerk or designee with written verification from the chief or authorized representative of the volunteer organization identifying the employee's active membership, role, primary response district, and current good-standing status. Eligibility shall be renewed annually and whenever the employee's membership, role, or department changes. An employee shall immediately notify the City if the employee is suspended, placed on restricted status, or is no longer an active member in good standing.
- (C) Approval to Leave a City Assignment. A page, alarm, or request from a volunteer emergency service organization does not, by itself, authorize an employee to leave work. The employee shall promptly notify and obtain authorization from the employee's Department Head, supervisor, or designee before leaving the City assignment. A Department Head may establish advance response instructions for particular employees, shifts, work locations, or operating conditions. When immediate conditions make direct contact impracticable, an employee may leave only when advance instructions authorize the response and shall notify the supervisor as soon as reasonably practicable. Authorization may be denied, delayed, limited, or revoked at any time based upon City operational needs.
- (D) City Operations Take Priority. An employee's regular City responsibilities take precedence whenever a conflict exists. An employee shall not leave an assignment if the employee's departure would create or leave an unsafe condition; leave an excavation, open manhole, road hazard, utility repair, equipment operation, or worksite unsecured; materially reduce minimum staffing; interrupt an essential service; interfere with an ongoing emergency or critical operation; or otherwise be detrimental to City operations. The employee shall make the worksite safe and transfer responsibility as directed before departing. The City Administrator, Department Head, or designee may temporarily suspend or limit releases because of severe weather, snow or ice operations, flooding, utility failures, special events, staffing shortages, a City emergency, or other operational circumstances.

(E) Oelwein Fire Department Response Criteria. An eligible employee who is an active member of the Oelwein Fire Department may be authorized to respond during scheduled working hours as follows:

- (1) Routine Initial Page. The employee shall remain at the regular City assignment and shall not respond to a routine initial page unless the incident qualifies under paragraph (2), is later upgraded under paragraph (3), or the employee receives specific authorization under paragraph (4).
- (2) Qualifying Initial Page. The employee may be authorized to respond on the initial page when dispatch information reasonably indicates a confirmed or reported working structure fire; a structure fire with known or possible occupants; a vehicle crash involving entrapment; a technical rescue; a hazardous-material incident presenting an immediate threat to life or property; a mass-casualty or multiple-patient incident; a major commercial, industrial, or agricultural fire; a significant wildland, field, or grass fire threatening structures or public safety; or another incident reasonably presenting a comparable need for immediate life-safety response or substantial manpower.
- (3) Additional Manpower or Incident Upgrade. The employee may be authorized to respond when the Oelwein Fire Department issues a second page, general alarm, all-call, or specific request for additional manpower, or when an incident is upgraded to a qualifying incident after the initial page.
- (4) Specific Authorization. The Fire Chief, incident commander, Public Safety Chief, City Administrator, or the employee's Department Head may specifically authorize a response to another incident when the circumstances demonstrate an unusual or substantial need for the employee's qualifications or assistance.

(F) Neighboring Department Response Criteria. Because of the rural nature of the region, the City also recognizes the public benefit provided by City employees who serve neighboring volunteer departments. An eligible employee may be authorized to respond for the employee's registered neighboring department only when the incident occurs within that department's primary response district and one of the following applies:

- (1) the initial page identifies a qualifying incident of the type listed in subsection (E)(2);
- (2) the department issues a second page, general alarm, all-call, or specific manpower request for a structure fire, rescue, significant hazardous-material incident, major commercial, industrial, agricultural, or wildland fire, mass-casualty incident, or another emergency of comparable seriousness; or
- (3) the City Administrator, Public Safety Chief, employee's Department Head, or designee gives specific authorization based upon the seriousness of the incident and the need for the employee's qualifications.

Release for a neighboring department is a discretionary City employment benefit and does not create an entitlement to respond. The greater operational priority given to response by an Oelwein Fire Department member reflects the City's direct responsibility for Oelwein fire protection and does not prohibit appropriate support for neighboring departments.

(G) Routine and Nonqualifying Incidents. Unless subsequently upgraded, accompanied by a qualifying manpower request, or specifically authorized, an employee shall not leave City duties for an automatic fire alarm, lift assist, routine medical assist, public assist, odor investigation, wires down without a significant life-safety hazard, minor vehicle crash, minor grass or refuse fire, controlled burn, weather spotting, standby

assignment, or another routine incident that does not reasonably present a substantial life-safety risk or manpower need.

(H) Mutual Aid and Response Outside a Primary District. An Oelwein Fire Department member's response to an incident outside the Oelwein Fire Department's primary response district, and a neighboring department member's response outside that member department's primary response district, requires specific authorization from the employee's Department Head, Public Safety Chief, City Administrator, or designee. The responding department must have been formally requested or dispatched through an applicable mutual-aid arrangement. A request for mutual aid does not automatically require the City to release an employee.

(I) Compensation and Leave Treatment. Authorized emergency-response time occurring during an employee's normally scheduled City working hours shall be paid at the employee's regular City rate and shall not be charged against vacation, sick leave, personal leave, or compensatory time. Paid response time includes reasonable travel from the City assignment to the fire station or emergency scene, participation in the emergency response, necessary work to return apparatus or equipment to service, and reasonable travel necessary to return to the City assignment. Paid release ends when the employee is discharged from emergency duty or when continued participation is no longer reasonably necessary, whichever occurs first.

Emergency response extending beyond the employee's normally scheduled City hours shall not, solely because of this section, result in overtime, compensatory time, or additional pay from the employee's regular City position. Time paid under this section will be treated for overtime and other wage purposes as required by applicable law and any controlling collective bargaining agreement. Any stipend, call pay, or other compensation from a volunteer organization is governed by that organization's policies.

(J) Incidents Beginning Before a Scheduled Shift. An eligible employee who is already responding to a qualifying incident when the employee's City shift is scheduled to begin shall notify the employee's Department Head or supervisor as soon as possible. The Department Head or supervisor will determine whether continued absence after the scheduled start time is authorized under this section. Authorized time after the scheduled start of the shift will be treated in accordance with subsection (I). Absence or lateness that is protected by Iowa law but is not authorized as paid release under this section may be unpaid or charged to applicable accrued leave, consistent with law and City policy.

(K) Notification, Timekeeping, and Verification. The employee shall record the time of departure from and return to the City assignment in the manner directed by the City Clerk or Department Head. The employee shall promptly report any material change in the incident or anticipated absence and shall provide, upon request, written verification from the chief, incident commander, or acting supervisor of the volunteer organization stating the nature of the response and the date and time the employee was summoned, responded, and released. Falsification, misrepresentation, failure to follow response restrictions, or abuse of this section may result in loss of response privileges and disciplinary action, up to and including termination.

(L) Return to City Duties and Fitness for Work. The employee shall return to the regular City assignment as soon as reasonably practicable after release from the incident,

unless the Department Head or supervisor directs otherwise. The employee shall notify the supervisor if the emergency response, exposure, injury, fatigue, or other condition may prevent the employee from safely performing regular City duties. Any additional absence shall be handled under the applicable City leave, injury, or reasonable-accommodation policy.

(M) Training and Nonemergency Activities. This section does not authorize release from City duties for routine meetings, drills, training, inspections, apparatus or station maintenance, fundraising, parades, public education, scheduled standby, or other nonemergency activities. Such activities shall normally occur outside scheduled City working hours or through the employee's approved vacation, personal leave, compensatory time, flex time, or other authorized arrangement. A Department Head or City Administrator may approve an exception when participation serves a specific City purpose.

(N) Transportation and Use of City Property. An employee shall not use a City vehicle, equipment, fuel, communications system, or other City property to respond under this section unless expressly authorized for that response. An employee using a personal vehicle shall obey all traffic laws and shall not claim emergency-vehicle privileges unless the employee and vehicle are lawfully authorized. The City does not reimburse mileage or other personal transportation costs incurred under this section unless specifically approved in advance.

(O) Workers' Compensation and Injury Reporting. Workers' compensation coverage for an injury arising during volunteer emergency service shall be determined under Iowa Code Chapter 85 and the coverage applicable to the emergency service organization, municipality, township, fire district, or other entity for which the employee is responding. Payment of regular City wages during an authorized release does not, by itself, determine, transfer, expand, or waive workers' compensation coverage or liability. Before receiving approval under this section, an employee serving a neighboring organization shall provide annual verification that the organization maintains workers' compensation coverage applicable to the employee's volunteer role.

Any injury, exposure, vehicle collision, or near miss occurring after the employee is summoned to volunteer duty and before release from that duty shall be reported immediately to the officer in charge of the volunteer organization and to the employee's City supervisor or Department Head. The employee shall also contact the City Clerk and complete the City's required injury or incident documentation within twenty-four (24) hours when reasonably practicable. Reporting to the City does not constitute an admission that the incident is covered by the City's workers' compensation policy.

(P) Administration. Release under this section is discretionary and is not guaranteed for any employee, department, incident, shift, or period of time. The City Administrator may issue procedures, forms, standing restrictions, and interpretations necessary to apply this section consistently. Nothing in this section limits rights provided by applicable law or a controlling collective bargaining agreement, which shall govern in the event of a conflict.