

**FCO 2006 - XV**

**A ORDINANCE AMENDING the FLOYD COUNTY ORDINANCE 2002 - XVI  
and the FLOYD COUNTY PERSONNEL POLICY HANDBOOK  
regarding COUNTY EMPLOYEE WAGES and SALARIES during  
WEATHER EMERGENCIES and WEATHER WATCHES**

**WHEREAS** the Board of Commissioners of Floyd County (hereinafter “the Commissioners”), previously adopted an Ordinance approving the Amended and Restated Personnel Policies for Floyd County (Floyd County Ordinance 2002 - XVI, dated: October 1, 2002), which ordinance was also adopted by the Floyd County Council (October 8, 2002), and

**WHEREAS**, the Commissioners caused to be published a “Personnel Policy Handbook” for the benefit of the employees of Floyd County, and

**WHEREAS** questions have arisen regarding wages and salaries owed to employees of Floyd County whose job titles and job descriptions make them responsible for county road maintenance when they are on call during weather watches or called in during weather emergencies, and

**WHEREAS** the Floyd County Personnel Policy Handbook does not specify the exact obligations of those employees during weather watches and weather emergencies, and does not specify the wages and salaries that will be paid to those employees during weather watches and weather emergencies,

**IT IS HEREBY ORDAINED and ESTABLISHED** that Floyd County Ordinance Number 2002 - XVI is amended and the Floyd County Personnel Policy Handbook shall be amended as follows:

1) The county highway superintendent will have the authority to declare a “weather watch” or a “weather emergency,”

2) A “weather watch” means that weather conditions are such that sometime within the next 72 hours it *may* become necessary for the County to commence plowing snow, scraping ice, spreading salt or cinders, spraying brine, clearing leaves, limbs and trees, putting up barricades to warn of flooded roads or downed power lines or taking other action to try to keep the roads of Floyd County passable and safe for vehicle traffic,

3) A “weather emergency” means that weather conditions are such that it is *immediately* necessary for the County to commence plowing snow, scraping ice, spreading salt or cinders, spraying brine, clearing leaves, limbs and trees, putting up barricades to warn of flooded roads or downed power lines or taking other action to try to keep the roads of Floyd County passable and safe for vehicle traffic,

4) The highway superintendent may declare a “weather watch” whenever the highway superintendent, in his unlimited discretion, determines that weather conditions are such that

sometime within the next 72 hours it may be necessary for the County to commence plowing snow, scraping ice, spreading salt or cinders, spraying brine, clearing leaves, limbs and trees, putting up barricades to warn of flooded roads or downed power lines or taking other action to try to keep the roads of Floyd County passable and safe for vehicle traffic; the highway superintendent, at his discretion, may declare a "weather watch" for a day, a week, or any number of days up to a month, and may cancel a "weather watch" at any time,

5) The highway superintendent shall, as soon as practical, inform the Commissioners that he has declared a "weather watch", and shall likewise inform the Commissioners when he has canceled it.

6) The highway superintendent shall, by all reasonable means available, inform county employees whose job titles and job descriptions make them responsible for county road maintenance, that he has declared a "weather watch" and shall likewise inform the same employees that he has canceled it ,

7) During a "weather watch" no county employees whose job titles or job descriptions make them responsible for county road maintenance during weather emergencies will be required to report to work after regular hours, or required to cancel personal leave or vacations, or required to do anything *except inform the highway superintendent where they can be reached in the event of a weather emergency*,

8) During a weather watch county employees will be paid their regular salaries, wages and benefits,

9) The highway superintendent may declare a "weather emergency" whenever the highway superintendent, in his unlimited discretion, determines that weather conditions are such that it is *immediately* necessary for the County to commence plowing snow, scraping ice, spreading salt or cinders, spraying brine, clearing leaves, limbs and trees, putting up barricades to warn of flooded roads or downed power lines or taking other action to try to keep the roads of Floyd County passable and safe for vehicle traffic; a weather emergency shall remain in effect until canceled by the highway superintendent,

10) The highway superintendent shall, as soon as practical, inform the Commissioners that he has declared a "weather emergency," and shall likewise inform the Commissioners when he has canceled it.

11) The highway superintendent shall, by all reasonable means available, inform county employees whose job titles and job descriptions make them responsible for county road maintenance, that he has declared a weather emergency and shall likewise inform the same employees that he has canceled it ,

12) During a weather emergency the highway superintendent may contact employees and ask them to report to work, to commence plowing snow, scraping ice, spreading salt or cinders, spraying brine, clearing leaves, limbs and trees, putting up barricades to warn of flooded roads or downed power lines or taking other action to try to keep the roads of Floyd County passable and safe for vehicle traffic,

13) Any county employees whose job titles and job descriptions make them responsible for county road maintenance, who are contacted by the county highway superintendent and asked to work during a "weather emergency," who do in fact work more than 8 hours in a 24 hour day (midnight to midnight), or more than 40 hours in a work week, (midnight Sunday to midnight Sunday), will be paid 150% of their regular salary (time and a half) for their hours above 8 hours per day, or above 40 hours per week.

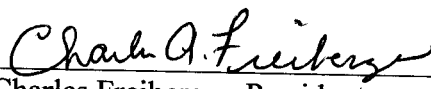
14) During a weather emergency no county employees whose job titles or job descriptions make them responsible for county road maintenance during weather emergencies will be required to report to work after regular hours, or required to cancel personal leave or vacations, but those who do will be paid time and a half.

15) No employee who is contacted during a "weather emergency" but who fails to report to work during a weather emergency will be disciplined, discharged or demoted for his failure to report - he simply won't be paid for any hours he did not work.

16) The highway superintendent shall inform the Commissioners, as soon as practical and as regularly as possible, of the number of men and the number of overtime hours worked during a weather emergency.

RESOLVED THIS 19 DAY OF December, 2006.


BOARD OF FLOYD COUNTY COMMISSIONERS

  
Charles Freiberger, President

  
John Reisert, County Commissioner

  
Steve Bush, County Commissioner

ATTEST:

  
Teresa Plaiss,  
Auditor of Floyd County