Essential Personnel

1. PURPOSE

1.1. Clemson University’s employees, including student workers, are vital to the University’s operation and mission. During modified operations or an emergency closure (including delay and early release), as determined by the appropriate authorities described in the Emergency Closing Policy, some employees are required to provide an initial emergency response and/or essential support to avoid lapses in the University’s essential operations.

1.1.1. Reasons for modified operations or emergency closure for which essential personnel are designated include but are not limited to inclement weather, a natural disaster, a public health incident, an active threat, or major facilities impairment.

1.2. As an agency of the state of South Carolina, Clemson University must identify essential personnel by position, classification, or internal title and notify them of this designation.

1.2.2. Reference: State Human Resources Regulations Section 19-712.01 K
1.2.3. Reference: Clemson University’s Emergency Closing Policy

2. SCOPE

2.1. Employees in all colleges/divisions of the University
2.2. Student workers, upon careful consideration, may be designated as essential personnel.

3. POLICY STATEMENT

3.1. Establishing Essential Operations and Essential Personnel

3.1.1. Essential Operations are established by the University’s Business Continuity of Operations Plan (BCoOP).

3.1.2. The BCoOP indicates a list of department/division specific essential functions. If a suspension of normal operations occurs, the University president (or designee), in coordination with the Emergency Operations Center (EOC), will determine the essential functions that will need to be maintained during the suspension of normal operations and will communicate accordingly.

3.2. Identification and Documentation of Essential Personnel

3.2.1. Division and college leaders, department heads, business officers, or their designees are required to document essential personnel for their respective area(s) of oversight in writing on their department and/or division emergency plan or Business Continuity Plan (BCP). This determination is based on the department’s responsibility for maintaining and/or delivering essential functions and/or direct care services of Clemson University.
3.2.1.1. Essential personnel activated during an emergency may vary based on the circumstances of the incident.

3.2.2. Supervisors, in coordination with their department/division leadership, must maintain up to date essential personnel lists within their BCP and with the Office of Human Resources. (Reference Essential Personnel Guidelines, Section 2.3.)

3.2.3. Supervisors are responsible for making final essential level determinations for each of their direct reports for each event and are required to provide notice of activation and expectations to their employees in accordance with this policy and related guidance.

3.2.4. All University employees, regardless of their initial designation in emergency plans, are subject to activation as essential based on the following factors:
3.2.4.1. The nature and severity of the incident.
3.2.4.2. The employee’s assigned responsibility for maintaining and/or delivering essential functions of Clemson University.
3.2.4.3. The employee’s assigned responsibility for maintaining and/or delivering direct care services of Clemson University.
3.2.4.4. The availability of other employees.

3.2.5. Wherever possible, essential functions should be covered by faculty or staff rather than student workers.
3.2.5.1. If student workers are designated as essential personnel, it should only be after careful consideration and supervisor consultation with Office of Human Resources.

3.3. Essential Personnel Levels
3.3.1. There are two essential personnel levels: Level 1 – Emergency Response and Level 2 – Essential Support.
3.3.2. All other employees are designated as “Normal Operations” and should not work from or access any University facility during a University closure without approval from their supervisor and/or department/division leadership.
3.3.2.1. During modified operations, employees must follow the guidance of their supervisor and/or department/division head.
3.3.2.2. If an employee has entered into a hybrid/remote work agreement and their primary workplace is closed due to an emergency, the employee will be required to work remotely, even if they were scheduled to work from the primary workplace during the time the workplace is closed.
3.3.3. Guidance regarding essential personnel levels and work expectations is available in the Essential Personnel Guidelines.

3.4. Recourse for Noncompliance
Employees who fail to adhere to this policy are subject to disciplinary action, up to and including termination.

4. DEFINITIONS

4.1. Business Continuity of Operations Plan (BCoOP): The overarching plan that ensures the University’s mission essential functions will continue during a wide range of emergencies.

4.2. Business Continuity Plan: A department/division’s plan intended to ensure critical business functions will continue in the event of a disruption.
4.3. **Direct Care Services**: Those services that are required to ensure the physical and emotional well-being of students, or animal well-being during modified operations or emergency situations.

4.4. **Emergency Operations Center (EOC) Members**: Individuals authorized to represent their areas and coordinate information and resources to support incident management activities.

4.5. **Essential Personnel**: Clemson University staff, faculty, and in some cases student workers, who have been identified and designated by their supervisor and/or department/division head to be vital to the continuation of the University's essential functions and direct care services during an emergency closure or modified operations.

4.6. **Mission Essential Functions**: As indicated in the University's Business Continuity of Operations Plan (BCoOP), those services that are required to ensure the security, safety, and vital operations of the University during emergency conditions. The process of identifying and/or modifying mission essential functions will be conducted in collaboration with the Director of Business Continuity Management and Director of Emergency Management.

4.7. **Essential Support Functions**: As indicated in the University's Business Continuity of Operations Plan (BCoOP) those services that support the mission essential functions.

4.8. For more definitions, please refer to the Office of Human Resources’ [Glossary of Terms](https://media.clemson.edu/humanres/policies_procedures/Essential_Personnel_Policy.pdf).

5. **ADDITIONAL RESOURCES**

5.1 **University Policies and Documents**

5.1.1 [Emergency Closing Policy](https://media.clemson.edu/humanres/policies_procedures/Essential_Personnel_Policy.pdf)

5.1.2 [Emergency Closing Procedures](https://media.clemson.edu/humanres/policies_procedures/Essential_Personnel_Policy.pdf)

5.1.3 [Essential Personnel Guidelines](https://media.clemson.edu/humanres/policies_procedures/Essential_Personnel_Policy.pdf)

5.1.4 [Nonexempt Employee Timekeeping Policy](https://media.clemson.edu/humanres/policies_procedures/Essential_Personnel_Policy.pdf)


7. **PUBLISHED LOCATION**: [https://media.clemson.edu/humanres/policies_procedures/Essential_Personnel_Policy.pdf](https://media.clemson.edu/humanres/policies_procedures/Essential_Personnel_Policy.pdf)

8. **APPROVAL & REVISION HISTORY**

8.1. President approval: August 9, 2021

8.2. Originally issued: August 9, 2021