

SAMPLE Hazard Payⁱ Policy for DV Organizations

- *Also includes a differential for essential office employees who must go to the office to maintain essential operations*

SAMPLE: Coronavirus Hazard Pay Interim Policy

1. Hazard Pay for Direct Service Employees

In recognition of the importance of our employee's health and safety while performing their duties during this coronavirus public health crisis, [Name of the organization] is instituting an interim policy to provide Hazard Pay for direct service employee for their hours worked at shelters and at direct service sites. (e.g. court advocacy centers, food pantries, counseling centers, direct service sites). This includes supervisors who work on site at the shelters and direct service sites.

2. Hazard Pay – Additional Hourly Amount

All staff who meet these criteria will receive an additional (e.g. \$3-4 dollars more an hour, or \$15 more an hour,... amount determined by the organization)ⁱⁱ

Hazard Pay is a temporary supplement to the employee's base pay. The Hazard Pay is included in the employee's regular rate of pay in computing the employee's overtime pay, as per the Fair Labors Standard Act (FSLA).ⁱⁱⁱ

3. Hazard Pay Differential for Essential Office Employees

In addition, employees who must go into the office to maintain essential functions of the operations, including handling mail, server back-up, managing financial duties such as paying invoices and making check deposits, will receive a pay differential of ____ (e.g. \$50 dollars/week... determined by the organization). The Executive Director will designate the essential office employees.

4. Applicable Time Period for Hazard Pay

The organization will provide enhanced hourly pay during the State of Emergency period identified by the Governor of the State of Delaware, (currently until May 15th, subject to extension).

This additional Hazard Pay is retroactive to Sunday March 22nd, 2020, the date of the Governor's fourth Modification of the State of Emergency Declaration ordering shelter-in-place measures for all Delawareans.

ⁱ Some companies / organizations use the term: **Appreciation Pay** rather than Hazard Pay

ⁱⁱ The **Paycheck Protection Program (PPP) through the CARES Act** – small business forgivable loans to maintain staff – can be used to cover the additional payroll costs related to Hazard Pay. The loan is applied for through your bank and the loan is forgivable if the employer maintains staff on the payroll for 8 weeks after getting the loan.

ⁱⁱⁱ The **Fair Labor Standards Act (FSLA) does not address Hazard Pay**, except to state that it must be included in the employee's regular rate of pay when calculating overtime.