

STATE OF NEVADA

STATE EMERGENCY RESPONSE COMMISSION

ORIGINATED BY: Brandi Salisbury	ORIGINATED DATE: 01/01/2021	APPROVED BY:
REVISED BY:	REVISED DATE:	
DATE ISSUED:	DATE EFFECTIVE:	SUBJECT: HMEP Overtime, Backfill and Stipend Pay
PROCESSED BY:	SPECIAL INSTRUCTIONS:	POLICY NO: SERC 8.16

Reference: NAC 459.99135 through 459.99151

PRINCIPLE:

The State Emergency Response Commission (SERC) awards grants with funds from the U.S. Department of Transportation (DOT), Pipeline and Hazardous Materials Safety Administration (PHMSA), using the Hazardous Materials Emergency Preparedness (HMEP) Grant.

POLICY:

- A. As outlined in the HMEP Notice of Funding Opportunity (NOFO) overtime/backfill and volunteer stipend expenses are permitted under this grant in order to perform allowable HMEP training activities and that can include training exercises. To be eligible for any form of personnel time reimbursements, the individual’s employing department must have experienced an actual cost beyond normal operational personnel expenses. Qualified expenses may include overtime, backfill, or loss of salary/compensation by the individual attending a grant eligible activity approved by PHMSA.
- B. Costs charged to this award must be consistent with the Cost Principles for Federal Awards located at 2 C.F.R. Part 200, Subpart E. To that end, the costs must be allowable, allocable, and reasonable. If overtime is claimed for the individual attending the event, backfill is not eligible. If backfill is claimed for the event, backfill will only be reimbursed for the hours needed to cover the shift of the event attendee. Organizations are encouraged, to the greatest extent possible, to modify activities to limit situations where overtime and backfill are necessary.
- C. Overtime and backfill can be reimbursed for ~~both full-time and part-time/volunteer~~ emergency response personnel participating in DOT/PHMSA approved training courses and exercises. With regard to training, the sponsoring department’s employee must pass the course of study through an approved institution or provider that meets the course

curriculum requirements of the Division of Emergency Management (DEM) and the State Fire Marshals (SFM) Office. Course rosters from the training provider must be submitted to the sub-recipient to verify successful completion and must accompany reimbursement claims to the SERC. No reimbursement will be provided, including backfill, if an employee fails a course.

- D. For statewide deployable teams, the course should be listed as part of the team curriculum requirements also on file with DEM. For employees who serve as part of a statewide deployable team, only those personnel listed on a team roster at least six weeks prior to the start of the course are eligible to receive reimbursement or volunteer stipend.
- E. Time spent during exercise play in accordance with the Homeland Security Exercise and Evaluation Program (HSEEP) standards will be eligible for overtime and backfill. A sign-in sheet recording the participation of the sponsoring department's employee must accompany reimbursement claims, along with the After-Action Report (AAR).
- F. Reimbursement and volunteer stipend may only be requested by and paid to the individual's employing or sponsoring department. Submission of a reimbursement or volunteer stipend claim by a sponsoring department will be submitted through the sub-recipient with whom SERC has a contractual relationship. The required form must be used, and backup documentation verifying the hours and rate claimed must be attached to the form. For all career employees, payroll printouts or check stubs verifying the rate and hours as submitted on the form are required. For volunteers, a timesheet recording these hours is sufficient backup documentation.
- G. PHMSA will allow HMEP recipients to be reimbursed for nominal volunteer stipends. A stipend is nominal if it does not exceed 20 percent of what the fire department would otherwise pay a full-time firefighter to perform response services. HMEP recipients should develop and submit to the SERC a policy for the standardized stipend amount to be provided for participation in HMEP training and training-related exercises. Prior approval must be received before issuing stipends. All costs must be related to a HMEP training activity.

PROCEDURES:

- 1. DOCUMENTATION:
 - a. Grant applicants must submit the following information: (1) estimated number of employees to be trained while on overtime/backfill/stipend pay; (2) average hourly rate of firefighter/emergency responders in jurisdiction; (3) estimated total overtime, backfill hours or stipend pay; (4) total costs for overtime, backfill and/or stipends due to HMEP training; (5) name and date of training course(s).
 - b. SERC will conduct spot check/desk review/audits and will make sure the following information is being retained: (1) names of individuals trained; (2) individual hourly rates for

individuals trained; (3) total overtime, backfill hours, or stipend pay due to HMEP training; (5) name and date of training course(s).

2. RECORD KEEPING REQUIREMENTS:

- a. Grant recipients must provide SERC and retain a list of all individuals involved in these costs and their salary (individual trained and individual backfilling) for a minimum of three years after the close of the grant.
- b. Grant recipients must provide SERC with and retain an internal management plan/policy to ensure adequate oversight for these costs prior to the activity occurring for a minimum of three years after the close of the grant.
- c. Grant recipients must provide SERC with and retain a training record and actual payroll records, which must be maintained for all responders who receive overtime, backfill or stipends by name, County Local Emergency Planning Committee (LEPC) or State Agency, training date(s) and the total amount paid to each individual volunteer for each individual training event for a minimum of three years after the close of the grant.

3. REIMBURSEMENT LIMITATIONS INCLUDE:

- a. Only personnel time directly related to the grant activity is allowed. Travel time to and from the event is not eligible. However, requested reimbursement for travel/per diem costs is eligible. Note: that if overtime or backfill is charged against any cost categories and the individual(s) is travel to the approved training, the completion of a "Travel Request" form as outlined in SERC Policy 8.5 is required for reimbursement for travel/per diem costs.
- b. Normal salaried time of team members is not eligible for reimbursement due to supplanting issues.
- c. Salaried employees participating outside their normal work hours are not eligible for reimbursement.
- d. Reimbursement cannot exceed 1.5 times a sponsoring department employee's hourly wage. Benefits, longevity pay, and other salary enhancements are not eligible for reimbursement. For volunteer stipends, cannot exceed 20 percent of what the fire department would otherwise pay a full-time firefighter to perform response services.

4. RESTRICTIONS:

- a. Overtime related to planning activities will not be approved.
- b. Overtime to attend training conferences or symposiums will not be covered.
- c. PHMSA must not be billed for overtime and backfill related to

the same individual/training course. This means that an individual attending training that results in overtime would not require someone backfilling that time.

- d. PHMSA will allow recipients up to 30 percent of its award for backfill, overtime, and stipend costs.
- e. Course instructors and administrative staff are not eligible to be reimbursed under this guidance.
- f. Expenses are limited to the actual costs that result from an individual who performs the duties of another individual while they are attending an HMEP – approved training activity.
- g. If the backfill employee is a regular employee who is called in on his/her day off (weekend or other off days), there may be an extra cost to the applicant. Regular and overtime costs may be eligible.
- h. If the backfill employee is called in from scheduled leave, there should be no extra cost as the leave can be rescheduled. Only the overtime is eligible.
- i. For hybrid fire departments (volunteer and career), the value of volunteer's backfilling for career employee can be credited toward the non-Federal cost share or the volunteer may receive a stipend but not both.

5. DEFINITIONS:

- a. Backfill costs: Occurs when replacement personnel performs the regular duties of other personnel while they are attending an eligible HMEP training activity.
- b. Backfill-related Overtime, also known as "overtime as backfill": Expenses are limited to overtime costs that result from personnel who are working overtime (as identified above) to perform the duties of other personnel who are temporarily assigned to PHMSA-approved activities outside their core responsibilities.
- c. Exercise: Overtime for participation in PHMSA approved exercises that adhere to the Homeland Security Exercise Evaluation Program (HSEEP) standards and test the standards of a team or individual performing a grant-eligible activity.
- d. Overtime: Occurs when the individual has completed their shift and ordinarily would not be on the clock. Expenses limited to the additional costs which result from personnel working over and above 40 hours (or the number of hours established by the recipient's agency for full-time employees) of weekly work time as a direct result of their need to participate in a PHMSA-approved training activity.
- e. Overtime Costs: Expenses limited to the additional costs which result from personnel working over and above 40 hours of weekly work time as a direct result – PHMSA will only reimburse for up to 1.5 times an individual's hourly wage.

- f. Reimbursement calculation: Hourly wage multiplied by 1.5 number of hours worked overtime = total reimbursement cost.
- g. Training: Overtime for participation in hazardous materials training courses that are either LEPC-sponsored or state-sponsored and approved by PHMSA.