

## 16.10 – Emergency Preparedness and Response v103018

### PART 1: PURPOSE

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To facilitate compliance with state and federal laws relating to emergency preparedness and response, by clarifying the Board of Regents' delegation of authority relating to emergency planning and preparedness and to disaster consequence and recovery management functions. These delegations include authorization of NMSU personnel to plan and take action as necessary for the protection of the university community and university assets, in the face of potential and actual emergencies; this rule is not intended to limit in any way the authority granted by state or federal law to public safety entities and their employees and representatives who may be serving as incident commanders or other emergency responders. The actual emergency operational protocols to be followed in the field by the incident commander(s) and emergency responders are not within the scope of this rule. *See All Hazards Emergency Operations Plan(s).*

### PART 3: DEFINITIONS, ROLES AND RESPONSIBILITIES

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- A. **AHEOP** is an All Hazards Emergency Operations Plan which is required to be developed and maintained by each NMSU Component to maximize the preparedness for unforeseen emergencies, including coordination with police, fire and emergency medical service providers who might be involved in the event of such emergencies.
- B. **CART** is the university's "Central Administration Response Team", which serves the entire NMSU System, and consists of the NMSU Chancellor and other executive management personnel. *See Part 4. A. below.*
- C. **Communicable Disease Preparedness Committee** is the committee that, in conjunction with the Emergency Planning Committee, is responsible for planning and preparedness regarding Continuity of Operations, health disasters, and other disasters of long duration. This committee works directly with the various NMSU entities to accomplish this planning and preparedness.
- D. **CoOP** is the Continuity of Operations Plan, which is plan developed by each NMSU Entity to identify its essential mission(s), and the mechanisms for continuing to achieve them during an emergency. Each CoOp should provide the information necessary to enable the NMSU Entity's personnel to operate in a variety of circumstances, such as from a remote site, without electricity, without computer connections, etc. *See Part 4, E. below.*
- E. **CRT** is the Component Response Team, which is a team of key administrative leaders designated by each NMSU Component whose responsibility is to make decisions relating to disaster/emergency consequence and recovery management for that component. The CRT for the NMSU-Las Cruces Component consists of the same membership as that of the CART.
- F. **Disaster** means a sudden event, such as an accident or a natural catastrophe that causes or has the potential to cause great damage or loss of life.
- G. **EAP** is an Emergency Action Plan required by the Occupational Safety and Health Act, administered by the U.S. Department of Labor, to notify employees, students and/or volunteers of what to do in the event of a potential or actual emergency, including emergency training exercises. The EAP communicates emergency information in advance of an emergency and explains how to report a fire or other emergency, provides an evacuation route and reunification location, as well as protocols to ensure that all persons associated with each NMSU Entity are accounted for. *See Part 4. D. below.*
- H. **Emergency** means a serious, unexpected, and often dangerous situation requiring immediate action.

- I. **Emergency Planning Committee** means the standing university board (*See Official List of University Boards*) that advises and provides recommendations to the NMSU Chancellor regarding emergency planning and preparedness for the system, the CART and the CRTs, particularly related to the All Hazards Emergency Operations Plan.
- J. **Emergency Responder** means an employee or representative of a public safety entity who performs duties to save lives or property and/or to preserve order during an emergency. Emergency responders include the first responders, any non-NMSU involved public safety entities, and the official(s) designated to serve as the Incident Commander(s).
- K. **Essential Personnel** means those employees who perform job duties or functions deemed by the administrative head of their NMSU Entity to be critical to operations. Essential Personnel are required to work, and/or to be available to work, in the event of any emergency, and especially during emergencies of extended duration.
- L. **External Entity** means any non-NMSU entity or agency located on NMSU premises, as a tenant or a business partner.
- M. **Incident Commander** is the person (or in unified command, the people) who are appropriately trained and responsible for decision making during the on-scene emergency resolution.
- N. **NMSU Component** refers to the NMSU-Las Cruces campus; to the community college campuses (Alamogordo, Carlsbad, Doña Ana and Grants); as well as to the New Mexico Department of Agriculture, which has a dual reporting line to the NMSU Board of Regents and to the Governor.
- O. **NMSU Entity**, sometimes also referred to as “unit”, refers to a college, a department or any other individual administrative unit within the NMSU System, including but not limited to agricultural experiment stations.

## PART 4: RULES

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### A. **Membership and Authority of the Campus Administrative Response Team (“CART”)**

- 1. The membership of the university system’s Campus Administrative Response Team, commonly referred to as the “CART”, is determined by the NMSU Chancellor, in consultation with the Emergency Planning Committee.
- 2. The membership of the CART is reflected in the AHEOP that covers the NMSU-Las Cruces and Doña Ana Community College campus located on the NMSU-Las Cruces campus.
- 3. The primary responsibility of the CART is to make decisions and carry out directives relating to disaster/emergency consequence and recovery management.

### B. **The CART’s Resources Group**

The primary responsibilities of the members of the CART Resources group are those associated with service as either an Incident Commander or an Emergency Responder as part of the active resolution of the emergent circumstances, and to provide information when feasible and as requested to the CART. The current membership of the CART Resources Group is reflected in the AHEOP that covers the NMSU-Las Cruces and Doña Ana Community College campus located on the NMSU-Las Cruces campus.

- 1. The CART’s Resources group shall be available as a resource for the other campuses and facilities within the NMSU system.
- 2. **The CART’s Resources group typically includes, and is not limited to the following areas:**
  - a. NMSU Police Department

- b. NMSU Fire Department
- c. Environmental Health and Safety
- d. Facilities Operations and Utilities
- e. Information and Communication Technology
- f. News and Media Relations
- g. Campus Health Services
- h. Counseling Services
- i. Housing and Residence Life
- j. VPR Biosafety Officer

**C. Emergency Planning and Preparedness/All Hazards Emergency Operations Plan (AHEOP)**

1. Each NMSU Component, as defined above, shall develop and maintain an All Hazards Emergency Operations Plan (AHEOP) to guide responders, administration, and that Component's community during emergency situations. Each AHEOP shall identify and address the common hazards specific to their component.
2. The AHEOP for NMSU-Las Cruces also covers the Doña Ana Community College due to the overlap of the campuses, available for viewing at **NMSU-AHEOP**. There is not a requirement for the Doña Ana Community College that is located on the NMSU- Las Cruces campus to maintain a separate and distinct AHEOP. The university's Emergency Planning Committee and/or its individual members, are available to assist and provide guidance to the NMSU Components as they draft and maintain their AHEOPs.
3. Each NMSU Component is encouraged to coordinate with the appropriate local law enforcement, fire and emergency medical jurisdictions as its AHEOP is drafted; the National Incident Management System ("NIMS") is the model for command and communications.
4. Prior to submission to the NMSU Chancellor for approval and signature, each NMSU Component shall obtain review and approval of its proposed AHEOP from the CART or appropriate CRT, and the Emergency Planning Committee.
5. The NMSU Chancellor shall review and give final approval on behalf of the university, for each AHEOP, for each NMSU Component.
6. The NMSU Components shall review their respective AHEOPs every two years and update accordingly. Substantive changes made to the components' AHEOPs require approval by that component's president and the NMSU Chancellor; non-substantive revisions do not require re-approval and signature. Examples of non-substantive revisions include but are not limited to illustrating or clarifying applicable procedures and/or updating contact or resource information.

**D. Emergency Planning and Preparedness/Emergency Action Plan ("EAP")**

Each NMSU Entity shall develop and maintain an EAP to guide department/unit faculty, staff, students and others immediately following notification of an emergency situation and/or communication as part of an emergency training exercise. Examples of emergency situations that might trigger the need to invoke the EAP include natural disasters, hazardous material spills, or manmade disasters.

1. The goal of this plan is to get unit-level personnel and those in the area (to include students and visitors) to safety as quickly as possible. The EAP is not intended to address the actual response to the emergency or hazardous situation, which is carried out by incident command and emergency responders, respectively.
2. The EAP shall require contact with each affected employee and/or student, as well as notification to the appropriate emergency responder, each time the plan is invoked.

3. The EAP shall be updated as often as necessary, and shall be reviewed periodically with affected employees and/or students to ensure familiarity with it.

## E. **Emergency Planning and Preparedness: Continuity of Operations Plan (“CoOp”)**

In coordination and consultation with the Communicable Disease Preparedness Committee, each NMSU Entity shall develop and maintain a Continuity of Operations Plan. **Appropriate elements for this plan may include the following:**

1. **Line of Succession:** Each NMSU Entity should keep an up-to-date listing of contact information for the employee in charge of the unit, and at least two others in order of succession. This line of succession and contact information shall be communicated within each NMSU Entity, as well as up to the entity’s next level of supervision.
2. **Intra-Unit Communications:** Each NMSU Entity shall maintain a list of current contact information for all employees and volunteers, to facilitate communications in the event any type of emergency. The type of communication that may be required is likely to vary depending upon the nature and timing of the unforeseen emergency, and may involve the use of telephone trees, e-mail, personal visits to homes, etc. (**NOTE:** Intra-unit communication during an emergency should also be addressed within the EAP).
3. **Designations of Essential, Alternate Essential and Standby Personnel:**
  - a. Each NMSU Entity shall determine the job duties and functions that would be critical to continuity of operations.
  - b. A list of the personnel who perform these duties and functions shall be transmitted to the chair of the Communicable Disease Preparedness Committee (by job position and incumbent employee), who shall review and submit to human resource services for designation as “essential personnel” in each job description.
  - c. Personnel identified to fill essential positions or alternates for essential positions will be listed on the CoOP for that NMSU Entity. Alternates for Essential Personnel will also be identified, as well as any personnel that might be needed on a standby basis.
  - d. Notwithstanding prior designations, any position may be designated as essential, alternate essential or stand-by as needed at any point during an emergency situation.

## F. **Personnel Considerations During Emergency**

The following human resources policies shall apply when employees work as needed during emergencies:

1. **Communication of Designation(s) to Employees:** Each NMSU Entity shall communicate any special designations to its employees (e.g. “essential” “alternate essential” or “standby”). As noted above, designations may be changed by department head or other appropriate supervisor during an emergency, if needed.
2. **Reasonable Flexibility:** In an emergency, both employer and employee should be as flexible as possible to enable employees to work, including facilitating working from home and other remote locations (telecommuting); allowing full-time employees to work part-time; using flexible work schedules; and other appropriate solutions.
3. **Extension of Deadlines:** All probationary periods and other such deadlines will be extended for the duration of the declared university emergency.
4. **Responsibilities of Essential, Alternate Essential and Standby Personnel:** Essential personnel shall report for work unless specifically directed by supervisor or authorities not to report for health and safety reasons. Alternate essential personnel whose designations are changed to essential shall report for work upon notification of changed designation. Standby personnel, not designated as essential or

alternate to essential, shall not report to work during a university State of Emergency and may only work if pre-approved by the NMSU Entity.

5. **Work Outside Normal Scope of Employment Duties:** Employees may be required to work outside their normal scope of responsibility as deemed necessary by appropriate NMSU administrator. This includes employees with the necessary skills that are needed to work outside their colleges/vp units. Base compensation will be at the individual's regular base pay for their primary job unless other arrangements are approved by HR Services.
6. **Compensation and Leave Time:** Non-exempt/hourly employees will be paid in accordance with the university's policy for closure pay (ARP 7.21). Exempt/salaried employees will receive regular base pay for time worked and be eligible for a hardship differential if excessive overtime is required. Employees not able to work at any location or not required to work will not receive regular pay, but should report their time as "other leave taken", which is paid leave.

## G. Declaration of State of University Emergency/Notification/Authority to Act

1. **Declaration of State of University Emergency:** The NMSU Chancellor is authorized to declare a State of University Emergency for any of the NMSU Components, NMSU Entities and/or External Entities. When the NMSU Chancellor is not available, the line of succession for said office shall be followed, with the successor having equal authority. Such a declaration is typically used when inter-agency assistance or relief is sought.
2. Emergency information shall be communicated to the university community as appropriate based on the decisions of the incident commander, the CART Command, or others pursuant to **ARP 16.11 Emergency Notification System**.
3. **Authorization for action by Administrator or Supervisor:** Each administrator or other supervisor in charge of an NMSU Component or NMSU Entity is authorized to take action as may be necessary to preserve life or university property during an emergency situation without prior authorization, but such emergency response action should be followed by immediate notification to NMSU Chancellor as soon as is reasonable under the circumstances.
4. **Authorization for action by NMSU Employees:** Each NMSU employee is authorized to act as may be necessary to preserve life or university property during an emergency situation, in the absence of a supervisor, but such emergency response action must coincide with immediate notification to any member of CART Command, Resources or Operations teams, who shall notify the NMSU Chancellor as soon as reasonable under the circumstances.

## H. Incident Command and Emergency Response

1. For emergencies and disasters occurring on the NMSU Las Cruces campus, the central campus of Doña Ana Community College, or surrounding university property, the NMSU Police and/or the NMSU Fire Department will serve as incident commander, as appropriate based on the type of emergency.
  - a. The incident commander (s) will coordinate with CART in the event that evacuations, shelter in place, building closures, etc. have been ordered for the immediate preservation of life and property.
  - b. The Incident Commander may invoke mutual aide agreements with other agencies, as appropriate, without the need for Chancellor approval or a formal declaration of university emergency.
  - c. Incident commanders (emergency or nonemergency) and other members of the CART may activate the Central Administration Response Team in support of their emergency operations.
  - d. The NMSU Police or the NMSU Fire Department shall maintain policies and procedures to provide their respective personnel with the necessary procedural guidance for routine and emergency situations.

2. For emergencies and disasters occurring on NMSU property other than the NMSU Las Cruces campus, the central campus of Doña Ana Community College, or surrounding university property, the appropriate local police or fire jurisdiction will serve as incident commander, as appropriate based upon the type of emergency.
3. For situations where there is not an immediate life-threatening emergency, other individuals and entities may act in the role of incident commander. These individuals will be designated as “nonemergency incident commander” and do not have the same training requirements as emergency incident commanders. Examples of nonemergency incident commanders include the associate vice president for facilities and services when related to utility outages and the associate vice president for information technology when related to information system(s) or telecommunication outages.

#### **I. Disaster Consequence and Recovery Management/Follow Up (After Action Reviews)**

After any major emergency or disaster, the Emergency Planning Committee shall coordinate with the appropriate individuals and entities to ensure a formal after-action review is conducted in order to identify successes, policy, rules and procedures, or plan changes needed, and potential areas for improvement.

### **PART 5: PROCEDURES**

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The policy administrator, in collaboration with the Emergency Preparedness Committee with the concurrence of the chancellor, may issue procedural guidelines, including templates, checklists, forms or other materials that will facilitate the implementation and application of this rule.