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**STATE OF MINNESOTA
CONTINUITY OF
OPERATIONS PLAN**

**STATE POLICIES,
PROCEDURES AND
GUIDELINES**



STATE OF MINNESOTA
CONTINUITY OF OPERATIONS PLAN
STATE POLICIES, PROCEDURES AND GUIDELINES

DECEMBER 31, 2003

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Summary

The Governor's Order Assigning Emergency Responsibilities to State Agencies (Executive Order ~~xxxxx~~) requires all state agencies to have a Continuity of Operations Plan. The Division of Homeland Security and Emergency Management from the Department of Public Safety awarded the Department of Administration a grant to develop a document that will assist State agencies in continuity of operations planning.

The Continuity of Operations Plan Prototype consists of three parts, the prototype itself plus two supporting documents. The prototype is an outline and description of the requirements of a complete continuity of operations plan. It follows the same logical order that this information should appear in the plan. The first supporting document is the Continuity of Operations Plan State Policies, Procedures and Guidelines. This document, contained herein, contains the policies that govern all state agencies and should be followed in the event of a business interruption as well as procedures and guidelines provided by State agencies regarding the services they provide other State agencies. Agencies may need to develop their own policies to supplement the state policies or operationalize them within their agency. The second supporting document is the Continuity of Operations Plan Agency Templates. This document contains templates any agency can use to write agency-specific continuity of operations foundation documents (explanatory document or guideline) or policies.

The policies, procedures and guidelines are grouped in these categories and listed alphabetically in this document. These documents should be included in the continuity of operations plan in the 'policies and procedures' section. They should not be altered. Only the governing agency has authority to edit these documents.



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Policies

The following section includes policies from the Department of Administration, the Department of Labor and Industry, the Governor's Office, and the Secretary of State. These policies govern all state agencies and should be included in a continuity of operations plan.

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Co-Located Equipment Service Policy

Agencies should attach the final Interagency Agreement that was prepared regarding co-located equipment at the InterTechnologies Group facility. The Interagency Agreement will outline the agreed upon services that InterTechnologies Group will provide for your collocated equipment, as well as the terms and conditions of the agreement.

This policy approved by Judith Favia, at the Department of Administration, on October 8, 2003.

Delegations of Authority Statutes and Polices

The controlling authority for delegations of authority can be found in Minnesota Statutes, section 15.06, the relevant portions of which state:

Subd. 6. General powers of commissioners. Except as otherwise expressly provided by law, a commissioner shall have the following powers:

(1) to delegate to any subordinate employee the exercise of specified statutory powers or duties as the commissioner may deem advisable, subject to the commissioner's control; provided, that every delegation shall be made by written order, filed with the secretary of state; and further provided that only a deputy commissioner may have all the powers or duties of the commissioner;

(2) to appoint all subordinate employees and to prescribe their duties; provided, that all departments and agencies shall be subject to the provisions of chapter 43A;

(3) with the approval of the commissioner of administration, to organize the department or agency as deemed advisable in the interest of economy and efficiency; and

(4) to prescribe procedures for the internal management of the department or agency to the extent that the procedures do not directly affect the rights of or procedure available to the public.

Subd. 7. **Deputy commissioner.** For purposes of this section, a "deputy commissioner" shall also include a "deputy director" when the department head bears the title "director". A deputy commissioner of a department or agency specified in subdivision 1 shall be in the unclassified civil service and shall be immediately subordinate to the commissioner. The deputy commissioner shall have all the powers and authority of the commissioner unless the commissioner directs otherwise, and shall speak for the commissioner within and without the department or agency. The primary duty of a deputy shall be to assist the commissioner in the general management of the entire department or agency or of major parts thereof, and shall not consist of operating single functional areas. A deputy commissioner serves at the pleasure of the commissioner.

Subd. 8. **Number of deputy commissioners.** Unless specifically authorized by statute, other than section [43A.08](#), subdivision 2, no department or agency specified in subdivision 1 shall have more than one deputy commissioner.

NOTE: Section 15.06 also contains other provisions that affect the delegation process. Those provisions will be cited as they arise in the course of this paper.

Delegations of Authority are personal delegations of the power of the delegating official to the employee receiving the authority.

This is a central premise not only to the statutory section but also to the requirements of when delegations need to be filed or rescinded. As the delegation is personal, and is in the nature of designation of an “agent” to act on behalf of the commissioner, there are (other than the deputy) no “agents” as of right or because of their office under Minnesota law.

Also, under Minnesota law almost all agency acts and responsibilities are actually placed upon the commissioner as an individual and are not given to the agency. Thus the commissioner must specifically delegate off such responsibilities, or must otherwise devise procedures to implement those tasks through their employees without delegation.

Please note that delegations are specific (though they can be broad) grants of authorities to subordinates. Matters not delegated are generally beyond the scope of the receiving employee. Only in one case does a delegation potentially act as a restriction of inherent broad powers, and that is in the case of a deputy whose authority can be restricted by direction of the commissioner, which would be filed as if it were a delegation.

Only certain officials can delegate authority.

The commissioner may delegate authority. This is specifically allowed under section 15.06, subd. 6.

The deputy commissioner, who by law has all the rights of the commissioner, under section 15.06, subd. 7, also has the right to delegate authority. Without a delegation restricting authority, it appears that as a result of that section, the deputy commissioner has all of the authority of the commissioner. This makes sense from the point of view of wanting an automatic back-up as the default position. Unless authorized by statute, designated agencies are only allowed one deputy commissioner.

It is arguable that this section also permits employees specifically authorized by delegation to further delegate down the chain of command.

Only certain officials can receive certain kinds of authority.

Only a deputy commissioner in any agency may receive all of the powers of the commissioner. However, by clever construction, any number of employees may receive most of those powers, including, if properly drafted, perhaps the authority to further delegate authority to even more-subordinate employees.

How delegations commence requirements

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It is necessary that all delegations be filed with the secretary of state. The OSS has created a form that is available at the OSS website at:

<http://www.sos.state.mn.us/openapp/dele.pdf>.

The current form is also attached electronically to this paper. Please note that the form can also be used for rescinding or changing authorities.

How delegations end.

End of gubernatorial term

The end of the gubernatorial term, by whatever reason (expiration, death, impeachment, resignation, recall or any other termination of that person) automatically ends the term of the commissioner, section 15.06, subd. 2, and therefore the underlying agent authority disappears at that time. The only exception would be where the new governor designates the prior commissioner to act as acting commissioner until a new acting, temporary or permanent commissioner is designated or confirmed by the Senate. Even there, if the acting commissioner is not appointed and confirmed as the commissioner, all delegations made by that individual commissioner expire when they leave office.

End of term of delegating commissioner

Through the end of gubernatorial term (see above).

Resignation, death or other end of term of commissioner

If a commissioner ends their service as commissioner in any way, then the delegations they have personally made, and all delegations based on those delegations, would immediately end, and new delegations would need to be made by any new individual who acceded to the office of acting, temporary or permanent commissioner.

End of authority or service of intermediary delegating authority

Even if a commissioner does not leave office, if a specific authority has been delegated down several levels, if any of the links in the chain either lose authority to delegate or are no longer employees of the agency, then all of the delegations below that link or level will need to be reauthorized, as, again, delegations are specific to both the appointing person and the receiving person.

End of service of delegatee

If a person who has received a delegation leaves the agency in which they had the delegation and no longer serves that commissioner, or if that function is moved by law to another commissioner, then the delegation is null and void from that point forward.

What about temporary incapacity?

It would appear that the delegation would expire only upon the removal of the status permanently from either party to the delegation. A temporary leave or other hiatus that did not strip the individual of their powers would not cancel a delegation.

Forms of delegation; general; specific

As mentioned above, delegations may be worded in such a way to be exceedingly broad or general or exceedingly narrow, or anywhere in between. Depending upon the authority that could be provided to the position without changing the nature of the position so as to reallocate it at another level or to another bargaining unit due to additional discretion provided by the delegation, the commissioner or other delegating person otherwise has broad flexibility to craft the delegation.

Succession within Executive Branch; effect on delegations

Temporary vs. Permanent Replacement

See the section on temporary incapacity above. With respect to other constitutional officers, the Governor has no authority unless there is a vacancy, not simply a temporary issue. The question of what constitutes a vacancy is not clearly addressed by the Minnesota Constitution, which in Article V, sections 3 and 5, deals with vacancies and succession. Minnesota Statutes, section 351.02 discusses vacancies generally, however, and they occur by:

- Death
- Resignation
- Removal
- Leaving the State
- Conviction of an 'infamous' crime
- Refusal to take the oath of office
- Voiding of the appointment or election of the official

Governor appoints to complete term of constitutional office

If a vacancy occurs, then the governor, under the constitution, article V, section 3, appoints for a maximum of approximately two years (until the January following the next state general election).

In such a circumstance, all delegations by that constitutional officer would end and new ones would be required from the new officer.

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In general, while constitutional officers are not strictly governed by 15.06, they have followed, in many cases, the same procedures in delegating authority, as the general principles of agency law as explained above generally apply to any government office.



Acrobat Document

Delegation of authority form

This policy approved by .

Emergency Public Information Support Policy

The Governor's Office provides support to the Department of Public Safety's Office of Communications for the dissemination of emergency public information.

In the event of a disaster, the affected agency or agencies needing emergency public information support from the Governor's Office will contact the Governor's Office by reporting the incident to the MN Duty Officer.

The Governor's Office has taken steps to ensure the MN Duty Officer is able to reach the Governor's Office 24/7. Depending on the extent of the disaster, the Governor's Office will determine the most effective manner in which emergency public information support can be provided, including dispatching its employees to the State Emergency Operations Center.

This policy approved by Jeff Davidman, Senior Policy Advisor, Office of Governor Pawlenty.

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Employee Safety and Health Policy

It is Department of Labor Industry, Occupational Safety and Health (MNOSHA) Division's policy to ensure that a catastrophic event affecting employee safety and health is investigated, if appropriate. If primary responsibility for the event is within the jurisdiction of another government agency, MNOSHA will avoid duplication of effort, facilitate the exchange of information, and assure a thorough and comprehensive investigation, if appropriate. If MNOSHA has primary responsibility, an inspection will be initiated referring to the applicable guidelines of our plan to the extent that available resources will allow.

MNOSHA shall implement its response plan upon the activation of the state's Emergency Response Plan or when an incident occurs which meets the definition of "catastrophic event" defined as follows:

A "workplace catastrophic event" is defined as an occupationally related incident which:

- involves multiple fatalities (two or more); or
- involves extensive injuries or massive toxic exposures resulting in three or more people hospitalized overnight and/or ten or more people sent to the hospital and treated and released; or
- presents a high potential for worker injury and generates widespread media interest.

An agency or agencies experiencing a workplace catastrophic event should contact MNOSHA by reporting the incident to the MN Duty Officer.

MNOSHA's response plan will be coordinated with other federal, state, regional, and/or local emergency response agencies. A copy of MNOSHA's response plan can be obtained by sending a written request to:

Attn: Minnesota OSHA
Department of Labor and Industry
443 Lafayette Road
St. Paul, MN 55155
(651) 284-5050

Your request for MNOSHA's response plan must include the business reason(s) that necessitate obtaining a copy of this plan.

This policy approved by Patricia Todd, Director of Occupational Safety and Health Division of the Department of Labor and Industry on December 11, 2003.



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State-owned Facility Physical Security Policy

Waiting for this policy from Governor's Office - ds



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Procedures

The following section contains procedures provided by state agencies. These procedures are intended to facilitate the acquisition of services that would be needed during an emergency. These procedures should be included in the appropriate sections of a continuity of operations plan. For example, the Access to Statewide Systems and Emergency Travel Procedures should be included in the Support Services Team (SST) section since the SST will be responsible for payroll, purchasing and logistics.

Each agency should document its own policies and/or procedures to supplement these procedures. The agency's policies and/or procedures should be specific to the agency and provide more detail about how it will follow the attached procedures in the event of an emergency.

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Access to Statewide Systems

Statewide Systems include:

- Budget Information Systems (Capital Budget System, Fiscal Note Tracking System, and Biennial Budget System)
- Information Access (IA) Data Warehouse
- Minnesota Accounting and Procurement System (MAPS)
- State Employee Management Application (SEMA4)

Agencies are responsible for acquisition of hardware, installation/configuration of workstation software, and network connectivity required to access the statewide systems.

The Department of Finance's website, <http://www.finance.state.mn.us>, provides instructions for downloading and installing statewide systems software. Agency technical staff may also contact the department's technical help desk at 651.215.0488, option 5.

Agency Interim Relocation Strategy

**STATE OF MINNESOTA
DEPARTMENT OF ADMINISTRATION
REAL ESTATE MANAGEMENT DIVISION (REM)**

ACTION BY: ACTION:

1. Agency Notification of the disaster by the authorized person within the involved agency should be made to the Director or Lease Supervisor of REM. Respectively those people are Beverly Kroiss and Susan Estes. Ms. Kroiss can be reached at 651.296.1896 (direct line and voice mail between the hours of 8:00 a.m. and 4:30 p.m.) or 651.296.6674 (REM receptionist between the hours of 8:00 a.m. and 4:30 p.m.) and 651.490.3365 (between the hours of 4:30 p.m. and 8:00 a.m. – answering service provided) or 612.201.6716 (cell phone). Ms. Estes can be reached at 651.297.5496 (direct line and voice mail between the hours of 8:00 a.m. and 4:30 p.m.) or 651.296.6674 (REM receptionist between the hours of 8:00 a.m. and 4:30 p.m.) and 612.824.6226 (between the hours of 4:30 p.m. and 8:00 a.m. – answering service provided) or 612.282.6308 (cell phone).

2. REM Upon notification that disaster has occurred, REM will give the involved agency's space needs top priority. In the event multiple agencies are involved and priorities must be set, priority will be given first to those agencies delivering services and performing critical job tasks to State Government and the citizens of Minnesota based on agencies recovery timelines provided. The Commissioner of Administration will have the authority to set priorities. The Director of REM will then assign responsibilities as applicable. REM will immediately:
 - a. Check its files to see if the agency has provided REM the *Checklist of Items for Preparing a Plan to Lease Space in the Event of a Disaster* with the appropriate information regarding space requirements.
 - b. If no document is on file, contact the agency representative to find out the agency's space requirements (NOTE: If the checklist has not been completed, more time will be needed to establish requirements).
 - c. Contact agency representatives of potential sites available within XX hours.
 - d. Report back to the agency representative with information.
 - e. Choose a site with the involved agency's concurrence.
 - f. Negotiate and draft lease.

3. Agency Authorization and verification of available funds by a duly authorized representative of the agency will be required, to finalize the space acquisition and lease process on behalf of the involved agency.

CHECKLIST OF ITEMS FOR PREPARING A PLAN TO LEASE SPACE IN THE EVENT OF A DISASTER

Agency provides:

- Name, address and telephone number of agency representative
- Authorization and verification of available funds by a duly authorized representative of the agency will be required, to finalize the space acquisition and lease process on behalf of the involved agency.
- Requirements applicable to the request:
 - location desired and criteria
 - estimated square footage
 - type of spaces required, (e.g., open area, conference rooms, computer rooms, number of private offices)
 - parking
 - access (to other agencies, public transportation, freeways, etc.)
 - budget restraints/considerations
 - space planning information
 - provide organizational chart
 - identify number of staff, (e.g., managers, supervisors, professional, technical, support, clerical)
 - identify type of spaces needed, (e.g., private offices, conference/meeting rooms, reception areas, computer areas, lab areas, storage square feet)
 - identify the type of furniture to be used in the space, (e.g., traditional, modular or a combination)

The above information must be provided for each timeframe, as applicable, based on when space is needed as follows:

- Less than 8 hours
- 24 hours
- 48 hours
- 72 hours
- 4 days
- 5 days
- 2 weeks
- 3 weeks
- 4 weeks
- More than 4 weeks

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Data Classification for Continuity of Operations Plans

A continuity of operations plan is integrated with data relating to an agency's plans for response and recovery from a business interruption. This interruption may be the result of a natural phenomenon, human error or result of a terrorist act. If individual(s) were planning to sabotage an agency, having access to the agency's continuity of operations plan would enable them to incorporate the sabotage of the recovery solution(s) into the initial attack.

It is possible to protect an agency's plan from disclosure. The Legislature has provided a category, "security information," that might be applicable.

Excerpt of M.S. § 13.37

"Subdivision 1. **Definitions.** As used in this section, the following terms have the meanings given them.

(a) "Security information" means government data the disclosure of which would be likely to substantially jeopardize the security of information, possessions, individuals or property against theft, tampering, improper use, attempted escape, illegal disclosure, trespass, or physical injury. "Security information" includes crime prevention block maps and lists of volunteers who participate in community crime prevention programs and their home addresses and telephone numbers."

The responsible authority in each agency (the commissioner in state agencies) will need to make a determination about the application of M.S. § 13.37 to the agency's continuity of operations plan. The determination regarding application of M.S. § 13.37 and its relevance to the agency's continuity of operations plan should be documented separately and in the agency's continuity of operations plan. Agencies will need to be able to access and disclose how they reached the conclusion that section 13.37 applies to the plan without accessing the entire continuity of operations plan and potentially disclosing something that they have decided should be protected. However, agencies also will need to include this determination *within* the continuity of operations plan in the event the media requests access to an agency's continuity of operations plan while they are in the process of responding and recovering from a business interruption.

If an agency is unsure of its determination about the classification of its continuity of operations plan, the agency can request an advisory opinion from the Commissioner of Administration. The Commissioner of Administration has authority to issue advisory opinions concerning public access to government data, rights of subjects of data, or classification of data under Chapter 13 or other Minnesota statutes regulating government data practices.

An advisory opinion is not binding on the government entity whose data are the subject of the opinion. However, a court must give deference to the opinion in a proceeding that involves the data in dispute. A government entity or person that conforms with an opinion will not be liable

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for compensatory or exemplary damages, awards of attorney's fees, or penalties under M.S. § 13.072. To request an advisory opinion, please write to:

Commissioner of Administration
c/o Information Policy Analysis Division
201 Administration Building
50 Sherburne Avenue
St. Paul, Minnesota 55155
FAX: (651) 205-4219

For further information please call the Information Policy Analysis Division at **(651) 296-6733**.

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Emergency Travel Procedures

This Emergency Travel Procedure provides guidelines and establishes procedures to fund authorized travel at state expense when such travel is necessary to conduct state business, and to promptly reimburse employees for expenses incurred. An Emergency Travel document should be attached to any recovery team that travels or does travel reservations.

When customizing these procedures for your agency guideline you need to take into consideration Union contracts, Department of Finance, Department of Employee Relations and Department of Administration-Materials Management Division.

Purpose

This document provides guidelines and establishes procedures to fund authorized travel at state expense when such travel is necessary to conduct state business, and to promptly reimburse employees for expenses incurred.

Objectives

The objectives of this travel guideline are to:

- ensure all employees have a clear and consistent understanding of policies and procedures for business travel and entertainment,
- provide employees with a reasonable level of service and comfort at the lowest possible cost, and
- maximize the state's ability to negotiate discounted rates with preferred suppliers and reduce travel expenses.

Scope

This travel guideline applies to all employees when expense reimbursement is made from public funds regardless of source. The use of state credit cards for employee business expenses is strongly encouraged. When used in this document:

- *agency and department* refers to State of Minnesota departments, divisions, agencies, boards, councils and commissions;
- *employee* refers to any traveler, including members of boards and commissions, when expense reimbursement is made from public funds regardless of source; and
- *travel agency* refers to the designated state preferred travel agency, including Targeted Group (TG) and Economically Disadvantaged (ED) travel agencies or the individual department's designated travel agency

All travel procedures must comply with the requirements of the Internal Revenue Service, Minnesota statutes and policies of the Department of Finance, Department of Administration, Department of Employee Relations and applicable collective bargaining agreements and compensation plans.

Responsibility and Enforcement

The employee is responsible for complying with the travel guideline and the accurate completion of all required forms, including the Employee Expense Report.

The employee's supervisor must review all travel requests and approve them only if the necessity for travel is valid and expenses are in compliance with collective bargaining agreements or compensation plans.

Agencies have primary responsibility for the accuracy of Employee Expense Reports, and for ensuring compliance with collective bargaining agreements or compensation plans and all travel policies and procedures.

The state will reimburse employees, within collective bargaining agreements, for all reasonable and necessary expenses while traveling on authorized state business.

The state assumes no obligation to reimburse employees for expenses that are not in compliance with this guideline.

Employees who do not follow this travel guideline may be subject to:

- *delay or withholding of reimbursement*
- disciplinary action by the employee's agency

When an employee does not book the lowest airfare, hotel or vehicle rental rate offered, the travel agency will note the policy exception which may be included in periodic exception reports which are reviewed by management and audit personnel.

Who to Call on Travel Issues

Any questions, concerns or suggestions regarding this travel guideline may be directed to the employee's respective agency head or supervisor, Department of Employee Relations, Department of Finance or the Travel Management Division of the Department of Administration.

Use of Preferred Vendors

The state has negotiated discounted rates and special services with various travel vendors (e.g., - travel agencies, vehicle rental companies, hotels) referred to as "Preferred Vendors." Use of these vendors, along with TG and ED vendors, is strongly encouraged for state travel services. The use of these vendors benefits the state in controlling and reducing travel expenses. In cases where geographic or other legitimate business concerns prevent their use, state agencies may use other local travel vendors.

Travel Authorization

Obtaining Travel Authorization

Employee travel may be authorized only if the agency head or appointing authority designee approving the travel reasonably determines that:

- the travel is primarily for the benefit of the state and is related to the effective conduct of state business, including the promotion of interstate cooperation;
- the cost to the state of the travel and absence from work will be offset by benefits accruing to the state, including the professional advancement of the employee; and

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- the travel relates to activities that do not have as their purpose the advancement of a political party, a political candidate, or a religious denomination.
- An agency head or appointing authority designee must authorize in advance, and in accordance with this policy and agency procedure, all travel at state expense when such travel is necessary to conduct state business.

Some expenses, such as conference fees in excess of \$500 per participant, are considered special expenses. Such expenses are not reimbursable through regular expense regulations even if incurred in connection with assigned, official duties. Provisions on special expenses for a particular employee are found in the applicable collective bargaining agreement or compensation plan and the Department of Employee Relations Administrative Procedure 4.4, Special Expenses, dated June 28, 1991, or the agency's approved Special Expenses Plan.

In order for an agency's employees to be reimbursed for special expenses, or for such expenses to be paid directly, the agency must develop special expense procedures* and obtain approval of such procedures from the Department of Employee Relations. After these procedures are approved, the agency may approve special expense requests submitted by employees on the Request for Approval to Incur Special Expenses if the expense items are covered by state and agency travel guideline procedures.

Employees must obtain approval of special expense items before incurring such expenses or the payment request will be denied. In emergency situations where prior authorization was impossible to obtain, a statement must accompany the request for special expense approval explaining why approval could not be obtained beforehand. Payments to reimburse or advance special expenses may be made only if the Request for Approval to Incur Special Expenses is attached to the Employee Expense Report. Agencies may use their out-of-state travel authorization form instead of the Request for Approval to Incur Special Expenses if it is stated in the agency's procedure approved by the Department of Employee Relations.

Submitting Travel Authorization Forms

All **in-state** travel at state expense requires verbal approval by the agency head or appointing authority designee. This approval may be required in written form. Authorization forms are retained at the agency for audit purposes.

All **out-of-state** travel requires approval by the respective commissioner or agency head. If attending a meeting or conference, a copy of the meeting or conference agenda should be attached to the out-of-state authorization form to assist in the approval process. Authorization forms are retained at the agency for audit purposes.

An **out-of-state** travel authorization form should include an estimate of all costs, the name and location of the event to be attended, and the reason (s) the trip is necessary. The form should detail any financial decisions made, such as:

- Employee leaving a day early to take advantage of a lower airfare. (See Combining Personal and Business Travel.)

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- Employee staying over a weekend at his/her own expense to obtain lower airfare. An agency may pay additional expenses related to the reduced airfare providing they do not exceed the amount saved on the lower airfare. (See Combining Personal and Business Travel.)
- Other unusual situations that increase or decrease the trip costs.

Travel is being paid for by an outside organization and is in compliance with state ethics requirements. The name of the organization must be listed. If the employee is reimbursed by the state for this travel and is also reimbursed for the same expense by the outside organization, he/she must endorse the reimbursement check over to the agency.

Employee elects to drive a personal vehicle instead of fly. The prior approval document requires the lowest applicable round trip coach airfare amount along with anticipated mileage expenses. Reimbursement for personal vehicle use in lieu of airfare is at the lower reimbursement rate and shall not exceed the lowest round trip coach airfare.

If international travel is not included in an agency's Special Expense Plan, reimbursement limits for international travel are the same as out-of-state travel provisions contained in the appropriate collective bargaining agreement or compensation plan.

Exceptions to Pre-Travel Authorization Requirements

Travel without prior written authorization is allowed in the following circumstances:

- last-minute travel plans,
- emergency travel, or
- travel originating outside the United States.

Spouse/Companion Travel

The state will not reimburse travel or entertainment expenses incurred by a spouse or other individual accompanying an employee on business unless:

- the spouse/companion is a state employee and there is a bona fide business purpose requiring their attendance, and
- such expenses are provided for in compensation plans.

A spouse or other individual may accompany a state employee on a business trip at the employee's expense.

Travel Arrangements

Reservation Procedures

Employees should inquire on fares and make reservations early enough to take advantage of advance purchase discounts.

It is strongly recommended that all air travel, lodging, vehicle rental and other travel reservations, including en route changes, be booked through the travel agency.

Group and Meeting Travel Reservation Procedures

Any agency planning to sponsor meeting travel, or that has a group of 10 or more people traveling to the same destination, should contact:

- the state's preferred travel agency,
- their department's office services or meeting planning group, or
- the Department of Employee Relations' Office of Special Events Planning.

Refer to the Group and Meeting Travel section for additional information.

Traveler Profiles

All employees who travel at least once per year should submit a completed Traveler Profile Form to the travel agency to ensure that pertinent details and preferences are adhered to in the reservation process.

The employee is responsible for informing the travel agency of all personal travel information charges such as charge/credit card numbers or billing instructions, delivery address, phone number, title, medical restrictions, special meal requirements and seat preferences.

Ticket Delivery

All travel agencies serving state government are required to mail tickets in a timely manner or deliver tickets during the state agency's business hours at least 24 hours before the trip.

Passports and Visas

For assistance in obtaining visas/passports, travelers should contact:

- their supervisor,
- their department office services group or travel coordinator, or
- the travel agency.

International Travel Advisories

Employees must NOT travel to countries for which a travel advisory has been issued by the State Department of the United States of America. Contact the State Department to obtain a list of current advisories.

International Travel Vaccine Requirements

The Center for Disease Control has travel vaccine requirements, food and water precautions and other pertinent information at the following Internet address:

Emergency Travel Assistance

In case of an emergency contact the travel agency issuing the travel documents and itinerary.

Foreign Currency Services

International travelers can obtain foreign currency from any of the following locations:

- banks
- airport foreign exchange counters
- major hotels in foreign countries

- currency exchange outlets

Use of Teleconferencing/Videoconferencing

Employees should first consider if a telephone conference call or interactive video could satisfy the objectives of an off-site meeting prior to making travel arrangements.

Interactive videoconferencing is a popular alternative to travel and represents an opportunity to control travel costs. The state has over 80 videoconferencing sites available statewide using MNet Interactive Video Services. Many of these sites are located at MnSCU, Human Services and other state agency locations.

If business can best be served through this medium, a call should be placed to MNet Interactive Video Services at 651.297.5123 for additional information and a site listing. To schedule a video conference call 651.296.2580.

Domestic Air Travel

Making Air Travel Reservations

Air travel reservations should be made through the travel agency. Air travel reservations must NOT be made directly through the airlines except in cases of charter and conference flights, specially negotiated city pair flights, or in emergencies. The Travel Management Division of the Department of Administration can put you in touch with the approved travel agency.

Employees are responsible for meeting their agency's authorization requirements before making reservations.

Upgrade for Domestic Air Travel

Upgrades at the expense of the state are NOT permitted. Upgrades are allowed at the employee's personal expense.

Free service upgrades for all domestic air travel are permissible with the lowest available rates and as permitted by statute. Employees shall not use their positions to seek or accept an unwarranted privilege of substantial value that is not regularly available to similarly situated individuals. All travel agencies servicing state travelers shall provide systems to regularly check, up to the day of departure, availability of lower fares on all flights booked by the state and free upgrade capability. Upon availability, tickets shall be re-issued to take advantage of lower fares.

Lowest Airfare Definition

The standard travel requirement and benchmark cost for airfare shall be the lowest contract airfare, or if unavailable, the lowest available unrestricted, controlled capacity "Y26" fare available for carriers serving the exact routing within the state's guidelines. Management reports issued by the travel agency and/or the corporate charge card account contractor will state the reason for refusals by the employee to accept contractor recommended air/rail arrangements if such a refusal results in greater costs to the state agency.

Direct, with stops, and direct non-stop flights may be desired by the employee and are the most time effective. However, other flights where planes must be changed or routes with brief layover stops may result in significant dollar savings. State employees should not be greatly

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inconvenienced, but are encouraged to book the lowest guaranteed airfare as determined by the travel agency based on the following parameters:

- savings is at least \$100 on any leg of the trip when:
- departure/arrival time is within two hours of the requested time and/or
- using suggested alternate airports, routes or stopovers.

The efficient conduct of state business and the safety of the employee are primary and critical considerations in travel schedule decisions.

The following types of low fare alternatives will be considered in determining the lowest guaranteed airfare:

- specially negotiated fares
- non-refundable fares
- Saturday night stay (with prior authorization of agency head or appointing authority designee)
- advance purchase and penalty fares
- connecting and one-stop flights
- off-peak flights
- alternative airports
- promotional/bulk fares
- consolidator tickets
- lower cost non-preferred carriers
- state-owned aircraft
- private, chartered or personal aircraft

Transportation to and from Airports & Terminals

Employees traveling to the same location should share ground transportation to and from the airport whenever possible.

The most economical mode of transportation should be used to and from airports and bus and rail terminals. The following modes of transportation should be considered:

- hotel and airport shuttle services
- public transportation (buses, subways, taxis)
- personal vehicle

The use of helicopters is not permitted unless provided free of charge by the airline from which air transportation is purchased.

Airline Frequent Flyer Program

M.S. 15.435 states:

Whenever an elected official or public employee uses public funds to pay for airline travel, any credits or other benefits issued by any airline must accrue to the benefit of the public body providing the funding. In the event the issuing airline will not honor a

transfer or assignment of any credit or benefit the individual passenger shall report receipt of the creditor benefit to the public body issuing the initial payment within 90 days of receipt.

By July 1, 1993, the appropriate authorities in the executive, legislative, and judicial branches of the state and the governing body of each political subdivision shall develop and implement policies covering accrual of credits or other benefits issued by an airline whenever public funds are used to pay for airline travel by a public employee or an elected or appointed official. The policies must apply to all airline travel regardless of where or how tickets are purchased. The policies must include procedures for reporting receipt of credits or other benefits.

Traveling employees may not retain frequent flyer program benefits. As defined in the state's travel policy, participation in a frequent flyer program must not influence employee flight selection that would result in incremental cost to the state beyond the lowest available airfare.

Travel on Charter Aircraft

Air transportation generally is restricted to certified commercial airlines. Employees may travel on charter aircraft, but should weigh the advantages of the low cost against other factors such as:

- You may not be able to obtain a commercial flight and your ticket is not transferable if your flight is canceled due to bad weather or equipment failure.
- Your money may be lost if the operator ceases business.
- You usually cannot get full or partial refunds.

Use of Personal Aircraft

The appointing authority may authorize travel in personal aircraft when it is deemed in the best interest of the state. Mileage reimbursement in such cases shall be at the rate identified in the applicable collective bargaining agreement or compensation plan. Prior authorization is required from the employee's respective agency head. The Risk Management Division of the Department of Administration requires proof of adequate liability insurance. The employee pilot must be in compliance with all Federal Aviation Administration requirements.

Prepaid Tickets

A prepaid ticket is a ticket ordered and paid for through a travel agent, but usually written at the airline counter at the airport. There is a nonrefundable charge for all prepaid tickets. Prepaid tickets are not recommended for state employees except in emergency situations.

Lost Baggage

The ultimate responsibility for retrieving and compensating lost baggage lies with the airlines. The state will not reimburse employees for personal items lost while traveling on business.

Excess Baggage

The state will reimburse the employee for excess baggage charges only when the employee is required to have on hand equipment, books, reports, etc. which cause him/her to exceed the normal weight limitations.

Denied Boarding Compensation

Airlines occasionally offer free tickets or cash allowances to compensate employees for delays and inconvenience due to over booking, flight cancellations, changes of aircraft, etc.

Employees may volunteer for denied compensation only if:

- flying outside normal working hours, or
- the delay in their trip will not result in any interruption or loss of business.
- Employees who are involuntarily denied boarding should immediately obtain a free voucher from the airline and:
- turn in the travel voucher to their agency, or
- account for the free travel voucher on a subsequent trip.

Overnight Delays

Should an airline delay necessitate an overnight stay, the employee must first attempt to secure complimentary lodging from the airline. If unsuccessful, the employee should contact the travel agency.

Cancellations

When a trip is canceled after the ticket has been issued, the employee should inquire about using the same ticket for future travel. The ticket should be returned to their agency or to the issuing travel agency for revalidation or refund.

Unused/Voided Airline Tickets

Unused airline tickets or flight coupons must never be discarded or destroyed as these documents may have a cash value.

To expedite refunds, unused or partially used airline tickets must be returned immediately to the travel agency that issued the ticket.

Lost/Stolen Airline Tickets

The employee may be held responsible for the value of lost tickets including fees charged by the airlines for processing the lost ticket applications. Decision will be left up to appointing authority.

Air Travel Payment Procedures

Air travel costs should be paid using:

- state charge/corporate credit card,
- personal charge/credit card, or
- direct or central billing account.

International Air Travel

Definition & Requirements

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International travel covers all destinations outside the Continental U.S. including Hawaii. All international travel requires advance approval by the Commissioner of Employee Relations.

Requests submitted for approval must include a detailed description of the benefits to be derived by the requesting agency, Minnesota State Government as a whole and the citizenry of the state. Justification for international travel should focus on the benefits to be gained by the State rather than the personnel and professional development of the employee. When trips involve an exchange program of some type that information should be included with any other benefits to be gained. Itemized costs, copies of seminar and conference brochures and travel itineraries must be included with the request for approval. Please refer to DOER Administrative Procedure 44, rev. 02-20-91 for special expense procedures and requirements.

Reimbursement

If international travel is not included in an agency's special expense plan, reimbursement limits for international travel is the same as out-of-state travel provisions contained in the appropriate collective bargaining agreement or compensation plan. All agency special expense plans require approval by the Department of Employee Relations.

Expenditures of \$25 or more require detailed receipts. Passports, visas, required physicals and immunizations are reimbursable travel expenses.

Travel vouchers submitted for reimbursement must be in U.S. dollars. The rate of currency exchange should be included on the expense reimbursement form. Receipts should also be converted to U.S. dollars.

Airline Travel

Employees are encouraged to accept the lowest guaranteed airfare using parameters as outlined in Domestic Air Travel.

All travel should be in coach class. Business class is acceptable when it does not cost more than the lowest available coach fare.

Employees may use business class in the following instances:

- Certain physical conditions/disabilities prohibit coach travel.
- Coach class is completely sold out, no alternate flights are available and the travel is required to meet state business requirements.
- Prior written approval has been given by the agency head or appointing authority designee.

Commercial Vehicle Rental

Check with travel agent to determine if an international driver's license is required. Optional insurance coverage such as Loss/Collision Damage Waiver (LDW/CDW), Supplemental Liability Insurance (SLI), and Personal Accident Insurance (PAI) should be obtained and are reimbursable expenses.

International Travel Rates/Currency Exchange

Information on hotel rates and meal rates is available through the Ruhnzimer Index or similar publication that can be located at the International Library in St. Paul or by calling 651.297.4170.

To obtain the best conversion rate, which usually is better abroad, change unused local currency back to U.S. dollars before departing the foreign country. Coins are difficult to change once out of the country. In certain countries travelers must turn in all local currency before departing.

Lodging

Lodging Selection

Employees should stay at a preferred vendor facility or attempt to secure the lowest, government rate available at a reasonably priced facility. In order to be reimbursed for lodging at the collective bargaining agreement or compensation plan rate, the employee must stay at a licensed lodging facility. Employees will not be reimbursed for staying at the private residence of a relative or friend. Employees must submit original receipts with expense reports for reimbursement.

Lodging Location

The location of the lodging facility should be as convenient as possible to the place where the business is being transacted. If, however, the nearest lodging facility is a luxury or premium lodging facility, consideration must be given to using alternative facilities.

Lodging Reservations

Reservations for lodging facility accommodations should be confirmed through the travel agency. The itinerary will indicate the lodging facility, address, telephone number, government rate and the confirmation number of the reservation. Lodging reservations should be booked, whenever possible, at the same time air and ground transportation reservations are booked.

Employees may contact the lodging facility directly for reservations when special rates are available only through the lodging facility. The employee is responsible for confirming the accommodations reservation including the government or special rate. Direct lodging reservations must be placed using toll free "800" numbers whenever possible. Many lodging facilities will provide on request, by mail or fax, a copy of the reservation confirmation.

Lodging Rates

Generally the lowest rate will be one of the following:

- *Preferred vendor rate*: a rate negotiated by the state for employees traveling on official state business.
- *Negotiated rate*: a rate secured at a particular property by guaranteeing a certain number of room nights to the property.

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- *Government rate*: available to employees on official travel of federal and state governments and agencies.
- *Conference rate*: available to conference attendees based on a block of rooms reserved for a conference.
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Employees must verify rate when checking into a lodging facility to ensure receiving the appropriate and lowest available rate. Rate differences from the rate quoted on itinerary or confirmation should be questioned and resolved at the time of check-in.

Room Guarantee

Reservations should be made with a "guarantee for late arrival" using the state issued corporate charge/corporate credit card or personal credit card. This guarantee is required if your expected arrival is later than the facilities required check-in time or in case of travel delays. The credit card account will be charged a "no-show" fee if the employee does not check-in to the facility or fails to cancel the reservation prior.

Cancellation Procedures

Cancellations may be handled either through the travel agency or directly with the lodging facility. Verify when room is booked what the lodging facilities cancellation policy is. If employee should need to cancel a room, the employee should ensure the **cancellation number, the date, the time and name of the person** who handled the cancellation are documented in case of subsequent billing discrepancy or dispute.

Some lodging facilities charge additional fees for early checkouts. The employee is responsible for adhering to lodging facility reservation requirements to ensure the state does not incur "no-show" or early checkout fees or penalties. Reimbursement for such fees and penalties will be reviewed for approval.

Reimbursements

Employees must submit the original lodging receipts that show the detail of charges with their Employee Expense Report in order to obtain reimbursement. Credit card billings are not acceptable receipts. Employees can be reimbursed only for the single room rate for lodging. If the employee bills the room directly to the agency and the facility charges the double room rate, the agency will pay the single room rate only. The employee must pay the difference between the two rates at that time. If the bill submitted for reimbursement is at the double rate, the single rate is reimbursable and must be clearly stated on the Employee Expense Report. If the single room rate and double room rate are the same, this should be stated on the bill.

Room charge and tax may be direct billed to the agency. The employee must pay other miscellaneous charges such as meals, dry cleaning, telephone, etc., to the lodging facility at the time of checkout. Business-related expenses will be reimbursed through the Employee Expense Report process.

Frequent Guest Programs

Many hotels have frequent guest programs that reward travelers with free accommodations in exchange for a given number of paid room nights at the hotel. Awards from such programs may not be retained by travelers for personal use. Participation in these programs must not influence hotel selection that would result in incremental cost beyond the state's specially negotiated rate or preferred rate.

Any membership fees associated with joining these programs are not reimbursable.
Rental Vehicle

Rental Vehicle Guidelines

A rental vehicle may be considered if business travel is required and public transportation is clearly not adequate. Rental vehicle usage requires justification on the Employee Expense Report and, if applicable, the out-of-state authorization form. Department of Administration – Materials Management Division or the travel agency should be able to provide information on transportation options available in the city to which the employee is traveling.

Employees should rent a vehicle only when the type of trip or location of meeting is such that use of local transportation (taxis, airport limousines and airport shuttles, buses) is not practical or is more expensive. Rental vehicle requests must be included on the applicable travel authorization form(s).

Lowest Applicable Rates

Rental vehicles shall be reserved and rented at the lowest applicable discounted rate possible or available. Rental rates established by the state with the preferred vehicle rental company shall be used if they are lower than rates negotiated by the travel agency.

Rental Vehicle Categories

The state recommends the use of compact or midsize/intermediate rental vehicle categories except in cases where:

- the number of passengers is three or more.
- excess baggage for state business requires a larger vehicle (Examples: booth displays, slide presentations or sales items); or
- a larger size vehicle is provided at no extra charge above compact or midsize rate.

Vehicle Rental Savings

Employees should:

- attempt to coordinate itineraries and reduce the number of vehicles rented, when traveling to the same business meeting,
- check with the rental company agent when picking up a rental vehicle when picking up a rental vehicle to ensure that the lowest rate available is extended and the rate includes all coverage and benefits under the state contract.
- inspect the vehicle at the time of rental report any damage found and have such damage noted on the contract prior to departing the rental company premises;

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- decline any optional insurance coverage for business use as it is already covered by state contract;
- return the rental vehicle with a full tank of fuel if at all possible.
- review the rental contract and bill carefully for errors before signing; and
- notify the travel agency or the rental company immediately when it is necessary to cancel reservations.

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Rental Vehicle Upgrades

Employees may book or accept an upgrade to a larger vehicle class only the upgrade is at no extra cost to the state.

Reimbursement Policies

The state will not reimburse expenses for rental vehicles in the following instances:

- Fuel charges assessed by the rental company unless justified as beyond the employee's control
- Vehicle was rented while attending meetings or conventions when the employee is lodged at host hotel or when more economical shuttles were available
- Drop-off charges unless justified as beyond employee's control
- Optional insurance coverage
- No show/guarantee fees when employee fails to cancel guaranteed reservation

Rental Vehicle Insurance - Domestic

The state has made provisions for insuring rental vehicles against damage. Rental vehicle insurance is included in the state-negotiated rate.

Therefore, employees must decline all insurance coverage such as:

- Collision Damage Waiver (CDW)/Loss Damage Waiver (LDW)
- Liability Insurance Supplement (LIS)
- Personal Accident Insurance (PAI) or Personal Effects Insurance (PEI)
- Coverage for additional drivers (when applicable)
- Coverage for drivers under 25 years of age

Rental Vehicle Insurance - International

Employees should accept all insurance coverage when renting vehicles in a foreign country. Insurance coverage purchased in foreign countries is reimbursable.

Rental Vehicle Cancellation Procedures

Employees are responsible for canceling rental vehicle reservations and must contact:

- the travel agency or
- the rental vehicle company if the booking was made directly with the supplier.

Employees should request and record the cancellation number in case of billing disputes.

Returning Rental Vehicles

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Every reasonable effort must be made to return the rental vehicle:

- to the original rental city unless approved for a one-way rental;
- intact (i.e., no bumps, scratches or mechanical failures) with a full tank of fuel; and
- on time to avoid additional hourly charges

Rental Vehicle Payment Procedures

Unless otherwise instructed, rental vehicle invoices must be paid using:

- state corporate charge/corporate credit card;
- employee's personal charge/credit card; or
- direct bill to agency.

Rental Vehicle Accidents

Should a rental vehicle accident occur, employees should immediately contact all the following:

- Local authorities, as required
- Rental vehicle company
- Employee's agency supervisor
- State of Minnesota, Risk Management Division of the Department of Administration.

Report all vandalism to local police and the rental vehicle agency.

Rental Vehicle Club Memberships

Employees may participate in rental vehicle club membership programs that are free of charge or at their own expense. Benefits issued by any rental vehicle company through their membership program must accrue to the benefit of the state if the rental charges are paid by the state.

Other Transportation

Personal Vehicle Usage Guidelines

Employees may use their personal vehicle for business purposes when in compliance with state policy outlined in the Department of Finance SEMA4 Operating Policy and Procedure Manual, Employee Travel Expenses chapter.

As frequent use of personal vehicles for business is not encouraged, use of Travel Management Division vehicles should be considered first. It is the responsibility of the owner of a vehicle being used for business to carry vehicle insurance coverage not less than the state-required minimums for their protection and for the protection of any passengers.

Reimbursement for Personal Vehicle Usage

Mileage reimbursements for the use of personal vehicles will be at the allowance levels and in conformance with expense reimbursement requirements defined in the employee's respective bargaining agreement or compensation plan and state policy as outlined in the Department of Finance SEMA4 Operating Policy and Procedure Manual.

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Mileage reimbursement for the use of a personal vehicle will not exceed the lowest comparable coach airfare. Quotes should realize maximum savings (i.e. Saturday overnight, advance booking, etc.) and be obtained at first knowledge of the trip.

Employees will not be reimbursed for any repairs or insurance expense to their personal vehicle even if these costs result from business travel.

Rail Travel

Amtrak rail service may be used if it is less expensive than air travel and meets the employee's time requirements. Amtrak ticket prices are lower if purchased early. Amtrak sells a set quantity of tickets at each level and the price increases when that quantity is sold. Amtrak service is available to every state except South Dakota, Oklahoma, Maine, Alaska and Hawaii. Rail schedules are very limited and will usually require a change of trains. Coach accommodations will be used when possible.

Bus Lines

Bus service may be used if it is less expensive than air travel and meets the employee's time requirements. Bus lines offer inexpensive tickets to selected cities with a 21-day advance ticket purchase. Tickets are generally refundable except for a cancellation fee.

Miscellaneous Transportation

Use of, and reimbursement for, special transportation methods such as specially equipped vans, motorcycles, etc., must comply with the applicable collective bargaining agreement or compensation plan.

Personal/Business Travel

Combining Personal with Business Travel

When an employee combines business and personal travel, the state will reimburse the employee only for expenses incurred that are directly related to the business portion of the trip. Rental vehicles for one employee should be considered only if public transportation is clearly unable to transport the employee to the business destination or the employee requires special transportation needs. If a rental vehicle is used for both business and pleasure, any additional costs incurred because of pleasure driving will not be reimbursed. The state will NOT pay for expenses such as golf, sightseeing, bus tours, souvenirs and personal expenses such as movies, amusement park fees, health or private club fees.

Personal/Business Travel Billing Procedures

Personal/business travel billing must be clearly distinguished and NOT combined with state business travel billing under any circumstances.

Telephone Usage

Business Phone Calls

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Telephone calling cards may be obtained for state employees who travel routinely and place numerous long distance calls while conducting state business. Requests for telephone calling cards should be directed to the agency head.

If a card is lost or stolen, report it immediately to your agency head or department designee. In case of job transfer or termination of employment, turn in your calling card to your agency head or appointing authority designee.

Telephone Usage

If provided by collective bargaining agreements or compensation plans, documented personal telephone calls are reimbursable.

Airphone/Railphone Usage

Employees must NOT use airphones or railphones due to the high cost unless special circumstances can be documented and the agency head or appointing authority designee approves the charges.

Hotel Telephone Usage

To avoid substantial additional charges added by hotels to the telephone bills, employees should:

- use the state issued calling card, a charge/credit card or public phone whenever possible;
- use an 800 number for business calls whenever possible; and
- phone from local state offices whenever possible.

Personal call reimbursement is limited to the amount specified in the applicable collective bargaining agreement or compensation plan.

Rental Vehicle Cellular Phone Usage

Expenses for rental vehicle cellular phones will not be reimbursed unless special circumstances can be documented and the agency head or appointing authority designee approves the charges.

Cellular Phone Reimbursement

Employees will be reimbursed in accordance with state policy outlined in the Department of Finance SEMA4 Operating Policy and Procedure Manual.

Travel Insurance

Travel Insurance Coverage

Expenses for travel insurance coverage will NOT be reimbursed by the state.
Expense Reporting

Reimbursement of Expenses

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The objectives of travel expense reimbursement as stated in the Department of Finance SEMA4 manual are:

- to fund authorized employee travel at state expense when such travel is necessary to conduct state business, and to promptly reimburse employees for expenses incurred; and
- to ensure that reimbursements comply with Internal Revenue Service and Minnesota Department of Revenue regulations, the departments of Finance, Employee Relations and Administration travel expense policies and procedures, and with collective bargaining agreements and compensation plans.

Employee

Each employee who travels on state business at state expense is responsible for the accurate completion of all required forms, including the Employee Expense Report. The employee must include only those expenses and amounts authorized by the employee's agency and by the employee's collective bargaining agreement or compensation plan. The employee is responsible for attaching all required receipts.

Supervisor

Supervisors must review all travel requests and approve them only if the necessity for travel is valid and expenses are in compliance with travel policy and collective bargaining agreements or compensation plans.

Use of Employee Expense Report

All state employees in the executive branch must complete the Employee Expense Report in order to receive reimbursement for travel expenses. Failure to complete the form properly and promptly may result in expense items being disallowed and/or payment delayed. The following guidelines should be adhered to:

- Employees who incur minimal costs in any month may delay filing an Employee Expense Report until the accumulated expenses exceed \$50.
- All travel reimbursements for the fiscal year (ending June 30) must be paid before July 31 to ensure prompt payment in the proper fiscal year.
- A report submitted after July 31 requires a written explanation signed by the agency head or appointing agency designee and may be paid from current year funds.
- Whenever an expense item is billed directly to the agency, it should be noted on the Employee Expense Report. The name of the travel agent, lodging facility or other vendor who will be receiving the payment must also be listed.

Receipts/Documentation

Original itemized receipts are required for all expenses except meals, taxi services, baggage handling and parking meters or as required in collective bargaining agreements or compensation plans. Agencies have the option of requiring receipts for meals, etc., as a means of cost control. All forms of canceled checks and copies of credit card bills do not substitute for original receipts.

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An agency may allow an employee to file an affidavit in lieu of a receipt if the original receipt is lost or the agency may require the employee to obtain a duplicate receipt from the vendor in order to be reimbursed. The fact that the original receipt was lost must be noted on the affidavit or the Employee Expense Report.

Travel Advances

An employee may be issued a travel advance subject to minimum amounts determined by his/her bargaining agreement or compensation plan.

The amount of the advance should not include any expense that will be billed direct or amounts that will be charged to the employee's personal credit cards or state-issued corporate card.

Advances should be requested using the Employee Expense Report a minimum of 14 days before departure.

An employee may have only one outstanding advance at any given time; therefore, the current advance must be submitted with an Employee Expense Report with appropriate receipts and documentation within five (5) days of returning from the trip.

Advances not settled within 28 days of return date will be deducted in their entirety from the employee's paycheck.

Meals

Employees are reimbursed for the ACTUAL COST of a meal, up to the maximum established in the applicable collective bargaining agreement or compensation plan. Cost of a meal includes tax and a reasonable gratuity and does not include alcoholic beverages.

According to Internal Revenue Service regulations, reimbursements of meals for travel not involving overnight lodging are taxable income. Therefore, when the expenses are paid, federal, state, FICA and Medicare taxes will be withheld from the employee's pay. The amount of the expense will be added to wages on the employee's W-2 form.

Breakfast

An employee may not claim reimbursement for breakfast unless he/she was required to leave home for a travel status assignment before 6 a.m. or to be away from home overnight. To claim breakfast because of the need to leave home before 6 a.m., the employee must write the time he/she left home on the Employee Expense Report.

Lunch

An employee may not claim reimbursement for lunch unless he/she is in travel status and is performing required work more than thirty-five (35) miles from his/her temporary or permanent workstation and the work assignment extends over the normal noon meal period.

Dinner

An employee may not claim reimbursement for dinner unless the state business caused him/her to return home from travel status after 7 p.m. or to be away from home overnight. To

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claim dinner because the employee arrived home after 7 p.m., the employee must write the time he/she arrived home on the Employee Expense Report.

Employees who meet the eligibility requirements for two or more consecutive meals shall be reimbursed for the actual cost of the meals up to the combined maximum reimbursement amount for the eligible meals.

Combined reimbursement allows an employee to group the allowable limits for several meals and claim reimbursement on the amount actually spent on all meals up to the combined total.

Sometimes the cost of commercial transportation, conference registration fee, or hotel lodging includes a meal. When reimbursed by the state, the employee is not eligible for additional reimbursement for the meal. Exceptions are limited and would include:

- the need for special diets which were not available; or
- in cases of air travel, when exceptional turbulence would make eating difficult.

These exceptions must be made on a case-by-case basis, and it is the agency's responsibility to review the circumstances and determine when reimbursement is warranted. Note on the Employee Expense Report if a meal was included in the cost of travel fare, conference fee, or hotel lodging; do not include the maximum allowance or actual cost of the meal in the calculation of the combined reimbursement.

Lodging

Employees must submit the original lodging receipts that show the detail of charges with their Employee Expense Report in order to obtain reimbursement. Credit card billings or charge slips are not acceptable receipts unless they show an itemized detail of the charges. If accompanied by other persons who are not part of the official state business (e.g. spouses), employees can be reimbursed only for the single-room rate for lodging (not to include special rooms such as a pool-side room) when a regular-rate room is available. If the employee bills the room directly to the agency and the facility charges the multiple rate, the single rate is reimbursable and must be clearly stated on the bill. If the single rate and the multiple rate are the same, this should be stated on the bill.

Monitoring for duplicate payment of meals and miscellaneous expense items is difficult because the agency usually receives the Employee Expense Report and the hotel bill at different times, and the supervisor may never see the hotel bill. The only charge that should be direct-billed to the agency is the room charge plus its applicable taxes. Other miscellaneous charges such as meals, dry cleaning, phone calls, etc., must be paid by the employee at the lodging facility and later claimed on the Employee Expense Report. All personal and non-reimbursable items on the lodging bill must be paid to the lodging facility at the time of checkout.

Costs of Rental Vehicles

Rental vehicle usage requires justification (why a rental vehicle was used instead of public transportation or a state vehicle) on the Employee Expense Report or the out-of-state travel

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authorization form. An original receipt for rental vehicle costs must be included with the Employee Expense Report. Employees will not be reimbursed for:

- Loss/Collision Damage Waiver (LDW/CDW) because the state's automobile self-insurance program will cover this,
- Liability Insurance Supplement (LIS), or
- Personal Accident Insurance (PAI) or Personal Effects Insurance (PEI) because these are personal expenses.

If a rental vehicle is used for both business and pleasure, any additional costs incurred because of the pleasure driving will not be reimbursed.

Mileage

Employees who drive their personal vehicle to an airport because of state business are reimbursed for the mileage to and from the airport using the most direct route. Do not use airport parking facilities unless it can be shown to be cost-effective.

An agency may authorize out-of-state travel for employees requesting travel who use their personal vehicle under special circumstances. The total reimbursement is limited to the LOWEST ROUND TRIP AIRFARE based on the number of days the employee would have attended if he/she had flown. An airfare itinerary from the travel agency must be attached to the out-of-state authorization form. The lowest round trip airfare should be listed on the Employee Expense Report. The Travel Management Division of the Department of Administration will not issue control numbers for this type of travel and, therefore, the lower mileage rate normally prevails. However, if the state can substantially benefit from an employee reducing normal travel expenses and the total cost of the trip using the higher mileage rate is less than the lowest round trip airfare, then the higher mileage rate can be used without obtaining a control number. An explanation regarding the use of the higher mileage rate is required on the Employee Expense Report. Miscellaneous expenses for tolls, parking at the destination, local business mileage at destination, etc., may be reimbursed as long as total travel expense does not exceed the lowest round-trip airfare.

If more than one person travels on agency business in the same vehicle, additional meals and lodging en-route may be allowed for each person so long as the total cost does not exceed the combined airfares. Travel reimbursements are for actual expenses only; there is no mileage reimbursement for being a passenger in a private vehicle.

Special Expenses

Some expenses, such as conference fees in excess of \$500 or meals within your work area, are special expenses. Such expenses are not reimbursable through the normal expense regulations even if incurred in connection with assigned, official duties. Provisions for special expenses are found in applicable collective bargaining agreements or compensation plans, Department of Employee Relations procedures and approved agency special expense plans.

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Employees must obtain approval of special expenses before incurring such expenses or the payment will be denied. Payments to reimburse or advance special expenses may be made only if the Request to Incur Special Expenses is attached to the Employee Expense Report.

Miscellaneous Expenses

The following miscellaneous expenses may be reimbursed when in compliance with travel policy:

Personal phone calls - if allowed by collective bargaining agreements or compensation plans, documented personal phone calls are reimbursable.

Laundry and dry cleaning - employees in travel status in excess of one week without returning home shall be allowed actual cost not to exceed applicable collective bargaining agreements or compensation plans for laundry and dry cleaning for each week after the first week.

Parking - if an employee who normally does not drive to work drives a personal vehicle because he/she will use the vehicle for state business during the day, the employee is NOT entitled to parking reimbursement at the workstation.

Non-Reimbursable Expenses

Following are examples of miscellaneous expenses that employees will NOT normally be reimbursed for:

- under no circumstances will employees be reimbursed for alcoholic beverages
- annual fees or interest for personal credit cards
- late payment fees or interest on state-issued corporate credit card
- expenses of traveling companions or family members
- expenses related to vacation or personal days while on trip
- loss or theft of personal cash or property
- entertainment or amusement costs, movies, "no-show" charges, optional travel or baggage insurance, parking or traffic tickets, and commuting mileage or costs
- incorrect or incomplete expense reports

Expense reports that are incorrect or incomplete:

- will be returned to the approver for corrective action, and
- may result in delay or non-reimbursement of specific items.

Disregard for state policy regarding travel expense reimbursement or altering of receipts can result in disciplinary action or termination.

Seminars Sponsored by Other Organizations

Fees associated with employee attendance at conventions, meetings and seminars sponsored by outside organizations are reimbursable within the guidelines of the applicable collective bargaining agreements and compensation plans.

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Internal Revenue Service rules require that the state report separately the cost of meals associated with such events. To comply with this regulation, employees attending such events must complete their expense reports as outlined in the Department of Finance SEMA4 Operating Policy and Procedure Manual.

VAT Reclaim

Value Added Taxes may be "reclaimed" for certain business expenses incurred out of the United States, particularly in Europe and Canada. The state submits applications for VAT refunds annually.

In addition to the standard receipts required for expense reports, international travelers must save original receipts for the following business expenses: lodging, entertainment, gasoline, meals, vehicle rentals, rail travel, conferences, trade shows, and training courses.

All receipts must be submitted within 30 days upon return with the employee's expense report. Only original, itemized receipts are acceptable for VAT reclaim purposes. Charge/credit card receipts are not acceptable.

Converting Foreign Currencies

Expenses in foreign currencies are converted into U.S. dollars as follows:

- Expenses incurred and paid directly by the employee are converted at the actual exchange rate, supported by receipts such as a foreign currency exchange receipt or a charge/credit card billing statement.
- A separate expense report must be completed for each type of currency in which expenses are incurred.
- When more than one exchange of the same type of foreign currency is made during the reporting period, a weighted average exchange rate (total U.S. dollars divided by total amount of foreign currency) must be used.
- All expenses must be recorded in U.S. dollars, with the currency conversion rate clearly noted on the expense report and on all supporting receipts.
- If the amount claimed on the expense report is more or less than the amount of the attached receipts, a written statement explaining the differences must accompany the expense report.
- Credit cards

Required Use of State Corporate Charge/Corporate Credit Card

Whenever feasible, employees should use the state's corporate charge/corporate credit card to pay for all:

- vehicle rental
- air travel
- lodging
- rail travel
- group meals, event-related meals that are pre-approved as special expenses.

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Annual fees for the state authorized corporate charge/corporate credit cards will be absorbed by the state.

Non-Reimbursable Expenses

- individual meals

Corporate Charge/Corporate Credit Card Billing and Payment Responsibility

All receipts will be retained and the Purchasing Log form will be properly filled out. The purchasing log will be matched against the monthly statement within 5 days of receipt of the statement. The Purchasing Log will be signed by the employee and sent together with the receipts and monthly statement to the supervisor.

Reporting Lost/Stolen Cards

A lost or stolen corporate charge/corporate credit card must be reported as soon as the employee discovers it is missing. Data on stolen charge or credit cards indicates that unauthorized use of stolen cards is greatest in the first few hours after the theft. To report a lost or stolen card, call **800.344.5696**.

Emergency Replacement Cards

For an emergency replacement card, call **800.344.5696**.

Cardholder Employee Termination

Upon termination of employment, all corporate cardholders must return card to supervisor.

Business Use of Personal Charge/Credit Card

Personal charge or credit cards may be used for business travel only:

- by employees who do not meet the issuance criteria for corporate charge/corporate credit cards, or
- for establishments that do not accept the state corporate charge/corporate credit card.

Employees will NOT be reimbursed for annual fees or interest on personal charge or credit cards.

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Emergency Declaration Procedures for ITG Customers Using Hot-Site Services

The Department of Administration - InterTechnologies Group (InterTech), manages the State's hot-site contracts. Hot-site contracts are based on a three – five year commitment. Once the commitment is made and an interagency agreement signed, the agency is responsible for the hot-site costs unless the Legislature eliminates the funding for the agency. These contracts do not have a 30-day written escape clause.

Declaration Procedure

Notify InterTechnologies Group that you need to activate the hot site by calling the Network Operations Center (NOC) at 651-297-1111. Calls are taken at this telephone number seven days a week, 24 hours a day (7x24). ITG shall only accept a phone call from a mutually agreed upon person(s) from the customer as official notification.

Upon initial notification by the customer, ITG NOC staff will open an ARS trouble-ticket, documenting the incident and tracking the status of the notification until the customer begins recovery or receives access to the hot-site. Critical information to have available when reporting the incident to the NOC includes:

- Contact name(s) and call-back telephone number(s)
- Location impacted and address
- Nature of incident
- Incident details and service(s) impacted
- Indicate whether this is an alert or emergency declaration

The customer should request the NOC to notify the Business Continuation Management Team Manager. To facilitate tracking of the problem, the customer should request and document the trouble-ticket number and the name of the Network Operations Specialist with whom they spoke.

The ITG Business Continuation Management Team Manager will contact the agency's assigned representative(s) to confirm an emergency exists and secure final authorization. Upon final authorization, the Business Continuation Manager will notify the appropriate hot site vendor providing formal alert or declaration. The hot site vendor will begin readying the contracted site for the agency's arrival. The site is guaranteed to be ready within 24 hours of notification. Once the hot-site vendor is notified, the agency is responsible for any declaration and daily usage fees. The Business Continuation Management team encourages the agency to contract for business interruption insurance with the Department of Administration - Risk Management Division to cover these costs.

Emergency Declaration Procedures for ITG Customers Using Warm-Site Services

Policy

The warm-site is an alternate-processing site managed by InterTech that is partially equipped. The warm-site has electrical power, lighting, file servers, phones and workstations, phone lines, fax, copier and printer per the customer contract.

Per the customer contract, InterTech has agreed to provide the warm-site facility for the customer within 24 hours after the customer has notified InterTech of the customer's intentions to activate. In the event of a multi-agency disaster this facility will be available on a first come first serve basis. Agreements are in place with other vendors to provide additional coverage in multi-agency disaster situations.

The customer can drop ship any additional equipment needed to recover their file server environment and may use the warm-site for six consecutive months. It is the responsibility of the customer to provide their own technical staff to support the recovery of their systems at the warm-site, including troubleshooting equipment failure errors.

The customer should make sure a copy of their warm-site contract is attached to their plan.

Declaration Procedure

Notify InterTechnologies Group that you need to activate the warm-site by calling the Network Operations Center (NOC) at 651-297-1111. Calls are taken at this telephone number seven days a week 24 hours a day (7x24). ITG shall only accept a phone call from a mutually agreed upon person(s) from the customer as official notification.

Upon initial notification by the customer, ITG NOC staff will open an ARS trouble-ticket, documenting the incident and tracking the status of the notification until the customer have received access badges for the warm-site. Critical information to have available when reporting the incident includes:

- Contact name(s) and call-back telephone number(s)
- Location impacted and address
- Nature of incident
- Incident details and service(s) impacted

The customer needs to request the NOC to notify the Business Continuation Management Team Manager. To facilitate tracking of the problem, the customer should request and document the trouble-ticket number and the name of the Network Operations Specialist with whom they spoke.

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The ITG Business Continuation Management Team Manager will notify the customer's assigned BCM Account Representative.

Upon notification from the BCM Manager that the customer has declared its intent to activate the warm-site service agreement, the BCM Account Representative will contact the customer and verify the customer's intentions. The BCM Account Representative will coordinate with customer on how to get badges to gain access to site and then prepare the warm-site for the customer's arrival.

This procedure approved by Debra Stafford, at the Department of Administration, on November 30, 2003.

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Employee Assistance Program

The Employee Assistance Program (EAP) now has a formal contract with the Crisis Connection which allows phone consultation 24-hours a day. What this means is that EAP staff are available by phone or in person from 7 a.m. to 5 p.m. Between 5 p.m. and 7 a.m., a State employee or family member can call EAP's main number and be connected by phone with a counselor at the Crisis Connection. Crisis Connection staff are licensed mental health professionals and have received training regarding the State system and EAP. The Employee Assistance staff will follow up with callers during regular business hours the next day to determine if further service is needed.

As is true with all EAP services, there is no cost for the after-hours counseling and all contact is confidential.

Employee Assistance Program resources are accessible in 53 sites throughout Minnesota. The central office is located in St. Paul. Please call the following numbers with any questions or concerns:

Voice	651/296-0765 or 800/657-3719	After Hours Crisis Counseling
TTY/TDD	651/297-5533	651/296-0765 or 800/657-3719
Fax	651/282-2099	

Employee Assistance Program
Central Office
480 Cedar Street, Suite 475
St. Paul, MN 55101

This procedure approved by Mary Ferguson at the Department of Employee Relations on October 9, 2003.

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Facility Response and Salvage Procedures

When a State Agency experiences an emergency where the Risk Management Division (RMD), the State Architects' Office (SAO) or Materials Management Division (MMD), Real Estate Management (REM), Plant Management Division (PMD) or Building Codes and Standards Division (BC&S) from the Department of Administration are needed, you can contact that division directly to request assistance.

If you need assistance for building projects from the SAO, your Agency Team Leader (ATL) should be your first point of contact. You can refer to SAO's website for your current ATL assignment. The SAO can assist agencies in establishing project team, determining the scope of work, and proper course of action with associated preliminary cost estimates and timeframes. Also, The SAO can work with State Agencies to do facility forensics and initial damage control. Depending on the Agency, SAO can either provide resources or directly manage building design and construction contracts.

BC&S administers the State Building Code, which sets construction standards to ensure health, safety, comfort, and security of building occupants. The division can be contacted as a resource after a disaster for assistance with questions on structural damage, manufactured homes, building mechanical systems, elevator safety concerns and assistance with damage assessment. The division coordinates with local code officials to provide a damage assessment team that can respond after the disaster and provide assistance in the assessment of damage to a community. The division would also assist with questions on temporary structures which might be needed or used after a disaster for housing, office space or other occupy able purposes.

If you need to do emergency acquisition of goods and services you can work with MMD. MMD has knowledge and background on the acquisition of any goods or services you may need to procure during an emergency. When possible, any procurement conducted in response to an emergency should be discussed with MMD. In all cases where action has been taken in response to an emergency, agencies must report the incident to the MMD Acquisitions Manager, in writing, as soon as possible. The report must include a description of the emergency, the action that was taken and the cost of goods and/or services purchased in response to the emergency.

If you have insurance coverage with RMD, please call in the claim immediately. There are many things that require immediate attention, however, your insurance representatives have experience in dealing with disaster recovery and can assist you immediately. See the "Claim Handling Instructions" found in this document under "Guidelines". If you are insured through Risk Management, you may qualify to have your insurance deductible reimbursed by FEMA. (see the FEMA website for more information, <http://www.fema.gov>)

If you do not have insurance, you need to work with building management for physical security and damage assessment.

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The guidelines below should be followed to mitigate your loss and expedite recovery.

- With the assumption the clearance has been given by the authorities to enter the premises, the recovery process begins. Safety is still a priority in that there may still be hazardous conditions such as gas, chemical residue, exposed electrical conduits, or a lack of structural integrity. Obtain help from qualified specialists if any of this type of hazard exists.
- Prevention of further damage to the property is the next priority. Restoration and repair contractors can be hired on an emergency basis without securing bids. It is important to secure the premises from further damage by boarding up openings, doing temporary roof repairs, and drying the facility and contents. If necessary, move contents to a secure location. Air conditioning removes moisture from the air and circulating the air at a high rate speeds the process. Mold prevention is urgently important since it can begin to grow in 24 hours. Place your emphasis on preventing further mold damages for the best financial outcome.
- Make sure the damaged facility has been secured and that appropriate steps have been taken to mitigate further damage by building management. Either Capitol Security or an outside vendor should put physical security of the building in place.
- Start a file right away to keep track of conversations, meetings, decisions, contracts, and costs specifically related to the damage. This includes emergency purchases and personnel labor expenses. DATE STAMP all incoming documents related to the loss.
- Take photos of damaged items and start a detailed inventory of damages. Before the claim can be settled, it will be necessary to establish the age of the items and as much detail as can be developed regarding its value such as model and serial number, cost at the time of purchase, etc. This detail can be established over time and if the loss is extensive enough, a salvage vendor may be employed to assist with this. Don't throw anything away until it is inspected and inventoried other than spoiling food or hazardous materials. Attempt to photo those items before they are discarded.
- Get emergency repair and restoration contractors under contract as soon as possible. They can typically charge higher rates without a contract in place. Try to secure "not to exceed \$xx.xx dollars" when possible to contain and control costs.
- Any contractors that will be required to submit reports should be given reasonable, but firm deadlines within the terms of the contract (such as project managers, environmental remediation contractors, and your repair/restoration contractors). If necessary reports are not submitted on a timely basis, other contractors may be affected which could create project delays or shutdowns, resulting in cost overruns.



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If you do not have insurance through Risk Management you may be eligible for some funding from FEMA through the Public Assistance Program. To be eligible, the work must be a result of a declared disaster and the damaged facility must be within the designated disaster area. It also must be an eligible facility such as museums, libraries, homeless shelters and medical facilities. See their website for details at: <http://www.fema.gov/>. You will also be required to purchase insurance after the disaster to qualify for this program.

InterTechnologies Group Emergency Notification Procedures

Customers of the Department of Administration's InterTechnologies Group (InterTech) who experience an incident and subsequently declare an emergency should notify InterTech by contacting the Network Operations Center (NOC). The NOC is available seven days a week, 24 hours a day (7x24). To report an incident:

- Contact the NOC at 651/297-1111
- Provide the NOC staff the following information:
 - Contact name(s) and call-back telephone number(s)
 - Location impacted and address
 - Issue details and service(s) impacted

Upon initial notification by the customer, InterTech NOC staff will open an ARS trouble-ticket documenting the incident and tracking the status of the problem until it is resolved. To facilitate tracking of the problem, the customer should request and document the trouble-ticket number and the name of the Network Operations Specialist with whom they spoke.

The notification procedure is the same regardless of the service that is impacted. However, depending on the service you may need to provide more information than listed above. The following describes the additional information that will be asked of you.

Electronic Messaging Services

Provide standard information and Router name(s) and/or IP address(es)

Harbor Services

Before contacting the NOC to request assistance with the installation of Harbor, agencies must first have recovered their equipment, operating system and network connectivity (IP). As Harbor is not a 'Bare Metal' backup and restoration service, ITG's Harbor Administrators can assist Harbor customers only with installation of Harbor and data recovery, not with operating system restores. Harbor customers should have documented installation instructions included in their Continuity of Operations Plans. These procedures can also be obtained by contacting your current Harbor Administrators or on-line at www.intertech.state.mn.us/harbor.

Provide standard information and Harbor ID(s) and operating system(s)

InfoPac Services

In the event that an InterTech customer using InfoPac services experiences a disaster, all InfoPac reports would still be available. To access its InfoPac reports, the customer agency will need access to a terminal with TN3270 emulation software. The customer agency also has the option of downloading the Windows-based InfoPac viewer, DocumentDirect. The

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DocumentDirect software can be downloaded from <http://www.mainserver.state.mn.us/ipacrds/download/cbtinfop.html>. Please note: In order to protect the software license, the user must have an ACF2 logon id and password to download and access the software.

InterTech Managed Data Services

Provide standard information and Router name(s) and/or IP address(es)

InterTech Managed Video Services

Provide standard information and router(s) name and IP address(es).

InterTech Managed Voice Services

Provide standard information and:

- Telephone numbers impacted, if known
- Router(s) name and IP address(es) if voice over IP (VoIP)

North Star Portal Services

Provide standard information and router(s) name and IP address(es).

Web Authentication Services

Provide standard information and URL and application affected

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Legal Counsel Procedures

The Governor's Executive Order 99-20 requires the Attorney General's Office to provide legal advice and opinions and guidance on contracting requirements to state agencies after a major disaster. Such guidance will be provided as discussed below.

In the event of a disaster, the affected agency or agencies should contact the Chief Deputy Attorney General by telephone, fax or e-mail. The Chief Deputy will take steps to ensure that appropriate staff attorneys are available to provide legal services pertaining to the disaster and the recovery.

Attorney General's Office staff will provide legal advice and opinions and promptly review proposed contracts to ensure that procurement and professional/technical contract language needed for the agency or agencies to operate in an emergency and undertake recovery operations is consistent with Minnesota law. The Attorney General's Office staff will also provide legal assistance to the Department of Administration upon request in applying contracting requirements in the context of an emergency.

If the Attorney General's Office is the agency affected by a disaster, the Chief Deputy Attorney General will take steps to ensure that state agencies are able to reach attorneys to obtain prompt legal advice and representation. Depending on the extent of the disaster, the Office will determine the most effective manner in which the continuation of legal services can be provided, including co-locating attorneys with an agency on a temporary basis.

This procedure approved by Rebecca Spartz, Director of Administration and Office of the Attorney General on October 7, 2003.

Mail Handling Procedures

Mail Handling:

16B.49 Central mailing system.

The commissioner shall maintain and operate for state agencies, departments, institutions, and offices a central mail-handling unit. Official, outgoing mail for units in St. Paul must be delivered unstamped to the unit. The unit shall also operate an interoffice mail distribution system. The department may add personnel and acquire equipment that may be necessary to operate the unit efficiently and cost-effectively. Account must be kept of the postage required on that mail, which is then a proper charge against the agency delivering the mail. To provide funds for the payment of postage, each agency shall make advance payments to the commissioner sufficient to cover its postage obligations for at least 60 days. For purposes of this section, the Minnesota State Colleges and Universities is a state agency.

Central Mail provides services to state agencies, primarily within the boundaries of St. Paul. In the event an agency experiences a business interruption that results in relocating staff to a recovery location, the agency must contact Central Mail. Upon notification, Central Mail will immediately stop routing mail to their current location and start the process to reroute their mail to the recovery locations.

If the recovery location is outside the St. Paul city limits, it is unlikely that Central Mail will be able to provide delivery service. However, other options are available:

Designate someone from the agency to pick up your agency's mail.

Contact Plant Management to purchase delivery services.

Request Central Mail to bundle mail and send via federal mail weekly [the requesting agency would be required to pay postage for these deliveries].

Central Mail will continue to provide mail-metering service.

A designated person can pick up/deliver the agency's mail Monday – Friday from 8:00 AM to 4:00 PM at the following address:

G-60 [this is near the Loading Dock Area – use back entrance and then enter G-60]
395 John Ireland Drive
St. Paul, MN 55155

The agency must separate the mail requiring postage from interoffice mail before delivery. There is no guarantee mail dropped off will go out the same day, unless the agency contacts Central Mail and identifies any special mail requirement.

Central Mail cannot guarantee the agency's delivery times will remain the same at the recovery locations. Within 24 hours notice of the agency's emergency situation, Central Mail will provide the recovery locations delivery times.



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Folding, Addressing & Inserting:

Central Mail can handle special printing requests dealing with addressing, inserting and folding. These services are provided for units of state and local government from throughout the Twin Cities metro area. There is a fee associated with these services. Other printing needs could be met using the agency's purchasing authority to acquire printing services from MINNCOR Industries or private industry.

Minnesota Duty Officer Notification Procedures

The Department of Public Safety, Division of Homeland Security and Emergency Management (HSEM) is responsible for providing a number of services to state agencies, to local government, to business and industry, and to citizens. Many of these services are of an emergency or time-sensitive nature. Consequently, HSEM must be able to continue to provide them, even if it is directly impacted by an emergency or disaster. One is the Minnesota Duty Officer Program (MDO).

The purpose of the 24-hour Minnesota Duty Officer Program (MDO) is to provide a single point of contact for public and private sector entities needing state-level assistance or when a state-level notification is required.

The scope of the MDO program includes, but is not limited to actual or impending incidents such as:

- Hazardous materials incidents or requests for teams
- Pipeline breaks or leaks
- Radiological incidents
- Requests for National Guard/Civil Air Patrol assistance
- Aircraft accidents/incidents
- Search and rescue assistance
- Bomb Squad assistance
- Natural disasters (tornado, flood, etc.)
- Any incident where assistance is needed from one or more state agencies, or when one or more state agencies has reporting requirement

An agency experiencing an emergency that threatens public health or safety should make contacting the MDO a top priority, generally second only to notification of their commissioner and 911, to activate the resources available to minimize that risk. If the problem requiring initiation of the continuity of operations plan is not a threat to public health or safety, the MDO should be contacted, but that notification could be made by the BCM Team, Emergency Management Team or other designated official.

The MDO may be reached at 651-649-5451 or 1-800-422-1798.

When the MDO is notified of an incident, s/he contacts: (1) state and federal agency personnel with the expertise and/or resources to assist the caller, (2) when necessary, the affected jurisdiction, and (3) the Governor's Office. If, under federal or state laws, the incident requires the notification of the state, one call to the MDO satisfies that requirement.

HSEM evaluates this information to determine whether the need exists to activate the State Emergency Operations Center (SEOC).

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Records Retrieval Procedures

DocuComm Records Center:

To retrieve records stored at the records center, contact the records center and request the required documents.

Business Phone: 651/215-3891

Fax Number: 651/215-3892

In most instances, the records center should have all documents ready for delivery within 48 hours after notification.

DocuComm is staffed from 8 AM – 4:30 PM each business day.

Minnesota's Bookstore:

Contact the Bookstore to replace copies of statutes, rules or any other Revisor of Statute products.

Business Phone: 651/297-3000

Fax Number: 651/215-5733

Minnesota's Bookstore is staffed from 8 a.m. – 5 p.m. each business day.

State Emergency Operations Center Activation Procedure

Per the Minnesota Emergency Operations Plan (MEOP), the Department of Public Safety, division of Homeland Security and Emergency Management (HSEM), is “responsible for deciding whether the State Emergency Operations Center (SEOC) should be activated.” The Governor’s Executive Order Assigning Emergency Responsibilities to State Agencies charges the division to “...activate the SEOC when any type of major disaster threatens or has occurred. If it is to be activated, HSEM is responsible for accomplishing the activation.” Contact the Minnesota Duty Officer to request activation of the SEOC. *(See Minnesota Duty Officer Notification Procedures in this document).*

Annex B of the MEOP, provides the following criteria for activation:

1. Mandatory.

The SEOC will be activated if any of the following conditions exist:

a) Nuclear generating plant incidents. The SEOC will be activated in the event of an Alert, Site Area Emergency or General Emergency at the Monticello or Prairie Island Nuclear Generating Plant.

b) Certain international crisis conditions. The US Department of Homeland Security (FEMA) in the event of a dangerously deteriorating international crisis would issue increased readiness warnings. Initially, the SEOC would be minimally staffed (with HSEM employees), and as the situation dictates, additional state agencies would be notified.

2. Discretionary.

The SEOC may be activated for severe weather conditions and other potential or actual disasters, emergencies, incidents or exercises. HSEM staff will assess the situation and determine if activation is advisable.



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Guidelines

The following section contains guidelines provided by state agencies. These guidelines are intended to assist agencies in continuity of operations planning by providing detailed information about the expectations of governing state agencies. The guidelines are different from the policies because they are not mandated actions.

Each agency should document its own policies and/or procedures to supplement these guidelines. The agency's policies and/or procedures should be specific to the agency and provide more detail about how it will follow the guidelines in the event of an emergency.

Claims Handling Guide

**STATE OF MINNESOTA
RISK MANAGEMENT DIVISION
CLAIMS HANDLING GUIDE**

INTRODUCTION

This Claims Handling Guide is designed to give the State of Minnesota and its agencies standard procedures to follow in the event of any incident that may result in an insurance claim. Adopting these procedures may help to reduce the severity of loss and increase chances for recovery from the party or parties responsible for loss.

IMPORTANT NOTICE

THIS CLAIMS HANDLING GUIDE CONTAINS ONLY
RECOMMENDATIONS ON STEPS TO TAKE IN THE EVENT OF LOSS.
TO THE EXTENT THE ACTUAL POLICY PROVISIONS DIFFER FROM THESE
RECOMMENDATIONS, THE POLICY PROVISIONS WILL PREVAIL AND
SHOULD BE FOLLOWED.

CLAIMS DEPARTMENT
RISK MANAGEMENT DIVISION
309 Administration Building
50 Sherburne Avenue
St. Paul, MN 55155-1401

Web Address
<http://www.admainserver.state.mn.us/risk>

(Accident Report Forms can be copied from this guide)

TDD: (651) 296-6280
FAX: (651) 297-7715
Phone (651) 205-4382

Effective July 1, 2001

I. Property Loss

First party damage to buildings, contents or computer equipment caused by a peril insured against. Examples of perils are fire, lightning, windstorm, hail, flood, etc.

- Claims should be routed to the Claims Department, Risk Management Division.
- All Property loss notices should be completed on the **Property Loss Notice** form and sent to the Risk Management Division. Detail how, when and where the loss or damage occurred and an estimate of the amount of the loss.
- If you have access to a fax machine, to expedite claims, simply fax the completed form with any supporting documents to (651) 297-7715.
- In the event of a serious or substantial property damage, phone the claim information immediately to the claim manager at (651) 215-1699.
- If possible, take pictures of the incident scene.

II. Boiler & Machinery

Claims involving damage to electrical equipment, mechanical equipment, heating, air conditioning and refrigeration equipment and boilers and pressure vessels.

- Claims should be routed to the Risk Management Division to the Claims Department.
- A Property loss notice should be completed on the **Property Loss Notice** form and sent to the Risk Management Division for handling. Describe how, when and where the loss or damage occurred and an estimate of the amount of the loss.
- If you have access to a fax machine, to expedite claims, simply fax the completed form with any supporting documents to (651) 297-7715
- In the event of a serious or substantial property damage, phone the claim information immediately to the claim manager at (651) 215-1699.
- If possible, take pictures of the incident scene.

III. Crime Losses

For claims involving employee dishonesty and loss of money or securities.

- Claims should be reported to the Risk Management Division to the attention of the claims department.
- A **PROPERTY LOSS** NOTICE should be completed and sent to the Risk Management Division for handling.
- Describe how, when and where the loss or damage occurred and an estimate of the amount of the loss.
- Loss reports can be faxed to the Risk Management Division at (651) 297-7715.



**STATE OF MINNESOTA
PROPERTY LOSS NOTICE**

To be completed by appropriate state employees. The claim should be reported immediately to enable the assignment of professional adjusters and to maximize loss recovery.)

Name of Educational Institution or Agency		Name of contact Person(s):	
		Phone Number:	
Date of Loss:	Time: am/pm	Date loss was reported:	Property Policy Number:

Exact location of loss:
Police or Fire Department to which loss was reported:
Case Number:
Kind of Loss (fire, theft, lightning, hail, windstorm, flood, other) PLEASE EXPLAIN :
Description of Loss & Damages (please be as detailed as possible, estimates can be used to expedite the claim reporting procedure):

Include all structural damages, contents (electronic equipment), and any anticipated business interruption. Attach damage estimates if necessary.

Name and telephone number of the person responsible for supervising the repairs:

1.. For Immediate Reporting contact the claims department at (651) 215-1699 or fax to
(651) 297-7715
Risk Management Division, 309 Administration Building

50 Sherburne Ave. St. Paul, MN 55155
2. For Emergency Reporting, after hours and weekends:
Allied Adjusters
(612) 766-3700
(800) 709-9509

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IV. **General Liability**

Damage to property of others or bodily injury to persons other than employees arising out of your operation.

- Claims should be routed to the Risk Management Division to the claims department.
- All General Liability losses notice should be completed on the **Incident Report** form and sent to the Risk Management Division.
- If you have access to a fax machine, to expedite claims, simply fax the completed form with any supporting documents to (651) 297-7715.
- In the event of an accident involving various personal injury or death, the incident must be phoned or faxed immediately to the Risk Management Division.
- In the event of receiving a lawsuit or conciliation court order, send it to the Risk Management Division by Certified Mail or overnight courier and the Attorney General's Office.
- **It is important that all witness names and addresses be identified so that the claims investigator can get complete statements.**
- If possible, take pictures of the incident scene.
- **Do not admit liability -- or give statements to anyone other than the state's claim investigators or our attorneys.**

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**STATE OF MINNESOTA
 GENERAL LIABILITY INCIDENT REPORT**

To be completed by appropriate state employees
 for cases **not involving an automobile**)

Name of Agency:		Name of contact Person:	
		Phone Number:	
Date of Accident:	Time:	am/pm	Weather Conditions
Description of Incident (How, where, and why):			
Extent of Damage to Property			

Extent of Injury to Person(s)
Person(s) Injured (Names, addresses and telephone number's)
Witnesses (Names, addresses, and telephone numbers):

Submit Claim to: Claims Department Risk Management Division 309 Administration Building 50 Sherburne Avenue St. Paul, MN 55155-1401	Name, Address, Phone of person completing form:
Emergency Reporting – After hours and weekends: Allied Adjusters: (612) 766-3700 or (800) 709-9509	Additional Comments:

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V. **AUTOMOBILE PHYSICAL DAMAGES (COMPREHENSIVE AND COLLISION)**

DAMAGES TO YOUR AUTOMOBILE (OWNED OR LEASED).

IMPORTANT NOTICE—As of January 1, 2000 automobile physical damage claims have been reported directly to the risk management division. Continue to do so and use the Minnesota motor vehicle accident report form. Effective July 1, 2001, the new claims adjusting firm, Allied Adjusters, will handle the auto liability claims (damages done to the other party), and may also handle the auto physical damage claims if a large volume of claims comes in at the same time. This will be on an overflow basis. However, the auto physical damage claims should still be reported to this division first.

Summary:

Auto liability claims should be routed to Allied Adjusters, even if there is damage to the state vehicle too.

- Auto physical damage claims should be routed to the Risk Management Division.
- When an accident happens, a loss notice should be completed on the Motor Vehicle Accident Report form and sent to Allied Adjusters, or Risk Management, as described above, for handling. Describe how, when and where the loss or damage occurred. The information on the Report should include all of the accident details including witnesses and police reports.
- Provide an estimate of damages as soon as possible. Two estimates is preferred. In the event that the vehicle is damaged heavily or a total loss we may assign the loss to Allied Adjusters to handle the salvage and/or appraisal of damages.
- Once the amount of damages is agreed upon and repairs are completed, you will submit proof of payment. Then you will receive reimbursement of damages less your elected deductible.
- If you have access to a fax machine, to expedite claims, simply fax the completed form with any supporting documents to the claims manager at (651) 297-7715
- In the event of a serious or substantial property damage, phone the claim information immediately to the claims manager at (651) 215-1699.

VI. **Automobile Liability (Third Party Liability)**

Damages to the property of others, bodily injury or death other than employees arising out of the ownership, maintenance and use of a vehicle.

The Risk Management Division has a contract with Allied Adjusters for the provision of loss adjusting services. This firm processes all auto liability claims against the state. Prior to July 1, 2001, GAB Robins was the contractor. All auto liability claims that have not been reported as of July 1, 2001 to GAB, should go to Allied Adjusters, even if the accident happened before July 1, 2001.

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Allied Adjusters: 222 South Ninth Street, Suite 1300
Minneapolis, Minnesota 55402
or
P.O. Box 583479
Minneapolis, Minnesota 55458
Phone: (612) 766-3700
Fax: (612) 766-3799

- Any auto liability accident involving a state vehicle must be reported as outlined below.
- All state vehicles should have a State of Minnesota Insurance ID card in the glove compartment which serves as proof of insurance coverage. One side of this card contains the following instructions in case of an accident: (let us know if you run out of cards at (651) 215-1759.
 1. Secure the names and address of all injured persons, owners, and drivers and their drivers license numbers and the license numbers of all cars involved.
 2. Be sure to get the names and addresses of all witnesses.
 3. Do not admit liability or make any statement except to the police or an identified representative of Allied Adjusters, the Risk Management Division, or the Attorney General's staff.
 4. **Report all auto liability accidents by mail on the forms available from your District Office or Department head, to Allied Adjusters, within 24 hours. Accident Report forms can be downloaded the Risk Management's Web site: <http://www.admainserver.state.mn.us/risk>**
 5. **In case of personal injury or death, call Allied Adjusters at (612) 766-3700, or at their toll free number (800) 709-9509**
- Accidents are reported on the State of Minnesota Employee Motor Vehicle Accident Report. In addition to this form, a similar Minnesota Motor Vehicle Accident Report for the Department of Public Safety may need to be completed. Forms are available in each individual agency, but Allied Adjusters can provide assistance in getting them completed. Allied Adjusters may require additional information and/or documentation as part of their investigation of the accident.

The *Motor Vehicle Accident Report* is available in the "Forms" menu to print out.



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Critical Vendor Payment Guideline

Department of Finance will provide limited space for agency personnel to enter MAPS transactions until the agency's connectivity is restored.

State agencies are responsible for their system interfaces and should have contingency plans in place for critical payments should their own systems fail.



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Disaster Phases and SEOC Activation Levels

The matrix of disaster phases and State Emergency Operations Center (SEOC) activation levels on the following page, describes the level of SEOC activation at any time and is a guide on which all state agencies may base their standard operating procedures/guidelines.

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Phase	EOC Activation Level	Activity	REP/NRC Phase	FEMA Phase
Routine	Duty Officer <u>only</u>	<p>Awareness</p> <ul style="list-style-type: none"> * Hazard identification * Risk/Vulnerability analysis * Capability/Resource assessment * Needs assessment <p>Planning</p> <ul style="list-style-type: none"> * Basic plan * Annexes * Standard operating guidelines <p>* Review and update</p> <p>Prevention/Reduction of effects (Initial mitigation efforts)</p> <p>Learning</p> <ul style="list-style-type: none"> * Training * Exercise * Evaluation 	None	Preparedness
Alert	Duty Officer <u>with</u> technical support * Incident Manager (or Operations Chief) assigned Moderate: Partial Activation	<p>Notification</p> <ul style="list-style-type: none"> * Internal * External <p>Alert</p> <ul style="list-style-type: none"> * Standby * Staging * Consider evacuation/shelter 	Notification of Unusual Event	Response
Emergency	Full EOC Activation	Full activation of needed resources. * Equipment * Personnel * Supplies	Alert Site Area General Emergency	
<i>Period of Stabilization</i>	Moderate: Partial De-activation	<ul style="list-style-type: none"> * Demobilization of resources * Preliminary damage assessment * Potential request for declaration 	Recovery (Plant)	<i>Response transition to Recovery</i>
Recovery	* Duty Officer <u>with</u> technical support * Recovery Task Force	<ul style="list-style-type: none"> * Damage assessment * Clean up * Salvage * Implementation of federal recovery programs. 	Re-entry,	Recovery
		<ul style="list-style-type: none"> * Re-entry * Preliminary hazard analysis * Relocation * Prevention/Reduction of effects * Resumption of operations 	Relocation, Resettlement	Mitigation
Routine	Duty Officer <u>Only</u>	<p>Review</p> <ul style="list-style-type: none"> * Incident * Response <p>Learning update</p> <ul style="list-style-type: none"> * Training * Exercise * Evaluation 	None	Preparedness



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The matrix on the following page shows Minnesota's response to terrorism alert information, conveyed utilizing the Homeland Security Advisory System. That system specifies five national alert levels, through a color-coded system. Utilizing this system, **green** means a **low** alert level, **blue** signifies a **guarded** condition, **yellow** indicates an **elevated** alert condition, **orange** designates a **high** alert condition and **red** depicts a **severe** alert level.

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National Alert Level	Suggested Actions For Governments	Suggested Actions For Emergency Management
<p>Severe Condition (Red): reflects a severe risk of terrorist attacks</p>	<ul style="list-style-type: none"> • Coordinate with neighboring entities • Take precautions at events • Restrict access to sites as needed • Provide information to employees • Information to public safety agencies • Provide information to public • Utilize resources from departments/offices as necessary to deal with situations • Daily checks to critical infrastructure • Evaluate and implement possible service changes • Check and implement changes to facility HVAC systems • Check and implement changes to facility security systems • Law Enforcement may assign personnel and pre-position • Monitor transportation • Consider closing Government Offices • Redirect staff to critical emergency needs • Coordinate with State HAZMAT Teams via State EOC • Coordinate with 55th CST via State EOC 	<ul style="list-style-type: none"> • Planning and Response changes made • Consider activation of EOC and operations • Department Heads notified • Command staff responds, discusses operations • Evaluate Alternate EOC Site • Evaluate facility back-up systems • Submit DEM-IRS daily by 1:00 p.m.
<p>High Condition (Orange): reflects a high risk of terrorist attacks</p>	<ul style="list-style-type: none"> • Coordinate with neighboring entities • Take precautions at events • Restrict access to some sites • Provide information to employees • Information to public safety agencies • Provide information to public • Utilize resources from departments/offices as necessary to deal with situations • Evaluate possible service changes • Evaluate facility HVAC systems • Evaluate facility security systems • Periodic checks to critical infrastructure 	<ul style="list-style-type: none"> • Department Heads informed • Public safety agencies informed • Consider options for other notification (Public works, Hospitals, Schools, Transit, etc.) • Implement Alternate EOC Site as needed • Implement facility back-up systems as needed • Submit weekly DEM-IRS every Wednesday by 1:00 p.m.
<p>Elevated Condition (Yellow): reflects a significant risk of terrorist attacks</p>	<ul style="list-style-type: none"> • Increase surveillance of terrorist activities • Coordinate with neighboring entities • Assess other protective measures • Consider restricting access to some sites • Provide information to employees • Provide information to public • ID and Card Access enhancements • Information to public safety agencies • Provide guidance about emergency preparedness for the workplace and families 	<ul style="list-style-type: none"> • Close communications with Command Staff • Public safety agencies advised • Encourage and coordinate review of Emergency Operations Plan with attention to "Warn and Notify" issues • Submit DEM-IRS first Wednesday of the month by 1:00 p.m.
<p>Guarded Condition (Blue): reflects a general risk of terrorist attacks</p>	<ul style="list-style-type: none"> • Check Communications • Review and update Emergency Plans • Provide information to employees • Provide information to public 	<ul style="list-style-type: none"> • Confirm current Emergency Contact lists • Update contacts with County Department heads • Submit DEM-IRS first Wednesday of the month by 1:00 p.m.

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Emergency Acquisition of Services Guideline

The Materials Management Division (MMD) of the Department of Administration has knowledge and background on the acquisition of any goods or services you may need to procure during an emergency. When possible, any procurement conducted in response to an emergency should be discussed with MMD.

Agencies should familiarize themselves with what type of situations would rise to the level of an emergency. Agencies should be familiar with and adhere to any agency-specific laws governing emergencies as well as review the following to establish emergency situation criteria:

Minnesota Statutes, section 16C.10, subd. 2 provides: (a) for the purpose of this subdivision, "emergency" means a threat to public health, welfare, or safety that threatens the functioning of government, the protection of property, or the health or safety of people. (b) the solicitation process described in this chapter is not required in emergencies. In emergencies, the commissioner [of Administration] may make any purchase necessary for the repair, rehabilitation, and improvement of a state-owned structure or may authorize an agency to do so and may purchase, or may authorize an agency to purchase goods, services, or utility services directly for immediate use.

Authority for Local Purchase (ALP), **1.6 Exceptions to Levels of Authority 1.6.1 Emergencies.** When acting in response to an emergency, purchasers may exceed their delegated purchasing authority and do not need to follow the solicitation process. Pursuant to statute, an "emergency" is a threat to public health, welfare, or safety that threatens the functions of government, the protection of property, or the health or safety of people. When an agency head determines that an emergency exists, agency personnel should enlist the assistance of the appropriate Acquisition Management Specialist before making an emergency purchase if time permits. If time does not permit, the agency head is expected to act promptly to address the emergency. In all cases where action has been taken in response to an emergency, agencies must report the incident to the MMD Acquisitions Manager, in writing, as soon as possible. The report must include a description of the emergency, the action that was taken and the cost of goods and/or services purchased in response to the emergency.

Keep in mind that although an agency may be reacting to an emergency, the agency is nevertheless required to expend funds prudently and in a manner consistent with the state's best interests. Every reasonable opportunity to mitigate expenses should be considered including the use of other state resources such as surplus property or shared-service arrangements. Further, emergency authority should only be used to the extent necessary to resolve the imminent threat. As a general rule, longer-term solutions should be implemented utilizing standard procurement procedures once the emergency is over.

A review of current procedures for the handling of vital records needs to be done. Purchasing documents, records, forms, etc. need to be kept secure. If appropriate measures are taken to



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keep documents secure then during an emergency status misuse or abuse of emergency purchasing authority would be minimal.

During an emergency agencies may purchase by whatever means they have put in place. If MAPS is not available, manual procedures need to be followed with paper documentation and tracking logs. Agencies that have purchasing cards may use them for procuring goods and services during an emergency.



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Emergency Deposit Guideline

State agencies should continue to make daily bank deposits. MAPS cash receipt entries for each deposit should be made as soon as possible. Department of Finance will provide limited space for agency personnel to enter MAPS transactions until the agency's connectivity is restored.



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Emergency Payroll Guideline

Department of Finance will provide limited space for agency personnel to enter SEMA4 transactions until the agency's connectivity is restored.

State agencies are responsible for their self-service time entry interfaces and should have contingency plans in place to complete normal mass time and labor entry. Agencies may allow labor distribution to use default account blocks, but if an agency chooses to do so, correcting expense transfers must be processed before the end of the fiscal year.



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Records Retention

Agencies must identify its official records and then establish a records retention schedule that states how long the records must be kept and in what format. According to Minnesota Statutes, section 138.17, the records disposition panel must approve a records retention schedule. For state agencies, the panel is made up of the executive director of the historical society, the legislative auditor and the attorney general. Proposed records retention schedules should be submitted to the State Archives Department of the Minnesota Historical Society, the secretary to the panel.



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Time Off in Emergencies

Each individual agency must review the following DOER administrative procedure and write its own Time-off in Emergency Plan based on the guidelines contained within the procedure.

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DEPARTMENT OF EMPLOYEE RELATIONS	STATUTORY EFF.	PAGE NO <u>1</u> OF <u>4</u>
ADMINISTRATIVE PROCEDURE <u>5.4</u>	REFERENCE 43A.05	DATE <u>12-23-82</u>
	Subd. 4	REV. DATE <u>02-01-01</u>
COMMISSIONER'S SIGNATURE <u>Julien C. Carter /s/</u>		

TIME OFF IN EMERGENCIES

Description and Scope - M.S. § 43A.05, Subd. 4 permits the Commissioner of DOER to excuse employees from duty and to authorize appointing authorities in the executive branch to pay employees for time off work during natural or man-made emergency situations. This Administrative Procedure specifies that the Commissioner has the authority to declare an emergency situation, close agencies, and authorize payment to employees who do not report to work or are sent home from work after an emergency has been declared. Appointing Authorities retain the authority to close or not close their facilities at any time.

Objective - To provide appointing authorities and employees with a clearly defined procedure to follow during emergency situations thus increasing and improving the capabilities of state government to function during natural or man-made emergencies.

Definitions - Key Terms -

"Full pay" means regularly scheduled straight time pay for the scheduled work day. It does not include shift or equipment differential or overtime.

"Time-off in Emergency Plan" is a comprehensive emergency procedure developed and implemented by each appointing authority.

Responsibilities -

Employees, appointing authorities, and DOER have responsibilities in emergency situations.

A. Employees:

1. If not needed to provide essential services, employees should take personal responsibility for own health and safety and coordinate with the appointing authority to be excused from work during natural or man-made emergencies.

2. To listen to local radio and television stations and/or follow their internal agency procedures prior to start of work shift to determine whether facilities in area have been closed due to natural or man-made emergencies.

B. Appointing Authorities:

- Determine if facilities should remain open or be closed as appropriate during situations that could impact the health and safety of their employees and results in temporary unavailability of work. The decision as to whether the employee absence is with pay as declared by DOER or charged to some other approved leave is secondary to the health and safety of the appointed authorities' employees.

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ADMINISTRATIVE PROCEDURE 5.4

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- Develop and maintain a Time-off in Emergency Plan which specifies:
 1. Essential staffing requirements to be maintained during emergency situations.
 2. The name and phone number of the individual(s) who can make closure decisions.
 3. Steps/procedures to follow in making closure decisions.
 4. The name and phone number of the agency contact and back-up person responsible for implementing the plan.
 5. Internal operating procedures to be followed during a natural or man-made emergency, including notification of closure for persons with hearing, vision, or other impairments.
 - Keep current emergency contact lists used by agency and DOER in providing notification of emergency declarations.
 - Request exemption from invocation of emergency leave for essential work units or employees.
- C. Department of Employee Relations:
- Declare the emergency that may adversely impact the health and safety of employees and to ensure consistency among state agencies in a geographic area.
 - Notify appointing authorities in the applicable geographic location of the declaration of the emergency.
 - Authorize appointing authorities in the emergency area to pay employees for time off work as appropriate.
 - Approve recommendations of Appointing Authorities as to which state agencies and/or facilities are to be exempted from the invocation of emergency leave.
 - Exempt certain individuals and operations from emergency leave on the basis of essentiality of services rendered or other staffing or work-related considerations (case-by-case basis) on request of appointing authority.
 - Declare an end to the emergency.
- D. Closing Facilities Due To Natural or Man-Made Emergencies:
- A natural or man-made emergency may be declared by the appointing authority and/or DOER.

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ADMINISTRATIVE PROCEDURE 5.4
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1. Appointing Authority Declared Emergencies

Provided essential services are adequately staffed, an appointing authority may close a facility without consultation with DOER if the appointing authority determines a natural or man-made emergency may:

- a) Adversely impact the health and safety of employees in the facility; and,
- b) Results in unavailability of work until the emergency has passed.

If an appointing authority does close a facility due to a natural or man-made emergency, then employees shall cover the absence with annual leave, an adjusted work schedule, compensatory time, or leave without pay.

As soon as is practical, an appointing authority shall notify DOER of the closure. The appointing authority may request approval for emergency leave by submitting documentation supporting the reason for the closure to the Commissioner of DOER. If DOER approves and subsequently declares an emergency, then the absence from work due to the emergency shall be with pay.

2. DOER Declared Emergencies

Provided essential services are adequately staffed, DOER may close a facility or facilities in a geographic area if it is determined that a natural or man-made emergency may:

- a) Adversely impact the health and safety of employees in the facility; and,
- b) Results in unavailability of work until the emergency has passed.

If an emergency is declared by DOER contemporaneously with or following declaration of the appointing authority, then the absence from work due to the emergency shall be with pay.

Process DOER shall follow in having a situation declared an emergency includes:

- a) Consulting with Commissioner of Public Safety regarding the emergency conditions and impact on health and safety of employees in geographic location.
- b) Consulting with appointing authority regarding availability of appropriate work for employees in geographic location of emergency.
- c) Commissioner of DOER declares emergency or determines that emergency doesn't exist.
- d) Commissioner of DOER communicates decision to all affected Appointing Authorities.
- e) Commissioner of DOER authorizes emergency pay if appropriate.

E. Employees At Work When Emergency Declared by DOER:

1. Employees who report to work and are then sent home shall not be paid for more than their regularly scheduled hours. Employees shall not be enriched through additional compensation, including compensatory time, or increased benefits as a result of an emergency situation.

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ADMINISTRATIVE PROCEDURE 5.4
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2. Employees who are required by their appointing authorities to remain at work shall not be paid for more than their regularly scheduled hours or the actual number of hours worked.

F. Employees On Leave When Emergency Declared by DOER:

1. Employees on approved sick or pre-arranged vacation leave shall not have such leave time restored to their balances.

2. Employees on any approved leave without pay shall not be paid for any emergency leave time.

3. Employees who call in, on the day of an emergency, for vacation time, or compensatory time will be credited with emergency leave from the point of the declaration of the emergency declared by DOER to the end of the scheduled shift.

G. Amount Of Emergency Leave When Emergency Declared by DOER:

1. An employee's absence with pay for emergency situations shall not exceed 16 hours during that emergency unless the Commissioner of DOER authorizes a longer period.

H. Reporting Emergency Leave for DOER Declared Emergencies:

1. Agencies using the positive time reporting system should instruct employees to record this time under "Other Authorized Leave Hours Taken" and record "MSL" to designate the type of leave taken. Also note in the Remarks section "Weather Emergency" or "Emergency Situation" as appropriate.

Other Relevant Laws, Personnel Rules, Contracts and Administrative Procedures

M.S. § 43A.05, Subd. 4 - Time Off In Emergencies
Collective Bargaining Agreements

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Conclusion

These Continuity of Operations Plan State Policies, Procedures and Guidelines were completed through the collaboration of the Department of Public Safety and the Department of Administration. Funding was made possible through a grant from the Federal Emergency Management Administration. The following are the individuals responsible for the successful completion of the project.

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