

***The following policies were approved via Resolution 2020-R-117-05 on May 21, 2020. All changes have been incorporated in HR Manual.***

## SECTION 12. RISK PAY AND HAZARD PAY ALLOWANCE

### **Risk Pay**

Risk pay is allowed for those employees serving in positions that are required to perform hazardous duties and classified as “hazardous positions”. This includes commissioned police officers, certified detention officers/dispatchers, conservation officers, certified emergency medical technicians and paid certified firefighters. Risk pay will be paid to a Classified or Court Employee for actual work hours doing potentially hazardous work. Risk pay will be paid at a rate greater than, and as additional compensation, to the employee’s regular pay. Risk pay will not be paid while on leave. The risk pay amount will be determined and approved through the budget process.

All risk pay must be documented, justified with proof of certification to Human Resource before being approved by Executive Leadership and the Nation President.

### **Hazard Pay**

The Jicarilla Apache Nation shall pay certain classifications of personnel hazardous duty pay in accordance with the laws, regulations, and/or policies of the Nation.

Hazard pay is defined as a differential paid to employees who, while performing official duties, are exposed to qualifying hazards which include physical hardships or working conditions of an unusually severe nature that cannot be eliminated or significantly reduced by preventive measures, such as using safety equipment and protective clothing.

Classified or Court employees may receive hazard pay for the performance of duties if and when the President, or Trial Judge determines that an employee or classification of employees are exposed to a qualifying hazard through the performance of his or her assigned duties not already credited in the classification of the employee’s position. The President or Trial Judge, in consultation with safety and health experts and Executive Leadership, will determine whether employees are entitled to hazard pay on a case-by-case basis.

Hazard pay may be paid only to employees who are performing official duties for which a differential is authorized. It may not be paid to an employee who undertakes to perform a hazardous duty on his or her own, without proper authorization, either expressed or implied. When an employee performs a duty for which a hazard pay differential is authorized, the employee must receive the hazard pay differential for all of the hours in which the employee is in a pay status on the day on which the duty is performed. Hazard pay will not be paid when an employee is on any type of leave.