



North Carolina Department of Labor Continuity of Operations Plan (COOP)

Revised March 2020

ATTENTION: This document contains information pertaining to the deployment, mobilization, and tactical operations of the NC Department of Labor in response to emergencies.

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1. **Introduction.** The changing threat environment and recent catastrophic events, including terrorist attacks, natural disasters, and technological emergencies have heightened the need for Continuity of Operations Plan (COOP) strategies that will enable the North Carolina Department of Labor (NCDOL) to continue its mission-essential functions across a broad emergency spectrum.

This environment has also caused employees to look to leadership for assurance that all necessary measures have been taken to ensure their security. Therefore, the COOP plan is a key component of emergency preparedness that outlines procedures leadership can take to protect employees and mission-essential functions and records during emergency situations.

2. **Description of Divisions.** The NCDOL is charged with promoting the "health, safety and general well-being" of more than 4 million workers in the state. The department serves the needs of the workplace through a variety of programs aimed at making the employees of North Carolina safe. The department is divided into three divisions: Administration, Occupational Safety and Health, and Standards and Inspections.

Administration consists of the Commissioner's Office, Financial Services, Government Affairs, Human Resources, Research and Policy, Information Technology, Communications and Legal Affairs. These areas support the other two divisions as the mission-essential functions of the department are carried out.

Occupational Safety and Health Division (OSH) administers the North Carolina Occupational Safety and Health Act of 1973. OSH consists of six bureaus.

- a. East and West Compliance Bureaus — The Compliance Bureaus conduct safety and health inspections of North Carolina businesses to ensure compliance with applicable workplace safety and health standards. The bureaus investigate complaints made by workers, investigate work-related fatalities and accidents, conduct general schedule inspections of randomly picked firms, and conduct follow-up inspections of firms previously cited for safety and health violations. Additionally, the bureaus manage the OSH complaint desk that processes work-related safety and health complaints and other work-related safety and health issues.
- b. Agricultural Safety and Health Bureau — The Agricultural Safety and Health (ASH) Bureau conducts pre-occupancy inspections of migrant housing. Housing must meet occupational safety and health standards and specific standards for heat, fire protection and kitchen sanitation. Migrant housing should be registered at least 45 days prior to occupancy. Housing that does not meet the standards can result in fines and abatement requirements for the owners.
- c. Consultative Services Bureau — The Consultative Services Bureau (CSB) offers free consultative workplace safety and health visits to the state's small businesses and the public sector. The bureau helps employers meet safety and health regulations and develop effective safety and health management program by identifying safety and health hazards, providing recommendations to reduce or eliminate hazards and evaluating safety and health programs.
- d. Education, Training and Technical Assistance Bureau — The Education, Training and Technical Assistance (ETTA) bureau provides various outreach activities including training workshops for employers and employees, speaking engagements, and display booths. The bureau develops publications such as hazard alerts, industry guides, fact sheets, and quick cards. The bureau participates in building alliances and partnerships with trade associations and businesses to assist

them in creating safer workplaces. The bureau reviews the federal standards for state adoption, coordinates state-specific rulemaking activities, reviews variance requests, and provides written, electronic or telephone interpretive guidance to employers and employees. ETTA also administers recognition programs that recognize companies that have exemplary safety and health programs and safety records.

- e. Planning, Statistics and Information Management Bureau — The Planning, Statistics and Information Management (PSIM) Bureau compiles and analyzes Division of Occupational Safety and Health statistical data. The OSH Compliance Inspection Targeting System is managed and maintained by the bureau. PSIM also conducts the Public Sector Survey and maintains a monthly analysis of data for the OSH Division's Strategic Plan. PSIM manages the disclosure and release of documents and archives investigation files for OSH inspection and non-formal complaint case files generated by the Compliance and Agricultural Safety and Health Bureaus. OSH case file documents that are part of an Employment Discrimination Bureau investigation are also disclosed by the PSIM Bureau.

Standards and Inspections Division is divided into five bureaus:

- a. Boiler Safety Bureau — The Boiler Safety Bureau inspects new and existing pressure equipment installations for business, institutions, industries, assemblies, educational locations, apartments and other multifamily dwelling locations, recreational sites, public use, and water supplies. The bureau also inspects pressure equipment in hotels, motels, camps, cottages and resort lodges
- b. Elevator and Amusement Device Bureau — The Elevator and Amusement Device Bureau checks for the proper installation and safe operation of elevators, escalators, workman's hoists, dumbwaiters, moving walks, aerial passenger tramways, amusement rides and incline railways. The bureau also inspects lifting devices for people with disabilities that operate in public establishments (except federal buildings) and private places of employment.
- c. Retaliatory Employment Discrimination Bureau — The Employment Discrimination Bureau is responsible for enforcing the 1992 Retaliatory Employment Discrimination Act (REDA). REDA protects employees who in good faith engage in one of the "protected activities" under the law. REDA protects a wide number of areas and individuals, including wage and hour issues, workplace safety rights, mine safety and health, and sickle cell and hemoglobin C carriers. REDA also applies to areas covering genetic testing, National Guard service, juvenile justice system, domestic violence, pesticide exposure and employees reporting activities of their employers under the Paraphernalia Control Act. The bureau investigates complaints and, if the complaint is found to be valid, the bureau attempts early resolution and settlement. If the bureau is unable to attain a settlement, it will issue a right-to-sue letter or take legal action on behalf of the complainant.
- d. Mine and Quarry Bureau — The Mine and Quarry Bureau enforces the 1975 Mine Safety and Health Act of North Carolina. The bureau conducts inspections, education and training, technical assistance, consultations, and also helps mine and quarry operators to comply with the provisions of the 1977 Federal Mine Safety and Health Act. The bureau also promotes rock hound safety and conducts an explosives safety course for anyone handling or using explosives.
- e. Wage and Hour Bureau — The Wage and Hour Bureau is responsible for enforcement of the N.C. Wage and Hour Act, Controlled Substance Examination Regulation Act, Private Personnel

Services Act and the Job Listing Services Act. The Bureau uses a combination of education and outreach efforts and regulatory investigations to assure compliance with these laws.

3. **Purpose.** The intent of this plan is to document necessary actions and responsibilities for continuing operations should NCDOL leadership be incapacitated or should NCDOL facilities become unusable. The plan is also written to ensure the continuous performance of NCDOL's mission-essential functions during an emergency or significant event.
4. **Security.** The COOP is not considered classified; however, it does contain information pertaining to the deployment, mobilization and operations of NCDOL in response to emergencies. Therefore, its handling and distribution should be controlled and limited, both electronically and in hard copy.
5. **Scope.** This plan is applicable to NCDOL and is written for application during emergency situations or during State Emergency Response Team (SERT) activation. Effective implementation of the COOP may increase chances of survival and decrease the impact on operations. Recovery activities in response to an emergency will be determined by the event and the extent of damage and losses. Additionally, disaster preparedness planning and training will have a significant impact on the overall recovery effort.

The plan focuses on seven facilities that NCDOL personnel occupy or work from to provide services to the citizens of North Carolina. The table below outlines each facility:

<i>City</i>	<i>Address</i>	<i>Phone</i>
<i>Raleigh</i>	4 West Edenton St.	1-919-707-7766
<i>Raleigh</i>	111 Hillsborough St.	1-800-625-2267 or 1-919-707-7876
<i>Field Offices</i>		
<i>Raleigh</i>	3801 Lake Boone Trail, Suite 300	1-919-779-8570
<i>Wilmington</i>	1200 North 23 rd Street, Suite 205	1-910-530-6840
<i>Asheville</i>	204 Charlotte Highway, Suite B	1-828-299-8232
<i>Charlotte</i>	901 Blairhill Road, Suite 200	1-704-665-4341
<i>Winston-Salem</i>	4964 University Parkway, Suite 202	1-336-776-4420

Table 1: NCDOL Facilities

From these facilities, NCDOL personnel not only provide diverse products and services to citizens but also aid federal, state, industry, academic and the emergency response community.

6. **Delegation of Authority and Order of Succession.**
 - a. **Responsibility for Implementation of Plan** - Conditions necessary for implementation of this plan include, but are not limited to, events that render NCDOL facilities unusable or incapacitation of NCDOL leadership.

The commissioner in consultation with the chief of staff, division directors and assistant directors, will determine the circumstances warranted to implement the COOP. The commissioner will notify department directors, who notify each bureau chief and bureau chiefs will notify their respective supervisors.

- b. Conditions for Succession - If the commissioner is not available to make decisions in the event of COOP activation, then the order of succession below will prevail.
- c. Order(s) of Succession - When the commissioner is not available, the following succession will be followed:
 - i. Chief of staff would be called to implement and coordinate the COOP plan. All deputy commissioners will respond to the chief of staff's implementation of the COOP plan and will work with assistant directors to get the necessary personnel and components in place.
 - ii. If the commissioner and chief of staff are not available, then the OSH deputy commissioner will implement the COOP plan and the deputy commissioner for Standards and Inspections and OSH assistant deputy commissioner, along with all directors and bureau chiefs will work with the OSH deputy commissioner to get the necessary personnel and components in place.
 - iii. If the commissioner, chief of staff, OSH deputy commissioner and deputy commissioner for Standards and Inspections are not available, the OSH assistant deputy commissioner will implement the COOP plan.

7. **Objectives.**

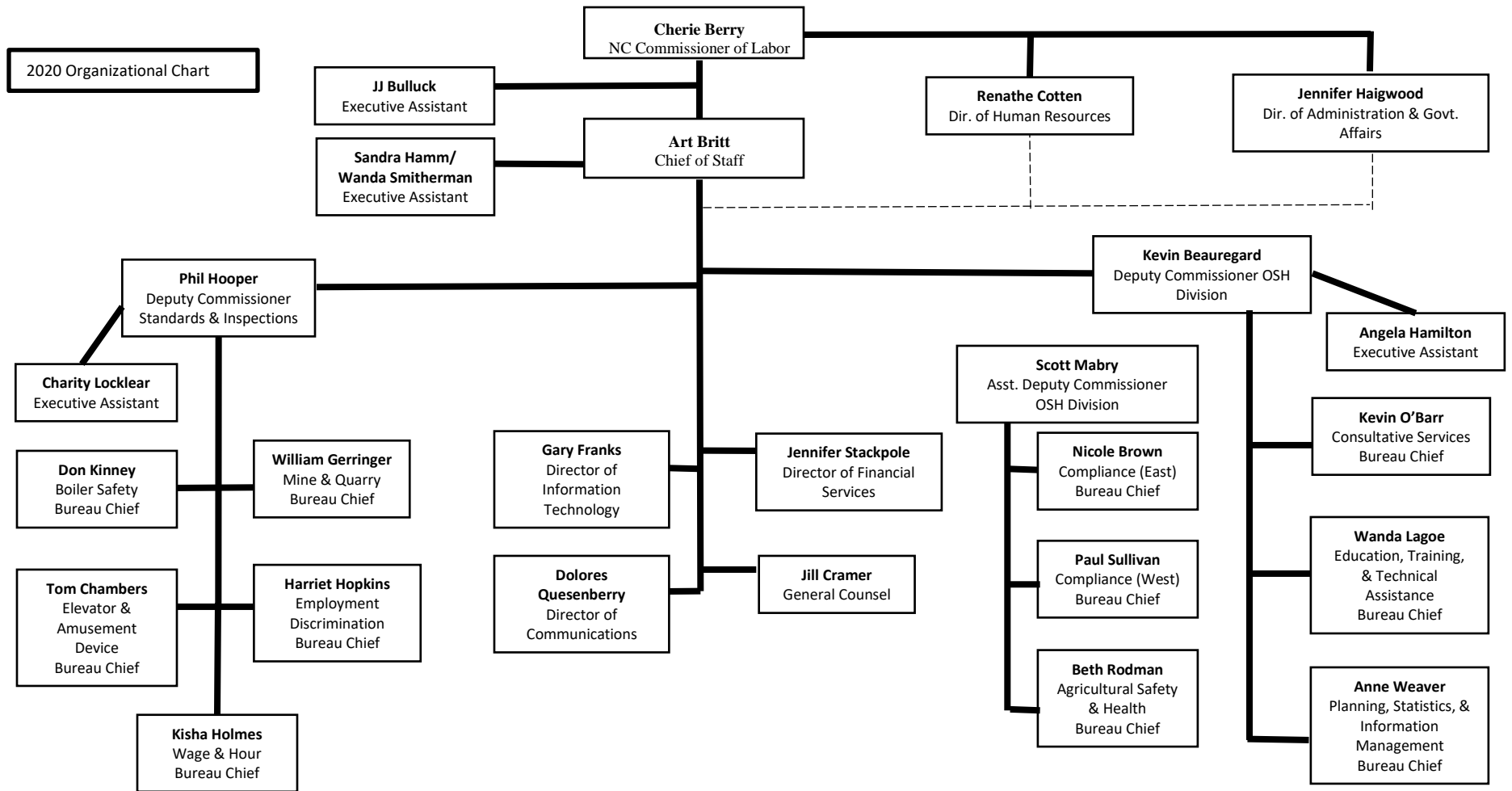
- a. Ensure the performance of mission-essential functions/operations during a COOP event;
- b. Reduce loss of life, minimize damage and losses;
- c. Execute, as required, successful succession to office with accompanying authorities in the event a disruption renders leadership unable, unavailable, or incapable of assuming and performing their authorities and responsibilities;
- d. Reduce or mitigate disruptions to operations;
- e. Ensure that bureaus have alternate facilities or telework procedures from which to continue to perform their mission-essential functions during a COOP event;
- f. Protect vital records and other assets;
- g. Achieve a timely and orderly recovery from an emergency and reconstitute normal operations to resume mission-essential functions for both internal and external customers; and
- h. Validate COOP readiness through training and exercise to support implementation of COOP plans.

8. **Assumptions.**

- a. It may be necessary to implement this plan with or without warning. Plans and procedures must be adequate in each instance to allow transition from the primary facility to the alternate facility.
- b. At any one time, more than one person in the NCDOL leadership may become incapacitated; therefore, plans and procedures must accommodate this possibility.
- c. Lifesaving and safety and health protecting actions take precedence over all other response activities.
- d. Weather, infrastructure failure, terrorist activity, or other complications could make transition to alternate facilities difficult.
- e. There will be sufficient time available for an orderly transition from the primary facility to the alternate facility.
- f. Duration of operations at the alternate facility will be one month or less.

- g. One of the primary consequences of any disaster is its adverse impact on human health and welfare. NCDOL leadership must be prepared to address sudden unexpected demands from employees and employee family members.
- h. Should take maximum advantage of existing state infrastructures.
- i. Operations involving sensitive information must meet established security requirements.
- j. Private industry and non-governmental organizations may play an important role in the response after an incident. They must be engaged as deemed appropriate to the specific crisis or emergency.

9. Organizational Chart.



10. **Personnel and Facility Management.**

- a. **Commissioner of Labor.** The commissioner of labor is responsible for the overall response to a crisis that affects NCDOL personnel and/or facilities. The commissioner determines the nature and scope of NCDOL actions in response to an incident. The responsibilities of the commissioner include:
- Determining the need to transition to alternate facility and issue relocation order.
 - Ensuring through the chief of staff, deputy commissioner, assistant deputy commissioner and directors that each person is completely familiar with his/her responsibilities and where he/she is to move or telework in the event of COOP execution.
 - Designating an alternate headquarters and reestablishing command and control, if the commissioner must relocate.
- b. **Chief of Staff.** On behalf of the commissioner, directs and coordinates the efforts to recover from the consequences of a disaster or emergency. The chief of staff acts as the commissioner's agent at the scene of an emergency. As directed by the commissioner, the chief of staff will:
- As the situation is developing, coordinate a process of evaluation to determine the extent, scope, breadth, and severity of the incident.
 - Identify all reporting requirements to federal and state leadership resulting from COOP implementation.
 - When COOP implementation is declared, and during subsequent relocation and recovery operations, ensure senior leadership is in contact with commissioner's office.
 - Work with communications division to keep news media informed of relocation and recovery/reconstitution operations.
- c. **Deputy Commissioners.** On behalf of the commissioner, directs their respective division and approves all operations and missions associated with COOP activation. Specifically, directors will:
- Provide leadership and direction of the relocation and recovery operation.
 - Identify critical requirements and procurement needs.
 - Approve the list of mission-essential functions prepared by each bureau.
 - Identify tasks that can be deferred or terminated in the event the COOP is implemented.
 - Approve each section's order of succession.
 - Establish how the work force will be reconstituted.
- d. **Assistant Deputy Commissioner and Directors.** Direct and coordinates their division's response on behalf of the commissioner. Assistant deputy commissioners and directors are the main focal point for coordinating information related to COOP operations. During an emergency, assistant directors will coordinate with bureau chiefs to ensure a coordinated response and recovery effort and complete the following task:

- Establish plans for short-term relocation.
- Issue transportation procedures to be followed during COOP operations.
- Establish how any remaining/surviving equipment would be salvaged and transported to alternate site(s) with safety being key consideration.
- Interact with the State Property Office (NC Department of Administration) and make all preparations to secure an adequate alternate facility.
- Arrange temporary transfer of personnel to fill shortages resulting from the incident.
- Consult with bureau chiefs and refine and recommend any changes to COOP operations as incident progresses.
- Assign an administrative person to document all actions taken by NCDOL during the COOP activation. The information will be used during the review process.

e. Bureau Chiefs and Administrators – Administration, OSH and Standards and Inspections.

- Provide hands-on leadership and direction during relocation and reconstitution
 - Designate supervisors as Disaster Assessment and Recovery Team (DART) members and brief them on their responsibilities.
 - DART members will establish teams consisting of:
 - Information Technology (IT) Team – Assist IT in reestablishing computer services.
 - Administrative Team – Provide management support, resources, personnel and documentation throughout the relocation and reconstitution.
 - Voice Communications Team – Coordinate and reestablish telephone communications.
 - Transportation and Move Team – Coordinate with appropriate agency to obtain vehicles and personnel to move supplies and equipment.
 - Disability Assistance Team – These pre-identified persons will assist disabled personnel during COOP activation.
- Ensure each person is completely familiar with his/her task and where he/she is to move in the event of COOP execution.
- Maintain current telephone tree of assigned personnel. Establish a means to contact key personnel if phone lines are out.
- Establish staffing and resource requirements for performing mission-essential functions and prioritize these functions in case it becomes impossible to continue them all.
 - Forward list of mission-essential functions to director for approval.
- Establish orders of succession within bureau that will ensure continuity of mission-essential functions.
 - Submit orders of succession to the director for approval.
- Identify mission-essential records and databases. Store vital paper records in fire-resistant cabinets.
- Establish procedures to maintain all necessary files, documents, computer software and databases required to carry out mission-essential functions.
- Document arrangements to move these files, data and systems on short notice.
- Prepare a checklist for collecting files, data, and systems, as well as transportable equipment that must be moved to alternate location.
- Identify resources required to continue primary functions of bureau.
- Establish personnel requirements.

- During COOP execution, assign computer equipment priorities and resolve conflicts among bureaus.
- Prepare plans for security at relocation site(s).
- Direct voice and data communications at alternate location.
- Work with telephone company as needed to restore service.
- Assess damage to mission-essential records in hard copy and electronic form.
- Determine furniture and space needed to relocate.
- Ordering of new materials is a function that can be postponed until the crisis is abated; however, bureau chiefs and administrators must ensure that materials already ordered are stored until the crisis is over. Remove invoices and attempt payment if the division's financial system is functioning.

f. Emergency Response/Homeland Security Coordinator.

With regard to emergency preparedness, the ER/HS coordinator manages the department's emergency preparedness program, as well as emergency preparedness training and related curriculum development. He/she is also responsible for addressing any shortfalls in regards to emergency preparedness, response and recovery support that NCDOL provides to the state. In regards to COOP activation, his/her duties will include:

- In consultation with the commissioner, chief of staff, OSH deputy commissioner and assistant deputy commissioner activate Emergency Response/Homeland Security team.
- If State Emergency Response Team (SERT) is activated due to emergency situation assign members to State Emergency Operations Center (SEOC) as DOL liaison.
- Represent NCDOL in interactions with federal, state and local emergency management authorities, as well as regional response agencies.
- Arrange transportation of an "emergency response vehicle" to designated team members if team will be supporting state disaster recovery efforts.
- Assess the requirements or potential needs for additional ER/HS members.
- Facilitate the transmission of incident information from the SEOC to the commissioner through the director and assistant director.
- Provide continuous assessment of the adequacy of the NCDOL response to the commissioner through the OSH deputy commissioner and assistant deputy commissioner.

g. Communications.

On behalf of the commissioner, coordinates and directs the division's emergency public information and communications efforts. The division's mission is to disseminate accurate, consistent, timely information to the public. News organizations will be the most important pipeline to the public at large in disseminating news. It is, therefore, imperative that they are kept informed of facts on an on-going basis with briefings and bulletins. The basic duties of the communications office regarding COOP activation will include:

- Keeping news media informed of relocation and recovery/reconstitution operations.
- Prepare and disseminate announcements concerning canceling or resumption of NCDOL programs, functions or activities.
- Use the most efficient means to effectively deliver messages to the public.

- Disseminate pertinent workplace safety and health information to the press in affected areas of the state.
- Publications Bureau will work with the DART members, as needed, to gather and transport office supplies.

h. Information Technology.

Refer to the most current revision of the NCDOL Business Continuity Plan (BCP)

- Assess damage to computers and/or network.
- Coordinate repairs of computers and/or order and install any replacement computer hardware necessary to sustain normal operations.
- Obtain needed recovery data, records, and documentation.
- Notify leadership and personnel of restart plans for all affected computer systems.
- Test operations as soon as alternate site is operational to ensure all systems and facilities are functioning properly.
- Oversee the restoration of the network and all network connections necessary to restore operations.
- Keep leadership and personnel informed of system and network recovery status and service schedules.
- Establish means to receive and respond to user requests for service and equipment.
- Assist teleworker(s) in gaining access to network.

i. Financial Services.

- Brief the commissioner on issues arising from emergency situation.
- Establish procedure for tracking expenses associated with the crisis.
- Ensure continuity of payroll and other human resource management systems.
- Establish budget and cost accounting procedures for relocation.

j. Human Resources

- Provides information and consultation regarding any and all human resource (HR) related issues arising from COOP activation.
- Maintains automated and hard copy contact and emergency contact information for all NCDOL employees and works with supervisors to account for all agency employees throughout the COOP activated event.
- Maintains up to date list of all permanent teleworking staff and all COOP activated temporary teleworking staff.
- Maintains offsite equipment to ensure remote connectivity with statewide automated HR information system (Beacon).
- Provides consultation and policy interpretation regarding mandatory deployment of essential employees, leave management for non-essential employees, telework and benefit management including worker's compensation issues arising under COOP.
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- Follows Office of State Human Resources (OSHR) policy and guidelines set forth in the Adverse Weather and Emergency Closing Policy or the Communicable Disease Emergency Policy in providing consultation and policy interpretation.
- Informs the commissioner if the disruption of any HR function is imminent.

k. Meeting Special Needs

Bureau chiefs, administrators and supervisors who oversee individuals with special needs should be proactive to ensure they have the same level of protection as all other employees. Furthermore, bureau chiefs, administrators and supervisors should be proactive in asking employees with special needs about the questions and concerns these people may have about emergency procedures. One practical step every bureau chief and administrators and supervisor should take to protect individuals with disabilities is to establish a “buddy” system for disabled employees.

As reported in Federal Emergency Management Agency’s (FEMA) Emergency Assistance for Employees with Disabilities in Office Occupancies pamphlet, one of the lessons learned from interviews of people with disabilities following the February 1993 World Trade Center bombing was that they needed assistance and the incident made them realize how vulnerable they were.

Assign at least “two buddies” who are work associates. The employees are encouraged to practice to ensure they can handle the tasks. More information on setting up a buddy system can be found in the FEMA document “Emergency Procedures for Employees with Disabilities in Office Occupancies” at: www.usfa.fema.gov/downloads/pdf/publications/fa-154.pdf. For additional information on meeting the needs of disabled employees, contact the National Organization of the Disabled at 646-505-1191, ext. 122, or visit the website: www.nod.org.

11. Concept of Operations.

- a. General. The aim of every action and responsibility set down in this plan is to ensure seamless execution of duties assigned to NCDOL during emergency situations. Actions and responsibilities are pointed toward two eventualities: (1) one or more office facilities used by NCDOL being rendered unusable, and (2) incapacitation of one or more NCDOL leaders. Bureau chiefs, administrators and supervisors are responsible for functions specified in this plan. State agencies or departments will provide assistance to NCDOL to aid in restoring full operational capabilities. Day-to-day functions that are not considered critical to the mission of NCDOL may be suspended for the duration of the emergency. Efforts that would be required of those functions will be redirected to accomplish mission-essential functions.

- b. COOP Execution. Emergencies or potential emergencies may affect the ability of NCDOL to perform its mission-essential functions from any or all primary facilities in the state. The following are scenarios that could mandate the activation of the COOP plan:
 - i. Any NCDOL facility in Asheville, Charlotte, Raleigh, Wilmington or Winston-Salem being closed to normal business activities as a result of an event or credible threats of an event that would preclude access or use of the facility.
 - ii. Any city where an NCDOL facility is located is closed to normal business activities as a result of a widespread utility failure, natural disaster, significant hazardous material incident, civil disturbance or terrorist attack.
- c. Rally Area for NCDOL Leadership. In an event so severe that normal operations are interrupted, or if such an incident appears imminent and it would be prudent to evacuate any NCDOL facility as a precaution, the commissioner may activate the COOP. The relevant alternate facility (see table 2) will be activated, if necessary, and at the discretion of the commissioner.

The commissioner, chief of staff, deputy commissioners, assistant deputy commissioner, directors, bureau chiefs and administrators will gather at a location designated by the commissioner. The chief of staff will ensure the mission-essential functions of the closed facility are maintained and capable of being performed using the relevant alternate facility or telework until resumption of full operations is re-established at the primary facility.

- d. Disaster Assessment and Recovery Team (DART). Bureau chiefs and administrators will designate supervisors as DART members who will serve as an initial relocation team for COOP activation or potential activation. The DART will either relocate to the relevant alternate facility, if necessary, or operate remotely from home. The DART will be responsible for continuing mission-essential functions pending regaining access to the primary facility or occupying the relevant alternate facility. The DART is also responsible for notifying NCDOL leadership of any potential problems as early as possible.

All personnel necessary to perform the mission-essential functions of the bureau will need to be contacted and advised to report to either the relevant alternate facility, or to telework. Clear instructions as to the actions necessary to be performed by these key personnel should already be established in policy guidance provided by bureau chiefs.

- e. Personnel Accountability. Positive personnel accountability throughout all phases of emergencies, including COOP activation, is of utmost concern, especially if the emergency occurs without warning during duty hours. Facility evacuation procedures and COOP implementation provide for such accountability.

- f. Lease Facility and Telework. Table 2 outlines procedures that each facility will take if access to the facility is denied for any reason. The three options identified in the table are (1) relocate to alternate facility, (2) initiate telework procedures and (3) lease a facility. North Carolina general statutes prescribe the method of procurement for all leased property and the state's administrative code further codifies policies and procedures for all acquisitions by lease. The office of primary responsibility that NCDOL leadership will contact is the State Property Office at 116 West Jones Street, Raleigh, NC 27603, (919) 807-4650.

<i>Primary Facility</i>	<i>Alternate Facility and/or Telework</i>	<i>Lease Facility</i>
<i>4 West Edenton St. Raleigh, NC 27601</i>	Initially Relocate To: 111 Hillsborough St. Telework Identified Personnel	If required lease facility via Department of Administration guidelines
<i>111 Hillsborough St. Raleigh, NC 27603</i>	Initially Relocate To: 3801 Lake Boone Trail, Suite 300 Telework Identified Personnel	If required lease facility via Department of Administration guidelines
<i>3801 Lake Boone Tr, Suite 300 Raleigh, NC 27607</i>	Initially Relocate To: 111 Hillsborough St. Telework Identified Personnel	If required lease facility via Department of Administration guidelines
<i>1200 North 23rd St. Suite 205 Wilmington, NC 28405-1845</i>	Initiate Telework Procedures	If required lease facility via Department of Administration guidelines
<i>204 Charlotte HWY, Suite B Asheville, NC 28803</i>	Initiate Telework Procedures	If required lease facility via Department of Administration guidelines
<i>901 Blairhill Rd. Suite 200 Charlotte, NC 28217-1578</i>	Initiate Telework Procedures	If required lease facility via Department of Administration guidelines
<i>4964 University Parkway, Suite 202 Winston-Salem, NC 27106</i>	Initiate Telework Procedures	If required lease facility via Department of Administration guidelines

Table 2: Alternate Facility Designations

- g. Space and Decision to Relocate. Since alternate facility space and support capabilities will be limited, the bureau chief will need to restrict access to only those personnel who possess the skills and experience needed for the execution of mission-essential functions. Personnel who are not designated to move to the alternate facility will be advised to return or to stay home pending further instructions.

The ultimate determination of the alternate relocation facility will be made at the time of the activation by the commissioner in consultation with the chief of staff, director and assistant director. The determination will be based on the incident threat and associated risk as confirmed by intelligence received from the State Bureau of Investigation or Crime Control and Public Safety.

To ascertain how much space and resources are available at alternate facilities, a review by bureau chiefs should be conducted annually. The commissioner should be advised of the review along with any noted discrepancies.

- h. Interoperable Communications. Interoperable communications is the ability to talk to each other and share information via voice and data signals when necessary.

The success of operations at an alternate facility or telework is absolutely dependent upon the availability and redundancy of critical communications systems to support connectivity to NCDOL internal organizations, other agencies, critical customers, and the public.

When identifying communications requirements, NCDOL leadership must take maximum advantage of the entire spectrum of communications media likely to be available and needed in any emergency situation. These services may include, but are not limited to:

- Teleconference
- Internet access
- Email
- Landline
- Cellular
- Facsimile

Supervisors should carefully consider the use of laptops, high-speed telecommunications links, and other systems that enable employees to perform essential functions while teleworking.

- i. COOP Implementation With and Without Warning. Incidents could occur with or without warning and during office or non-office hours. The **warning phase** is initiated by the commissioner when the order is given to initiate the COOP plan. Bureau chiefs will send instructions to affected personnel by telephone, email, or direct contact.
- With Warning. It is expected that in some cases a warning will be received before the incident. Under these circumstances, the process of activation would normally enable the partial, limited, or full activation of the COOP plan with a complete and orderly alert and notification of all personnel.
 - Without Warning. The process becomes less routine, and potentially more serious and difficult. The ability to execute the COOP plan following an incident that occurs with little or no warning will depend on the severity of the incident's impact on the physical facilities and whether key leaders were present in the affected facility.

Remember, if you discover an emergency, remain calm and call 911. Explain to the dispatcher the nature of the emergency and follow his/her instructions.

- j. Non-Office Hours. The commissioner is a member of the Council of State and will probably be notified by telephone of any emergency involving an NCDOL facility/member via the State Emergency Operations Center or the State Highway Patrol. Nonetheless, if an event occurs on the weekend or during other non-office hours or if bureau chiefs and supervisors receive a warning or notification of an emergency/disaster outside working hours, all bureau chiefs will activate their telephone tree and notify personnel of the situation.

Bureau chiefs should also notify the State Emergency Operations Center 24 hour warning point at toll free 1-800-858-0368 about the emergency.

If personnel arrive at work and find that they cannot enter the building, they are instructed to return home or to a safe location and contact their supervisor(s).

- k. Office Hours. Upon notification of an impending or actual emergency/disaster during normal working hours, bureau chiefs and administrators will initiate notification via telephone tree and confer with the commissioner, chief of staff, OSH deputy commissioner and assistant deputy commissioner for appropriate actions/COOP activation.
- l. Alert and Notification. If NCDOL leadership receives a credible threat against an NCDOL facility, the COOP plan may be activated. The commissioner, or in her absence, the chief of staff, is assigned responsibility for the initial receipt and dissemination of alert messages. The initial alert received from the commissioner will be through normal communications channels; i.e., telephone and email. Information provided will be as complete as practical but will not be delayed in order to develop a comprehensive situation report. If necessary, personnel will be evacuated from the threatened facility(s) in a safe and orderly manner.
- Methods to Notify Personnel. Since bureaus are placed in diverse locations, bureau chiefs and administrators must use the most appropriate means to notify personnel of the incident and activation of the COOP plan. Bureau chiefs and administrators must explain to each employee the preferred means of reporting emergencies, such as telephone, email, direct contact and intercom system. Radio and television broadcasts can be used to notify personnel at home or away from the area. Personnel should be encouraged to listen to radio or television news broadcasts to stay abreast of any emergency situation.
 - Record Notification. When a call or other notification is received by a member of NCDOL in a telephone tree, the information should be carefully annotated to ensure that it is passed accurately to the next person in the tree.
 - Unsuccessful Attempts to Notify. Each person on the tree should make a second attempt to contact those individuals who were not initially available. If the second attempt is unsuccessful, a voice mail, if possible, will be left notifying the member of the situation. Then, the notifying person should skip downward on the tree and call the next person below.

- Report Unsuccessful Contacts. Each member must keep a record and report all unsuccessful contact attempts to his/her supervisor, who will notify the bureau chief. The bureau chief will compile the data in a report to the commissioner or chief of staff.
- m. Alert Notification Messages. The specific actions and subsequent alert notification message(s) circulated by the commissioner will depend on the specifics of the situation. Any action taken would depend on several factors, including the level of threat and the advice of law enforcement and intelligence agencies. The safety of NCDOL personnel will be the primary factor when formulating an alert notification message.

The types of messages that will be circulated include:

- **Stand By:** This is a notification that a situation has occurred that may require COOP activation. The main point of this message is to inform personnel to stay tuned for further information.
 - Example: ATTENTION, THIS IS NOT A DRILL! At ____ (time) today the Commissioner of Labor received a report of an emergency involving _____. Please remain at your desk/home/location and await further information.
- **Shelter in Place:** This message advises personnel to stay inside and avoid certain areas. An emergency may prevent the safe evacuation of a facility and requires steps to isolate personnel from danger by staying indoors.
 - Example: ATTENTION, THIS IS NOT A DRILL! At ____ (time) today the Commissioner of Labor received a report of an emergency involving _____. You are requested to stay inside the facility in (Specified) area. Secure all entrances and ensure no unauthorized individual(s) leave or enter the facility. Supervisors are responsible for accounting for subordinates and ensuring no one leaves the safe area.
- **Evacuation:** When conditions become too dangerous for people to stay in the facility the alert notification message needs to trigger the evacuation.
 - Example: ATTENTION, THIS IS NOT A DRILL! At ____ (time) today the Commissioner of Labor received a report of an emergency involving _____. You are requested to evacuate the facility. Proceed calmly to the nearest exit and leave the building immediately. Please proceed to your designated assigned area. Roll will be taken immediately and further instructions will be provided at the assembly area.

When an evacuation is in progress, or fire alarm is activated, all staff and visitors must leave the building immediately. Never assume the alarm is only a drill. Close the door to your office as you leave. Use the nearest stairwell, not the elevator, to exit the building. Move from the building or to your designated rally point outside the facility. Wait for the "all clear" signal from emergency services before entering the building.

- n. National Terrorism Advisory System. The commissioner can also receive threat information from the federal government via the Department of Homeland Security National Terrorism Advisory System.

The National Terrorism Advisory System, or NTAS, has replaced the color-coded Homeland Security Advisory System (HSAS). This system will more effectively communicate information about terrorist threats by providing timely, detailed information to the public, government agencies, first responders, airports and other transportation hubs, and the private sector. For information about current threat levels visit the NTAS website:

<http://www.dhs.gov/national-terrorism-advisory-system>.

- o. Shelter-in-Place. Should an incident occur during working hours, NCDOL employees may be advised to seek shelter-in-place. The term “shelter-in-place” means selecting a small, interior room, with no or few windows, and taking refuge there until an all clear signal has been issued. Shelter-in-place is intended for events lasting several hours and is not generally intended to address events lasting several days.

At the onset of an event, emergency responders will assess the situation, and depending upon the nature of the emergency, the initial decision will be made as to whether sheltering-in-place is the safest option. If a shelter-in-place order is issued, the commissioner will notify senior leadership. The order may come from the commissioner, but will be coordinated with local fire and rescue services, police and local authorities.

If NCDOL personnel are asked to shelter-in-place at work, follow the directions provided below:

- i. Stay calm.
- ii. If you are close to a building entrance, inform anyone standing outside that a shelter-in-place order has been issued and that they should come inside immediately.
- iii. If there are visitors present, direct them to the designated locations.
- iv. Shut and lock all windows, doors and any other openings into the building, but do not lock or block emergency exits.
- v. If there is danger of an explosion, close all window shades and curtains.
- vi. Have building engineers familiar with the building’s ventilation systems shut off all fans, air conditioners, heaters and any other units that draw outside air into the building.
- vii. Gather your personal belongings and go to the room designated as a shelter-in-place location.
- viii. Post a sign on the outside of the room stating “Shelter-in-Place.”
- ix. Once everyone is inside the shelter-in-place location, close the door.
- x. Write down the name of everyone in the room.
- xi. Listen to the radio or television for updates on the situation.
- xii. Stay in the shelter-in-place location until local responders or the commissioner give you the “all clear.”

Phone, radio, police/fire loudspeakers, emergency email, or intercom systems may be used to notify personnel to shelter-in-place. If these sources are unavailable, use your best judgment to issue the order. You should have on-hand some type of communication device during a

shelter-in-place situation to ensure better coordination and to keep informed of the event (i.e., cell phones, walkie-talkies).

12. **Phase I – Assessment, Relocation and Devolution.**

- a. General. The following procedures are to be followed in the execution of the COOP plan. The extent to which this will be possible will depend on the emergency, the time available, whether personnel are on duty or off-duty, and the extent of damage to the affected facility and its occupants.
- b. Assessment. NCDOL personnel possess capabilities, which if effectively used in the event of a disaster, would save lives and property. These capabilities include manpower, safety and health expertise and other specialized skills.

It is impossible to predict the specific disaster and effects upon NCDOL that would occur. Therefore, when disaster strikes the commissioner and staff will assess the situation using available intelligence data and implement COOP procedures as dictated by the incident. The assessment phase will include:

- Phase I Assessment. The first function of the assessment phase is to continuously analyze information received from all law enforcement, intelligence and state agencies and to determine the nature and degree of the threat to lives and property.
 - Phase II Assessment. The second function of the assessment phase is to determine which NCDOL facility will be affected by the threat/impending disaster, and to issue an alert notification to personnel located in the specific facility(s).
 - Phase III Assessment. The third function of the assessment phase is to determine the status of NCDOL employees working at the time. Bureau chiefs must ensure all personnel are accounted for and whereabouts documented in a detailed report to the commissioner.
 - Phase IV Assessment. The commissioner must designate a single focal point for information collection, information sharing, and command and control.
- c. Receipt of COOP Alert. Upon receipt of a COOP alert from the commissioner, the chief of staff will notify the deputy commissioners and communications director. They will notify all bureau chiefs and administrators. The bureau chiefs and administrators will notify their staff using their internal telephone tree. Notification may be via personal contact, telephone, cell phone, pager, radio and TV broadcasts, or a combination thereof.
 - d. Key Notifications. The chief of staff or designee will notify the State Emergency Operations Center (1-800-858-0368), State Capital Police (919-733-3333), State Highway Patrol (919-733-7952) and if necessary the Governor's Office (919-733-5811) that an emergency relocation of NCDOL personnel is anticipated or is in progress.

- e. Initial Actions. Based on the situation and circumstances of the event, the commissioner will evaluate the situation and support needed to continue the affected division or bureau's mission-essential functions and select an appropriate alternate facility, including telework.

The following highlights initial actions that will be taken, but not necessarily in this order:

- i. The mobilization of NCDOL leadership begins with an identification of a credible threat, a potential emergency or notification of an actual event.
- ii. With any of these situations, the commissioner consults with the chief of staff, deputy commissioners, and communications director at a designated location.
- iii. Senior management recommends to the commissioner to move from normal operations to COOP activation.
- iv. As the situation is developing the chief of staff, on behalf of the commissioner, coordinates a process of evaluation to determine the extent, scope, breadth and severity of the incident.
- v. The evaluation received from the chief of staff will determine the extent of the NCDOL COOP activation.
- vi. At the direction of the commissioner, bureau chiefs and administrators will assemble the DART team for COOP activation and relocation.
- vii. Bureau chiefs and administrators notify the DART to expect the relocation of the affected facility at a specific timetable.
- viii. DART members will notify personnel, who are identified for telework to report home and then travel to the alternate location to prepare the facility to receive additional personnel.
- ix. Mission-essential personnel deploy to the alternate location or telework.
- x. Bureau chiefs and administrators identify remaining documents and assets required for the mission-essential functions and begin preparations to have them moved to alternate location.
- xi. Implement security procedures at the alternate location and ensure State Capital Police or local police have secured the evacuated facility.
- xii. Start mission-essential functions at alternate facility.
- xiii. The bureau chiefs and administrators will notify the directors or deputy commissioners that relocation is complete and provide contact numbers. The deputy commissioners will notify the commissioner and chief of staff.

- xiv. As appropriate, news media, outside customers, vendors and other service providers are notified by the communications director that NCDOL has temporarily relocated one of its facilities.
 - xv. If needed, Labor One (mobile classroom) may be used as a mobile command post for the commissioner to observe relocation operations. Communications with the mobile command post must be established before the commissioner transfers headquarters to mobile command post.
 - xvi. If appropriate, bureau chief and administrators will add road signs that direct personnel to alternate facility.
- f. Vital Records and Databases. Bureau chiefs and administrators must identify emergency operating records, legal and financial documents essential to the continued functioning of the bureau. Bureau chiefs and administrators must ensure personnel keep detailed records of expenditures. Also, procedures must be in place to make sure vital documents are backed up on the LAN, disks or CDs. Those include, records having such value that their loss would significantly impair mission-essential functions of the division. The definitions below describe such records:
- i. Emergency Operating Records. These include records and databases essential to the continued functioning or reconstitution of NCDOL during and after a COOP event. Examples include emergency plans and directives, orders of succession, delegations of authority, staffing assignments, and related records of a policy or procedural nature that provide agency COOP personnel with the guidance and information resources necessary for conducting operations during a COOP situation, and for resuming normal operations at its conclusion.
 - ii. Legal and Financial Records. These include vital records critical to carrying out NCDOL's essential legal and financial functions and protecting the legal and financial rights of individuals directly affected by NCDOL activities. These include records having such value that their loss would significantly impair the execution of essential agency functions, to the detriment of the legal or financial rights and/or entitlements of NCDOL or the affected individual(s). Examples of this category of vital records are accounts receivable; contracting and acquisition files; official personnel records; Social Security, payroll, retirement, and insurance records; and property management and inventory records.
 - iii. Databases. It is imperative that bureau chiefs consider unique or critical information systems requirements in their planning and identify these critical systems to Information Technology.
 - iv. Records of Expenditures. Each employee must keep detailed records of expenditures; i.e., costs incurred during or receipts from a disaster response and COOP operations for the purpose of reimbursement claims for disaster expenses. Expenses related to a declared disaster are paid by FEMA through their reimbursement process. Detailed records thus are essential to support requests for reimbursement.

- g. Go Kits. Packages of records, information, communication and computer equipment, and other items needed to sustain the mission of the division. Each bureau chief is responsible for providing guidance to staff on the requirement for and the contents of these kits, which may contain such items as software, databases, publications, laptop computers, etc. If the bureau has any special resource requirements then the bureau chief is responsible for addressing that issue with the appropriate internal or external agency.

13. **Phase II – Operations.**

- a. General. Upon activation, the commissioner, chief of staff, deputy commissioners and assistant deputy commissioner will initiate operations to support COOP activation to include:
- Monitor and assess the situation that required the relocation.
 - Monitor the status of personnel and resources.
 - Establish and maintain contact with the Governor's Office, State Bureau of Investigation, North Carolina Department of Public Safety, State Capital Police or local police/sheriff's office.
 - Disseminate emergency action information to the commissioner, senior staff, and supervisors and team members.
 - Plan and prepare for the restoration of operations at the facility or other alternate/long-term facility.
 - If necessary, schedule video and/or audio conferences at regular intervals.

Personnel needed to continue mission-essential functions will be identified by the bureau chief. However, the most critical personnel are those of Information Technology. If they do not setup and provide computers and software, LAN and email access, some of the mission-essential functions will be severely hampered.

- b. Disaster Assessment and Recovery Team Responsibilities: The DART will be convened by the affected bureau chief or administrator and briefed on the incident. The DART will discuss any emergency preparedness issues and make policy recommendations to the bureau chief or administrator. The OSH assistant deputy commissioner or designee will attend DART meetings on behalf of the commissioner. The bureau chief or administrator will provide the OSH assistant deputy commissioner with one primary and two alternate contacts during office and non-office hours. The OSH assistant deputy commissioner will provide this information up the chain of command.

The DART will coordinate the duty schedule and any policies associated with the incident through face-to-face meetings, video or audio teleconference with subordinate personnel. The duties of the DART include:

- The Transportation and Move Team. The OSH deputy commissioner or designee will contact the North Carolina Department of Public Safety, Adult Correction Division at 919-733-2126 to see if manpower and vehicles can be provided to move salvageable material to alternate facility. The Transportation and Move Team will coordinate these activities and work with corrections personnel to deliver the material to the right building and office space within the facility.

- Voice Communications Team. The voice communications team will coordinate with appropriate communications specialist/agency to ensure all necessary communications systems are established, adequate and functioning properly. They will also ensure any faulty or inadequate communications are repaired in a timely manner.
 - Information Technology Team. All information technology (IT) personnel are expected to exercise appropriate measures to ensure security of systems. Access to the computer equipment area at the alternate location will be limited to Information Technology personnel and/or supervisor. The Information Technology Team will ensure access by other personnel or service personnel is closely monitored.
 - Coordination and Administrative Duties. As soon as possible following arrival at the alternate location, the DART will coordinate the transition of mission-essential functions to the new location. The DART will disseminate administrative and logistics information to essential personnel and administrative personnel. This information should generally cover the operational procedures for the next 30 days. Essential personnel should receive continual briefings and updates from DART.
 - Work Schedule and Log Book. Normal work schedules at the alternate location will be modified by DART/supervisors to accommodate the emergency situation. A log book will be maintained at the entrance/exit to the facility. All personnel will log out and in when leaving or returning to the facility.
- c. Performance of Mission-essential Functions: Mission-essential functions are a direct public service; the cessation would immediately affect the safety, health, subsistence, and welfare of the public, or would have a financial impact such that the ability of the division to operate would be curtailed.

OSH Division Mission-essential Functions

The OSH Division is the lead agency with the responsibility of fostering safe and healthy workplaces for more than 4 million employees and migrant workers in over 200,000 workplaces in North Carolina.

All personnel designated by OSH bureau chiefs shall ensure that mission-essential functions can continue or resume as rapidly and efficiently as possible during an emergency relocation. Any task not deemed mission-essential must be deferred until additional personnel and resources become available.

As feasible, bureau chiefs will continue the following mission-essential functions:

1. Compliance safety and health inspections.
2. The special emphasis programs (SEP).
3. Special investigations (e.g., Fat/Cat, accidents).

4. Documentation of inspections and case file management.
5. Processing of reports and verification of hazard abatement.
6. Continuation of necessary legal proceedings.
7. Abatement of safety and health deficiencies.
8. Report safety and/or health hazards, unsafe conditions and unsafe practices.
9. Provide standards interpretations.
10. Administer the adoption of federal standards.
11. Review and respond to federal compliance directives/policies.
12. Maintain electronic Field Information System (FIS).
13. Perform technical review of variance requests.
14. Develop North Carolina State Specific Standards.

OSH Personnel Required to Continue the Critical Functions Above.

- i. Compliance officers – mission-essential functions 1 - 8
- ii. Standards officers – mission-essential functions 9 - 14
- iii. Support personnel – support mission-essential functions 1 - 14

Standards and Inspections Mission-essential Functions

All personnel designated by bureau chiefs or administrators shall ensure that mission-essential functions can continue or resume as rapidly and efficiently as possible during an emergency relocation. Any task not deemed mission-essential must be deferred until additional personnel and resources become available.

As feasible, bureau chiefs and administrators will continue the following mission-essential functions:

1. Investigation of complaints regarding alleged violations of minimum wage, overtime, promised wages, child labor, drug testing, and private personnel laws.
2. Documentation of investigations and case file management.
3. Conduct accident investigations.

4. Maintain database to meet Public Records Act requirements.
5. Continuation of necessary legal proceedings.
6. Complete evaluations/inspections.
7. Document inspections either on paper or electronically.
8. Process reports/print documents.
9. Abatement of safety and health deficiencies.
10. Provide standards interpretations.
11. Respond to public inquiries and complaint intake functions.
12. Inspection of amusement devices.

Bureaus required to continue each critical function above.

- i. Wage and Hour – mission-essential functions 1, 2, 4, 5, 7 and 11
- ii. Mine and Quarry – mission-essential functions 2 - 5
- iii. Boiler Safety – mission-essential functions 3 - 4 and 6 - 10
- iv. Retaliatory Employment Discrimination – mission-essential functions 2, 4, 5, 7, 8 and 11
- v. Elevator and Amusement Device – mission-essential functions 3 and 6 - 12
- vi. Support Personnel – support mission-essential functions 1 - 12

Administration Mission-essential Functions.

All personnel designated by bureau chiefs shall ensure that mission-essential functions can continue or resume as rapidly and efficiently as possible during an emergency relocation. Any task not deemed mission-essential must be deferred until additional personnel and resources become available.

As feasible, bureau chiefs will continue the following mission-essential functions:

1. Payroll function.
2. Check writing function.
3. Fiscal-related function regarding availability of funds to perform number 1 and 2.

4. Depositing funds (some bureaus are receipt supported so would have to get money in the bank for them to operate.
5. All operational systems normally supported and provided by IT will be considered critical and necessary for continuous operations unless otherwise defined by NCDOL Senior Management or the proponent business units within the department.
6. As NCDOL essential functions are more specifically defined and/or reduced in scope, economies of scale may be planned by IT to reduce the number of servers that need to be continuously operated and maintained.
7. Employee contact and location.
8. Benefits management including worker's compensation administration.
9. Help to coordinate and disseminate information to the public.
10. Serve as part of the State's Emergency Response Team.
11. Coordinate support efforts with the Administration Division (budget, information technology, legal affairs, communications and human resources) to ensure resources are provided to aide in relocation and recovery efforts.

Divisions required to continue each critical function above.

- i. Financial Services - mission-essential functions 1, 2, 3 and 4
 - ii. Information Technology – mission-essential functions 5 and 6
 - iii. Human Resources – mission-essential functions 7 and 8
 - iv. Communications – mission-essential functions 9 and 10
 - v. Commissioner's Office – Mission-essential Function 11
- d. List of Mission-essential Personnel. Each division is required to develop and maintain a list of mission-essential personnel and conduct an annual update. Below is an example of how sections may list mission-essential personnel:

Responsibility	Position
Review federal standards for state adoption	Standards Officers
Investigate migrant worker fatality	Agricultural Compliance Officer

- e. Devolution. Devolution planning supports overall COOP planning and addresses catastrophic or other disasters rendering a bureau's leadership and staff unavailable to or incapable of performing its essential functions from either its primary or alternate facility.

In the aftermath of a worst-case scenario, the organization must be prepared to transfer all essential functions and responsibilities to personnel in another district.

If a district office cannot carry out its mission essential functions for any reason, the commissioner will then determine which district office to transfer the mission essential functions of the affected office.

The following delineation structure is provided for guidance to support the commissioner's decision-making process in the event that this catastrophic scenario arises.

- i. If the Lake Boone Trail office cannot fulfill its mission essential functions for any reason, the Wilmington office will assume the responsibility for ensuring the continuous performance of the Lake Boone Trail mission essential functions.
- ii. If the Wilmington office cannot fulfill its mission essential functions for any reason, the Lake Boone Trail office will assume the responsibility for ensuring the continuous performance of Wilmington's mission essential functions.
- iii. If for any reason the Winston-Salem office cannot maintain responsibility for the execution of mission essential functions, the Charlotte office will be prepared to assume responsibility for Winston-Salem's mission essential functions.
- iv. If for any reason the Charlotte office cannot maintain responsibility for the execution of mission essential functions, the Winston-Salem office will be prepared to assume responsibility for the Charlotte office mission essential functions.
- v. If for any reason the Asheville office cannot maintain responsibility for the execution of mission essential functions, the Charlotte office will be prepared to assume responsibility for the Asheville office mission essential functions.
- vi. If for any reason the Labor Building located at 4 West Edenton St., Raleigh, NC, cannot maintain responsibility for the execution of mission essential functions, the commissioner will transfer her office and all mission essential functions to 111 Hillsborough St. Raleigh, NC.
- vii. If for any reason 111 Hillsborough St. Raleigh, NC cannot maintain responsibility for the execution of mission essential functions, the commissioner will transfer the facilities mission essential functions to the Lake Boone Trail office.

If the devolution option is exercised by the commissioner, supervisors will be responsible for:

- Identifying and prioritizing essential functions and determine necessary resources to facilitate their immediate and seamless transfer to a devolution site.
- Identify fully equipped and trained personnel at the designated devolution site with the authority to perform essential functions and activities when the devolution option is activated.

- Transfer available personnel and resources to the devolution site that can support all mission essential functions and activities of the devolving office, as listed in this COOP plan.
- Specify to the commissioner how and when direction and control of agency operations will be transferred to the devolution site.
- Ensure the necessary resources (people, equipment, and materials) are available to perform essential functions at the devolution site.
- Establish reliable processes and procedures to acquire resources necessary to continue essential functions and sustain operations for extended periods.
- Brief the commissioner and staff on capabilities that are required to restore or reconstitute the facility to its pre-event status upon termination of devolution.

14. **Phase III – Termination and Reconstitution.**

- a. General. Within 24 to 48 hours of an emergency relocation, the assistant director will initiate operations to salvage, restore, and recover the affected facility(s) after the approval of the governor's office, State Bureau of Investigation and/or and the North Carolina Department of Public Safety. Reconstitution procedures will commence when the commissioner ascertains that the emergency situation has ended and is unlikely to recur. Once this determination has been made, one or a combination of the following options may be implemented, depending on the situation:
 - Continue to perform mission-essential functions at the alternate location.
 - Begin an orderly return to the affected facility and reconstitute full operations.
 - Begin to establish a reconstituted facility in some other facility in the district.
- b. Reconstitution and Termination Plans. Bureau chiefs and administrators are responsible for developing Reconstitution and Termination Plans and Schedules to ensure an orderly transition of all NCDOL functions, personnel, equipment and records from the alternate location.
 - The commissioner will approve the plans and schedules prior to the cessation of operations.
 - The director will oversee the reconstitution and termination process.
 - All relocated personnel will continue to report their status to the commissioner through their respective bureau chiefs and administrators as long as they remain in the alternate facility.
 - The commissioner will authorize staff to reenter affected or threatened facility when the appropriate clearance is received from the governor's office, State Bureau of Investigation or the Department of Public Safety that reentry is safe.
 - Bureau chiefs and administrators will monitor personnel for any signs of medical and/or mental health conditions that may require medical attention.

15. **Plan Development and Maintenance.**

- a. **Responsibility.** Primary responsibility for the department's COOP Plan falls under the duties of the Emergency Response/Homeland security coordinator (ER/HS) and alternate who have been designated by the OSH deputy commissioner. The ER/HS coordinator will:
- Publish COOP plan and ensure plan is reviewed and updated.
 - Manage the NCDOL COOP program and serve as office of primary responsibility (OPR) for activities and questions concerning the COOP program.
 - When missions and responsibilities change, ensure COOP is updated to reflect changes.
 - Design training programs supporting COOP readiness.
 - Exercise the COOP plan at least annually to enhance COOP readiness.
 - Develop methodologies to resolve or mitigate COOP shortfalls.
 - Share lessons learned and solutions with NCDOL personnel.
 - Maintain and update procedures and incorporate in the COOP Plan.
 - Recommend policy and rule change to disaster preparedness as needed.
 - Work to strengthen cooperation between bureaus to ensure effective response and recovery from an emergency situation.
- b. **COOP OPR Designations.** Each bureau chief and administrator will designate an office of primary responsibility (OPR) for the COOP program to serve as the point of contact for all COOP activities.

16. **References.**

- a. North Carolina Executive Order #102 (Continuity of Operations and Continuity of Government Planning)
- b. NC General Statute 143B.
- c. NC General Statute, Chapter 14, Article 36A
- d. Title 10, USC, Section 8013(g).
- e. Executive Order 12656, Assignment of Emergency Preparedness Responsibilities, 18 Nov 1988.
- f. Presidential Decision Directive 67, Enduring Constitutional Government and Continuity of Government Operations, 21 Oct 1998.
- g. Federal Preparedness Circular 65, Federal Executive Branch Continuity of Operations (COOP) 26 July 1999.
- h. National Institutes of Health, Division of Emergency Preparedness and Coordination Handbook.
- i. Federal Emergency Management Agency (FEMA) Concept of Operations Plan.

- j. Emergency Management Guidelines for Developing an All Hazards Continuity of Operations (COOP) Plan for Businesses.
- k. Florida State Courts System, Continuity of Operations Plan (COOP) Template.
- l. Homeland Security Presidential Directive 3, *Homeland Security Advisory System*, dated March 11, 2002.
- m. Homeland Security Presidential Directive 5, *Management of Domestic Incidents*, dated February 28, 2003.
- n. Homeland Security Presidential Directive 7, *Critical Infrastructure Identification, Prioritization, and Protection*, dated December 17, 2003.
- o. Homeland Security Presidential Directive 8, *National Preparedness*, dated Dec 17, 2003.
- p. Title 36, CFR, Part 5 1236, *Management of Vital Records*, revised as of July 1, 2000.