DEPARTMENT OF CORRECTIONS

Policy Number:	**105.012**
Title:	**Continuity of Operations**
Effective Date:	**3/17/20**

PURPOSE: To provide procedures for the recovery of time-sensitive business operations in the event of disruption to services.

APPLICABILITY: Department-wide

DEFINITIONS:
Continuity of operations plan (COOP) – a plan that may be utilized in the event of a disruption of services lasting more than eight hours or when categorically necessary.

Emergency relocation group (ERG) – immediate response group which reports to the continuity site to perform essential functions or other tasks related to continuity operations. The ERG consists of the incident commander, command team, and general staff (section chiefs) and necessary recovery teams as designated by the recovery timeline and the incident.

PROCEDURES

A. General Requirements

1. Each site of the DOC maintains the necessary continuity of operations plan(s) (COOP) to be utilized in the event of disruption of services.
   a) These plans provide for the backup and replacement of time-sensitive operations.
   b) The complete COOP containing timelines, team membership, and recovery strategies is maintained as a separate document accessible to specifically designated employees and is not accessible to the public.
   c) The COOP and its development archive are security information as defined in Minn. Stat. § 13.37.

2. The DOC must meet the recovery timeline objectives identified in the COOP.
   a) This may require some team members and employees to work longer hours, different shifts, holidays, and/or weekends.
   b) DOC employees have a responsibility to perform work as assigned during emergency situations. Employees are not required to carry out responsibilities for which they are untrained or unqualified, or assignments that put them into immediate danger of serious injury or death. However, employees may be asked to perform duties other than normal job responsibilities during an emergency situation.
   c) To the extent possible, when additional assistance is necessary, assignments must be completed by qualified employees who volunteer for such work.

B. Activation and notification of COOP

1. COOP may be activated if a business interruption is anticipated to last longer than eight hours or is in one or more of the following categories:
   a) Events with the potential for loss of the location;
   b) Loss of one or more of the department's services;

c) Disruptions with vendor partnerships;
d) Cyber-attack;
e) Organizational threats; and
f) Employee shortages due to events, such as pandemic.

2. COOP must not be activated solely for employee work stoppage. COOP may be activated if the work stoppage causes an interruption in one of the categories listed in Procedure B, Subdivision 1.

3. Initial notification and any subsequent employee notifications of the situation must be as outlined in the incident notification policy and procedures document in the foundations section of the COOP.
   a) As with all situations, an incident command system (ICS) activation must be the first response.
   b) If time permits, the emergency relocation group (ERG) must convene and process all available information to make an emergency declaration decision.
   c) If time is of the essence, the incident commander/designee may declare an emergency.
   d) The incident commander/designee has sole authority to determine the activation and deactivation of the entire COOP or separate phase/teams of the COOP.

4. Members of disaster recovery teams and work assignments distributed to those employees must be based on the skill sets required to recover the time-sensitive functions outlined on the recovery timeline.

C. Work and leave during an emergency
1. During an emergency, Minnesota Management and Budget (MMB) HR/LR Policy #1437, as well as applicable bargaining unit and/or current policy language, must govern work provisions and/or leaves during an emergency, including recall of staff on vacations.

2. In circumstances where cancellation or recall cannot be avoided, applicable bargaining unit and/or current policy language may apply.

D. Plan testing
1. At least annually, each site must test the COOP using at least one of the following types of exercises:
   a) Announced exercise
      1) Employees are prepared in advance for the exercise.
      2) The exercise objectives and scenarios are defined.
      3) Employees understand that it is an exercise and not an actual recovery operation and are aware of how the exercise is evaluated.
   b) Unannounced exercise
      Employees are not prepared in advance for the exercise. Exercise objectives and scenarios are explained at the initiation of the exercise.
   c) Procedure verification exercise
      Employees review the day-to-day operations using written recovery scripts.
   d) Simulation exercise
      Employees walk through the procedures and explain what their roles and duties would be in the event of an actual disaster.
   e) Actual operations exercise

Assigned business continuation personnel execute their responsibilities with or without gaining access to the local area network at their designated recovery location site.

2. Upon the conclusion of any exercise, debriefings must be conducted with all involved staff to prepare an After Action Report Summary and, if necessary, a Corrective Action Plan (on the Compliance and Risk Management iShare site).
   a) Reports must be reviewed by the COOP team members.
   b) An executive summary must be written and disseminated to the appropriate executive team/agency heads and COOP team leaders.
   c) The COOP must be revised if necessary under the direction of the DOC agency continuity manager.

E. COOP maintenance and review
1. Twice annually and upon notification by the DOC agency continuity manager, each COOP team must:
   a) Complete the desk check exercise and make necessary updates to their procedures and overall plans;
   b) Complete and sign the COOP Certification (on the Compliance and Risk Management iShare site);
   c) Submit the original, signed desk check exercise form and COOP Certification to the COOP coordinator at their site; and
   d) Have COOP coordinators sign the certifications. The original forms must be retained by the facility COOP coordinator according to the COOP retention schedule available on the Records Retention iShare site. The certifications and desk check form must be scanned to the DOC agency continuity manager.

2. The DOC agency continuity manager must ensure any revisions to the COOP are reviewed and approved by the planning team.
   a) Major changes to the COOP must also be reviewed with the appropriate facility/agency head before proceeding.
   b) Approved changes must be made to the appropriate plans in the planning software.

3. All facilities must maintain two system users to keep the plans updated. Central office staff must maintain system users by department.

4. Meeting minutes must be taken for all meetings and retained by the facility coordinator according to the COOP retention schedule.

5. All other COOP documentation must be retained according to the COOP Retention Schedule.

6. All COOP team leaders and alternates must sign the COOP Internal Control Certification form when they receive their books and when they leave the team leader/alternate position. Forms are on the Compliance and Risk Management iShare site under Business Continuity. Forms must be retained by the COOP coordinator

F. All COOP team leaders and alternate leaders are required to hold an annual training with the people in their COOP team. Incidental trainings should be held as necessary for new staff.

INTERNAL CONTROLS:

A. COOP certifications, internal control certifications, and meeting minutes are retained by the appropriate COOP coordinators according to the COOP retention schedule.

ACA STANDARDS: 2-CO-3B-01, 2-CO-3B-02, and 4-APPFS-3D-13

REFERENCES: Minn. Stat. §§ 241.01; 13.37; and 43A.04, subd.4
Governor's Executive Order 19-23 April 4, 2019
MMB HR/LR Policy #1437, "Emergency Closure of State Agency Facilities"
MMB HR/LR Memo #2019-1, "Emergency Closure of State Agency Facilities – FAQ"
Bargaining Agreements and Plans

REPLACES: Policy 105.012, "Continuity of Operations," 11/5/19.
All facility policies, memos or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: COOP Retention Schedule (on the Records Retention iShare site)
Corrective Action Plan (on the Compliance and Risk Management iShare site)
COOP Internal Control Certification (on the Compliance and Risk Management iShare site)

APPROVALS:
Deputy Commissioner, Community Services
Deputy Commissioner, Organizational Services
Assistant Commissioner, Facility Services
Assistant Commissioner, Office of Strategic Planning, Implementation, and Employee Development