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<b>Effective Date: October 2000</b>	<b>Revision Date: September 2017</b>
<b>Amends/Supersedes: 1600.50/March 2008</b>	<b>Approved by: Chief Kevin Higdon</b>
<b>Meets Accreditation Standard:</b>	<b>10.1</b>

## **Section 500.30 OVERTIME POLICY**

### **Overtime Policy Statement**

The need to provide adequate shift coverage is imperative to ensure efficient services to the community. Equally important, is the need to provide adequate "manpower" for Radio Room and Patrol services and to avoid officer safety issues.

Emergencies or events arise that require members to work additional hours in order to continue normal police services. Some of these emergencies are natural events and some are not. This policy shall establish a procedure to manage the implementation of overtime for employees in a fair and equitable manner. However, the office of the Chief of Police reserves the right to cancel any overtime as necessary.

The intent of this policy is to primarily deal with overtime that is created when an employee can not report for work and creates an inadequate coverage of the shift. However, other overtime situations may apply. Overtime that is mentioned in this policy is still subject to the standards set forth in any bargaining agreement or State law.

Members while in training may be ineligible for overtime, unless granted by the Chief of Police.

### **This Policy recognizes four (4) categories of overtime:**

**I Scheduled Overtime-** any overtime that is not an emergency and is known far enough in advance to allow the posting of the dates, times and reasons for the overtime.

**II Unscheduled Overtime-** A sudden change in the staffing of a shift that affects the acceptable level of coverage. Also, unscheduled overtime may be needed when scheduled overtime has not produced any results. This is a serious situation that will be addressed in an expedient manner.

**III Forced Overtime-** A sudden change in the staffing of a shift that affects the acceptable level of coverage and unsuccessful attempts have been made to cover the shift, by use of unscheduled overtime. This is an emergency situation that requires an employee to work up to 8 hours past his/her normal shift.

**IV Other Overtime Situations-** any overtime that exists that does not directly affect the staffing level of a shift.

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## **I Scheduled Overtime**

When scheduled overtime is needed for Patrol or Telecommunications, the Chief of Police or designee will post an overtime list, as soon as possible.

If any scheduled overtime is not signed up for by a member within 72 (seventy-two) hours prior to the needed time, the overtime will become forced. (See Forced Overtime Procedures). There will be no need to call the Voluntary Overtime list.

If an employee cannot work the scheduled overtime for which he/she was signed up due to an emergency, the member shall contact the person responsible for that schedule as soon as possible. An attempt to reassign the scheduled overtime shall be made by using the Voluntary Overtime List (See Voluntary Overtime List) to cover that overtime. If attempts fail, the overtime may become forced. Any officer who takes scheduled overtime by rule of seniority or by taking an entire 8(eight) hour shift must do so at least 72 (seventy-two) hours prior to the overtime shift. That officer must notify the on-duty commanding officer or OIC. The on-duty commanding officer or OIC will be responsible for notifying the officer whose overtime has been canceled on a recorded line.

An officer may take scheduled overtime for an entire 8 (eight) hour shift and cancel any officer who has signed up for only 4 (four) hours regardless of rank or seniority. That entire 8 (eight) hour block of scheduled overtime will then be subject to the seniority rule.

## **II Unscheduled Overtime**

The Chief of Police or designee may declare that a serious situation exists when there are not enough personnel to cover the scheduled shift assignment. Example: An employee calls in sick or scheduled overtime has not produced any results; therefore, unscheduled overtime may be required in order to cover that shift.

### **Procedure for Unscheduled Overtime:**

The department shall maintain a VOLUNTARY OVERTIME list. This list shall be maintained in a prominent location and shall contain all the names of members interested in being contacted if the need for unscheduled overtime arises. This list shall be seniority based; however a system shall be in place as to distribute the opportunity for the overtime in a fair and reasonable manner.

This list shall not exclude or alter a member's position on the forced overtime list. (See Forced Overtime List).

When the on duty commanding officer becomes aware that a shortage will exist on the next shift and may create a need for overtime, the commanding officer shall:

- Attempt to contact any part time employee (Flex Platoon), to cover the shift.
- Activate the Voluntary Overtime List (V.O.L.). The commanding officer will be

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responsible for contacting personnel on the V.O.L.

- If no contact can be made with the first member on the list, written notation shall be made that no contact was made. An attempt to contact the next member will be made. If the next member is reached, but declines the overtime, his/her name is marked out and placed at the bottom of the list, with written notation that the member was contacted and will not work the OT. If a member on the list is already working he/she will be bypassed on the list with an indication made that the member is working.
- If a member is reached and accepts the overtime, his/her name shall be marked out and placed at the bottom of the list, with written notation that the member was contacted and will work the OT.
- If a member accepts four hours of the overtime available the only open hours are the other four hours. If no one accepts those four hours it will then become a force situation.
- At no time will anyone be allowed to take unscheduled overtime that was already accepted.

If the V.O.L. has been cycled through and has not produced the necessary personnel, the commanding officer shall activate the FORCED OVERTIME LIST.

### **III Forced Overtime**

Whenever scheduled overtime or unscheduled overtime procedures have failed, an emergency situation exists to maintain at least a minimum level of shift coverage. Forced overtime shall be mandatory for all personnel and when called upon it shall be the duty of that officer or officers to cover the entire shift, if necessary.

The Chief of Police has the discretion to alter work schedules if necessary, under the above circumstances.

#### **Procedure for Forced Overtime**

Dispatch and each platoon shall maintain a "Forced Overtime List" (F.O.L.), accessible to all. The said list will provide information as to who is up for the next force. This information shall be updated as needed, so that future forced overtime can be distributed evenly and fairly. The list shall have the name of each shift member, date of forced overtime and number of hours forced. The F.O.L shall be a standard department issued form.

In the event forced overtime becomes necessary the commanding officer shall activate the Forced Overtime List (F.O.L). by consulting the list to determine the names of the scheduled employee(s) for the shifts before and after the shift needing coverage.

- The commanding officer shall establish which employee(s) scheduled on the shifts before and after the shift needing coverage is next to be forced to work overtime. Rank is not an exception.

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- The employee(s) with the least amount of forces shall be required to work.
- If the number of forces is equal, the employee with the oldest force date shall be forced.
- If there are no commanding officers on the shift needing the forced overtime; a commanding officer with the least amount of forces should work the necessary overtime. However, any employee who is up to be forced and eligible to perform in an acting capacity may be designated as the Officer In Charge (O.I.C.), by the commanding officer implementing the Forced Overtime List, and forced to work the overtime.
- No employee can refuse to work forced overtime unless it is an extreme emergency and is approved by the commanding officer implementing the forced overtime. In the event, an employee is exempt from working forced overtime by the commanding officer, because of an extreme emergency, that employee shall remain the next employee on the list to be forced.
- In a forced overtime situation, another officer may volunteer to cover the overtime within 72 (seventy-two) hours of the overtime shift. This may only be done in an agreement with the officer being forced and must be approved by the on-duty commanding officer.

An employee who has fallen behind in forces because of an extended absence of 30 days or more from their shift due to illness, injury, military leave or FMLA leave shall be placed one force behind the employee with the least number of forces on the shift and be next up for force upon returning to the shift. This does not include extended vacation, personal day or holiday leaves.

An employee who transfers or is voluntarily reassigned from one shift to another (permanently or temporarily) shall be placed one force behind the employee with the least number of forces on the shift. It will be the responsibility of the Sergeants to update the force lists for their platoons as new personnel are added.

#### **IV Other Overtime Situations**

During the normal course of a tour of duty, unforeseen events occur that may require personnel to work past their normal duty hours. If overtime is incurred because of investigative situations; last minute runs, reports, etc. It will not be considered forced overtime until the member has worked 2 hours or more of overtime.

When situations arise such as weather related disasters, mass civil disorders, large and complex crime or accident scenes, or any other situation that requires immediate attention or planning, the commanding officer has the authority to hold over as many personnel as needed to handle the situation. The commanding officer may also confer with the office of the Chief to call out any additional off duty personnel that may be needed.

When a member works overtime under these conditions or natural emergencies, it will

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not affect his/her status on the forced overtime list unless the overtime worked is 2 hours or more. These conditions also include officers working specialized assignments such as;

T.A.C. (Terminal Agency Coordinator)	D.A.R.E
Instructing	Firearms Training
Command Meetings	Platoon Meetings
Seminars	Speaking Engagements

Any other special duty that may involve a member or members of the Shively Police

### **SENIORITY**

- People with rank will override the people with lower rank regardless of years of service. Example (If a person has two years of service and is a Sergeant and another person that has twenty years of service and is a Patrol Officer, the Sergeant will have the seniority over the twenty year Patrol Officer.)
- Seniority within the same rank will be based on years of service within that rank based on the date of promotion. Ranking on the promotional list shall determine seniority for those promoted at the same time.

### **COMPENSATORY TIME**

The Shively Police Department does not have a compensatory time program. Officers are scheduled for forty hours per week and the overtime policies apply for any hours worked beyond the forty.