

Annapolis Police Department



GENERAL ORDER

Number: B.22

**Issue Date: July
2009**

TO: All Personnel

SUBJECT: Overtime

PURPOSE

The purpose of this General Order is to establish clear procedures and guidelines for monitoring, managing and controlling the use of personnel overtime.

POLICY

It shall be the policy of the Annapolis Police Department that all personnel be mindful of and exercise fiscal responsibility in the use of public funds and resources. Overtime pay requires particular attention because it constitutes a sizeable expenditure of agency revenue. Without adequate controls, unplanned expenditures can create budget overruns and divert resources from key operational areas. Therefore, it is the policy of this agency to effectively manage the use of overtime in a responsible and judicious manner.

DEFINITIONS

1. **Overtime** - Work performed in excess of 40 hours in one week or as otherwise established by state law.
2. **Fair Labor Standards Act (FLSA) (29 U.S.C. 207(A))** - Federal law regulating wages and work hours to include provisions for overtime pay.

I. General Provisions

- A. This agency conforms to overtime provisions of the FLSA and applicable state laws. Personnel shall refer to the FLSA policy and labor agreements for details on exempt and non-exempt positions, circumstances in which overtime pay may be granted, rates of payment for all overtime that qualifies for payment at the premium rate and related matters.

- B. Employees have the option of receiving compensatory time in lieu of overtime.
- C. Lieutenants may earn overtime under the following circumstances:
 - 1. The investigation and reporting of a use of force by a subordinate when circumstances require the supervisor be present.
 - 2. Serious injury to a subordinate requiring the supervisor to be present.
 - 3. Resolving a citizen's complaint lodged with the Lieutenant against a subordinate.
 - 4. Off-duty court appearance.
- D. Members who choose to receive overtime pay are required to submit all overtime reports within 24 hours after the overtime was worked unless extenuating circumstances exist.

II. Authorization For Regular Overtime

Overtime will not be paid unless approved in advance by a supervisor. **Supervisors must exercise prudent judgment in authorizing overtime.** The following are examples how supervisors will reduce work overtime:

- A. All supervisors, sworn and civilian are primarily responsible for managing overtime.
- B. The Chief of Police, or designee, must approve overtime requests designed to fill an on-going personnel vacancy or meet workload requirements (i.e., unfilled vacancies for extended or indefinite periods of time and critical to agency operations).
- C. All supervisors and commanders shall take measures whenever possible to reduce or limit the need for overtime. This includes but is not limited to supervisory efforts to perform the following:
 - 1. Assign non-emergency service calls received near shift change to on-coming shift personnel.
 - 2. Anticipate and manage workload to best utilize regular duty hours.
 - 3. Manage and coordinate leave, training and other requests to minimize manpower deficiencies.
 - 4. Ensure that officers who make arrests late in their shift are assisted in processing prisoners as quickly as possible.
 - 5. Ensure that agency overtime policy, rules and regulations, and the particulars of any labor agreement relative to overtime are adhered to by personnel for court appearances, standby, travel time, training, holiday leave, vacations and related matters.

III. Authorization For Court Overtime

Supervisors should be alert to detect situations contributing to excessive court time or patterns of untimely court appearances. Supervisors will reduce the unnecessary use of court overtime by ensuring:

- A. Arresting officers in misdemeanor incidents conduct tests, take statements or witness any actions/procedures essential to prosecution so that only the minimum number of officer(s) will be needed to testify in court.
- B. Reports and Statement of Charges include only the required number of officers - those who were integral to the arrest and who must be subpoenaed in any subsequent court testimony.

IV. Compensatory Time

A. Sworn personnel below the rank of Lieutenant may accumulate and use compensatory time in accordance with the labor agreement and Chief's Memorandum 08-004A.

- B. Sworn personnel holding the rank of Lieutenant or above may accumulate up to 80 hours of compensatory time. Overtime reports and leave slips will be submitted to the Chief or his designee for approval.
- C. Civilian members may accumulate up to 80 hours of compensatory time.
- D. Compensatory time shall not be used to work secondary employment or overtime assignments. Compensatory time must begin or end at the beginning or end of the member's tour of duty.

V. Reporting, Recording and Analysis

- A. All regular overtime worked or compensatory time earned shall be documented on the appropriate overtime report. The report will be completed prior to submission and approval by a supervisor.
 - 1. A supervisor must approve the overtime and sign in the authorization space on the overtime slip prior to the member working the overtime. When the overtime is complete, a supervisor must certify the time worked on the overtime report prior to submission.
 - 2. One supervisor may sign as the authorizing supervisor while another may certify the hours worked.
- B. Court overtime shall be paid upon the appropriate presentation of a Court Overtime Report signed by a Judge, Juvenile Master, Assistant State's Attorney or Court Liaison Officer. The member will turn the Court Overtime Report in to their immediate supervisor or someone in his/her immediate chain of command for

review and approval. When the supervisor approves the Court Overtime Report, the supervisor will sign the report and then submit it. (Refer to General Order B.3).

- C. The overtime report will be processed through the chain of command to the payroll clerk.
- D. The Payroll Clerk shall maintain overtime and compensatory time records and provide individual and summary data of overtime worked on a biweekly basis to the Chief and command personnel.
- E. Commanders shall monitor individual and summary data reports of overtime expenditures. Commanders will identify unusual, unexplained or disproportionate expenditures in overtime and are expected to take corrective action when necessary.

References
1. Accreditation Standards 22.1.1
2. General Order B.3 Court Appearances, Chief’s Memorandum 08-004A Compensatory Time
3. Fair Labor Standards Act
4. United Food and Commercial Workers Union, Local 400, Annapolis Clerical & Technical Employees, Local 3162 Maryland Public Employees Council, 67 American Federation of State, County & Municipal Employees AFL-CIO

Revision: This is a new General Order