

## Overtime

### 1038.1 PURPOSE AND SCOPE

The Orange County Sheriff-Coroner Department has a legal requirement to compensate non-management personnel for all overtime worked, in accordance with applicable laws and existing MOU. Overtime shall be equitably and fairly distributed based upon management analysis of workload requirements. While the Department recognizes the need for overtime to maintain public safety, it will strive for less costly alternatives. All Department Members have the duty to effectively and efficiently manage overtime. The following guidelines shall be used for overtime assignments.

#### 1038.1.1 DATE POLICY APPROVED OR REVISED

Effective: 04-14-2011

### 1038.2 OVERTIME AUTHORIZATION

Overtime shall only be authorized when necessary to meet the operational, safety, or emergency needs of the Department.

#### 1038.2.1 OVERTIME WORK PERIODS

No Member shall work more than 16 consecutive hours. If a Member works 12 or more consecutive hours, the Member cannot return to duty for at least 8 hours.

1. Exceptions; Unplanned shift extensions (i.e. late call, complete work assignment, court appearances) and emergency situations with the approval of the respective Assistant Sheriff or their designee.

#### 1038.2.2 OVERTIME LIMITS

No Member shall exceed a total of 128 working hours in a pay period (i.e. 80 hours of regular pay + 48 hours of overtime pay) Utilization of leave hours (Admin Leave, Annual Leave, Comp Time, Vacation, Sick, etc.) shall not be included in the calculation of the 128 working hours.

1. Exceptions: Unplanned shift extensions (i.e. late call, complete work assignment, court appearances) and emergency situations with the approval of their respective Assistant Sheriff or their designee.

#### 1038.2.3 OVERTIME APPROVAL

All overtime requests shall be approved in advance by a supervisor. If circumstances do not permit prior approval, then approval must be obtained as soon as practical during the overtime shift and no later than the end of the shift in which the overtime was worked.

#### 1038.2.4 OVERTIME OUTSIDE OF CLASSIFICATION

No Member shall be permitted to work overtime out of their classification without their respective Commander approval.

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#### 1038.2.5 MEMBER RESPONSIBILITIES

1. It is the responsibility of every Member of the Department to maintain fiscal accountability. No Member shall knowingly work overtime that does not meet the Departmental mandate.
2. It shall be the responsibility of all Members to ensure they do not exceed 48 hours of overtime in any pay period. Exceptions: refer to Policy 1038.2.2.
3. Members shall record the overtime hours worked and the correct payroll coding on their respective timecard via the Virtual Timecard Interface (VTI). In the remarks column, the position worked or reason for the overtime should be noted. Members shall not perform Department duties outside of his/her scheduled work hours without reporting overtime worked on his/her timecard.
4. No work may be done outside of a Member's scheduled work hours unless approved in advance by his/her immediate supervisor. Court appearances and law enforcement/public safety emergencies are exceptions. In these instances, the Member shall notify a supervisor as soon as the incident or situation allows the Member to do so, but in no event later than the end of the Member's work shift for that day.
5. Members shall take their breaks and meal periods during their work shift and are required to properly document this on their timecard. In the event that a Member is unable to take a meal break, they are required to report their inability to take a meal break to a supervisor before the end of their shift.
6. Members shall not work uncompensated overtime to prepare for briefing, check emails, check mailboxes, prepare patrol vehicles or any other duties before or after their scheduled work shift.
7. Under no circumstances may a Member who is eligible to receive overtime compensation maintain overtime hours in an informal manner that is inconsistent with established Department policies and procedures.

#### 1038.2.6 SUPERVISOR RESPONSIBILITIES

1. It shall be the responsibility of all supervisors to ensure that any overtime meets a legitimate business need and is consistent with Departmental policy.
2. Supervisors shall give consideration to reasonable rest periods. The supervisor shall deny overtime to and/or relieve from on duty status any Member who has exceeded the listed guidelines. This includes any Member who appears fatigued to the extent that the Member's job performance could be affected or public safety impacted.
3. Supervisors shall monitor the use of overtime and its effects on Member health, fatigue and misuse (i.e. patterns that might indicate abuse of sick leave).
4. Supervisors shall be responsible to review, monitor, and verify all overtime worked by their subordinates. This shall include verifying the overtime was properly coded.
5. Supervisors shall not delegate their authority to review and approve watch lists, timecards or overtime justifications to non-supervisory personnel.

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6. It is the Supervisor's responsibility to distribute all overtime in a fair and equitable manner taking into consideration Departmental needs. Overtime shall be closely monitored as to not overburden any particular Member.
7. Supervisors shall not inhibit by action, statement, or other means any Member's legitimate submission of a report of lawfully approved and earned overtime. If a Member worked approved overtime they are required to promptly report the overtime.
8. All violations of the Department's overtime policy shall be documented and corrective measures or disciplinary action shall be taken.

#### 1038.2.7 COMMANDER RESPONSIBILITIES

1. Commanders are responsible for the use of overtime in their Commands and should ensure:
  - (a) Overtime is used to meet a business or operational need consistent with Department policy.
  - (b) Projected monthly overtime expenses do not exceed the budgeted amounts. In the event it appears overtime expenses may exceed the budgeted amount the appropriate Assistant Sheriff shall be notified.
  - (c) Accurate tracking and accountability of all overtime use.
  - (d) Adherence to the agreements developed in the existing Memorandum of Understandings with various labor groups.
  - (e) Maintenance of a safe, healthy, and secure working environment for Members, the public, and inmates.
  - (f) Compliance with approved policies regarding assignment, scheduling, and overtime usage, including identification of excessive overtime use and accuracy of time reporting. All violations shall be promptly documented and investigated and appropriate action shall be taken.
2. Commanders shall develop and maintain command specific procedures regarding appropriate overtime utilization. These procedures shall be in accordance with all existing Memorandum of Understandings. These procedures shall identify specific instances when the use of overtime is appropriate and when it is not.

These procedures shall be reviewed by OCSD Executive Command staff before implementation. Once approved, Commanders shall introduce and review these site specific procedures with all Members in the Command.

#### 1038.2.8 SHERIFF'S FINANCIAL/PAYROLL RESPONSIBILITIES

Sheriff's Financial/Payroll shall provide to each Commander a copy of the Budget Balance and Forecast Analysis report (provided monthly) and the Overtime Report (Provided Biweekly). The information provided in these reports shall be utilized in the management of each Command's budget.

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#### **1038.3 SHERIFF EXPLORER ADVISORS OVERTIME AND SCHEDULING**

Orange County Sheriff's Department Explorer Post 449 consists of approximately 230 explorers and 40 advisors. Advisors are Department Members who train and mentor the explorers at explorer meetings, events, competitions and other explorer functions. Advisors are deputies or other Department Members and they are assigned to nearly every division in the Department. The explorer program is a Department wide program and it benefits the entire Department and the community of Orange County.

Here are the guidelines for advisor overtime and scheduling for explorer events:

1. Overtime expended for the purpose of conducting regular explorer weekly meetings is paid by the division to which the advisor is assigned.
2. Overtime expended for the purpose of attending monthly advisor meetings is paid by the division to which the advisor is assigned.
3. Overtime expended in order that an advisor may attend an event within a contract city or contract partner (JWA, harbor, courts, OCTA), is paid by the contract City or contract partner if the request was made by that contract city or partner.
4. Overtime expended in order that an advisor may attend an event within an unincorporated area is paid by the division where the overtime is actually worked.
5. Overtime expended in order that an advisor may attend a "Department event" (Medal of Valor Luncheon, funeral, Peace Officer Memorial, Sheriff Academy graduations, etc.), is paid by the division to which the advisor is assigned.
6. Overtime expended in order that explorers may assist an outside agency (e.g. Strawberry Festival-GGPD, Placentia Heritage Day Parade-PPD, etc.), will be paid by the division to which the advisor is assigned.
7. Overtime expended in order that an advisor may attend an explorer academy or explorer competition, will be paid for by the division to which the advisor is assigned.

Divisions are encouraged to accommodate advisors with their scheduled explorer weekly meetings, events and other explorer functions. If the advisor cannot attend the event during their normal work schedule, then overtime should be expended.

Advisors must get their division's approval prior to working any event in which their division is to occur the expended overtime. Advisors should keep their divisions apprised of their explorer events and should always get approval from their respected division before working any explorer event, whether overtime is expended or not.

If an advisor is denied approval to work an event or function, the explorer coordinator (sergeant) shall list the name of the person denying the request on the Explorer Event Planning Form. The explorer coordinator shall notify the explorer director (captain) in all such cases so that it is ensured that all alternatives and options have been explored.