

FLSA Employee Notice and Acknowledgement

335.1 NOTICE

The purpose of this Notice is to remind all Members - line, supervisory, and management - of their obligation to comply with the Department's overtime policy. The Department requires that all eligible Members receive overtime compensation for any legitimate overtime hours worked. Below are detailed rules to ensure compliance with this policy. Failure to follow the overtime policy is misconduct.

Any knowing violation of these rules by any Member, regardless of rank, title or position, shall be immediately investigated and, if sustained, shall be considered misconduct and may result in discipline. Any Member who becomes aware of a violation of these rules shall promptly report it through their chain of command, bypassing the source (individual) of the problem or to the Professional Standards Division. Anyone who believes that they are being pressured or coerced to work overtime without compensation shall report it to his/her chain of command bypassing the source (individual) of the problem or the Professional Standards Division. Supervisors and managers shall not discourage or intimidate Members from submitting overtime requests that are mandated by law and/or Department policy.

Members are strongly encouraged to contact the Professional Standards Division with any questions about this Notice or the Department's overtime policy.

335.2 RESPONSIBILITIES

335.2.1 MEMBER'S RESPONSIBILITIES

1. No work may be done outside the Member's scheduled work hours unless approved in advance by his/her immediate supervisor. Court appearances and emergency situations requiring immediate law enforcement intervention or other immediate response are exceptions. In these critical situations, the Member shall notify a supervisor of his/her overtime status 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 scheduled work shift for that day.
2. The Member shall not perform Department duties outside his/her scheduled work hours without reporting overtime worked on his/her timecard. Department policy is that all legitimate overtime shall be compensated. The Department does not permit Members to work overtime without compensation.
 - (a) Note: The Department has no "unwritten" rule or policy that Members should work overtime without compensation.
3. Members shall take their meal periods during their work shift and are required to properly document this time. In the event a Member is unable to take a meal break,

Orange County Sheriff-Coroner Department

Orange County SD Policy Manual

FLSA Employee Notice and Acknowledgement

they are required to report their inability to take a meal break to a supervisor before the end of their shift.

4. To account for all hours (or fractions of hours) worked by all Members, all time worked shall be documented on the Member's timecard, even if the time was not pre-approved. The timecard entries shall include the Member's ability or inability to take a meal break. Further, Members who submit daily logs or other documentation of their daily activity shall ensure that the reports accurately document both their meal break and their duty time in conjunction with their respective timecards. Members who are not released for a free-time meal period must contact a supervisor before the end of their shift and record their overtime if the supervisor is unable to provide them with a free-time meal period. Moreover, Members are required to use the correct overtime code when documenting their overtime. Failure to request overtime compensation for any overtime worked, whether pre-approved or not, is a violation of Department policy.
 - (a) Note: The Department has no "unwritten" rule or policy that Members cannot request overtime for 15 minutes or less. If the Member worked the overtime, even for one-tenth of an hour, then the Member is required to document the overtime.
5. 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.

335.2.2 SUPERVISOR'S RESPONSIBILITIES

1. Supervisors must ensure that a subordinate is compensated for all legitimately worked overtime, whether pre-approved or not. If a Member violates the Department's overtime policy or procedures, a supervisor shall ensure that the Member signs in or reports the overtime and the supervisor shall counsel (or when appropriate initiate disciplinary actions against) the Member. All violations of the Department's overtime policy shall be documented.
2. In an effort to ensure that Members comply with Department policy regarding overtime, supervisors shall:
 - (a) Monitor Members to make sure they are not working outside their scheduled work hours without compensation and;
 - (b) Review timecards for completion and accuracy. If a timecard is missing a meal break notation, determine if the Member worked through his/her unpaid meal break.
3. If a watch commander or supervisor believes he or she needs to report to work early to prepare for roll call or other duties, he/she shall obtain prior approval from his/her immediate supervisor. If a watch commander or supervisor receives approval to report early for a shift, his/her work hours should be adjusted, if possible, so that they remain consistent with his or her total number of scheduled work hours, barring exigent circumstances.
4. It is a violation of Department policy to unnecessarily inhibit by action, statement, or other means any Member's legitimate submission of a report of lawfully earned

Orange County Sheriff-Coroner Department

Orange County SD Policy Manual

FLSA Employee Notice and Acknowledgement

overtime. If a Member worked the overtime, then the Member is required to submit for the overtime.

5. No supervisor shall request or permit an Member to maintain overtime hours in an informal manner that is inconsistent with established Department policies and procedures.

335.2.3 SUPERVISING OFFICER AND MANAGER'S RESPONSIBILITY

1. Supervising officers and Managers shall ensure that Members adhere to the procedures outlined in this Notice. Supervising officers shall ensure that all violations of the Department's overtime policy are promptly documented and investigated and take appropriate action.

335.3 ACKNOWLEDGEMENT

I have read and understand this Notice. I agree to comply with the rules set forth in the Notice. I understand that any knowing violation of the Department overtime policy is misconduct and will subject me to disciplinary action.