

Germantown Police Department

Policies and Procedures

Number: 1-17
Effective Date: January 1, 2003
Subject: Personnel Overtime
Previous Revisions:

I. PURPOSE

The purpose of this policy is to provide a structure for monitoring, managing, and controlling the use of personnel overtime.

II. POLICY

All personnel of this agency must be mindful 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 that is provided at premium rates. Without adequate controls, unplanned expenditures can create budget overruns and divert resources from key operational areas. Therefore, it is the policy of the Germantown Police Department to effectively manage the use of overtime and that of each employee to use overtime in a responsible and judicious manner.

III. DEFINITIONS

Overtime: Work performed in excess of the established workweek, or as otherwise established by state law.

Fair Labor Standards Act (FLSA) (29 U.S.C. §207(a)): Federal law regulating wages and work hours to include provisions for overtime pay.

IV. PROCEDURE

A. General Provisions

1. This agency conforms to overtime provisions of the FLSA and applicable state laws. Personnel shall refer to this agency's personnel pay policy, and FLSA policy 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.

2. Whenever reasonably possible, paid overtime will be used in lieu of unpaid compensatory time off.

B. Reporting, Recording, and Analysis

1. All overtime worked shall be approved for payment by the designated supervisor. The category of overtime work performed shall be coded in accordance with agency personnel procedure and forwarded by unit commanders to the designated agency unit for recording, accounting, and analysis.
 - a. Paid overtime and unpaid compensatory time will be recorded separately.
 - b. Overtime expenditures shall be kept separately by function (e.g., briefings and roll calls, training, investigations) and by the agency unit in which the expenditure is incurred. Individual and summary data will be compiled on at least a monthly basis.
 - c. Overtime funds expended under federal or state grant programs will be accounted for separately from those in the general budget.
2. An Administrative Captain shall maintain individual overtime records and summary data of overtime worked on a monthly basis.
3. Division Commanders and supervisors shall monitor individual and summary data reports of overtime expenditure. Identification of unusual, unexplained, or disproportionate expenditures in overtime may include but are not limited to the following circumstances:
 - a. Disproportionate overtime by individual officer(s) engaged in or assigned to the same task/function;
 - b. Significant and unexplained changes in overtime expenditures when compared to similar periods of time;
 - c. Significantly higher overtime costs for completion of the same or similar activities or tasks previously performed; and
 - d. Expenditure of overtime at a rate that could exceed or negatively affect the agency's budget or that of individual units, programs, or functions.

C. Overtime Management

1. No task or function shall be performed on overtime by agency personnel that could otherwise be performed during regular work hours.
2. Supervisors shall establish and hold personnel responsible for a level of performance during standard work hours that minimizes the need for overtime and/or the need for additional personnel.
3. Only overtime required to meet vital service demands of the department shall be authorized.
4. All tasks and functions that require the use of overtime shall be routinely evaluated in terms of their cost effectiveness. Alternatives to the use of premium pay to accomplish these tasks or program objectives shall be evaluated and implemented where appropriate.
5. All overtime must receive advance authorization, unless unreasonable due to emergency circumstances.
 - a. Unit and shift commanders and designated supervisors are the personnel primarily responsible for authorizing and managing overtime.
 - b. Division or comparable level command staff must approve overtime requests designated to fill an ongoing personnel vacancy or meet an unusually high yet foreseeable workload (i.e., personnel vacancies or authorized staff positions left unfilled when vacated permanently or for extended and indefinite periods of time).
6. Supervisors and command staff shall take measures and issue directives where reasonably possible to reduce or limit the demand for overtime. This includes but is not limited to supervisory efforts to perform the following:
 - a. Assign non-emergency service requests received near shift change to oncoming shift personnel.
 - b. Use auxiliary and reserve officers/employees and volunteers where feasible to offset temporary personnel shortages/vacancies and meet specialized needs.
 - c. Anticipate and manage workload requirements where reasonable to best utilize standard duty hours.

- d. Manage and coordinate vacation, leave, and related requests to minimize manpower deficiencies.
- e. Ensure that officers who make arrests late in their shift receive available assistance to process prisoners as quickly as possible.
- f. Ensure that arresting officers in misdemeanor incidents conduct tests, take statements or witness any actions/procedures essential to prosecution so that only the officer will be needed to testify in court. Arrest reports should include only the minimum number of officers; those who were integral to the arrest and who must be subpoenaed in any subsequent court testimony.
- g. Ensure that agency overtime policy, rules and regulations are consistently adhered to by agency personnel as they relate to overtime for court appearances, leave, standby, travel time, training, holiday leave, vacations, and related matters.
- h. Coordinate efforts with the court/prosecutor's office to establish overtime limits and control overtime usage.

V. REVIEW PROCESS

An annual review of this policy shall be conducted to determine if it should be revised, cancelled or continued in its present form.

This order shall remain in effect until revoked or superseded by competent authority.