



MEMORANDUM

LEGISLATIVE REFERENCE BUREAU

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To: Ald. Milele A. Coggs
From: Christopher Hillard, Legislative Fiscal Analyst-Lead
Date: October 14, 2019
Subject: Police Overtime Reduction Strategies Follow-Up

This follow-up memo is in response to your request regarding overtime policies for other police departments. Below is information on policies in Atlanta, Baltimore, Cincinnati, Oakland, San Francisco, San Jose, Seattle and Tucson.

Atlanta

According to the Police Department's standard operating procedures:

- Employees are limited to 130 hours of combined regular hours worked, overtime worked, and extra jobs worked during a 14-day pay period cycle.
- Sworn employees can work 4 hours of overtime after working on duty for at least 8 hours. A sworn employee can work 8 hours of overtime on an employee's day off. Sworn employees on intermittent FMLA for a family member can work 4 hours of overtime on days when the employee works a full 8-hour shift.
- Employees are limited to 260 hours of combined regular hours worked, overtime worked and extra jobs worked during a 28-day pay period cycle.
- Employees are paid by the Police Department for the first hour of court attendance at their overtime rate if they do not receive an attendance fee from the State Traffic Court.

Baltimore

According to the current memorandum of understanding between the Police Department and Police Union:

- When an employee is required to attend 2 or more courts on the same day, with a starting time of 2 or more hours between each court on his or her regular day-off or during non-regularly scheduled working hours, the employee will receive a minimum of 4 hours at one-and-a-half times the normal rate.
- Employees who work on Thanksgiving, Christmas or New Year's Day are given an additional 4-hours compensation.

According to the Police Department's standard operating procedures:

- A minimum of 2 hours are paid at a rate of one-and-a-half times the normal hourly rate for off-duty court appearances.
- Compensation for overtime work is granted after a minimum of one hour of overtime work has been performed.
- Any sworn personnel called in on an off-day that cannot be rescheduled before the end of the 28-day pay period are compensated at a rate of one-and-a-half times the normal hourly rate for that lost off-day.

Cincinnati

According to the Police Department's standard operating procedures:

- Officers receive up to ½ hour compensation for checking in at Court Control before responding to court.
- Sworn personnel are compensated with a minimum of 3 hours of compensation with 2 hours at one-and-a-half times the normal rate, for a solitary appearance in traffic or criminal cases up to and including preliminary hearings.
- Sworn personnel will be compensated for a solitary "dead time" appearance with pay at a rate of 2 hours above-and-beyond the normal compensation. Dead time is any time in-between an employee's regular shift and any scheduled court appearance if that time is less than 8 hours.
- Sworn personnel will be compensated for a solitary day-off appearance with pay at a rate of 2 hours above-and-beyond the normal compensation.
- Personnel will receive compensation with pay for the first 2 hours at one-and-a-half times the normal rate for a solitary appearance in Cincinnati federal court or federal court in Covington, Kentucky.
- Personnel will receive compensation with pay for the first 2 hours at one-and-a-half times the normal rate for a solitary appearance in grand jury, common pleas court, or juvenile court.

Oakland

According to the current memorandum of understanding between the City and the Police Officers' Association:

- Job-related off-duty court appearances are compensated at a minimum of 2 ½ hours at one-and-a-half times the normal rate.
- Job-related court appearances on an employee's day-off are compensated at a minimum of 4 hours at one-and-a-half times the normal rate.
- An employee who is required to work on his or her day-off will be compensated with a minimum of 5 hours at one-and-a-half times the normal rate.

San Francisco

According to the current memorandum of understanding between the City, County and Police Officers' Association:

- Employees who are called in to work during their normal off-duty are paid for a minimum of 4 hours pay at the applicable rate or are compensated for all hours actually worked at the applicable rate, whichever is greater.
- Employees who are called back to work following the completion of their work day and departure from their place of employment are granted a minimum of 3 hours of pay at the applicable rate, or are paid for all hours actually worked at the applicable rate, whichever is greater.
- Employees who appear for court during the morning session and are scheduled to start work at 12 p.m. are entitled to a minimum of 3 hours of court appearance premium pay regardless of the time indicated on the subpoena.

San José

According to the current memorandum of agreement between the City and Police Officers' Association:

- Employees who have completed their scheduled shift and who have left the premises and are subsequently called back to work are compensated for the actual hours worked at the appropriate rate or 3 hours at the appropriate rate, whichever is greater. However, no employee shall be entitled to more than one 3-hour minimum for callback per workday.
- If a court appearance is required at a time prior to the beginning of the employee's scheduled shift, the employee will receive the appropriate rate for the time spent, or 2 hours at the appropriate rate, whichever is greater.
- If the court appearance is required on an employee's scheduled day-off, the employee shall receive 3-hours compensation at the appropriate rate or the hours actually spent, whichever is greater.

Seattle

According to the Police Department's standard operating procedures:

- If overtime is not an extension of the beginning or end of a normal shift, the minimum pay shall be 3 hours at one-and-a-half times the normal rate.
- Off-duty employees will be compensated one hour at one-and-a-half times the normal rate, for each work-related telephone call that equals or exceeds 8 minutes.
- If a court session starts less than 2 and a half hours before or after an employee's shift, it will be considered a shift extension for court. Officers will be compensated for the amount of time spent before or after their shift at the normal rate of pay and for the time spent in court at the one-and-a-half times the normal rate of pay on an hour-by-hour basis.
- If the court session starts 2 and a half or more hours before or after their shift, compensation will be for a minimum of 3 hours at one-and-a-half times the normal rate.

- Officers on scheduled furlough, vacation or holiday that are subpoenaed for court or otherwise called in for court-related hearings shall receive a minimum of 3 hours of overtime at one-and-a-half times the normal rate.

Tucson

According to the contract between the City and Police Officer's Association:

- When less than 8 hours elapse between the end of one shift and the start of the next, employees are rewarded overtime pay for the first shift.
- Employees who are required to work on holidays receive an extra day's compensation.
- Employees called to attend court within one hour of their regular tour-of-duty are compensated with overtime pay for their time at court, as well as the time between court and their tour-of-duty.
- Employees called back to work while they are off-duty, who work in excess of their regular work hours, receive a minimum of 3 hours of overtime.
- Employees called back while off-duty for scheduled overtime, meetings, instructor assignments, speaking engagements and doctor's appointments receive a minimum of 3 hours of overtime per occurrence.

LRB 174838