



Alexandria Police Department

Directive 4.15



OVERTIME

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4.15.01	PURPOSE AND POLICY	[22.1.1, f]
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It is the policy of this Department to effectively manage overtime and to fairly compensate its employees for the work performed. The purpose of overtime is to supplement the existing authorized strength of employees to address crime, other critical law enforcement issues requiring attention, *and on a limited basis for support functions.*

An employee may not work more than thirty (30) hours per week (12:00 AM Saturday through 11:59 PM Friday) of non-mandatory overtime unless the employee is on annual or compensatory leave for the entire workweek. An employee may not, in any 24-hour period, work more than 18 hours of any combination of regular hours and discretionary

overtime. This applies equally to employees working Secondary (non-City funded) Employment for monetary compensation, compensatory time in lieu of pay, reduced rent, or any other approved compensation.

Officers who work the maximum 18 hours in a 24-hour period are prohibited from beginning another tour of duty (including regular and discretionary overtime) until six (6) hours have passed from the end of their last work assignment.

4.15.02 DEFINITIONS

Exempt, Non- Senior Executive Group Non-SEG Employees: This category includes sworn employees at the rank of *lieutenant*, captain; and civilian commanders and supervisors (e.g., *Human Resources & Recruitment and Training Division* commander, *ISS* supervisor, *etc.*) as determined by the *Human Resource Department*. Such employees are exempt from certain provisions of the Fair Labor Standards Act (FLSA). *As exempt employees, under FLSA, only compensation at the straight rate of pay is required. However, for purposes of this policy, effective 7/1/02, Lieutenants may earn overtime at the time and a half rate of pay (exceeding the FLSA requirement) for Special Details and Special Events only. Shift extensions remain at the straight time rate for Lieutenants. Callback overtime will be paid in accordance with section 4.15.06.*

Exempt, Senior Executive Group (SEG) Employees: *SEG* employees do not receive overtime. *In lieu of earning overtime, SMG employees are allotted 80 Senior Executive Group (SEG) hours on an annual basis per the Human Resources Department. Unused SEG hours do not carry over year to year and are forfeited if not used. SEG employees include the Chief of Police, Assistant Chief, and Assistant Director.*

FLSA Hours of Work: Hours of work for FLSA overtime purposes shall include all hours of work under 29 C.F.R. Part 785, including all time an employee is "suffered or permitted" to work.

Hours Paid Policy: Effective June 22, 2002, **all** non-exempt employees, including, **sworn 7(K) employees** will be compensated at premium rates on an "hours paid" basis for overtime. That is, the regular scheduled hours threshold does not apply.

Hours Worked Policy: On July 1, 1993, the City converted to an "hours worked" policy rather than an "hours paid" policy. This policy was rescinded on June 22, 2002. Employees are now on an "hours paid" policy.

Non-Exempt, Non 7(k) Employees: Certain civilian employees as designated by the *Human Resources* Department. Non-exempt employees include, but are not limited to records clerk, custodian, and parking enforcement officer.

Overtime: Overtime generally is defined as hours worked beyond or outside of the regularly scheduled hours. It is categorized into various types and functions as addressed below. Overtime is primarily used for street operations and, on a limited

basis, is authorized for support functions. *Where duties beyond or outside of regular hours are to be performed, prior approval from the Chief of Police or designated commander(s) and/or supervisor(s) must be obtained.*

Overtime, Mandatory: Generally, the Department considers callback, *declared emergencies*, court, holiday staffing to meet minimum staffing requirements, and shift extensions to be mandatory overtime. *In the case of Shift Extensions for support functions, only extensions required and/or directed by the designated supervisor will be considered to be mandatory overtime.*

Overtime, Non-Mandatory: Generally, the Department considers special events, special details, hire backs, *and requested shift extensions for support functions* to be non-mandatory overtime. See Police Directive *10.15* Special Events.

Street Operations: Sworn officers in *the Field Operations Bureau*.

Support Operations: Generally, these functions involve non-sworn employees assigned to the Administrative Services and Field Operations Bureaus. Overtime for support operations must be requested and approved by the Chief of Police or designee in advance.

Sworn, 7(k) Employees: Sworn employees holding the rank of sergeant and below.

4.15.03 AUTHORITY

The authority and direction governing this directive is provided in part by AR 6-14, Hours of Work and Special Pay. Supplemental authority governing this directive may be provided by memoranda or verified direction from the City Manager or the *Chief Human Resource Officer*.

4.15.04 RESPONSIBILITIES

- A. The Chief of Police and designated commanders are responsible for the management, direction and periodic reallocation of overtime resources to ensure that expenditures are within budget and overtime monies are used for critical law enforcement purposes.
- B. Commanders who prepare budgets will allocate, justify, and monitor approved overtime monies throughout the fiscal year. The Department's overtime expenditures are limited to the total amount approved or transferred in each year's police budget.
- C. Each approved Overtime Request (APD-0100) must be signed by a supervisor or higher. Employees may not sign/approve their own APD-0100s. **Supervisors and commanders approving overtime requests (APD-0100) will verify that the**

overtime hours reported, and the type of overtime noted are correct and within department guidelines. Employees who work overtime must submit as soon as practical (preferably within 48 hours) an APD-0100 stating why the overtime was necessary. *All overtime request forms, approved, or disapproved by a supervisor, are to be forwarded to the appropriate timekeeper. The original overtime request form is to be forwarded to the Human Resources and Recruitment Section after entry into Kronos by the timekeeper. The Supervisor is to retain a scanned or photocopy of the original signed by the approving supervisor. The respective employee is to retain a scanned or photocopy of the original signed by the approving supervisor.*

- D. Commanders will ensure that overtime requests are paid from the appropriate section's overtime account, generally the section that is responsible for requesting or coordinating the overtime. Commanders will ensure the proper account is clearly designated before submitting overtime slips to *Human Resources and Recruitment*. The unit responsible for paying the overtime will collect the APD-0100s. Example: officers working a detail for *the Criminal Apprehension Unit* will submit their overtime slips to the *Criminal Apprehension Unit* supervisor. The Chief of Police occasionally will direct that overtime be charged to the Administration account. In these cases, supervisors will submit to the Fiscal Management division chief a summary of approved overtime, with APD-0100s attached, for review and final approval of charges to the Administration account. Overtime slips will then be forwarded to *the Human Resources and Recruitment Section*.
- E. Commanders posting hire back will use the Police Department hire back form and will indicate on the form the date and time the hire back is posted. During the first four (4) days the hire back is posted, officers will be limited to signing up for one slot per detail per week. After the first four (4) days, the hire back will be considered open for officers to sign up for more slots, provided that they abide by the stated limits on hours worked.

In the event a critical need requires posting of hire back on very short notice, the commander posting the hire back may waive the initial four (4) day waiting period and open hire back immediately or in less than four (4) days.

- F. The Fiscal Management division chief will on a periodic basis advise the Chief of Police of the Department's overall status on overtime expenditures and recommend corrective measures in the event of projected over-expenditures.

4.15.05 PROCEDURES

[22.1.1,f]

- A. **Employees on Restricted Duty or Suspension:** Employees on restricted duty are not authorized to work overtime without advance permission from the Chief of Police and specific authorization from the treating physician. Employees serving suspension are not authorized to work overtime during a suspension period. Each day is defined as a 24-hour period.

- B. Travel for Work Purposes:** Single-day travel (not involving an overnight stay) to and from a designated work site for training or other City business purposes is considered commuting time and is not compensable under this policy. Supervisors will schedule mandatory training to fall within normal work hours. *Generally, training is not permitted as overtime. On rare occasions, when payback time off or a reduction of leave within the same pay period is not possible or when specifically approved by the Chief, overtime may be applicable. In these cases, HRRS will need to be made aware and the correct account will need to be charged.* The Chief of Police prior to making any commitment for training will review exceptions to this policy.
- C. Pyramiding:** Employees may not work for overtime during the same hours they are in a paid leave status. No employee will be paid more than once for the same hours worked. This is considered pyramiding of pay and is prohibited by AR 6-14, V. Special exceptions to this provision for City holidays are explained in section 4.15.14.
- D. Pay or Compensatory Time:** [22.1.1.e.]
1. All overtime worked by Department employees is to be compensated as pay unless the granting of compensatory time in lieu of pay is approved by the employee's regular division, sector or section commander or executive officer. The officer's Patrol commander must approve the request.
 2. Pay or Compensatory Time is authorized for court overtime unless otherwise directed by the employee's commander.
 3. Receiving compensatory time in lieu of pay for regular hours worked on Holidays remains the employee's choice as outlined in AR 6-14. (See also 4.15.08 & 4.15.14)
 4. Overtime earned as the result of special events, grant funded task forces or any other work for which the Department is to be reimbursed for the cost of providing personnel by an outside entity must be worked for pay only.
 5. Overtime earned as the result of special events such as parades, festivals, etc., for which costs are not reimbursed by an outside entity may be worked for compensatory time in lieu of pay **provided the employee has obtained prior written approval via email from their regular commander.** This specific requirement is made necessary by the logistical challenges of compiling large numbers of overtime requests and the need for the Special Events Coordinator to promptly incorporate them into a single report.
 6. Overtime earned as a result of a significant unplanned incident, i.e., hostage/barricade call, resulting in a call-out, shall be worked for pay only, unless the Chief of Police or overall incident commander approves the written request.
 7. The Chief of Police reserves the right to amend these policies consistent with Department needs.

- E. Prior Approval for Non-Mandatory Overtime:** All requests for non-mandatory overtime details or planned events for pay will be submitted in writing to the Chief of Police through Fiscal Management. Such requests will include a statement of purpose, the duration of the overtime assignment, necessary staffing, an estimate of fiscal impact, and identification of the source of funding. Fiscal/Management will verify the estimated fiscal impact and review the request in the context of the section's and Department's overall overtime budget, forwarding a recommendation to the Chief of Police.
- F. Prior Approval for Mandatory Overtime:** Commanders may authorize mandatory overtime within their approved budget. Commanders will immediately inform the Chief of Police if they believe that their unit's overtime expenditures will exceed its overtime budget.
- G. Unit Responsibility for Overtime Expenditures:** Court, callback, shift extensions, emergency overtime and holiday compensation generally will be absorbed in each unit's overtime budget. The Chief of Police on a case-by-case basis will determine responsibility for special details. Routine special events generally will be absorbed in the *Special Events'* overtime account.
- H. "Suffer or permit" to Work** All work time suffered (*required*) or permitted (*allowed*) by management or supervisory personnel is *considered* work time. Work is suffered or permitted if;
1. management or a supervisor is in a position to see or know of the employee's work;
 2. there was too much work to have been completed during the regular shift;
 3. the work outside the shift is repeated on numerous occasions, or
 4. there is a pattern or practice of such work.
- H. Pre and Post Shift Work:** All work time outside the regular shift shall be credited for FLSA purposes as hours worked in the work period in which such work is performed. In the event shift differential is compensated in the work period, work time outside the regular shift will be compensated at a rate to include the current shift differential rate.
1. It is the supervisor's responsibility to control the hours worked by the employees assigned to his/her unit and to ensure that employees are properly compensated for their hours worked. It is also the supervisor's responsibility to cause employees to leave their worksite or workstation to avoid overtime claims. Employees are responsible to notify their supervisor in advance of pre- and post-shift work.
 2. Supervisors or commanders may adjust the work hours of one or more employees per shift to accomplish the department mission (e.g., one officer is

assigned to come in 30 minutes before the shift begins to gather equipment to be handed out at roll call, and allowed to leave 30 minutes prior to shift end, or be compensated for the extra 30 minutes.)

4.15.06 CALLBACK

- A. Callback** - The term referring to notification that an employee is needed with less than 12 hours notification to address a law enforcement incident. Examples: a hostage or barricade situation, homicide, high-risk entry, or other emergency or crime requiring police response. Notification must be comprised of a firm notice (via *Everbridge*, memo, or other means of communication) that employees are needed at a reasonably specific date, time period and location. A "heads up" notification that officers may be needed does not constitute firm notice.
- B. Non-SEG Employees** are eligible for callback compensation in accordance with AR 6-14, as amended by the city manager or the *Chief Human Resource Officer* in writing.
- C. Callback Reporting Requirements:**
1. An employee who is off-duty when the callback event occurs generally will be eligible for overtime pay for hours worked outside of normal hours.
 2. An employee who is on paid leave during a callback is not required to report. If the employee chooses to respond to the callback, for time worked during the employee's normal business hours their leave will be reduced and they will be compensated at their regular rate of pay. If the employee works beyond the normal business hours, they will be paid at their normal rate for shift extension.
 3. An employee who is notified to report for the callback that occurs while on duty or while commuting to work will receive appropriate *regular* or overtime pay.
- D. Sworn employees:**
1. Callback pay for sworn employees will be granted at twice the employee's normal hourly rate any time they are ordered to return to duty for any reason with less than 12 hours' notice. Any sworn employee receiving 12 hours or more advance notice that they are ordered to return to duty shall be entitled to pay at their regular rate or time and one-half of their hourly rate. Sworn employees will receive callback pay for a minimum of two hours.
 2. Sworn employees start receiving compensation when they arrive at Police Headquarters or at the location designated if they respond directly to the scene. Commuting travel to and from the work site is not compensable.

E. Civilian employees:

1. Civilian non-exempt employees *are* entitled to receive a minimum of four hours' pay at straight time, or time and one-half pay for the actual hours worked, whichever is greater, when required to return to work after leaving their scheduled place of work. There will be no pyramiding of rates and pay for the actual hours worked will govern after the first callback within a twenty-four-hour period. Example - a non-sworn non-exempt employee is entitled to the minimum 4 hours' pay once in a 24-hour period.
2. Civilian exempt employees will be entitled to the four hours guarantee but will receive compensatory time or pay on a straight time basis for the actual hours worked if more than four.

F. Cancelled Callbacks:

If employees are responding to a callback event when it is canceled, they generally will be compensated with the two-hour minimum, unless they are on-duty or commuting to work in a normal or overtime capacity at the time of the cancellation. The minimum compensation is payable if the employee is en route traveling to the scene, or on the scene at the commander's directions at the time of cancellation.

4.15.07	COURT
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- A. Employees who are required to appear in court when not on their normal shift, and as a direct result of their employment with the City, will be guaranteed a minimum payment equal to two (2) hours at their regular hourly rate, or time and one-half for time actually worked, whichever is greater. Court appearances that occur during the normal shift are regular on-duty hours worked and are compensated at the regular rate of pay.
- B. When an employee is in court during the work shift and must stay longer than the normal workday, this is considered shift extension and compensated as such.
- C. Commanders may schedule employees so that court duty falls within regular work hours if this will not harm ongoing operations of the unit.
- D. If an employee is notified that they are needed in court, and the time the employee is needed is within **12 hours** or less of the notification, and the time the employee is needed is also previously scheduled off-duty time, the overtime will qualify as double pay.
- E. See Police Directive 10.6, Court Appearance, for further information.

4.15.08 HOLIDAY COMPENSATION

- A.** Holiday compensation is the pay or compensatory time that an employee will receive for a city holiday, whether or not the employee works on the holiday. The holiday compensation for all eligible full-time Police Department employees is 8 hours of straight time.
1. Employees who are scheduled to work on a holiday and who do work on the holiday may elect *holiday pay bonus (HPB)* or compensatory time *earned (CTE) on an hour-for-hour basis as* their holiday compensation. Hours actually worked on a holiday will be paid at the straight time rate up to the “regularly scheduled hours” threshold, or normal tour of duty. *Ex. If a holiday falls on a Monday, an A-side officer working – 1830-0600 (Sunday-Monday) would be eligible for either pay or comp for a max of 6 hours while the remaining 2 hours would be received as comp time.*
 2. Employees who are normally scheduled to be off on a holiday receive 8 hours of holiday compensation in compensatory time (CTE).
 3. Employees who are normally scheduled to work on a holiday but are approved to take the day off will receive 8 hours of paid holiday leave (HOL), which is not deducted from the employee’s leave balance. Employees who are scheduled to work more than 8 hours on a holiday must submit a comp or annual leave request for the difference. *HOL hours are generally not included in the overtime threshold calculation. Therefore, the overtime worked within the **same** work week (Sat – Fri) as a holiday will be paid at the straight rate up to the equal number of hours of HOL hours received. Any overtime worked in excess of the number of holiday hours are to be compensated in accordance with normal overtime rules. Exceptions to this policy are described in section 4.15.14 below.*
 4. To be eligible for holiday pay, an employee must be in a paid status for the entire last scheduled working day before and the entire first scheduled working day after a holiday.
- B.** Regular part-time employees scheduled to work a minimum of 20 hours per week will receive holiday compensation for those holidays that fall on their normal workdays, based on the pro-ration of hours described in AR 6-14. They will be paid at straight time rates for the hours that they actually work on the holiday. School crossing guards will be compensated at the straight rate for all school holidays.
- C.** All holiday pay is budgeted and charged to overtime. Some sworn and civilian/support staff are required to work to support the department's 24 hours, 365 days per year coverage.
- D.** Commanders are required to establish minimum holiday staffing levels. When employees are required to work, the overtime costs are charged to their assigned section or unit's overtime budget.

4.15.09 SHIFT EXTENSION

- A. Shift Extension occurs when an employee is held over the normal daily shift for a critical purpose (e.g., a late call for a serious traffic accident, or less than minimum staffing available for the next shift in ISS). Hours compensated at premium rates of pay will not count toward the employee's "regularly scheduled hours."
- B. The Department's overlapping shift structures are intended to minimize shift extension whenever possible.

4.15.10 STANDBY PAY

- A. Standby pay is granted to employees who are specifically designated to be available for work during their non-working hours. There are currently no approved positions for standby pay in the Police Department. All employees are subject to callback and under normal circumstances are expected to respond.
- B. When employees respond to a callback they are compensated at callback rates in accordance with AR 6-14 (also see 4.15.06). If standby status is deemed necessary, commanders must submit a written request to the Chief of Police through Fiscal Management for approval before implementation.

4.15.11 SPECIAL EVENTS

- A. A special event is a city-sponsored or co-sponsored function in which police services are necessary, usually for traffic control, crowd control or protection. Special events include parades, foot races or other sports events, and festivals. Generally, special events are managed by Special Operations, which coordinates the events and the overtime for the events.
- B. Estimated overtime costs for special events *must be* reviewed by Fiscal Management and approved by the Chief of Police in writing prior to committing officers or other employees to work the event. On-duty officers and qualified civilian personnel *will be used* when possible and appropriate to minimize the overtime costs.
- C. If not enough off-duty personnel sign up for a special event, personnel may be required to work the event to ensure adequate police service (see Police Directive 10.15 Special Events).
- D. Hours compensated at premium rates of pay will not count toward the employee's "regularly scheduled hours."

4.15.12 SPECIAL DETAILS

- A. Special details are finite, specialized operations established to address specific law enforcement concerns. A special detail is normally requested in memorandum form, as described in 4.15.05.E., prior to implementation. Fiscal Management staff will, if necessary, assign an alternative account to be charged. Resources permitting, the Chief of Police may authorize special details to address special law enforcement needs or to permit timely completion of critical tasks.
- B. Hours compensated at premium rates of pay will not count toward the employee's "regularly scheduled hours." Examples of special details: Grand Larceny Auto Task Force, drug task forces, burglary suppression detail.
- C. Certain types of events are normally handled by the Special Operations Team (SOT). These include finite operations that are known, planned, and/or scheduled more than 12 hours in advance, such as high-risk entries or searches, dignitary protection, conferences, ceremonial events, and demonstrations. A request for overtime will be submitted in writing to the Chief of Police in accordance with Section 4.15.05.E. These details are not callback and notification should advise that the event is not a callback. A copy of the approval will be forwarded to [the Human Resources and Recruitment Section](#).

4.15.13 FIELD TRAINING OFFICERS

The following procedures will be used to process field training overtime requests:

- A. FTOs will submit their overtime requests to the Field Training coordinator, *who* will ensure that the FTO has completed the training assignment tasks before approving any overtime.
- B. The overtime will be accounted for under "Shift Extension" with "Field Training Duties" specified as the reason for the request. FTOs will note the activities completed (evaluation debriefing, develop training plan, etc.) on the back of the white copy of the overtime slip.
- C. The coordinator will forward the overtime requests to the appropriate supervisor for approval and inclusion in the division's overtime report.

4.15.14 SPECIAL EXCEPTIONS FOR HOLIDAYS

- A. The following exception has been approved by the [Human Resources Department](#) for City holidays when law enforcement needs require a special event or special detail to be staffed with personnel in addition to those on duty: a sworn 7(k)

employee who is not working and receiving holiday compensation may work for time and one half during the hours he or she is receiving holiday compensation. This exception does NOT apply to employees who have taken leave to be off on the holiday, and they may not work for premium rates of pay during the hours they are on leave.

- B.** The following exception has been approved by *the Human Resources Department* for City holidays when critical law enforcement circumstances require employees to return to work while off-duty or on paid holiday: overtime at the double-time rate may be authorized for sworn employees through the rank of captain.

BY AUTHORITY OF:

Michael L. Brown
Chief of Police