

ELIZABETH POLICE DEPARTMENT GENERAL ORDERS



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SUBJECT: DEPARTMENTAL OVERTIME

EFFECTIVE DATE:

March 18, 2020

ACCREDITATION STANDARDS:

N/A

BY THE ORDER OF:

Deputy Chief Giacomo Sacca

BY AUTHORITY OF:

Police Director Earl J. Graves

SUPERSEDES ORDER #:

General Order V2, C36 of February 25, 2016, and January 25, 2019

PURPOSE

The purpose of this general order is to establish clear guidelines for the authorization, use, and distribution of departmental overtime. By city ordinance, the police director is empowered to employ, within limits expenditures of the police department's budget. The collective bargaining agreement (CBA) also mandates overtime to be paid under certain circumstances. Overtime is a budgetary item that, when used properly, can efficiently enhance the operation of the police department.

POLICY

It is the policy of the Elizabeth Police Department to ensure the intent of both the city ordinance and the CBA are met. It is also the Elizabeth Police Department policy that all sworn officers, regardless as to rank or assignment, are first and foremost members of the same police agency. As such, all sworn personnel have a duty and obligation to adhere to all agency orders, rules, and regulations. Fundamentally, to alleviate the need for overtime, all staff, regardless of rank or assignment, may be temporarily assigned to cover any shift, job, position, or assignment within their job specifications as described by the New Jersey Civil Service Commission. Supervisors assigned to any division, bureau, unit, shift, or assignment are always supervisors of any subordinate officer by rank. Therefore, any on-duty supervisor may be assigned to cover a section, group, or squad temporarily.

Overtime work is not compulsory, except in emergency situations. Refusal to work in non-emergency situations shall not reflect unfavorably upon personnel. The police director may employ any full time sworn member of the department for non-emergency overtime work, with certain limitations, as per City Ordinance 2.56.170. All members of this department are subject to mandatory recall in accordance with this general order.

PROCEDURES

I. DEFINITIONS

- A. Call back: A recall of personnel for work purposes. Examples include court proceedings, required testimony, conferences, and specialty assignment details (detectives, identification, ESU, special events, etc.).
- B. Conference: A meeting between police employees and legal staff members necessary to prepare for the successful conclusion of a criminal or civil matter.
- C. Hold over: An extension of work hours based upon an authorized work-related situation.
- D. Overtime: The amount of time a person works beyond regular working hours. The rate of pay is determined by the applicable collective bargaining agreement.
- E. Special event: A unique activity occurring for a limited or fixed duration requiring the use of police personnel. Examples include the additional police presence as enforcement details, supplemental coverage, and community-related events.
- F. Investigative personnel: Detectives, police officers, and supervisors assigned to the Detective Bureau, Juvenile, Narcotics, Internal Affairs, Traffic, Training Division, and Identification Unit.

II. OVERTIME ASSIGNMENTS AND FORM SUBMISSION – THIS SECTION APPLIES TO ALL PERSONNEL, REGARDLESS OF RANK.

- A. The person performing overtime work, shall complete form *DP #170*, and submit it immediately upon completion of the assignment, to his/her immediate supervisor, who shall review it for accuracy and sign it verifying that the overtime work was performed. In the absence of a unit supervisor, the form shall be submitted to the highest-ranking officer on duty. Completed forms shall be routed to unit commanders, who shall countersign the same and forward it through channels to the personnel office.
 - 1. Overtime must be authorized by the member's commanding officer (CO). In the absence of the CO, authorization must be provided by the highest-ranking officer on duty.
 - 2. All signatures on overtime slips shall be original, legible, and include computer numbers. Illegible sheets shall be discarded pending resubmission. Signature stamps are not allowed for overtime slip submission;
 - 3. Supervisors shall utilize the form *DP #170* in blue. Police officers and detectives shall use the form *DP #170* in yellow.
 - 4. All overtime form submissions must be authorized and signed by a Captain or above.
 - 5. Police officers, regardless of rank, may not sign in the unit commander or authorizing supervisor lines on their own overtime form submission. Unit

commanders must have their overtime forms approved by a higher-ranking officer within their assigned chain of command.

6. In computing overtime, 30 minutes (1/2 hour) periods shall be used.
7. Officers must include a written description of their overtime expenditure. Every overtime sheet, regardless as to the length of monetary or time compensation requested, must include a narrative. Overtime sheets must include an hourly description of the supplementary operation provided on the back of form #DP170 (See example 5.a.). Commanders are not to approve overtime submissions with missing or vague operations descriptions. The written description requirement is in addition to a private report, written by the on-duty supervisor (see section B.3.). The on-duty supervisor's private report must be stapled to the form *DP # 170* before submission for processing. The requirements of section II. A. 7. do not apply to court appearances or special event overtime details. Also, travel time is not compensable and is not to be included for court appearances or planned special events.
 - a. EXAMPLE: (To be written on the back of form DP #170):
12:00 late arrest, transport, processing;
13:00 tagging evidence, writing a report;
14:00 prisoner transport to the hospital, pending complaints, etc.
8. Members of the department on light duty are not to be assigned to non-emergency overtime.
9. When personnel are going to be held beyond their scheduled shift (late job) into overtime, as the result of a dispatched or self-initiated assignment, it is incumbent on the person(s) performing the overtime work to notify their supervisor on-duty.
 - a. Supervisors must notify the highest-ranking officer on duty of all work-related assignments resulting in overtime.
 - b. The highest-ranking supervisor on duty must first decide if any on-duty supervisors or personnel can complete the overtime task. If on-duty staff, regardless of assignment can not complete the task then;
 - c. The highest-ranking supervisor on duty is responsible for ensuring that the overtime is necessary, they keep the amount of personnel retained to the minimum required to accomplish the task, and they expend the least amount of overtime possible.

EXAMPLE:

There is no requirement that employees are retained as a unit when operating in a two-person car crew if one individual can sufficiently complete the work. All supervisors must always base overtime decisions on safety, efficiency, and the prevention of financial loss.

- d. The highest-ranking officer on duty shall also ensure that the held over personnel have been assigned an on-duty immediate supervisor. The immediate supervisor shall complete a private report in accordance with section B.3. The private report must detail the necessity of the overtime, the steps taken to monitor the efficiency of the personnel, and the resources allocated to alleviate the overtime.

B. Supervisor Responsibilities:

1. Division and unit commanders are responsible for the intelligent and efficient supervision of overtime and shall take all steps necessary to prevent abuse of overtime.
2. The highest-ranking officer on duty shall also ensure that the held over/call back personnel have been assigned an on-duty immediate supervisor. Under no circumstances is a sergeant authorized to work overtime strictly based upon the retention of subordinate personnel. For this order, the work of supervisors and subordinates remains independent. Sergeants shall notify the desk lieutenant to arrange for the transfer of the immediate supervision without the incurrence of overtime.
3. Immediate supervisors assigned to monitor the overtime of personnel on a late job are to submit a private report detailing the necessity of the overtime, the steps taken to monitor the efficiency of the personnel, and the resources allocated to alleviate the overtime.
4. Supervisors, regardless of rank, are not allowed to hire overtime to fill staffing positions without the express authorization of the Chief of Police or their designee. The Chief of Police shall notify the Police Director as soon as practical, not to exceed the next business day.
5. Whenever it becomes necessary to hire overtime because of staffing levels for either a tour extension or the recall of personnel, the highest-ranking officer on duty shall notify the Chief of Police immediately (regardless as to the shift or time of day). Section B. 4. does not pertain to situations where officers are held because of an extended assignment (late job). The commanding officer notifying the Chief of Police shall also submit a private report through the chain of command explaining the following:
 - a. Why the overtime expenditure is necessary.
 - b. The steps taken to alleviate the need for overtime.

C. Special Event Overtime:

1. Special event overtime proposals shall be presented to the police director for approval;
2. The police director may designate special event overtime according to specialty unit functions (e.g., ABC detail, Traffic, ESU, Juvenile, Narcotics, etc.);

3. Special event overtime shall be distributed in accordance with the collective bargaining agreement between the City of Elizabeth and PBA/SOA Local 4;
4. Special event overtime designated for the patrol division shall be distributed through the extra duty assignment (EDA) office in accordance with this agency's general order on extra duty assignments.

D. Conferences:

1. All efforts will be made to schedule conferences while the officer is on duty;
2. Conferences scheduled on duty must be coordinated through the desk lieutenant;
3. Conferences requiring overtime must be prearranged with the approval of the member's commanding officer (CO). In the absence of the CO, the desk lieutenant must provide authorization.
4. The authorizing supervisor's name shall be written in the notes on the front of form *DP #170*. Unauthorized conference overtime submittals shall not be processed.

E. Recall of on-call personnel:

1. In computing overtime, 30 minutes (1/2 hour) periods shall be used.
2. Travel time is compensable. Authorizing supervisors must verify the time an employee was called and ensure that their response was not unduly delayed. Authorizing supervisors are directly responsible for ensuring that compensated travel time is valid.
3. On-call personnel shall not work more than eight (8) hours in overtime on a callback or hold over assignment, without authorization from the police director or chief of police.