

TAKOMA PARK POLICE DEPARTMENT - GENERAL ORDERS



TITLE:	OVERTIME	NUMBER: 406
EFFECTIVE DATE: January 8, 2019		REVIEW DATE: January 08, 2024
New	X Amends	Rescinds
Dated August 30, 2016		
AUTHORITY: Chief Antonio DeVaul		TOTAL PAGES: 4

01 Purpose: To establish guidelines and procedures for the effective and economical use of overtime.

02 Policy: It is the policy of the Police Department to make all possible effort to eliminate overtime, consistent with carrying out the police mission and responding to emergencies.

03 Overtime Defined: The City Code, Article 2, Section 4.04.080 defines overtime as “that compensation which is paid to an employee for work performed in excess of a normal work period of the employee”. A Supreme Court decision requires compensation in accordance with the Fair Labor Standards Act.

04 Overtime Eligibility:

- A. Overtime will be paid to all civilian and sworn employees through the rank of Sergeant.
- B. Compensation will be paid only for authorized extensions of the workday.

05 Computation of Payment: All full-time employees shall be paid time and one-half for authorized hours over normal work hours.

06 Emergency Overtime: Emergency overtime is defined as overtime resulting from sudden or unforeseen situations requiring immediate action. Emergency overtime may be authorized at either the command or supervisory level.

07 Non-emergency Overtime: When a supervisor sees a need for future overtime to accomplish a task, he or she shall:

- A. Determine that no alternative exists to accomplish the task.
- B. Prepare a memorandum to the Division Commander, which includes:
 - 1. Details of the situation;

2. Number of hours needed:

3. Justification for any expenditure.

C. The supervisor will proceed only after overtime approval has been obtained from the Chief of Police or designee. It is recognized that sensitive or confidential situations may be addressed in a personal briefing to the Division Commander and/or Chief, rather than by memorandum.

08 Court Time: The following criteria apply:

A. Compensation shall begin at the designated court starting time as indicated on the summons or computer print-out, except that officers on the midnight shift who remain at the station pending court, will be compensated for the time in between the end of their shift and the start of the first morning court session.

B. To qualify for compensation for Juvenile, District or Circuit Court appearances for criminal matters, employees must contact the court prior to the trial to verify the need to appear. Officers shall not attend a preliminary hearing if the suspect has already been indicted unless directed to by a member of the State's Attorney's office.

C. Employees who have the opportunity to set court dates, intake hearings or felony screening, will set these dates and times to occur during normal duty hours whenever possible.

D. Employees scheduled for court that are on annual, holiday or sick leave shall not be compensated with overtime, but will have time spent in court re-credited to their accumulated leave balance.

E. Off-Duty Status: Officers who elect to remain at home during stand-by periods for court appearance will not be eligible for overtime pay. Overtime during stand-by is possible under the following conditions only:

1. An officer must obtain permission from the Patrol Operations Commander to report to the station in uniform. If unavailable, permission may be obtained from the Shift Sergeant.

2. The officer will report to the station to supplement the on-duty patrol shift until either called for court or released from stand-by status. The Supervisor will not assign the officer to any duty, which might take them out of the City or otherwise make them unavailable for court.

3. On his/her overtime request, the officer will include the name and telephone number of the Assistant State's Attorney who ordered the stand-by in the Sticky Note portion of the electronic time sheet for that day.

4. Pay will be computed from the time the court appearance was scheduled until the time the officer is relieved of their court obligation.

5. After checking by telephone to ensure he/she is needed, an officer may elect to report to court as scheduled and remain until relieved by court officials.

F. Employees on disability leave receiving compensation who are required at court shall not be compensated with overtime.

G. Employees submitting an overtime request for court attendance shall do so using the electronic time keeping system.

H. Employees submitting an overtime request for traffic court appearances will use the electronic time keeping system.

I. At the conclusion of attending court for criminal and/or serious traffic cases resulting in an arrest and/or impounding any evidence in connection of the case, officers will complete documentation of case disposition on **TPPD Form 600-028** (Criminal Arrest Disposition). Below indicates to whom the TPPD FORM 600-028 is to be submitted to and under what circumstances.

- A. TPPD Form 600-028 will be submitted to the arresting Officers immediate supervisor on every case.
- B. TPPD Form 600-028 will be submitted to the Property Officer where property was impounded as evidence in connection to the case (Criminal or Traffic).
- C. TPPD Form 600-028 will be submitted to the Property Officer and Commander of Criminal Investigative Services where any vehicles and/or currency was seized.

J. Supervisors are responsible for passing out court summons and traffic dockets to officers under their command. Supervisors will keep a log of summons and traffic dockets given to the officers. 600-028 as required **Supervisors will ensure that officers under their command are in compliance with submitting TPPD Form.**

09 End-of-Shift Paper Work, Processing and Transporting of Prisoners:

A. Employees will attempt to use available time throughout the day to complete necessary paperwork. However, unless approved by a supervisor to be held until the next day, paperwork will be completed and submitted prior to the employee going off-duty.

B. Prisoners not requiring the presence of the arresting officer shall be turned over to the oncoming shift for transporting whenever possible.

10 Supervisor's Responsibility: All supervisors will adhere to provisions of this General Order and minimize whenever possible the expenditure of overtime.

11. Bargaining Unit Agreement: The bargaining unit agreement shall take precedence over this General Order.