



DEPARTMENTAL
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Court Overtime
Deferred Overtime Payment
Grant or Project Overtime, Procedures
Overtime Policy, Accounting and
Compensation
Overtime Categories and Codes
Overtime Deferral
Overtime Reporting – Time Reports

OVERTIME POLICY, ACCOUNTING AND COMPENSATION

The purpose of this order is to set forth policy and procedures regarding overtime management, eligibility for compensation, and reporting and retention of overtime documentation.

I. OVERTIME WORKED (OTW)

A. Policy

Because of its fiscal impacts and possible effects on member/employee wellness, overtime worked must be minimized and controlled. The annual performance evaluation of supervisors and commanders shall be based, in part, on their efforts and results in keeping controllable overtime expenditures within budgeted appropriations. Overtime worked is not a right.

B. Definitions

1. **Overtime Worked or OTW** refers to hours worked by members and employees in excess of their normal daily or weekly tours of duty.
2. **Overtime Rate** is one and one-half times the base hourly rate and approved premium pay for eligible members and employees.

C. General Regulations

1. Bureau commanders shall assign and train one or more members and/or employees to audit the weekly overtime authorization forms before they are sent to the appropriate payroll data entry unit for input. City Auditor staff shall provide the training.
2. Unit commanders and section supervisors permitting personnel to work overtime shall provide a specific and detailed written notification on the overtime authorization form.
 - a. Unit commanders are responsible for analyzing the costs and benefits of scheduled overtime, staffing special events, or conducting special projects.
 - b. Improper requests for overtime shall be rejected and incorrect overtime hours shall be corrected. The member or employee shall be notified of the denial or correction of overtime hours.
3. Members and employees shall not work overtime on the same date that they take time off for Overtime Allowed (OTA).
4. Overtime assignments completed for other units such as conducting background investigations, teaching Academy classes, and backfilling vacancies, etc., shall be coded to the organization code of the division/section/unit receiving the overtime service. Other project numbers and/or overtime codes also shall be used to further define that overtime activity. See Part X of this order for overtime and project codings.
5. The Training Section shall include overtime and fiscal management training in the curricula of the annual in-service training of supervisors and commanders.
6. With the exception of 3rd Watch Patrol Officer lineup pay, all other requests for approval of lineup pay shall be submitted to the Chief of Police or his/her designated representative.

7. Unit commanders and section supervisors shall receive monthly reports of all active members and employees receiving premium and lineup pay and review them for accuracy before submitting them to the bureau commander for approval. The approved reports shall be forwarded to the Research, Planning and Budget Division (RP&B) Manager, who shall audit and correct payroll records to ensure that only authorized personnel receive specific premium pay.
8. Whenever designated overtime appropriations (grants, contracts, special one-time funding, etc.), are available to fund special projects, the responsible project manager shall ensure that overtime authorization forms are properly coded before submitting them to the appropriate payroll unit for data entry. Copies of overtime forms shall be forwarded to the RP&B Manager for billing.
 - a. For the purposes of this order, a Project Manager is a designated sworn or civilian supervisor or commander responsible for managing the daily activities of a service, project, or grant agreement.
 - b. The Project Manager shall monitor all expenditures to ensure that they do not exceed the authorized funding for the project.
 - c. The RP&B Manager shall:
 - 1) Provide written instructions on coding grant/project overtime to the Project Manager, respective payroll units, and bureau overtime auditors whenever a new grant or project is approved.
 - 2) Send a copy of the monthly project overtime expenditure report and copies of all budget and expenditure transfer documents to the Project Manager.

3) Review the monthly financial reports and correct errors promptly. If grant or contract overtime expenditures are temporarily coded to a non-project General Fund account, direct the responsible account clerk to immediately transfer the expenditures to the proper fund and/or project.

8. The RP&B Manager shall ensure that overtime information is properly captured and reported in the payroll and financial systems.

D. Compensation

1. Overtime shall be compensated as follows: (Per City Auditor)

1-7 minutes	No overtime compensation
8-22 minutes	¼ hour overtime compensation
23-37 minutes	½ hour overtime compensation
38-52 minutes	¾ hour overtime compensation
53-60 minutes	1 hour overtime compensation

2. Members and employees shall be compensated for OTW in pay or accrued compensatory time off, subject to the following conditions:

- a. The Chief of Police (Unit N), deputy chiefs, and civilian management employees in Unit M are **ineligible** to receive overtime compensation.
- b. Police Officer Trainees (Unit T) shall be compensated for overtime worked (OTW) at the rate of 1-1/2 times their hourly pay if they work more than 171 hours in the established 28-day work period. All overtime shall be paid in cash.
- c. Employees in Units B, C, D, H, and W shall be **eligible** to receive overtime compensation.

- d. Crossing Guards in Unit I are eligible to receive overtime when they work more than 40 hours per Saturday through Friday work week.
 - e. Police Cadets in Unit G are also eligible to receive overtime if they work more than 40 hours per Saturday through Friday work week.
 - f. Members who are required to work while on paid leave (OTA, sick leave, etc.), except for vacation leave, shall be ineligible to receive overtime compensation. Employees who are on vacation or on other paid leave of up to 30 days shall be eligible to receive overtime compensation. However, members and employees are not permitted to work overtime on the same date that they take time off for Overtime Allowed (OTA).
 - g. Members who are required to attend court in response to a Department-related subpoena while they are on suspension leave shall be compensated at their normal straight time rate. If a second appearance is required on that same day, said member will be compensated for the actual time served. (City/OPOA agreement on 23 Jul 97)
 - h. The maximum amount of compensatory time (in lieu of overtime pay) which may be accrued shall be:
 - 1) 480 hours - police officers, sergeants, lieutenants, captains, correctional officers, and Jailer III.
 - 2) 240 hours for all other full-time eligible civilian employees.
- Overtime hours earned in excess of the above maximums will be automatically paid in cash.
- 3. Overtime worked (OTW) is divided into three categories for the purposes of determining minimum compensation and meal allowances. The categories are defined as follows:

- a. **Call-Back:** Members and employees work overtime on a call-back basis if they are instructed to return to work after completing their shift and leaving their work site.
 - b. **Extension:** Members and employees work overtime on an extension or hold-over basis if they are instructed to work more than the normal number of hours, immediately prior to or beyond their shift.
 - c. **Day Off:** Members and employees work overtime on a day-off basis if they are instructed to report for an unscheduled tour of duty on a regular day off.
4. Overtime minimum allowances as allowed by current sworn and civilian Memoranda of Understanding are summarized below:

Category	Personnel	Regular OT Minimums
Call Back	Member and full-time employees	2.5 OTW hours
Call Back	Crossing Guards	1.0 OTW hour
Call Back	Police Cadet	No minimum, actual time worked
Extension	Member, full-time and part-time employees	No minimum, actual time worked
Day Off/ Vacation	Member	5.0 OTW hours in addition to any other overtime worked.
Day Off/ Vacation	Full-time employees	2.5 OTW hours in addition to any other overtime worked.

Any questions relating to negotiated overtime benefits shall be directed to the Personnel Section Commander. Citizen Police Review Board Hearings - see Part III, C, for minimum allowances.

5. Meal allowances during overtime shall be as follows:
- a. Members or Employees

- 1) No meal allowance shall be granted if the City furnishes meals or if the member or employee is notified 24 hours in advance that overtime is required on a call-back or day-off basis. However, a member or employee who works beyond the scheduled overtime 7.5-, 8-, or 10-hour shift shall be entitled to receive meal allowances.
- 2) One meal allowance shall be paid for every 2 or more hours worked on an **extension** basis. Additional allowances shall be granted for every 4-hour period thereafter provided that this time does not overlap into the individual's regular shift.
- 3) One meal allowance shall be paid for each 4 hours of continuous work on a **call-back** basis.
- 4) Meal allowances shall be earned and paid according to amounts specified in the pertinent Memoranda of Understanding.

b. Members

One meal allowance shall be paid to a member for each 4 hours of work on a **day-off** basis if less than 24 hours notice was given.

c. Employees

An employee who works **scheduled overtime on a day-off** basis shall receive one meal allowance for the first 4 hours of work, if less than 24 hours notice was given. A second allowance shall be paid when an employee works 2 hours or more beyond the scheduled overtime 7.5- or 8-hour shift. Thereafter, a meal allowance shall be paid for each 4 hours of continuous work.

d. Crossing Guards and Police Cadets

Crossing Guards and Police Cadets are not entitled to receive meal allowances when working overtime.

6. Meal Break: Except for an employee whose work schedule provides a paid lunch period, all employees who work a full 7.5- or 8-hour shift on an overtime basis shall take at least one 1/2 hour meal break. The mealtime shall be deducted from the total number of overtime hours worked.

II. OVERTIME (OTW) PROCEDURES

A. Authorization

1. Members and employees shall obtain written advance approval from a supervisor or commander before working overtime except when overtime is necessary to:
 - a. Complete a radio-dispatched assignment.
 - b. Complete an on-view assignment that requires immediate and continuing police action (e.g., civil disturbances, serious traffic accidents, homicide investigations, etc.)
 - c. Attend a court session, judicial or administrative proceeding related to Departmental business in response to a subpoena or lawful order of a superior officer.
 - d. Complete a pre-approved overtime assignment for scheduled events and special/grant funded activities.
2. Members and Employees

To request regular overtime compensation, members and employees shall complete and submit one copy of the Overtime Worked Requisition (TF-3081).

- a. Members and employees shall submit completed OTW Requisitions to their immediate supervisors or commanders who shall, in turn, submit the OTW Requisitions to the bureau commander for approval.
- b. Non-BFO members and employees shall enter overtime hours worked on their Time Reports (536-924 or 536-925) only after the OTW Requisitions have been approved by the bureau commander.

B. Commanders and Supervisors

1. Commanders and supervisors shall reject unnecessary or improper requests for overtime, destroy the request forms, notify the member or employee that his/her request for overtime has been denied, and ensure that the OTW is not reflected on the member or employee's time sheet.
2. Commanders and supervisors shall also verify codings on OTW forms and ensure that the approved hours are properly recorded on the member or employee's time reports before forwarding.
3. Non-BFO commanders and supervisors shall ensure that OTW Requisition forms approved by their bureau commanders are retained in their units for a minimum of six years. OTW Requisition forms rejected by the non-BFO bureau commanders shall be returned, through channels, to the person's commander.

C. Bureau of Field Operations (BFO)

1. Designated BFO personnel shall verify overtime hours reported on the OTW Requisitions before forwarding them to the bureau commander for approval.
2. Incorrectly completed OTW Requisitions shall be returned through channels to the member or employee's supervisor.

3. Bureau of Field Operations commander(s) shall return disapproved OTW Requisitions to the person's supervisor.
4. BFO payroll clerks shall audit all overtime forms (OTW and OTWC) for accuracy and proper codings (see Part X) before entering the approved hours from the OTW Requisition forms into the City's Time and Attendance System.
5. BFO OTW Requisition forms shall be attached to the time reports and organized in alphabetical order by pay period before they are forwarded to the Budget and Accounting Section for archiving.

III. COURT OVERTIME (OTWC): DEFINITION, COMPENSATION

A. Definition

Court overtime (OTWC) refers to overtime by members or employees for court appearances before or after regular duty hours. A court appearance is attendance at a civil or criminal proceeding on a matter that arises from Departmental business. Proceedings include trials, hearings, depositions, and attorney conferences, or interviews.

B. Overtime Compensation Forfeited

1. Members who fail to contact the Court Liaison Coordinator in accordance with [Departmental General Order E-1](#), [DEPARTMENTAL SUBPOENA SERVICE](#), shall forfeit all rights to court overtime compensation for appearances that are subject to the provisions of that order. [All court overtime shall be submitted on the Court Overtime Worked Requisition (TF-455)].
2. Subpoenaed members and employees shall call the appropriate court cancellation telephone number provided by the Court Liaison Unit at the end of their last tour of duty on work days and before going on days off or vacation. No overtime shall be granted if their subpoena was included on the telephone recording notice of cancellation.

C. Court Overtime Compensation and Minimum Allowances

Category	Associated Condition	Personnel	Court OT/ Minimum
Call Back	None	Members and full-time employees	2.5 OTWC hours
Call Back Extension	Court appearance begins less than 2.5 hours before and after regular shift	Members and full-time employees	No minimum. Actual OTWC hours worked.
Day Off Vacation	None	Member	4 OTWC hours
Day Off Vacation	None	Full-time employees	4 OTWC hours
CPRB Hearings	None	Members	4 OTWC hours minimum regardless if the hearing is the 2 nd appearance on the same day.
Day Off Vacation		Full-time and part-time employees	4 OTWC hours; same for members.
Members/ Employees on OTA (Overtime Allowed)	None	Members and full-time employees	No minimum for 2 nd Watch OTA, reduce OTA hours. 1 st /3 rd Watch, 2.5 OTWC hours minimum.
Members on Suspension Leave	1 st and/or 2 nd court appearance on same day	Members	Straight time for actual time worked.

Note: Any questions relating to court overtime benefits shall be directed to the Court Liaison Detail and/or the Accounting Section Supervisor.

IV. COURT OVERTIME (OTWC): AUTHORIZATION, PROCEDURES

A. Criminal and Civil Proceedings

The following procedures apply to both criminal and civil proceedings. Additional requirements for civil proceedings are described under Part IV, B.

1. Signing the Trial Attendance Record (TF-438)

All members and employees shall sign the Trial Attendance Record at the Patrol Division desk

immediately before and after all overtime appearances at any proceeding held in Court or City Buildings.

2. Verification of Overtime Court Attendance

- a. The subpoenaed member/employee shall obtain the signature of the attorney, investigator, or hearing officer requesting the appearance, verifying his/her attendance at the hearing, on the OTWC Requisition in the verification box. All boxes on the OTWC Requisition form shall be completed, including case name and docket number.
- b. If a subpoena was not issued, request the court clerk to stamp and write the court date and attendance times on the reverse side of an OTWC slip in lieu of attaching a subpoena. All boxes on the OTWC requisition form shall be completed, including the case name and docket number.

3. Attire for Court Appearances

All members and employees shall be suitably attired for all court appearances, in accordance with the provisions of Manual of Rules Section 398.16, COURT APPEARANCES.

4. Proceedings Continued After the Subpoena Date

- a. When time permits, all cases continued beyond the original subpoena date will be re-subpoenaed and members and employees will be issued a new subpoena for each continuance that requires a new appearance date.
- b. When time does not permit the issuance of a new subpoena, members and employees will be advised of any change in their appearance date on the Court Cancellation telephone recording.

- c. A member or employee who has been ordered back to court by a hearing officer, commissioner, or judge shall request another subpoena for the next appearance. If another subpoena cannot be issued, the member or employee shall make a copy of the original subpoena for use at the next court appearance and have the copy stamped and attendance times written in by the court clerk.
5. Completion of Overtime Slip for Compensation
 - a. One OTWC Requisition (TF-455) shall be completed for each day's court appearance at a continuous court session (e.g., no breaks) for the same case.
 - b. If an extended break occurs between court sessions for the same case, or if attending different sessions on the same day for different cases, the subpoenaed member or employee shall complete additional OTWC Requisitions to document appearances at each of these sessions and attach the completed OTWC Requisitions to the original subpoena.
 - c. A member or employee not receiving a subpoena for a criminal proceeding but attending a proceeding after being called to testify, shall complete an OTWC Requisition and attach it to the proper documentation.
 - d. All members and employees shall file completed OTWC Requisitions and subpoenas with the Trial Attendance Record (TF-438) at the Patrol Division Administrative Office.
6. Bureau of Field Operations
 - a. The Court Liaison Coordinator shall also audit all OTWC Requisitions. Properly completed forms shall be forwarded to the BFO payroll clerk for entry into the Time and Attendance System.

- b. Payroll clerks shall review all OTWC slips for accuracy and make the necessary corrections to overtime hours and codings (see Part X) before they are entered into the Time and Attendance System.
- c. At the conclusion of the weekly time entry, BFO payroll clerks shall attach OTWC forms to the time reports, organize them in alphabetical order by pay period, and deliver them to the Budget and Accounting Section for archiving.

7. Other Organizational Units (Non-BFO)

- a. Members and employees shall submit OTWC Requisition forms to the Court Liaison Coordinator for approval.
- b. When the Court Liaison Coordinator returns the approved OTWC Requisition forms to the member or employee, he/she shall enter the approved court overtime hours on his/her time reports in straight hours.
- c. Unit commanders shall verify overtime hours claimed on OTWC forms and ensure that the correct hours and codings (see Part X) are referenced on the time reports before signing and forwarding them to the Budget and Accounting Section for data entry and archiving.

B. Civil Proceedings

Members and employees attending a civil proceeding also shall complete the Civil Action Attendance Record (TF-196) and OTWC Requisition (TF-455) in accordance with the provisions of [Departmental General Order E-3, CIVIL ACTION PROCEEDINGS](#).

V. OVERTIME ALLOWED (OTA)

A. Definitions

Overtime allowed or OTA is authorized leave using accrued compensatory time off.

B. Authorization

1. Members and Employees shall request OTA by submitting a Request for Overtime Allowed form (TF-3097) to their supervisor. The form shall normally be submitted at least 48 hours in advance. The member or employee shall state on the OTA form how many hours of accrued compensatory time are in his/her account at the time of the request.
2. Bureau of Field Operations (BFO)
 - a. Approved OTA forms shall be forwarded to the appropriate BFO payroll clerk for entry into HRIS.
 - b. Payroll clerks shall attach the OTA forms to the proper time reports when forwarding them to the Accounting Section for archiving.
3. Other Organizational Units (Non-BFO Units)
 - a. Members and employees shall record approved OTA on their time reports.
 - b. Unit commanders shall **retain approved OTA forms for six years.**
4. Unit commanders and section supervisors shall not allow members and employees to work overtime on the same date that OTA is used to be off.
5. Unit commanders and section supervisors shall not schedule a member or employee to work overtime on his/her days off on the same date(s) that OTA was granted. Exceptions are scheduled backfilling assignments, special events, projects, etc..

VI. OVERTIME PAYROLL CORRECTIONS

To request overtime corrections, members and employees shall complete Payroll Correction Forms (TF-2062) and submit them to their bureau commanders for approval via the assigned overtime auditors. (See Part I, B, 1.) Approved correction forms shall be forwarded directly to the Budget and Accounting Section for processing.

VII. MIDWEEK ASSIGNMENT TRANSFERS

If the member or employee earns overtime prior to being transferred during mid-week to another unit, he/she shall obtain the signature of the former unit commander on his/her time reports before turning it over to the new unit commander.

VIII. PERSONNEL SECTION RESPONSIBILITIES

The Personnel Section shall be responsible for updating each member or employee's unit of assignment (e.g., Organization Code, Fund, Project and/or Cost Center) and exemption status as he/she is hired, transferred or promoted. This includes Departmental internal files and City personnel and payroll files.

IX. OVERTIME DEFERRAL FOR MEMBERS

Non-exempt members may defer the difference between actual regular and line-up hours worked and 171 hours for each 28-day work cycle. There is no limit to the number of overtime hours an exempt member may defer.

Classifications	28-Day Cycle Total Regular Hrs	28-Day Cycle Total Lineup Hrs (8-hr shifts)	28-Day Cycle Maximum Deferral
Police Officers, Sergeants	160	10	1
Police Officers, Sergeants	160	None	11 hours
Lieutenants, Captains	160	10	No limit
Lieutenants, Captains	160	None	No limit

A. Procedures

1. Members who wish to defer their overtime pay shall mark the "Defer" box on the Overtime Worked Requisitions (TF-3081) or Court Overtime Worked Requisitions (TF-455).
2. Bureau of Services and Bureau of Investigation members shall also enter deferred overtime in straight hours on their Time Reports.
3. Meal allowances cannot be deferred.

B. Deferred Overtime Payment

1. Deferred overtime payments are made on separate checks payable on the first Friday in December which is not a payday. Any remaining or unclaimed deferred overtime will be paid at the end of each fiscal year by separate check on the first Friday in July which is not a payday.
2. Members who wish to receive payment in December for deferred overtime accrued shall submit a memorandum to the Accounting Section by November 1. The memorandum shall include the following information:
 - a. Member's full name and serial number.
 - b. Unit of assignment.
 - c. The dollar amount to be paid.
2. Deferred overtime may not be carried forward from one fiscal year to the next.
3. Payments are made at the rate the deferred overtime was earned.

X. SPECIAL OVERTIME CODES

- A. The following letter codes should be recorded on weekly time reports and/or overtime slips to identify reasons for overtime worked **in addition** to any special project, cost center, and work order numbers.

Letter Code	Explanation of Use	Corresponding Project or Cost Center Numbers*
B	Backfilling – Overtime to fill a position during the absence of the regularly assigned person	None
C	Call Backs – Overtime for persons who are on standby or are called back to duty.	None
D	Disturbances or Civil Disorders – Overtime in response to a possible or actual civil disorder or demonstration. (Includes extension of shift due to the incident, unless the member or employee has been dispatched to a different overtime assignment on an extension basis.)	None
E	Extension of Shift – Overtime prior to or at the end of a shift to complete an assignment.	None
G	Games/Events at Coliseum – Overtime at the Oakland Coliseum for sports events, concerts, or other events, including overtime for planning, traffic control and enforcement activities.	None
H	Holiday Overtime – Overtime earned for working normal duties on a holiday. If working on a holiday for other reasons or on a day off, use this code if no other code better describes the overtime.	None
J	Court Overtime – Responding to a subpoena or giving a deposition.	None
L	Lineup Pay – Half-hour straight pay for daily lineups.	None
M	Meetings with Public , including home alert meetings, neighborhood council meetings	None
N	Natural Disaster – Emergency response to a major natural disaster.	Use pre-assigned City cost center or project numbers.
P	Parades/Festivals – Overtime to provide security/traffic control at parades, short-term encroachments, festivals, visits by dignitaries, and other City, community and promotion events that are funded through permit fees, reimbursement, or a City promotional budget.	Special Events Coordinator submits cost summary and copies of overtime authorization forms to Budget and Accounting for billing or transfer to City Promotional Budget.
R	Recruiting/Backgrounds – Overtime to recruit members and employees and conduct background investigations for Departmental employment.	None.
S	Special Enforcement Actions – Overtime for special actions such as violence suppression projects, special task forces, etc.	Obtain proper project and codings from Budget and Accounting if outside funding is available.
T	Training – Overtime to prepare or present a training course, prepare or participate in Police Academy critical incidents.	None

Letter Code	Explanation of Use	Corresponding Project or Cost Center Numbers*
W	Review Panel – Overtime to participate on a Departmental review board or administrative hearing.	None
Y	Mayor/City Manager – Overtime for events, actions, or other unfunded activities conducted at the request of the Mayor or the City Manager.	None
Z	Citizens’ Police Review Board – Overtime for attendance at the Citizens’ Police Review Board meeting or hearing.	None
U	Unspecified – Overtime that does not fit any of the above categories.	

- B. BFO personnel shall enter the letter code on every overtime form. Personnel in other Departmental Units shall enter the letter code on the overtime form and in the “DEPT SPEC” field on their weekly time sheets and circle the overtime hours to which the code(s) applies.
- C. Payroll clerks shall hold overtime requisitions submitted without the appropriate letter codes and notify the affected member or employee immediately. (In the absence of the member or employee, the payroll clerk may contact the designated bureau overtime auditor for the correct letter codes.)

Corrected overtime forms will be entered the following week on payroll adjustment forms if they can no longer be posted/entered in the current pay week. Cost centers or project numbers shall also be used if one has been assigned for the overtime project.

- D. The RP&B Manager shall issue written instructions to all personnel whenever the codings and explanations under Part X, A, of this order change.

By order of

Joseph Samuels, Jr.
 Chief of Police

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