



Police Department

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DEPARTMENT GENERAL ORDER 20-19

OFFICE of the CHIEF OF POLICE
REPLACES: General Orders 06-02, 07-52, 09-05,
and 14-06

DATE: September 24, 2020

OVERTIME WORK POLICY

I. PURPOSE

To establish guidelines governing overtime, compensatory time, call outs/travel time, court time, and bailiff compensation for department personnel to include authorization, compensation, and accountability.

II. DEFINITIONS

Exempt - Employees who are in executive, administrative or professional positions, and who are exempt from the Fair Labor Standards Act overtime pay provisions. Deductions from pay are not made for absences of less than one day.

Non-Exempt - Employees who are not exempt from the Fair Labor Standards Act governing overtime pay. These employees are paid on an hourly basis. Deductions from pay are made for any absence, including an absence of less than one day.

Compensatory Time – Time off, earned in lieu of overtime pay, at a rate of one and one half hour for every hour worked in excess of the statutory limit established by the Fair Labor Standards Act.

Call Out – When an employee is called in to work at a time other than the employee's scheduled work hours.

III. GENERAL

- A. It is the general policy of the Clayton Police Department to compensate designated employees for overtime work. All employees may be required to work overtime when necessary to meet the mission and duties of the Department.
- B. Supervisor approval is required to work overtime.
- C. Overtime work will be utilized to eliminate conditions that endanger the health, welfare or safety of the public and for services required for the protection or preservation of the lives and property of the citizens. In addition, overtime will be worked when essential functions cannot be deferred or reasonably performed with the personnel available or for other purposes specifically authorized by the Chief of Police or their designee.
- D. Compensation for overtime will be authorized for the rank of sergeant or below and for civilian employees as approved by the Chief of Police or their designee.
- E. Command and supervisory personnel shall be responsible for regulating, reducing, and monitoring overtime worked by their subordinates or those attached to their control.

IV. OVERTIME

- A. Positions classified as non-exempt are subject to the overtime provisions of the Fair Labor Standard Act. The Human Resources Office shall decide exempt status in accordance with the Fair Labor Standards Act, with the approval of the City Manager.
- B. For pay purposes (including overtime), employees working in non-exempt positions shall track their time worked in quarter hour (15 minute) increments.
- C. Overtime pay shall be at 1 ½ times an employee's hourly rate.

V. COMPENSATORY TIME

If a non-exempt employee works overtime and prefers to be credited with compensatory time in lieu of paid overtime (consistent with established limits), they may request same. The supervisor must approve the request, after which, the employee will be credited with compensatory time at one and a half times the actual hours worked.

- A. Maximum Amount.

Effective per the date of this order, the maximum amount of compensatory time a police department employee may accrue is eighty (80) hours.

Overtime above the seventy-two hour limit will be paid overtime.

B. Compensatory Time Deficits

No employee shall be allowed to have a negative balance on comp time except under very extraordinary circumstances. In such cases, prior to an employee running a deficit on comp time, the circumstances surrounding the request must be reviewed and approved by appropriate city officials.

C. Compensatory Time Usage

Compensatory time may generally be requested and used at the employee's discretion. The minimum amount of comp time that may be taken during a specific work shift shall be one hour. However, any usage of comp time will require the prior approval of a supervisor or commander to ensure manpower requirements are met. The usage of compensatory time is also banned during those dates identified by the Chief of Police as necessary to cover special events, VIP details, etc.

In those instances where an employee elects to take off on compensatory time, the employee's supervisor or commander will mark the amount of time to be used in this department's pay/time management program.

VI. CALL OUTS

- A. All non-exempt employees who are called in to work at a non-scheduled time will be paid a minimum of two (2) hours of overtime, unless it is less than two (2) hours before the start of, or immediately following, their regular working shift.
- B. Overtime pay for being called into work begins at the time the employee arrives at the work site.
- C. If an employee is called to duty less than two (2) hours before the start of their regular working shift, the employee will receive overtime pay for the work performed only from the time the employee arrives at the work site to the start of the employee's regular working shift.

VII. TRAVEL TIME

- A. Compensation of one (1) hour travel time will be given for any required or assigned overtime except for the amount of overtime worked is six (6) or more hours and the overtime hours begin or end less than one (1) hour before or after a regularly assigned shift.

VIII. COURT

- A. Employees who are required to appear in court, a deposition, or Grand Jury, on behalf of the City or in relation to their employment with the City, on their time off, shall receive a minimum of three (3) hours overtime pay or compensatory time.
- B. Any officer who serves in the capacity of a Clayton Municipal Court Bailiff will receive a minimum of four (4) hours of overtime pay or compensatory time for each court session worked.

X. PROCEDURES

Should an employee work overtime, they shall complete an Overtime Form and indicate their choice of pay or compensatory time. Also indicated should be the number of hours worked, date, time, and the reason for the overtime along with any travel time which may be due. The form is then submitted to the employee's supervisor and routed through the chain of command for approval.

Completed requests for overtime pay/comp time will be submitted to the Human Resources/Finance Department.

XI. SUPERVISOR RESPONSIBILITIES

- A. Command and supervisory personnel will be responsible for authorizing and approving overtime work and granting compensatory time off consistent with the maintenance of a high level of Department operations.
- B. In an effort to compensate for time worked in excess of 40 hours in a work week by employees who are not eligible for overtime, the Chief of Police administers a program called Administrative Leave which can be taken if approved by the eligible employee's immediate supervisor, commander or commanding officer.

XI. RECORD KEEPING

- A. Each city department will keep records of employee overtime, to include the accrual of compensatory time. Employees will have the ability within this department's time management/pay program to view their balances as well as time used.
- B. The Police Department will report all information to Human Resources, which will then post each employee's accrual on their paycheck stubs. The records kept in the Human Resources will be recognized as the city's official payroll records.

- C. When an employee terminates employment with the city, the employee shall be paid for all accrued and unused compensatory time. Employees may also request a pay-out of comp time at any time after it is earned, but it shall be at the sole discretion of the city as to whether to grant an early pay-out or not.

BY ORDER OF:

A handwritten signature in black ink, appearing to read "Mark J. Smith", written in a cursive style.

MARK J. SMITH
Chief of Police

MJS:sak
CALEA Reference: 22.1.1