

DEPARTMENT GENERAL ORDER 06-02

OFFICE of the CHIEF OF POLICE
REPLACES: SOP 300.28.04

DATE: January 6, 2006

COMPENSATORY TIME

I. PURPOSE.

The City of Clayton maintains an overtime policy that includes the options of earning overtime pay or compensatory time. The following constitutes a guideline in regard to the accrual and management of compensatory time as a method of overtime payment.

II. DEFINITIONS.

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.

III. GENERAL.

The overtime hours worked for which compensatory time may be sought, must have been approved and/or assigned by the non-exempt employee's supervisor or commander. The employee will complete an Overtime Compensation Request Form and indicate their choice of comp time over overtime pay. The number of hours worked and the reason for the overtime shall also be listed. The completed form will be forwarded to the appropriate command officer where the time will be logged and subsequently reported to the Personnel Office.

IV. ACCRUAL PROCESS.

If a non-exempt employee works overtime and prefers to be credited with compensatory time in lieu of paid overtime (consistent with established limits), he/she may request same via departmental overtime form. 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 seventy-two (72) hours. Overtime above the seventy-two hour limit will be paid overtime.

B. Compensatory Time Deficits

No employee shall be allowed to go “in the hole” 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.

V. 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.

Compensatory time should be used within six months from the time that it is earned.

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 taken on the Daily Assignment Sheet. The Commander of the Criminal Investigations Division shall then review these sheets on a daily basis and delete the appropriate amount of time from the individual’s accrued total in the compensatory time log. This information, along with any earned comp time, will then be transmitted to the Personnel Office.

VI. RECORD KEEPING.

Each city department will keep records of employee overtime, to include the accrual of compensatory time. Once overtime has been earned, non-exempt employees will complete an Overtime Compensation Request Form. This will be forwarded to the command officer responsible to maintain overtime records. Data related to compensatory time will be recorded in a log book dedicated solely to that purpose. Each employee will have an individual entry sheet within the book and it will record compensatory time earned, compensatory time used, the dates for each, and the current available total.

The departments will report all information to the Personnel Office, which will then post each employee's comp accrual on their paycheck stubs. The records kept in the Personnel Office will be recognized as the city's official payroll records.

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:

THOMAS J. BYRNE
Chief of Police

TJB:dld

CALEA Reference: 22.1.1