



ALBUQUERQUE POLICE DEPARTMENT  
ADMINISTRATIVE ORDERS

SOP 3-20

Effective: 03/10/16 Review Due: 03/10/17 Replaces: 01/19/16

**3-20 OVERTIME, COMPENSATORY TIME AND WORK SHIFT DESIGNATION**

**3-20-1 Policy**

Department policy is to compensate personnel for all overtime worked in the form of wages and/or compensatory time as provided by law.

**3-20-2 Rules**

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A. Overtime

1. Eligible personnel shall be paid at the rate of time and one-half their regular straight time rate of pay for all time worked in excess of 40 hours in any one workweek.
2. A "non-Scheduled Time" form (PD-4019) will be completed by personnel performing the overtime. The form must be approved by the appropriate supervisor in the chain of command.
3. All overtime, with the exception of Court Overtime and Chief's Overtime, must be pre-approved by the supervisor of the employee working the overtime assignment and recorded on a daily basis on weekly time sheets.
4. It is the responsibility of personnel working during normal business hours to scheduled work related meetings/appointments during their shift, whenever possible. If there are circumstances where personnel cannot schedule meeting/appointments during his/her shifts, personnel will notify their immediate supervisor to obtain prior approval before scheduling meetings/interviews on off-duty hours. This section does not apply to personnel whose entire shift occurs during non-business hours.
5. Whenever possible, it is the responsibility of personnel to consolidate appointments/meetings to reduce overtime expenditures.
6. Restrictions - Officers cannot sign-up for or accept an assignment for overtime if:
  - a. On "on-call status"
    - i. The Honor Guard team and ERT will be exempt from this.
    - ii. Applies only to Chief's Overtime assignments
  - b. On Administrative Leave/Assignment
  - c. On suspension from normal work
  - d. On Sick Leave, FMLA, or Educational Leave
  - e. The officer has physical/medical restrictions which affect his/her ability to perform all the essential functions of a field officer.
  - f. Military Leave
  - g. Light Duty/Injury Leave



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B. Chief's Time Program

1. The Chief's Time Program is open to officers on a sign-up basis. Patrolman Second Class must be off OJT to be eligible to work Chief's Time. (See letter "E" for supervisor sign-up policy).
2. Officers who wish to participate in the Chief's Time Program should contact the Chief's Time Coordinator indicating their desire to sign up for available assignments. Officers are responsible for updating all necessary information, i.e., address, telephone numbers, a recent transfer, etc., by notifying the Chief's Time Coordinator.
3. Classes of compensation for working Chief's Time:
  - a. Lieutenant (Commanding Officer) Chief's Time rate
  - b. Sergeant Chief's Time rate
  - c. Patrolman First Class Chief's Time rate

The number/rank of personnel requested is determined by the event, and/or the vendor requirements, e.g., an event may require a commanding officer (lieutenant or above) and/or a superior officer to supervise patrolmen.

4. Supervisors Working Chief's Time
  - a. Supervisors may sign up for any assignment requiring a supervisor, as outlined in paragraph "5" below.
  - b. Supervisors may not sign-up for or accept any P1/C assignments.
  - c. Lieutenants may not sign-up for or accept any Sergeant assignments
5. An alphabetical grouping of eligible officers, (A-F, G-L, M-R, S-Z) will be prepared by the Chief's Time Coordinator in order to equitably distribute assignments. The list is rotated monthly. The list will be posted in the Chief's Time office. The list covers each month of the calendar year and is distributed to all area/divisions commands. Chief's Time sign-up will be conducted as follows:
  - a. The Chief's Time Coordinator will have assignments available for sign-up by the second week of the month. Each officer may select only 3 assignments on their designated sign-up date.
  - b. Supervisors may select only 2 assignments on their designated sign-up date.
  - c. The third Wednesday of each month will be the "open-book" period to sign up for additional 3 assignments. Officers may sign up for only 3 additional assignments per day as long as assignments are available.
  - d. Supervisors may sign-up for only 2 additional assignments per day as long as assignments are available.
  - e. Officers are authorized to sign-up for and/or accept assignments for themselves only.



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- f. Chief's Time Hour Limitations:
    - i. In cases where officers do not receive any type of overtime, excluding court overtime, officers will not accept, sign-up for, or work more than 25 hours of Chief's Time per week. An officer who exceeds 25 hours of Chief's Time in a given week will be subject to suspension of Chief's Time privileges listed in paragraph 12.
    - ii. Officers are limited to 25 hours of total overtime for any given week. For example, if an officer has 10 hours of grant overtime for a given week, he/she may sign up for a maximum of only 15 hours of Chief's Time.
  - g. Officers must personally pick up paperwork from the Chief's Time Coordinator on the last working day of the month for the next month's assignments.
  - h. Vendors occasionally request officers for an event on short notice. The Chief's Time Coordinator will contact Communications to broadcast a request for officer(s) to fill the assignment. This will be done on a limited, emergency only basis.
6. Officers who are unable to work a scheduled Chief's Time assignment are responsible for finding a replacement. Any officer working as a replacement is responsible for ensuring he/she does not exceed 50 hours per pay period.
- a. Officers will not ask Communications to broadcast any Chief's Time assignment for them.
  - b. If a replacement officer misses the assignment, both officers will be subject to suspension as listed in paragraph 12 for failing to appear for the assignment.
7. Officers who are not performing the assigned duties will be subject to suspension as listed in paragraph 12.
- a. Vendors may request officers who have specific skills/experience to work events based on the nature of the assignment duties.
  - b. Vendors may request certain officers not work their assignments if they feel the officers are not satisfactorily performing their duties.
8. I.C.O.D. Payments:
- a. C.O.D. assignment payments will be by money orders, business checks, and/or cashier's checks ONLY. Cash and/or personal check will be accepted.
    - i. C.O.D. payments will be hand carried to the Chief's Time Coordinator's office along with the Chief's Time Work Order and Overtime Slip. Inter-office mail will not be used.
    - ii. C.O.D. payments must be turned in to the Chief's Time Coordinator by the opening of the next business day.



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- b. Officers will not receive Chief's Time pay until the C.O.D. payment is received by the Chief's Time Coordinator.
9. Approval of Chief's Time Documents:
- a. An officer's Chief's Timeslip and a work order will accurately reflect the actual time worked.
    - i. Officers receive a minimum of two hours Chief's Time pay for any time worked under two hours.
    - ii. If officers arrive at an assignment that has been canceled without the officer's knowledge, they will receive two hours pay.
    - iii. The vendor's signature on the Chief's Time work order will confirm that the officer actually worked the hours indicated at the vendor's place of business.
  - b. The officer(s) will then forward the slip and vendor work order to the Chief's Time Coordinator as outlined below. Failure to do so may result in suspension of Chief's Time privilege as outlined in paragraph 12.
    - i. All Chief's Time slips must be turned in to the Chief's Time Coordinator no later than 1200 hours on Friday of the second week of the pay period.
    - ii. If a holiday falls within that pay week, the deadline is 1600 hours on Thursday of the second week of the pay period.
10. Personnel working Chief's Time assignments will adhere to the following Standing Orders:
- a. While working a Chief's Time assignment, officers will adhere to all Department rules and regulations as if they were on normal duty hours. Violations of this policy may result in disciplinary action and/or loss of Chief's Time as stated in this Section.
  - b. Officers working a Chief's Time assignment requiring a supervisor will be under the command of that supervisor for the duration of the assignment.
  - c. Personnel shall report for Chief's Time assignments on time. Should personnel be late for any reason, they will:
    - i. Notify the contact person.
    - ii. Notify the on-duty sector supervisor.
    - iii. Document his/her actual arrival time on the paperwork.
  - d. Upon arrival at a Chief's Time assignment, officers will:
    - i. Advise Communications of their assignment either by MDT or voice transmission. At the conclusion of the Chief's Time assignment, officers will advise Communications that they are out of service.
    - ii. Notify the on-duty sector supervisor of the assignment, times and location, if the assignment is unsupervised.
    - iii. Meet with the supervisor/contact person for specific instructions.



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- iv. Be monitored by the on-duty Sector Supervisor working Chief's Time in their area. The on-duty sector supervisor will ensure that officers are properly equipped for their assignment, i.e., traffic vests and helmets when directing traffic, etc.
  - v. Will be corrected by the on-duty sector supervisor for any minor violations of Department policies/procedures at the time they are discovered. Major infractions will be reported to the officer's supervisor for investigation.
  - e. Civilian ridealongs will not be permitted on any Chief's Time assignments.
  - f. Officers shall not make or accept personal phone calls or participate in recreational reading. Exceptions to reading will be determined by the nature of the assignment and approval of the vendor.
  - g. Officers shall not leave their assignment to respond to other calls for service except in life-threatening situations.
  - h. Officers shall advise the assignment supervisor/contact person when leaving at the end of the assignment.
  - i. Officers working at liquor establishments shall not spend any time in the establishment unless an incident occurs inside the business which would normally result in a police officer being dispatched to respond.
11. Any complaints/disciplinary action generated during Chief's Time assignments will be handled in the following manner:
- a. The complaint will be sent to the supervisor assigned to the outside activity for investigation.
  - b. If a supervisor was not assigned to that event, the investigative responsibility would be the officer's regular duty supervisor, at the time the incident occurred. The findings and recommendations will be the responsibility of their assigned supervisor.
12. Officers who violate any provision as contained in this Section will be subject to suspension or disqualification from working Chief's Time. The following guidelines will be used:
- a. First offense within one calendar year of the date of the missed assignment - three-month suspension.
  - b. A second offense within one calendar year of the date of the missed assignment - six-month suspension.
  - c. A third offense within one calendar year of the date of the missed assignment - one-year suspension.
13. Suspension from signing up or working Chief's Time will commence with the next scheduled sign-up period. Suspension or disqualification from Chief's Time will not be grievable under the City's Merit System Ordinance.



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C. Compensatory Time

1. The accumulation and use of compensatory (comp) time in lieu of paid overtime on a voluntary basis is not allowed except as authorized by Collective Bargaining Agreements and the Fair Labor Standards Act, and is subject to the following guidelines and restrictions:
  - a. Comp time will require the same approval process as overtime. Personnel will not be allowed to work comp time unless it is necessary in order to achieve a specific objective.
  - b. Compensatory time in lieu of overtime may be taken at the option of the employee on an individual basis as compensation for time worked in excess of 40 hours per workweek. All compensatory time will be computed at a rate of one and one-half times the time actually worked. The maximum amount of comp time which can be accrued by any one employee is that amount stipulated in the respective current Collective Bargaining Agreement.
2. Documented compensatory time will be transferable from one bureau, division or section to another up to the maximum amount of hours permitted.
3. Supervisors shall not select personnel to work overtime based on their preference for taking compensatory time in lieu of paid overtime.
4. Personnel who are dismissed from the department will be given credit as time worked for any compensatory time they may have accrued up to the maximum allowed by the Collective Bargaining Agreement and the Fair Labor Standards Act.
- [6] 5. Employees are responsible for ensuring that a "Non-Scheduled Time" form (PD-4019) has been used to document all personal compensatory time accumulated as well as compensatory time taken. These forms will be retained by division commanders for at least a 12-month period. Accumulation and use of comp time must be documented on weekly time sheets.

D. Shift Classifications

1. Permanent work shifts of the Albuquerque Police Department are classified into one of the following categories:
  - a. Watch I - Any shift which begins between 1700 hours and 0329 hours shall be considered Graveyard.
  - b. Watch II - Any shift which begins between 0330 hours and 0959 hours shall be considered Day.
  - c. Watch III - Any shift which begins between 1000 hours and 1659 hours shall be considered Swing.



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E. Differential Pay

The shift times designated above shall be used to compute shift differential pay.

F. Flex Scheduling and Split Shifts

Flex scheduling and split shifts may be implemented at the discretion of the Bureau Commanders to fit the needs of particular work units.

G. Upgrades

1. When a supervisor is to be away from work for 8 hours or more, a subordinate may be temporarily upgraded to the position that is graded higher. The upgrade procedure will only apply to employees that are under contractual agreements.
2. To upgrade, an inter-office correspondence must be written by the supervisor (one rank above the upgrade) that is in charge of the activity to their deputy chief/deputy director/area commander, with a copy sent to the police payroll supervisor. The correspondence must include:
  - a. The dates that the upgrade will be effective.
  - b. The reason the upgrade is necessary.
  - c. The name and employee number of the person being upgraded.
  - d. A request that the upgraded employee's salary be adjusted.
  - e. Approval lines for the chain of command.
3. Payroll upgrading should not be used when there is a temporary absence of fewer than 8 hours during the normal work period.

H. Special Assignments

1. This section covers situations where officers are given a special assignment reporting to a task force or joint investigation that is not led by the officers' regular supervisor.
2. In such cases, officers will follow the operational orders of the supervisor in charge of the special assignment. Officers are responsible for notifying their regular supervisor of the work schedule for the special assignment and providing their regular supervisor with any available documentation of that schedule. Any leave taken, or overtime worked must be cleared in advance with the regular supervisor unless the situation prevents this. In such cases, officers will contact their regular supervisor the next working day to obtain approval for the leave or overtime. Case agents do not have the authority to approve leave or overtime.



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3. Supervisors are responsible for monitoring leave taken, the work schedule, and overtime worked by their subordinates, even if the subordinate is working on a special assignment. The regular supervisor is also expected to coordinate with the operational supervisor in charge of the special assignment to minimize the use of overtime. The regular supervisor will attend all briefings held to organize and coordinate the special assignment.

I. Overtime/Comp Time Approval

1. Late Call: Overtime generated as the result of being held over for calls for service must be pre-approved by an on-duty supervisor. The overtime slip will note the name of the supervisor authorizing the use of overtime and the call/case number or incident number of the activity requiring overtime. As soon as practical, personnel working late call overtime will go off-duty. Late call overtime must be reviewed every hour by an on-duty supervisor who will evaluate the need for the continued use of overtime.
2. Call-Out: Call-out overtime will only be utilized in cases requiring immediate intervention on the behalf of personnel who are off-duty. Requests for personnel who are off-duty to come into work will only be made by an on-scene supervisor. Whenever possible, the on-scene supervisor should talk with the supervisor of the person/unit being requested so that only the absolutely necessary personnel are called out. Call-out overtime must be reviewed every hour by an on-duty supervisor who will evaluate the need for the continued use of overtime.
3. Investigation: All investigator overtime must be pre-approved by the supervisor of the investigator needing to work overtime in order to conduct/complete an investigation. Whenever possible, investigators should adjust hours or have other personnel who are on-duty assist in obtaining necessary statements and/or conduct follow-up investigations.
4. Tact-Plan: All tactical operation plan overtime will require the pre-approval from the Commander.
5. Administrative: All administrative overtime will require the approval of the Commander.
6. Training: Training overtime will require the pre-approval of the Deputy Chief from the Bureau of the employee conducting training while on an overtime status. Training will normally only be conducted while the employee is working. Whenever possible the employee should have their hours adjusted in order to avoid the use of overtime expenditures
7. Special Event: All special over overtime must be pre-approved by the Commander.





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8. Grant Overtime: All grant overtime must be pre-approved by the Planning Division and the Chief of Police at the beginning of the grant cycle. All grant overtime will be clearly identified as such on the overtime slip, and a copy of the overtime slip will be attached to the employee's timesheet. The grant overtime will be monitored/reviewed by the officer's chain of command. The Planning Division of APD will be responsible for the monitoring of all grant overtime to ensure compliance with the requirements of the grant
9. Holiday: Holiday pay eligibility is defined in the current Collective Bargaining Agreement.
10. Community Meeting: Whenever possible, on-duty personnel should be used to attend community meetings/functions. Any community meeting requiring overtime must be pre-approved by the Area Commander.
11. Reimbursable Overtime: Any overtime that is worked and subject to reimbursement from an outside funding source will have that information noted on the overtime slip and on the corresponding timesheet. Information should include; the agency responsible for the reimbursement and a description of the specific operation (identifier) worked. A supervisor working the assignment/project must approve the reimbursement overtime.
12. Court: Officers attending a court appearance will complete the Evidence Disposition Form included on the bottom of the time slip submitted if attending court off-duty. A separate form should be filled out for each case adjudicated on the docket during the court appearance. Indicate whether any evidence connected to the case may be disposed of or should be retained for further adjudication. Officer-prosecuted cases do not need an ADA signature.

J. Overtime/Comp Time Review

1. All Overtime Slips/Evidence Disposition Forms and Timesheets must be reviewed and approved by the immediate supervisor/sergeant and manager/lieutenant that contain any overtime and/or comp time. Additionally;
  - a. There will be notification given to the Commander/Director of timesheets with 16 hours of more of overtime.
2. The Fiscal Division of the Albuquerque Police Department will provide a breakdown of all overtime expenditures by activity number every two weeks. Copies will be provided to the Chief of Police, the respective Deputy Chief of Police for each Bureau, and the Commander/Manager for each Division that utilizes overtime as well as the lieutenants/supervisors of divisions/units that have overtime expenditures. Reimbursable overtime will be delineated by operation and reported to the appropriate commander.



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3. The Planning Division of the Albuquerque Police Department will be responsible for the monitoring and validation of all grant-funded overtime. In order to properly monitor grant overtime, it will be necessary that a summary of the grant activity be forwarded to the Planning Division along with a detailed list of personnel working the assignment, salary and hours worked. Additionally, all original overtime slips will be sent to Planning along with a copy of the employee's timesheets.
  
4. Officers who are involved in the arrest of an individual will not have other officers become involved in the incident solely for the addition of court time. In cases where more than one officer is involved in an arrest, the same officer will write the offense/incident report and citations. The last line of the report will state which officer(s) are necessary for the prosecution of the case. If other officers were only witnesses to the incident, personnel will state that in the report.