



DEPARTMENT NOTICE

24-142

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Mandatory and Voluntary Overtime and Limits (Supersedes DN 24-086)

The purpose of this Department Notice is to establish overtime rules and limits and provide members with a definition of mandatory and voluntary overtime.

The health and wellness of our members can be adversely affected by working long hours and multiple days in a row. Members shall monitor their overtime to avoid violations of this policy.

Department's Overtime Limits

Without the advanced approval of their Commanding Officer, Division Director or designee, members shall not work more than:

- 16 hours in any 24-hour period (including all on-duty hours, overtime assignments and secondary employment).
- 70 hours of overtime in a single pay period.
- Members shall have at least one "H" day (24 consecutive hours) every 14 days.

These restrictions include a combination of overtime and secondary employment within a single pay period. Once a member has reached the overtime limits and/or secondary employment limits for the pay period, the member shall not schedule any additional voluntary overtime (including 10B) for the remainder of that pay period. If a member has previously scheduled voluntary overtime but reaches the overtime/secondary employment limits because of unforeseen incidents, the member shall not work the voluntary overtime assignment or additional secondary employment. The member shall also contact the supervisor who initially scheduled the voluntary overtime assignment or the 10B coordinator who will attempt to replace the member for the upcoming voluntary overtime assignment(s).

If a member is mandated and directed to work overtime (i.e. special event, demonstration, etc.) and is given advanced notice, the member must take these future mandatory overtime hours into account when signing up for other overtime during the pay period. For example, a member has signed up for a 10B assignment, but this 10B shift will put the member over the 70-hour limit once the member works the mandatory overtime shift on the last day of the pay period. Members may be required to work in excess of 70 hours of overtime in a pay period for pre-planned special events with the approval of a Deputy Chief. For pre-planned special events, the department will notify members of the 70-hour exception before the pay period in which the planned event is scheduled.

The type of compensation, both pay and compensatory time, are used to calculate the number of overtime hours worked under these policies.

The SFPOA MOU permits the Chief of Police or his designee to determine the duration of a standby assignment. Any member placed on standby will be compensated pursuant to the terms of the MOU.

Members are reminded that they cannot submit overtime cards for two different pay statuses for the same time period (overlapping) i.e. mandatory, voluntary, or 10b assignment overtime while on standby pay status. However, a member may be assigned to standby prior to an overtime assignment and after an overtime assignment has been completed. The member will receive the MOU required pay for each standby assignment not to exceed two (2) hours of their regular rate of pay for each standby assignment (up to but not to exceed 24 hours) that begins on regular assigned workday, and three (3) hours of their regular base rate of pay for each assignment that begins on a regularly scheduled day off. Additionally, if a member on standby is called-back and required to return to duty, upon completion of their call-back assignment, the member shall resume being on standby status for the duration of the scheduled standby period up to but not to exceed twenty-four hours unless their standby status is cancelled by a supervisor. A member may only get compensation once for standby (on call) in a 24-hour period. Standby (on call) and overtime periods shall not overlap.

Members are to complete one standby (on call) yellow card reflecting all the dates and time on call in the 24-hour period.

Example 1:

A member is assigned to be on standby until 0700hrs the following morning. The member works their assigned shift of 0700 to 1700. At 2000, the member's supervisor contacts the member and requires them to return to work for a call back assignment. The member works the call back assignment until midnight.

Between 1700 to 2000, the member is on standby status.

From 2000 to 0000, the member receives 4 hours of overtime pay at the applicable rate since the time actually worked is greater than the 3-hour call-back pay minimum.

Unless the Department has modified the duration of the standby assignment, the member resumes being on standby status from midnight at the end of their call back assignment to 0700 when the member returns to their regularly scheduled work shift.

The member shall complete one (1) overtime card for the call back hours from 2000 to 0000 for four (4) hours. If the Department has defined the duration of the standby assignment to end earlier than 0700 then the member shall also complete another standby card for two (2) hours of standby premium pay at their regular rate for the duration of that assignment.

The member must complete a standby (on call) yellow card for being on standby.

Example 2:

A member assigned to SVU has been assigned to be on standby for a 24-hour period from 0800 Saturday until 0800 Sunday (the next day). The member volunteers for an 8-hour voluntary overtime detail on Saturday from 0800 to 1600. While working the voluntary overtime detail for 5 hours (1300), the member is called by their supervisor and is reassigned to an active sexual assault investigation. The member informs the supervisor of the voluntary overtime detail that they are being reassigned to the SVU call out.

The member responds to and works the reassignment detail for 5 hours until 1800 (hours worked with SVU 1300-1800).

After 1800, the member shall resume their standby status until 0800 the following morning (Sunday) on their regularly scheduled day off unless the Department has modified the duration of the standby assignment. If the Department has modified the duration of the standby assignment, the member shall submit a standby card for 3-hours of premium pay for the duration of that assignment.

The member shall have three (3) overtime cards to submit. First overtime card for the voluntary overtime detail from 0800 to 1300. Second overtime card is for the SVU call out from 1300 to 1800, and if the Department has defined the duration of the standby assignment to end earlier than 0800 then the third card is a standby (on call) yellow card for the 3 hours of premium pay for the duration of that assignment.

Note: Members are reminded that the department may reassign any member working any overtime assignment, including 10b assignments based on the needs of the department.

Voluntary Overtime

Overtime where the member is not mandated and directed to work by the member's respective Chain of Command.

Examples of voluntary overtime may include, but are not limited, to the following:

- 10-B assignments
- Backfill in which the member volunteers to work and staffing is above the minimum
- Overtime opportunities deemed voluntary by the Department

Members must work in excess of their regularly scheduled workday or work week during that period to be eligible to receive overtime at a compensation rate of time and a half. If a member does not complete their regularly scheduled workday or work week, the member will be paid at straight time for voluntary overtime.

The work week, for the purpose of calculating overtime, is from Saturday at 0000 hrs. through Friday at 2359 hrs.

A regularly scheduled workday and work week include the use of vacation (VA) and legal holiday (LHP) for purposes of calculating voluntary overtime. If members use any other form of discretionary time off or use sick pay (SLP), they are not eligible for overtime at the time and a half compensation rate for voluntary overtime.

For purposes of calculating compensation rates, members working a 10-B assignment are not restricted to discretionary time off rules as indicated for voluntary overtime. Members working a 10-B assignment will be compensated at a time and a half rate of pay.

Mandatory Overtime

Overtime where the member is mandated and directed to work by the member's respective Chain of Command.

Commanding Officers may require any sworn member(s) to work an assignment in excess of their regularly scheduled workday, tour of duty, or work week, which will be considered "Mandatory Overtime." Mandatory overtime is not voluntary and shall not be refused or declined by a member.

Refer to the current Memorandum of Understanding (MOU) between the City and County of San Francisco and the San Francisco Police Officers' Association for rules associated with overtime.

Officers required to work mandatory overtime shall submit a completed overtime card to include all required information and the notation "MANDATORY" written in the comment section (back of SFPD 289) to their Commanding Officer through the chain of command.

Examples of mandatory overtime may include, but are not limited, to the following:

- Mandatory arrests and/or investigations extending beyond the member's regularly scheduled shift.
- Backfill in which a member is mandated/directed to work by the member's chain of command due to staffing being below the minimum.
- Special events where a member volunteers or is mandated/directed to work beyond their regularly assigned shift or regular work week (Pride Parade, New Year's Eve, etc.).

Violations of Overtime Limits

The procedures to address violations of this notice are as follows:

1st violation:

The member who worked and the supervisor/member who authorized the overtime shall be retrained on this policy by their Commanding Officer or designee.

- The facts surrounding the alleged violation will be reviewed for the purpose of retraining the involved member.
- As part of the review process, the member who worked overtime in excess of the overtime limits of this policy shall be notified by their unit supervisor to write a memorandum explaining the facts concerning the specific overtime that caused the member to work hours in excess of the overtime limits, including which supervisor approved the overtime.
- For the approving member/supervisor the memorandum should include the factors that were considered in order to authorize the overtime.
- The memorandum will be used only for the purpose of retraining the member and/or supervisor and not for punitive or progressive disciplinary actions.
- In addition to the memorandum, the member shall complete form SFPD 501 Anticipated Overtime Work Schedule (Rev. 04/24) for the next four pay periods. A copy of the revised form is attached to this notice and can be located in the SFPD Forms folder and in PowerDMS.

2nd violation:

Referral to the Internal Affairs Division for an administrative investigation.



WILLIAM SCOTT

Chief of Police

Per DN 23-152, all sworn & non-sworn members shall electronically acknowledge this Department document in PowerDMS within (30) thirty calendar days of issuance. Members whose duties are relevant to this document shall be held responsible for compliance. Any questions regarding this policy should be sent to sfpd.writtendirectives@sfgov.org who will provide additional information.