

Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 2.33
	Effective Date: 09/02/21 Prv. Rev. Date: 06/05/22 Revised Date: 12/19/22
	Accreditation Standards: KACP: 10.1,12.6
Chapter: Personnel	
Subject: Overtime Authorization, Accountability, and Review	

2.33 OVERTIME AUTHORIZATION, ACCOUNTABILITY, AND REVIEW (KACP 10.1d-e)

2.33.1 POLICY

Should it be considered necessary for the efficient and effective operation of the Louisville Metro Police Department (LMPD), members may be required to work a reasonable number of hours over the standard 40-hour work week (or 80-hour pay period for members working 12-hour shifts). This policy establishes guidelines regarding overtime hours worked by LMPD members.

Members working overtime hours will do so in accordance with LMPD policies and procedures, contractual agreements, Louisville Metro Government Personnel Policies, Kentucky law, and the Fair Labor Standards Act (FLSA). Members should refer to these documents for details on exempt vs. non-exempt positions, when overtime pay may be granted, and rates of payment.

2.33.2 DEFINITIONS

Compensatory (Comp) Time: Hours worked by an exempt employee in excess of his/her assigned work week.

Exempt Employee: An employee who is not subject to the wage and hour laws regarding minimum wage and overtime based upon their job duties and responsibilities. The employee is not paid overtime.

Non-Exempt Employee: An employee who is subject to the wage and hour laws regarding minimum wage and payment of overtime based upon his/her job duties and responsibilities. The non-exempt employee must be paid overtime when he/she works over 40 hours in a work week (or over 80 hours in a pay period if working 12-hour shifts).

Overtime: Hours worked by a non-exempt employee in excess of the regular work days of eight (8), ten (10), or 12 hours a day or a regular 40-hour work week (or over 80 hours in a pay period if working 12-hour shifts).

Planned Overtime: Overtime that has been scheduled in advance by a supervisor.

2.33.3 PROCEDURE

All overtime and compensatory time requests will be submitted by members, via **TeleStaff**, before the end of the member's next tour of duty. If the member's next tour of duty occurs on a day after the end of the current payroll period, the request must be submitted immediately. All members are required to have their shift schedules accurately reflected in **TeleStaff**. If a member has a daily schedule that is different than the schedule template that he/she is assigned in **TeleStaff**, he/she is required to update his/her schedule in **TeleStaff** to reflect the hours that were actually worked. All members are required to login to AgencyWeb every work day in order to check for pertinent correspondence. It is especially important to check the calendar every work day. Members may check **TeleStaff** at any time, via the Internet.

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2.33.3 PROCEDURE (CONTINUED)

Overtime should be submitted to the supervisor responsible for the overtime shift and approved or denied before the end of the approving supervisor's next tour of duty. Approvals should be forwarded through the appropriate chain of command. Prior to approving to the next level, each supervisor is responsible for verifying that overtime requests are completely and accurately submitted. All approvals will be transmitted to Police Human Resources (HR) by 0830 hours on Monday, after a payroll period ending on Saturday.

Unit commanders are also responsible for monitoring the amount and necessity of all unit overtime expenditures. Unit commanders will take measures to reduce or limit the need for overtime.

Prior to working any unplanned overtime, members must seek approval from their supervisor. Additionally, members will verify that they do not have any shift conflicts that will interfere with the overtime hours.

Approval must come from a supervisor who is at least one (1) rank above the rank of the member who is requesting overtime pay (e.g. an officer/detective must receive approval from a sergeant; a sergeant must receive approval from a lieutenant, etc.).

Lieutenants will seek approval from their division/section/unit commander prior to working any unplanned overtime.

Professional staff will seek approval from their supervisor prior to working any unplanned overtime or compensatory time.

Compensation for any overtime/compensatory time worked will be in accordance with current Louisville Metro Government Personnel Policies and/or **an applicable** collective bargaining agreement.

Supervisors should only approve overtime that is commensurate with the members' rank and assignment. Supervision of an overtime detail involving multiple sworn staff would generally be an appropriate use of overtime if on-duty supervisors are unavailable and permission is received by the division commander.

When submitting an overtime request, members will provide a detailed description of the nature of the overtime work, including the reason for the overage. Blank submissions or submissions with limited or incomplete information will not be approved.

2.33.4 EXCEPTIONS

Overtime for specialty team callouts, Police Training Officers (PTOs)/Police Training Sergeants (PTs), and court appearances will be considered scheduled planned overtime for the purpose of this policy and will not require prior approval.

Overtime for late runs and prisoner transports will not require approval unless they exceed one (1) hour.

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2.33.4 EXCEPTIONS (CONTINUED)

No member will be scheduled for pre-planned event details or regular work shifts without a minimum of ten (10) hours between details or regular work shifts, unless the Chief of Police deems an emergency exists (investigative units that utilize flexible work schedules are exempt from this). Members will be paid at the applicable overtime rate for each hour, or portion thereof, that is worked contrary to this rule. The overtime rate for the applicable hours will be applied to the first available straight time hours worked following the violation.

Members are prohibited from working overtime during their regular shift hours. Additionally, members are prohibited from changing their working hours in order to obtain overtime, to include court-related overtime.

Members are prohibited from working overtime while utilizing vacation leave, sick leave, or compensatory time **on the same day that voluntary overtime is sought.**

Overtime will not be paid to members attending Accident Review Board (ARB) hearings for a traffic collision they were involved in.

Members on suspension from the department are prohibited from working overtime.

2.33.5 LATE OVERTIME

Overtime requests not entered and/or approved by 0830 hours on Monday, after a payroll period ending on Saturday, will be considered late overtime. If this occurs, Police HR will notify the member and the member's commanding officer and request that a Late Overtime Request form (LMPD #15-0005) be completed by the member. Once completed, the form will be forwarded, through each level of the member's chain of command, when applicable. The form will then be forwarded to the Administrative Bureau Commander, or his/her designee, and Police HR. If approved by Police HR, the overtime hours will be reflected on the following pay period paycheck. If the Late Overtime Request form is not approved, the Division Commander will make the appropriate corrections and re-submit the form.

Late Overtime Request forms will be retained pursuant to applicable records retention schedules.

2.33.6 COURT OVERTIME

Members will complete a Verification for Court Overtime form (LMPD #04-08-0687) for all court appearances where any overtime pay requests may be made by a member pursuant to his/her current collective bargaining agreement. Court overtime will not be submitted for anything other than attendance, whether in-person or via phone conference. All court overtime must be approved by a Court Liaison Office (CLO) Sergeant. The Verification for Court Overtime form will be signed by the prosecutor who is working the case and will be submitted to the CLO for approval. If the prosecutor is unable to sign the form, the member will immediately notify the CLO. Any discrepancies or clarifying information related to this overtime should be included in the "Notes" field on the Verification for Court Overtime form.

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2.33.6 COURT OVERTIME (CONTINUED)

If a member is released from court and is unable to utilize the CourtNotify system to reflect this, he/she will immediately contact the CLO, via phone or email, so that the proper out of court time is recorded.

A member is eligible for court overtime for a phone conference if the following conditions are met and will be compensated consistent with his/her collective bargaining agreement:

- The member must be off-duty and not under subpoena to appear in court.
- The member is contacted by the Jefferson County Attorney's Office or Office of the Commonwealth's Attorney, by phone, for a court case conference.
- The phone conference must be a minimum of eight (8) minutes.

The member will complete a Verification for Court Overtime form for a phone conference and submit it to the CLO for approval.

CLO Sergeants will conduct bi-weekly reviews to verify that all approved court overtime has been properly submitted.

2.33.7 OPERATIONS MANUALS

All divisions/sections/units are required to have an operations manual that outlines their day-to-day activities (refer to SOP 3.4). Members should consult their respective operations manuals regarding overtime best practices for their respective assignment.

2.33.8 ABUSE OF OVERTIME

The department is committed to making every reasonable effort to prevent the abuse of overtime by members. Complaints of overtime abuse by a departmental member against another individual will be sent, through the appropriate chain of command, to the division commander, who will then forward the information to the Special Investigations Division (SID) Commander, the Police HR Compliance Manager, or directly to the Chief of Police (KACP 12.6d).

Members inhibited by the chain of command may report instances of overtime abuse directly to the Chief's Office or the SID Commander (KACP 12.6b).

Unit commanders should monitor frequent or unusual patterns of overtime for possible abuse.

2.33.9 OVERTIME REVIEW

The Inspections and Compliance Unit (ICU) will conduct periodic reviews of overtime hours worked by members to verify that all members' use of overtime adheres to departmental policies and Louisville Metro Government

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2.33.9 OVERTIME REVIEW (CONTINUED)

Personnel Policies. Prior to any overtime review, the ICU will send, via email, a personnel review list. These reviews include the following:

Threshold Review

This review is conducted every other pay period for any members who exceed 50 total overtime hours in a two (2) pay period cycle. Upon the completion of the threshold review by the ICU, the ICU will send an Overtime Threshold Review Report, via email, to division/section/unit commanders for their further review.

10% Review

This review is conducted every other pay period for 10% of members who worked overtime hours in a two (2) pay period cycle using a random sample. Upon the completion of the 10% review by the ICU, the ICU will send a 10% Overtime Review Report, via email, to division/section/unit commanders for their further review.

At no time will the person approving an overtime review be the same person who prepared the review.

After the ICU sends a personnel overtime review list, via email, for the threshold or 10% review, division/section/unit commanders, or their designees, must complete and return the Overtime Audit forms (LMPD #18-001) for all members under their command within 14 days of notification. The ICU will review Overtime Audit forms (LMPD #18-001) to verify adherence to all approval procedures. Irregularities will be rectified or investigated as outlined above.