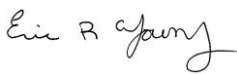


# OGDEN CITY POLICE

## Office of the Chief

### Policy No: 49

Subject	Effective Date
Compensation	October 25, 2023
Department	Replaces Policy Dated
Police	May 02, 2023
Division	Review Date
All Police Personnel	May 2026
Authorized Signature 	

**NOTE: This rule or regulation is for internal use only and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this agency, and then only in a non-judicial administrative setting.**

#### I. PURPOSE

To provide procedures for timekeeping and payment guidelines related to regular compensation, overtime, holiday pay, vacation, compensatory time, and sick leave. This policy is also intended to clarify procedural issues as outlined in the Ogden City Employee Policy and Procedures Manual under Chapter 5, Compensation. It is not intended to replace or detail the entire Ogden City Compensation policy.

#### II. POLICY

The policy of Ogden Police Department will be to follow compensation guidelines as outlined in the Ogden City Employee Policy and Procedures Manual.

#### III. DEFINITIONS

- A. Shift Assignments: Shift assignments are those that require a sworn employee to work on scheduled holidays.
- B. Flex Assignments: Flex assignments are those that require the sworn employee to be off on a scheduled holiday.

<b>Shift Assignments</b>	<b>Flex Assignments</b>
CRU	Animal Services
FTO/Probationer	ATAC
Patrol	Community Policing
Traffic	Crossing Guards
	Gang Task Force
	Investigations
	Police Administration
	Professional Standards
	School Resource Officers
	Strike Force
	Training Bureau
	Records

#### IV. PROCEDURE

##### A. Pay Plan

Ogden City has a pay plan that is used to determine the compensation range within specific limits for each employee's position. The pay plan provides information about each employee's compensation based on an annual gross amount. Additionally, the compensation is broken down on a monthly, biweekly (which is commensurate with the city's pay periods) and equivalent hourly. The city has adopted a pay for performance system whereby an employee's compensation within the pay range for the employee's position may be increased based on the results of an annual performance evaluation.

Specific compensation information on individual employees is a matter of public record. Employees who have questions about the present pay range for their position should contact the personnel office. Supervisors may also review the pay plan information regarding their staff upon request to the personnel office.

##### B. Work Periods

For timekeeping purposes, the seven-day work period will begin with all shifts that start on Saturday and end with all shifts that start on Friday. Full-time employees must have a total of 40 hours within each week and cannot flex hours worked forwards or backwards within the pay period.

## C. Overtime

- i. When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive the immediate supervisor's prior authorization. Overtime assignments will be distributed equitably to all employees qualified to perform the required work.
- ii. Failure to work scheduled overtime or overtime worked without prior authorization from the supervisor may result in disciplinary action, up to and including possible termination of employment.
- iii. Sworn police officers and non-exempt merit employees are paid overtime based on those hours over 40 worked in a seven-day work period.
- iv. Police Department personnel will work no more than 16 hours in any 24-hour period and no more than 24 total hours of overtime in a seven-day work period. Police work is dynamic, and situations may occasionally arise that require hours beyond these restrictions. Any shifts exceeding 16 hours in a 24-hour period or any overtime hours beyond 24 hours in a seven-day work period must be approved by the Watch Commander or the officer's Bureau Commander. These hours apply only to those hours physically worked by an officer, such as held over hours, training, minimum manning, etc. Hours such as holiday pay, K9 maintenance pay, Honor Guard maintenance pay, FTO benefit pay, etc., are not considered hours physically worked; therefore, do not count against the allowed work and overtime hours. Officers shall appropriately code their timesheets and provide clear justification in the comment section for any accrued overtime hours.
- v. All work and services conducted for the city under supervisory approval will be considered compensable hours. Overtime will be compensated at a rate of 1.5 times the regular hourly wage, in accordance with city policy.
- vi. Overtime pay is based on actual hours worked. Paid time off, such as sick leave, vacation leave, holidays, or any other leave of absence will not be considered hours worked for purposes of performing overtime calculations. Additional compensation, such as call-back duty pay or holiday pay that does not reflect actual hours worked or additional compensation for special duty that already reflects overtime compensation will not be used to calculate additional overtime pay.

- vii. Employees subject to call-back and call-out requirements in their job will be allowed to include reasonable travel time directly associated with travel to perform emergency or additional duties in the computation of hours worked.
- viii. When an employee uses compensatory time during the work week, those hours will not count as actual hours worked for calculating overtime pay.

#### D. Compensatory Time

This compensatory time policy has been reviewed and approved by the Ogden Police Benefit Association. In addition, all police department employees have been given the opportunity to review and accept this policy prior to performing overtime work.

Compensatory time is defined as the accrued time credits an employee may use as paid time off work, subject to department and city policy, at the employee's normal, regular base pay rate. Like the cash equivalent under the city's overtime policy, employees earn 1.5 hours of compensatory time for every hour worked after minimum overtime requirements have been met.

1. Department directors may choose by division to compensate employees for overtime worked with cash or compensatory time. Sworn police officers and non-exempt merit employees accrue compensatory time in one-quarter hour increments at 1.5 times their regular base pay rate for hours worked over 40 in a work week. Compensatory time for non-sworn, non-exempt merit employees is allowed to accumulate up to a maximum of 100 hours. Any accumulated compensatory time credited to non-sworn, non-exempt merit employees in the police department may be carried over into a new calendar year or fiscal budget cycle but cannot exceed the stated maximum. Accumulated compensatory time may be used at any time pursuant to department leave usage requirements.
2. Compensatory time for sworn police officers is allowed to accumulate up to a maximum of 120 hours. Any accumulated compensatory time credited to a sworn police officer may be carried over into a new calendar year or fiscal budget cycle but cannot exceed the stated maximum. Accumulated compensatory time may be used at any time pursuant to department leave usage requirements.

Upon separation of employment, any unused accumulated compensatory time will be paid out to the employee at his/her regular base pay rate.

E. Call-Back Duty Pay

Police department employees will receive a two-hour minimum amount of paid work time for any call-back to duty during an otherwise scheduled off-duty workday. If such call-back time places the employee in an overtime situation, then overtime is otherwise payable. (See also compensatory time off policy, work schedules and compensation plan policies in the City manual.)

F. Holiday Pay

All city employees are automatically credited eight hours pay on the day a holiday is observed. Employees working a ten-hour day who choose to observe the holiday will be required to use two hours' leave or work two additional hours during the work week the holiday is observed.

Eligible employees working shift assignments receive their holiday as automatic time and a half. For the purposes of this policy, employees working shift assignments are employees who are assigned to work holidays as part of their regular work assignment to provide required city services. Employees working shift assignments are required to work on the holiday and hours worked on the holiday will not count as automatic overtime, but the **holiday hours** will be paid at a rate of 1.5.

Holiday pay will be observed and recorded on the **actual holiday** for employees working shift assignments.

Employees working flex assignments commonly are not required to work on the holiday. Flex assignment employees may however be required to work on an observed holiday. If so, the **hours worked** are paid at a rate of 1.5 times their straight time, base pay rate. Employees will receive eight hours of straight time pay for the holiday. Only hours physically worked on a holiday by a flex assignment employee will be considered automatic overtime hours.

Officers may be encouraged to work additional shifts to ensure adequate staffing for each bureau or squad. However, officers who cover shifts to meet minimum staffing requirements will have their holiday hours calculated based on the flex or shift assignment rules described above. Holiday pay will be determined based on an officer's bureau or location assignment as of the first day of the pay period in which the holiday falls. In exceptional cases, the Chief or Deputy Chief of Police may authorize a flex-position officer to work a minimum staffing shift or other special assignment and receive overtime, following the same guidelines as shift-position employees.

## G. Compensation, Exempt Public Safety Personnel (Lieutenants)

In accordance with Ogden City Employee Policies and Procedures, Ogden Police Department lieutenants are categorized as full time sworn public safety officers. The position is classified as exempt for compensation purposes. Exempt employees are excluded from specific provisions of federal and state wage regulations, including those relating to compensation for overtime and holidays. Despite this, the Ogden Police Department has established the following exceptions:

### 1. Overtime Pay

The role of watch commander is essential to the delivery of public safety services. Lieutenants may therefore earn overtime when assigned to fill watch commander vacancies. Only weekend (Saturday – Sunday) or evening watch commander shifts are eligible for overtime compensation.

The chief or deputy chief of police may authorize additional overtime for lieutenants as necessary, however, Lieutenants may not accumulate more than 20 hours of overtime per pay period. City paid holiday hours do not count towards hours worked when calculating weekly overtime totals.

Lieutenants assigned to the Weber-Morgan Narcotics Strike Force are eligible for additional overtime compensation in accordance with the conditions outlined in the Strike Force Interlocal Agreement.

### 2. Holiday Pay

Lieutenants assigned as watch commanders are compensated for recognized holidays, whether worked or not, by receiving one and one-half (1 ½) times their straight time base pay rate for the eight (8) hour holiday.

Lieutenants in non-essential assignments are considered exempt and are expected to observe holidays in accordance with established city policy.

Sworn Police Lieutenants working assignments as Watch Commanders, will be compensated for their holidays (excluding Arbor Day benefit) falling within their regular work period, whether worked or not, by receiving 1.5 times their straight time base pay rate for the eight-hour holiday. All other Lieutenants are eligible for this overtime compensation only when they are covering a Watch Commander shift outside of the following work hours: Monday through Friday, 6:00 – 16:00 shifts.

## H. Acting Positions

This policy provides a clear framework for appointing eligible employees to acting positions in accordance with Ogden City's policies and procedures. It applies to both sworn and non-sworn employees.

### 1. Appointment Process:

Acting appointments follow the rules and procedures outlined in Ogden City Ordinance (2-10-3) and Personnel Policy (5-6).

### 2. Non-Sworn Employees:

Employees who perform work and service within the scope and role of an acting position will receive additional compensation. The additional compensation will be calculated based on the acting position's pay range and will result in compensation at the lowest point in the pay range for the acting position that results in a minimum of a five percent (5%) increase in the employee's base compensation that was in effect immediately prior to the temporary appointment or to the minimum of the pay range of an acting position if greater than five percent (5%). To qualify for acting pay, an employee must serve in the acting position for a minimum of 30 consecutive days. 'Acting pay' starts on day 31 and is not retroactive to the first day in the acting position.

### 3. Sworn Police Personnel:

Sworn police personnel will receive additional compensation for service in an acting position once 40 consecutive hours have been reached. Once this criterion is met, the additional compensation or 'Acting Pay' begins from the first hour of the acting assignment and continues for any consecutive work hours. Acting positions must begin at the start of a pay period for the employee to be eligible for retroactive pay.

### 4. Policy on Acting Roles and Time Limits

- a) No employee under current or recent disciplinary review or action, within the last 90 days, is eligible to serve in an acting role, position, or capacity.
- b) The maximum duration for an employee to serve in an acting position is 12 consecutive months. If the position remains

vacant after 12 months, the responsible authority (Department Director, Chief Administrative Officer, or Mayor) will either fill the position or eliminate it, as appropriate.

I. Other Compensation Considerations

Employees who are eligible for overtime compensation may be required to perform additional work and service outside their regular job duties that relate to and support the functions of their primary job duties and the needs of the department.

Additional work and service outside regular job duties may be approved and assigned through established authority and performed while at work and/or during scheduled work times. Such additional work or service will be compensated as part of the employee's regular pay or compensation and is subject to applicable overtime based on the employee's regular, base pay rate. While not all inclusive, examples of additional duties and services are training or instruction (on a formal or informal basis), assisting another employee in completion of their own duties, or temporary work performed outside the normal duties and functions within an employee's job description.

J. K-9 Corps Pay

The city provides additional compensation to police officers who are assigned the care, training, and handling of any member of the city's K-9 corps. This compensation is based on an overtime pay rate of 1.5 times the employee's regular, base pay rate equivalent to five hours of overtime each week.

Since the care, training, and handling of any member of the K-9 Corps generally occurs at the police officer's place of residence, and includes hours outside the normal work schedule, the city pays this equivalent overtime rate each week irrespective of the actual hours the employee works, and irrespective of whether the employee is on vacation or other paid time off during each week.

K. Spanish Fluency

All employees in the police department are eligible to receive a language differential upon demonstrating fluency in Spanish. Certification will be obtained under rules and procedures established by the director of management services.

L. Honor Guard Pay

The city provides additional compensation to police officers who serve on the Honor Guard. This compensation is based on an overtime pay rate of 1.5



times the employee's regular, base pay rate equivalent to three hours of overtime each month. Since the care and handling of any member of the Honor Guard's equipment and uniforms generally occurs at the police officer's place of residence, and includes hours outside the normal work schedule, the city pays this equivalent overtime rate each month irrespective of the actual hours the employee works, and irrespective of whether the employee is on vacation or other paid time off during each month.

Honor guard members may receive hours beyond this for honor guard hours worked outside their normal working hours or for training.

M. UAS Pilot Incentive

Sworn and non-sworn police UAS (unmanned aerial systems) pilots who are active members of the OPD AirTac unit are eligible for a yearly incentive of \$1,000. This is paid to qualifying employees on the 2<sup>nd</sup> pay day in October of each year.

To be eligible for the incentive, the employee must submit to the Chief's Office a copy of the certified UAS pilot license and a letter from the commander of the OPD AirTac unit noting the individuals standing in the unit. Each pilot is required to submit these documents yearly by the 1<sup>st</sup> of October.

To be eligible for the incentive, an employee must have a satisfactory performance evaluation for the performance evaluation period immediately prior to the incentive eligibility date. If an employee is placed on a Work Improvement Program following an evaluation, the incentive will be delayed until the employee has met the requirements of the Work Improvement Program and has received an acceptable quarterly evaluation following the completion of the Work Improvement Program.

N. FTO Compensation Hours

The Ogden Police Department provides compensation to department members fulfilling the role of Field Training Officer (FTO) while concurrently supervising a probationary officer. On shifts where an FTO is assigned a probationer, they will receive an additional two hours of pay per shift, acknowledging the heightened responsibilities associated with the FTO role. The weekly cap for this compensation stands at eight hours per week for each FTO. This compensation remains applicable even in scenarios where the FTO accumulates overtime due to circumstances such as being held over or for other approved overtime obligations.

O. Shift Differential Definitions

- Primary Duty Shift: An assigned duty shift constituting the normal working period of the employee that is calendared on the annual duty roster and assigned for a minimum period of sixty (60) days.
- Day Shift: a primary duty shift starting between 0500 hours and 1159 hours.
- Afternoon Shift: a primary duty shift starting between 1200 hours and 1759 hours.
- Graveyard Shift: a primary duty shift starting between 1800 hours and 0459 hours.

Conditions for shift differential pay will be calculated on base step pay and allotted as follows:

<u>Day Shift</u>	No differential will be paid.
<u>Afternoon Shift</u>	2.50%
<u>Graveyards</u>	5.00%

Shift differential will be applied in all Bureaus and Divisions of the Ogden Police Department and will include all ranks and civilian positions up to Lieutenant and its civilian equivalent.

Where the assigned personnel are on a split shift with starting times in two or more Primary Duty Shifts, they will receive the differential as follows:

When 50% or more of the hours scheduled for the Primary Duty Shift fall within a higher differential category, employees will be eligible to receive the corresponding differential pay for all days of the Primary Duty Shift. For instance, consider Squad 2, which encompasses three-day shifts and one afternoon shift. As 75% of their total work schedule aligns with the Day Shift, no differential pay applies. On the other hand, Squad 5 operates with three graveyard shifts and one afternoon shift, resulting in a 5% differential being applicable for all four shifts, as 75% of their overall work schedule falls within the Graveyard Shift timeframe.

Supervisors **MAY NOT** adjust primary duty assignments without concurrence by their Division Commander and approval by the Chief of Police.

P. Educational Incentive

On the 2<sup>nd</sup> pay period in October of each year each Ogden police employee, sworn and non-sworn, will receive an education incentive stipend as following. (The incentive may also be paid as a hiring bonus, at the discretion of the Chief of Police, for qualifying new officers and in

conjunction with the October incentive payment.) If paid as a hiring bonus it will be subject to the provisions of Ogden Personnel Policy 3-16 and an agreement for re-payment for voluntary separation within one year may be required.

- Associates Degree \$1,000
- Bachelor's Degree \$2,000
- Master's Degree \$3,000

To be eligible for the incentive, the employee must be a full-time employee of the Ogden Police Department and must not be under investigation for a disciplinary issue at the time the incentive is due. An employee under investigation for a disciplinary issue will be eligible to receive the incentive once the investigation is adjudicated and the employee is returned to duty.

To be eligible for the incentive, the employee must submit to the Chief's Office a copy of the diploma and the educational institution's letter awarding the degree, or an official transcript noting the completion of the requirements and the awarding of the degree.

To be eligible for the incentive, an employee must have a satisfactory performance evaluation for the performance evaluation period immediately prior to the incentive eligibility date. If an employee is placed on a Work Improvement Program following an evaluation, the incentive will be delayed until the employee has met the requirements of the Work Improvement Program and has received an acceptable quarterly evaluation following the completion of the Work Improvement Program.

To be eligible for the incentive, the degree must be accredited by one of the seven (7) Regional Accreditation organizations as follows: Middle States Commission on Higher Education, New England Association of Schools and Colleges, Higher Learning Commission, Northwest Accreditation Commission, Southern Association of Colleges and Schools, Western Association of Schools and Colleges, and the Accrediting Commission for Community and Junior Colleges. Degrees from any of the accredited universities and colleges in Utah are automatically accepted, degrees from outside the State of Utah will be investigated to see which accreditation entity has certified the degree. Degrees from the University of Phoenix are also automatically accepted, as are degrees from the Western Governor's University.

In order to be eligible for the incentive, the degree must have applicability to the nature of work performed by the employee. Degrees in Law Enforcement, Organizational Leadership or Management, Business, Education, or related areas are acceptable. Degrees that are questionable will be evaluated by a three-person Board appointed by the Chief of Police

and chaired by the Deputy Chief of Police. The employee will submit the degree and a certified copy of their complete transcript for review by the Board. Where the Board finds 50% or more of the curriculum is applicable, the incentive will be granted. The Education Incentive will be paid ONLY for the highest degree and not for multiple degrees.

Q. Clothing Allowance

Sworn police officers will receive an initial allowance of \$1,100 to purchase the required equipment to begin work. Officers will be supplied a list of required uniforms. Animal Service Officers and Parking Technicians will receive an initial allowance of \$300 to purchase the required equipment to begin work.

Upon approval by the office of the Chief of Police, employees of the police department will receive the following uniform allowance per pay period. Temporary and Part time positions will be evaluated for a uniform allowance based on the assigned duties.

Sworn Officer	\$44.00
Animal Services Officer	\$44.00
Parking Enforcement Officer	\$30.00
Community Service Officer	\$30.00

R. POST Cadet Meal Compensation

Recognizing the financial needs of cadets attending the POST Academy, the department offers meal allowances (per diem) based on residency:

1. Dormitory cadets per diem: An aggregate of \$2,400 will be evenly divided across the cadet's pay periods throughout the 16-week academy. This sum assists with the cost of breakfast, lunch, and dinner.
2. Commuting cadets per diem: An aggregate of \$800.00 will be similarly distributed over each pay period, designated specifically for lunch during the academy.

These meal allowances are established to help cadets during their training period; nevertheless, it is imperative to acknowledge that the aggregate sum provided may not comprehensively cover the entirety of meal expenses.

S. Timekeeping

Accurately recording time worked is the responsibility of every non-exempt employee. Federal and state laws require the department/city to keep an accurate record of time worked to calculate employee pay and benefits. The

definition of time worked is all the time physically spent on the job performing assigned duties.

Non-exempt employees are required to accurately document their work start and end time. Civilian employees are expected and encouraged to take breaks. When a civilian employee leaves the Francom Public Safety Building for their lunch break, they must clock out and back in upon completion of the break. A civilian employee may choose to both eat and work through their lunch break, and in such cases, clocking out is not required. Exempt employees are expected to record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work must always be approved by the employee's immediate supervisor before it is performed.

Altering, falsifying, tampering with time records or one employee recording their time on another employee's time record may result in disciplinary action, up to and including termination of employment.

Non-exempt employees should report to work in sufficient time to be at work and work-ready when scheduled. These employees are not permitted to stay after their scheduled stop time without expressed prior authorization from their supervisor.

It is the employee's responsibility to record their time to verify the accuracy of all time recorded. The supervisor will review and then initial the time record before submitting it for payroll processing. In addition, if corrections or modifications are made to the time record, both the employee and the supervisor must verify the accuracy of the changes by initialing the time record.