



# Policy 819

Subject

## PATROL STAFFING SHORTAGES

Date Published

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*By Order of the Police Commissioner*

### POLICY

The purpose of this policy is to establish procedures for fairly and equitably filling shortages to meet the Shift Constant.

### CORE PRINCIPLE

**Public and Member Safety** – Minimum staffing requirements are maintained in order to safeguard the citizens of Baltimore and members of the BPD. Therefore, supervisors must evaluate and forecast staffing well in advance to reduce the need for overtime costs and the frequency members are required to work beyond their normal tour of duty.

### DEFINITION

**Shift Constant** – The minimum number of officers and supervisors needed to adequately staff a patrol shift (Appendix A), which may change over time to account for workload fluctuations.

**Shift Seniority List** – A personnel list, maintained by each patrol shift in every district, that contains the names of all officers in order of descending seniority. Seniority is based on length of service within rank. The lowest sequence number will determine seniority ties for length of service within rank.

### GENERAL

1. The Patrol Division shall establish a Shift Constant for each patrol shift based upon workload analyses (Appendix A).
2. To establish any Shift Constant, the workload analysis must consider the following factors:
  - 2.1. Data on calls for service which require an in-person emergency response.
  - 2.2. Time available for community engagement, problem solving, and proactive patrol efforts.
  - 2.3. Adequate coverage for district front desk and transport vehicle.
  - 2.4. Minimum staffing levels to ensure officer safety, as determined by the Deputy Commissioner of Operations.
3. Supervisors are accountable for maintaining the Shift Constant.

3. If there are insufficient volunteers to fulfill a Shift Constant, the Department shall permit a reasonable number of employees to be exempt from working mandatory overtime on the basis of exigent circumstances including, but not limited to, family illness, attendance at educational classes, approved secondary employment, and pre-paid social events, etc.

## **DIRECTIVES**

### **Patrol Members**

In the event of a staffing shortage for a particular shift, members may:

4. Volunteer to staff a vacant position when willing and able.
5. Sign-up to voluntarily staff a vacant position by writing their name and contact number in an available time slot on a district's Overtime Sign-Up Board.

In the event that a member volunteers to staff a shortage for a particular shift, members shall adhere to the following Directives:

6. Members who fail to report for patrol overtime assignments are subject to disciplinary action and may be denied future volunteer opportunities to staff patrol shortages.
7. Members who volunteer to staff patrol shortages are governed by the rules and responsibilities of PCMs 19-01 and 19-02.
8. Members shall complete an Individual Overtime Report, Form 1116-19 (Appendix A) and note the type of "Overtime Work Performed" as either:
  - 8.1. Staff Patrol Shift Shortage – Voluntary; or
  - 8.2. Staff Patrol Shift Shortage – Involuntary.

### **Supervisor**

In the event of a staffing shortage, the following sequential steps shall be taken to fill the shortage and maintain the Shift Constant. When filling shortages in this manner, discretion shall be used in determining the length of the shift scheduled for the member. An entire 8 hour tour-of-duty may not be required in all situations to satisfy the Shift Constant.

9. Solicit volunteer member(s) to staff the vacant position(s) before compelling members to work additional hours.
10. Compel members currently on-duty to fill vacancies on another shift in the following manner:
  - 10.1. 'B' Shift shortages shall be staffed by members of the 'A' Shift.
  - 10.2. 'C' Shift shortages shall be staffed by members of the 'B' Shift.
  - 10.3. 'A' Shift shortages shall be staffed by members of the 'C' Shift.

**Shift Commander/Sergeant-In-Charge**

In order to maintain the Shift Constant and anticipate upcoming shortages, supervisors shall:

11. Inspect roll-books regularly to address projected staffing shortages two and four weeks in advance.
12. Update electronic roll-books daily to capture duty status changes to light-duty personnel, members on medical or military leave, suspended personnel, and details.
13. Submit a request to the Commanding Officer to staff vacancies from discretionary units such as district Admin, DAT, or DDU.
14. Ensure minimum staffing levels are maintained following the procedure set forth in this policy.
15. Post available overtime positions on the district Overtime Sign-Up Board to fill staffing shortages for the current and following 28-day period.
16. Request a broadcast via Citywide radio channel for the quantity of officers needed to fill the appropriate shift vacancies.
17. Fill vacancies with volunteers first. Only compel members to fill remaining vacancies from the Shift Seniority List when all other options to staff the shift have been exhausted. Do not accept any volunteers to fill vacancies after members have been notified of a draft.

**NOTE:** The Shift Seniority List must be made available to any member of the shift upon request.

18. Ensure the Authorization and Certification of all Individual Overtime Reports, Form 1116-19, for any personnel who work overtime to staff patrol shift shortages, whether voluntarily or involuntarily.
19. Communicate daily with the relieved shift the number of expected shift vacancies projected for the following day. The number of drafted officers must be provided to the relieving shift.
20. Determine whether an employee is to be exempt from working mandatory overtime on the basis of exigent circumstances including, but not limited to, family illness, attendance at educational classes, approved secondary employment, and pre-paid social events, etc.

**NOTE:** The decision to exempt an employee from working mandatory overtime will be based on the exigent circumstance presented by the employee and the decision will be made free from bias or favoritism.

**Compelling Members to Work Additional Hours**

When drafting members in patrol assignments to work additional hours, and after all other options have been exhausted, the following procedure shall be followed:

21. Consult the Shift Seniority List and select the number of members needed to fill shortages, beginning with the least senior member.

22. Once selected to work additional hours, the member will rotate to the bottom of the list. The next member on the list (not on approved leave) shall then become the first member selected for the next assignment of additional hours.

NOTE: Once a member is notified that they have been drafted, the member will rotate to the bottom of the list.

23. No member shall be selected to work additional hours at the conclusion of his or her last scheduled tour of duty before any scheduled day off.
24. No member shall be drafted to work more than four hours beyond his/her scheduled tour of duty.
25. No member shall be drafted on consecutive days.
26. Where feasible, members of the on-duty shift will be notified at roll call that they are being drafted to work additional hours, or, in the case of a medical call-out at any time during the member's tour of duty, notice will be provided within a reasonable period of time.
27. Members scheduled to work overtime through the Secondary Employment Unit are exempt from being compelled to work.

#### Violation of Drafting Protections

In the event a member in a patrol assignment is drafted to work overtime in infringement of one or more of the circumstances set forth in (22) – (25) above, that member shall be granted immunity from being drafted in the twenty-one (21) consecutive calendar days following the date of the infraction.

28. The grievance procedures afforded by the Memorandum of Understanding (MOU) between BPD and the Fraternal Order of Police will be followed when claims of any violation of drafting protections are in dispute.

#### **REQUIRED ACTION**

##### **District Commander**

District Commanders shall:

29. Conspicuously post in each district stationhouse an Overtime Sign-Up Board that is accessible to all departmental members.
30. Monitor patrol staffing and take proactive measures to reduce the frequency personnel are involuntarily compelled to work overtime to staff patrol shift shortages.
31. Monitor patrol staffing and assign personnel to the correct shift and leave group to reduce the frequency of staffing shortages and drafting.
32. Monitor shift commanders drafting to ensure compliance with requirements outlined in the Compelling Members to Work Additional Hours section.

**Fiscal Services Unit**

33. Establish two separate pay codes in E-Time to track overtime spent to staff patrol shift shortages:
- 33.1. Staff Patrol Shift Shortage – Voluntary
  - 33.2. Staff Patrol Shift Shortage – Involuntary

**APPENDIX**

- A. Shift Constants
- B. Individual Overtime Report, Form 1116-19

**ASSOCIATED POLICIES**

Policy 1702, *Secondary Employment*  
PCM 19-01, *Overtime Rules Clarification*  
PCM 19-02, *Overtime Rules Clarification II*

**RECISSION**

Remove and destroy/recycle Policy 819, *Patrol Staffing Shortages* dated 12 February 2017.

**COMMUNICATION OF POLICY**

This policy is effective on the date listed herein. Each employee is responsible for complying with the contents of this policy.

**APPENDIX A****Shift Constants**

1. The 'A' Shift in each district may be staffed with a minimum number of patrol officers (not including sergeants/OICs and lieutenants/SICs):

A Shift - Minimum Patrol Officers On Duty	
District	Minimum Number
Central	
Southeast	
Eastern	
Northeast	
Northern	
Northwest	
Western	
Southwest	
Southern	

2. The 'B' Shift in each district may be staffed with a minimum number of patrol officers (not including sergeants/OICs and lieutenants/SICs):

B Shift - Minimum Patrol Officers On Duty	
District	Minimum Number
Central	
Southeast	
Eastern	
Northeast	
Northern	
Northwest	
Western	
Southwest	
Southern	

3. The 'C' Shift in each district may be staffed with a minimum number of patrol officers (not including sergeants/OICs and lieutenants/SICs):

C Shift - Minimum Patrol Officers On Duty	
District	Minimum Number
Central	
Southeast	
Eastern	
Northeast	
Northern	
Northwest	
Western	
Southwest	
Southern	

4. The B and C Shift minimum includes one prisoner transport van and one desk officer.
5. The A Shift minimum includes one prisoner transport van and one desk officer.

APPENDIX B

Individual Overtime Report, 1116-19



**Form 1116-19**  
Overtime Pre-Authorization Report

**Police Department**  
Baltimore, Maryland

**OVERTIME PRE-AUTHORIZATION REPORT**



  

<i>To be Completed by Pre-Authorizing Supervisor</i> Projected # of Hours Pre-Approved		Commander Initials	
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Date(s) Worked	Starting Time – Ending Time	Total (Hours : Minutes)	<input type="checkbox"/> Shift Hours: _____ <input type="checkbox"/> Leave Day (H-day, V-day, P-day, etc.)	<input type="checkbox"/> E.I.D. <input type="checkbox"/> Out-of-Title: As: _____ <input type="checkbox"/> Vehicle Used
Rank, Name, Sequence #		Signature of Member Working Overtime	Date	
Permanent Assignment	Locator Number	E.O.D.	Completed Years of Service	OT UNIT USE ONLY Hourly Rate: _____ Pay This Amount: _____

*Select one primary reason for overtime and describe activities below (for Secondary, only indicate assignment). Provide account # if known.*

<input type="checkbox"/> Arrest (11)	<input type="checkbox"/> Honor Guard (16)	<input type="checkbox"/> Staff Shortages - Involuntary (24)
<input type="checkbox"/> Commissioner Days (12)	<input type="checkbox"/> Staff Shortages - Voluntary (18)	<input type="checkbox"/> Transcriptions (30)
<input type="checkbox"/> Investigations (13)	<input type="checkbox"/> Administrative - Post Shift (19)	<input type="checkbox"/> Building Security (31)
<input type="checkbox"/> Special Event (14)	<input type="checkbox"/> Special Projects - Fiscal Authorized (20)	<input type="checkbox"/> Elections (34)
<input type="checkbox"/> Holiday Deployment (15)	<input type="checkbox"/> Crime Suppression (21)	<input type="checkbox"/> Command Crime Initiative (67)
		<input type="checkbox"/> Protest (76)

  

Specific Work Performed	
Account #	

  

_____ Pre-Authorizing Supervisor (Signature/Seq. #) Date	_____ Authorizing Supervisor (Signature/Seq. #) Date	_____ Certifying Supervisor (Signature/Seq. #) Date
All signatures are certification that the overtime hours reported herein are authorized, were in fact worked, and are correct.		
_____ Print Pre-Authorizing Supervisor	_____ Print Authorizing Supervisor	_____ Print Certifying Supervisor

**Directions (See PCM# 19-02):**

1. **Pre-Authorizing Supervisor:** A member's immediate supervisor, or - if not available - a higher ranking supervisor within the member's chain of command.
2. **Authorizing Supervisor:** The supervisor who is requesting and has authorized the overtime work.
3. **Certifying Supervisor:** The supervisor who is overseeing or can verify the member performed the overtime.
4. Pre-Authorization means your command states you *can* work the overtime. All requests must be pre-authorized in advance of the overtime work.
5. Certification means that you *did* the overtime work.
6. All members must provide this form signed by the Pre-Authorizing Supervisor to the Authorizing Supervisor at the beginning of the overtime assignment.
7. The Certifying Supervisor must sign when the overtime work is completed.

***Fraud and/or theft may result in termination from employment and criminal charges.***

***Failure to follow all mandates on this form can result in discipline up to and including termination.***