



OVERTIME PAY, COMPENSATORY LEAVE, & ON-CALL PAY

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I. POLICY

The department will pay overtime or may provide compensatory leave credit to employees who work more than their normally scheduled work days or weeks, and certain positions will receive monetary compensation for being in an on-call status, according to applicable federal and state laws and current labor agreements.

The department's scheduling program is used to assign and manage the schedules of employees.

Nothing in this policy should be interpreted as intent to curtail necessary service. *A police commander has the authority to authorize deviations from this policy for appropriate operational needs.*

II. AUTHORIZATION FOR OVERTIME

Overtime will not be paid unless it is approved in advance by a supervisory employee. Overtime *may* only be authorized when failure to do so would imperil the mission of the Department. Supervisors must exercise prudent judgment in authorizing overtime. The following are examples of justifiable authorization to work overtime:

1. In cases of emergency where it is not possible to adjust normal work schedules.
2. In instances where denial would result in a phase of an essential operation being seriously impaired.
3. In situations where necessary services could not otherwise be immediately provided.
4. For court cases that cannot be scheduled while employees are working.
5. For voluntary or mandatory coverage for staffing shortages
6. School Details
7. To operate planned programs where the utilization of overtime-funded manpower will positively impact traffic or criminal problems significantly affecting the community. Prior to authorizing overtime for details or assignments that are long-range in nature, approval *must* first be obtained from the Chief of Police or appropriate Bureau Commander.

III. RESTRICTION & CONTROL

1. *Supervisors and commanders are responsible for control of overtime* through careful advanced planning of the activities of *department members under their command*. Assignments should be scheduled to conclude within a normal work day and supervisors should provide relief if such assignments will exceed normal *work hours*.

2. **Fatigue Rule:**

- a. No employee *may* work more than 17 hours within a 24-hour period. This limitation includes both departmental overtime and secondary employment. Employees must also be off-duty for at least 7 continuous hours in a 24-hour period. The only exceptions *are* for court appearances or operational needs, as determined by a police commander.
- b. Each employee *is responsible for monitoring* the number of hours he/she works within a 24-hour period to ensure he/she does not exceed the work hour limitation. Employees who meet the fatigue rule threshold *are* not eligible to work additional hours during the affected time period.
3. Court appearance may result in legitimate overtime when it cannot be anticipated or for some other reason cannot be handled through scheduling during regular work hours. Supervisors *are responsible for monitoring their employees' court schedules to ensure overtime expenditures are not unnecessary.*
4. *Supervisors have the authority to excuse employees from court appearance in circumstances where the employee is clearly not required. When excusing an employee, the supervisor must ensure that the assigned member of the Office of the State's Attorney is notified of the excusal. The Office of the State's Attorney may, at its discretion, override the supervisor's discretion in this matter.*
5. Employees *may* not schedule leave on *pre-scheduled court dates or dates where the employee is already subpoenaed* for the purpose of receiving overtime *to attend court.* Overtime for court *during an employee's period of leave may* only be granted *for leave scheduled outside of pre-scheduled court dates and when the member has not already been subpoenaed to court.* b
6. In emergency situations, *when safe and practical and with consideration to the needs created by the emergency event, supervisors are responsible for assuring the timely relief of personnel working outside regular duty hours.*
7. *Personnel who have volunteered and are assigned to work in the department's scheduling program are required to work the assignment unless otherwise authorized by an appropriate supervisor.*

IV. **RATES & TYPES**

Overtime is compensated with pay or by compensatory leave credit. Compensatory leave credit is time off that is taken as scheduling permits and is not chargeable against a member's annual leave. The rate and type of compensation to be received will be governed by the terms of the applicable labor contract, the Employee Relations Manual and the County Code.

V. **DOCUMENTATION OF EXTRA HOURS WORKED (OVERTIME/COMPENSATORY TIME)**

If not done so automatically, employees must add overtime and compensatory time utilizing the *department's scheduling program* for all extra hours worked not related to filling staffing shortages. *All fields necessary to appropriately track and justify overtime must be completed in the department's scheduling program.*

IV. **REVIEW & APPROVAL**

A. **District/Division Commander**

District and division commanders are responsible for the ongoing review of overtime expenditures in his/her area of responsibility and *must* closely monitor the granting of overtime within his/her command.

B. **Platoon/Section Commander Responsibilities**

1. Maintain an ongoing review of overtime expenditures in his/her area of responsibility.
2. Review and approve, disapprove, *or ensure corrections of pay and overtime reports submitted by timekeeping staff* or personnel assigned to their platoon/section., which will be printed out by the office support employee/time-keeper.
3. Determine if there is *appropriate* justification for the authorization of overtime *for personnel under the commander's command.*
4. Ensure that overtime and compensatory time *records* for *subordinate* employees' court attendance *are* in agreement with *court subpoena* records.

C. **First-Line Supervisor Responsibilities**

1. Supervisors *are required to* justify and will be held accountable for proper authorization of overtime *of their subordinates.*
2. *Supervisors authorizing overtime for officers assigned to patrol duties must* advise oncoming supervisors as to any overtime authorized so that control will be maintained. The oncoming supervisor *must* make *reasonable efforts* to relieve *such* personnel working overtime.

D. Employee Responsibilities

1. Upon completing overtime that is not related to filling a staffing vacancy, employees are responsible to immediately “add” their overtime/compensatory time in *the department’s scheduling program* at the conclusion of the extra hours worked. If an employee wants these hours to be earned as compensatory time in lieu of overtime, a supervisor must be notified to make this change *in the department’s scheduling program*.
2. Employees are responsible for including the justification when adding overtime/compensatory time in the *department’s scheduling program*, which *must* include a police case number or court case # if applicable. This field *must* contain enough information to clearly articulate why the extra hours were worked.

E. Grant Overtime

For all grant-related overtime, the grant Project Director must *review, make appropriate corrections*, approve and sign the PD711 Grant Overtime Payroll Certification Sheet, provided by the Grant Coordinator, for each pay period.

V. COMPENSATORY LEAVE CREDIT IN LIEU OF PAID OVERTIME

A. Employees Represented by Bargaining Units

1. Employees represented by recognized bargaining units may request compensatory leave credit in lieu of paid overtime, subject to the provisions of the current labor contract. *Employees may use leave in increments of one (1) hour.*
2. Upon promotion or separation from County service, payouts will occur in accordance with guidelines developed by the Anne Arundel County Office of Personnel.

B. FLSA Exempt, Non-Represented Employees

1. The following classes of non-represented employees are designated as “FLSA exempt,” and are subject to the compensatory time rules explained in this section:

a. Assistant Chief of Police

- b. Deputy Chief of Police
- c. Police Major
- d. Police Captain
- e. Chief of Staff
- f. Executive Assistant to Chief of Police
- g. Police Records Manager
- h. Sr. Management Assistant
- i. Program Manager
- j. Program Specialist II
- k. Forensic Services Director
- l. Senior Forensic Chemist
- m. Forensic Chemist I
- n. Forensic Chemist II
- o. Management Assistant I
- p. Management Assistant II
- q. Communications Systems Manager
- r. Evidence Coordinator
- s. Evidence Coordinator Leader
- t. Senior Budget Management Analyst

2. The use of compensatory time off with pay *must* be administered in accordance with the *County Employee Relations Manual* and *the following guidelines*:

- a. An employee may be granted hour-for-hour compensatory paid time off *under any of the following circumstances*:
 - i. *The employee works* more than one hour beyond his/her normal work day.

- ii. *The employee works* at least an hour on a regularly scheduled day off.
 - iii. *The employee works* at least an hour on a holiday listed in the County Code, provided the employee was not scheduled to work on the holiday as a part of his/her regular work schedule (employees who receive their holidays as front-loaded annual leave *may* not receive compensation time but will be marked as working for the hours worked).
 - iv. Has worked long hours and demonstrated extra effort that the *Chief of Police* deems worthy of recognition.
- b. An employee may not be granted compensatory time off *under any of the following circumstances*:
- i. Compensatory time is not approved by the employee's supervisor (whenever possible, employees should seek the permission of their supervisor prior to working additional hours).
 - ii. It is the employee's poor productivity or performance that causes the employee to work extra hours to get the job done.
 - iii. An employee has already banked 80 hours of unused compensatory time.
- c. Compensatory time off may only be granted and taken in one-hour increments
- d. Compensatory time off may only be taken at times approved by the employee's supervisor.
- e. Employees *must make appropriate entries into the department's scheduling program for use of compensatory leave*.
- f. *Employees may not have more than 80 hours of hour-for-hour compensatory time available for use*.
- g. Cash *may* not be paid in lieu of a non-represented exempt employee taking paid compensatory time.
- h. No cash payment *may* be made for *unused* compensatory time when an employee leaves County service, moves to a non-exempt position, or when an employee becomes subject to a collective bargaining agreement. Therefore, an employee must use, or risk losing, compensatory time granted.

VI. USE OF COMPENSATORY LEAVE

1. To accurately account for the accrual and payment of compensatory time, any compensatory time earned in a pay period *may* not be used within that same pay period.
2. Sworn employees *assigned to patrol duties* who have accrued compensatory leave credit *are* be permitted to use such compensatory leave credit *when the request to use leave is made at least 7 days in advance of the use of the compensatory leave credit*. Requests to use compensatory leave credit with at least 7 days' notice *must* be granted up to one position below *minimum patrol post* staffing levels *under Index Code 1615: Patrol Staffing*. Requests made to use compensatory leave credit with notice of 6 days or less may be denied at the discretion of the Police Department if it causes staffing levels to drop below *minimum patrol post* staffing levels *under Index Code 1615: Patrol Staffing*. The *Yearly Annual* Leave Selection Process as outlined in Index Code 701.A, Section IV.B, for the affected calendar year must have taken place before *the request for* use of compensatory leave credit.

VII. ON-CALL PAY

Certain positions within the Anne Arundel County Police Department receive monetary compensation for being in an on-call status subject to the provisions of their labor contracts. Captains receive \$100.00 per day on weekdays and \$150.00 per day on Saturdays, Sundays, and County Holidays occurring on a weekday.

Officers of all ranks assigned to *on-call* positions must be available to respond to the scene within one hour of notification. The Chief of Police or their designee(s) may authorize on-call pay on a temporary basis for personnel or groups of personnel who are required to be on-call in response to extraordinary incidents or events (e.g., Mobile Field Force/Civil Disturbance Unit, Emergency Operations Center Representatives).

A. ON-CALL POSITIONS

The following positions are the only positions that receive monetary compensation for on-call status:

1. Criminal Investigation Division
 - 1 CID Sergeant
 - 1 CID Homicide Detective
 - 1 CID Sex Offense Detective
 - 1 CID Robbery/Economic Crimes Detective
 - 1 Child and Vulnerable Adult Abuse Detective

- 1 Narcotics and Special Investigations Detective
- 2. *Office of the Chief*
 - 1 Public Information Officer
 - 1 Homeland Security & Intelligence Detective
 - *1 Internal Affairs Officer*
- 3. Bureau of Patrol
 - 1 Detective -Northern District Detective Unit
 - 1 Detective-Eastern District Detective Unit
 - 1 Detective-Western District Detective Unit
 - 1 Detective-Southern District Detective Unit
- 4. Special Operations Division
 - 2 Traffic Safety *Crash* Specialists
 - *1 Traffic Safety Supervisor*
 - 2 SOS QRT Supervisors (includes SOS lieutenant and captain)
 - 10 SOS QRT Officers/Corporals (includes all ranks of district supplemental QRT members)
 - 1 K-9 Unit Officer/Corporal
 - *1 K-9 Unit Supervisor*
 - 2 Aviation Unit Officers, Corporals and Sergeants
 - 6 Conflict Negotiation Team Members (includes 1 supervisor and one technician)
 - 1 Drug Recognition Expert (DRE)
 - *2 CDU Supervisors*
 - *12 CDU Officers/Corporals*
- 5. Technology Section
 - 1 Technology Section Officer

B. ON-CALL PAY DOCUMENTATION

Employees *are responsible for noting their on-call status in the department's scheduling program.*

C. MODIFICATIONS TO ON-CALL POSITIONS

Any changes or modifications to the positions noted above must be submitted via the chain of command to the appropriate Bureau Commander for approval.

VIII. PROPONENT UNIT: Personnel Section.

IX. CANCELLATION: This directive cancels Index Code 711, dated *06-06-22*.