

CHIEF OF SUPPORT SERVICES
EMPLOYEE RELATIONS ADMINISTRATOR

NOTICE

2.1

November 12, 2003

TO: All Commanding Officers

FROM: Employee Relations Administrator

SUBJECT: POLICY FOR USE OF COMPENSATORY TIME OFF

Due to the number of questions and complaints coming to the Employee Relations Administrator (ERA) concerning the Department's policy on Compensatory Time Off (CTO) usage, a copy of the Office of the Chief of Police (OCOP) Notice that originally stated the policy is attached.


The purpose of devising the policy was to ensure that sworn employees who earn CTO time get to use it. The factors listed on the OCOP Notice were not intended to be means by which management could find ways to deny CTO usage. The idea was to notify everyone affected that *if there were to be a denial of CTO usage there should be a good reason for that denial*. The general rule is that the employee will be granted CTO time when requested, and that Department management will not create arbitrary, unnecessary, or artificial barriers to its use.

Some of the complaints that the ERA has received include that some supervisors and commanding officers (C/O) have made it a common practice to deny CTO use, so much so that among those supervisors and C/O's, officers being granted a "T/O" is an exception rather than the rule. Other concerns include the apparent artificial raising of deployment "minimums" by some supervisors to prevent employees from using their earned CTO hours.

It is a difficult balance to deploy fully and yet permit CTO usage, but every supervisor and C/O must recognize that when an employee works overtime and *earns* the CTO, the employee must be allowed to *use* the CTO. Further, a supervisor or C/O who repeatedly and knowingly refuses to allow employees to reasonably use their CTO time may create a financial liability for the Department insofar as continual refusal to grant CTO may be treated as a refusal to pay wages.

Please distribute this Notice and the attached OCOP Notice to your supervisors and discuss this in supervisors meetings, training, and wherever it is appropriate.

APPROVED:


MARK R. PEREZ, Commander
Employee Relations Administrator


GEORGE GASCON, Assistant Chief
Chief of Support Services

Attachment

Distribution "B"