

OFFICE OF THE CHIEF OF POLICE

NOTICE
14.4

January 30, 2009

TO: All Department Employees

FROM: Chief of Police

SUBJECT: FAIR LABOR STANDARDS ACT COMPLIANCE

The purpose of this Notice is to again remind all employees - line, supervisory, and management - of their obligation to comply with and enforce the Department's overtime policies and procedures. Failure to do so is serious misconduct.

On June 29, 2005, I published a Notice titled, "Obligation of All Employees to Ensure Compliance with the Fair Labor Standards Act (FLSA)." Accompanying the issuance of the Notice was a videotape wherein I emphasized some of the Department's overtime rules, and made it clear that the Department has no "unwritten" rule or policy that employees should work overtime without compensation.

Even today, with the City of Los Angeles in the midst of an unprecedented fiscal crisis, Department policy still requires that all overtime worked shall be pre-approved, except in emergencies, and reported by the employee to the nearest tenth of an hour on an Overtime Report. Failure to follow this policy is serious misconduct. Anyone who believes that they are being pressured or coerced to work overtime without compensation shall report it to the supervisor in their chain of command above the source of the problem or to Professional Standards Bureau. Supervisors and managers shall not discourage or intimidate employees from submitting overtime requests that are mandated by law and/or Department policies and procedures.

The Department's overtime policies will continue to be enforced. Not only have employees been disciplined for violating this policy after receiving my June 29, 2005, Notice, but an officer who disregarded the policy was ordered to pay the City almost \$10,000 in costs after he lost his lawsuit alleging violations of the FLSA. These problems can be avoided if all employees simply follow the Department's policy by obtaining approval to work overtime and reporting the overtime.

Commanding officers shall ensure every employee under their command receives a copy of this Notice and signs the attached "Acknowledgement of Receipt," which is to be filed as indicated. This shall be completed by February 27, 2009.

Please feel free to contact your Commanding Officer or Employee Relations Group if you have any questions about this Notice.


WILLIAM J. BRATTON
Chief of Police

DISTRIBUTION "D"

Attachment

ACKNOWLEDGEMENT OF RECEIPT

I have received a copy of the Office of the Chief of Police Notice dated January 30, 2009, titled "FAIR LABOR STANDARDS ACT COMPLIANCE."

I have read and understand the Notice. I will agree to the rules set forth in the Notice, and will adhere to the provisions of the FLSA as detailed in the Notice. I understand that any knowing violation of these rules or other violation of the FLSA is misconduct and will subject me to disciplinary action.

Employee's Name and Serial Number (Printed)

Employee's Signature

Date

Signature and Serial Number of Supervisor
Serving this Notice upon Employee

Date

Distribution

Original - Employee's Department Personnel Folder
Copy - Employee's Divisional Folder