

OFFICE OF THE CHIEF OF POLICE

NOTICE

2.1

March 28, 2003

TO: All Department Employees

FROM: Chief of Police

SUBJECT: DEPARTMENT EMPLOYEES' COMPLIANCE WITH THE FAIR LABOR STANDARDS ACT

The Federal Fair Labor Standards Act (FLSA) applies to every employee of the Department. Every employee has an obligation to assist the Department in complying with FLSA. Although some FLSA regulations are complex, there are certain simple rules that the Department must impose on all employees to assure the Department's compliance with FLSA.

The City can incur enormous liability for violating the FLSA. The Department therefore will take action against any employee who knowingly engages in a violation of the rules designed to help the Department comply with FLSA, whether the employee is sworn or civilian, line or supervisory, in every rank, title and position.

For sworn employees at the rank of Lieutenant and below (including those with supervisory responsibilities) and civilian employees who are eligible for overtime, these rules include, but are not limited to, the following:

- No work may be done outside the employee's scheduled work hours unless approved in advance by his/her immediate supervisor. Court appearances and emergency situations requiring immediate law enforcement intervention are exceptions. In emergency situations, the employee must notify a supervisor of his/her overtime status as soon as the incident allows the employee to do so.
- The employee may not perform Department duties outside his/her scheduled work hours without promptly submitting an overtime report. Overtime reports are to be submitted in a timely manner.
- Employees must take his/her Code-7 or similar time off during his/her watch. Employees who submit daily logs (i.e., Daily Field Activity Reports or Sergeant's Daily Logs) are to document the time of their Code-7 or when Code-7 was requested and denied. Employees who do not submit daily logs are to document the time of their Code-7, as well as their start and end of watch times on their divisional or section sign-in/out log. If no such log exists, the employee is to notify his/her supervisor. The supervisor is to immediately implement a log if one does not exist and provide a copy to his/her commanding officer.
- Civilian employees assigned to the 9/80 schedule may not move or adjust their 8-hour "modified" day off. After selecting that schedule, the employee may not move or adjust their 8-hour ("modified") day off.

- Employees must not begin work prior to the start of their work schedule or watch to prepare for roll call or any other Department business unless directed to do so by their commanding officer or immediate supervisor.
- Under no circumstances may the employee record or maintain overtime hours in an informal manner commonly referred to as "white time" (informal timekeeping method) or any other method that is inconsistent with established Department policies and procedures.
- Additionally, all supervisors (including sworn personnel at the rank of Captain and above and civilian employees who are not eligible for overtime) must monitor the activities of their subordinates at the rank of Lieutenant and below and civilian employees who are eligible for overtime to ensure those employees are not working unapproved or uncompensated overtime. This includes making reasonable inquiries to determine whether their employees are taking Department work home to complete without compensation and supervisory approval, taking the appropriate Code-7, or otherwise working outside the scheduled shift or watch.

Any knowing violation of the foregoing rules, or any other knowing violation of the FLSA, by any employee, regardless of rank, title or position is misconduct and will result in disciplinary action, up to and including termination.

Commanding officers are to ensure every employee under their command receives a copy of this Notice and signs the attached "Acknowledgement of Receipt". The receipt shall be placed in the employee's Department personnel folder and a copy placed in his/her divisional personnel folder. This is to be completed by **April 30, 2003**.

If you have any questions regarding this FLSA Notice, please contact the staff at Employee Relations Group at (213) 485-6552.



WILLIAM J. BRATTON
Chief of Police

Distribution "D"

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