

# BOARD OF PUBLIC WORKS AND SAFETY

## Agenda Request Form

(Form B-01-2012)

*Organizations and individuals are asked to submit a request form and supporting documents to be placed on the agenda. You will be contacted by the City confirming the date of the meeting in which your request will be heard.*

*Please make sure that your contact information is accurate in case we need to get in touch with you. The Board of Works meets on the 1st and 3rd Monday of each month at 5:00 p.m. in City Hall located at 70 E. Monroe Street.*

Date Submitted:	Dec. 30, 2014	Requested Meeting Date:	January 5, 2015
		Confirmed Meeting Date:	January 5, 2015
Received by:			
<b>Contact Information: Please provide all requested information in the fields below. (Print or Type)</b>			
On Behalf of Organization or Individual:		Franklin Police Department	
Name:	Tim O'Sullivan	Telephone:	317-736-3670
Title or Position:	Chief of Police		
E-Mail:	tosullivan@franklin.in.gov		
Address:	2801 N. Morton Street		
City:	Franklin	State:	IN
ZIP:	46131		
<b>Who will attend the meeting and present the request?</b>			
Name:	Tim O'Sullivan	Telephone:	317-736-3670
Title or Position:	Chief of Police		
E-Mail:	tosullivan@franklin.in.gov		
<b>Please describe the purpose or title of your presentation.</b>			
Approval of updated Franklin Police Department Rules and Regulations - Chapter Six: Vacation, Overtime, Compensatory and Leave Time - Section II: Overtime			
Additions are highlighted in yellow.			
<b>Supporting documents: All supporting documents should be submitted with the request form.</b>			
1. Chapter Six: Vacation, Overtime, Compensatory and Leave Time			
2.			
3.			
4.			

# VACATION, OVERTIME, COMPENSATORY AND LEAVE TIME

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## CHAPTER SIX

**PURPOSE:** To outline the terms, limits and conditions under which those entitled shall utilize the authorized employee benefits described in this chapter. Further, it is the intent of this Board that employee benefits as noted in the CITY MANUAL not in conflict with or addressed herein shall be afforded to members of the Franklin Police Department as authorized.

### SECTION I – VACATION

#### Ia. ADMINISTRATION, INVESTIGATION DIVISION, OPERATIONS COMMANDER

After one (1) year of continuing employment.....	14 days
After five (5) years of continuing employment.....	21 days
After ten (10) years of continuing employment.....	28 days
After eighteen (18) years of continuing employment.....	30 days

#### UNIFORM DIVISION ACCRUED TIME TABLE

Prior to one (1) year of continuing employment.....	UP TO 4 days*
After one (1) year of continuing employment.....	11 days
After five (5) years of continuing employment.....	16 days
After ten (10) years of continuing employment.....	21 days
After eighteen (18) years of continuing employment.....	23 days

\*Exact number is determined at a rate of .132 hours per day of continuous employment.

#### Ib. SCHEDULING

Scheduling is dependent upon the needs of the Department. Requests shall be made, in writing, to your immediate supervisor. Vacation will be used in full or half day increments. All vacation benefits shall be taken within each officers ANNIVERSARY year. In the event an employee is not able to utilize all authorized vacation days due to the needs of the department the Chief may allow the unused days to be carried over into the next anniversary year. The carried over days shall be used within the first 70 days of the new anniversary year or be LOST.

### SECTION II – OVERTIME

1. Each full-time **patrol** officer's salary will be based on one hundred sixty eight (168) hours in each twenty-eight (28) day period. **The operations commander and investigators will have a salary based on one hundred sixty (160) hours in each twenty-eight (28) day period.**
2. Each full-time **patrol** officer working over one hundred sixty eight (168) hours will be paid an additional hours wage per hour up to and including one hundred and seventy-one (171) hours. **The operations commander and investigators working over**

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one hundred sixty (160) hours will be paid an additional hours wage per hour up to and including one hundred and seventy-one (171) hours.

3. Each full-time officer working over one hundred and seventy-one (171) physical hours (ACTUAL WORKED HOURS) will receive one and one-half (1 ½) times the hourly wage for each additional hour in that twenty-eight (28) day period.
4. Full-time officers required to assist the public with police related duties when off-duty for periods of more than fifteen (15) minutes shall add such time to their payroll formula.
5. Overtime will be computed in accordance with 29 CFR Part 553, Application of the Fair Labor Standards Act to Employees of State and Local Government Federal Register.
6. Falsely reporting or deliberate abuse of overtime may be cause for disciplinary action. Supervisors will be responsible for approving overtime. Supervisors shall assign, assist, or direct Subordinate Officers in the completion of incidents to eliminate as much overtime as possible.

### SECTION III – FLOATING HOLIDAY

1. Patrol Officers shall receive thirteen (13) Floating Holidays off per year in lieu of holidays. Floating Holidays shall only be taken in full day increments and at a rate of one (1) within each twenty-eight (28) day work period. Patrol Officers shall use one Floating Holiday per work period or lose it. If an officer is unable to use a Floating Holiday during a work period due to a department need the Chief of Police may grant permission to use it within the next two work periods. Floating Holidays may only be carried over into the next year with just cause as determined by the Mayor.
2. All other officers shall receive holidays off, unless the needs of the Department require them to work, in which event they shall receive two (2) BANKED HOURS for every hour worked on said holiday.
3. All officers shall receive one additional Floating Holiday for their birthday. This day is to be used on or near their birthday.

### SECTION IV – OFFICERS SICK TIME and MEDICAL DUTY

#### IVa. SICK TIME POLICY

1. Sick time is a benefit provided to officers in order to protect them from loss of income during short periods of minor NON-DUTY RELATED illness or injury. Sick time MAY NOT be used for any other reason.
2. Officers assigned to the uniform division are entitled to **72** hours of Sick Time during the **calendar year**. Investigators and administrators are entitled to **64** hours of Sick Time during a **calendar year**. Unused Sick Time will be converted into Floating Benefit hours to be used within the next **calendar year**. Unused Floating Benefit hours will be lost at the end of the **calendar year** to which they have been allotted.
3. Officers shall not engage in any conduct that could be considered inconsistent with their reported illness or injury, or engage in any activity that would give the

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department or public the impression that the officer is capable of working and possibly malingering.

4. Officers may use Floating Benefit hours and Sick hours in quarter (1/4) hour increments.
5. Sick Hours MAY NOT be used to miss more than three (3) CONSECUTIVE WORK days without a doctor's verification that the Officer is unable to work.
6. Officers who return to duty within three (3) days or less may do so without a medical release.
7. Officers who return to duty in excess of three (3) days MUST OBTAIN a full release from their attending physician or be counted ABSENT WITHOUT PAY.
8. Officers ARE REQUIRED to advise PROPER AUTHORITY no less than three (3) hours in advance of any sick day request, when possible.
9. Officers who fail to report for duty due to an off-duty injury or illness may be visited by proper authority in order to confirm the reported illness or injury.
10. The terms of Chapter 6 section IVd, OFFICER RESPONSIBILITIES, shall apply to this section.

### IVb. MEDICAL DUTY (WORKERS COMPENSATION)

1. Refer to the City Manual.
2. Refer to SOP 1.29 On Duty Injury or Illness.

### IVc. SHORT and LONG TERM DISABILITY

3. Short Term Disability:
  - a. In accordance with City Ordinance (Refer to City manual for details).
  - b. Short Term Disability begins on the eighth (8th) day. Any type of benefit day may be used on scheduled work days to reach the eighth day.
  - c. Short Term Disability pays 75% of the employee's salary. The employee has the option to use their benefit time to reach 100% of salary.
4. Long Term Disability
  - a. In accordance with City Ordinance (Refer to City manual for details).
  - b. Long Term Disability pays 60% of the employee's salary and takes effect six (6) months after Short Term Disability.
5. If an officer is placed on short or long term disability, the city-owned patrol vehicle shall be parked at the Franklin Police Department.

### IVd. RETURN FROM MEDICAL DUTY - SHORT or LONG TERM DISABILITY

1. Depending on the seriousness of the injury or illness and time spent on sick leave, the officer may be required to provide extensive medical documentation from his/her attending physician(s) and submit to further examination by a qualified practitioner as directed prior to release.
2. In NO CASE will an officer return to duty without a FULL RELEASE from his/her attending physician. The officer must produce to the office of the City Clerk

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Treasurer a completed "Certification of Physician or Practitioner of employee fitness for duty" form.

3. When the officer is able to return to full duty, the assigned vehicle will be released back to the officer by FPD Administration.

### IVe. OFFICER RESPONSIBILITIES

1. OFFICERS MUST REPORT DUTY RELATED ILLNESS OR INJURY TO THE RANKING OFFICER ON DUTY. Refer and adhere to SOP 1.29.
2. Officers using sick time or medical duty are still held accountable to the policies of the City and the department.
3. Officers shall not engage in conduct that could be considered inconsistent with their reported illness or injury, or engage in any activity that would give the impression to the department or public that they are capable of working and possibly malingering.
4. Officers are required to update the department administration on any change in condition as it occurs.

### IVf. PAID ADMINISTRATIVE LEAVE

1. The department head may request up to 30 days of administrative leave for public safety personnel. Administrative leave will be considered non-punitive and with pay. Administrative leave may be used when situations arise that concern the health, safety, or welfare of the public or members of the department and subject to the rules and procedures adopted by the Franklin Board of Public Works and Safety.

### IVg. OTHER LEAVE

1. For entitlements to all other forms of paid and non-paid leave see the CIVILIAN PERSONNEL POLICY MANUAL. Specific types of leave identified, if any, herein is in lieu of similarly identified Civilian Leave.
2. For Military Leave, refer to SOP 1.30

### IVh. ABSENCE WITHOUT LEAVE (AWOL)

1. The absence of an officer who does not secure approval of annual leave, sick leave, or leave without pay is recorded as absent without leave.
2. An officer who is absent from duty without having already obtained his/her supervisor's approval, must notify the supervisor promptly of the absence; the reason for the unscheduled absence, and the expected date of return to duty. In the event the officer is out of benefit time, the supervisor must contact a member of the Administration to obtain approval.
3. An officer who does not have prior approved leave and who does not notify his/her supervisor and get approval of an absence from Administration shall be considered "absent without leave" or AWOL.
4. An officer may be denied the use of annual or personal leave for an unscheduled absence. The officer will receive no pay for the period of the unauthorized absence.

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5. Absence without leave is misconduct and may result in disciplinary action. An officer may be charged with insubordination if absent from duty after having been denied leave by a supervisor.
6. An officer is considered **tardy** if they are not on duty and at the specified location at the specified time for Normal Duty Hours, Special Duty Details, and Training or as directed. Persistent tardiness is considered AWOL. For tardiness policy, refer to SOP 1.1 Uniform Procedures.

### SECTION V – OFF DUTY CALL-IN/ADDITIONAL DUTY

1. Officers ordered by proper authority to report for additional, non-scheduled duty, training, court or emergency shall be authorized a minimum of two (2) compensated hours.
2. Officers must **PHYSICALLY REPORT FOR DUTY TO BE COMPENSATED**.
3. The time shall be divided into physical and non-physical hours.
4. Duties which are an integral part of the officer's principal activity, such as completing reports at the end of a shift, or responding to calls just prior to coming on duty, etc., are not included in **THIS FORMULA**.
5. The rate of pay or compensatory time shall be calculated within existing guidelines (See Chapter 6, Sections II & III).

### SECTION VI – TIMEKEEPING SYSTEM

#### VIa. POLICE CHIEF & DEPUTY POLICE CHIEF (EXEMPT – FROM OVERTIME)

1. Must have a minimum of 37.5 physical or benefit hours per week
2. Receives scheduled Holiday benefit hours **ON** the scheduled holiday
3. Time between 37.5 and 40.0 hours is lost
4. Anything over 40.0 hours is automatically added to Comp **EARNED** each week
5. May use:
  - a. Comp Time Banked 1.0 – ¼ hour increments (Comes from Banked 1.0 balance)
  - b. Holiday Comp Time Taken 1.0 – ¼ hour increments (Comes from Holiday Banked balance)
  - c. Birthday – 7.5 hours
  - d. Comp Earned Taken – ¼ hour increments (Comes from Comp **EARNED**)
  - e. Floating Benefit Time – ¼ hour increments (“Personal Days”)
  - f. Sick – ¼ hour increments
  - g. Vacation – 1.0 hour increments

#### VIb. CIVILIANS (NON-POLICE ADMIN & EVIDENCE TECHNICIAN)

1. Must have a minimum of 37.5 physical or benefit hours per week
2. Receives scheduled Holiday benefit hours **ON** the scheduled holiday
3. May use:
  - a. Comp Time Taken 1.0 – ¼ hour increments (Comes from Banked 1.0 balance)

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- b. Comp Time Taken 1.5 – ¼ hour increments (Comes from Banked 1.5 balance)
- c. Birthday – 7.5 hours
- d. Personal – ¼ hour increments
- e. Vacation – 3.75 or 7.5 hour increments
- f. Called In:  
Hours not regularly scheduled to work, i.e. after 4:00 PM or before 8:00 AM Monday - Friday (even if extension of work day) or on weekend, will be compensated per the City of Franklin Employee Manual for a minimum of 2.0 hours. Hours calculated at a rate of 1.5 per hour for all physical hours worked. Difference between physical hours worked and 2.0 hour minimum will be compensated at rate of 1.0 per hour. Hours in excess of 2.0 will be calculated at rate of 1.5 per hour. May choose to be paid or banked. Must use drop-down transfer code in Kronos: "Called In - Emerg 1.5 Paid" or "Called In - Emerg 1.5 Banked"; for the call-in hours.

Civilian employees must have at least 37.5 hours for each week NOT including the call-in hours. Physical/benefit hours will NOT affect the paid/banked hours earned during any call-in.

### VIc. PATROL OFFICERS

- 1. Must have a minimum of 168.0 physical or benefit hours per 28-day period
  - a. DO NOT include OPO/DUI/BLITZ hours into this total
  - b. Regular Overtime is *only* calculated at end of 28-day period (B period)
  - c. OPO/DUI/BLITZ is paid as it is earned (can be either A or B period)
  - d. May use:  
Comp Time Taken 1.5 – 1.0 hour increments (Comes from Banked 1.5 balance)  
Floating Benefit Time – ¼ hour increments or greater (Carried over Sick Days)  
Floating Holiday – 12 hour increments (12 Hour Birthday and Holidays)  
Sick – ¼ hour increments or greater  
Vacation – 6 or 12 hour increments.

### VIId. INVESTIGATORS and OPERATIONS COMMANDER

- 1. Must have a minimum of 160.0 physical or benefit hours per 28-day period
  - a. DO NOT include OPO/DUI/BLITZ hours into this total
  - b. Regular Overtime is *only* calculated at end of 28-day period (B period)
  - c. OPO/DUI/BLITZ is paid as it is earned (can be either A or B period)
  - d. Receives scheduled Holiday benefit hours ON the scheduled holiday
  - e. May use:  
Comp Time Taken 1.0 – ¼ hour increments (Comes from Banked 1.0 balance)  
Comp Time Taken 1.5 – ¼ hour increments (Comes from Banked 1.5 balance)  
Holiday Comp Time Taken – ¼ hour increments (Comes from Holiday Banked balance)  
Birthday – One 8 hour day

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Floating Benefit Time – ¼ hour increments (Carried over Sick Days)

Sick – ¼ hour increments

Vacation – 4.0 or 8.0 hour increments.

2. **Call Out** – Enter exact time called out and the time you mark off duty. In the “Transfer” column pick “Court-Evidence Call-in – Police” which will automatically give you a minimum of two hours. (**DO NOT** use “Paid 1.0”)
3. **Call Out on Holiday** – To get paid minimum of two hours for callout and to receive two banked hours for every hour worked, Detectives must claim at least two hours of actual time worked. Example: If you work 0900 to 0945, you should claim 0900 (In) to 1100 (Out) and in the comments field indicate “Note - Actual time worked 0900 to 0945.”

Vle. Due to the difference in benefit time between the administration, investigations and uniform division, the following formulas will be used when an officer changes Divisions.

1.  $\frac{\text{Benefit Used}}{\text{Benefit Allotment}} = \text{Percent of Benefit Used}$
2.  $\text{New Benefit} \times \text{Percent of Benefit Used} = \text{Benefit Used}$
3.  $\text{New Benefit} - \text{Benefit Used} = \text{Remaining Benefit in New Assignment}$

### VIf. BEREAVEMENT

1. Must be arranged with Administration through a written request if practical. The request must state the relationship between the deceased and the employee, and the length of time needed for the requested absence.
2. All full- time employees may be granted a paid leave up to a total of seven (7) days bereavement leave annually, in the event of the death of a family member, loved one, or co-resident of the household.
3. In exceptional circumstances concerning the deaths of family members the employee may request additional bereavement leave over the seven (7) day annual limit. The request must be communicated to the Chief, or designee, outlining the circumstances and the amount of time requested. The Chief, or designee, must then apply to the Mayor, or his designee, for approval on behalf of the employee.