



City of Seattle

Seattle Police Department

April 27, 2018

MEMORANDUM

To: Councilmember Lorena González, Chair
Kirsten Arestad, Council Central Staff Director

From: Brian Maxey, Chief Operating Officer
Seattle Police Department

Subject: SPD Report on Overtime Policy Implementation (SLI 202-1-A-3)

Statement of Legislative Intent 202-1-A-3, adopted with the 2018 Adopted Budget, required the Seattle Police Department (SPD) to provide a report to the Chair of the Gender Equity, Safe Communities, and New Americans Committee and the Council Central Staff Director on its implementation of the SPD's overtime policies.

This report is intended to provide Council and staff information to better understand what policy actions the SPD is taking to implement the recommendations contained in the Seattle Police Department Overtime Controls Audit report, published April 11, 2016.

In response to the audit report, the department updated Seattle Police Manual Section 4.020 – Reporting and Recording Overtime/Out of Classification Pay on May 1, 2017. The SPD continues to monitor and report on overtime usage and expenditures and expects all personnel to comply with the new overtime policy provisions. While the absence of a work scheduling and timekeeping system constrains SPD management's ability to ensure perfect compliance with the overtime policy, the department is making every effort to provide Commanders with the tools to effectively manage overtime usage.

We look forward to working with Council to continue to make progress towards greater business efficiency in police operations, especially in the area of overtime management.

cc:
Honorable Members of the Seattle City Council
Chief Carmen Best, SPD
Brian Maxey, SPD Chief Operating Officer
Mark Baird, SPD Chief Financial Officer
Ben Noble, CBO
Angela Socci, SPD
Jennifer Devore, CBO
Alexandra McGehee, CBO

Response to SLI 202-1-A-3, SPD Report on Overtime Policy Implementation

At the request of former Police Chief Kathleen O’Toole, the Seattle Office of the City Auditor conducted an audit of the Seattle Police Department’s (SPD) overtime controls, including leadership, management oversight, and supervisory controls. They issued the Seattle Police Department Overtime Controls Audit report in April 2016, which detailed thirty recommendations organized into six categories. Since that time, the SPD has made considerable progress towards implementing the overtime audit recommendations, with all recommendations already implemented or in the process of being implemented at the date of this SLI response. The department has performed considerable work to date on the revised overtime policy, with enhanced reporting and department leadership. In addition, SPD continues work on the implementation of its new workplace scheduling and timekeeping system.

1. A crosswalk of the provisions of SPD’s overtime policy (SPM 4.020) that respond to the Office of City Auditor’s 2016 SPD Overtime Controls audit.

In response to the audit, the SPD made several changes to Policy 4.020 – Reporting and Recording Overtime/Out of Classification Pay, effective May 1, 2017. These policy changes were communicated to SPD personnel via Directive Number 17-00012. The policy changes addressed five of the audit recommendations:

Recommendation 1

SPD should develop and enforce a clear, detailed overtime usage policy that provides (1) management sufficient guidance on the appropriate uses of overtime, including compensatory time, and (2) direction on the proper recording and coding of overtime in the City’s payroll system. This policy should address the following:

- a) the activities or service needs that may justify overtime;*
- b) the activities or service needs that do not justify overtime or require special management approval;*
- c) requirements for supervisory approvals and approval processes and documentation;*
- d) any maximum thresholds for overtime hours or total work hours (i.e., regular time plus overtime and off-duty work hours);*
- e) when compensatory time can be earned in lieu of payment for overtime;*
- f) how employees should record overtime to ensure it is paid accurately (e.g., when to record hours in the City’s Employee Self Service system or use an Event Summary Form); and*
- g) how employees should code overtime to ensure accountability and transparency and to facilitate payroll and overtime monitoring processes.*

Additionally, SPD should train all employees on the policy and related procedures and monitor for compliance.

Recommendation 2

SPD should develop and enforce clear and detailed policies and procedures that address all overtime administrative processes, including the following:

- a) payroll processes for the handling and monitoring of overtime;*
- b) authorization of overtime before it is worked;*
- c) approval of recorded overtime before payment;*
- d) review of recorded overtime for errors or improper entry (e.g., duplicate entry or incomplete coding);*
- e) review of recorded overtime for appropriateness and to help prevent and detect unnecessary or abusive overtime;*
- f) management reporting and monitoring of overtime;*
- g) planning and reconciliation of special event overtime;*
- h) billing of reimbursable overtime, including which overtime costs are reimbursable by event organizers; and*
- i) account delinquency follow-up processes for reimbursable overtime.*

Personnel should be trained in all overtime policies and procedures relevant to their job functions. Further, SPD's policies and procedures should be continually updated as process improvements are implemented.

Recommendation 9

SPD needs to enforce current overtime and compensatory time policies and procedures, including those related to the following:

- a) proper documentation of overtime authorization and approval;*
- b) accurate activity and assignment coding of overtime;*
- c) compensatory time thresholds; and*
- d) accurate recording of overtime and standby time.*

Recommendation 10

SPD should develop a way to record supervisory approval of all overtime in the payroll system and not allow payment without proper approval.

Recommendation 18

SPD should increase the level and frequency of overtime monitoring required of section leaders and should ensure such monitoring is documented. To do this, SPD senior management should set clear expectations for how and when section leaders should monitor overtime (e.g., monthly, quarterly, bi-annually, annually). At a minimum, section leaders should conduct monthly reviews of overtime use by individual and activity. SPD should also develop a one-page monthly overtime monitoring sign-off sheet that identifies the information each section leader is responsible for reviewing, and section leaders should use these forms to document their monthly reviews.

The following table shows excerpts from the SPD overtime policy (SPM 4.020) and identifies the audit recommendation(s) that the specific policy section addresses.

Policy		Responsive to Audit Recommendation
4.020 - 2	<p>Employees Require Pre-Approval from a Supervisor to Work Overtime Only a supervisor shall authorize employees to work beyond their regular shift.</p> <p><i>Exception: Employees do not need pre-approval from a supervisor to appear in court in response to a subpoena.</i></p> <p><i>Exception: Employees who are actively participating in a major incident may work beyond their regular shift without authorization until such time as it is feasible to obtain authorization. The supervisor will grant authorization for the overtime already worked and then will determine whether to authorize additional overtime.</i></p> <p>Individuals may not authorize their own overtime. Employees who work overtime without authorization may be subject to disciplinary action.</p>	1, 2, 9, 10
4.020 - 3	<p>Employee Work Hour Maximums No employee may work more than 90 hours in one week, from 0300 hours on Saturday until 0300 hours the following Saturday. These hours include all hours worked (i.e. regularly scheduled shifts, overtime, court time, paid details, compensatory time, secondary employment). Any shift missed due to illness or injury, suspension or administrative leave shall also be included in the calculation of the total of hours worked for the week.</p> <p>Exceptions to these limitations on maximum hours worked may be made only in the interest of public safety, court appearances, and mandatory overtime. These exceptions must be pre-approved by a captain or civilian equivalent or higher-ranking individual.</p>	1
4.020 - 4	<p>Supervisor Responsibilities for Monitoring Overtime Use It is the responsibility of all supervisors to ensure that staff operates in a manner that minimizes the need for overtime.</p>	1, 2, 9, 18

	Policy	Responsive to Audit Recommendation
	<p>Supervisors will ensure that all overtime is authorized in advance and that the work done on overtime is necessary to the mission of the Department, consistent with this policy.</p> <p>Supervisors shall ensure that overtime requests are completed in accordance with the procedures established in this policy and that the appropriate reason for the overtime is recorded on the documentation.</p> <p>As feasible, supervisors shall ensure that individuals do not work in excess of the maximum allowable overtime hours as established by paragraph 3 of this policy or the appropriate collective bargaining agreement.</p>	
4.020 - 5	<p>Lieutenant/Manager Responsibilities for Monitoring Overtime Use Lieutenants and managers shall review the overtime of their respective sections and ensure that overtime use complies with the policies and mission of the Department. This includes the review of overtime reports by unit, reason for the overtime, and individuals' amount of overtime worked for a period of time.</p>	1, 2, 9, 18
4.020 - 7	<p>Employees On Sick Leave, Military Leave, Disciplinary Suspension, or Limited Duty Will Not Work Department Overtime</p>	1
4.020 - 8	<p>Employees Will Not Use Discretionary Time Off to Work Department Overtime <i>Exception: SPOG members will follow their current CBA where it conflicts with this policy.</i></p>	1
4.020 - 9	<p>A Bureau Chief Approves Altering Regular Shift Hours to Work Department Overtime The employee's bureau chief, through the chain of command, will approve/deny the employee's request to alter their shift to work a Department overtime event.</p>	1, 2, 9
4.020 - 10	<p>Employees Report Overtime Worked On the Appropriate Form Employees will submit requests for overtime to their sergeant/supervisor using the appropriate form: - Overtime Request – Regular Duty/Out-of-Class (form 1.33A) for overtime worked in a situation not covered below. - Court Overtime Request (form 1.33B) for court</p>	1, 2, 9

Policy	Responsive to Audit Recommendation
<p>appearances. - Event Overtime Summary (form 15.6) for pre-planned events, major incidents and extra-duty events.</p> <p>Absent exigent circumstances, employees are required to submit requests for overtime during the pay period in which the hours were worked. Employees who appear in court on overtime will obtain the bailiff's or prosecutor's signature on the Overtime Request – Court (form 1.33B.) <i>Exception: Employees participating in a telephonic hearing will attach their subpoena to the Overtime Request.</i></p>	
<p>Sergeants/Supervisors Enter Overtime Within the Pay Period it is Earned</p> <p><u>a. Overtime Request Forms</u> Upon approving an overtime request, the employee's direct sergeant/supervisor will enter the overtime onto the employee's electronic timesheet and check the "entered electronically" box on the form. The sergeant/supervisor will then submit the form to the chain of command.</p> <p>When employees work an overtime detail for another unit to which they are not regularly assigned, that unit's commander may allow the overtime to be entered directly onto the employees' timesheet. In this case, the commander must communicate this to the employees' direct sergeant/supervisor. The overtime request will still require approval through the chain of command of where the overtime was actually worked.</p> <p><u>b. Event Overtime Summary Forms</u> Sergeants/supervisors will record a combination of employee regular work time and overtime on the Event Overtime Summary. Sergeants/supervisors will send the completed Event Overtime Summary to: - SPOC for special events (exception: Traffic Unit and Parking enforcement) - Payroll Unit for all other events</p> <p>4.020 - 11 Because timesheets will already have been processed,</p>	<p>1, 2, 9</p>

Policy		Responsive to Audit Recommendation
	sergeants/supervisors will not enter overtime on the electronic timesheet for overtime earned in a previous pay period. Sergeant's/supervisors will submit forms that include overtime worked in a previous pay period to the Payroll Unit via the chain of command. The Payroll Unit will handle the timesheet entry.	
4.020 - 12	Sworn Employees May Request Overtime for Taking Law Enforcement Action Off-Duty	1
4.020 - 13	Overtime is Paid as Wages or Compensatory Time Off (Comp Time) Maximum comp time accrual is established in collective bargaining agreements.	1, 2, 9
4.020 - 17	Officers Assigned as Acting Sergeants Receive Training Captains will send officers to Department sergeant training for acting sergeant assignments over 60 consecutive days. Captains will send officers to Department sergeant training prior to, or within 90 days of the start of the acting sergeant assignment lasting over 60 days.	1, 2
4.020 - 18	Captains Retain Copies of Signed Overtime Forms for all Section and Precinct Personnel	1, 2, 9
4.020 - 19	Captains are Responsible to Ensure that Supervisors Approve Their Direct Reports' Timesheets	1, 2
4.020-POL-2	Captains shall log overtime worked on their timesheets for later use as flex time	1

2. A description of the actions taken by SPD management or personnel to implement each provision of the overtime policy and where those actions are documented.

Directive Number 17-00012 was issued on May 1, 2017 to notify SPD personnel that Manual Section 4.020 – Reporting and Recording Overtime/Out-of-Classification Pay – had been revised. Per Seattle Police Department Policy 5.001 – 2, employees must adhere to both published directives and the Seattle Police Manual.

The directive included a quiz which was mandatory for sworn employees and verified that each of them had read the directive and understood the policy changes. Employees were required to prove comprehension of three specific policy revisions:

- Employees require pre-approval from a supervisor to work overtime.

- No employee may work more than 90 hours in one week, from 0300 hours on Saturday until 0300 hours the following Saturday.
- Employees will submit requests for overtime to their sergeant/supervisor using the appropriate form.

As of May 1, 2017, all SPD personnel are expected to handle overtime requests, documentation, and management as described in SPM 4.020. It is the responsibility of each member of the department – sworn and civilian – to comply with the rules and provisions of the Seattle Police Manual. It is the responsibility of first-line supervisors to ensure that overtime requests are made in accordance with policy. Finally, it is the responsibility of Lieutenants and Managers to review overtime usage and ensure that overtime is being used in accordance with policy and the overall mission of the SPD.

3. A description of whether and how the department is ensuring compliance with each provision of its overtime policy.

The SPD is committed to enforcing its policies related to overtime and compensatory time. The department has used the issuance of its new overtime policy and the training that accompanied it to reinforce this effort and stress the importance of these policies and the procedures that go with them.

Budget and overtime use are standing topics on the weekly Command Staff agenda. Assistant Chiefs meet regularly with their section Captains to discuss overtime use. Furthermore, the SPD Budget Section provides a breakdown – in hours and dollars – of each section’s overtime use each month. Supervisors also have monthly access to their staff’s individual hours worked. A comprehensive report of monthly overtime is also published the department’s inWeb page (internal webpage).

In addition to reporting, the SPD Budget Section is available to answer questions, provide additional overtime details and meet with Command Staff to resolve individual issues. Budget analysts also conduct analyses of overtime data in an effort to spot notable trends or identify specific issue areas. However, the department’s ability to monitor overtime is constricted by the time it takes to access the overtime data. Overtime reporting and analysis is done bi-weekly and after overtime has already been worked, which makes it difficult to oversee and immediately respond to issues related to overtime usage. For this reason, the department requested a means to track and monitor work, scheduling and timekeeping using a technology solution.

The work scheduling and timekeeping system included in the 2018 Adopted Budget will allow for more accurate and timely oversight of overtime coding and use, as well as automated reporting. The SPD is currently involved in the procurement process for such a system. A work scheduling system has already been deployed in the Communications Center with positive results. Once deployed department-wide, the work scheduling and timekeeping system will serve as a central repository for all overtime preauthorization information and will allow SPD management to

better ensure compliance with the policy. In the meantime, SPD management will continue to monitor overtime usage using monthly overtime reports.

4. An estimate of the onetime and ongoing monetary impacts each action from Item #2 has had, and is projected to have when fully implemented, in reducing overtime expenditures.

The department is unable to quantify the impact of the new overtime policy or actions taken to implement the new overtime policy. The SPD uses project and activity coding to track overtime usage by person and for specific tasks, activities or functions. The department can analyze usage data for trends. However, the SPD does not currently have the tools needed to track and monitor preauthorization information or maximum hour thresholds. Further, many variables impact the use of overtime, such as workload, number of events and staffing levels. It would be impossible to control for each of these to isolate any perceivable impact of the overtime policy implementation.

5. Identification of any areas of SPD policy where there is additional work planned or ongoing to modify the policy to address the overtime audit's recommendations.

There are no plans to further revise the SPD overtime policy. The current version reflects the present state of the SPD's procedures for overtime management, which takes into consideration the audit's recommendations. As stated above, the department does not have a central repository for overtime preauthorization information. Once the work scheduling and timekeeping system is deployed, the department will determine if information gathered from the new system calls for a change to the policy language. The audit recommendations that have yet to be implemented do not directly pertain to the SPD policies.