


# OGDEN CITY POLICE

## Office of the Chief

**Policy No: 49**

Subject	Effective Date
Compensation	August 10, 2022
Department	Replaces Policy Dated
Police	May 16, 2022
Division	Review Date
All Police Personnel	May 2024
Authorized Signature	
	

**NOTE: This rule or regulation is for internal use only and does not enlarge an officer’s civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this agency, and then only in a non-judicial administrative setting.**

**I. PURPOSE**

To provide procedures for timekeeping and payment guidelines related to regular compensation, overtime, holiday pay, vacation, compensatory time, and sick leave. This policy is also intended to clarify procedural issues as outlined in the Ogden City Employee Policy and Procedures Manual under Chapter 5, Compensation. It is not intended to replace or detail the entire Ogden City Compensation policy.

**II. POLICY**

The policy of Ogden Police Department will be to follow compensation guidelines as outlined in the Ogden City Employee Policy and Procedures Manual.

**III. PROCEDURE**

**A. Pay Plan**

Ogden City has a pay plan that is used to determine the compensation range within specific limits for each employee’s position. The pay plan provides information about each employee’s compensation based on an annual gross amount. Additionally, the compensation is broken down on a monthly, biweekly (which is commensurate with the city’s pay periods) and equivalent hourly. The city has adopted a pay for performance system

whereby an employee's compensation within the pay range for the employee's position may be increased based on the results of an annual performance evaluation.

Specific compensation information on individual employees is a matter of public record. Employees who have questions about the present pay range for their position should contact the personnel office. Supervisors may also review the pay plan information regarding their staff upon request to the personnel office.

B. Work Periods

The city provides differing work periods and/or hours of work for employees in certain departments, such as police officers and firefighters. These hours of work and work periods may not be the same as the biweekly pay period for civilian employees.

For timekeeping purposes, the seven-day work period will begin with all shifts that start on Saturday and end with all shifts that start on Friday.

C. Overtime

- i. When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive the supervisor's prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.
- ii. Failure to work scheduled overtime or overtime worked without prior authorization from the supervisor may result in disciplinary action, up to and including possible termination of employment.
- iii. Sworn police officers and non-exempt merit employees are paid overtime based on those hours over 40 actually worked in a seven-day work period.
- iv. Police Department personnel will work no more than 16 hours in any 24-hour period and no more than 24 total hours of overtime in a seven-day work period. Police work is dynamic, and situations may occasionally arise that require hours beyond these restrictions. Any shifts exceeding 16 hours in a 24-hour period or any overtime hours beyond 24 hours in a seven-day work period must be approved by the Watch Commander or the officer's Bureau Commander. These hours apply only to those hours physically

worked by an officer, such as held over hours, training, minimum manning, etc. Hours such as holiday pay, K9 maintenance pay, Honor Guard maintenance pay, FTO benefit pay, etc., are not considered hours physically worked; therefore, do not count against the allowed work and overtime hours. Officers shall appropriately code their timesheets and provide clear justification in the comment section for any accrued overtime hours.

- v. All work and service activity performed for the city under the direction and with the approval of supervisory staff will be considered compensable hours of work for the purposes of determining hours of work and overtime calculations as determined and controlled by applicable policy of the city. Overtime will be paid at a rate of 1.5 times the equivalent hourly, base wage rate.
- vi. Overtime pay is based on actual hours worked. Paid time off, such as sick leave, vacation leave, holidays or any other leave of absence will not be considered hours worked for purposes of performing overtime calculations. Additional compensation, such as call-back duty pay or holiday pay that does not reflect actual hours worked or additional compensation for special duty that already reflects overtime compensation will not be used to calculate additional overtime pay.
- vii. Employees subject to call-back and call-out requirements in their job, will be allowed to include reasonable travel time directly associated with travel to perform emergency or additional duties in the computation of hours worked.
- viii. When an employee uses compensatory time during the work week, those hours will count as actual hours worked for calculating overtime pay.

#### D. Compensatory Time

This compensatory time policy has been reviewed and approved by the Ogden Police Benefit Association. In addition, all police department employees have been given the opportunity to review and accept this policy prior to performing overtime work.

Compensatory time is defined as the accrued time credits an employee may use as paid time off work, subject to department and city policy, at the employee's normal, regular base pay rate. Like the cash equivalent under the city's overtime policy, employees earn 1.5 hours of compensatory time for every hour worked after minimum overtime requirements have been met.

1. Department directors may choose by division to compensate employees for overtime worked with cash or compensatory time. Sworn police officers and non-exempt merit employees accrue compensatory time in one-quarter hour increments at 1.5 times their regular base pay rate for hours worked over 40 in a work week. Compensatory time for non-sworn, non-exempt merit employees is allowed to accumulate up to a maximum of 60 hours. Any accumulated compensatory time credited to non-sworn, non-exempt merit employees in the police department may be carried over into a new calendar year or fiscal budget cycle but cannot exceed the stated maximum. Accumulated compensatory time may be used at any time pursuant to department leave usage requirements.
2. Compensatory time for sworn police officers is allowed to accumulate up to a maximum of 100 hours. Any accumulated compensatory time credited to a sworn police officer may be carried over into a new calendar year or fiscal budget cycle but cannot exceed the stated maximum. Accumulated compensatory time may be used at any time pursuant to department leave usage requirements.

Upon separation of employment, any unused accumulated compensatory time will be paid out to the employee at his/her regular base pay rate.

E. Call-Back Duty Pay

Police department employees will receive a two-hour minimum amount of paid work time for any call-back to duty during an otherwise scheduled off-duty workday. If such call-back time places the employee in an overtime situation, then overtime is otherwise payable. (See also compensatory time off policy, work schedules and compensation plan policies in the City manual.)

F. Holiday Pay

All city employees are automatically credited eight hours pay on the day a holiday is observed. Employees working a ten-hour day who choose to observe the holiday will be required to use two hours leave or work two additional hours during the work week the holiday is observed.

Eligible *employees working shift work*, other than sworn fire personnel and certain eligible employees required to work on a holiday, receive additional compensation as holiday pay. For the purposes of this policy, *employees working shift work* are employees who are assigned to work

holidays as part of their regular work assignment in order to provide required city services. *Employees working shift work* include, but are not limited to, certain police personnel, certain sworn fire personnel and water treatment plant operators during those work periods when the plant is in operation.

Although paid time off may be provided on an observed rather than an actual holiday, holiday pay will be based on the actual holiday for *employees working shift work*, as defined herein.

Except for *employees working shift work*, if an eligible employee is required to work on an observed holiday, hours worked are paid at a rate of 1.5 times their straight time, base pay rate, in addition to receiving eight hours of straight time pay for the holiday. If such an employee is required to work on an actual holiday that falls on the employee's regularly scheduled day off, hours worked are paid at a rate of 1.5 times their straight time, base pay rate.

Sworn police officers working shifts (including watch commanders), and non-sworn employees working shifts are compensated for holidays (excluding Arbor Day benefit) falling within their regular work period, whether worked or not, by receiving 1.5 times their straight time base rate pay for the eight-hour holiday. If an employee works on a holiday for which the employee was not regularly scheduled to work, those hours worked are paid at a rate of 1.5 times their straight time base pay rate, in addition to the 1.5 times the base pay rate for the holiday. If the employee is regularly scheduled to work on the designated holiday, the actual hours worked are paid at straight time (unless the hours worked qualify for overtime.) Only those hours actually worked on a holiday will be considered hours worked for purposes of calculating overtime.

Exempt employees are paid on the basis of set compensation and are compensated for all holidays based on that compensation. If an exempt employee works on a holiday, they are not compensated additionally for such work. Notwithstanding the above, lieutenants in the police department, who are regularly assigned to work as watch commanders, will receive holiday pay equal to sworn police officers working shifts for any holiday falling within any work period in which such assignment as a watch commander is effective. Lieutenants, not assigned as watch commanders, (i.e., staff lieutenants) will be treated as other exempt employees. Lieutenants assigned as the Strike Force Unit Commander are not considered staff lieutenants while performing duties of a task force officer. The Strike Force Unit Commander receives certain benefits such as reimbursed overtime compensation in compliance with the mission set forth by the Strike Force Interlocal Agreement.

## G. Acting Positions

Subject to the terms and conditions of the Ogden City policy, it is the intent of the city to provide a framework and guideline within which eligible employees may be appointed to acting positions. This policy applies to both sworn and non-sworn employees who are being appointed to acting positions. The appointment will follow the rules and procedures of the Ogden City Ordinance and Personnel Policy in filling acting positions.

The decision to place an employee in an acting position of another person or position will be made by the Department Director, except where the acting position is subject to appointment by the Chief Administrative Officer or the Mayor. An employee is appointed temporarily (due to a vacancy or the temporary absence of an incumbent) to an acting position of higher compensation and authority, only when he/she assumes all the functions and authority of the higher position.

An employee performing work and service within the scope and role of an acting position will enjoy the benefit of additional compensation for such work and service. When additional compensation is allowed for such service, an employee will be compensated at the point in the pay range for the acting position that results in a five percent (5%) increase in the employee's base compensation that was in effect immediately prior to the temporary appointment. Employees at the top of their current range may only be eligible for a 1.5 % increase to the bottom of the next range. Except for certain employees working shift work as provided below, an employee will be compensated only for service in an acting position if the time in service equals or exceeds 30 consecutive days. Employees who meet the 30-day requirement in an acting position will be eligible for acting pay starting on day 31. Acting pay will not be retroactive to the first day in the acting position.

Sworn police personnel performing service in an acting position which is assigned to a 10-hour work shift, will be compensated only for service in an acting position if the time in service equals at least four consecutive full ten-hour shifts. Once this criterion is met, the additional compensation begins from the first hour of the acting assignment and will subsequently be paid for any consecutive work hours.

It is the policy of the city to prohibit any employee from serving in any acting role, position, or capacity, who is the subject of any current, ongoing, or open disciplinary investigation, review, or action, or who has been the subject of any disciplinary action within 90 days preceding any consideration for any acting role, position, or capacity.

The maximum length of time any employee will be allowed to perform work and service in an acting position or capacity is 12 consecutive months. Should the position still be open at the end of 12 consecutive months, the Department Director, the Chief Administrative Officer, or the Mayor, as applicable, will act to either fill the position or it will cease to exist as applicable.

#### H. Other Compensation Considerations

Employees who are eligible for overtime compensation may be required to perform additional work and service outside their regular job duties that relate to and support the functions of their primary job duties and the needs of the department.

Additional work and service outside regular job duties may be approved and assigned through established authority and performed while at work and/or during scheduled work times. Such additional work or service will be compensated as part of the employee's regular pay or compensation and is subject to applicable overtime based on the employee's regular, base pay rate. While not all inclusive, examples of additional duties and services are training or instruction (on a formal or informal basis), assisting another employee in completion of their own duties, or temporary work performed outside the normal duties and functions within an employee's job description.

#### I. K-9 Corps Pay

The city provides additional compensation to police officers who are assigned the care, training, and handling of any member of the city's K-9 corps. This compensation is based on an overtime pay rate of 1.5 times the employee's regular, base pay rate equivalent to five hours of overtime each week.

Since the care, training, and handling of any member of the K-9 Corps generally occurs at the police officer's place of residence, and includes hours outside the normal work schedule, the city pays this equivalent overtime rate each week irrespective of the actual hours the employee works, and irrespective of whether the employee is on vacation or other paid time off during each week.

#### J. Spanish Fluency

All employees in the police department are eligible to receive a language differential upon demonstrating fluency in Spanish. Certification will be obtained under rules and procedures established by the director of management services.

K. Honor Guard Pay

The city provides additional compensation to police officers who serve on the Honor Guard. This compensation is based on an overtime pay rate of 1.5 times the employee's regular, base pay rate equivalent to three hours of overtime each month. Since the care and handling of any member of the Honor Guard's equipment and uniforms generally occurs at the police officer's place of residence, and includes hours outside the normal work schedule, the city pays this equivalent overtime rate each month irrespective of the actual hours the employee works, and irrespective of whether the employee is on vacation or other paid time off during each month.

L. UAS Pilot Incentive

Sworn and non-sworn police UAS (unmanned aerial systems) pilots who are active members of the OPD AirTac unit are eligible for a yearly incentive of \$1,000. This is paid to qualifying employees October of each year.

In order to be eligible for the incentive, the employee must submit to the Chief's Office a copy of the certified UAS pilot license and a letter from the commander of the OPD AirTac unit noting the individuals standing in the unit. Each pilot is required to submit these documents yearly by the 1<sup>st</sup> of October.

In order to be eligible for the incentive, an employee must have a satisfactory performance evaluation for the performance evaluation period immediately prior to the incentive eligibility date. If an employee is placed on a Work Improvement Program following an evaluation, the incentive will be delayed until the employee has met the requirements of the Work Improvement Program and has received an acceptable quarterly evaluation following the completion of the Work Improvement Program.

M. Shift differential

1. Definitions

Primary Duty Shift – an assigned duty shift constituting the normal working period of the employee that is calendared on the annual duty roster and assigned for a minimum period of sixty (60) days.

Day Shift: a primary duty shift starting between 0500 hours and 1159 hours.



Afternoon Shift: a primary duty shift starting between 1200 hours and 1759 hours.

Graveyard Shift: a primary duty shift starting between 1800 hours and 0459 hours.

## 2. Conditions

Shift differential pay will be calculated on base Step Pay and allotted as follows:

Day Shift: 0%

Afternoon Shift: 2.5%

Graveyards: 5%

Shift differential will be applied in all Bureaus and Divisions of the Ogden Police Department and will include all ranks and civilian positions up to Lieutenant and its civilian equivalent.

Where the assigned personnel are on a split shift with starting times in two or more Primary Duty Shifts, they will receive the differential as follows:

When 50% or more of the Primary Duty Shift hours fall into a higher differential category, they will receive the differential for all Primary Duty Shift days. For example, Squad 2 works three day shifts and one afternoon shift, receives no differential pay as 75% of their work schedule is on Day Shift. Squad 5 works three graveyards and one afternoon resulting in 5% for all 4 shifts as 75% of their work schedule is on Graveyard Shift.

Supervisors MAY NOT adjust Primary Duty Shifts without concurrence by their Division Commander and approval by the Chief of Police.

## N. Educational Incentive

On the 2<sup>nd</sup> pay period in October of each year each Ogden police employee sworn and non-sworn will receive an education incentive stipend as following. The incentive may also be paid as a hiring bonus, at the discretion of the Chief of Police, for qualifying new officers and in conjunction with the October incentive payment. If paid as a hiring bonus it will be subject to provisions of Ogden Personnel Policy 3-16 and an agreement for re-payment for voluntary separation within one year may be required.

Associates Degree \$1,000

Bachelor's Degree \$2,000

Master's Degree \$3,000

In order to be eligible for the incentive, the employee must be a full-time employee of the Ogden Police Department and must not be under investigation for a disciplinary issue at the time the incentive is due. An employee under investigation for a disciplinary issue will be eligible to receive the incentive once the investigation is adjudicated and the employee is returned to duty.

In order to be eligible for the incentive, the employee must submit to the Chief's Office a copy of the diploma and the educational institution's letter awarding the degree, or an official transcript noting the completion of the requirements and the awarding of the degree.

In order to be eligible for the incentive, an employee must have a satisfactory performance evaluation for the performance evaluation period immediately prior to the incentive eligibility date. If an employee is placed on a Work Improvement Program following an evaluation, the incentive will be delayed until the employee has met the requirements of the Work Improvement Program and has received an acceptable quarterly evaluation following the completion of the Work Improvement Program.

In order to be eligible for the incentive, the degree must be accredited by one of the seven (7) Regional Accreditation organizations as follows: Middle States Commission on Higher Education, New England Association of Schools and Colleges, Higher Learning Commission, Northwest Accreditation Commission, Southern Association of Colleges and Schools, Western Association of Schools and Colleges, and the Accrediting Commission for Community and Junior Colleges. Degrees from any of the accredited universities and colleges in Utah are automatically accepted, degrees from outside the State of Utah will be investigated to see which accreditation entity has certified the degree. Degrees from the University of Phoenix are also automatically accepted, as are degrees from the Western Governor's University.

In order to be eligible for the incentive, the degree must have applicability to the nature of work performed by the employee. Degrees in Law Enforcement, Organizational Leadership or Management, Business, Education, or related areas are acceptable. Degrees that are questionable will be evaluated by a three-person Board appointed by the Chief of Police and chaired by the Deputy Chief of Police. The employee will submit the degree and a certified copy of their complete transcript for review by the Board. Where the Board finds 50% or more of the curriculum is applicable, the incentive will be granted. The Education Incentive will be paid ONLY for the highest degree and not for multiple degrees.

O. Loyalty Pay

These Loyalty Pay incentives will no longer be in effect after December 31, 2022.

Sworn officers shall receive the following Loyalty Pay incentives beginning January 1<sup>st</sup>, 2018. These payments shall be in conjunction with annual increases. In order to be eligible for the incentive, the employee must be a full-time employee of the Ogden Police Department and must not be under investigation for a disciplinary issue at the time the incentive is due. Employees that separate from the Ogden City Police Department and are properly reinstated within 24 months of that separation are eligible to have previous service applied towards years of service for the Loyalty program.

An employee under investigation for a disciplinary issue will be eligible to receive the incentive once the investigation is adjudicated and the employee is returned to duty. In order to be eligible for the incentive, an employee must have a satisfactory performance evaluation for the performance evaluation period immediately prior to the incentive eligibility date. If an employee is placed on a Work Improvement Program following an evaluation, the incentive will be delayed until the employee has met the requirements of the Work Improvement Program and has received an acceptable quarterly evaluation following the completion of the Work Improvement Program.

Year –

- 1 - \$1,000
- 2 - \$2,000
- 3 - \$3,000
- 4 - \$4,000
- 5 - \$5,000
- 10 - \$5,000 cash. A \$2 for \$1 match up to \$10,000.00 for amount of bonus invested in a qualified retirement investment account (401K, 457, Health Savings Account, ROTH IRA).
- 15 - \$5,000 cash. A \$2 for \$1 match up to \$10,000.00 for amount of bonus invested in a qualified retirement investment account (401K, 457, Health Savings Account, ROTH IRA).
- 20 - \$5,000 cash. A \$2 for \$1 match up to \$10,000.00 for amount of bonus invested in a qualified retirement investment account (401K, 457, Health Savings Account, ROTH IRA).
- 25 - \$5,000 cash. A \$2 for \$1 match up to \$10,000.00 for amount of bonus invested in a qualified retirement investment account (401K, 457, Health Savings Account, ROTH IRA).

- 30 - \$5,000 cash. A \$2 for \$1 match up to \$10,000.00 for amount of bonus invested in a qualified retirement investment account (401K, 457, Health Savings Account, ROTH IRA).
- 35 - \$5,000 cash. A \$2 for \$1 match up to \$10,000.00 for amount of bonus invested in a qualified retirement investment account (401K, 457, Health Savings Account, ROTH IRA).

P. Clothing Allowance

Sworn police officers will receive an initial allowance of \$1,100 to purchase the required equipment to begin work. Officers will be supplied a list of required uniforms. Animal Service Officers and Parking Technicians will receive an initial allowance of \$300 to purchase the required equipment to begin work.

Upon approval by the office of the Chief of Police, employees of the police department will receive the following uniform allowance per pay period. Temporary and Part time positions will be evaluated for a uniform allowance based on the assigned duties.

Sworn - \$44.00  
Animal Services - \$44.00  
Parking Enforcement - \$30.00  
CSO - \$30.00

Q. Timekeeping

Accurately recording time worked is the responsibility of every non-exempt employee. Federal and state laws require the department/city to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Non-exempt employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work must always be approved before it is performed.

Altering, falsifying, tampering with time records or one employee recording their time on another employee's time record may result in disciplinary action, up to and including termination of employment.

Non-exempt employees should report to work in sufficient time to be at work and work-ready when scheduled. These employees are not

permitted to stay after their scheduled stop time without expressed prior authorization from their supervisor.

It is the employee's responsibility to record his or her time to verify the accuracy of all time recorded. The supervisor will review and then initial the time record before submitting it for payroll processing. In addition, if corrections or modifications are made to the time record, both the employee and the supervisor must verify the accuracy of the changes by initialing the time record.