

## **VOLUME 3 - CHAPTER 2**

### **PERSONNEL**

#### **3-02/000.00 PERSONNEL RULES AND REGULATIONS**

All County employees are governed by the rules of the Los Angeles County Codes, Title 5 (includes Civil Service Rules), Title 6 (Salaries), and the Employee Memoranda of Understanding (from Employee Relations/Advocacy Services) in respect to the terms and conditions of their employment.

In addition to rules and regulations which apply to all County employees, this Department has specific policies and regulations which apply to Sheriff's Department employees.

Policy affecting Department employees is outlined in volume 3, chapter 1 of this Manual entitled, "Policy and Ethics."

Procedures which involve money (other than time and payroll procedures) are covered in the "Fiscal" chapter of this Manual and the Los Angeles County Fiscal Manual.

Procedures that concern procurement, purchasing and service contracts are covered in the "Equipment, Supply and Maintenance" chapter of this Manual and the Los Angeles County Purchasing Policy Manual.

General personnel and timekeeping related procedures are covered in this chapter; detailed timekeeping procedures are covered in a separate Timekeeping Manual, the Los Angeles County Code and the various Memoranda of Understanding.

#### **3-02/010.00 WORK ASSIGNMENTS**

Rules and regulations governing work assignments are outlined in the subsections which follow.

#### **3-02/010.05 RELATIVES ASSIGNED TO THE SAME UNIT**

Department employees shall not be excluded from assignment at a Unit solely because a relative, including a spouse or an ex-relative by marriage, is assigned to that Unit, except as follows:

- when such assignment would involve a supervisory/subordinate relationship within the Unit; and/or
- when the Commander of the Unit in question decides that other factors may dictate the prohibition of assignment of relatives at the same Unit for reasons such as, but not limited to, size of the Unit, scheduling conflicts, etc.

### **3-02/010.10 WORKING HOURS**

#### **Civilian Personnel**

Most employees work an 8-hour day, exclusive of lunch time, except when the employee is not relieved of all responsibility during the lunch period.

Actual starting and ending hours shall be specified by Unit Commanders and shall be in conformance with applicable Memoranda of Understanding and the County Code.

#### **Deputy Personnel and Custody Assistants**

The basic 8-hour workday, which provides for a one-half hour meal period exclusive of the 8-hour workday, shall apply to Deputy personnel who are on a 5/40 schedule (refer to section 3-02/010.15 Work Schedules).

Such non-paid meal period shall also apply to the 9/80, 4/40 or 12/80 schedules, so that the workday shall be 9, 10 or 12 hours exclusive of the half-hour meal period.

Interrupted mealtimes should be restored during the shift. If the employee has been afforded at least 20 minutes, but less than 30 minutes, the meal period will be deemed to have been taken. If such interruption takes place prior to the completion of at least 20 minutes, an additional half-hour period must be provided or the employee will accrue overtime for the half-hour that was interrupted. The meal period must begin no later than two hours prior to the end of the scheduled shift.

Supervisory personnel are responsible for ensuring that their subordinates receive a meal break or authorizing any necessary overtime.

The 8-1/2 hour day shall include any necessary briefing time and/or training time as well as a half-hour meal period. The workday can be scheduled to begin on the half-hour or quarters, as determined by the Unit Commander.

The employee shall be relieved of his work duties during the meal period, but it is not necessary that he be permitted to leave an assigned facility if he is otherwise completely free of his duties.

Any custody assistant assigned to work an 8-1/2-hour day shall be permitted to leave the facility during the assigned meal period.

If the custody assistant is required to work for 10 to 20 minutes during the non-compensated meal period, he will be credited with 15 minutes of overtime. If he is required to work 21 to 30 minutes, he will be credited with 30 minutes of overtime. Such work requiring less than 10 minutes will not be credited.

Any custody assistant whose continued presence is essential to the operation shall remain at the facility during his tour of duty and be scheduled on an 8-hour workday, including the meal period.

All inquiries regarding work schedules for Department personnel shall be directed to Employee Relations/Advocacy Services.

### **3-02/010.15 WORK SCHEDULES**

In compliance with the Fair Labor Standard Act (FLSA), various Memoranda of Understanding and the County Wide Timekeeping & Personnel Payroll System (CWTAPPS), the following policy has been established:

- an eight-hour work day shall constitute a work day;
- a forty-hour work week shall constitute a work week;
- a work week is defined as a seven day period beginning Sunday and ending Saturday during which an employee is scheduled to work a total of forty hours;
- employees, if authorized and directed, may work forty (40) hours a week in less than or more than five days (4/40, 9/80, 12/80);
- the exceptions to the work week definition are alternate work schedules such as the 9/80 and 12/80 schedules. The work for these two schedules begins and ends at the mid shift of the alternate day worked/alternate day off. "Mid Shift" is defined as four hours after the start of the alternate day on shift;
- no employee shall work more than 96 hours of overtime per calendar month (excluding on call court time);
- no employee may work more than 12 consecutive days without a day off except when necessary to appear in court;
- no employee shall work more than nineteen (19) hours consecutively;
- no employee may work back-to-back doubles except when necessary to appear in court. A back-to-back double is defined as working a shift of 16 hours or more followed or preceded by another shift in excess of 12 hours in any two (2) consecutive 24-hour periods;
- Watch Commanders are authorized to waive the above excess hours/days worked limitations due to critical staffing needs based on their individual evaluation of each circumstance. When authorization is given to exceed hours/days worked limitations, a unit commander memorandum shall be generated to the concerned Division Chief or Division Director with justification for the authorization;
- when an employee is expected to be on an extended absence (e.g., industrial injury, military leave, illness), the employee shall be placed on the 5/40 schedule with Saturday and Sunday off; and
- "Flex" schedule is an alternate schedule that has non-repetitive days off and an irregular starting or ending time. Employees assigned to a "Flex" schedule must meet the forty (40) hour threshold in the work week (Sunday through Saturday) before submitting for overtime. However, an employee is permitted to work

overtime not related to their normal work assignment or duties, prior to meeting the forty (40) hour threshold. Payment is subject to the terms provided in the employee's M.O.U.

NOTE: For specific information regarding work schedules and work patterns, refer to the Timekeeping Manual.

### **3-02/010.16 FILLING VACANCIES**

Voluntary and involuntary overtime hiring procedures are outlined below. Any deviation from these procedures must be authorized by the affected Division Chief or Division Director in response to, and for the period of, extraordinary conditions.

#### **Voluntary Hiring**

In the event that employee position vacancies occur, the following procedure shall be utilized to fill such vacancies:

- Units to the greatest extent possible, shall post (or make available to all affected employees at the Unit) overtime vacancy lists at least four days prior to the selection of personnel for pre identified overtime positions;
- all employees assigned to the affected Unit shall have an equal opportunity to volunteer for desired overtime positions. Monthly shift postings shall be rotated to Days, PM's, and EM's for all 24 hour operational Units. Positions with special requirements or qualifications (e.g., motorcycle enforcement), shall be noted on the overtime list. Only those employees meeting special requirements or qualifications shall sign the overtime list and be selected for that position;
- if more than one employee signs the overtime list for the same position, the selection shall be based on the following, in order:
  1. employee with the least total number of previously volunteered overtime hours worked at the Unit for the current month (e.g., once an employee is assigned a volunteered overtime position for the month, employees who have not been assigned a volunteered overtime position shall be given preference);
  2. employee with Department seniority;
  3. employee with Unit seniority;
  4. employee with County seniority.
- in the event that a sufficient number of employees assigned to the affected Unit do not volunteer to work such position vacancies, employees from other Units of assignment may have the opportunity to volunteer. Employees must receive prior written consent from their Unit Commander to work overtime at other Unit(s) of assignment. Consent may be withheld with good cause. The employee shall be provided with written documentation from the Unit Commander or designee within

5 business days of the request to work describing the reasons the consent was withheld.

### Involuntary Hiring

Involuntary hiring involves situations whereby Units must fill position vacancies based on critical staffing needs (e.g., unfilled posted overtime vacancies, sick call-ins). In the event a position vacancy is unable to be filled through voluntary hiring, employees from the Unit of assignment may be involuntarily hired (drafted) to fill the position vacancy. To the maximum extent possible, every reasonable effort shall be made to secure volunteers before employees are involuntarily hired. The following procedures shall be followed for involuntary hiring:

- Units may involuntarily hire an employee to work unfilled posted overtime vacancies to minimize last minute hiring and to provide advance notice to the employee. Only employees assigned to the Unit of assignment are subject to involuntary hiring of unfilled posted overtime vacancies;
- only employees from the Unit of assignment currently on duty shall be eligible for immediate involuntary hiring (e.g., sick call ins, last minute unfilled vacancy positions);
- Operational Units shall maintain a current seniority list and draft log. Volunteering for an overtime position shall not be credited as having been drafted. The member selected for an involuntary assignment shall be the member next in order on the draft log and who is otherwise available to work the assignment. The log shall be kept in inverse Department seniority order (in case of ties, inverse Unit seniority, then inverse County seniority shall be used). Once a member has been drafted their name is removed from the list. Once the list is exhausted, it shall restart from the beginning;
- employees shall be exempted from involuntary hiring when the assignment would place the employee in violation of the hours/days worked limitations contained in MPP section 3 02/010.15;
- employees working overtime on an RDO shall be exempt from involuntary hiring.
- CARP (Cadre of Administrative Reserve Personnel) employees shall be exempt from involuntary hiring while filling line positions;
- employees having pre-approved variance time off or a swap off for the shift with the position vacancy shall be exempt from involuntary hiring 16 hours prior to the vacancy shift and 16 hours following the vacancy shift;
- employees performing military reserve duty shall be exempt from involuntary hiring during the period 16 hours preceding the military duty to 16 hours following the duty;
- the Watch Commander may exempt an employee from involuntary hiring due to personal hardship or exigent circumstances;
- the overtime needs of the employee's Unit of assignment shall take precedence over overtime scheduled at outside Units. If an employee is scheduled to work overtime at an outside Unit and the employee is subject to involuntary hiring at their Unit of assignment, the involuntary hiring shall take precedence over the

overtime at the outside Unit. The employee shall be responsible for notifying the outside Unit of any conflict as soon as possible;

- the Watch Commander may exempt an employee on training status from involuntary hiring taking into consideration the vacancy position and the impact such hiring may have on the training of the employee;
- Deputies (Generalist, Bonus I, and Bonus II) shall not be involuntarily hired to fill any Sergeant assignments or positions nor shall any Deputy (Generalist, Bonus I, and Bonus II) be involuntarily hired to fill a vacancy created by the reassignment of a Deputy to an Acting Sergeant position; and/or
- Deputies (Generalist, Bonus I, and Bonus II) shall not be involuntarily hired to fill a vacancy created by the absence of a non sworn member unless the affected Unit has exhausted all reasonable means of locating a non sworn replacement for the concerned vacancy, and that vacancy is a critical position.

### **3-02/010.17 SWAPPING OF RDO/SHIFTS**

Swapping of RDO/shifts should be limited to those situations wherein an employee must have a particular day/shift off but is unable due to scheduling needs.

- swap requests must be submitted on the form SH-R442 (RDO/SHIFT SWAP REQUEST) at least five days prior to the first portion of the swap;
- no employee may work more than twelve (12) consecutive days without a day off as a result of a swap except when necessary to appear in court or under other special circumstances approved by a Division Chief or Division Director;
- swaps must be made between two employees (self swapping constitutes change of work schedule), with the same compatible work schedule (i.e., 5/40, 4/40, 9/80, etc.);
- all swaps must be completed within the same calendar month;
- when an employee swaps an RDO/shift, the employee cannot work overtime during his or her regularly assigned shift, e.g., employee swaps PM shift so he can have that time off, employee may work overtime on Day or EM shift, but not on PM shift;
- more than three (3) swaps per calendar month must be approved by the scheduling Sergeant or Watch Commander; and/or
- no employee may work back-to-back doubles as a result of a swap except when necessary to appear in court, or under other special circumstances approved by a Division Chief or Division Director. A back-to-back double is defined as working a shift of 16 hours or more followed or preceded by another shift in excess of 12 hours in any two (2) consecutive 24-hour periods.

The timekeeper shall be notified immediately of the exchange of RDO/shifts and the names of the employees involved. The timekeeper shall change the RDO/shifts on the Payroll Worksheet, plus (+) or minus (-) the days involved and make a notation of the swap on each time card. Daily/Weekly time sheets shall always reflect the name of the employee actually on duty.

No overtime shall be involved in a completed swap; it is merely an exchange of RDO/shifts. The party working the first portion of the swap shall receive voluntary overtime only if the swap cannot be completed (busted swap).

When a swap has been initiated and the other party is unable to complete it due to unforeseen circumstances, (such as working partial hours) the following shall apply:

- if the party who worked the extra day cannot be granted the exchange day off due to manpower requirements, the extra time shall be changed to voluntary overtime and the day concerned changed back to a day off;
- if the party who owes the County time cannot work the time owed, accrued benefits of the employee's choice shall be applied in place of the exchanged RDO/shift; or the employee shall be charged "AA" time if no accrued benefits are available; and/or
- swapping of RDO/shift may be prohibited by the Unit Commander if he deems such practice to be detrimental to the operation of his Unit.

### **3-02/010.19 OVERTIME WORKED AT OTHER ASSIGNMENTS**

Prior to an employee working overtime at any Unit other than their permanent Unit of assignment, expressed authorization from their Unit Commander or designated supervisory personnel must be received.

Whenever an employee works overtime at a Unit other than their permanent Unit of assignment, it is the responsibility of the Unit where the overtime was earned to immediately notify the employee's permanent assignment. This is to assist in precluding individuals from violating the provisions of Manual of Policy and Procedures, section 3-02/010.15 and section 3-02/010.17 (no employee may work more than 12 consecutive days without a day off...; no employee shall work more than nineteen (19) hours consecutively; no employee may work back-to-back doubles...).

### **3-02/010.20 TRANSFER - DEPUTY PERSONNEL**

The routine transfers of personnel shall be made effective at the beginning of the workweek--0001 hours on Sunday. Transfer lists will be broadcast in advance of the effective date to allow employees sufficient time (not less than five days) and an opportunity to obtain their schedule at the new Unit. This will also allow for any rescheduling which may be needed to meet their Creditable Service Hours (CSH) requirements.

Consideration shall be given to the employee's current work status when other than routine transfers occur, so that shortages or overages required for CSH will not occur.

The staffing needs of the Department are the first priority in the assignment of any personnel. The following policies will serve as guidelines which are to be followed to the extent manpower requirements permit.

Exceptions to the provisions of this policy may be granted by the Assistant Sheriff(s), based on Department needs.

For the purpose of this policy, a "Patrol Division" assignment is any unit of assignment with field patrol responsibilities and the Department's Patrol Training Program.

### Transfer Policy

- the Transfer Preference List shall be based upon sworn Departmental seniority;
- upon the completion of Probation, Deputies who graduated from the Academy on or after May 6, 1983, (Class #214) who prefer a patrol assignment are required to submit and maintain a Transfer Request, by selecting a maximum of three (3) Patrol Division stations in order of preference; and
- Deputies can select the "No Choice" option on the Transfer Request Form, if they prefer to remain in Custody Division under the Dual Track career option.

NOTE 1: Deputies assigned to Court Services Division who are not patrol certified are required to transfer to a Patrol Division and, consequently, may not select the "No Choice" option on the Transfer Request Form. They must maintain a Transfer Preference Request on file listing up to a maximum of three (3) patrol station selections. If a Deputy opts to change his or her career path from patrol, they must submit their updated Transfer Preference Request prior to the Deputy break-up. In compliance with the Deputy's request, the Deputy shall be re-assigned to Custody Division.

NOTE 2: Deputies who joined the Sheriff's Department as a result of the Department's assumption of services from the former Los Angeles County Office of Public Safety may choose a career path in Custody Division by selecting the "No Choice" option on the Transfer Request Form. Should they wish to transfer to patrol at a later time, they must submit a Transfer Preference Request listing up to a maximum of three (3) patrol station selection.

NOTE 3: Deputies who joined the Sheriff's Department as a result of the Department's merger with the Los Angeles County Marshal's Department in 1994 are exempt from patrol.

NOTE 4: Lateral hired deputies will adhere to the same transfer guidelines as sworn personnel.

In the event of a staffing shortage of sworn personnel in any of the Patrol Divisions, the

Department has the flexibility to enact mandatory transfer to patrol, in reverse sworn Department seniority order, thereby transferring Deputies who graduated from the Academy on or after May 6, 1983, (Class #214) to a Patrol Division station.

- Deputies transferring to patrol for the first time must successfully complete patrol training;
- Deputies who fail patrol training after their first opportunity, and who are eligible, may be assigned to Custody Division. The Deputy may choose to remain in Custody Division for the remainder of his/her career or choose to return to patrol for a second opportunity. The Deputy requesting to return to patrol for a second time, must maintain on file a Transfer Preference Request listing up to a maximum of three (3) patrol stations, in order of preference, and must successfully complete the Department's Patrol Training Program. Performance shall be evaluated per Civil Service Rules;
- Deputies, who fail patrol training for the second time, may be released from County Service as a Deputy Sheriff. However, prior to release, Deputies will be subject to an Executive Review to assess their suitability as a Deputy Sheriff. The Assistant Sheriffs from Patrol and Custody Divisions will review each request on a case-by-case basis. If the Deputy is deemed suitable for continued employment, an appropriate job classification may be offered. The Assistant Sheriffs may consult with the Advocacy Unit;
- Deputies who graduated from the academy prior to May 6, 1983, (Pre-Class #214) are not required to transfer to patrol;
- when pre-214 Deputies transfer to patrol and fail patrol training, they, if eligible, will be returned to their previous Division of assignment;
- if pre-214 Deputies elect to return to patrol a second time, they must successfully complete the patrol training program. Their performance shall be evaluated per Civil Service Rules; and
- Deputies, who fail patrol training for the second time, may be released from County service as a Deputy Sheriff. However, prior to their release, Deputies will be subject to an Executive Review. The Assistant Sheriffs from Patrol and Custody Divisions will review each request on a case-by-case basis. If the Deputy is deemed suitable for continued employment an appropriate job classification may be offered. The Assistant Sheriffs may consult with the Advocacy Unit.

NOTE 1: Eligibility for transfer is outlined in the Field Training Officer's Manual (Section 8 Trainees with Performance and/or Learning Difficulties).

NOTE 2: Sworn Department personnel who joined the Department through the Marshal Merger of 1994 fall under the pre-214 transfer policy and are exempt from mandatory patrol assignments.

The Transfer Preference List composed of personnel who have submitted approved Transfer Requests is promulgated twice a year in January and July. Transfers may be submitted at any time; however, the Transfer Preference List will only be updated twice a year.

When an Academy class graduation is pending, transfer deletions will not be accepted if made later than four weeks prior to graduation. In circumstances where a Deputy requests a deletion within the four week period because of undue hardship, it shall be granted or denied at the discretion of the concerned Deputy's Division Chief on a case-by-case basis. Satisfactory documentation shall be provided to substantiate any such hardship claim.

Unless unusual or extenuating circumstances can be demonstrated, a minimum of one year will be served at the new assignment before the next Transfer Request will be accepted.

Administrative transfers do not void an employee's Transfer Request that has placed the employee on a seniority transfer list.

Deputy personnel who have not completed a patrol assignment, who have been out of a patrol assignment five (5) years or more, and all lateral entry personnel will attend Patrol School prior to their transfer to a patrol assignment.

#### Court Services Division Transfer

Deputies desiring transfers into Court Services Division may request a transfer to East, West, Central or Transportation Bureaus. Deputies may not request transfers to a specific court within a Bureau. It is the policy of Court Services Division to fill vacancies at courts through intra-Division transfers of existing Division personnel, if at all possible. If vacancies cannot be filled through intra-Division transfers, then they will be filled with Deputies transferring into the Division. It is also the policy of Court Services Division that Deputies approved for transfer into East or West Bureaus may first be considered for filling of vacancies in Central Bureau courts (Clara Shortridge Foltz Criminal Justice Center Building, Stanley Mosk Court, Metropolitan Courthouse, etc.). Deputies requesting a transfer into East or West Bureaus are advised that there is a substantial likelihood of an assignment to Central Bureau instead. After vacancies at Central Bureau courts are filled, transferring Deputies will be assigned to vacant positions in the Bureau according to their Transfer Request.

Transferring Deputies who are assigned to a Bureau other than their Transfer Request choice may seek an intra-Division transfer to a more desirable assignment. Intra-Division transfer to the various courts within the Division is based upon Division seniority, and Deputies may request a transfer to any specific court at any time after their assignment to Court Services Division.

Intra-Division transfers into Transportation Bureau are available.

### **3-02/010.22 ASSIGNMENTS/SENIORITY - DEPUTY PERSONNEL**

- Academy Graduates  
upon graduation from the Academy, Deputies are usually assigned to a Custody Division Facility as their first assignment. Assignments to the Court Services Division (CSD) may occur whenever CSD cannot meet its staffing needs with patrol certified Deputies and/or non-patrol certified Custody Deputies;
- Reserve Deputies  
Reserve Deputies who become full-time Deputies do not receive Department service credit for their prior Reserve experience;
- Reinstated/Restored/Rehired Personnel  
Deputy personnel who are reinstated/restored/rehired after voluntarily resigning will be assigned to a Custody Division Facility. All personnel who graduated from the Academy on or after May 6, 1983 (Class #214), will be governed by the above Transfer Policy (refer to section 3-02/010.20);

For transfer purposes only, the hire/appointed date of reinstated/restored/rehired Deputies will be adjusted to reflect their prior experience. POST certified experience will be computed by Personnel Administration; and

- Lateral Hires  
Deputies who are laterally hired will adhere to the same transfer guidelines as sworn personnel.

### **3-02/010.25 FILING ASSIGNMENT PREFERENCE REQUESTS - DEPUTY PERSONNEL**

Sworn members who graduated from the Academy prior to May 6, 1983, and wish to transfer to a new assignment, must submit an original and five copies of the Personnel Transfer Request (SH-AD-166) to their Unit Commander.

Requests for transfer shall be limited to three Units, regardless of the number of Divisions involved. Order of preference shall be indicated.

Deputies who graduated from the Academy on or after May 6, 1983, shall be required to submit a transfer request listing three (3) patrol Stations/Units in order of preference. The Deputy shall complete the personnel transfer request form (SH-AD-166A) prior to graduating from the Academy. Personnel Administration shall review the request and update the Transfer Preference List.

The special provisions regarding transfer request procedures of personnel who graduated from the Academy on or after May 6, 1983, apply only until such time that the affected Deputy becomes patrol trained and certified.

Requests, once submitted, will not be deleted; however, employees may update

preferences by following the procedures established.

When a Unit Commander receives a Personnel Transfer Request (SH-AD-166 or SH-AD-166A) he shall add comments and recommendations, sign the form in the space provided and forward the original and five copies to the Division Chief or Division Director.

The Division Chief or Division Director shall approve or disapprove the request, then date and sign the forms. Division headquarters shall retain one copy and forward the original and the remaining four copies directly to the Chief or Division Director of the Division to which the employee desires to transfer.

The Chief or Division Director of the requested Division shall approve or disapprove the request, then date and sign the forms. Division headquarters shall then distribute them in accordance with the instructions on the most recent revision of the Personnel Transfer Request (SH-AD-166 or SH-AD-166A).

Causes for disapproval of transfer may include:

- the Deputy is currently a subject of an administrative or criminal investigation;
- physical limitations prevent the Deputy from working an assignment;
- the Deputy is currently on an "Improvement Needed" evaluation program;
- significant and recent disciplinary action has been administered; and/or
- the Deputy has less than one year in current assignment.

Employees who wish to withdraw a request shall submit a cancellation request on an SH-AD-32A. It is imperative that an employee cancel requested Units if he does not want to run the risk of an automatic assignment to a Unit he no longer desires.

Cancellations require the same number of copies and routing procedure as original reports.

### **3-02/010.27 HARDSHIP TRANSFER - DEPUTY PERSONNEL**

Sworn members shall outline the specifics of their hardship situation requiring a transfer in a memorandum addressed to the Unit Commander. After review, the Unit Commander shall make every attempt to resolve the situation at their level. If unable to do so, a memorandum with recommendations to the concerned Commander shall be forwarded for review and solution. A suitable assignment shall be sought within the Division. If still unresolved, the Division Chief or Division Director shall review the situation and make an attempt to assist the employee to resolve the hardship, consistent with the needs of the Department, within Division. Those resolved within the Division will be forwarded to Personnel Administration, when transfers are involved.

Hardship cases requiring movement from the Deputy's current Division shall meet with the concurrence of the concerned Division Chief or Division Director prior to the approval of an Assistant Sheriff(s) and the Undersheriff. Personnel Administration shall be

notified of all transfers.

### **3-02/010.29 TRANSFER - COVETED POSITIONS**

A Transfer Preference List composed of incumbent personnel currently assigned and/or appointed to the following Coveted Positions and who have submitted an approved transfer request, shall be promulgated twice a year by Personnel Administration-Sworn Staffing, in January and July:

- 425 - Investigator Deputy
- 525 - Boat Operator Deputy
- 529 - Master Field Training Officer
- 533 - Station Watch Deputy
- 536 - Station Traffic Investigator Deputy
- 543 - Station Court Deputy
- 544 - Team Leader Deputy
- 882 - Motorcycle Traffic Enforcement Deputy

Transfer requests may be submitted to Personnel Administration-Sworn Staffing at any time; however, the Transfer Preference List will only be updated twice a year, in January and July. The Transfer Preference List shall be canvassed each time before a Deputy break-up occurs, and/or before an appointment from the above listed Coveted Positions occurs, and the following policy shall apply:

The order of deputies on the Transfer Preference List shall be based upon Department verified superior time in grade in a Coveted Position, i.e. continuous service time in the same and currently held Coveted Position.

Upon appointment to any of these Coveted Positions, a transfer request with up to three assignment preferences may be submitted.

When appointed to a Coveted position, and for any subsequent voluntary Coveted Position transfers, a minimum of one year shall be served at the new assignment before the next Coveted Position appointment and/or transfer request will be considered, with the exception of a Department offered appointment to a Bonus II Coveted Position or promotion to a higher rank, i.e. Sergeant.

Coveted Position vacancies not filled by incumbent transfer, shall be filled through the new appointment of a candidate from the Department's existing centralized rank ordered Coveted Position lists.

Exceptions to the provisions of this policy may be granted by the Sheriff or Undersheriff, based on Department needs.

NOTE: This policy does not apply to coveted position, PSN 425, assigned to the

Emergency Operations Bureau/Homeland Security Division.

**3-02/010.30 TRANSFER - CUSTODY ASSISTANT PERSONNEL**

Routine transfers of personnel shall be made effective at the beginning of the workweek--0001 hours on Sunday. Transfer lists will be broadcast sufficiently in advance of the effective date, to allow employees the opportunity to obtain their schedule at the new unit. This will also allow for any rescheduling which may be needed to meet Creditable Service Hours (CSH) requirements.

When other than routine transfers occur, immediate attention should be given to the employee's current work status so that shortages or overages in required CSH will not occur.

The staffing needs of this Department are the first priority in the assignment of personnel. The following policies will serve as guidelines which will be followed to the extent staffing requirements permit.

Exceptions to the provisions of this policy may be granted by the Assistant Sheriff(s), based on Department needs.

**Transfer Policy**

- the transfer preference list shall be based on Custody Assistants item seniority (includes Corrections Officer item seniority);
- transfer requests may be submitted throughout the year, however, will only be updated twice a year (prior to January and July);
- Custody Assistants in the Station Jailer Program shall not be considered or transferred to a preferred facility if the transfer is to be filled before their station jailer time commitment is met (all station jailer assignments have a one year commitment); unless unusual or extenuating circumstances can be demonstrated, a minimum of one year will be served at the new assignment before the next transfer request will be processed;
- when an Academy class graduation is pending, transfer deletions will not be accepted if made later than four weeks prior to graduation;
- administrative transfers do not void an employee's transfer request that has placed the employee on a seniority transfer list; and/or
- transfer requests will be used to fill available vacancies in Custody Division and Patrol Stations/Units. New transfer requests will be processed and supersede current requests on file.

**3-02/010.31 ASSIGNMENTS/SENIORITY - CUSTODY ASSISTANT PERSONNEL**

- Academy Graduates

upon graduating from the Academy, Custody Assistants shall be assigned to Custody Division as their first assignment. Assignment to a Patrol Division shall only occur after the Custody Assistant has successfully completed a minimum of one year in a custody assignment, and has received a competent probationary evaluation before transferring.

### **3-02/010.32 FILING ASSIGNMENT PREFERENCE REQUESTS - CUSTODY ASSISTANT PERSONNEL**

- transfer requests should be submitted on the Custody Assistant Transfer Request forms and submitted to their unit for approval, then forwarded to Personnel Administration;
- requests for transfer shall be limited to three units, regardless of the number of Divisions involved. Order of preference shall be indicated;
- the Custody Assistant will complete a preliminary transfer request form prior to graduating from the Academy, delineating their preference in Custody Division. Personnel Administration and Custody Division Headquarters Personnel Unit will review the request to determine the first unit of assignment, given Department needs; and/or
- requests once submitted, may be deleted or updated, upon the employee following the procedures established.

When a Unit Commander receives a Custody Assistant Transfer Request, they shall add comments and recommendations, sign the form in the space provided and forward the original and five copies to the Division Chief or Division Director.

The Division Chief or Division Director shall approve or disapprove the request, then date and sign the forms. Division headquarters shall retain one copy and forward the original and remaining four copies directly to the Chief or Division Director of the division to which the employee desires to transfer.

The Chief or Division Director of the requested division shall approve or disapprove the request, then date and sign the forms. Division headquarters shall then distribute them in accordance with the instructions on the most recent revision of the Custody Assistant Transfer Request form.

Causes for disapproval of transfer may include:

- the Custody Assistant is currently a subject of an administrative or criminal investigation;
- physical limitations prevent the Custody Assistant from working an assignment,
- the Custody Assistant is currently on an "Improvement Needed" evaluation program;
- significant and recent disciplinary action has been administered;

- the Custody Assistant has less than one year in current assignment; and/or
- the Custody Assistant has a demonstrated poor attendance record.

Employees who wish to withdraw a request shall submit a cancellation request on a SH-AD-32A. It is imperative that an employee cancel requested units if he does not want to run the risk of an automatic assignment to a unit he no longer desires. Cancellations require the same number of copies and routing procedure as original reports.

In the event no qualified employee requests assignment to a vacant position, the Sheriff or their designee may assign a qualified employee with the lowest item seniority.

When ties exist with the item seniority date in determining an assignment decision, preference shall be given to the employee living closest to the new work location.

The Sheriff or their designee may refuse to assign any employee to a vacant position when they determine that such assignment will not be in the best interests of the Sheriff's Department.

All assignment decisions may be appealed to a Board of two appropriate Department Commanders in charge of Personnel, one of which shall be a Custody Division Commander. The Board's decision shall be final and binding.

### **3-02/010.33 HARDSHIP TRANSFERS - CUSTODY ASSISTANT PERSONNEL**

Custody Assistants shall outline the specifics of their hardship situation requiring a transfer in a memorandum addressed to the Unit Commander. After review, the Unit Commander may resolve the situation or forward the memorandum with recommendations to the Division Chief or Division Director for review and solution. The Division Chief or Division Director shall review each situation and make every effort to assist the employee to resolve the hardship, consistent with the needs of the Department. Those resolved within the division will be forwarded to Personnel Administration, when transfers are involved.

Hardship cases requiring movement from the Custody Assistant's division require the approval of an Assistant Sheriff(s) and the Undersheriff. Personnel Administration shall be notified of all transfers.

### **3-02/010.35 TRANSFERS - SECURITY OFFICER OR SECURITY ASSISTANT PERSONNEL**

Routine transfers of personnel shall be effected at 0001 hours Sunday of the designated week. Transfer lists will be broadcast as far in advance as possible to allow employees an opportunity to obtain their schedule at their new Unit of assignment. This will also allow for any rescheduling which may be needed to meet Creditable Service Hours (CSH)

requirements.

NOTE: When other than routine transfers occur, immediate attention should be given to the employee's current work status so that shortages or overages in required CSH will not occur.

The staffing needs of the Department shall be the highest priority in the assignment of personnel. The following policies will serve as guidelines which will be followed to the extent staffing requirements permit.

Exceptions to the provisions of this policy may be granted by the Assistant Sheriff(s), based on Department needs.

### Transfer Policy

- the transfer preference list shall be based on Security Officer or Security Assistant item seniority;
- transfer requests may be submitted throughout the year; however, transfer lists will be updated twice per year (prior to January and July);
- unless extraordinary or extenuating circumstances can be demonstrated, a minimum of six months will be served at the new assignment before the next transfer request will be processed;
- when an Academy class graduation is pending, transfer deletions will not be accepted if made later than four (4) weeks prior to the scheduled graduation;
- administrative transfers shall not void an employee's transfer request that has placed the employee on a seniority transfer list; and
- transfer requests will be used to fill available vacancies in the Department. New transfer requests will be processed and supersede current requests on file.

### **3-02/010.36 FILING ASSIGNMENT PREFERENCE REQUESTS SECURITY ASSISTANT OR SECURITY OFFICER PERSONNEL**

- transfer requests should be submitted on the Security Assistant or Security Officer Transfer Request forms and submitted to their Unit for approval, then forwarded to Personnel Administration;
- requests for transfer shall be limited to three Units, regardless of the number of Divisions involved. Order of preference shall be indicated;
- the Security Assistant or Security Officer will complete a preliminary transfer request form prior to graduating from the Academy. Personnel Administration will review the request to determine the first Unit of assignment, given Department needs;
- transfer requests will be void once an employee transfers to a requested Unit;
- Requests once submitted, may be deleted or updated, upon the employee following the procedures established; and/or
- when a Unit Commander receives a Security Assistant or Security Officer Transfer

Request, they shall add comments and recommendations, sign the form in the space provided and forward the original and five copies to the Division Chief or Division Director.

The Division Chief or Division Director shall approve or disapprove the request, then date and sign the forms. Division headquarters shall retain one copy and forward the original and remaining four copies directly to the Chief or Division Director of the Division to which the employee desires to transfer.

The Chief or Division Director of the requested Division shall approve or disapprove the request, then date and sign the forms. Division headquarters shall then distribute them in accordance with the instructions on the most recent revision of the Security Assistant or Security Officer Transfer Request form.

Causes for disapproval of transfer may include:

- the Security Assistant or Security Officer is currently a subject of an administrative or criminal investigation;
- physical limitations prevent the Security Assistant or Security Officer from working an assignment;
- the Security Assistant or Security Officer is currently on an "Improvement Needed" evaluation program;
- significant and recent disciplinary action has been administered;
- The Security Assistant or Security Officer has less than six months in current assignment; and/or
- the Security Assistant or Security Officer has a demonstrated poor attendance record.

Employees who wish to withdraw a request shall submit a cancellation request on a transfer deletion form. It is imperative that an employee cancel requested Units if he does not want to run the risk of an automatic assignment to a Unit they no longer desire. Cancellations require the same number of copies and routing procedure as original reports.

In the event no qualified employee requests assignment to a vacant position, the Sheriff or their designee may assign a qualified employee with the lowest item seniority.

When ties exist with the item seniority date in determining an assignment decision, preference shall be given to the employee with the most Department time.

When ties exist between item Seniority and Department time, transfer will revert to Alpha order.

The Sheriff or their designee may refuse to assign any employee to a vacant position when they determine that such assignment will not be in the best interests of the Sheriff's Department.

All assignment decisions may be appealed to a Board of two appropriate Department Commanders in charge of Personnel. The Board's decision shall be final and binding.

**3-02/010.37 HARDSHIP TRANSFER REQUESTS - SECURITY ASSISTANT/SECURITY OFFICER**

After exhausting all other reasonable alternatives, a Security Assistant or Security Officer who believes their circumstances are so unique that they represent a hardship, and a transfer is the only viable resolution, shall forward a memorandum to Their Unit Commander. The memorandum shall contain the specific circumstances posing the hardship, and the step(s) the employee has taken to date to resolve the matter.

The Unit Commander shall review the hardship transfer request memorandum and either (1) resolve the situation or, (2) forward the memorandum, with a recommendation, to the concerned Division Chief or Division Director. The Division Chief or Division Director shall personally review each situation individually and make every effort to assist the employee consistent with the needs of the Department.

Intra-Division hardship transfer requests may be approved by the concerned Division Chief or Division Director.

Inter-Division hardship transfer requests shall be approved by the concerned Assistant Sheriff and Undersheriff.

In either case, Personnel Administration shall be notified of all transfers. Copies of all memoranda shall be forwarded to Personnel Administration for review and disposition.

**3-02/010.39 TRANSFER – SUPERVISORS**

The staffing needs of the Department are the highest priority in the assignment of supervisory personnel. The following will establish guidelines to be followed to the extent manpower requirements permit. Exceptions to the provisions in this policy shall be granted by an Assistant Sheriff.

Routine transfers of personnel shall become effective Sunday at 0001 hours. Transfer lists will be broadcast sufficiently in advance of the effective date to allow employees the opportunity to obtain their schedule at their new Unit of assignment. This also will allow for any rescheduling which may be needed to meet Creditable Service Hours (CSH) requirements.

When other than routine transfers occur, consideration shall be given to the employee's current work status so that shortages or overages in required CSH will not occur.

## Transfer Policy

The Supervisor Transfer Preference List shall be based upon the following:

Lieutenants and Sergeants requesting a transfer to a patrol assignment shall schedule an interview with the Unit Commander at the station(s) they are interested in working. Unit Commanders shall accept interview requests from all interested supervisors.

Following the interview, the Unit Commander shall complete a memorandum stating whether the candidate supervisor is acceptable or unacceptable. If acceptable, the supervisor's name will be placed on the Supervisor Transfer Preference List at the applicable Station(s). Selections/assignments to the respective Station will be based upon seniority in rank.

If a Unit Commander deems a candidate supervisor unacceptable, a memorandum shall be completed clearly articulating the reason(s) the candidate supervisor was not suitable for assignment to the Station.

NOTE: A recommendation the candidate supervisor is unsuitable for assignment to a Station shall be based on impartial, objective, sustainable, and articulable reason(s).

In either case, the Unit Commander's memorandum shall be forwarded, through channels, to the concerned Assistant Sheriff for approval.

The concerned Assistant Sheriff shall interview an unacceptable candidate prior to accepting the Unit Commander's recommendation. The Assistant Sheriff may reject the Unit Commander's recommendation with or without an interview of the candidate supervisor.

Absent extenuating circumstances, a minimum of one year shall be served at the new Unit of assignment before a subsequent transfer request will be accepted. Administrative transfers do not void a supervisor's transfer request that has placed the employee on the Supervisor Transfer Preference List.

### **3-02/010.40 ADMINISTRATIVE REASSIGNMENT OF PERSONNEL ITEMS**

When any personnel item (filled or vacant) is to be reassigned permanently or for an extended period of time, the reassignment of the item must have the approval of the Sheriff, Undersheriff or concerned Assistant Sheriff.

The Division's notification on an SH-AD-32A shall contain the following information:

- name of Bureau, facility or Unit to which the item is presently assigned;
- title of position affected;

- duties to be performed at new location;
- current duties;
- Unit to which position is reassigned;
- whether the reassignment is to be permanent or not;
- necessity for the change; and
- name of employee (if position is filled) and a statement as to whether or not that employee is to be reassigned with the item.

### **3-02/010.45 CIVILIAN STAFFING POLICY**

In order to ensure that all Department managers are being consistent in following the Sheriff's staffing directives, certain procedural policies must be adhered to and supported by all those involved in personnel decisions. As a result, the following staffing guidelines must be followed when filling a vacant position.

#### **Section I - SUPERSEDING TRANSACTIONS**

The following four conditions should be considered over other staffing alternatives in Sections II and III when filling a vacant position.

##### **Reemployment Lists**

When an employee is reduced or released from County service due to layoff, he/she is placed on a reemployment list for appointment or reappointment to a position from that list.

Reemployment lists supersede any other form of appointment, including those to lower levels. Lists from different departments or completed at different times for the same class of position, shall be combined into a single list.

Such lists shall be used by every appointing power when a vacancy arises in the same or lower class of position, before certification is made from an eligible list. Reemployment lists are active for one year.

##### **Medical Accommodations**

The Department should attempt to accommodate employees who have medical restrictions. Employees requesting a position change due to medical reasons, may demote or administratively reassign to a position in which they can perform the job essentials and meet the minimum requirements, provided accommodations can be made. When applicable, the Return to Work Unit should be involved in the coordination of such personnel transactions. This is a requirement of the Americans with Disabilities Act.

##### **Recognized Department Training Positions**

Employees who do not complete recognized Department training programs, i.e., Deputy Sheriff Trainee, Communications Operator I, Station Desk Operations Trainee or Custody Assistant, may demote or administratively reassign to a position in which they meet the minimum requirements. This would require the approval from the Division Chief or Division Director who would be the recipient of the demoted employee.

#### Demotion Due to An Unsatisfactory Probation Report

Second-time county probationers who fail or are failing probation, may be demoted to the last previously held position or comparable position in which they meet the minimum requirements. This would require the approval from the Division Chief or Division Director who would be the recipient of the demoted employee.

#### Section II - EQUAL LEVEL TRANSACTIONS

The following personnel transactions are equally appropriate for consideration when filling a vacant position; however, these transactions should not be pursued unless all of the above conditions identified in Section I have been considered.

PRIOR TO STAFFING A VACANCY, WITH THE EXCEPTION OF VACANCIES AT THE LEVEL OF DIRECTOR AND ABOVE, EACH UNIT WILL MAKE AN ANNOUNCEMENT THROUGH A DEPARTMENT BROADCAST, RELAYING THE VACANCY'S CLASSIFICATION AND SPECIFYING DETAILS OF WHAT THE JOB DUTIES ENCOMPASS.

#### Certification Lists

Promotion from a promulgated certified list, which is the same classification as the vacancy.

All appointments to positions for which that examination was given shall be made from the highest ranking group on such lists, except that when the highest ranking group (e.g., Band I) does not include at least five persons who are available for appointment, then the appointment may be made from the next lower group (e.g., Band II) to include at least five persons.

If selecting from a certification list and only four persons or fewer remain on the certification list, Unit Commanders are advised to submit an examination request to Personnel Administration for commencement of another examination for that classification.

When a Unit does not select candidates from a certification list, specific reasons for non-selection must be documented and provided to Personnel Administration for verification prior to subsequent referrals being made from lower bands of the same certification list. Reasons for non-selection will be scrutinized and, where inappropriate,

will not constitute clearing the certification list.

The following reasons are appropriate when clearing a certification list:

- candidate has already been selected/appointed;
- candidate does not reply to official notice;
- non-selection by Unit (4 non-selections allowed per Unit per certification list);
- candidate temporarily refused due to location, hours or unavailability at time of contact (candidate will continue to be referred out to other Units of assignment); and/or
- candidate permanently refuses the position (candidate will no longer be referred out).

In most cases, certification lists will be cleared through band 5; however, after one year from the date of promulgation, Personnel Administration will review the certification list to evaluate the appropriateness of certifying a new list through the examination process.

Lateral transfers have to be selected from the same class as that of the vacant classification. Sheriff's Department members seeking a transfer should be given appropriate consideration before entertaining resumes from personnel outside the Department. Intra-Department lateral transfers must occur within 30 days from date of request. An employee may be held up to an additional 30 days for hardship reasons if both Division Chiefs or Division Directors concur.

Lateral transfers from other County departments being considered to fill a vacancy at the salary level of Operations Assistant III, Employment Services Assistant III or higher will require the Sheriff's approval.

### Administrative Reassignment

An employee desirous of administratively reassigning from one position in one class to a position in another class may do so provided the employee meets the minimum requirements for the requested position. An administrative reassignment can only occur if two positions are within one salary schedule (2.75 percent on the standard salary schedule grid). An employee can be administratively reassigned without being appointed from a certification list.

### Restoration

After approval by the Director of Personnel Administration, an employee may be restored at any time, to any position, in which he/she previously held by virtue of an appointment from an eligible list, or to any position for which a transfer or reassignment would be authorized by Civil Service Rules (#17) provided service has been continuous, or that any break in service since holding such position has been followed by reinstatement or appointment from a reemployment list.

Restoration to positions at the salary schedule level of Operations Assistant III or higher

will require Sheriff's approval.

#### Voluntary Demotion

An employee desirous of reducing in rank shall submit in writing to the Director of Personnel Administration such a request to fill the vacancy. The employee must meet the minimum requirements of the requested position.

#### Section III - TRANSACTION REQUIRING SHERIFF'S APPROVAL

Unless the Sheriff has authorized an exception based on unique circumstances of a particular personnel action, the following personnel transactions will not be authorized when filling a vacant position:

#### Inter-Department Lateral Transfers

Inter-Department lateral transfer at the salary schedule equating to Administrative Assistant III or higher.

#### Promotion/Administrative Reassignment

One-day promotion to a higher level position and subsequent administrative reassignment to equal level position.

#### Promotion/Demotion

One-day promotion to a higher level position and subsequent voluntary demotion.

#### Restoration/Administrative Reassignment

One-day restoration to a position in which an employee held status and subsequent administrative reassignment.

#### Restoration/Voluntary Demotion

One-day restoration to a position in which an employee held status and subsequent voluntary demotion.

#### Restoration/Reinstatement

Restoration or reinstatement at the salary schedule equating to Administrative Assistant III or higher.

#### Freeze to Create (see note 1)

Freezing an item(s) to create a lower level position will not be authorized, except where

the entry level position is an established training position or a related position for training purposes as identified below (see note 2)

(An example of freeze to create for a related position: Sheriff's Station Clerk II frozen to create a Sheriff's Station Clerk I, Senior Typist Clerk, Work Processor I, Intermediate Stenographer, or Intermediate Typist Clerk.)

- Accountant III for related positions
- Automated Fingerprint I.D. System Tech II for Automated Fingerprint I.D. System Tech I
- Communications Operator II for Communications Operator I
- Custody Records Clerk II for Custody Records Clerk I
- Custody Records Clerk I for related positions
- Departmental Personnel Assistant for Records Tech I
- Medical Records Tech, II for Medical Records Tech I
- Medical Records Tech I for related positions
- Records Systems Clerk II for Records Systems Clerk I
- Records Systems Clerk I related positions
- Sr. Departmental Personnel Assistant for related positions
- Sr. Laundry Worker for Laundry Worker
- Sheriff's Station Clerk II for related positions
- Station Desk Operations Assistant for Station Desk Operations Trainee
- Crafts Supervisors for related positions
- Crafts Working Supervisors for related positions
- Forensic Identification Specialist II for Forensic Identification Specialist I
- Senior Criminalist for Criminalist

Personnel Administration will review requests for freeze to create transactions and determine if the created position is a related position (for training purposes) to the position being frozen.

NOTE 1: This does not preclude freezing sworn items to create civilian items, provided the civilian position is staffed according to this policy and is an appropriate classification for the specific organization as concurred with by Personnel Administration.

NOTE 2: Certification lists should be considered prior to staffing a vacancy before a decision is made to freeze down a position for a related position.

Any exceptions to this Staffing Policy must have the Sheriff's approval.

### Unit Employee Release

Department employees selected from a promotional list for promotion and change of assignment shall be released from their current Unit of assignment within 14 calendar

days.

The current Unit of assignment shall release an employee who has requested a transfer within 30 days when the employee is acceptable to the requested Unit. An exception to this 30-day rule will apply when such a transfer will create an extreme hardship to the current Unit of assignment. Exceptions shall be submitted via a memo, through channels, to the employee's Division Chief or Division Director, who shall notify the requesting Unit's Division Chief or Division Director that a hardship will not permit a transfer within 30 days. The Unit Commander will ensure that the employee is advised of any transfer delays.

### **3-02/010.50 POLICY ON PROMOTION/TRANSFER PROCESS - RESPONSIBILITY FOR ACTIVE INVESTIGATION REVIEWS**

All personnel who are considered for promotion and/or transfer are subject to review of active investigations. Active Investigations may preclude their promotion/transfer. The following procedures outline Units' responsibilities for ensuring that the appropriate reviews have been made. This policy, however, does not preclude a temporary reassignment pending resolution of the investigation.

**NOTE:** In founded investigations, a transfer to another unit shall not be a component of any settlement agreement.

#### **DEPUTY SHERIFF/SERGEANT**

Personnel Administration shall ascertain if a candidate for promotion/transfer is the subject of an active investigation prior to any promotion/transfer announced via Department broadcast.

**NOTE:** Active investigations are defined as open investigations and those wherein discipline has been recommended but not yet imposed.

Source references shall include, but are not limited to, the following:

- Personal Performance Index (PPI)
- Internal Affairs Bureau
- Internal Criminal Investigations Bureau
- Risk Management Bureau

The Captain/Director of Personnel Administration shall certify the review process has been completed.

The Captain/Director of Personnel Administration, or his/her designee, shall advise the Divisional representative prior to any break-up meeting as to the status of any investigation(s) which involve their personnel.

The Division representatives shall know the status of any active investigation involving candidates for promotion or transfer of personnel in their command prior to any break-up meeting.

An active investigation may preclude promotion/transfer; however, the Area Commander for Personnel Administration and the concerned Division Chief/Division Director or higher shall concur in any decisions regarding eligibility/ineligibility for promotion/transfer.

#### ASSISTANT DIRECTOR/DIRECTOR/LIEUTENANT AND ABOVE

The Area Commander for Personnel Administration shall ascertain if a candidate for promotion/transfer is the subject of an active investigation prior to any promotion/transfer announced via Department broadcast. (Refer to source references listed above.)

The Captain/Director of Personnel Administration, or his/her designee, shall advise the Divisional representative prior to any break-up meeting as to the status of any investigation(s) which involve their personnel.

In any event, Division representatives shall know the status of any active investigation involving candidates for promotion or transfer of personnel in their command prior to any break-up meeting.

An active investigation may preclude promotion/transfer; however, the concerned Division Chief/Division Director and the concerned Assistant Sheriff, shall concur in any decisions regarding eligibility/ineligibility for promotion/transfer.

#### CUSTODY ASSISTANT/DEPUTY SHERIFF TRAINEE PROMOTIONS

Personnel Administration, Pre-Employment/Backgrounds Unit shall have the responsibility for ensuring that Department personnel who are undergoing a background investigation for Custody Assistant or Deputy Sheriff Trainee have been reviewed for active investigations prior to appointment to the Custody Assistant or Deputy Sheriff Trainee classifications.

Source references shall include, but are not limited to, the following:

- Personnel Performance Index (PPI)
- Internal Affairs Bureau
- Internal Criminal Investigations Bureau
- Risk Management Bureau

#### CUSTODY ASSISTANT TRANSFERS

Custody Services Division administration shall have the responsibility for coordinating with Unit Commanders at custody facilities to ensure that Custody Assistants' personnel

records have been reviewed for active investigations, prior to transferring within Custody Division and into a Patrol Station/Unit. (Refer to source references listed above.)

### OTHER PROFESSIONAL STAFF PROMOTIONS/TRANSFERS

The Unit Commander/Director of the requested assignment or their representative is to make contact with the employee's current Unit Commander/Director to ascertain eligibility for promotion/transfer by reviewing the following source references:

- Personnel Performance Index (PPI)
- Internal Affairs Bureau
- Internal Criminal Investigations Bureau
- Risk Management Bureau (where appropriate)

Without the approval of the concerned Division Chief/Division Director or higher, Unit Commanders/Directors shall not authorize the promotion/transfer of personnel under their command who are the subject of an active investigation.

Any exception to the above policy shall be approved by the Undersheriff or concerned Assistant Sheriff.

NOTE: For purposes of this policy, promotion/transfer will include restorations, administrative reassignments, and voluntary demotions.

### 3-02/010.55 TRANSFERRING EMPLOYEES SUBJECT TO A SETTLEMENT AGREEMENT OR A PARTICIPANT IN THE PERFORMANCE MENTORING PROGRAM

When an employee and the Department reach a negotiated settlement that modifies disciplinary action and/or requires the employee to perform one or more special activities (e.g., briefings, additional training, counseling sessions, etc.), it is critical that the Department document the employee's compliance with the terms of the agreement.

While individual Unit Commanders are responsible for monitoring and documenting an employee's compliance with a negotiated settlement agreement, Risk Management Bureau (RMB) personnel are responsible for assisting Unit Commanders monitor and document compliance with these agreements. Unit Commanders are required to provide written notification to RMB once an employee in their command has completed the special activity requirement(s) in the settlement agreement. Once compliance is achieved, RMB personnel will ensure the written notification is placed in the appropriate administrative case file.

NOTE: Negotiated settlement agreements that merely reduce an employee's discipline, or hold all or part of the discipline in abeyance, will continue to be monitored by the Internal Affairs Bureau.

When an employee transfers to another Unit, it is the Unit Commander's responsibility to notify the receiving unit of both the existence and specific terms of the settlement agreement. This notification shall include providing the incoming Unit with a copy of the agreement. Any compliance documentation compiled to date shall also accompany the settlement agreement to the employee's new Unit of assignment.

NOTE: The requirement to notify the incoming unit shall be extended to cases wherein an employee is a participant in the Performance Mentoring Program. In either case, written notification of the employee's transfer shall be made to Risk Management Bureau.

### **3-02/020.00 EMPLOYEE PERSONNEL RECORDS**

Records containing information about a given employee are outlined in the subsections which follow.

#### **3-02/020.05 EMPLOYEE'S PERSONAL INFORMATION FORM**

Employees shall submit an Employee's Personal Information form (SH-AD-91A) whenever there is a change in personal data, such as:

- name;
- address and/or telephone number;
- emergency notification data;
- marital data;
- vehicle operator's license;
- gun data (includes all Department authorized firearms used in an official capacity, whether on or off duty, which are purchased/issued, sold, stolen or lost); and
- education.

Employees shall sign and submit the completed SH-AD-91A to their immediate supervisor. The form shall be reviewed and noted by the employee's immediate supervisor. It shall be the supervisor's responsibility to ensure that the Unit timekeeper enters address changes into County Wide Timekeeping and Personnel/Payroll System (CWTAPPS). The Unit timekeeper should sign and date the form, and forward the original to Personnel Administration, Alpha Processing Unit. A copy of their completed form should be maintained at the employee's Unit of assignment.

NOTE: Name and marital status changes require supporting legal documentation.

All full time employees **shall resubmit** the "Employee's Personal Information Form" (SH-AD-91A) annually on March 1st. This form **shall** be signed, dated, and submitted with or without changes. Changes **shall** be "highlighted." This form **shall** be submitted

with the required "Employee Report on Outside Employment Activities of Full-time, Permanent County Employees" (form SH-AD-651).

Unit Commanders **shall** ensure that their employees comply with the above policy.

### **3-02/020.10 PERSONNEL FOLDERS**

The records of an employee are contained in the official employee personnel folder. Included are such records as:

- Background Employment Application (SH-AD-223 or SH-AD-629)
- change of status forms
- promotions
- founded complaints
- disciplinary actions
- performance evaluations
- personal data
- commendations
- education records

These records are restricted and are made available to the individual employee to persons who provide written authorization from the employee (i.e., a waiver to review personnel records) and to authorized personnel only with the consent of the Director of Personnel Administration. Confidential information about an employee which was obtained during the background investigation will not be open to review by the concerned employee.

### **3-02/020.15 REMOVAL OF DOCUMENTS FROM PERSONNEL FILES**

A document once placed in an employee's personnel file cannot be removed except under the following conditions:

- document was placed in a personnel file in error;
- a court order causing such removal; or
- an Arbitrator's award ordering such removal.

Each request by an employee to have a document removed from his personnel file shall be individually considered and acted upon by submitting a request for the removal of documentation from the personnel file to the Director of Personnel Administration through the appropriate Unit Commander (Captain, Director or higher).

Only a civilian employee may request to have any written warnings or reprimands removed provided the employee's MOU permits the request for such removal. Once removed, the document should be destroyed.

An employee's Unit personnel file is an extension of the employee's official personnel folder kept in Personnel Administration and is subject to the same policy provisions.

### **3-02/020.20 OUTSIDE EMPLOYMENT**

Personnel desiring to engage in outside employment shall conform to Department regulations as outlined in the Policy and Ethics chapter of the Department Manual.

With the exception of Department-sponsored teaching assignments such as "Student and the Law" and classes at the Academy, no employee shall request approval of an outside job which would require an adjustment of scheduled work hours.

Approval procedures for Department-sponsored teaching assignments may be obtained from the Sheriff's Headquarters Bureau on "Student and the Law" classes and from the Advanced Training Bureau on Academy classes.

#### **Expert Witness/Consultant, Professional Activities**

Members of the Department who have achieved recognition for having developed expertise within a specific enforcement discipline are often sought to perform professional services as a Consultant, Examiner or Expert Witness. Such recognition is generally based on the unique training, background, education or experience of the member and by the virtue of the member's association with the Department.

In addition to submitting a request for approval of outside employment (SH-AD-136), members requesting approval of outside employment dealing with legal issues, civil or criminal, in which the member represents himself as an expert witness or consultant, with respect to law enforcement practices and procedures, shall have written approval from the Director of the Administrative and Training Division after review by his Unit Commander and Division Chief or Division Director. Authorized outside employment of this nature shall be reviewed annually by the Division Director of the Administrative and Training Division.

Authorization for Expert Witness/Consultant outside employment activities will be based upon the interest of the Department in furthering professionalism and protecting the reputation of the employee and the Department.

Department employees shall not seek or receive compensation, other than from the Department, for acts required or expected to be performed in the regular course of County employment.

Although it is not the desire of the Department to regulate the private affairs of its employees, the Department must, by necessity, prohibit those activities that will cause conflict of interest to the employee, the Department, or to the County of Los Angeles.

The Department shall proceed in good faith, and endeavor to provide the employee a written decision within (60) calendar days from the date the written request was submitted seeking such authorization.

In the event an employee's request for approval is denied within (30) days, the Unit Commander shall provide a written response identifying the reason(s) for denial, as well as the individual(s) responsible for the decision to deny the request.

Any denial of an application for outside employment as an Expert Witness, Consultant or Examiner is subject to the negotiated grievance procedure.

When evaluating requests for outside employment in the area of Expert Witness, Consultant, or Examiner, the Department may consider the employee's experience, training, work product, prior recognition as an expert witness, consultant, or examiner, and recent job performance.

#### Teaching Outside Law Enforcement Classes

No employee shall accept or contract for the teaching of any outside instruction (other than those classes regularly conducted through the Advanced Training Bureau) without submitting a Request for Approval of Outside Teaching Employment (Form SH-AD-137) for each class to be taught at each school, together with an approved course outline for each class.

The form shall be submitted 8 weeks prior to the commencement of training, as follows:

- to the employee's Unit Commander for his recommendation. If the request is approved, the form shall be sent to the employee's Division Chief or Division Director;
- if the Division Chief or Division Director recommends approval, the form shall be forwarded to the Commander of the Advanced Training Bureau for submission for final disposition to the Department Training Committee;
- if the Division Chief or Division Director requires additional information pertaining to the teaching expertise of the employee, he may forward the form to the Commander of the Advanced Training Bureau for further evaluation; and
- upon request, the Advanced Training Bureau Commander will evaluate the qualifications of the employee and submit his recommendations to the Training Committee.

All requests not approved by the employee's Unit Commander or the Division Chief or Division Director shall be returned to the employee.

If the Training Committee approves the request, the form shall be duplicated and distributed as follows:

- original to Advanced Training Bureau;
- copy to personnel file, Personnel Administration, Vault Services;
- copy to employee; and
- copy to Unit file.

Employees granted approval for outside teaching employment shall resubmit a request for each class for each school on form SH-AD-137, together with an approved course outline for each class, as follows:

- annually, on or before August 15th;
- immediately upon a significant change in the curriculum outline already submitted;  
or
- when a new class or new school is involved.

If an employee is unable to complete a teaching assignment due to injury, illness, change of schedule, etc., and such course is to be taught by another Department member, that member shall also submit a Request for Approval of Outside Teaching (SH-AD-137). The copy of the approved course outline need not be submitted, but in the space following "School Information" on the SH-AD-137, the replacement employee shall add the notation "Replacement for (NAME)".

Early in July of each year, the Advanced Training Bureau shall issue a reminder "Announcement" for the resubmission of form SH-AD-137.

### Other Outside Employment

Request for approval of outside employment (including teaching of non-law enforcement related classes) shall be submitted on the Request for Approval of Outside Employment (SH-AD-136).

Employees shall submit one copy of the form to their Unit Commander for approval. Personnel of higher rank shall submit the request to the next higher level of authority.

If the request is approved, photocopies shall be made and the approved form shall be distributed as follows:

- original to Chief or Director of the concerned Division;
- copy to personnel file, Personnel Administration, Vault Services;
- copy to Unit file; and
- copy to employee.

Employees granted approval of outside employment request shall resubmit such request on form SH-AD-136 as follows:

- annually, on March 1st for non-teaching jobs;
- immediately upon any significant change in the specific duties outlined in the prior

- request; or
- upon change of assignment within the Division or change to another Division.

Personnel Administration shall issue a reminder "Announcement" one month prior to the above deadlines for the resubmission of form SH-AD-136.

#### Outside Employment Activities Form

All full-time employees are required to complete, annually by March 1st, an "Employee Report on Outside Employment Activities of Full-time, Permanent County Employees" (form SH-AD-651), as follows:

- Section 1 - to be signed and dated by all employees who are not engaged in outside employment; or
- Section 2 - to be completed by all employees who are engaged in outside employment.

Employees who are active members of the military reserves are required to report this as outside employment and shall complete section 2 of this form.

This form shall be distributed as follows:

- original to personnel file, Personnel Administration, Vault Services; and
- copy to employee's Unit file.

### **3-02/020.23 PROCEDURES FOR PRIVATE ENTITY CONTRACT SERVICES**

#### Criteria Required for Deputy Personnel to Work Private Entity Contracts

1. Supplemental law enforcement services may be provided to the following:
  - a. Private individuals or private entities to preserve the peace at special events or occurrences that occur on an occasional basis.
  - b. Private nonprofit corporations that are recipients of federal, state, county, or local government low income housing funds or grants to preserve the peace on an ongoing basis.
  - c. Private entities at critical facilities on an occasional or ongoing basis. A "critical facility" means any building, structure, or complex that, in the event of a disaster, whether natural or manmade, poses a threat to public safety including, but not limited to, airports, oil refineries, and nuclear and conventional fuel power plants.
2. Supplemental law enforcement services shall be rendered by regularly appointed, full time peace officers (as defined in Section 830.1 of the Penal Code). When these supplemental services are provided to private individuals or private entities, in order to preserve the peace at special events or occurrences that happen on an occasional basis, they may be rendered by Level I reserve peace officers, as

defined in Section 830.6 (a)(2) of the Penal Code, who are authorized to exercise the powers of a peace officer, as defined in Section 830.1 of the Penal Code, only if there are no regularly appointed full time peace officers available to fill the positions as required in the contract.

3. Duties performed by deputy personnel shall encompass only law enforcement duties and not services authorized to be provided by a private security operator (refer to Business and Professions Code Section 7582.1).
4. Supplemental law enforcement services shall not reduce the normal and regular ongoing service that the department normally provides.

### Approval of the Private Entity Contract (PEC)

Private individuals, private entities, or private nonprofit corporations desiring to contract for supplemental law enforcement services shall direct their request(s) to the concerned unit commander. Requests should explain the type of services required (e.g., crowd control), the number of deputy personnel needed, and the number of hours to be worked. This information shall be determined pursuant to discussions between the unit commander and the private entity's authorized representative.

Before any services are performed, the private individual(s) or private entity's representative shall sign a Supplemental Services Contract. The unit commander shall ensure that three copies of the contract are signed by the contracting entity, and Paragraph 10 "Authorized Representative" of the contract is completed in its entirety. The signed contracts shall be forwarded to the Contract Law Enforcement Bureau for processing.

Contract Law Enforcement Bureau personnel shall review the Supplemental Services Contract for accuracy and obtain authorization from the requesting Station's Or Bureau's concerned Division Chief. Once signed, the Supplemental Services Contract will be valid for three years, and there are no further agreements required between the private entity and the department during this time period. The private entity may submit subsequent written requests for law enforcement services under authority of the valid contract, and may request to extend the Supplemental Services Contract at any time.

Contract Law Enforcement Bureau personnel shall return two signed Supplemental Services Contracts to the concerned station, while retaining a signed copy in their files. Unit commanders shall keep one of the contracts for their station files and forward the other signed original to the private entity.

The unit commander shall prepare an Operations Plan for each requested event which shall describe the event, the location, the date(s), the number of personnel required, the number of hours to be worked, and the duties of assigned personnel. Upon completion of the event, this Ops plan shall be forwarded to the Contract Law Enforcement Bureau with the appropriate billing memo.

### Private Entity Contracts with Movie/Television Studios

Sheriff's Headquarters Bureau personnel will be responsible for coordinating Supplemental Services Contracts between the department and movie/television studios. Station personnel shall refer all requests for movie/television filming contracts to the Sheriff's Headquarters Bureau's Film Coordinator.

Sheriff's Headquarters Bureau personnel shall maintain a movie event log and contact concerned patrol stations to coordinate operations plans for each event.

#### Jurisdiction and Staffing

Unit commanders shall be responsible for providing service within their own area. If unit commanders are unable to fill manpower requirements from their own ranks, the unit commander shall notify his Division headquarters and request assistance in meeting manpower requirements.

Staffing for private entity events shall, whenever possible, remain with the smallest unit level necessary to handle the event (e.g., patrol station, Patrol Division, etc.).

When an event takes place in two or more station areas, event coordination and supervision shall remain with the primary station in whose jurisdiction the event takes place. Should any question regarding jurisdiction arise, the concerned Patrol Division Chief shall make the final determination as to the primary station.

When there are insufficient personnel available from the Patrol Divisions to meet the total manpower requirements of the contract, personnel assigned to other Divisions shall be utilized.

Level I reserve deputies, as defined in Section 830.6 (a)(2) of the Penal Code, who are authorized to exercise the powers of a peace officer, as defined in Section 830.1 of the Penal Code, may provide these services to private individuals or private entities if the special event or occurrence only happens on an occasional basis and there are no regularly appointed full-time peace officers available to fill the positions as required in the contract.

#### Control Numbers, Pre-payment, Billing and Timekeeping Procedures

Prior to issuing the Private Entity Control Number, the Contract Law Enforcement Bureau staff shall obtain the payment status of the requesting private entity from the Special Accounts Unit, Administrative and Training Division. If the private entity is reported as delinquent or has made late payments, Contract Law Enforcement Bureau shall require the private entity to submit a pre-payment. A pre-payment may also be required if the private entity is unknown. Collection of pre-payments from the movie/television studios is coordinated by the SHB Film Coordinator.

If a pre-payment is required, the Sheriff's Station or Bureau providing personnel for the special event shall compute the pre-payment cost utilizing the Private Entity Pre-Payment

Form. The completed Pre-Payment Form shall be forwarded to the Contract Law Enforcement Bureau staff who will coordinate the collection of the pre-payment. Pre-payments shall be made by cashier's check only.

Once the Supplemental Services Contract has been approved and any pre-payment has been received, the Contract Law Enforcement Bureau shall issue a private entity control number to the requesting station/bureau. The private entity control number is required in order for the station timekeeper to enter any overtime worked into the County Wide Timekeeping and Payroll Personnel System (CWTAPPS). The private entity control number should be used on all correspondence regarding the particular event. Prior to issuing a private entity control number, Contract Law Enforcement Bureau will require the following information for tracking and documentation purposes:

- Station providing the service;
- Station designee requesting the private entity control number;
- private entity company name and address;
- event date(s);
- event name;
- event location;
- private entity representative;
- representative's title; and
- Ops date (the date the operations plan was completed).

Overtime Worked Reports (SH-R-251) shall be approved at the station responsible for coordinating the event and forwarded to the station's timekeeper for recording. Personnel assigned to units other than the primary station shall have overtime slips approved by the event coordinator at the primary station providing the service. Personnel working the private entity event will be responsible for submitting the approved Overtime Worked Report form to their assigned unit's timekeeper. The Overtime Worked Reports shall indicate overtime code #903 "Private Entity Contract," and specify both the private entity event name and the control number for each event.

The unit commander shall, within five days following the conclusion of the event, send a billing request memo to the Contract Law Enforcement Bureau indicating the time expended on behalf of the private event. The memo shall also include:

- event name;
- control number;
- employees' names, ranks, and employee numbers;
- total hours worked per employee (by date if the event covers two or more days);
- each deputy's home unit of assignment; and
- type, vehicle number and mileage of any county vehicles utilized during the event.

Upon receipt of the billing memos, Contract Law Enforcement Bureau shall make necessary billing adjustments (supplemental billing or refunds) for private entities that have made pre-payments. Rates charged to the private contractor are determined by

the Auditor-Controller and, pursuant to law, recover the full cost of providing the service(s) contracted for. Current rates schedules shall be available through contacting the Contract Law Enforcement Bureau.

### **3-02/020.25 PAID ASSIGNMENTS FOR RESERVE DEPUTIES**

Reserve Deputies may work paid assignments for public entities (code 909), private entities (code 903), special events (code 902), unusual occurrences (code 901) and unincorporated area patrol back-fill when the following conditions are met:

- the position must first be offered to regular Deputies, including regular Deputies assigned to other Divisions, in accordance with MPP section 3-02/010.16, Filling Vacancies (Manual Revision Pending);
- notice of and a sign-up sheet for the event must be posted for regular Deputies as far in advance as practicable. Such sign-up must be posted for a period of 96 hours, when possible, prior to offering the assignment to Reserves;
- if a sufficient number of regular Deputies have not volunteered to work the assignment by the end of this 96-hour period, the assignment may be offered to Reserve Deputies from that Unit;
- Reserve Deputies who work by themselves on paid assignments must be Level I Designated or Level I Non-Designated. Level II Reserve Deputies may work paid assignments if they are under the immediate supervision of a regular Deputy or a Level I designated Reserve Deputy with a basic POST certificate;
- Reserve Deputies may not work more than two paid assignments per week. Any exceptions must be approved by the Unit Commander at the Reserve Deputy's home Unit; and
- Reserve Deputies who are Level I reserve peace officers, as defined in Section 830.6 (a)(2) of the Penal Code, and who are authorized to exercise the power of a peace officer, as defined in section 830.1 of the Penal Code, may work private entity contract positions, for private individuals or private entities if the special event or occurrence only happens on an occasional basis and there are no regularly appointed full time peace officers available to fill the positions as required in the contract.

### **3-02/020.27 PROCEDURES FOR THE REPORTING OF PAID ASSIGNMENTS WORKED BY RESERVE DEPUTIES**

Whenever Reserve Deputies work paid assignments the following guidelines shall apply:

- Reserve Deputies may work public entities (code 909), private entities (code 903), special events (code 902), unusual occurrences (code 901) and unincorporated area patrol back-fill positions;
- the Reserve Deputy shall complete and sign a "Reserve Deputy - Paid Hours Worked Report" in triplicate and submit the report to the shift supervisor on the day

the paid assignment is worked. The supervisor shall sign the form confirming the hours worked. A copy of the report will remain with the Unit where the paid assignment was worked. The Reserve Deputy shall submit the remaining two copies of the report to the Unit Commander of his home Unit for signature and approval for payment;

- the Reserve Deputy shall also complete a "Reserve Deputy Daily Time Card" indicating the hours worked. The "Reserve Deputy Daily Time Card" and the "Reserve Deputy - Paid Hours Worked Report" shall be submitted to the Reserve Deputy Coordinator at the Reserve Deputy's home Unit;
- the Reserve Deputy Coordinator shall review the documents for accuracy and sign the "Reserve Deputy Daily Time Card" as the approving supervisor. The report shall be forwarded to the Unit's timekeeper for processing; and
- Station Event Coordinators who prepare memos and reporting forms for the Contract Law Enforcement Bureau, in accordance with Field Operations Directive 04-07, shall include all of the standard information that is required for full-time sworn personnel (e.g., name, rank-reserve, employee number, dates worked, hours worked, vehicle number and mileage of any County vehicles used) for Reserve Deputies.

### **3-02/020.30 PART-TIME SECURITY EMPLOYMENT WITH PUBLIC SCHOOL DISTRICTS**

Regular or Reserve Deputies may volunteer for part-time security employment with those public school districts and community colleges that have contracted with the County for these services. The contract preserves the peace officer status of sworn personnel while providing law enforcement services at school-sponsored events. Such events are defined as those school activities sanctioned by the governing board of the school district for public attendance by students and non-student adults, e.g., athletic events, school dances, cultural exhibits, etc.

Assigned personnel will be subject to the rules and regulations of the Department while performing these services.

Requests from school districts' governing boards for security post assignments to protect school property or students from criminal activity not related to public events sponsored by the school district, and beyond the basic level of services customarily provided by this Department, shall be evaluated by the concerned Division Chief.

Voluntary assignments to school districts' activities shall be paid to sworn personnel at premium (1-1/2) rate (Reserve Deputy personnel are compensated at a special straight-time rate) pursuant to the public school district's contract. Sworn personnel assigned to Divisions other than patrol may volunteer for the assignments through Station supervisors after receiving written approval of their Unit Commander and the concerned Station Commander.

Time worked at school district events shall be paid and cannot be saved nor credited to an employee's overtime corridor. Overtime shall be reported, in duplicate, on the Overtime Worked Report (SH-R-251), utilizing category #904 on the form, and specifying "School District Contract" under the number.

Employees shall include all pertinent information on the SH-R-251, including the time, location and description of the event under "Specific Authorization." The School District Event Supervisor shall review the SH-R-251 and approve by signing.

### Contract Law Enforcement Bureau Responsibilities

This Bureau shall:

- provide each Station Commander with an appropriate number of school district contract forms and sample instructional letters, which supply the needed information for proper execution and transmittal of a signed contract;
- forward signed contracts in quadruplicate to the Clerk of the Board of Supervisors for execution by the County;
- advise the concerned Station Commander when the contract with a school district is in force;
- maintain a file of copies of executed contracts currently in force;
- assign a sequential file number and maintain an event file control book for approved school district events; and
- forward the original, signed School District Event Time Worked Report to Fiscal Administration, for service billing to the concerned school district.

### Station Commander's Responsibilities

- contact each public school district head in his area of command and inform him that the district's governing board must enter into a contract with the County if they desire to hire sworn personnel on a part-time basis for appropriate school events;
- forward four (4) copies of the contract along with an instructional letter to the governing board of the school district, after it has been determined that the school district desires to enter into a contract with the County;
- solicit volunteer personnel to work school district assignments upon notification that the contract is in force;
- ensure that the scheduling of voluntary straight-time paid assignments are performed on an equitable basis;
- provide for adequate supervision of regular and Reserve Deputies, when needed, in planning for the assignments;
- receive prior authorization from the school district for necessary overtime worked by the supervisor to coordinate and schedule assignments; and
- approve and sign the completed School District Event Time Worked Report (SH-AD-627).

### School District Event Supervisor's Responsibilities

The coordinating supervisor shall:

- ensure that volunteers from Divisions other than patrol have written approval from their Unit Commander and the concerned Station Commander prior to assigning these volunteers to approved school district events;
- coordinate and schedule volunteers, including supervisory personnel, for assignment to school district events;
- verify attendance at the school event from assigned supervisory personnel, and approve the employees' overtime slips;
- prepare and sign the School District Event Time Worked Report (SH-AD-627) for each school event; and
- forward the original and one photocopy of the SH AD 627 to the Contract Law Enforcement Bureau.

Approved overtime slips for each event shall be stapled to the Unit copy of the SH-AD-627 and retained in the Unit files for two years.

Unit timekeepers shall not post voluntary school district event overtime hours to the employee's time records. The coordinating supervisor shall be responsible for all record-keeping of public school district events.

### **3-02/020.35 EDUCATION RECORDS AND VERIFICATION**

#### **Sworn Personnel**

- For Educational Incentive Purposes
  - official transcripts from accredited schools, colleges or universities; certified copies of Intermediate POST Certificates; and certified copies of Advanced POST Certificates.
- For Promotional Examination Purposes
  - official transcripts from accredited schools, colleges or universities.

The Director of Personnel Administration shall have the authority to accept educational records of any type for credit in individual cases.

Official college transcripts must have a raised or embossed school seal and must be sent directly from the school to Personnel Administration, Attention: Vault. Official transcripts with an embossed seal now in an employee's personnel folder will be accepted.

Certificates are acceptable only when authenticated by Personnel Administration. The verification process consists of presenting the original certificate to Personnel

Administration. A receipt will be issued to each employee for transcripts or certificates placed in his personnel folder.

Each employee shall ensure that documents in his personnel folder meet these standards.

Copies of diplomas will not be used for verification of educational requirements for examinations; however, at the employee's request, copies will be placed in his personnel folder.

Affiliated college credits awarded during Academy training are not automatically forwarded to Personnel Administration by either the college or the Academy. It is the employee's responsibility to personally contact each college attended regarding Academy credit and to have certified transcripts sent to Personnel Administration, Attention: Vault.

### Civilian Personnel

Employees in civilian positions must adhere to the educational/training requirements included on each bulletin for which the employee participates. It is the employee's responsibility to provide all documentation required whether or not it is part of their personnel folder.

The Director of Personnel shall have the authority to accept educational records of any type for credit in individual cases.

Certificates are acceptable only when authenticated by Personnel Administration. The verification process consists of presenting the original certificate to Personnel Administration. A receipt will be issued to each employee for transcripts or certificates placed in their personnel folder.

Each employee shall ensure that his personnel folder meets these standards.

Copies of diplomas will not be used for verification of educational requirements for examinations; however, at the employee's request, copies will be placed in his personnel folder.

## **3-02/020.45 EMPLOYEE IDENTIFICATION**

### Sworn Personnel

Sworn personnel are assigned a badge, shoulder patches, name plate and an identification card.

### Civilian Personnel

Civilian employees are issued a photograph identification card only; however, there are certain civilian classification titles that are authorized and issued badges, shoulder patches and name plates.

When security conditions warrant, plastic pin or clip-on identification cards may be authorized by Personnel Administration.

### **3-02/030.00 ABSENCES**

Rules and regulations governing absences of any type are outlined in the subsections below.

### **3-02/030.05 ROUTINE ABSENCES**

When a routine absence, such as time off for vacation, medical reasons, reduction of overtime, etc., can be anticipated in advance of the absence date or dates, the employee shall prepare an Absence Request (SH-R-96).

The request shall be directed to the Unit Commander, through the immediate supervisor, and shall give the date or dates of the requested absence, the reason for the absence, the type of time and number of hours with which the employee is to be charged, and the location and/or telephone number at which the employee can be contacted during such period of absence.

Approval of such absence request must be given by the Unit Commander or other Unit employee who is authorized to sign time and payroll documents.

The approved absence request shall be given to the Unit timekeeper for entry into the system.

When an employee cannot give advance notice and must call in requesting time off, the person taking the call must complete the "Telephonic Notification" portion of the SH-R-96 and give it to the employee's supervisor for signature. The approved form shall then be given to the Unit timekeeper.

Once such a request has been made and approved and the time actually taken, no change in type of time off requested shall be made unless the employee was not physically able to designate the type of time to be used and wishes to change the type of time, an inadvertent clerical error was made, or the employee does not have time available of the type originally designated. If no paid leave time is available, Authorized Absence ("AA") time will be applied.

The County Code provides that any employee who is absent due to sickness, injury,

quarantine or non-emergency medical or dental care may be required to furnish a doctor's certificate or other proof satisfactory to his Unit Commander that his absence was due to such cause.

NOTE: Refer to section 5-06/020.35 regarding civilian personnel absences during emergencies and disasters.

### **3-02/030.07 EXTENDED LEAVE OF ABSENCES**

When extended leave of absence is approved, such as leave for medical reasons, industrial injury (regardless of compensability), maternity leave, family leave, etc., the employee shall request, via a memo, the sequence of using his/her accumulated benefits. Specifically, the employee must indicate the sequence of using the full pay sick, part-pay sick, vacation, accrued holidays, compensatory overtime and any other type of accumulated benefits, if appropriate. All other provisions mentioned in section 3-02/030.05 remains in effect for the purpose of this subsection. More details are provided in the Timekeeping Handbook.

### **3-02/030.10 MILITARY LEAVE**

Military leave is defined as a leave of absence for an employee who leaves their position with the Department to serve in the armed forces of the United States, as well as the employee's reinstatement rights upon completion of that military service.

The Sheriff's Department recognizes four types of military leave that are granted to it's members. Those leave types are:

- **Short-term Leave** - means a leave for six months or less;
- **Long-term Leave** - means a leave for more than six months;
- **Emergency Military Leave** - means a leave for members of the California Army and Air National Guard during such time as the Governor issues a proclamation of a state of emergency; and
- **War or National Emergency Leave** - means a leave when the President declares a state of national emergency.

Responsibilities:

Employee:

- as soon as possible must submit at least one copy of the military orders to their Unit Commander. The orders must specify the type of duty performed and the period of duty;
- submit a Request for Leave of Absence (SH-AD-113);
- when necessary, submit a copy of the military separation papers (DD214) to

substantiate military service periods and status of service (honorable etc.). Separation papers are only required for periods of 30 days of service or longer; and

- complete and submit the Military Leave Check Out form (SH-AD-692).

Unit Commander designee:

- review the military orders and determine the employee's pay status (i.e., paid military leave or personal accrued time);
- sign the Request for Leave of Absence and submit to the Unit timekeeper;
- forward one copy of the approved time off request, Request for Leave of Absence, and a copy of the orders to Personnel Administration, Leave Benefits Coordinator, within two days; and
- upon the employee's return, complete the Military Leave Check In form (SH-AD-693).

Unit Time Accountant:

- communicate with Pay and Leave Management Unit, Leaves Team, to determine which Unit takes responsibility for the maintenance of the employee's time; and
- Pay and Leave Management Unit or Unit Time Accountant shall post the employee's time as consecutive calendar days that coincide with the starting and ending dates on the military orders.

Qualifying employees:

- to be eligible for paid military leave an employee must have a combination of County and military service which equals one year (military service is full-time active duty in armed forces of the United States as defined in the California Government Code Section 18540); and
- if qualifying service is met, the employee is entitled to full pay for 30 calendar days. If the period of active military duty is less than 30 days, the employee will only be paid for the actual days of active duty. Under no circumstances may an employee receive more than 30 days paid military leave in any one fiscal year (July 1 thru June 30). The employee may elect to use other accrued time to cover the military leave period such as V, E, F, etc.

Equipment:

- if the period of active duty is scheduled to last more than six months (180 days) the employee shall turn in all County issued equipment to include badges, weapon and uniforms. Badges and ID cards will be turned in to Personnel Administration and all other items will be turned in to Logistics. Sworn employees will be allowed to retain their flat badge and identification card regardless of the length of the deployment. If the period of active duty is anticipated to be less than six months

the employee shall retain their equipment and shall ensure it is safely secured.

### **Inactive duty for training (weekend drills)**

If you are a reservist and are required to attend scheduled reserve drill periods to fulfill your military obligations, you are entitled to military leave. This type of leave is without pay; however, you may elect to use your personal accrued time, vacation or compensatory time (i.e., V, E or F), to cover your absence. If you do not have sufficient time available, the time off to perform the reserve drill will be without pay. **If the employee's reserve obligation falls on a regular work day and the Department is given at least five working days notice, then the Unit shall make every attempt to change the employee's schedule to avoid the necessity of using vacation and/or other accrued time.** The employee may also elect to schedule the drill training period to coincide with their regular days off if their military unit allows this practice.

- any employee who is required to attend inactive duty training (weekend drills) must be granted the time off; and
- the Department cannot require an employee to reschedule their drills; however, it is permissible for the Unit to contact the reservist's military commander and determine if the military duty can be rescheduled.

**NOTE:** To qualify for paid military leave the employee must furnish military orders designated as Annual Training (AT) or Active Duty for Training (ADT).

Responsibilities:

Employee:

- must provide as much prior notice as possible (unless precluded by military necessity). Failure to provide notice may result in denial of protection, including compensation, under federal and state law;
- written or oral orders are considered valid. The employee may be required to furnish written copies of their military orders and/or the name of their military commanding officer, upon return to work; and
- all employees are encouraged to provide their Unit scheduling office with a copy of orders, drill dates and annual training dates as soon as they are available.

Scheduling office:

- must allow at least 8 hours between the time the employee returns home from weekend military duty and their reporting time for the Department (example: An employee arrives home at 1800 hours Sunday evening after completing weekend training. He cannot be scheduled for the Early Morning shift that night at 2300 hours). This does not preclude the employee from returning to work earlier if they desire; and

- cannot require an employee to find a replacement to cover their absence during the weekend training duty.

### **3-02/030.12 REINSTATEMENT AFTER MILITARY LEAVE**

The employee is required to submit to Personnel Administration a copy of their DD214 or other equivalent correspondence to verify the condition of service (honorable, etc.) and the dates of service, if the length of military service was for more than 30 days.

- as soon as possible the employee will notify their Unit of Assignment of their pending return to work. The Unit Commander is then responsible for assigning a mentor (of equal or senior rank) to coordinate the employee's return to work;
- the intent of the Return to Work Program is to facilitate the smooth transition of the employee back to work at their Unit of Assignment. The Program is designed to be tailored to the needs of the employee and should be based on the length of deployment and the type of service the employee performed;
  - **Day One** - the Unit of Assignment (UOA) will assign the employee a reporting time and an interview period with the Unit Commander. The UOA will then schedule the employee to meet with Personnel Administration Pay and Leave Management Unit and LACERA;
  - **Day Two** - the UOA will schedule the employee to meet with logistics (if necessary), complete duty weapon qualification and policy updates (Department and/or Unit level);
  - **Day Three** - the UOA will schedule a services availability meeting for the employee with a representative from Employee Support Services Bureau (ESSB). This meeting may take place at either the UOA or ESSB, whichever the employee prefers;
  - **Day Four** - the UOA will schedule the employee to attend "Tactics 1", an eight-hour training day at the Tactics and Survival Training Center; and
- additional return to work needs, updates or training should be completed during the third day or prior to the employee resuming normal Department duties.
- the employee must report back to work as soon as possible unless the delay is no fault of the employee; and
- if an employee is injured or incurs a disability on military duty the Department may require the employee to take a physical examination. The Department must make reasonable accommodations for the impairment if possible.

### **3-02/030.15 MILITARY ACTIVATION COMMITTEE**

In the event of a national emergency resulting in the President ordering military reservists to active duty (under Title 10 U.S.C. 12304, 12302 or 12301(a)) the Sheriff's Department will form the Military Activation Committee.

Purpose: to facilitate the transition of Department employees to/from active military duty

and to maintain communication with the employee while he/she is on active duty.

Committee Membership:

- Chair-Commander of the Department
- Co-Chair-Captain Personnel Administration
- Member-Personnel Administration Designee
- Member-Manager Pay and Leave Unit, Personnel Administration
- Member-Administrative and Training Division Designee
- Member-Employee Support Services Designee

In addition, the Committee shall draw upon members of the Department who are military reservists as it deems necessary. The Committee will meet as necessary and the Chairperson will report to the Office of the Sheriff or his designee.

The Committee shall insure compliance with existing federal, state and local laws and statutes to facilitate the transition of Department members to/from military service. Additional information concerning military leave policy is available in the Personnel Administration guide, "Understanding Your Military Leave" (Insert link to guide on Department intranet here).

The Committee shall remain active until such time as the Sheriff relieves it from its duties.

Nothing in this policy shall be in conflict or supercede Federal Law, State of California Military and Veterans Code, Los Angeles County Code or any other section of the Manual of Policy and Procedures.

### **3-02/030.17 UNIT COMMANDER'S RESPONSIBILITY**

#### **GENERAL**

##### **Disclaimer**

Nothing in this Military Leave Resource Handbook is intended to supercede or replace existing Federal, State or County laws, rules, regulations, policies or procedures. The contents of this guide are not legally binding or a substitute for applicable statutes.

##### **Purpose**

This Military Leave Resource Handbook is intended to supplement existing Department policy and promote positive working relations between the Sheriff's Department and its employees who have a military reserve obligation. The author of this handbook is the Department Military Activation Committee who is responsible for updating the information contained within as needed.

##### **Military Activation Committee (MAC)**

The Military Activation Committee is formed at the discretion of the Sheriff when significant numbers of Department members with a military reserve obligation are recalled to active duty with the Armed Forces of the United States. In addition to its assigned duties as specified in the Manual of Policy and Procedures, the committee can also function as a resource to help facilitate workable solutions to reserve duty conflicts that may arise. The chairperson of the committee is a Commander of the Department and can be reached through Sheriff's Headquarters Bureau.

**RESERVE OBLIGATIONS**

The members of this Department who have reserve military obligations with the Army Reserve, Army National Guard, Air National Guard, Naval Reserve, Air Force Reserve, Marine Corps Reserve or the Coast Guard Reserve fall into one of three categories. These categories are the Ready Reserve, Standby Reserve and Retired Reserve. For the purposes of this handbook, we will focus on the Ready Reservist member who has regular training commitments and is most likely to be called to active duty.

Under federal law the reserve components may be involuntarily called to active duty. Members of the Ready Reserve serve in organized units or as individuals. Within the Ready Reserve there is a sub-category of personnel and units who are deemed by the respective services to be so essential to the initial wartime mission as to have priority over all other reserves. This sub-category is known as the Selected Reserve.

Also located within the Ready Reserve is the Individual Ready Reserve (IRR). This is a manpower pool of personnel available to supplement the active forces. Members of this Department are presently serving in each of these categories.

The typical Ready Reservist attends a weekend training drill per month and a two week annual training period. Selective reservists, i.e., pilots, have additional periodic training requirements that are mandatory. Each reservist is required to attend the same training schools as their active duty counterparts to be retained and promoted. These training schools will vary based on the reservists rank and military job specialty.

**CALL TO ACTIVE DUTY**

<b>Authority</b>	<b>Partial Recall</b>	<b>Partial Mobilization</b>	<b>Full Mobilization</b>
Number Subject to Call-up	200,000	1,000,000	Unlimited
Reserve Categories Subject	Selected Reserve	Ready Reserve	Total Reserves

to Call-up

Length of Time of Call-up	270 Days	24 Months	Duration of War/Emergency Plus Six (6) Months
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The Standby Reserve consists of individuals who are designated by the Service Secretaries as having a key civilian occupation that would make their call to active duty very unlikely.

The Retired Reserve consists of those reservists who have retired from the reserve forces, whether drawing retirement pay or not. In the event of national emergency declared by Congress, the Service Secretaries may recall to active duty both retired officers and enlisted personnel. This is however, extremely unlikely to occur.

With the possible exception of the Standby Reserve, members of the Department are currently serving in the Ready Reserve, Selected Reserve, Individual Ready Reserve (IRR) and the Retired Reserve.

## LEGAL ASPECTS

### **Uniformed Services Employment and Reemployment Rights Act (USERRA)**

The Uniformed Services Employment and Reemployment Rights Act of 1994 guarantees employees the right to take a leave of absence to serve in the uniformed services and to return to their job with accrued seniority and other employment protections. The act prohibits employment discrimination based on past, current or future military obligations and also covers hiring, promotion, reemployment, termination and benefits.

For the purposes of USERRA service, voluntary or involuntary, in the uniformed service means:

- Active Duty
- Active Duty for Training
- Initial Active Duty for Training
- Inactive Duty Training (Weekend Drills)

The USERRA generally requires all employers to grant up to five years of leave to employees who are members of or apply for membership in the military. In order to qualify for protection, the employee must notify the employer in advance. As a practical matter, the exceptions to the advance notice requirement are broad enough that an employee rarely will be deemed not to have given sufficient notice.

When the employee returns from military service, he/she must be placed in the same position as if they had never left. This is commonly referred to as the "Escalator" provision. Generally, the employee must receive all the benefits they would have

received had they not taken military leave. This includes health coverage, insurance and retirement plans etc.

A returning employee is entitled to their job if they meet the following requirements:

1. Gave advance notice to the Department.
  2. The cumulative length of service does not exceed five years.
  3. The employee reports back to work within the allowable time frames.
  4. The employee was honorably discharged from the informed service.
- this act of Congress provides clear protection for members of the reserve forces, including the National Guard, and is applicable to all employers in the Country;
  - the act was last amended in 2001 and is codified in Chapter 38 U.S. Code; and
  - among the significant changes are:
    - an employee no longer requests permission to be absent for military leave but rather provides notification of pending military service;
    - there is no longer any difference between voluntary and involuntary service;
    - an employee cannot be required to use vacation or similar leave for military leave of absence; and
    - the act also provides for enforcement based on discrimination in hiring, retention, promotion, or other benefits of employment.

## **State Codes**

Just as the USERRA delineates the protections afforded military reserve members at the Federal level, the State of California has similar regulations. The applicable regulations are contained in the Government Code and the Military and Veterans Code. Like the President's authority to call reservists to active duty, the Governor of California can call on members of the Army and Air National Guard to assist with emergencies within the state. The Military and Veterans Code allows the Governor to call up the necessary troops to assist local authorities with fire fighting and civil disturbances, etc. It should be noted that the USERRA does not apply to members of the National Guard if called to State Active Duty (SAD) but state regulations provide essentially the same protections.

In the case of an employee ordered to State Active Duty by the Governor, he/she must be granted the leave of absence. Very often, as is the case with fire fighting, the reservist may only receive verbal orders and will receive the written order sometime after his/her call-up. The verbal order has the same force as a written order, and any reservist who receives such an order is lawfully bound to obey the order.

## **Los Angeles County Code**

With very few exceptions, the County of Los Angeles has adopted the State of California Military and Veterans Code as it's own. Section 2.88.030 states that all State standards and regulations are applicable.

## AVOIDING SCHEDULING CONFLICTS

The primary reason for conflicts between employees with a reserve obligation and the Department is due to a lack of understanding of the applicable laws by both the Department and the reserve members themselves. The following tips listed below are intended to clarify the rights and responsibilities of both the Department and the reservist member.

As a Unit Commander, it is essential that you know which members of your Unit have military reserve obligations. Many reservists have skills that are applicable to their Department duties.

As a Unit Commander it is entirely permissible and strongly encouraged that you contact your employee's military unit commander. Under federal law it is permissible to contact the military unit commander and ask if the military training duty can be rescheduled. This should, however, be done only in those cases where the absence of the reservist would create a genuine and significant hardship for your Unit. But remember if the military unit orders the reservist to attend training you must grant that request.

As a Unit Commander your employee with a reserve obligation should provide you with weekend training schedule and their annual training schedule as soon as they are published. Most units publish these schedules well in advance of the actual training to minimize scheduling conflicts.

**NOTE:** Formal written orders are not normally issued for weekend training drills.

As a Unit Commander your employees should share with you any anticipated training requirements that will involve their absence from work. Reservists of all ranks have mandatory training courses that if not attended will result in a denial of promotion and possibly, retention in the reserve component. These courses vary greatly in terms of length and availability.

As a Unit Commander you should be willing to accept the fact that certain conflicts will arise. Maintain an open dialogue with the employee to resolve the conflicts as early as possible and if needed consult with the members of the Military Activation Committee for assistance.

As a Unit Commander you cannot require the employee to find a replacement in order to attend weekend training drills or annual training. Similarly, it is not a good practice to deny another member time off by using an employee's military reserve training duty as an excuse.

As a Unit Commander you should expect your employees to return from their weekend training drills in a timely manner. Where this time frame most often comes into play is during weekend training drills and annual training. For weekend training drills and annual training, USERRA requires an employee to report back to work at the next

regularly scheduled shift on the day following release from military duty, plus safe travel home and eight (8) hours rest. The most common conflict will be those members who work the early morning shift the Monday following a weekend training drill. The employee is not precluded from voluntarily returning to work but if he/she elects to take advantage of USERRA, then normal time off procedures will apply.

As a Unit Commander you may request written orders for employees who performed a period of reserve service of 31 days or more. It is important to note that the USERRA provides Reemployment protection only to those that serve honorably. In the unlikely situation that an employee receives a dishonorable discharge or bad conduct discharge, or separation under less than honorable conditions, his/her continued employment with the Department may be jeopardized. The standard form denoting the conditions and length of service is the DD 214 "Report of Separation from Active Duty."

### OUT PROCESSING AN EMPLOYEE CALLED TO ACTIVE DUTY

As soon as an employee is notified of his/her recall to active duty, they will in turn notify their Department Unit of Assignment. The employee and his/her Unit of Assignment will work to ensure that the requirements listed on the Military Leave Check-out Form (SH-AD-692) are complied with as soon as possible. Understanding that the employee is likely under serious time constraints, the Department Unit representative shall facilitate as many of the out processing tasks as possible. Under no circumstances shall the employee be left to complete the process on their own.

While the check out process form is basically self-explanatory there are several issues that need additional emphasis:

- every effort should be made to obtain a copy of the employee's military orders. These orders are critical in determining anticipated length of service and as an alternative means of contacting the employee while on active duty;
- the employee needs to provide his/her current military unit of assignment information. This will be used to maintain contact with the employee until he/she can advise the Department of their location and contact numbers, etc. This is even more critical for those employees whose military duties are classified;
- the majority of military units, active and reserve, have family support groups that provide similar services to the families of activated/deployed service members. As the employee for information on military unit family support group to ensure the Sheriff's Department is working effectively with and can coordinate our efforts with the military efforts;
- the Unit of Assignment will take this opportunity to verify and/or update the employee's personal information, specifically the emergency contact numbers; and
- the Unit of Assignment needs to contact the Pay and Leave Management Unit, Personnel Administration as soon as they are notified of the employees call to active military duty. It is imperative that the employee understand that he/she needs to provide a copy of their Leave and Earnings Statement (LES) as soon as

possible. The LES is necessary to comply with the requirements set forth by the Board of Supervisors in order to ensure no disruption to the employee's pay.

In order to minimize possible disruption in employee pay and benefits, it is essential that an employee who is recalled to active duty notify his/her Unit as soon as they receive their orders or is verbally notified of a report date. Past experience shows that more notice equates to fewer problems during the transition to active duty and the eventual return to the Sheriff's Department.

In the event that an employee is called to active duty suddenly and is not able to comply with the normal check-out procedures then he/she needs to advise their Unit of Assignment of a proxy (family member, co-worker etc.) who will work on behalf of the employee.

### IN PROCESSING AN EMPLOYEE RETURNING FROM ACTIVE DUTY

The intent of the in-processing procedures is to facilitate the employee's smooth reintegration back into service with the Department. This program is designed to be tailored to the employee based upon such factors as their length of service with the Department, Department duties, nature of military service and any other issues specific to the employee or Unit. The other option is to put the employee right back to work as if they had never left. With several of our employees having served up to three years of active duty, we have an obligation to prepare them to safely and effectively perform their jobs. There is absolutely no inference in this policy that any employee will resume their duties with the Department in anything less than exemplary service.

The Unit of Assignment shall ensure that the following items are discussed with the returning employee:

- work assignment, shift and RDO's;
- vacation sign-up (if applicable);
- request for time off (if applicable);
- Manual of Policy and Procedures changes (provide copies);
- Station/Unit orders changes (provide copies);
- Field Operations Directives changes (provide copies);
- job opportunities, station or Department level (SEB, Narco, GET, COPS);
- promotional exam status;
- firearms issues-shooting card, ammunition issue, refresher training if needed;
- driver/STAR training, if needed;
- other Department training that may be applicable (CPT);
- equipment issues, assist with Logistics for exchange, new issue, lost equipment;
- employees Support Services Bureau availability; and
- identify employee's mentor.

Regardless of their Department rank and job classification, each employee will need to make arrangements with the retirement board (LACERA) to ensure the period of military

service is accounted for and funded.

The Reintegration Program requires the Unit of Assignment to facilitate several mandatory events to ensure the employee transitions seamlessly back into the Department. The process begins with an interview with the Unit Commander where-in the exact nature of the program will be discussed with the employee.

- **Day One:** the Unit of Assignment (UOA) will assign the employee a reporting time and an interview period with the Unit Commander. The UOA will then schedule the employee to meet with Personnel Administration's Pay and Leave Management Unit and the Employee Service Center;
- **Day Two:** the UOA will schedule the employee to meet with Logistics (if necessary), complete duty weapon qualification and policy updates (Department and/or Unit level);
- **Day Three:** the UOA will schedule a services availability meeting for the employee with a representative from Employee Support Services Bureau (ESSB). This meeting may take place at either the UOA or ESSB, whichever the employee prefers;
- **Day Four:** the UOA will schedule the employee to attend "Tactics 1", an eight-hour training day at the Tactics and Survival Training Center.
- additional return to work needs, updates or training should be completed during the third day or prior to the employee resuming normal Department duties.

It is essential that the Unit Commander designate a mentor for the returning employee. The mentor should be a valued and reliable employee who will be in position long enough to assist the employee's transition;

- the mentors primary role is to facilitate the transition back to the Department, regardless of job classification;
- the mentor needs to explain the process, using the list above as a guide; and
- the mentor shall continually monitor the progress of the employee and if needed, can contact other returned reservists or members of the Military Activation Committee.

The Manual of Policy and Procedures requires an employee to submit his/her "Separation from Active Duty" papers upon return to the Department for periods of military service over 30 days. It is important to note that under USERRA, an employee may lose their right to reemployment if the period of service is under dishonorable conditions. The separation papers will validate the employee's length of service and the conditions of service.

The separation paperwork is also essential to the Pay and Leave Management Unit of Personnel Administration to ensure the proper timekeeping codes are used in CWTAPPS.

Finally, the Unit of Assignment shall schedule an informational only briefing for the employee from Employee Support Services Bureau. This briefing is not to be confused with a counseling session or the equivalent of a post shooting interview. Rather, the intent of the briefing is to provide the employee with an update on the services available to him/her and their families during the return to civilian life. Should the employee choose to avail him or herself of the ESSB services the normal confidentiality restrictions shall be followed.

## GLOSSARY

- Active Duty for Special Work (ADSW): a tour of duty for reservists to work on reserve or active duty programs. By policy, tours are limited to 179 days or less per fiscal year. Any tour exceeding 180 days is counted as active duty.
- Additional Flight Training Period (AFTP): a minimum four hour period designed to maintain aviator proficiency between weekend drills and for the purposes of USERRA, is considered the same as a weekend drill.
- Adjutant General: the Commander of a State Army/Air National Guard. Acts as a cabinet level advisor to the Governor for military affairs.
- Annual Training (AT): the minimal period of training a reservist must perform each year in their assignment. Traditionally the annual training period is 15 days long.
- Employer Support of the Guard and Reserve (ESGR): an agency within the Assistant Secretary of Defense for Reserve Affairs. It is charged with promoting cooperation and understanding between Reserve component members and their employers.
- Inactive Duty Training (IDT): commonly referred to as “Weekend Drill.” The weekend drill is traditionally Saturday and Sunday, but many units also require a Friday evening drill session.
- Individual Mobilization Augmentee (IMA): an individual reservist who is pre-assigned to an Active component unit. The reservists may perform up to 48 Unit Training Assemblies per fiscal year.
- Individual Ready Reserve (IRR): a manpower pool consisting of trained individuals who have served on active duty or in the Selected Reserve.
- Initial Active Duty for Training (IADT): the entry level training required of all reservists who have not previously served on active duty. Typical courses at least 12 weeks and are conducted at bases throughout the country. These courses are not optional and are a requirement to remain in a reserve component assignment.
- Military Occupational Specialty (MOS): the reservists job in the military.
- State Active Duty (SAD): the call up of Army and/or Air National Guardsmen to assist with state level emergencies. The Guardsmen remain under the control of the Governor of the state and have protections similar to those provided for in the USERRA in the California Codes.
- Uniform Code of Military Justice (UCMJ): Federal law enacted by Congress that establishes the rules and procedures of military law. Members of the reserve components are subject to the UCMJ while performing military duty, including weekend drills. The members of the Army/Air National Guard are subject to the UCMJ only when in federal service.

- Unit Training Assembly (UTA): a period of IDT weekend drill training that is from four (4) to twenty-four (24) hours in length. By policy, no more than two UTAs may be performed in one day. A typical weekend drill will consist of four UTAs.

## REFERENCES

### SERVICE LINKS

Department of Defense	<a href="http://www.defenselink.mil">http://www.defenselink.mil</a>
Army Reserve	<a href="http://www.armyreserve.army.mil">http://www.armyreserve.army.mil</a>
Air Force Reserve	<a href="http://www.afreserve.com">http://www.afreserve.com</a>
California Air National Guard	<a href="http://www.calguard.ca.gov/air/">http://www.calguard.ca.gov/air/</a>
California Army National Guard	<a href="http://www.calguard.ca.gov/army/">http://www.calguard.ca.gov/army/</a>
Marine Corps Reserve	<a href="http://www.marforres.marines.mil/">http://www.marforres.marines.mil/</a>
Navy Reserve	<a href="http://www.navyreserve.com">http://www.navyreserve.com</a>
Coast Guard Reserve	<a href="http://www.gocoastguard.com/">http://www.gocoastguard.com/</a>

### MISCELLANEOUS LINKS

ESGR (Employer Support for Guard/Reserve)	<a href="http://www.esgr.org">http://www.esgr.org</a>
Department of Labor	<a href="http://www.dol.gov">http://www.dol.gov</a>
Reserve Officers Association	<a href="http://www.roa.org">http://www.roa.org</a>
National Guard Association	<a href="http://www.ngaus.org">http://www.ngaus.org</a>

## CONCLUSION

The purpose of this hand book is to assist you the Unit Commander, and your staff, in understanding the needs of your employee with a military reserve obligation. Through this understanding it is hoped the majority of conflicts will be avoided and the employee will be able to continue to serve both the County of Los Angeles and the nation.

## **3-02/030.20 MATERNITY LEAVE**

### General Policy

Every effort shall be made to allow employees to work during their pregnancy as long as they are able, and as determined by their physician, and to encourage such employees to return to the Department upon completion of their maternity leave.

In accordance with Department policy and county, state, and federal laws, permanent full-time employees who are pregnant shall not be discriminated against in terms of retention, promotion, assignment or transfer.

### Maternity Leave

"Maternity leave" is defined as that continuous time during which a female employee absents herself from her work assignment for pregnancy, delivery and postpartum reasons. Maternity Leave may consist of any or all of the following segments:

- "Disability Leave" is that portion of a Maternity Leave during which a physician has certified that the employee is unable to work due to her medical condition arising from pregnancy, delivery and postpartum recovery. During this disability segment of the Maternity Leave, the pregnant employee may use available sick leave benefits (S, E/S, V/S, F/S, and percentage sick time, and the Family Medical Leave Act) or may be off duty on approved absence without pay;
- "Accrued Benefits Leave" is that portion of a Maternity Leave, which generally follows delivery and full recovery, that a female employee wishes to take off for postpartum reasons. Such accrued benefits would include E, V, and F time. Nothing shall preclude the employee from applying such accrued benefits to the disability segment if sick leave benefits are not available. The length of such leave shall not extend beyond three months after date of delivery; and/or
- "Unpaid Leave" is that portion of a Maternity Leave, which generally follows delivery and full recovery, that a female employee wishes to take off for postpartum reasons, but during which the employee has no accrued benefits or does not wish to use such accrued benefits. If an employee is disabled to the extent that she is not able to work late into her pregnancy, such unpaid leave may begin before delivery. In either event, the unpaid leave shall not extend beyond three months after date of delivery.

A Maternity Leave request, consisting of any or all of the above segments shall be automatically granted to pregnant full-time permanent employees by the Unit Commander, as long as the date of return to duty does not exceed three months beyond date of delivery.

If a situation or medical complication arises which precludes the employee from returning to full duty three months following delivery, the Maternity Leave of Absence shall be terminated and the status of the employee shall revert to that of other employees.

### Administrative Requirements

Generally, employees who are off duty on extended absence due to injury or illness are

subject to various administrative requirements. As applicable to pregnant employees who are on Maternity Leave, such administrative requirements shall be applied as follows:

- employees who are on Maternity Leave shall be placed on a Day Shift "A" schedule for timekeeping purposes; however, such employees shall not be required to remain at their place of residence during their duty hours;
- employees who are on Maternity Leave shall be entered on the weekly Absence Follow-up Report in the same manner as any other employee off duty on extended illness or injury; and
- it is not necessary to maintain weekly telephone contact with employees who are on Maternity Leave.

If clarification is needed regarding job restrictions or medical limitations for the purpose of appropriate job assignment of the employee, the employee's physician of record may be contacted for such clarification. Such contact may be either in writing or by telephone.

### Pregnancy and Maternity Leave Forms

Several forms are required so that proper work assignments may be evaluated based on medical job restrictions and that available benefits are continued. Such forms shall be submitted in a timely manner and are as follows:

- "Certification of Pregnancy" (SH-AD-648). This form shall be submitted when an employee's physician states that, due to pregnancy, the employee is medically restricted from performing any of the required duties of her position. The form shall also be submitted to automatically exempt the employee from required range qualification (see section 3-01/050.65, Shooting Requirements). The form shall include all applicable restrictions, including the date through which the employee may continue to work, and be signed by a physician or other competent medical authority. In any event, this form must be submitted prior to the eighth month of pregnancy;
- the Certification of Pregnancy shall contain the anticipated date of delivery and any job restrictions. Should either of these be changed during the course of the pregnancy, the Unit of assignment shall immediately be notified in writing. Such notification may be made by submitting a revised Certification of Pregnancy form or any other physician's statement; and
- "Request for Maternity Leave of Absence" (SH-AD-647). This form shall be submitted no later than the beginning of the eighth month of pregnancy. If an employee must go off duty prior to this time due to medical restrictions, the form shall be submitted immediately.

The Request for Maternity Leave of Absence form is to be completed by the employee. The anticipated date of delivery, as well as the period expected to be off duty prior to and after delivery, shall be indicated. For timekeeping purposes, the type of time to be used and the order of use of such time shall be indicated for each applicable segment of the

leave (i.e., 100% S, 65% S, 50% S, V, E, F, and unpaid).

A copy of the Request for Maternity Leave of Absence and the Certification of Pregnancy shall be forwarded by the Unit of assignment to Personnel Administration, Attention: Leave Benefits Coordinator, within two business days.

As soon as possible, but no later than four weeks prior to the expiration of benefit time and the commencement of unpaid time, the employee should contact Employee Benefits Services, Personnel Administration, to make timely arrangements for medical insurance continuation.

- "Certification to Return to Work" (SH-AD-649). This form is to be completed by the physician or other competent medical authority and shall be submitted as soon as possible following the post-delivery medical checkup, but not later than six weeks after delivery. The form shall contain the actual date of delivery and, if known, the date of medical release.

The Certification to Return to Work shall be the basis of the payment of sick leave benefits following delivery. Unless a change occurs in the medical release date, no additional forms need to be submitted.

Should a change occur in the medical release date, a revised Certification to Return to Work form (or physician's statement) shall be submitted immediately.

### Sick Leave Benefits

Any medically verified disability arising from and directly related to pregnancy is an acceptable reason for a leave of absence and payment of sick leave benefits, provided the employee is permanent and otherwise eligible for sick leave. This includes 100%, 65%, and 50% sick leave, payable on regular paydays.

See Performance of Duties by Pregnant Employees in the Policy and Ethics chapter.

### **3-02/030.21 FAMILY AND MEDICAL LEAVE ACT (FMLA)**

Eligible employees shall submit their request for a leave under the Federal Family and Medical Leave Act and/or the California State Family Rights Act by filling out SH-AD-32A, SH-R-96 and providing supporting documentation as required, not later than thirty (30) calendar days in advance, when the leave is foreseeable. This should be submitted in duplicate, through channels, to the concerned Division Chief or Division Director. If approved, the original forms shall be submitted, by the Unit supervisor, to Personnel Administration, Attention: Leave Benefits Coordinator, within two business days.

Any relative correspondence or documentation shall be forwarded to Personnel Administration, Attention: Leave Benefits Coordinator. The Unit of assignment should

maintain a copy of what is forwarded to Personnel in an FMLA file, separate from the employee's Unit personnel file.

The Director, Personnel Administration, through the Leave Benefits Coordinator, will send the employee the Department's advisement letter regarding FMLA leave.

Other employees shall not be ordered to change shifts or schedules in order to accommodate an employee's FMLA leave request (However, the Unit of assignment may ask for volunteers). If the Unit of assignment has a need to fill an FMLA employee's vacant shift, the Unit should advise the employee filling the vacancy that it is only on a temporary basis. Upon return to work, the FMLA employee will return his/her original job and shift.

The SH-AD-32A shall contain the following information:

- full name of employee;
- payroll title;
- Unit of assignment;
- detailed reasons for requesting the time off;
- the period of time (dates from and to) that is being requested off; and
- any documents required as attachments to the SH-AD-32A request: Certification of Physician or practitioner (if the time off pertains to a medical condition).

The information required by the Department of Labor (DOL), to be on file for audit purposes:

- employee name, address, payroll title;
- rate/term of pay; daily/weekly hours worked per pay period;
- total compensation; additions and deductions from wages;
- date (or hours) FMLA leave is taken;
- requests for leave; records of leave disputes;
- copies of any employee notices regarding FMLA;
- description of benefits and premium rates;
- all medical certifications; and
- all FMLA correspondence with the employee.

This information shall be maintained in a file, separate from the employee's official personnel file of the Unit's personnel file.

All questions regarding eligibility should be directed to Personnel Administration, Attention: Leave Benefits Coordinator.

### **3-02/030.25 INDUSTRIAL INJURY OR ILLNESS LEAVE**

Provisions covering absences as a result of an industrial injury or illness deemed

compensable by the County's Third Party Administrator or the Workers' Compensation Appeals Board are outlined in the County Code.

The County Code allows employees who are on leave due to a compensable industrial injury or illness to earn vacation and sick leave benefits during the time he is receiving remuneration provided under Workers' Compensation.

No time worked may be reported during the time period within which an employee is absent on an authorized industrial injury or illness leave. The employee may collect only the pay covered by the industrial injury. (Refer to section 3-02/040.05 Occupational Injury/Illness for responsibilities and procedures.)

### **3-02/030.30 BEREAVEMENT LEAVE**

Any full-time, permanent employee, on the death of his/her father, mother, stepfather, stepmother, father-in-law, mother-in-law, brother, sister, husband, wife, child, stepchild, grandparent or grandchild, shall be allowed the time necessary to be absent from work at his regular pay up to 3 working days per death for a 40-hour employee. An additional 2 days shall be allowed if required to travel more than 500 miles one way.

### **3-02/030.35 LEAVE WITHOUT PAY**

#### Absence up to 6 Months

Requests for a leave without pay for periods up to 6 months shall be made on forms SH-AD-32A, SH-AD-113 and SH-R-96, articulating specific reasons for request. Requests shall be submitted in duplicate, through channels, to the concerned Division Chief or Division Director.

If the request is approved, the documents are forwarded to Personnel Administration, Attention: Leave Benefits Coordinator within two business days.

#### Absence in Excess of 6 Months

Requests for a leave of absence for a period of 6 months or more shall be made on forms SH-AD-32A and SH-AD-113, articulating specific reasons for the request. Requests shall be submitted in duplicate, through channels, to the employee's Division Chief or Division Director. If the Division Chief or Division Director approves the leave, the Division Chief or Division Director will forward the request to Personnel Administration, Attention: Leave Benefits Coordinator, who will verify all documents. A leave of absence approval form is attached and submitted to the Director of Personnel Administration, indicating whether an approval of Undersheriff or Assistant Sheriff(s) is required.

If the Sheriff, Undersheriff, or Assistant Sheriff(s) concurs, the leave request shall be returned to the Leave Benefits Coordinator, who will forward copies to the employee's Unit of assignment.

When it becomes necessary to extend an existing leave, the extension shall be requested prior to the expiration of the initial leave.

#### Absence in Excess of 12 months

Request for a leave of absence in excess of 12 months shall be made on forms SH-AD-32A, SH-AD-113 and SH-R-96, articulating specific reasons for the request. The request is sent to the Director of the Department of Human Resources for approval in accordance with the County Code. Such leaves must be approved by the Sheriff, Undersheriff, or concerned Assistant Sheriff.

When such extended leave is to be requested, the employee must submit the request in sufficient time to allow for the delay involved in the processing of the request (30 days prior to the beginning of the leave).

NOTE: Any request for a leave of absence without pay to work in a corporate security or other law enforcement-related capacity in a country known to be at war or experiencing civil unrest shall be authorized by the Sheriff or Undersheriff.

#### **3-02/030.40 RETURN TO WORK FOLLOWING A LEAVE OF ABSENCE IN EXCESS OF 30 DAYS**

Whenever an employee plans to return to work following a leave of absence in excess of 30 days, he shall notify Personnel Administration, Leave Benefits Coordinator, at least five working days in advance of the expected date of return.

When the employee returns, he shall report directly to Personnel Administration.

#### **3-02/030.45 VACATIONS**

County Code Chapter 6.18 outlines the provisions governing vacations for County employees. Prior to March 1, 1993, eligible employees used to receive their vacation leave hours either on a calendar year bases (CSD date prior to January 15, 1967) or on the vacation anniversary year (CSD date is on January 15, 1967 or thereafter).

Beginning with the pay period starting on March 1, 1993, each eligible employee began accruing vacation on a pay-period basis. At the beginning of each succeeding pay period, an eligible employee shall accrue leave hours based on the employee's qualifying hours and Vacation Accrual Rate.

Also, employees who are on sick leave due to a compensable industrial injury or illness are allowed to earn vacation and sick leave benefits during the time they are receiving remuneration provided under Workers' Compensation.

The vacation hours that an eligible employee may accrue during a calendar year shall be based on the Vacation Maximum Hours given in Table 1 of the County Code corresponding to an employee's Vacation Years of Service.

County employees shall not work overtime while using vacation time except in two specific circumstances:

1. Pre-approved special projects - when the CAO or Department Head gives approval for employees to do so on certain projects, such as the 1984 Olympics or the yearly Tournament of Roses Parade;
2. Court time other than during shift hours - when an employee is off work using vacation time benefits and because of a subpoena, must appear in court on behalf of the Department during hours that are not his regular work shift hours. The employee shall earn overtime for those hours he must appear in court that are not during his regular shift hours, (i.e., if a PM or EM employee is off using vacation time and must appear in court on behalf of the Department during the AM hours, the employee may earn overtime for the time period attending court during the AM shift hours).

When an employee is off work using vacation time benefits, and because of a subpoena is to appear in court on behalf of the Department during his regular work shift hours, the employee shall be taken off vacation for that day, returned to work, and appear in court on County time. No overtime shall be earned for those hours the employee attends court during regular shift hours (i.e., if an AM shift employee is off from work using vacation time and because of a subpoena, must appear in court during the AM shift hours, the employee shall be taken off vacation, returned to work, and appear in court on County time during the AM shift hours.)

When an employee is off work using vacation time immediately prior to and after his Regular Days Off (RDO), the employee shall not work overtime on those RDO's with the exception of Must Appear Court Time. The employee attending court on those RDO's will earn overtime (i.e., when an employee is off work using vacation time the Friday before his RDO's (Saturday and Sunday) and still remains on vacation that following Monday, no overtime shall be worked on that Saturday and Sunday).

No person, while on vacation from any public entity as defined in section 6.04.080 of the County Code (including the County of Los Angeles) shall be permitted to work for any public entity in any capacity if he is to receive regular compensation for such work in addition to his regular vacation pay.

A holiday occurring during vacation period shall not be considered a working day. County employees shall not work overtime on such a day. Vacation time is a 24-hour variance.

### Deferred Vacations

Department policy allows personnel to defer vacations, to a maximum accumulation of 320 hours, in accordance with the County Code.

Employees who accumulate in excess of 320 vacation hours up to a maximum of 480 hours, shall submit an Absence Request (SH-R-96) requiring Unit Commander approval for the purpose of using the excess time. This request must identify the time as excess and be submitted within 90 days after the accumulation. Because the County Code gives the Department authority to grant, schedule and defer vacation time in excess of 320 hours, failure to comply with the 90-day requirement will result in employees being scheduled off for the excess vacation time by management without consideration of employees' time preference.

All vacation time in excess of 320 hours shall be used within the same vacation year. If, at the end of the year, an employee still has current and deferred vacation in excess of 320 hours, the employee's balance of available vacation hours shall be reduced by the number of hours in excess of 320. The employee shall be compensated for the reduction on an hour-for-hour basis at the employee's workday rate of pay in effect on the last day of the year of deferment.

### Vacation Pay Advance

An employee may elect to be paid a salary in advance upon certification of the employee's Department head that such employee will be on an approved paid leave of absence (except sick) for vacation of at least 10 consecutive working days extending over a regularly established payday.

Department employees shall be governed by the following rules:

- request must cover no less than 10 consecutive working days of vacation which includes a payday;
- a vacation pay request form must be approved by the Unit Commander and be received by the Payroll Section at least 30 days in advance of the payday if on direct deposit or 60 days if receiving a regular warrant; and
- no more than two vacation pay advances may be filed in any one calendar year.

Vacation pay advance shall be included with the employee's regular paycheck on the payday immediately preceding the start of his vacation.

### Vacation Scheduling

Personnel in a given Unit who have the most seniority in service in this Department should be given first choice of scheduled vacation time within the Unit.

For sworn members, seniority in service for purposes of scheduling vacation includes civilian service time with this Department only.

An employee hired by the Department as a civilian employee on January 1, 1980, and then becomes a Deputy Sheriff on January 1, 1984, will have a January 1, 1980, seniority in service date for the purpose of vacation scheduling.

Any other prior County service time shall not be credited toward seniority service for vacation scheduling purposes. Should a break in service occur, seniority in service for vacation scheduling shall be based on the following:

- if an employee's break in service occurred prior to October 26, 1979, the employee shall be given an adjusted continued service date. This date shall establish seniority in service; or
- if an employee's break in service occurred on or after October 26, 1979, the employee's new hire date shall be the date used as seniority in service.

All other employees in the Unit should be given their choice in descending order of length of service with this Department.

Should a situation arise where two or more employees have the same seniority in service date, then the employee with the most seniority in the Unit shall have first choice.

Employees transferring to the Unit after the vacation schedule has been completed, should waive seniority rights until the next annual vacation schedule is prepared.

Regardless of seniority, vacations shall be taken at such time as is authorized by the Department.

### **3-02/030.50 HOLIDAYS**

Holidays for any calendar year are based on those holidays which would apply to an employee who works a regular Schedule "A."

Employees on a 40-hour schedule are allowed 8 hours of holiday time for each holiday.

All such personnel are entitled to holiday time, except when on the date of the holiday the employee is on:

- "I" time;
- percentage sick time or sick without pay;
- an approved leave of absence; or

- suspension without pay.

Holiday time not used on the actual date of the holiday is considered "F" time.

Whether the employee receives the actual holiday off or "F" time depends on the employee's schedule. Some functions in the Department must be performed on a 7-day per week basis, while other functions are not normally performed on Saturdays, Sundays and holidays. Scheduling personnel in each Unit set up advance schedules. Schedules are based on what functions need to be performed on given days and the number of personnel needed to cover the functions on those days.

Based on these posted schedules, the following shall apply:

- an employee scheduled to be off on the holiday shall have the day off;
- if an employee is scheduled for the holiday off and then is required to work on that day, the employee shall be shown as having the holiday off and is given overtime for the actual hours worked on that day;
- if the employee is scheduled to work on the holiday, the holiday is a normal working day and the employee is granted "F" time for later use;
- if the employee is scheduled for a regular day off (RDO) on the holiday, the employee has his RDO and is granted "F" time for later use;
- if the employee is scheduled for a normal RDO on the holiday and is then required to work, the employee shall be shown as having had the RDO, is granted overtime for working on the RDO, and is given "F" time for later use;
- if an employee is scheduled to work on a holiday but calls in sick and does not work, the employee may elect to use the holiday in lieu of 100% sick; or, the employee may choose to use his/her 100% sick time, and "F" time is granted for later use;
- if an employee on any schedule or shift is on bereavement leave on the date of the holiday, he/she is shown as being off for the holiday;
- an employee on a 9/80 schedule (9-hour day) must cover the 1-hour shortage on a full holiday by applying other accrued benefits or by being charged 1 hour of "AA" time. Such adjustment must be made within the applicable time accounting period;
- an employee on a 4/10 schedule (10-hour day) must cover the 2-hour shortage on a full holiday by applying other previously accrued benefits or by being charged 2 hours of "AA" time. Such adjustment must be made within the applicable time accounting period;
- an employee on a 12/80 schedule (12-hour day) must cover the 4-hour shortage on a full holiday by applying other previously accrued benefits or by being charged 4 hours of "AA" time. Such adjustment must be made within the applicable time accounting period; and
- for specific information refer to the Timekeeping Handbook.

### **3-02/030.55 WITNESS LEAVE**

Any employee in a full-time, permanent position who is required to be absent from work by a subpoena or summons, properly issued by a court or commission legally empowered to subpoena witnesses, which compels his presence as a witness (except as an expert witness), shall be allowed the time necessary to be absent from work at his regular pay to comply with such subpoena or summons, provided he deposits his fees received for such service with the County treasurer. Also included are employees who are a party to a court action arising or resulting from their employment with the Department, except when such employee is the plaintiff and the County or any of its departments or agencies are the defendants.

### **3-02/030.60 VARIANCE AFFECTING PRIOR PAYROLL DOCUMENT**

After 60 working days from the date of absence, no adjustment to a different variance from that already reported shall be accepted or permitted.

Does not apply to industrial injury or illness situations.

### **3-02/040.00 MEDICAL**

The following procedures are intended to define responsibilities with regard to sick leave and occupational injury or illness. In each instance, the employee's well-being is an important consideration, with emphasis placed on returning the employee to a productive assignment.

Employees who are capable of performing modified assignments, on a temporary basis, may be returned to duty upon appropriate medical release. It is recognized that the return of these employees to temporary duty assignments constitutes a positive influence on morale and promotes Department efficiency.

### **3-02/040.05 OCCUPATIONAL INJURY/ILLNESS**

When an employee, including a Reserve Deputy, is injured or becomes ill due to job related activities, the Unit Commander shall be notified as soon as possible and the following procedures shall apply.

In the case of employee exposure to the bodily fluids of persons in custody, refer to section 3-02/040.30 for additional notifications and procedures.

#### **Employee's Responsibility**

- an employee who sustains an on-duty injury/illness shall report the circumstances to his supervisor as soon as possible. If the injury or illness is non-emergent, the

employee shall notify his Unit supervisor prior to seeking medical attention and receive approval for a designated physician or medical facility where treatment will be obtained;

- employees requiring medical attention when off duty for an incident that occurred on duty, but not attended to, shall immediately notify their supervisor;
  - pre-designated personal physicians, named in writing by the employee, must be listed in the employee's Unit file before they are acceptable to treat the employee; and
  - approval from Workers' Compensation is mandatory in those cases where treatment is administered by other than a licensed physician. The approval procedure shall be coordinated through Return to Work Unit;
- when receiving medical treatment for an industrial injury, the employee should comply with the doctor's instructions. Failure to do so may result in the employee's becoming responsible for all medical bills;
  - if surgery of a non-emergency nature is required, the Return to Work Unit must be contacted in advance;
- when no medical treatment appears to be necessary at the time of a documented injury, and the employee later finds that treatment is necessary, he/she should consult one of the physicians authorized by the County with approval of a supervisor;
- an employee may refuse medical treatment. This action does not waive the right to request treatment if the injury causes future distress; however, the employee may be required to assume all financial responsibility for medical costs if he later goes to a physician and neglects to report same to his supervisor within 24 hours;
- when able to do so, the employee shall take the Medical Service Order (76M119F) to the authorized physician, have him sign both copies, and return the orders to his Unit Commander, who shall forward them to the Return to Work Unit;
- the employee shall notify the Unit Commander of the name, address and telephone number of the attending physician and keep him apprised throughout the period of treatment;
- during the recovery period, the employee shall remain at his residence for the time period that would constitute an eight-hour tour of duty;
- personnel who are unable to report to work due to an industrial injury/illness (more than five consecutive workdays) shall be placed on an "A" schedule (Monday through Friday) from 0830 to 1700 each day. The employee is required to remain at his residence during these hours. A waiver from this policy for short periods of time for doctor appointments, therapy, etc., may be obtained with prior approval of the employee's Unit Commander or Operations Lieutenant; and
- prior to returning to work, the employee shall obtain a physician's release authorizing the return to work and, as soon as possible, notify the Unit Commander of the contents of the medical release. The release shall be submitted to the Unit Commander prior to the employee's first shift upon return to work. Approval for return to work shall be contingent upon review of the medical release.

### Supervisors Responsibility

- in all cases of emergencies involving serious injury or illness, the supervisor shall have the employee treated by the nearest physician or medical facility;
- a supervisor shall accompany the employee to the medical facility. The supervisor shall ascertain the extent of the injury or incapacitation as well as the attending physician's opinion regarding the employee's ability to fill a temporary modified duty assignment. The type of modified duty assignments available, both at the employee's Unit and other Bureaus, shall be explained to the physician;
- the supervisor shall, with all due diligence and priority, conduct a thorough investigation into the facts surrounding the employee's injury. Statements from witnesses, photographs, video documentation, information on third party involvement, site and equipment inspection, employee statements, and any supporting documents should all be considered as parts of a complete investigation;
- when the injury or incapacitation is non-emergent but requires medical treatment, the supervisor shall offer the employee a choice of the medical facilities listed in the County of Los Angeles Directory of Physicians of Industrial Injury;
  - if the employee has notified the Department, in writing, prior to the date of the injury or illness that he has a licensed personal physician, the employee may be treated by his physician from the date of injury;
- in all cases of reported on-duty injuries, supervisors shall provide the injured/ill employee with an Employee's Claim for Worker's Compensation Benefits form (DWC Form 1) within 24 hours;
- in those instances wherein the circumstances surrounding the incident are also the subject of an SH-R-49 report, the supervisor shall assure that in addition to all other elements contained in the report, the nature and cause of the injury or illness shall be fully detailed. This includes names and statements of witnesses and any other pertinent observations;
- upon completing the investigation, the supervisor shall complete a SH-AD-92 and an Industrial Injury/Illness Investigation form (SH-AD-666), and submit both to the Return to Work Unit within three days of the injury or illness. In the case of a Thursday night injury, the injury report shall be FAXED to the Return to Work Unit and the originals delivered as soon as possible;

Distribute as follows:

- original and 3 copies each SH-AD-92 and SH-AD-666 to the Return to Work Unit, via Division headquarters; and
- one copy for the Unit file;
- if the injury/illness is of a nature that caused a Complaint Report (SH-R-49), Supervisors's Report of Damage to County Vehicle or Permittee's Vehicle (SH-R-257) or other report to be completed, copies of such report shall be forwarded with the SH-AD-92 and SH-AD-666 to the Return to Work Unit as soon as possible;
- the Medical Service Order (76M119F) shall be prepared and provided to the authorized attending physician. After being signed by the physician, the form shall

- be forwarded to the Return to Work Unit;
- when an employee refuses medical treatment following an industrial injury or refuses treatment by physicians authorized by the County, a notation of this fact shall be made in the SH-AD-666; and
  - in those cases where the nature of the claimed injury/illness is the result of long-range causation, e.g., heart condition, hearing loss, etc., the supervisor shall conduct an investigation to the extent possible in such cases.

### Unit Commander's Responsibility

- in any fatal or serious injury case, the Unit Commander shall be responsible for immediately reporting all relevant information concerning the occurrence to the Return to Work Unit and the Sheriff's Headquarters Bureau. During weekends, holidays and times other than regular business hours, the Sheriff's Headquarters Bureau will contact the on-duty Return to Work Unit representative;
- the Unit Commander, as soon as it is medically permissible, shall personally contact the employee to determine his condition and if any assistance might be rendered;
- when an employee is absent from work five days or more, the Unit Commander shall cause the employee to be notified telephonically and confirmed by letter that he has been placed on an "A" schedule (Monday through Friday) from 0830 to 1700 each day. The employee shall be required to remain at the location which Department records indicate to be that employee's residence at the time of illness/injury during these hours. The employee shall also be directed to be personally available to respond to any official telephonic and/or direct contacts by the Department. Permission to be excused from the requirement to remain at the official place of residence for any period of time longer than 24 hours may be given by the Unit Commander or, in his extended absence, the acting Unit Commander;
- when an employee is off duty recovering from an off-duty injury or illness, the Unit shall make regular contact with the employee throughout the recovery process. Any changes in the status of the employee's medical condition, financial outlook, or morale shall be reported to the Unit Commander, and a remedy for the problem will be sought on the employee's behalf. If available benefits are in question, this issue shall be coordinated with the Return to Work Unit;
- the Unit Commander shall designate a representative who shall be the Unit contact person for personnel off work due to industrial injury or illness. In cases where there is traumatic injury or illness, hospitalization, or family member in need of assistance due to incapacitation of a Department member, the Unit designee may contact the Return to Work Unit representative and request assistance. In all cases where an employee is absent from work for five days or more, the Unit designee shall make contact and determine the status of the injured/ill employee and document the anticipated recovery time. The contacts may be made telephonically or, when appropriate, in person;
  - the person so designated by the Unit Commander shall also have the responsibility of establishing and maintaining liaison between the concerned employee, the Return to Work Unit representative, and the Unit

Commander. This liaison shall have as its objective the facilitation and clarification of necessary communication between the parties mentioned above. It will be the goal of this liaison to expedite the return to work of injured/ill personnel upon recovery;

- the employee's physician of record shall be contacted by letter to determine and document the prognosis and anticipated period of recovery. The physician shall be made aware of modified duty assignments available. If the employee does not return to duty within the anticipated recovery time, the physician shall be contacted again, and the latest estimate of recovery will be determined. This procedure will be repeated each time the period of recovery is extended;
  - the letters (see section 7-01/000.00) and physician's evaluations for return to duty are guides and may be modified to meet different criteria;
- when an employee becomes ill or injured, either service connected or non-service connected, and is unable to work for a period of five days or more, their name shall appear on an Absence Follow-Up Report (SH-R-302). Each Absence Follow-Up Report shall begin on Sunday and cover a seven-day time span to the following Saturday. Any employee name appearing on the Absence Follow-Up Report shall be carried forward each week until they can be shown as having returned to work, retired, resigned or transferred. Transferred employee names shall include the new Unit of assignment. Relieved of duty personnel shall not be shown on this report. Each Unit shall submit the report to their Division headquarters on Monday. Headquarters Units are responsible for their employees on a separate report. Division headquarters shall submit each original Absence Follow-Up Report and two copies to the Return to Work Unit by Wednesday of each week. This report, signed by each Unit Commander, will include the following information:
  - employee's name;
  - employee's present condition;
  - any change in place of recovery;
  - last date employee contacted;
  - last date employee worked;
  - expected date of return;
  - the name of the physician of record/last date seen; and
  - the physician's opinion on the employee's ability to perform in a temporary modified duty assignment;
- should the employee subsequently be absent as a result of the same injury or illness, a SH-AD-32A shall be submitted within 24 hours of the subsequent absence. The memo shall be prepared by the Unit Commander and shall contain, in addition to the regularly required follow-up information, the date of the original industrial injury (use SH-AD-666). The memo shall be forwarded to the Return to Work Unit via Division Headquarters;
- when an employee is temporarily unable to return to full duty, the Unit Commander shall make a modified duty assignment available as follows:
  - contact the attending physician to obtain a medical opinion on the employee's length of recovery and ability to perform in a temporary assignment;
  - obtain a written medical release to return to duty from the physician; and

- direct the employee to return to temporary duty;
- Units encountering difficulty in obtaining information from a physician should contact the Return to Work Unit for assistance.

### Return to Work Unit's Responsibility

- the Return to Work Unit shall be notified of all serious industrial injuries or illnesses to a Department member. The Return to Work Unit representative for the employee's Unit shall:

Coordinate employee's claim for:

- workers' compensation benefits;
- long term disability benefits;
- Peace Officer's Relief Fund;
- Sheriff's Relief benefits;
- retirement benefits; and
- any other insurance benefits accrued.

Offer direct assistance to the Unit in assessing the employee's needs and the appropriate response by the Unit for the employee.

- begin to develop a return-to-work strategy with the Unit for the employee.

### **3-02/040.10 INJURED OR ILL WHILE OFF DUTY**

When an employee is absent due to an off-duty injury or illness, the Unit Commander shall be notified as soon as possible and the following procedures shall apply:

#### Employee's Responsibility

- an employee who sustains an off-duty injury/illness requiring an absence from his work assignment, shall notify his supervisor as soon as possible;
- during the recovery period, the employee shall remain at his residence for the time period that would normally constitute his regular tour of duty. Each exception must have the prior approval of the employee's Unit Commander/Operations Lieutenant;
  - if the injury or illness will require an extended recovery period (more than five consecutive workdays), the employee shall be placed on an "A" schedule (Monday through Friday) from 0830 to 1700 each day. Varying work schedules will require Unit timekeepers to accomplish the time schedule change as soon as feasible. The employee shall be advised of the schedule change and shall remain at his residence during these hours. A waiver from this policy for short periods of time for doctor appointments, therapy, etc., may be obtained with prior approval of the employee's Unit

Commander or Operations Lieutenant;

- the employee shall notify the Unit Commander as to the name, address and telephone number of the attending physician at all times during the period of treatment;
- an employee recovering from illness or injury without compensation is not required to remain at home, but he must provide his Unit Commander with an alternate telephone number when leaving his residence for extended periods;
- when a Deputy is off duty with a condition that has been diagnosed as pneumonia, tuberculosis, hernia or heart trouble, he shall notify his supervisor as soon as possible, as Workers' Compensation may be involved and/or the illness may be considered work related and may be termed presumptive; and
- employees absent seven workdays or more shall present, prior to return to duty, a written release from the attending physician indicating the employee's ability to return to work.

#### Unit Commander's Responsibility

The responsibilities of the Unit Commander in an off-duty injury or illness shall be the same as in an industrial incident.

#### Return to Work Unit's Responsibility

Upon notification of a serious off-duty injury or illness, a member of the Return to Work Unit shall:

- respond to the scene of the employee incident if time and distance permit; and
- offer assistance to the employee and family.

### **3-02/040.15 SICK LEAVE**

Prior to March 1, 1993, the County had two methods for earning sick leave. The first method is for those County employees who were hired prior to June 16, 1986. Those employees were covered under the "anniversary year" basis, which means that they received a given number of hours of sick time for each completed month of continuous service. However, once such employees had completed 12 months of continuous service the employees would begin to receive their sick leave benefits on January 1st of each year. The sick leave was based on the active service time during the previous calendar year. The maximum amount of hours each employee was eligible to receive depended upon his/her current Memoranda of Understanding, if represented, and the County Code for non-represented employees.

The second method is for those County employees who were hired on or after June 16, 1986. Those employees would earn their sick leave benefits on a month-to-month basis. The sick leave was based on the amount of active service time in any calendar month. If the required hours (16 days/128 hours) were not met, the employee would not earn sick

leave for that particular month. The sick leave earned in one month would not be available to use until the first of the following month. Those employees continued to earn sick leave on a month-to-month basis, even after completing 12 months of continuous service. The maximum amount of hours each employee was eligible to receive depended upon his/her current Memoranda of Understanding, if represented, and the County Code for non-represented employees.

With the implementation of the County Wide Timekeeping and Payroll Personnel System (CWTAPPS) on March 1, 1993, full pay sick leave is earned and accrued on a pay period basis (1st through the 15th, 16th through the end of the month), rather than a monthly or yearly basis, except for those employees who were hired prior to June 16, 1986, which would begin accruing under this method effective January 1, 1994. Those hours earned in one pay period would be available for use on the first day of the following pay period.

All unused sick leave hours may be carried over from one year to another up to a maximum of 1,920 hours (240 days). When an employee reaches the maximum amount, the employee is ineligible to accrue additional sick leave benefits until such time the balance is reduced.

#### Pre '86 Sick Leave

Employees hired prior to June 16, 1986, would on January 1, 1994, receive a one-time allotment of 64 or 96 hours of sick leave benefits depending upon their classification on January 1, 1994, which is titled Pre '86 time. Those hours shall be available for use only after all other full pay sick leave has been exhausted except Pre '71 sick leave.

#### Sick Personal Leave

A portion of an employee's sick leave hours may be used for personal reasons. Sick personal leave is limited to 24 hours per calendar year, with the exception of persons employed as Registered Nurses and Supervising Registered Nurses, who are entitled to 48 hours.

#### Buy back of Unused Sick Leave

The County Code provides that any employee who has held a permanent, full-time position for one full calendar year and who has not used sick leave during a 6-month period (January-June and July-December) may elect to buy back a maximum specified number of days of sick leave at the straight-time rate of pay in effect on the last day of the 6-month period for which he is being reimbursed.

Employees who elect to buy back unused sick time must submit a completed "Certification for Cash Reimbursement for Unused Sick Leave" to Payroll via their Unit timekeeper for verification, within one month following the date the employee qualifies for such payment. Payroll shall enter the necessary adjustments into the system.

### Sick Leave - Part Pay (65% & 50%)

Depending on length of service, employees will be allocated a specified number of sick hours at 65% pay and at 50% pay. Percentage sick time applies to a specific calendar year, and may be used only after all full pay sick time has been exhausted.

The County Code established a five-day waiting period as a prerequisite for the use of any percentage sick time benefits. An employee is not entitled to use part-pay sick leave benefits until five consecutive calendar days have elapsed, commencing with the first day of absence from work, for each single illness or injury. The waiting period is waived if the employee is hospitalized or if medical verification is provided showing that an illness or injury is a continuation of a prior illness or injury for which the waiting period has already been met.

If an employee has other 100% time accumulated, e.g., sick, overtime, holiday, vacation, etc., he may use it to cover part or all of the five-day waiting period. Percentage sick time shall not start until the sixth day of absence from a single illness/injury, or until the first day of hospitalization, whichever occurs first.

### Payout for Sick Leave Benefits

When an employee resigns from County service, retires or is deceased, and has more than 5 years of County Service, the full pay sick time remaining on the book to his/her credit is considered for a payoff in the following method:

- full payment of all Pre '71 hours and one-half of the available balance of Current/Post '71 with a maximum payout of 720 hours;
- no payment shall be made for Pre '86; and
- the payoff will be at the rate of pay at the time of separation from county service.

### **3-02/040.25 EMPLOYEE EXPOSED TO COMMUNICABLE DISEASE**

An employee who is exposed to any person who is a possible or known carrier of a communicable disease in the line of duty shall be responsible for the following:

- immediately notify their immediate supervisor of the exposure;
- complete a Hazardous Materials Injury/Toxic Substances/Communicable Disease Exposure Report (SH-R-426);
  - when multiple employees have been exposed to the same person, each individual employee shall complete a separate report unless medical treatment is required by the individual employee at the time of exposure;
- submit the SH-R-426 Form to their immediate supervisor without delay.

### Supervisor Responsibilities:

The immediate supervisor of an employee who has been exposed to any person who is a possible or known carrier of a communicable disease in the line of duty shall be responsible for the following:

- ensure the employee completes and submits a Hazardous Materials Injury/Toxic Substances/Communicable Disease Exposure Report (SH-R-426);
  - when multiple employees have been exposed to the same person, each individual employee shall complete a separate report unless medical treatment is required by the individual employee at the time of exposure;
- place a copy of the form in the employee's Unit medical file and forward the original to the Return to Work Unit, Personnel Administration,

The California Occupational Safety and Health Administration (Cal/OSHA) mandates that the immediate supervisor determine whether other employees may have been exposed to the communicable disease. The supervisor shall also be responsible for the following:

- identify other employees who may have been exposed;
- immediately notify each employee of the potential exposure;
  - supervisors shall not disclose the identity of the original exposed employee;
- ensure each employee completes and submits a Hazardous Materials Injury/Toxic Substances/Communicable Disease Exposure Report (SH-R-426) and process the same as for the original employee; and
- provide each employee with information about the communicable disease: i.e., how the disease is spread, symptoms, medical treatment, and how to reduce the chance of becoming infected in the future;
- communicable disease information can be obtained from the Centers for Disease Control and Prevention (CDC) web site ([www.cdc.gov](http://www.cdc.gov)), or by contacting the Department's Safety Management Unit.

If an employee subsequently contracts the communicable disease, the supervisor shall prepare and process additional reports in the same manner as for an industrial injury. The date and time of exposure to the disease shall be substituted for the date and time of injury.

The Safety Management Unit, Risk Management Bureau, can be contacted during normal business hours at (323) 890-5001 for additional information or advice.

### Safety Equipment

Consistent with operational requirements, all Units shall maintain an adequate supply of resuscitation masks, disposable gloves, disposable towels, NIOSH-rated N-95 respiratory masks, disinfectant spray and biohazard storage/disposal bags. Specialized Units within Detective Division may also maintain adequate inventories of additional protective apparel. Items may be obtained through Divisional budget representatives utilizing standard requisition procedures.

Unit Commanders shall ensure that adequate supplies are maintained and distributed to Department employees, vehicles and work locations in accordance with Divisional directives.

### Safety Equipment Usage for Risk Reduction

- resuscitation masks should be used during the resuscitation of any person who has stopped breathing;
- disposable gloves should be routinely worn when any contact is anticipated with blood or other body fluids, or when contacting clothing or materials which may have been contaminated with blood or other body fluids;
- disposable face masks (NIOSH N-95) should be utilized by employees when in contact with known or suspected contaminated individuals or large amounts of possible contaminated fluids;
- disinfectant spray should be used on any surface contaminated by blood or other body fluids;
- disposable towels should be used in conjunction with disinfectant to clean up contaminated sites; and
- biohazard storage/disposal bags should be used to transport and store any clothing, etc., or to transport disposal soiled gloves, towels or cleaning materials which have been contaminated by blood or other body fluids. Contaminated materials that are to be held as evidence shall be dried, then packaged in paper evidence envelopes/bags and distinctively marked "Contaminated with blood/body fluid."

### General Precautions

- extreme caution should be exercised when conducting searches and dealing with any sharp object that may be contaminated;
- sharp objects which may be contaminated and must be disposed of or held as evidence should be placed in puncture-resistant containers and appropriately labeled;
- an employee who is bleeding or who has any open wound or skin lesion should avoid direct contact with the blood or other body fluids of another person. If the employee's broken skin is on the hands, disposable gloves should be used when handling blood or other body fluids of another person;
- any equipment or clothing coming into contact with possibly contaminated substances or persons should be disposed of, or properly decontaminated as soon as practical;
- employees who come in frequent physical contact with inmates (i.e., searching and fingerprinting) should routinely wear disposable gloves during such procedures; and
- locations which have been severely contaminated by blood or other body fluids (i.e., homicides) should be secured or contained until the arrival of appropriately equipped personnel.

## Decontamination

- any person who becomes contaminated should, as soon as practical, wash exposed areas thoroughly with soap and water;
- contaminated surfaces and personal equipment may be decontaminated with Department issued disinfectant spray, any commercial disinfectant, or a solution of one part bleach to ten parts water (1:10);
- clothing and uniforms may be decontaminated by washing with laundry soap or dry cleaning; and
- disposable gloves, towels and other items used to clean up contaminated areas should be placed in biohazard storage bags and disposed of at the nearest appropriate disposal site as approved by Medical Services at (213-974-4949).

## Use of Trustees for Decontamination

Trustees may be used to assist in cleaning contaminated areas and vehicles at any Sheriff's facility where trustees are normally assigned. Supervising personnel shall ensure that their activity conforms to all hygienic practices and policies cited in this subsection.

## **3-02/040.30 EMPLOYEE EXPOSURE TO THE BODILY FLUIDS OF PERSONS IN CUSTODY, PATROL, AND COURT SERVICES**

An employee who believes that he has had contact with the bodily fluids of a person in custody shall report this to the Unit Commander using the "Report of Request and Decision for HIV Testing (DHS 8459)." The report shall be submitted by the end of the employee's shift but not later than two days after the incident. The Unit Commander shall cause the report to be sent by U.S. mail or hand carried to reach the Department of Health Services and the Return to Work Unit within 48 hours.

The report shall include the following:

- names of persons involved in the incident;
- names of witnesses to the incident;
- all written statements from these parties;
- narrative of the incident; and
- any request by the employee that the County Health Officer order HIV testing of the inmate.

In circumstances where a person is charged with a crime and who has bitten, scratched, spat upon, or transferred blood or other bodily fluids on, upon, or through the skin or membranes of a peace officer, the peace officer may request that the court order the inmate to provide two specimens of blood for testing for AIDS, any AIDS related condition or other communicable diseases.

In all cases where practical, the County Counsel and the employee requesting blood tests of an inmate shall attend the court hearing upon the petition.

It shall be the responsibility of the assigned investigator to include whenever possible the petition for blood testing with the case filing documents when presented to the prosecuting attorney.

If a person in custody refuses to consent to voluntary blood testing or if the person is not in custody, the petition for blood testing and the declaration of the employee requesting blood testing shall be completed by the employee, with the assistance of the Return to Work Unit and County Counsel.

Blood testing for persons not in custody shall be coordinated with the County Department of Health Services.

All information reported shall remain confidential. The confidentiality of inmate personal data, as well as any employee information, may not be reported to anyone except for disclosure as may be necessary to obtain medical or psychological care.

If the exposure did not result in any injury to the employee, a "Report of Request and Decision for HIV Testing (DHS 8459)" shall be completed. A Report of Industrial Injury (SH-AD-92) is not necessary. (See Case Assignment section 4-06/045.00 Communicable Disease).

In addition to the above, the following shall apply in all cases of reported employee exposure to the bodily fluids of a person in custody.

#### Supervisor's Responsibilities

- notify Sheriff's Medical Services at (213) 893-5505 (24-hour number) of the incident;
- mail or hand carry the original "Report of Request and Decision for HIV Testing (DHS 8459)" to the Department of Health Services and a copy to the Return to Work Unit; and
- forward an additional copy of the Employer's Report of Occupational Injury or Illness (SH-AD-92) and a "Report of Request and Decision for HIV Testing (DHS 8459)" to the Chief Physician, 441 Bauchet Street, Los Angeles, CA 90012.

#### Return to Work Unit's Responsibilities

- act as a resource agent for Sheriff's Medical Services;
- maintain a record of reported exposure incidents and make follow-up contact with those affected employees; and
- assist and coordinate requests for ordered blood testing with Department of Health Services and/or County Counsel.

## Medical Services' Responsibilities

- after notification of an employee exposure to the bodily fluids of a person in custody incident, the chief physician or his agent shall immediately assign a medical staff person to evaluate the inmate/prisoner;
- the assigned medical staff person shall review the inmate's medical and social history and attempt to obtain his written permission to have the necessary tests performed as soon as possible;
- if the inmate has given written permission or if the court orders blood testing of such person, Medical Services shall be responsible for obtaining the specimens and arranging for appropriate tests;
- a summary of the evaluation will be submitted to the chief physician for review and appropriate action; and
- the chief physician shall ensure that both the employee and the inmate receive the correct interpretation of the test results and are made aware of any potential risk of acquiring a communicable disease. The employee will be given a referral for confidential counseling at Employee Support Services Bureau.

### **3-02/040.31 HEPATITIS B IMMUNIZATION PROGRAM**

In compliance with federal and state guidelines, the Department has determined that all sworn and some civilian employees are at risk of exposure to the Hepatitis B virus. Exposure can occur at any time, consequently, pre-immunization from the Hepatitis B virus is recommended. The immunization program is a 3-vaccination series which takes approximately 6 months to complete.

Participation is voluntary. Prior to immunization, employees will be trained regarding exposure, transmission, and proper medical precautions. Videotapes and literature may be obtained from the Unit's Safety Officer or the Safety Management Unit.

Arrangements for participation are made through the Risk Management Bureau's Safety Management Unit.

### **3-02/040.35 MEDICAL EXAMINATION FOLLOWING SICK LEAVE**

When an employee returns to work following a non-occupational illness or injury, the Unit Commander may request that a County medical examination be given the returning employee. Requests for such examination shall be made on an SH-AD-32A. This request shall be prepared in duplicate, signed by the Unit Commander, and distributed as follows:

- original to Return to Work Unit; and
- copy retained for Unit file.

### **3-02/040.40 RETURN TO WORK - SWORN MEMBERS - MEDICAL RESTRICTIONS**

The following process shall be complied with for the return to work of Department members with work restrictions. This process shall apply whether the medical authority is a personal physician, Occupational Health Services or the Workers' Compensation system.

The employee shall instruct the medical authority to provide, in writing, all applicable restrictions to the Return to Work Unit. The restriction statement must be sufficiently definitive to enable the Return to Work Section to identify appropriate assignments. The Return to Work Unit shall perform the return to work function, be the central repository for this information and act as the liaison between the employee, the concerned Unit and Division, medical authorities, the concerned insurance carrier, County Counsel, Payroll Services, Personnel Administration, Employee Relations/Advocacy Services, Sheriff's Relief Association and all involved parties.

Telephonic notification to the Return to Work Unit, followed by written documentation, can be acceptable.

When the Return to Work Unit receives medical restrictions, the following process will be followed:

- the assigned return to work coordinator shall review the employee's medical restrictions to ensure that it contains sufficiently specific information regarding an employee's limitations, restrictions and/or ability to perform the essential job functions;
- if the information provided is insufficient, the return to work coordinator shall request additional information and/or clarification for the information from the appropriate medical authority;
- if the information is sufficiently specific, the return to work coordinator shall first review the employee's medical restrictions against the essential functions of the employee's current assignment;
- if the work restrictions are compatible, the employee may return to his assignment. Prior to returning to work, the employee's Unit will be provided a copy of the written work restrictions and a "Request for Reasonable Accommodations" form. This form must be completed by the returning employee and the Unit, then returned to Return to Work Unit;
- if the work restrictions preclude returning to usual and customary duties, the return to work coordinator will begin developing alternative return to work placement;
- alternative placement will begin when the return to work coordinator provides a copy of the restrictions to the employee's Unit. Along with the restrictions, the return to work coordinator will supply a "Request for Reasonable Accommodations" form. This form must be completed by the returning employee and the Unit. If the requested accommodations can be met by the employee's current Unit, the employee will then return to work. If the requested

accommodations can not be met by the current Unit, alternative placement within the employee's Division will be sought. If the employee's Division is also unable to meet the requests, the Return to Work Coordinator will prepare documentation of the employee case for the Director of Professional Standards and Training Division. The Director shall then bring forward, in executive session of the Executive Planning Council, the need for placement. The Executive Planning Council shall decide final placement of the employee. In some cases, restrictions will prevent an employee from returning to work anywhere within the Department. Should this occur, the Return to Work Coordinator will explore placement throughout the County; and

- should an employee not be able to return to work for the County, release or retirement options will be explored. Reasonable accommodations at a Unit level do not include creation of a position. This does not prevent a Unit from allowing an employee to return to modified duty on a temporarily basis until permanent work restrictions are received by the Return to Work Unit. If a Unit is able to temporarily accommodate a returning employee, the Return to Work Unit shall assist the concerned Unit and the employee with an acknowledgment that specifies the duties for the employee, the length of time that the agreement shall be valid, and the information that the employee's status and accommodation will be reviewed at the termination of the agreement.

Once an employee has been placed in an assignment as a result of a request for reasonable accommodation, any change in duties, re-assignment within the Unit or Division, or inter-Division transfer shall be coordinated with the Return to Work Unit.

### **3-02/040.45 VOLUNTARY MEDICAL EXAMINATIONS FOR SAFETY MEMBERS**

Certain employee job assignments may require, as a condition of continued placement, periodic medical examinations.

The Return to Work Unit shall be responsible for providing liaison between the Department, the medical provider, Occupational Health Service (OHS), and the employee.

#### **Return to Work Unit shall:**

- obtain appointment times;
- assign appointment times to Department members; and
- keep records and establish such procedures as will ensure successful Department participation in this program.

A member unable to keep a scheduled medical appointment for any reason shall notify the Return to Work Unit without delay.

### **3-02/040.50 EMOTIONAL BEHAVIORAL CONCERNS**

Supervisory personnel shall be alert for indications of emotional distress in any employee under their command. Manifestations of distress might include, but are not necessarily limited to, signs of psychological disturbance, emotional trauma or excessive use of alcohol and/or prescription drugs.

Where possible, the cause of the problem should be determined and an evaluation made as to the employee's probable ability to cope with the problem and still function in an efficient, capable, and safe manner. If it is determined that the problem is of a potentially serious nature or one which might negatively affect either the employee's job performance or his personal well-being, the Unit Commander shall be notified immediately.

After counseling the employee, if the Unit Commander concurs that the problem is more than superficial, they shall promptly notify the Division Area Commander and Return to Work Unit. As soon as reasonably possible, this verbal notification is to be followed by a full written report to the Division Chief or Division Director on an SH-AD-32A (Sheriff's Department Office Correspondence).

When circumstances dictate that the notification be made during other than normal working hours, the on-call representative from Return to Work Unit is to be contacted through the Sheriff's Headquarters Bureau. Do not initiate an Employer's Report of Injury or Illness (SH-AD-92) until advised to do so by the Return to Work Unit. If and when a SH-AD-92 is submitted, a copy of this report shall also be forwarded to the concerned Division Chief or Division Director.

When circumstances dictate and there exists a serious question regarding the potential misuse of an employee's peace officer powers as a result of emotionally related issues, the Unit Commander or the designated representative shall notify the Area Commander, Personnel Administration and Return to Work Unit.

The Unit Commander shall take custody of all Department identification and County weapon, to be distributed as follows:

- County weapon to be returned to the Logistics Section and a receipt obtained; and
- uniform badge, flat badge, cap piece and identification card to be returned to Personnel Administration and a receipt obtained.

These items will be returned to the employee when his recovery is sufficient to return to duty.

If the off duty employee is a sworn member, Personnel Administration shall advise the employee by letter, sent via Certified Mail, of the following:

- that acting in any law enforcement capacity is expressly forbidden;

- that carrying a firearm is not authorized; and
- that this action should not be considered punitive or disciplinary, but is intended to serve the best interests of the member and the Department.

Based on the information available, and with review and concurrence by the Division Area Commander, the Unit Commander, Return to Work Unit personnel, and the Department's psychologists (only in non-industrial issues) shall make a determination as to the appropriate course of action, both short and long range. The course of action sought will, in all cases, be that which is determined to be in the best interests of the employee and the Department.

### **3-02/040.55 PEER SUPPORT PROGRAM**

The Sheriff's Department's Peer Support Program is an employee assistance program offering confidential help and guidance by trained volunteer Peer Support personnel to all Department members experiencing a personal or professional crisis.

The Department has long recognized the relative importance of physical and emotional well being upon personnel performance. Supervisors are entrusted with the responsibility of identifying problems being experienced by employees and helping these individuals effect a positive change when possible. The Peer Support Program provides a valuable resource for Supervisors who wish to assist members of the Department who have particular problems. Supervisors are reminded that an individual's decision to participate must remain voluntary. Referral shall not be made under duress or promise of reward.

Members are encouraged to seek assistance, be it from licensed professional counselors, working within or outside the Department, or from fellow employees associated with the Peer Support Program, before a situation escalates into a severe personal problem, or a violation of the law.

Nothing in this subsection or this program is intended to alter the Department's ability to administer discipline, or a Supervisor's responsibility.

#### **Selection and Functions of Peer Support Personnel**

Volunteer Peer Support personnel are chosen from all ranks within the Department. They may be sworn, civilian or Reserve members, active or retired. Interested applicants should consult the Sheriff's Department/Peer Support Program Coordinator, at Employee Support Services Bureau.

The primary function of Peer Support personnel includes providing short-term crisis intervention, lay assessment and referral services to fellow employees in time of need. Those experiencing problems which require long-term or professional guidance shall be given the opportunity to choose a professional from within Employee Support Services

Bureau or from the Peer Support Referral Agencies list.

Support personnel will attend quarterly training sessions to remain active, with a maximum of two absences each calendar year. All Peer Support personnel will operate within the Peer Support Guidelines, according to the Departmentally approved training courses or may be subject to dismissal from the program.

### Confidentiality

Communication between a Peer Support person and a Department member is confidential, except for those matters which involve a threat to life or serious/dangerous violation of law. Peer Support personnel shall advise the Peer Support Program Coordinator of the circumstances surrounding the incident and what, if anything, has been done to rectify the problem. The Peer Support Program Coordinator may apprise the Sheriff or Undersheriff, who will decide the direction the Department will take in the matter.

### Investigations

Peer Support personnel shall not be interviewed, nor shall they discuss details of counseling sessions, with Department personnel conducting an investigation, without the written authorization of the investigator's Division Chief or Division Director or the member being counseled.

This subsection in no way inhibits the Sheriff from ordering a member to cooperate with an outside agency involved in a criminal investigation.

### Counseling Sessions

Peer Support sessions may occur both on-duty or off-duty; however, they should not interfere with a member's or the Peer Support person's performance of assigned duties, absent exigent circumstances. Should an emergency require that a counselor be called upon while on duty, his response shall be at the discretion of the concerned Unit Commander.

Peer Support personnel shall not claim reimbursement for mileage or the use of private telephones for Peer Support business; however, the use of County vehicles and telephones according to Department policy and with the approval of the concerned Unit Commander is authorized.

### Referral to the Program

Peer Support personnel names and business telephone numbers may be obtained from a published list available at all Units, the Peer Support Program Coordinator, or Employee Support Services Bureau.

### **3-02/050.00 INJURY/ILLNESS PREVENTION PROGRAM (IIPP)**

The Department, in conformance with County policies and procedures, and local, state and federal laws, rules and regulations pertaining to health and safety, maintains a comprehensive and continuous safety program to assure, so far as possible, safe and healthful working conditions. The objective of this program is to protect and conserve the manpower, equipment and resources under the Department's control. Cooperation in this effort and compliance with health and safety rules are expected of all employees as a condition of employment.

Safety rules and regulations shall be developed, protective equipment adopted and used, and work instructions given that will assure that each employee is aware of appropriate safety practices in performing work assignments. These rules, regulations and work instructions will be kept in a manual entitled "IIPP" and will be made readily available to Unit supervisors, employees, Inspectional Services and CAL/OSHA when warranted.

The prime responsibility for suggesting, implementing, adopting, observing and enforcing safety measures rests in the normal employee-supervisor-management chain of command. Compliance with safety regulations and concern and care of property shall be considered in the employee's annual evaluation. Where the employee functions in a supervisory capacity, the safety and property care record of his Unit will be considered in that evaluation. The success or failure of fulfilling safety responsibilities shall be taken into consideration when promotion opportunities exist and when ratings of performance efficiency are made.

#### **Training Safety Policy**

All training shall be conducted in a manner which promotes the safety of personnel involved. Each Unit Commander, training manager and training supervisor shall be responsible for ensuring safety in any training he conducts or oversees. This responsibility includes but is not limited to:

- ensuring an appropriate degree of on-site supervision during training;
- ensuring instructor and student familiarity with and adherence to sound safety practices; and
- ensuring swift, effective response to training injuries, including first aid, medical treatment, notifications and reporting.

### **3-02/050.05 EMPLOYEES' SAFETY RESPONSIBILITIES**

Employees are required to exercise due care in the course of their work to prevent injuries to themselves and to their fellow workers, to prevent damage to equipment and to conserve materials. Failure to comply with the following rules and regulations may result in disciplinary action, including discharge. Each employee shall:

- keep work areas clean and orderly at all times. Be alert to hazards throughout the work site and report all unsafe conditions promptly to their supervisor;
- report all accidents or potential accident cases immediately to the immediate supervisor. Immediately report any injury or illness sustained in the course of employment in accordance with Department procedures;
- obey all safety rules and observe all safety procedures. If any doubt exists about the safe procedure for performing a specific function, the employee shall seek instructions from his supervisor or other employee knowledgeable with the required work procedure or equipment. Avoid engaging in any horseplay and refrain from distracting others;
- operate only equipment that they have been trained on and authorized to operate by the supervisor. Use only the authorized equipment for the job and handle it safely and properly;
- wear required protective clothing and equipment when such has been mandated by Department policy and/or CAL-OSHA regulations. Dress safely and sensibly; and
- take an active part in the safety program. Unless otherwise indicated, participation in scheduled safety training and inspection is mandatory.

### **3-02/050.10 SUPERVISORS' SAFETY RESPONSIBILITIES**

Supervisors are responsible for the safe actions of their employees and the safe performance of machines and equipment used within their operating area. Each supervisor shall:

- assure safe and healthful working areas for their employees and conduct regular inspections of the work place;
- take the initiative in recommending correction of deficiencies noted in facilities, work procedures, employee job knowledge or attitudes that adversely affect Department loss control efforts;
- take proper corrective action for preventable injuries, vehicle accidents and liabilities caused by their employees. Where corrective action is beyond the authority of the supervisor, refer the matter promptly to higher levels;
- instruct employees in safe work procedures and work standards, ensuring that each employee is trained for the job assigned. Be alert to changes in equipment and job conditions and provide retraining as necessary. Encourage employees to make safety suggestions which may eliminate hazards;
- ensure that the safety equipment and protective devices for each job are available, are used, and used properly. Instruct all employees in the use and need for protective equipment for specific hazardous jobs;
- ensure that all employees understand their responsibilities in the area of safety and that compliance with health and safety regulations is mandatory. Cooperate with the Department of Human Resources staff and CAL-OSHA or other governmental personnel making official inspection or inquiries regarding matters

- of health and safety;
- investigate each injury and/or damage incident that occurs in their work area to ascertain the causes and make recommendations to prevent recurrence. Refer injured employees for medical treatment in the manner prescribed by the County and the Department; and
- consult with their Unit Commander regarding a medical reevaluation for an employee when the supervisor thinks an employee's physical condition creates a safety hazard.

Supervisors shall be accountable for preventable injuries, vehicle accidents and liabilities incurred by their employees.

### **3-02/050.15 MANAGERS' SAFETY RESPONSIBILITIES**

Managers shall be held accountable to their superior for compliance with the Department safety program of those Divisions, facilities, Stations, Bureaus, Units and details under their supervision. In addition, managers shall:

- ensure that Units under their direction comply with all policy and procedures relating to reporting injury/accidents and record-keeping as set forth by the Department, the County (as promulgated by the Department of Human Resources), and/or state and federal agencies;
- ensure that the requirements for employee safety training are being met and periodic inspections of facilities are being conducted;
- review or direct the review of all accidents in their areas(s) of responsibility and ensure corrective or disciplinary action is taken where applicable;
- assist subordinate supervisors in correcting hazardous conditions;
- promote safety awareness and the development of programs to safeguard personnel and equipment throughout the organization; and
- review proposals for equipment acquisition and construction or modification of facilities to ensure conformance with safety considerations, including CAL-OSHA standards.

### **3-02/050.20 DEPARTMENT SAFETY OFFICER RESPONSIBILITIES**

The Safety Management Unit shall serve as the Department's Safety Office and in that capacity shall be responsible for the following:

- recommending safety policies, procedures, rules and standards to ensure safe working conditions and safe work practices;
- serving as a source of information on safety policy/procedures, and industrial injury/illness record keeping and reporting; providing functional supervision to Unit timekeepers in the maintenance of CAL-OSHA injury/illness records and the preparation of certain Workers' Compensation claim reports;

- reviewing accident reports to determine types of injuries/illnesses and their cause; may recommend remedial action to prevent recurrence of such accidents;
- preparing periodic and special reports for management regarding injuries and illnesses; identifying trends or changes which call for attention and recommending corrective action where appropriate;
- recommending means to eliminate or control hazardous physical conditions as well as dangerous work operations;
- recommending safety training to other Units within the Department; assisting in the development, coordination and documentation of such training programs, as necessary;
- upon request or own initiative, assisting Department Units in the development of inspection schedules and documentation of such inspections;
- reviewing CAL-OSHA citations received by the Department, monitoring abatement efforts and overseeing responses to that agency;
- acting as Department liaison with the Department of Human Resources; disseminating information relating to safety and health matters; collecting, reviewing, and transmitting information from Department Units to those Department of Human Resources sections requesting or having a legitimate need for this information;
- ensuring Department compliance with County policies and procedures, including those relating to injury/illness and vehicle accident reporting, and with pertinent local, state and federal health and safety requirements; and
- assisting Department management and supervisors in the promotion of safety awareness and education programs.

### **3-02/050.25 HAZARDOUS SUBSTANCES INFORMATION**

Department members may be exposed to substances during their normal workday that may be considered hazardous according to CAL-OSHA regulations. In order to use these substances within certain safety guidelines and train employees in the use of such, each Unit shall maintain Material Safety Data Sheets (MSDS) for each hazardous substance used.

Examples of substances for which MSDS's shall be available if used at a Unit are:

- ammonia
- bleach
- cleansers
- detergents
- disinfectant
- floor polish
- weed killer
- insecticides, etc.

### Unit Commanders' Responsibilities

- ensure that MSDS's are available to employees at the work place; and
- conduct a yearly inventory during January and compare chemicals used against available MSDS's. Once on file, MSDSs must not be deleted. Additional sheets can be requested from the manufacturer of the Central Supply/Logistics Section as new products are introduced.

Employee's responsibilities shall require each employee who works with, or supervises, inmate workers using hazardous substances to read and be familiar with the MSDS for each product used at their work assignment.

### **3-02/060.00 DECEASED EMPLOYEE**

The Department is concerned and actively involved whenever a member expires, including Reserves, and whether on or off duty. Return to Work Unit shall be the coordinating Unit for assisting the member's family, as needed.

### **3-02/060.05 NOTIFICATION**

Upon receiving information that a Department employee has died, Department members shall immediately notify Return to Work Unit. When a death occurs outside normal business hours, this notification can be accomplished through the Sheriff's Headquarters Bureau.

It shall be the Return to Work Unit's responsibility to coordinate the next-of-kin notification with the deceased employee's Unit. In the case of an off-duty, at home death, next-of-kin notification may not be necessary. Notification to the spouse or close relative shall be made in person whenever possible. In certain instances, the Return to Work Unit may designate others to make notification. Whenever the press is involved, the nearest Unit shall make immediate notification so that knowledge of death is not learned through a press release.

### **3-02/060.10 ASSISTANCE TO FAMILY**

When requested by the family, the Return to Work Unit shall coordinate assistance in all funeral arrangements with the deceased employee's Unit. The deceased employee's Unit shall send a broadcast and notify the Sheriff's Headquarters Bureau and any concerned organization that does not receive announcements of the completed funeral arrangements.

Also, at the family's request, the Return to Work Unit shall assist in processing claims with Social Security, the Veteran's Administration, County insurance and private insurance

companies. They shall coordinate survivor benefits with all County departments and other organizations.

Whenever necessary and possible, the Return to Work Unit shall coordinate transportation for relatives arriving at airports or other places within the County when other suitable transportation is not available.

### **3-02/060.15 DONATIONS AND TRUST FUNDS**

Sheriff's Relief shall be contacted when any donations and funds are collected. All collected and donated funds for the member's family shall be sent immediately to the Sheriff's Relief Association for proper recording and safekeeping. They shall disburse or make arrangements to set up a trust fund if directed by the family.

### **3-02/060.20 PRE-FUNERAL ARRANGEMENTS**

Depending whether the deceased was a sworn (active or retired) or civilian member of the Department, and whether the demise was an off-duty or on-duty death, the Return to Work Unit and deceased employees Unit shall be responsible, prior to the member's funeral, for the following:

- offer the family a uniformed honor guard type service, a conventional type service, or, if the deceased had served in the active military, a full military service;
- offer the family an honor guard for the casket in the funeral home during viewing hours for non-military services. The employee's Unit shall make arrangements for the honor guard and reliefs;
- secure a flag through the mortuary for all military services;
- notify Emergency Operations Bureau if outside speakers at the chapel are deemed necessary because of an anticipated overflow crowd;
- determine, with the funeral director, the cortege route and submit this information and the appropriate length of the cortege to the Motorcycle Reserve Unit, Special Enforcement Bureau;
  - the Motorcycle Reserve Unit shall be responsible for coordinating with all concerned police departments and the California Highway Patrol for clearance at all major intersections and freeway ramps along the cortege route; and
  - Units sending personnel to funerals shall curtail the number of patrol cars by assigning four persons to a vehicle;
- if needed Reserve Forces Bureau and the Academy shall furnish personnel to assist in parking problems at the mortuary and the cemetery.

### **3-02/060.25 DRESS AND CONDUCT AT FUNERALS**

Uniformed personnel attending funerals shall wear a standard field uniform (Class A long sleeve shirt with tie) and a gun belt with standard issued items of holster and gun, 1 handcuff case, 1 ammunition pouch, 1 baton holder ring, and 4 keeper straps. Any other items, such as keys, baton, etc., shall not be worn on the belt. Head gear shall only be worn by Executive personnel or as directed.

Department broadcasts, sent prior to funerals, shall direct personnel if a request has been made for certain uniform restrictions. Equipment not authorized for the funeral shall be secured in vehicles with the coordinating Unit providing parking security.

Executives attending funerals shall wear uniforms when so directed.

See the Uniform and Equipment chapter regarding uniform regulations for the honor guard and the viewing guard.

In a non-military service, it shall be the family's preference whether the pallbearers and honorary pallbearers will be selected from the family, friends, Unit co-workers or the Academy Honor Guard. In any instance, personnel acting as pallbearers shall all be in uniform unless the family insists otherwise, or all in civilian clothing.

### **3-02/060.30 OTHER RELATED DUTIES**

- Return to Work Unit, in cooperation with the deceased member's Unit of assignment, shall be responsible for collecting any County-issued property and the employee's personal effects and examining the contents before release to the family;
- the Sheriff's Headquarter Bureau shall act as the Department's liaison for any problems or misunderstandings with the news media; and
- any information of bomb placement or possible disturbance of a funeral service shall be reported immediately to Arson-Explosives Detail, Major Crimes Bureau, Sheriff's Headquarters Bureau, and the Return to Work Unit.

Sheriff's Headquarters Bureau shall be responsible for sending a Department-wide teletype regarding funeral services for Southern California Peace Officers who died in the line of duty.

### **3-02/060.35 GUIDELINES FOR DEPARTMENT REPRESENTATION AT PEACE OFFICER MEMORIAL SERVICES**

Peace officers who are killed while performing their duties are remembered for their sacrifices to protect the freedoms of citizens in the communities they served. Their losses are an emotional trauma that is felt by every member of the law enforcement community. To demonstrate our respect for peace officers from other agencies who were killed in the line of duty the Department has established guidelines for

representation at their memorial services. The criteria established by the Federal Bureau of Investigation, and described in the Law Enforcement Officers Killed and Assaulted Report (LEOKA), will be used in determining line of duty deaths and subsequent Department representation at services.

A coordinated Department representation at services for peace officers from Los Angeles County and from the Counties of Orange, Riverside, San Bernardino, San Diego, and Ventura will be initiated by Administrative and Training Division, Training Bureau. All advisements of line of duty deaths in California will be referred to Administrative and Training Division, Training Bureau for review.

Attending funeral and memorial services is a personal choice. These guidelines are flexible and require that Department member participation be strictly voluntary. In all cases formal Department representation at memorial services for peace officer's killed in the line of duty will be determined by the Sheriff or his designee.

### Criteria and Protocols

#### Representation guidelines:

- Los Angeles County law enforcement agency peace officers:
  - Senior executive representation as determined by the Sheriff and/or his designee;
  - 1 Commander and/or Captain from each Division;
  - Court Services Division, Custody Operations, Detective Division, patrol function Divisions. and Office of Homeland Security each will provide the following personnel:
    - 1 Sergeant;
    - 3 - 6 Deputy personnel; and
    - additional personnel as available and/or appropriate;
  - Administrative Services, Correctional Services, Administrative and Training Division, and Technical Services Divisions will provide personnel as available;
- Orange, Riverside, San Bernardino, San Diego, and Ventura Counties law enforcement agency peace officers;
  - Senior executive representation as determined by the Sheriff and/or his designee;
  - 1 Commander and/or Captain from each Division;
  - Station and Bureau Commanders will advise their respective Division aides of volunteer attendees from their Units; and
  - Division aides will advise the Training Bureau of attendees;
- representation at services in other California jurisdictions will be determined by the Sheriff or his designee.

#### Training Bureau responsibilities:

- determining whether the death meets LEOKA criteria and is appropriate for Department representation;
- contacting affected agency and ensuring that representation is appropriate;
- obtaining detailed information on location, time of services, and other pertinent information;
- briefing the Sheriff or his designee and determining the level of representation;
- ensuring protocols, including uniforms and other information is briefed;
- identifying Department staging site at or near event; and
- assigning a Training Bureau staff member to attend and assist in coordinating Department representation at services in Los Angeles and surrounding counties.

Division responsibilities:

- assigning a headquarters staff member as coordinator;
- identifying Station, Unit, and Bureau coordinators;
  - identifying volunteer representatives; and
  - ensuring that representatives are briefed on all protocols;
- maintaining liaison with Training Bureau Coordinator.

Representation at National and California annual peace officer memorial services:

- the Department supports both of these services and provides limited on-duty participation. Participation is voluntary and at the employee's expense. In order to ensure proper protocols, uniform attire, etc., the Administrative and Training Division, Training Bureau, will be responsible for the following:
  - through Division Coordinators, determining participation at events, including, name and rank of attendees;
  - identifying senior ranking officer and recommending a Department on-site event coordinator;
  - briefing the Sheriff or his designee on event and Department participation; and
  - briefing on-site event coordinator and attendees on protocols, etc.

**3-02/060.40 GUIDELINES FOR SUBMITTING FALLEN PEACE OFFICER APPLICATIONS TO LOCAL, STATE, AND FEDERAL LAW ENFORCEMENT MEMORIALS**

When a Deputy is killed in the line of duty, it is an immense loss to the member's family, the Department, and the community. To honor the Deputy for this definitive sacrifice, the Department has established guidelines for submitting the fallen Deputy's applications for inclusion in local, state, and federal memorials. The criteria established by the Federal Bureau of Investigation, and described in the Law Enforcement Officers Killed and Assaulted (LEOKA) report, will be used in determining line of duty deaths.

It shall be the Sheriff's Headquarters Bureau's Special Events Coordinator's responsibility

to provide the Deputy's last unit of assignment with local, state, and federal guidelines and applications for inclusion in their respective memorials. The Deputy's last unit of assignment shall be responsible for completing the applications and forwarding them to the Special Events Coordinator within the deadline provided. The Special Events Coordinator will submit the applications for the Sheriff's approval and forward to the appropriate agencies.

### **3-02/070.00 JURY DUTY**

Department procedure involved in the performance of jury duty and exemptions to such service are outlined in the subsections which follow:

### **3-02/070.05 PROSPECTIVE JUROR QUESTIONNAIRE**

#### **Deputy Personnel**

Deputy personnel who receive a Prospective Juror Questionnaire (76F446) shall:

- notify their supervisor immediately;
- complete and sign the questionnaire, making certain that the "Exemption" section for peace officers is checked and that "L.A. County Deputy Sheriff" is noted as the occupation; and
- mail the completed questionnaire to the Jury Division of the issuing court.

#### **Civilian Personnel**

Employees who receive a Prospective Juror Questionnaire (76F446) shall:

- notify their supervisor immediately;
- complete and sign the questionnaire; and
- submit the completed questionnaire to the Jury Division of the issuing court.

When an employee seeks a personal exemption, he shall be responsible for completing and signing the questionnaire and submitting it to the court. In all cases, employees shall keep the appointment set by the "Summons for Trial Jury Service" unless a notification of exemption is received.

### **3-02/070.10 JURY SERVICE CONTINUANCES**

The Superior Court Jury Commissioner will grant continuances to employees unable to serve on jury duty during the summoned period, but who will be able to serve at another predetermined time.

All requests for jury service continuances shall be made by the employee. District telephone numbers on the summons should be used to expedite the procedure.

### **3-02/070.15 OUT-OF-COUNTY JURY SERVICE**

The same procedures shall be adhered to in completing jury duty questionnaires and requests for continuances when an employee resides in other than Los Angeles County. Requests for personal exemption shall be transmitted to the Jury Commissioner of that county by the employee.

### **3-02/070.20 RECEIPT OF JURY SUMMONS - EMPLOYEE RESPONSIBILITY**

An employee who receives a "Summons for Trial Jury Service" shall proceed as follows:

- notify his supervisor on the first workday following the receipt of the summons. If time does not permit this, he should report to the court as instructed and notify his supervisor at the earliest possible time;
  - obtain the completed Certification of Jury Service form from the court on the last day of jury service or each week; and
  - deliver or mail a completed Certification of Jury Service form to his Unit at the end of each week.

When an employee is excused from Jury Duty for part of the day, he or she must contact their supervisor to determine, based on the time of day and distance if he or she should report to work or submit an absence request for time off.

Monthly Recurrent and/or Monthly Temporary employees receive 2 days of paid Jury Duty leave per year if they have completed 200 days or more of active service during the previous calendar year. If the employees' do not meet the 200 active service day requirements, they are entitled to 1 day of paid Jury Duty leave per year. Such leave may not be accumulated.

Employees who do not have full-time status (e.g., student workers, crossing guards, etc.) shall not receive County pay while on jury duty. Full-time employees who fail to relinquish fees received from jury service outside Los Angeles County shall have an amount equivalent to such fees deducted from their County pay.

### **3-02/070.25 RECEIPT OF JURY SUMMONS BY EMPLOYEE - UNIT RESPONSIBILITY**

A Unit Commander, upon notification by an employee that he has received a "Summons for Trial Jury Service," shall be responsible for seeing that the procedures itemized below are followed:

- if an employee is expected to attend Jury Duty for five or more consecutive days, assign employee to a day shift 5/40 work schedule with Saturday and Sunday off, for the duration of his paid jury leave and inform employee that if he is excused from jury duty on a workday, he shall be paid only if he reports for duty at his assigned Unit or is off for some other supervisor authorized reason;
- employees' with alternative work schedules who attend Jury Duty for a few days do not have to change their work schedule to a 5/40. However, if an employee is required to attend Jury Duty for more than five days, the employee's alternative worked schedule, (such as 4/40, 9/80, etc.) must be changed to a 5/40 worked schedule with Saturday and Sunday off; and
- account for all time spent on jury duty by checking each weekly Certificate of Jury Service form returned by employee with days worked at the Unit.

### **3-02/080.00 TRAINING**

The following sections outline general requirements for training. The Department has long recognized that the personal and professional growth of Department employees is of utmost importance. Providing training opportunities for all personnel is a necessary element that enables the Department to provide innovative, attentive, high quality service to the communities we serve.

The special programs outlined in the following subsections are subject to change as they may be dependent upon available financing.

Employees interested in one or more of these special programs are advised to check with the Advanced Training Bureau, or other appropriate unit, for the current status of the program in question.

### **3-02/080.01 TRAINING REQUIREMENTS FOR SWORN PERSONNEL**

This policy identifies mandatory training requirements and programs for sworn personnel who have completed basic recruit academy training. It also establishes requirements for periodic training reports. Exemptions for individual or unit-level training requirements must be approved in writing by the concerned Chief.

#### **TRAINING NOMENCLATURE:**

*Orientation Training* – This mandatory training is for newly assigned sworn personnel, including Reserves. The Deputy Field Training Program and the Sergeant Mentoring Program are two examples of orientation training programs offered.

Every unit shall have an orientation program or package which shall include the following information:

- expectations of personnel during and following their orientation period;
- Unit-specific information necessary for all personnel to know; and
- any other information deemed necessary by the unit commander.

*In-Service Training* – This training includes Continued Professional Training (CPT), weapons training, in-house technical schools, specialized outside vendor schools, station training days, Patrol School, Field Training Officer School, Sergeant’s Supervisory School, Field Operations School, and any other training provided. In-Service training may or may not be mandatory (see actual In-Service training topic for personnel requirements and exclusions). In-Service training has been broken down into five categories to simplify the assignment of priorities. These categories are:

- *P.O.S.T.* – Training that is required by the Commission on Peace Officer Standards and Training;
- *S.T.C.* – Training that is required by the Standards for Training for Corrections;
- *State Mandated* – Training that is required by statute;
- *Department Mandated* – Training that is required by either Departmental or regional policy; and
- *Unit Optional* – Includes professional development training for individual employees desiring to enhance competence and skills, team training for units, training that might be required to meet local needs, and all other training.

## ORIENTATION TRAINING

### Sworn Deputies

*Deputies Newly Assigned to a Patrol, Custody, or Court Function* – They shall be assigned to a training officer. The training officer shall adhere to the protocols established within that Division’s training program during the deputy’s training period.

*Deputies Returning to a Patrol, Custody, or Court Function* – The length of an orientation program for those returning to a patrol, custody or court assignment after a five year absence shall be determined by the unit commander with the recommendation of the training sergeant and the mentor deputy as to the competency of the deputy.

### Reserve Deputies

*Reserve Deputies Newly Assigned to Patrol Function* – Reserve deputies, in lieu of patrol school, shall be current in C.P.R., first-aid, handgun qualification, driver training, side handle baton, and Practical Police Course (PPC). They must also be briefed on all recurrent training topics. The training sergeant, in conjunction with the reserve coordinator, shall assign the reserve deputy to a field training officer. The field training officer shall adhere to the protocols established within the Field Training Program during the reserve deputy’s training period.

*Reserve Deputies Returning to Patrol Function* – The length of an orientation program for those reserve deputies returning to a patrol assignment after a two-year absence shall be determined by the unit commander with the recommendation of the training sergeant and the field officer as to the competency of the reserve deputy.

## Sergeants

*Sergeants Newly Assigned to a Patrol, Custody, or Court Function* – Sergeants assigned to patrol, custody or court shall be assigned a Mentor Sergeant. The Mentor Sergeant shall adhere to the protocols established within that Division's Sergeant Mentoring Program.

*Sergeants Returning to a Patrol, Custody, or Court Function* – The length of a mentoring program for those sergeants returning to a patrol, custody or court assignment after a five-year absence will be determined by the unit commander with the recommendation of the training sergeant and the Mentor Sergeant as to the competency of the sergeant.

## P.O.S.T. MANDATED

### Recurring Training

*Continued Professional Training (CPT)* – All deputies, sergeants, and lieutenants who are assigned to patrol, traffic, or investigation who routinely effect the physical arrest of criminal suspects are required to receive the P.O.S.T. specified hours of CPT instruction once every two years. All sergeants and deputies are required to receive fourteen of those hours in the "Perishable Skills" areas listed below:

- Tactical Communications – 2 hours;
- Firearms – 4 hours;
- EVOG – 4 hours; and
- Arrest/Control – 4 hours.

The only way to currently meet this requirement is through the Department's CPT course which meets or exceeds the mandate. Lieutenants and those sworn employees (i.e., operations sergeant, station court deputy, et cetera) working 90% administrative duties are required to meet the CPT requirement by completing twenty-four (24) hours of any P.O.S.T. certified course(s).

NOTE: Successful completion of Patrol School satisfies the CPT requirement.

### One Time Training

*Basic Sergeant Supervisory School* – Completion required within 12 months of

appointment as a sergeant. (CA Regulations, Title 11, Division 2, regulation 1005) (Reserves are excluded)

*Middle Management* – Completion required within 12 months of appointment as a lieutenant. (CA Regulations, Title 11, Division 2, regulation 1005) (Reserves are excluded)

*Patrol School* – For all deputies newly assigned to a patrol station/unit and before deployment in a radio car, or upon returning to a patrol assignment after an absence of five years or more. Successful completion of Patrol School satisfies the CPT requirement, excluding Driver's Awareness. (CA Regulations, Title 11, Division 2, Regulation 1005 and MPP Section 3-02/010.20) (Reserves are exempt)

## STANDARDS OF TRAINING FOR CORRECTIONS (S.T.C.)

### Recurring Training

*Annual S.T.C. Training* – All sworn personnel from the rank of Chief down assigned to a custody assignment, including deputies assigned to a station jail and lieutenants and sergeants with the station jail collateral duty, shall receive twenty-four hours each fiscal year of approved curriculum in custody subject matters. (Title XV, Section 1025)

### One Time Training

*Custody Incident Command School* – Completion required within three months of appointment as a jail sergeant or lieutenant, this includes sergeants and lieutenants with the station jail collateral duty. This training is required once and satisfies the annual S.T.C. requirement for that year. (Title XV, Section 1023)

## STATE MANDATED

### Recurring Training

*Blood Borne Pathogens* – All personnel are required to attend this training annually (Cal-OSHA 5193)

*Cardiopulmonary Resuscitation (CPR), 4 hours* – A CPR refresher course must be completed every three years. Personnel whose duties are “primarily clerical or administrative” for at least 90 percent of their total monthly work hours are exempt. (13518 PC)

*Domestic Violence* – Deputies assigned to patrol duties who respond to domestic violence calls for service or incidents shall complete a domestic violence refresher course once every two years. Patrol School meets this requirement. (13519

PC).

*Electronic Surveillance (Wiretap)* – Anyone assigned to intercept and record wire communication (wiretaps) must be certified prior to conducting a wiretap. They must be recertified once every five years. (629.94 PC)

*First Aid, 8 hours* – A first aid refresher course must be completed every three years. Personnel whose duties are “primarily clerical or administrative” for at least 90 percent of their total monthly work hours are exempt. (13518 PC)

*Human Trafficking* – Deputies assigned to field or investigative duties shall complete a 2-hour training regarding the handling of a human trafficking incident within six months of assignment. (13519.14 PC)

*Respirator Mask* – Each employee issued a respirator mask shall receive annual fit-testing and training in the use and care of the respirator mask. (Cal-OSHA 5144)

*Racial Profiling* – All sworn personnel must attend once every five years. (13519.4(i) PC)

*Cultural Diversity* – All sworn personnel must attend once every five years. (13519.4(i) PC)

*Supervisor's Sexual Harassment* – Every supervisor must attend once every two years. (AB 1825)

*Recurring Vehicle Pursuit* – All sworn from the rank of lieutenant and below must complete this training before July 1st of every year. (13519.8 PC)

## One Time Training

*Intoxilyzer and Intoximeter* – This training is required for all personnel who use these devices for blood alcohol measurements. (Title 17, California Code of Regulations)

*Radar* – This training is required for all deputies who use radar in traffic enforcement. (40802 VC)

*Basic Traffic* – This training is required for all deputies that investigate traffic collisions. (40600 VC)

*Sexual Assault, 24 hours* – This training is required for all sexual assault investigators within six months of assignment. (13516 PC)

*NCIC User, 4 or 6 hours* – For all users of J.D.I.C. terminals to access any local,

state, and federal crime information system. MDT training fulfills this requirement for all “Less than Full Access Users.” (California Department of Justice)

*High Technology Crimes & Computer Seizure, 4 hours* – For all supervisors of the rank of sergeant or above assigned to field or investigative duties within 18 months of assignment. (13515.55 PC)

## DEPARTMENT MANDATED

### Recurring Training

*Handgun Qualification* – Every member through the rank of Chief must qualify with specified on-duty firearm. (3-02/050.65)

*AR-15 Refresher* – For all deputies who use and carry the AR-15 rifle, they must attend the AR-15 Certification training and qualify to carry and use the AR-15 rifle prior to its deployment. Certified personnel must complete this course once per year to maintain certification. (5-09/170.10)

*Bailiff Orientation* – Deputies assigned to Court Services are required to attend the 40-hour Bailiff Orientation program within one year of assignment to Court Services.

*Entry Training for Detectives* – Detectives shall attend recurrent “tactical entry” training at least once per year, with training at the Tactics and Survival (TAS) training facility at least biennially. On alternating years, teams may develop comparable scenario-based entry training with guidance from Advanced Officer Training (AOT), Special Enforcement Bureau (SEB), or other qualified instructors.

*Emergency Operations Center (EOC)* – Each station shall conduct a minimum of one, four-hour EOC exercise annually. This requirement may be satisfied by participation in a Department exercise, unit-level training, or an actual emergency requiring activation of the EOC.

*Rapid Response or Active Shooter Practical Application* – All units/stations that could potentially respond to this type of incident shall host a one, eight hour training day annually. Outside entities, which the unit/station would work with in the event of a critical incident, should be included in the training day.

*Rapid Response or Active Shooter or School Safety Practical Application Training* – Every member through the rank of lieutenant at all units/stations that could potentially respond to this type of incident shall participate in at least one practical application training while assigned to that station/unit.

*Rapid Response or Active Shooter or School Safety Yearly Refresher Training* – Every member through the rank of lieutenant at all units/stations that could

potentially respond to this type of incident shall attend a yearly refresher course. Participation in the practical application or Tactics and Survival's Enhanced Active Shooter course are acceptable for the yearly refresher course.

## One Time Training

*Analytical Interviewing* – For all detectives, preferably within one year of assignment to a unit-level detective unit or specialized investigations team (e.g. Safe Streets Bureau Detective Bureau, Transit Services Bureau Detective Bureau, Parks Bureau Detective Bureau, Jail Investigation Unit, et cetera).

*Detective Mentoring Program* – The Detective Commander shall assign a supervisor in the detective unit to oversee the newly assigned member's orientation and training. All sworn personnel entering a detective unit assignment shall be trained in all the areas contained on the LASD Detective Mentoring/Training Program worksheets.

*Detective Basic Investigations* – Newly assigned detectives and supervisors shall complete the "Basic Investigator" course during their initial year assigned to a detective unit. Detectives assigned to the detective unit for over two years prior to the implementation of this policy are exempt from this requirement, provided they have completed the Department approved search warrant training course.

*Detective Intermediate Investigations* – Intermediate level detective training is required within three years of assignment to an investigative unit.

*Detective Unit or Crime Specific (Advanced) Investigations* – Detectives assigned to specialized units shall complete appropriate advanced courses relevant and necessary for the performance of their duties, to include:

- Cal-Gangs (JIU, OSJ and Operations Safe Street detectives);
- Gang Investigations School (JIU, OSJ and Operations Safe Street detectives);
- Transit Policing (Transit Services Bureau Detective Bureau, Metrolink Detective Bureau); and
- Arson/Explosives Investigations (HSD/Arson & Explosives Detective Bureau).

*Detective Investigator/LARCIS Training* – Newly assigned detectives and civilian investigators shall attend the LARCIS "supervisory investigator level" course at the first available opportunity.

*Detective Supervisor/LARCIS Training* – Supervisors assigned to an investigation unit shall attend the LARCIS "supervisory level" course within the first year assigned to manage a detective unit.

*Detective Supervisor Introductory Audit* – Newly assigned unit-level detective supervisors shall accompany the inspection team during an annual unit-level

detective unit inspection for training purposes at a station/unit not their own, at the first available opportunity. This shall be completed within the first year assigned to supervise a unit-level detective unit (retroactive requirement for those not exempted by their Division Chief).

*DUI Checkpoint Planning and Management* – The supervising team leader and the supervising operations deputy at a DUI checkpoint shall attend the DUI Checkpoint Planning and Management course prior to supervising a DUI checkpoint.

*Field Training Officer (FTO) School* – This training is required for all Field Training Officers or potential Field Training Officers prior to receiving a trainee to train.

*Field Operations Sergeant* – For all sergeants assigned to their first tour of duty in Field Operations, or any sergeant returning to Field Operations after an absence of three years or more. Completion required within 12 months of appointment to a position within Field Operations. (Reserves are excluded)

*Field Operations Lieutenant* – For all lieutenants assigned to their first tour of duty in Field Operations, or any Lieutenant returning to Field Operations after an absence of three years or more. Completion required within 12 months appointment to a position within Field Operations. (Reserves are excluded)

*Respect Based Leadership* – All personnel must attend once.

*Leadership Development (DLI)* – all personnel must attend Session One (16 hours) once.

*Mobile Digital (MDT)/Mobile Digital Computer (MDC)* – This training is required for all personnel who have access to the Mobile Digital System(s). Users must attend CLETS/JDIC training within six months of obtaining MDC and CAD access. If personnel fail to complete this training, it may lead to suspension of CAD privileges including both the MDT and MDC.

New MDC users completing patrol school or the “MDC for Patrol” class are required to pass a practical application test (pass/fail) within 30 days of their assignment to a field unit. The test shall be administered by the MDC certified Field Training Officer or Master Field Training Officer.

Those personnel that attended the MDC Transition Class during the initial Department deployment of the system are exempt from this requirement.

*Mobile Digital (CAD)* – All personnel with desk operations duties for patrol functions which includes the watch deputy, dispatcher, and complaint positions shall attend Desk Operations Training as soon as possible. Additional training is required for the watch deputy and dispatcher.

*Desk Operations for Patrol Functions* – All personnel with desk operations duties for patrol functions which include the watch deputy, dispatcher, and complaint positions shall be required to read the Desk Operations Manual, as well as take and pass the associated test, within the first 30 days of assignment. The completed test will then be placed into the employee's training file. Any employee scheduled to work a desk position on a temporary or relief basis shall meet with the watch commander prior to the employee's first shift to be briefed on the expected performance while assigned to the desk. The employee is required to read the Desk Operations Handout and sign a receipt acknowledging that they have received the handout prior to their assignment to the desk. The receipt will then be placed into the employee's training file.

*Traffic Investigator* – To be considered minimally qualified as a Traffic Investigator, the following courses shall be completed, at a minimum:

- LARCIS instructional course for investigators, at the first available opportunity;
- basic traffic investigation course;
- intermediate traffic investigation course;
- advanced traffic investigation course;
- radar certification course; and
- completion of the "Basic Investigator" course during initial year assigned.

*Traffic Supervisors* – To be considered minimally qualified as a Traffic Supervisor, the following courses shall be completed:

- LARCIS instructional course for supervisors, at the first available opportunity;
- basic traffic investigations course;
- intermediate traffic investigations course; and
- completion of the "Basic Investigator" course during initial year assigned.

## UNIT OPTIONAL TRAINING

All units shall provide training to personnel, whenever possible, which enhances competence and skills required to meet unit needs. The training may consist of formal training sessions and/or briefings as time and necessity dictates. Listed below are some examples of courses offered:

### Courses

*Ethics in Community Policing* – This training is available to all Departmental sworn personnel.

*Child Abuse/Neglect* – This training is available primarily to child abuse investigators. (13517(c) PC)

*Any Other Training* – Professional Development Training, team training for station sub units, station or unit training, et cetera. It may be provided by the Department, other law enforcement agencies, colleges, universities, professional associations, and other training organizations. Unit commanders shall encourage personnel under their command to participate in as much relevant professional development training as possible, provided station deployment and the Department training budget will support it.

A unit commander may authorize personnel to attend any professional development training in an on-duty status or in any other status where such time is compensated by the County of Los Angeles. Unit Commanders shall not approve requests to attend training which are not job specific. Job specific means training relating directly to the tasks performed by an employee during the day-to-day discharge of his or her duties. Unit training by unit personnel whenever such training appears to be more appropriate and cost effective for personnel assigned to a specialized unit (Arson, Special Investigations, Homicide, Data Systems, SEB, et cetera). Request for P.O.S.T.-reimbursement courses should normally have high priority than non-P.O.S.T.-reimbursed courses.

#### TRAINING – RESERVE PEACE OFFICERS, 60 YEARS OLD OR OLDER

Reserve peace officers 60 years old or older are not permitted to engage in general law enforcement duties, detective assignments, or other arduous assignments involving public safety without the approval of their specific unit commander. Reserve peace officers not engaging in the above arduous assignments are exempt from continuing professional training (CPT), intoxilyzer, combat firearms, driver's training, side handled baton refresher, and detective training, if applicable to their assignment. All reserve deputies are still required to participate in handgun qualification, first aid, cardiopulmonary resuscitation (CPR), and any other recurrent policy training. The station training staff shall keep training records for Reserve Peace Officer 60 years old or older.

#### UNIT COMMANDER RESPONSIBILITIES

Unit Commanders have the overall responsibility for the management of their unit's training. Management should be accomplished through setting priorities, allocating resources, and providing support, as well as monitoring and evaluating the program's results.

#### Training Records

##### Personal Training Files

All units shall maintain training files for individual employees which shall at least contain the following documents:

- printout of all training the individual has received;
- copies of P.O.S.T. certificates;
- copies of training certificates; and
- mandated tests.

No documentation that contains personal information such as social security number, date of birth, address, spouse's name, children's names, health/medical information, et cetera shall be included in these files.

#### Class Files

All units shall maintain training files for classes taught at the unit-level which shall at least contain the following documents:

- course Outline; and
- instructor Resumes

#### PERIODIC TRAINING REPORTS

Each unit shall report its progress in achieving the objectives specified in a manner and frequency specified by its respective Region/Division Chief.

Each station/unit shall report its Field Training Officer – Trainee status on a monthly basis. The report shall be titled Monthly Training Status. This report shall be due to the Field Training Officer Coordinator of the Region/Division no later than the 5<sup>th</sup> day of each month and shall include the status of the previous month's field training status.

#### FUNDING

Paid overtime shall not be used for employee participation in training, or to fill operational vacancies due to training without the authorization of the Division Chief and/or Division Director.

#### INSPECTION PROCESS

Each unit shall have their training program inspected by the Division's command personnel at least once a year. The specific nature of this inspection shall be at the discretion of the concerned Chief or Division Director. It shall include, at a minimum, a review of training records for compliance with training requirements. Additionally, each unit shall anticipate unannounced, periodic reviews of training records and specific training programs by their Division Commander.

Detective Bureau/Team commanders shall ensure the supervisor(s) maintain an accurate, up-to-date record of all training attended by full-time detective personnel using the approved "Training Matrix" format (Excel document provided in Department e-Forms).

### **3-02/080.02 TRAINING REQUIREMENTS FOR PROFESSIONAL STAFF**

#### **Training and Philosophy:**

Unit Commanders are responsible for providing professional staff with appropriate in-service training, and for facilitating attendance at both Department-sponsored and outside vendor training. Unit training staff have the responsibility for scheduling and actively encouraging professional staff training participation.

#### **Training Records:**

The Class/A.P.I.S. (Automated Personnel In-Service) roster shall be utilized for documenting and tracking all training. The APIS rosters shall be sent to the Education and Training Records Unit for entry in the Training Records System (TRS II). Unit Training Coordinators shall verify the entry of all training for professional staff in the Training Records System (TRS II).

#### **Mandatory Training:**

Training Coordinators shall ensure that professional staff meet the required POST mandates for their position. The Civilian Training Unit (CTU) maintains a list of mandatory training courses. Training specifically required for professional staff classifications includes:

Advanced Supervision for Professional Staff - A 40-hour course designed to enhance the skills and techniques of professional staff supervisors. The prerequisites for this course are; 1) the employee must be in a supervisory capacity, and 2) the employee must have taken "Basic Supervision for Professional Staff."

Basic Supervision for Professional Staff - An 80-hour course for first-line professional staff supervisors. Alternate supervisors may also attend this course.

Defensive Driver's Training - An 8-hour course for professional staff and mileage permittees.

Law Enforcement Technicians - A 40-hour course mandated for all newly assigned Law Enforcement Technician (LET) and Community Services Assistant (CSA) personnel. POST requires 24 hours of Continued Professional Training (CPT), scheduled by their unit of assignment, every two years for all LET's and Public Response Dispatchers.

Matron Training - An 8-hour course for all newly assigned Matrons.

Middle Management - An 80-hour course mandated for all Department managers (including professional staff managers). A professional staff manager includes any professional staff item or job requiring supervision of other personnel as a responsibility.

This course is available through an outside vendor.

National Crime Information Center (NCIC) User - A course mandated by the California Department of Justice for all users of any local, state and federal crime information system (such as JDIC). A 6-hour course is mandated for personnel who will input and access information. A 4-hour course is mandated for personnel who only have permission to access information.

Professional Staff Orientation - A 40-hour course for all professional staff employees that are newly assigned to the Sheriff's Department (both permanent and temporary).

Professional Standards - An 8-hour customer service class for professional staff employees. This is mandated by the Los Angeles County Board of Supervisors.

Public Response Dispatcher - A 120-hour course for entry level Public Response Dispatchers and Law Enforcement Technicians (LET) who work station desk operations.

Respect Based Leadership - An 8-hour course required once during the career. A 2-hour refresher course is required if promoted to a supervisory position.

Sexual Harassment for Supervisors (AB1825) - An 8-hour primary course is required of supervisors. In addition a 2-hour refresher course is required every two years.

#### Recommended Optional Training:

Drug/Alcohol Awareness for Supervisors - A 1-hour course for all Departmental supervisors (sworn and professional staff). Training available through Employee Support Services (ESS) and the Chief Executive Officer's Office on the Los Angeles County's Learning Management System (LMS).

Education Based Discipline (EBD) Training - Attendance in the 8-hour LIFE (Lieutenants Interactive Forum for Education) class can be mandated in lieu of discipline.

### **3-02/080.05 V.A. APPRENTICESHIP PROGRAM**

Veterans eligible for educational benefits may apply up to a maximum of 18 months of their benefits for financial reimbursement as trainees of this Department.

Only new employees can apply for any part of the total program within the following limitations:

- Deputy Personnel
  - combined academy and custody training and service up to one year maximum; and

- patrol training up to a six-month maximum.

Deputy Sheriffs who are assigned from the academy directly to the field instead of a custody facility are not eligible for the entire 18-month program. They are only eligible for Academy time (approximately five months) and six months in the field.

Veterans who believe they are eligible for educational benefits should contact the Veteran's Administration to ascertain their rights.

### **3-02/080.15 EDUCATIONAL ADVANCEMENT PROGRAM**

The County Code provides for a program whose objectives are:

- to provide Deputy Sheriffs with the educational tools needed to improve skills in front-line law enforcement;
- to enable Deputy Sheriffs to meet the increasing need for greater community understanding and effectiveness; and
- to encourage Deputy Sheriffs to continue their formal education with County financial assistance.

The Sheriff shall set training and education standards and administer the program, except the budgetary aspects of the program are subject to approval by the Chief Administrative Officer.

Any member of the Sheriff's Department in the following classifications are eligible for participation in this program:

- Deputy Sheriff Trainee through Division Chief;
- Deputy Sheriffs (without compensation), but only those personnel in this classification who are required by the Sheriff to attend Department classes; and
- Civilian personnel, but only personnel in those classifications who are required by the Sheriff to attend Department classes and who are permitted by the Sheriff to attend certain Advisory Board approved classes.

The school or college attended must be accredited, and the course must meet the requirements of the Department's Educational Advancement Program.

Eligible employees are covered as follows:

- an employee is eligible for two classes of training per semester for two semesters per fiscal year and for the number of required textbooks for the designated four classes per fiscal year;
- an employee is eligible for reimbursement for two courses of training for two quarters or semesters per fiscal year and for the number of textbooks required for the designated four courses per fiscal year; and
- an employee is eligible for reimbursement for two trimesters of training per fiscal

year for those designated schools on the trimester system and for reimbursement for the number of required textbooks per fiscal year for said trimester.

Employees shall take the training on their own time unless the employee's Division Chief or Division Director shows to the satisfaction of the Sheriff that the interest of the County requires otherwise in accordance with the training policy of the Board of Supervisors.

The above courses of training includes graduate and undergraduate attendance at a college or university and are limited to the current tuition fees charged by state colleges and universities.

NOTE: The County Code provides that each Department Head may appoint a Departmental Training Advisory Committee to assist him in the planning and administration of the Tuition Reimbursement Program.

When the Sheriff requires attendance at the given class, he may approve pre-payment of all required fees, books, and supplies for those personnel assigned to attend such class.

Upon completion of the approved course, the County shall reimburse the employee up to the current allowable amount for required fees, books and certain required supplies, if:

- he files a claim on the Application for General Education Reimbursement (SH-AD-506), as required by law, and said claim includes an original receipt or copy of canceled check (both front and back) proving the payment of the fees by him and a certification that he completed the course for credit, with a passing grade of not less than C; and
- he is still in the service of the County.

A refund will not be made for student activity fees and other special student assessments except at state schools where such charges are mandatory. Except in the case of retirement, if an employee terminates his employment within one year of the date of completion of the course for which he has been reimbursed, he shall return the amount of such reimbursement to the County. This amount may be collected by deduction from the employee's last salary warrant.

A refund will not be made for any costs or expenses reimbursed out of any federal or state educational benefit program; however, refunds may be made in specific cases where there exists a difference between the allowable grant maximum and the college required fee.

Except in the case of retirement, textbooks shall be returned to the Sheriff in the event an employee terminates his County service within one year from the completion of the course.

### **3-02/080.20 SPECIAL INSTITUTES AND SEMINARS**

Requests for attendance at any training program must be submitted a minimum of eight weeks in advance of the opening date of the program. Late requests will be subject to rejection. A Request for Approval of Training (Form SH-AD-591) shall be submitted to the Advanced Training Bureau by the employee's Unit Commander after securing the approval of the concerned Division Chief or Division Director.

Attached to the request shall be the training brochure for the requested institute or seminar. The Unit Commander shall also specify whether attendance is to be on county time or on the employee's own time. All other processing, including securing other approvals, will be handled by the Advanced Training Bureau.

The Advanced Training Bureau will notify the concerned employee of the approval of the request. If training is approved, the Unit requesting training will make the necessary attendance reservations and will request billing for tuition costs.

With prior approval, and upon completion of the training, the employee shall submit a claim on an Expense Claim (Form 76E928) for any allowable expenses for meals, mileage or lodging for which he personally paid. These forms may be obtained from Advanced Training Bureau.

The completed form with all lodging receipts attached must be signed by the Unit Commander of the employee's Division and returned to Fiscal Administration.

The Advanced Training Bureau will also furnish the Confirmation of Attendance form. This form is to be completed at the conclusion of training and signed by the employee's Unit Commander. If this form is not forwarded to the Advanced Training Bureau, the training will not be entered into the Training Records System (T.R.S.).

### **3-02/080.25 IN-SERVICE TRAINING**

The Department offers a wide variety of in-service training to enhance law enforcement professionalism.

Training Bureau:

- develops and coordinates Department in-service training programs/schools in compliance with POST's Continuing Professional Training requirements;
- researches, develops and updates the training curriculum and other material utilized for in-service training;
- develops, coordinates and administers civilian training programs;
- develops, schedules and administers computer training programs;
- conducts the Department's Emergency Vehicle Operations Course;
- produces training videos and tapes and maintains the Department film library; and
- develops, schedules, and administers schools that were instituted in response to

an identified need to provide specific training for Department personnel.

Training Coordinators from Training Bureau shall utilize Department subject matter expert instructors from all divisions of the Department so that up-to-date information may be provided to students.

Participation of qualified personnel as instructors in Departmental schools shall be allowed and encouraged, except in those cases where an individual's participation causes an extreme identifiable hardship to the unit.

### **3-02/080.30 DRESS CODE POLICY FOR TRAINING ATTENDANCE**

Department personnel attending training courses, outside institutes and/or seminars shall wear appropriate professional attire, as specified by the training presenter (Advanced Training Bureau, Custody Training Unit, etc.).

### **3-02/080.35 POST INCENTIVE PROGRAM**

Employees classified Deputy Sheriff through Area Commander shall receive a basic POST bonus in accordance with their Memorandum of Understanding, and additional bonuses when attaining the Intermediate and Advanced POST Certificates. Other executive sworn personnel above the rank of Area Commander will receive POST compensation in accordance with the Safety Ordinance.

The bonus shall be in addition to the salary and considered as wages for all purposes other than the establishment of step placement upon promotion or demotion. The program replaces the accelerated step increases for POST.

The advanced step placement for AA OR BA Degrees will apply to entry level as a trainee.

#### **Longevity - Deputy Rank Only**

All employees receiving longevity pay on or before July 1, 1975, may either continue to receive it or exercise an option to receive the appropriate bonus for the Intermediate or Advanced POST Certificate in lieu of longevity. An employee shall not receive both longevity and a POST bonus. Deputies may receive longevity bonuses until June 30, 1977, and then may elect to retain such bonus without any further longevity pay increases for as long as they remain in a classification to which longevity has applied. After June 30, 1977, no employee may opt to change from the POST bonus to longevity; however, any employee who is receiving longevity pay may elect to receive any applicable POST bonus in lieu of longevity.

#### **To Apply for POST Bonus**

Eligible employees desiring to receive the POST bonus, as explained above, must submit a memorandum to Advanced Training Bureau, Professional Standards & Training Division, Attention: POST Coordinator, requesting the bonus and include the following information:

- name, employee classification and employee number;
- date employed as a Deputy Sheriff;
- Unit of Assignment;
- POST certificate; and
- if now receiving a longevity bonus, indicate the percentage amount and a statement that you are exercising the POST Incentive Program option in lieu of longevity.

Please note "POST Incentive Program" on the envelope.

#### Employee Responsibility

The Advanced Training Bureau will forward a certified copy of the appropriate POST Certificate to Personnel Administration for filing. It is the responsibility of each employee to verify that a certified copy of the appropriate POST Certificate is in their personnel file located in Personnel Administration, Vault Services, for verification.

#### **3-02/080.40 PARTICIPATION IN WORK EXPERIENCE EDUCATIONAL PROGRAM**

Members taking a class wherein their course work requires that they spend a period of time, on or off-duty, either within their own Unit of assignment or another element of the Department, shall advise their Unit Commander in writing prior to such activity.

Members anticipating involvement with another Unit shall request the approval, through channels, from that Unit's Commander. The request shall include a statement of the member's course objectives and desired scope of activity. Unit Commanders shall review each request as to propriety and his Unit's ability to accommodate the member. The Unit Commander shall, through channels, advise the member of his approval or disapproval of the request.

Supervisors to whom these members are assigned for training and/or evaluation purposes shall complete any evaluations required by the concerned college or university. Two copies of the member's final evaluation shall be sent to the Commander of the member's home Unit. The Unit Commander shall forward one copy of this evaluation to the member's Division Chief or Division Director.

#### **3-02/085.00 EVALUATING EMPLOYEE PERFORMANCE**

Unit Commanders are responsible for ensuring that subordinates receive timely evaluations and are appropriately apprised of their supervisors' assessments of their performance. Unit Commanders shall ensure that appropriate categories of documentation are utilized to record performance observations and that such documentation is referred to for the purpose of performance discussions with employees.

### **3-02/085.10 EMPLOYEE PERFORMANCE RECORDS**

Documentation about a given employee's performance may be found in the following sources:

- Department personnel folder
- Unit personnel folder
- Unit performance log
- Automated Personnel Performance Databases

#### Department Personnel Folder

The Department personnel folder comprises the file of personnel records maintained in a centralized location by Personnel Administration. (See section 3-02/020.10 Personnel Folders.)

#### Unit Personnel Folder

The Unit personnel folder is a decentralized extension of the Department folder. The Unit personnel folder is maintained at, and by, the employee's Unit of assignment, and is transferred from Unit to Unit as the employee transfers. If an employee leaves the Department, the Unit personnel folder shall be sent to Personnel Administration.

#### Unit Performance Log

The Unit performance log is comprised of interim supervisory notations about employee performance during a given rating period. The purpose of the Unit performance log is to document supervisors' observations about performance and supervisor/employee discussions about performance (goals, strengths/weaknesses, career guidance, etc.).

Use of the Department's designated unit performance log entry form is required. Forms created or modified in any way by Department bureaus, facilities, stations, or units shall not be used.

The documentation on a given employee in the Unit performance log shall be shown to, and discussed with, the employee by the supervisor who recorded it, who shall obtain the employee's signature as evidence that the employee saw the documentation.

NOTE 1: If the employee refuses to provide a signature acknowledging awareness

of the documentation, the supervisor shall have another supervisor witness the refusal. Both supervisors shall sign the documentation.

Performance log documentation may be referred to in the employee's current performance evaluation, after which all the past rating period's notations shall be removed from the log and new notations only, shall be entered for the next rating period.

NOTE 2: Expired documentation shall be maintained at the Unit until the evaluation process is complete, and shall then be destroyed.

### Automated Personnel Performance Database

The Department maintains records on specific incidents relating to personnel performance in several automated databases.

### **3-02/085.20 AUTOMATED PERSONNEL PERFORMANCE DATABASES**

The following categories of records are maintained in automated databases commonly referred to as the Personnel Performance Index (PPI).

- administrative investigations (including preventable traffic collisions);
- public commendations and complaints (Service Comment Reports);
- force review documentation;
- shooting review documentation;
- lawsuits;
- civil claims; and
- Pitchess Motions.

The databases supplement the other personnel information which is maintained in each employee's Unit or Department personnel file and which is not indexed in a data base, such as evaluations, internally-generated commendations, transfer information, etc. The databases also do not index any records kept in Unit performance logs.

The information stored in these databases is combined into summary documents commonly referred to as "PPI printouts."

### **3-02/085.30 MANAGEMENT GUIDELINES**

The PPI databases, including the PPI Profile Report and the Supplementary Profile Report, provide managers and executives with readily accessible documentation in summary form about certain categories of incidents, including but not limited to all uses of force, shootings, citizen's complaints, administrative investigations, criminal investigations or prosecutions, civil claims, civil lawsuits, Pitchess Motions, and

disciplinary history. However, the databases do not contain or produce complete performance information about any employee.

Supervisors, managers, and executives shall consult such databases, including the PPI Profile Report and the Supplementary Profile Report. Supervisors, managers, and executives shall in addition remain aware that the process of counseling, evaluating or appraising the performance of an employee depends not only on reports, statistics, and documentation available from the Personnel Performance Index, but also on the personnel folder and the unit performance log as well as other manual or automated information that is maintained or may in the future become available respecting an employee's performance. Supervisors, managers, and executives are under an affirmative obligation to consult and consider such files and records as necessary and appropriate in addition to the Personnel Performance Index.

Managers and executives are accountable for using the Department's automated summary information as an aid or pointer to decide if and whether other appropriate documentation should be consulted and considered in connection with personnel decisions affecting employees.

In no circumstances shall managers and executives use the mere number of incidents shown on a profile or other report, or numerical formulas derived therefrom, as the whole basis for evaluation of or for personnel decisions affecting an employee. Managers and executives shall consider the nature of an employee's assignments and the units to which the employee has been assigned. Isolated instances of minor misconduct shall not be disqualifying for personnel decisions. Similarly, where five years has elapsed since the minor misconduct in question, and where no additional credible instances or patterns of inappropriate conduct have occurred in the interim, such isolated instances of minor misconduct shall be given little weight or disregarded, as appropriate.

On the other hand, credible instances and patterns of inappropriate conduct shall influence selection for assignments, promotion, personnel evaluation, and imposition or augmentation of discipline to the extent appropriate and permitted by law. In the connection, a founded instances or a pattern of inappropriate conduct containing adverse findings concerning an employee's honesty, integrity, truthfulness, practice of discrimination or harassment against protected groups, or misuse of reportable significant force as defined at (3-10/100.00), conduct toward others, continuous discourtesy, or such other categories as the Sheriff may from time to time designate, shall be disqualifying for bonus positions, assignments to specialized units, and promotions to the extent permitted by law.

Except as limited herein, all data in the PPI or else-where shall continue to be available without limitation for purposes of risk management, analysis and avoidance of liability and exposure, identification of at risk employees, and non-punitive interventions of assist such employees.

### **3-02/085.40 UNIT COMMANDERS' RESPONSIBILITIES IN USING AUTOMATED PERSONNEL PERFORMANCE DATA**

Unit Commanders are required to regularly review the information produced by the automated personnel performance databases.

The databases allow several methods of analyzing information. Two of the most informative are analysis on the basis of categories of incidents and analysis on the basis of the individual employee's indexed incident records. Unit Commanders shall regularly examine the indexed documentation by category of incident, observing which employees present unusual patterns of incidents as compared to comparably assigned employees. Unit Commanders shall also regularly review individual employee indexed incident records, being alert to patterns or series of incidents which indicate the advisability of focused attention. Such patterns or series could include two or more incidents within a single category, or one or more incidents in each of several categories.

In evaluating the significance of patterns, series or minimum levels of incidents, the Unit Commander shall oversee or conduct a review of the details of the incidents documented in the automated databases and should normally also do the following:

- ensure that a review of the performance information in the employee's personnel file is conducted;
- ensure that a review of the performance information in the Unit performance log is conducted; and
- confer with the employee's supervisor(s).

Upon completion of this review, the Unit Commander shall discuss any concerns with or counsel the concerned employee as appropriate.

Unit Commanders are responsible for ensuring that the automated performance information ("PPI printout") on an employee is reviewed at the time of the writing of the performance evaluation, and that reference to the review is made in the evaluation narrative.

### **3-02/085.45 MIDDLE MANAGEMENT/SUPERVISORY RESPONSIBILITIES**

It is the policy of the Department that access to database records and full printouts shall be limited to the following categories of managers:

- Lieutenants and above;
- Assistant Directors and Acting Directors;
- Sergeants serving as Watch Commanders who are personally designated by the Unit Commander; and
- Sergeants in specialized Units/functions where necessary and when personally authorized by the Unit Commander.

The specific responsibility for being knowledgeable about the PPI performance records of subordinates rests at the middle management level, i.e., Lieutenants and Assistant Directors. In Units without a Captain/Director level/Unit Commander, the responsibility extends to specifically designated lower ranking supervisors at the discretion of the Unit Commander, with the approval of the Division Chief or Division Director.

In all cases, the concerned Unit Commander retains the responsibility and will be held accountable for personnel decisions which stem from analysis of PPI documentation.

Middle management level personnel are responsible for furnishing lower level supervisory personnel with PPI documentation which is limited to the current rating period, for their use in evaluating employee performance and in employee development, counseling, etc.

### **3-02/085.50 EMPLOYEE REVIEW OF AUTOMATED PERSONNEL PERFORMANCE INFORMATION**

Unit Commanders are responsible for ensuring that each employee has an opportunity to review the number and the nature of incidents pertaining to that employee which are indexed in the automated databases at the time that employee's performance evaluation is being prepared. The rater shall note, in the performance evaluation, the date the review was conducted and the name of the individual who discussed the information with the employee.

Upon request at any time, an employee may review the automated summary information pertaining to that employee, which is indexed in the automated databases.

### **3-02/085.60 PERSONNEL MANAGEMENT ISSUES**

The process of evaluating employee performance is a key component of personnel management decisions concerning transfers and promotions.

All appropriate performance records, including those indexed in the automated databases, shall be reviewed prior to transfer and promotion decisions being made, including bonus selection decisions. Such reviews must include consideration of the employee's specific assignments, duties, Units and shifts as compared to those of other similarly situated employees and as contrasted with employees not similarly situated.

### **3-02/085.65 PROCEDURE FOR USE OF AUTOMATED PERFORMANCE IN THE TRANSFER REQUEST PROCESS**

A review of automated employee performance information is an important part of the

process of screening prospective applicants for transfer into a given Unit. In order to ensure valid evaluation of the information, the following procedure shall be adhered to.

Units which are in the process of screening applicants may request copies of employee profile reports from the applicants' Unit of assignment. The authorized manager at the Unit of assignment shall review each report requested with the concerned employee, verifying its accuracy. He shall then provide the report(s) to the requesting manager/supervisor.

Each supervisor/manager conducting background checks on prospective applicants for transfer is responsible for using employee profile report information (PPI printouts") as outlined herein; that is as a basis for determining when to examine appropriate documentation and to personally discuss an employee's performance with knowledgeable current and past managers/supervisors.

In any case in which the information on an employee profile report appears to indicate performance history which might adversely affect the employee's level of acceptability, the supervisor or manager responsible for the background check shall contact the employee's Unit of assignment and arrange an in-person conference to discuss the employee's "PPI printout" and to review files. The meeting shall be with the appropriate supervisor/manager(s) who is/are authorized access to the employee's PPI records and who is/are knowledgeable about the facts concerning the significance of the incidents indicated on the employee profile report. The meeting shall involve the review of actual files.

All parties to the conference are responsible for ensuring that the performance information used in the background check is comprehensive and objective, and that decisions about the candidate's suitability are not made solely on the basis of the number of incidents reflected on the "PPI printout."

### **3-02/085.70 CORRECTION/REMOVAL/MODIFICATION OF RECORDS IN THE AUTOMATED PERSONNEL PERFORMANCE DATABASE**

All requests for correction/removal/modification of records in the database(s) shall be submitted in writing, from the Unit Commander/Director of the concerned employee, complete with explanation/justification, through the concerned Division Chief or Division Director, to the Chief of the Internal Investigations Division.

### **3-02/085.75 PROCEDURES FOR USING THE PERSONNEL PERFORMANCE INDEX PROFILE REPORT**

Department personnel with access to the Personnel Performance Index (PPI) employee profile reports shall be familiar with applicable laws governing how employee information may be used. Pursuant to 832.5 PC, complaints by the public deemed "unfounded" or

“exonerated” shall not be used for any official determination regarding promotion, transfer or disciplinary action and shall be removed from the employee’s PPI “Profile Report.” No punitive action, nor denial of promotion on grounds other than merit, shall be taken for any allegation of misconduct if the investigation exceeded one year (excluding exceptions in Government Code Section 3304). Such cases are listed in the personnel’s “Discipline” section as “Government Code 3304.”

### **3-02/090.00 PERFORMANCE EVALUATIONS**

The Civil Service rules outline the procedures covering performance evaluations. Unit Commanders shall ensure fair and accurate evaluations under the rating standards set forth by these rules. Ratings shall be for performances commensurate with the employee's current classification.

When a rating other than "Competent" is given, the rating must be fully substantiated in writing before it will be accepted by the Commission. The following guidelines shall apply:

- Outstanding

all work performance is consistently above the standards of the position, and a substantial part of the work performance exceeds supervisory and management expectations most of the time. This rating must be documented by specific descriptions of how the employee's accomplishments benefitted the service of the Department and the standards of performance expected by the Department for the position;

- Very Good

a substantial part of the work performance is well above the standards of performance required for the position and all other parts of the performance are at least "Competent." Factual evidence must be presented in writing to substantiate this rating;

- Competent

work performance is consistently up to or somewhat above the standards of performance required for the position. This is the performance which is expected of a trained and qualified employee;

- Improvement Needed

this rating is given when a significant part of the employee's performance is below the standard required for the position and it is anticipated that the employee can bring his performance up to acceptable standards. Factual evidence must be

presented in writing to substantiate this rating.

A plan for improvement should be given to the employee to cover the period subsequent to the rating.

When this rating is given, a new evaluation must be made within a period not to exceed six months from the day on which the employee is served with the "Improvement Needed" evaluation.

If the employee fails to achieve a competent level of performance by the end of the new rating period, an "Unsatisfactory" rating must be given and followed by either discharge or reduction in classification; and

- Unsatisfactory

when this rating is given, an employee shall either be discharged or reduced in classification. This rating should be given when:

- a substantial part of the work performed is inadequate and definitely inferior to the standard of performance required for the classification;
- the employee has failed to improve his performance in factors previously rated for "Improvement Needed;" and
- an employee of this Department has committed an act of sufficient seriousness to destroy his value to the Department or to County Service.

The latter reason would include "off-duty" conduct resulting in discharge, in which case, the employee would be rated "Unsatisfactory" under "Observance of Rules and Regulations." Under such circumstances, the employee may be rated "Competent" under the remaining factors relating to his performance and still receive an overall "Unsatisfactory" rating.

Ratings of efficiency of performance shall be made for permanent employees at least once each year beginning and ending on their current item anniversary dates, and for recurrent employees at the close of each seasonal work period. Performance Based Pay participants should be evaluated in accordance with the Chief Administrative Office guidelines. A revised rating may be submitted by the employee's supervisor at any time during the year upon evidence of changed work habits or performance on the part of an employee. No rating need be made for temporary employees.

### **3-02/090.05 "IMPROVEMENT NEEDED" OR "UNSATISFACTORY" RATING - PERMANENT EMPLOYEE**

When a rating of "Improvement Needed" or "Unsatisfactory" is to be given to an employee who has permanent status in his classification, an evaluation of performance must be completed, approved and received by Personnel Administration at least 30 days prior to

the end of the rating period. On an "Unsatisfactory" rating, Personnel Administration will then initiate a letter of intent to either discharge or demote. The appeal procedure outlined in the letter of intent in no way negates the normal appeal privileges as outlined under the Civil Service Rules.

### **3-02/090.07 PROBATIONARY EMPLOYEES - UNIT COMMANDER'S RESPONSIBILITIES**

It is a fundamental responsibility of every unit commander to take an active role in the performance of subordinate employees and develop ongoing strategies to enhance their professional performance. Unit commanders are uniquely qualified to help form the values, shape the beliefs, and develop the character of subordinate personnel, especially probationary employees. Unit commanders are expected to not only set unit objectives, goals, and priorities, but also establish individual performance objectives to ensure every subordinate employee understands and meets the Department's expectations.

A probationary employee's initial assignment is in many ways an extension of their academy training. They should continue (and expect) to be challenged and confronted to further refine their decision-making skills. Conduct that is inconsistent with the high standards established by this Department will not be tolerated.

#### **UNIT COMMANDER'S RESPONSIBILITIES**

Within ninety (90) days of a probationary employee's initial assignment to any unit, unit commanders shall review the employee's initial work habits, performance, and training records. Unit commanders shall pay particular attention to issues such as honesty, integrity, trustworthiness, and character, and any other characteristic that would enable the unit commander to determine if the probationary employee is truly suited for a career in law enforcement.

Unit commanders have an affirmative duty to initiate remedial action when a probationary employee's performance is inconsistent with the Department's Core Values or fails to meet the minimum requirements established for their position. Unit commanders shall immediately initiate remedial action when an employee demonstrates performance or work habits that are inconsistent with the Department's Core Values or fails to conform to the work standards established for the probationary employee's rank or position (for further information refer to section 3-01/050.10, Performance to Standards). This shall include, but is not limited to, cases wherein a probationary employee is named as a subject in any criminal or administrative investigation initiated by this Department or any other law enforcement agency.

**NOTE:** This does not preclude a unit commander from initiating a comprehensive review of a subordinate's work product any time an employee begins to demonstrate behavior(s) that is/are inconsistent with the Department's Core Values and/or established standard of conduct.

## PROBATIONARY EMPLOYEE UNDER ADMINISTRATIVE/CRIMINAL INVESTIGATION

Any time a probationary employee becomes the subject of an administrative or criminal investigation initiated by this Department or any other law enforcement agency, the following steps shall be followed:

- the Unit Commander shall immediately review the allegation(s) to determine their seriousness and validity;
- the Unit Commander shall review the probationary employee's initial employment application, background investigation, and any other supporting documentation and assess the documents for evidence of a trend or pattern that would indicate a correlation between undesirable pre-employment behavior and current behavior;
- in every case, the employee's probationary status shall be reviewed by the concerned Division Chief or Division Director and the Undersheriff for the purpose of determining if the probationary employee shall complete the probationary period. This shall be accomplished prior to the completion of the current probationary period and, in most cases, should be accomplished prior to the completion of the pending investigation; and
- if the circumstances warrant the probationary employee be relieved of duty or placed on a modified duty status, the probationary period shall be extended for the length of time they were relieved of duty or assigned to a modified duty status.

### **3-02/090.10 PROBATIONARY EVALUATION**

Probationary employees must be evaluated at least once prior to the end of their period of probation. It is the policy of the Civil Service Commission that all probationary employees be kept informed of their supervisor's evaluations of their performance, particularly of those areas of performance in which improvement is needed.

Probationary employees must be kept informed through both formal and informal means of communication. In the event that a probationary employee's performance is substandard, it is imperative that communication with that employee include one or more interim report of performance.

The Commission will not consent to the discharge or reduction of a probationer when it is established that inadequate communication contributed to the employee's failure to meet performance standards.

A "Competent" probationary evaluation may be grieved. The guidelines for processing, as established in section 3-02/090.30, under "Competent" or "Very Good," shall be followed.

The following shall be the guide for the required signatures for the probationary evaluation.

- Rater - Supervisor who evaluates the employee;
- Reviewer/Department Head - Unit Commander; and

NOTE: Only Captains, Directors and above will sign as the Department head,

- Employee - employee being evaluated.

An "Unsatisfactory" probation evaluation is not grievable. After the evaluation has been reviewed and signed, it will then be discussed with the employee. After the employee has signed the evaluation, copy 4 will be given to him. Should the employee refuse to sign the evaluation, the rater will write "REFUSED TO SIGN" in the employee's signature space and initial and date it. Copy 3 will be placed in the employee's Unit file and copies 1 and 2 shall immediately be sent to Personnel Administration.

The following shall be the guide for the required signatures for an Unsatisfactory probationary evaluation:

- Rater - Supervisor who evaluates the employee;
- Reviewer - Division Chief or Division Director under whom the employee is assigned;
- Department Head - Sheriff, Undersheriff, or Assistant Sheriff(s); and
- Employee - employee being evaluated.

All final performance evaluations on probationary employees must be completed and forwarded to Personnel Administration 30 days prior to the end of the probationary period. If an "Unsatisfactory" rating is anticipated, written notice of intent to discharge or reduce classification must be served on the employee and must be effective before midnight on the last day of the probationary period, prior to the consideration of the rating by the Civil Service Commission.

### **3-02/090.15 TRANSFERRING OR TERMINATING EMPLOYEES**

When an employee transfers within the Department, a performance evaluation shall be completed covering the time period from the date of his last evaluation through the date of his transfer.

A performance evaluation, covering the time period mentioned above, shall also be written for employees who transfer to another County agency or who terminate employment with the County.

Unit Commanders shall be responsible for the expeditious completion of a final performance evaluation, including his written recommendation regarding reemployment of the terminating employee. When time constraints permit, the employee shall review and sign the final performance evaluation prior to termination. Otherwise, the final

evaluation shall be submitted to Personnel Administration within 20 days of the employee's termination date.

In accordance with Civil Service Rules, when a final rating of "Unsatisfactory" is given to a terminating employee, the evaluation must be approved and the employee notified of the results within 30 days after the date of termination. Failure to complete the process within the thirty-day period will negate the "Unsatisfactory" evaluation, and the previous rating received by the employee will stand as the rating of record.

### **3-02/090.17 GUIDELINES FOR PERFORMANCE EVALUATION NARRATIVES**

The performance evaluation narrative shall explain/justify the ratings given to an employee using examples of performance which occurred during the rating period.

It is not appropriate to include language in an evaluation narrative that addresses an employee's medical/psychological history, problems, or status.

Unit Commanders are responsible for ensuring:

- an employee whose specific actions demonstrate the principles of Respect Based Leadership receives special mention in the evaluation narrative;
- an employee's compliance with the Department's Policy of Equality is discussed with the employee and the discussion noted in the evaluation narrative;
- section 3-02/290.12, Preparation For And Completion Of Duties, is discussed with an employee and the discussion noted in the evaluation narrative;
- an employee's Personnel Performance Index (PPI) Profile Report is discussed with the employee and the discussion noted in the evaluation narrative. The PPI Report shall be attached to the performance evaluation;
- an employee has reviewed their Employee's Personal Information - Supplemental Form SH-AD-91A for current information and the review noted in the evaluation narrative;
- an employee has reviewed their Department beneficiary information for current information and the review noted in the evaluation narrative (employees should be referred to the Return to Work Unit's website located on the Intranet for a listing of contacts and procedures for changing their beneficiaries);
- an employee holding the rank of Deputy Sheriff is informed of the existence and availability of Coveted Positions within the Department and the discussion noted in the evaluation narrative;
- a California Department of Motor Vehicles (DMV) driver's history record is reviewed for an employee who operates County vehicles or uses their own vehicle for County business. Driver License status shall be noted in the evaluation narrative. The DMV driver's history printout shall be attached to the performance evaluation;
- an administrative investigation(s) for which an employee has received a letter of imposition is/are noted in the evaluation narrative covering the year in which

- discipline was imposed; and
- the extent to which an employee's behavior reflects the Department's established Core Values is documented.

The following are examples of required notations in the evaluation narrative:

- (employee's name) attended and completed the Department's Equity Training and he/she clearly follows the principles taught in the course;
- (employee's name) and I have reviewed their Personnel Performance Index (PPI) Profile Report and found it to be accurate;
- (employee's name) and I have reviewed Section 3-02/290.12, Preparation For And Completion Of Duties, and (employee's name) expressed understanding of the policy;
- (employee's name) has reviewed their Unit personnel file and found their personal and beneficiary information to be current;
- (employee's name) and I have discussed the existence and availability of Coveted Positions within our Department. (Name) was referred to the Bureau of Labor Relations and Compliance Intranet site for additional information;
- (employee's name) received a (number)-day suspension imposed (date to date) for violation(s) of Manual of Policy and Procedures Section(s) (number(s)) which occurred on (date);
- (employee's name) possesses a valid California Driver License which expires on (date);
- (employee's name) has a current California Registered Nurse or Physician License Number (number) which expires (date) and a current specialty license or certification which expires on (date); and
- (employee's name) and I reviewed and discussed the Department's Core Values. (Name) performed in a manner that exceeded Department expectations.

### **3-02/090.18 EMPLOYEE ABSENCE DURING THE RATING PERIOD**

When an employee is off work for a significant period of time but has worked at least 10 days, a performance evaluation form should be completed with the appropriate ratings given of the employee's performance during the time the employee worked. A supervisor should complete the rating factors/categories and assign an "Overall Rating" as well.

A performance evaluation narrative should support the ratings given for the rating period and may include the following statement, if applicable, to address the significant period off work:

"This employee has been absent from work on an authorized leave from \_\_\_\_\_ to \_\_\_\_\_ (dates) during this evaluation period. The employee has not performed work to evaluate during that absence."

If an employee is off work for the entire evaluation period, a performance evaluation may be completed as follows:

- no ratings should be given in any of the rating factors/categories or in the "Overall Rating;" and
- a statement should be used in the narrative such as one shown above. If the foregoing narrative statement seems inappropriate, call Employee Relations/Advocacy Services for a recommended narrative.

### **3-02/090.20 RESPONSIBILITY FOR EVALUATION**

Unit Commanders are responsible for rating the performance of their subordinates at least once in each calendar year.

Permanent employees who are below the top step of the salary range and who are eligible for an annual step advance will be granted the advance only when a "Competent" or better performance evaluation has been filed at least one month prior to the employee's step advance anniversary date; however, if Personnel Administration does not receive a performance evaluation prior to the employee's step anniversary date, the employee will be deemed Administratively Competent and therefore, will be granted the step advance. Any grievances related to this provision will be processed separately from other Department grievances in accordance with a special procedure outlined in the applicable Memorandum of Understanding (MOU). Any questions should be directed to Employee Relations/Advocacy Services.

A performance evaluation shall be prepared any time an employee's performance changes significantly, regardless of the date of the previous evaluation.

In order to expedite the processing of less than "Competent" ratings, Unit Commanders are requested to notify Personnel Administration immediately whenever an "Improvement Needed" or "Unsatisfactory" evaluation is forthcoming.

All performance evaluations should be sent to Personnel Administration, Attention: Alpha Processing Unit.

Additional detailed guidelines for performance evaluations are outlined in the Rater's Guide to Performance Evaluations.

### **3-02/090.30 SIGNATURES ON PERFORMANCE EVALUATIONS**

#### **"Improvement Needed" or "Unsatisfactory"**

When the overall evaluation is "Improvement Needed" or "Unsatisfactory," the completed performance evaluation shall be sent intact through the appropriate channels for review

and required signatures. The form will then be returned to the originating Unit. The Unit will contact Personnel Administration to advise them of the evaluation and the name of the employee who is to receive it. The evaluation will then be discussed with the employee.

After the employee has signed the evaluation, copy 4 will be given to the employee. Should the employee refuse to sign the evaluation, the rater will write "Refused to Sign" in the employee's signature space and place their initials next to the statement. The rater will then give the employee copy 4 of the evaluation. This will comply with the Grievance Procedure's time requirements.

The originating Unit will hold the evaluation for ten (10) business days, after which time copies 1 and 2 shall be sent to Personnel Administration and copy 3 will be placed in the employee's Unit file.

If the employee files a grievance, the evaluation must be held at the Unit until the grievance process is concluded.

The following shall be the guide for the required signatures:

- Rater - Supervisor who evaluates the employee;
- Reviewer - Division Chief or Division Director under whom the employee is assigned;
- Department Head - Sheriff, Undersheriff, or Assistant Sheriff(s); and
- Employee - employee being evaluated.

Unit Commanders and Area Commanders shall indicate that the contents have been noted by signing elsewhere on the front of the form.

#### "Competent" or "Very Good"

When the overall evaluation is "Competent" or "Very Good," the completed performance evaluation will be reviewed and signed. The rater will then discuss the evaluation with the employee, have him sign it, and give the employee copy 4. If the employee refuses to sign the evaluation, the rater will write "Refused to Sign" in the employee's signature space and place their initials next to the statement. The rater will then give the employee copy 4 of the evaluation. This will comply with the Grievance Procedure's time requirements.

The originating Unit will then hold the remaining copies 1, 2, and 3 of the evaluation intact for ten (10) business days prior to sending copies 1 and 2 to Personnel Administration and placing copy 3 in the employee's Unit file.

The following shall be the guide for the required signatures:

- Rater - Supervisor who evaluates the employee;

- Reviewer/Department Head - Unit Commander; and

NOTE: Only Captains, Directors and above will sign as the Department Head,

- Employee - employee being evaluated.

### "Outstanding"

When the overall evaluation is "Outstanding," the completed performance evaluation form shall be reviewed and approved by the Unit Commander. The Unit Commander shall sign the outstanding performance evaluation in the area designated as reviewer if a lower ranking person has signed as rater. If the Unit Commander is the rater, the Area Commander shall sign as the reviewer. The evaluation form shall be forwarded to the concerned Assistant Sheriff who will sign as the Department Head. The form will be returned to the originating Unit, at which time it will be formally discussed with the employee. After the employee has signed the evaluation, copy 4 will be given to the employee.

The originating Unit will hold the evaluation for ten (10) business days, after which time copies 1 and 2 shall be sent to Personnel Administration and copy 3 will be placed in the employee's Unit file.

The following shall be the guide for the required signatures:

- Rater - Supervisor who evaluates the employee;
- Reviewer - Unit Commander or Area Commander; and
- Department Head - appropriate Division Chief or Division Director under whom the employee was assigned during the rating period. The appropriate Assistant Sheriff(s) or Undersheriff will sign as Department Head on "outstanding" evaluations for sworn personnel at or above the rank of Lieutenant and civilian personnel at or above the Director level.

### **3-02/090.35 DRIVER'S LICENSE CHECK**

Employees who operate County vehicles or use their own vehicles for County business shall be required to maintain a valid California Class "C" Driver's License, or a license class appropriate to the type of vehicle driven.

At least once a year, when performance evaluations or probationary performance evaluations are to be written, it shall be the supervisor's responsibility to obtain and attach a driver's history printout from DMV to the report, and to visually inspect the employee's driver's license. Employees are responsible to notify their Unit Commander if their license status changes during the year.

The expiration date and license class shall be noted on the last line of the "Comments" section of the evaluation or probationary form.

Any evaluations forthcoming from a previous assignment shall be addressed to the new Unit Commander, not to the employee. It shall be the new Unit's responsibility at this time to check and note the validity of the license on this evaluation.

Additionally, it shall be the supervisor's responsibility to ensure that an Employee's Personal Information form (SH-AD-91) pursuant to section 3-02/020.05, if needed, has been submitted.

### **3-02/100.00 CLASSIFICATION**

The County Code outlines the regulations covering classification of positions in the classified service of the County.

Unit Commanders should be aware of the types of duties and the responsibilities of each position under their command. When a position has changed significantly in the types of duties performed and/or in the level of responsibility for the performance of those duties, the position may no longer be properly classified. Unit Commanders who find that such a situation has developed within their Unit should request, through their Division Chief or Division Director, that Personnel Administration conduct a classification study of the position or positions in question.

Unit Commanders are cautioned that an increase in volume of the same work with no appreciable increase in the level of difficulty or responsibility for the performance of the assigned duties does not constitute a reasonable basis for a change in classification. Sheer increase in volume of the same type of work should be addressed by submitting justification for an additional position to handle the increase in workload.

### **3-02/110.00 PROMOTIONS**

The County Code outlines the procedures involved in promotional examinations. The requirements for eligibility to file for a promotional examination are printed in the "Promotional Opportunities" bulletin issued by Personnel Administration at the time each promotional examination is announced.

When an Appraisal of Promotability is involved in an examination, the designated representative of the Sheriff shall submit such appraisal on the concerned employee through channels. The criteria to be considered in a promotional situation differs from that in a regular performance evaluation. In an "Appraisal of Promotability," the employee is being rated on how he will perform in a more responsible supervisory position or in a position requiring additional skills or requiring a greater degree of responsibility than is required in his present position. It is thus conceivable that an employee might be rated

weak in terms of promotability and yet be outstanding in terms of his present position.

### **3-02/120.00 PROBATIONARY PERIOD - DEPUTY SHERIFF**

Newly appointed, permanent sworn personnel shall serve a twelve-month probationary period. If a Deputy Sheriff leaves the Department prior to completing this initial probationary period and is later reinstated, the employee shall serve a new probationary period.

### **3-02/130.00 REINSTATEMENT/RESTORATION**

It shall be the policy of this Department, in conformance with Civil Service Rule #17, that personnel whose absence from County service exceeds two years shall not be eligible for reinstatement.

Former County employees requesting reinstatement to the Department can only return to a position equal or lower in level at the time they left County service.

If the reinstated position is not one previously held, the individual must meet minimum requirements of that position.

In general, reinstatement within the two-year period require(s) the approval of the Director of Personnel Administration. Reinstatements to positions at the salary schedule level of Operations Assistant III, Sheriff or higher require the Sheriff's approval.

### **3-02/130.05 REINSTATED EMPLOYEES**

All reinstated employees shall serve a new probationary period, commensurate with that required for their classification, beginning on the date of permanent reinstatement. A reinstated employee on probation is to be treated as though he were serving his first probationary period. The employee may be discharged or reduced in rank in accordance with the Civil Service Rules governing probationers.

Except for employees reinstated from a layoff list, a reinstated employee shall be placed on the first step of the salary range for the position to which he is reinstated as if he were entering the Department for the first time, and is considered a new employee in all respects with regard to service compensation and benefits.

When reinstatement is requested by a former Deputy Sheriff, the following shall apply:

- the completed reinstatement folder (background investigation) shall be forwarded to Personnel Administration;
- Personnel Administration shall request the Undersheriff, or the Assistant

Sheriff(s), and the concerned Division Chief or Division Director to review the application and recommend a returning rank; and

- the final decision as to the returning rank shall be the prerogative of the Department.

When the final decision is made as to the returning rank of a former Deputy Sheriff, and such returning rank is below that of the Deputy's previously held rank, the following shall also apply:

- upon satisfactory completion of the probationary period, the Deputy, if he so desires, may submit a request for restoration to his previously held classification; and
- in such cases, the procedure as outlined under the following subsection shall be adhered to.

### **3-02/130.10 RESTORATION OF REINSTATED DEPUTY PERSONNEL FOLLOWING COMPLETION OF PROBATIONARY PERIOD**

When a reinstated Deputy has satisfactorily completed his probationary period and wishes to be restored to a previously held classification, he shall prepare a request on an SH-AD-32A. The request shall be directed to Personnel Administration.

The request shall specify the Deputy's previous classification (to which he desires restoration) and the date that he voluntarily separated from the Department. It should also indicate a preference of either restoration to an existing vacancy at any Unit of assignment, or restoration only at the current Unit of assignment. Such a request must be reviewed by the concerned Division Chief or Division Director prior to submission to Personnel Administration.

The final decision as to restoration shall be the prerogative of the Department.

Restoration will be contingent on the following factors:

- the Department vacancy factor and/or the vacancy factor for the particular Unit of assignment;
- competent service prior to separation;
- evaluation of all information contained in the reinstatement folder; and
- satisfactory completion of probation following reinstatement.

Restoration may be given priority over new promotions.

### **3-02/130.15 REINSTATEMENT/RESTORATION PURSUANT TO OTHER LAWFUL AUTHORITY**

## Authority

The provisions of section 3-02/130.05 and section 3-02/130.10 do not apply in cases wherein reinstatement/restoration have been officially directed by the Civil Service Commission, a court order or statutory authority. Each such case is handled as specified in the Order or Statute.

## **3-02/130.20 RESTORATION FOLLOWING VOLUNTARY DEMOTION**

### Probation Completed

When an employee who has taken a voluntary demotion from a position for which he has completed probation and wishes to be restored to his previously held classification, the request for restoration shall be submitted, through channels, on an SH-AD-32A to the concerned Division Chief or Division Director.

The request shall specify the employee's previous classification (to which he desires restoration) and the date of his voluntary demotion. It shall also indicate a preference of either restoration to an existing vacancy at any Unit of assignment or restoration only at the current Unit of assignment. The Department has the prerogative to require the employee to serve a new probationary period. In either case, the employee shall be advised whether a probationary period is or is not required at the time of restoration notification.

Following Division approval, the request shall be forwarded to Personnel Administration.

### Probation Not Completed

When an employee who has taken a voluntary demotion from a position for which he was on probation desires to be restored to his previously held classification, he shall follow the procedures outlined above. The Department has the prerogative to restore the employee to a higher position. The Department shall also determine, once restoration has been granted, whether the employee shall serve a new probationary period or complete the remainder of the probation which was outstanding when the employee was voluntarily demoted. The employee shall be advised on the probation at the time of restoration notification.

In all cases, restoration will be contingent upon the following factors:

- the Department vacancy factor, not merely the vacancy factor for the particular Unit of assignment; and
- competent service prior to voluntary demotion.

Restoration of voluntary demotions may be given priority over new promotions in some circumstances.

### **3-02/130.25 RESTORATION OF EMPLOYEES REDUCED DUE TO DISCIPLINARY ACTION OR UNSATISFACTORY WORK PERFORMANCE**

At the discretion of the Department, an employee reduced for unsatisfactory work performance or for disciplinary purposes may apply for restoration to his previously held classification under the following provisions:

- six months satisfactory work performance at the reduced classification;
- a request for restoration submitted on a SH-AD-32A and approved by the employee's Division Chief or Division Director shall be directed to Personnel Administration. The request shall include the classification to which the employee wishes to be restored, the desired assignment, and a performance evaluation for the period worked in the reduced classification;
- the final decision as to restoration and the returning classification and assignment shall be the prerogative of the Department; and
- the Department also has the prerogative to require the employee to serve a new probationary period or complete the remainder of the probation which was outstanding when the employee was reduced. In either case, the employee shall be advised whether a probationary period is or is not required at the time of restoration notification.

### **3-02/130.50 REQUEST FOR CONTINUED SERVICE BEYOND AGE 60 - MEDICAL CERTIFICATION PROCESS**

A sworn employee, hired prior to March 31, 1997, who desires to remain in service beyond their 60th birthday, shall prepare a "Request for Continued Service Form" and submit it to their respective Unit Commander at least six months prior to their 60<sup>th</sup> birthday. This period will allocate sufficient time to process the medical certification as required pursuant to California Government Code section 31663.15 and, if necessary, any appeal, prior to the employee's 60th birthday.

The Sheriff's Department's Director of Personnel shall coordinate, obtain, and review medical certification from the Office of Occupational Health Programs (OHP) and issue final approval for the employee to remain in service. A sworn employee who does not receive medical certification will be deemed ineligible to remain in service past their 60th birthday and will be required to apply for retirement pursuant to Manual of Policy and Procedures section 3-02/160.20, Effecting Retirement.

A sworn employee who has been deemed medically ineligible may file an appeal. Such an appeal may be filed with the following:

Medical Director, Occupational Health Programs (OHP)  
Los Angeles County Chief Executive Office  
3333 Wilshire Boulevard, Suite 1000

Los Angeles, CA 90010

The employee may also file an appeal with the Los Angeles County Civil Service Commission, but only after an employee has been deemed disqualified by OHP after reaching age 60.

Los Angeles County Civil Service Commission  
522 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

### **3-02/140.00 COMMENDATIONS**

Any occurrence which indicates meritorious conduct on the part of an employee may be made the subject of a commendation. Information for these reports may originate either from personnel within the Department or from sources outside the Department. Commendations from Department personnel are referred to as internal commendations. Commendations from persons outside the Sheriff's Department are referred to as external commendations. Procedures for accepting and documenting external commendations are contained in section 3-04/010.15.

### **3-02/140.05 COMMENDABLE ACTIONS OBSERVED BY DEPARTMENT PERSONNEL (INTERNAL COMMENDATIONS)**

Internally-generated commendations fall into the following categories:

- Medal of Valor
- Meritorious Conduct Medal - Gold
- Meritorious Conduct Medal - Silver
- Purple Heart Award
- Line of Duty Award
- Lifesaving Award
- Distinguished Service Award
- Exemplary Service Award
- Meritorious Service Award
- Sheriff's Humanitarian Award
- Leadership Award
- The Sheriff's Award
- Sheriff's Commendations
- Commendable Restraint Commendations (signed by a Division Chief or Division Director)
- Career Achiever's Award
- Unit Recognition Award

- Division Commendation Scroll
- Executive Commendations (authored by a Unit Commander or above)
- Supervisor Acknowledgment (signed by supervisors of the rank of Lieutenant/Assistant Director and below)

In addition to commendations, the Department also recognizes physical fitness, Divisional assignments, Field Training Officers, shooting proficiency, tactical operations/campaigns worked, and years of service in the form of Department pins.

Internal commendations which are signed by a Captain/Director or above (i.e. executive commendations and all higher level commendations) shall be indexed in the Personnel Performance Index (PPI). Qualifying for a physical fitness, Divisional assignment, Field Training Officer, shooting proficiency, tactical operation/campaign worked, or a years of service pin does not constitute a commendation and shall not necessarily be indexed in the PPI.

Each Unit Commander is responsible for ensuring the completion of an "Employee Commendation/Award PPI Data Entry Form," (SH-R-437C) for each commendation received by his/her personnel that is to be indexed. The data entry form is to be completed at the time the commendation is signed or the award is presented.

The data entry into the Personnel Performance Index shall be performed by the Risk Management Bureau's Discovery Unit, and the form routed as follows:

- first copy attached to a copy of the commendation document and forwarded to Division Headquarters. The Area Commander shall review the commendation, "contents note" it, and forward the commendation, with the data entry form copy attached, to Personnel Administration for filing in the employee's personnel folder;
- second copy attached to a copy of the commendation document and forwarded to Division Headquarters. The Area Commander shall, "Contents Note," and forward the commendation, with the "Employee Commendation/Award PPI Data Entry Form," attached, to the Discovery Unit for PPI data entry; and
- original copy attached to a copy of the commendation document and filed in the employee's Unit personnel file.

NOTE: Area Commanders are responsible for monitoring the level of significance of the subject matter in commendations signed by their Unit Commanders.

### **3-02/140.10 VALOR, PURPLE HEART, LINE OF DUTY, AND LIFESAVING AWARDS**

#### Valor Awards

Exceptional heroic acts performed on or off-duty by employees or Reserve members of this Department may be formally recognized by presentation of one of three Department approved Valor Awards:

- Medal of Valor
- Meritorious Conduct Medal, Gold
- Meritorious Conduct Medal, Silver

#### Nominating Procedures for Valor Awards

Unit Commanders will submit nominations for actions of a subordinate to their Division Chief or Division Director. The nomination shall contain all pertinent information and any supporting documentation substantiating the actions of the nominee.

The Division Chief or Division Director will review the nomination and forward same to the Awards Evaluation Committee with a recommendation for approval or disapproval. If the recommendation is for disapproval, an explanation will be included.

Unit Commanders and Division Chiefs or Division Directors will not recommend the level of the award.

If the Division Chief or Division Director is unavailable, the nomination will be held pending his return. Nomination that would be delayed in excess of 30 days may be reviewed by the Division's Acting Chief or Division's Acting Director.

#### Purple Heart Award

The Purple Heart Award is presented when an employee sustains a traumatic physical injury as a result of a violent encounter with the criminal element and the employee attempts to continue to perform his/her job functions. This award would be considered only when the employee sustains an injury while performing a high risk law enforcement function and/or involved in a tactical situation.

The Purple Heart Award is presented when an employee through no fault of his/her own, sustains a traumatic physical injury during the performance of job-related functions such as a rescue operation, a hazardous material exposure, a riot, a traffic collision or other accident, and the employee attempts to continue to perform his/her job functions.

NOTE: The Purple Heart will not be awarded if the injury occurred as a direct result of employees' negligent or inappropriate actions.

#### Line of Duty Award

When employees or Reserve members of this Department, through no fault of their own, sustain serious or career debilitating injuries during the performance of job related functions such as a violent encounter with the criminal element, a rescue operation, a hazardous materials exposure, a riot, a traffic or other accident, they may be formally recognized by presentation of the Department approved Line of Duty Award and a uniform pin.

## Lifesaving Award

Employees or Reserve members whose actions result in the saving or preservation of a human life that otherwise would have expired without the employee's direct involvement, may be formally recognized by presentation of the Department approved Lifesaving Award and a uniform pin. Only one Lifesaving Award per incident, regardless of the number of victims saved, will be issued to an individual. The Lifesaving Award will only be awarded when the action does not rise to the level that would qualify for the Valor Award.

## Nominating Procedures for Purple Heart, Line of Duty and Lifesaving Awards

Unit Commanders will submit nominations to their Division Chiefs or Division Directors. The nomination shall contain all pertinent information and any supporting documentation substantiating the injury, the circumstances surrounding the incident, and actions of the nominee.

The Division Chief or Division Director will review the nomination and forward it to the Awards Evaluation Committee with a recommendation for approval or disapproval. If the recommendation is for disapproval, an explanation will be included.

If the Division Chief or Division Director is unavailable, the nomination will be held pending his return. Nominations that would be delayed in excess of 30 days may be reviewed by the Division's Acting Chief or Division's Action Director.

## Awards Evaluation Committee

The Awards Evaluation Committee shall be comprised of the following members: One Assistant Sheriff and various Department employees from all the divisions within the Department. All Divisions will be represented by both sworn and professional staff. An Assistant Sheriff will serve as chairperson.

Committee members, except for the Assistant Sheriff, will be selected by the Executive Planning Council and will serve a term of two years.

## Rules of Order - Awards Evaluation Committee

The Awards Evaluation Committee will be convened, as necessary, at a time and place to be determined by the Committee Chairperson.

Valor, Purple Heart, Line of Duty, and Lifesaving Awards nominations will be reviewed individually by the Committee. The level of Valor Award will be determined solely on the merits of the nominated action as strictly applied to the established criteria for each award. An evaluation form will be provided to each Committee member as an aid in determining the level of Valor Award to be presented.

Determination of the level of Valor Award will be by unanimous approval of the voting Committee members. Valor, Purple Heart, Line of Duty, and Lifesaving Awards will be subject to final approval of the Sheriff.

Valor, Purple Heart, Line of Duty, and Lifesaving Awards will be presented following completion of the nomination procedure.

### **3-02/140.15 SERVICE AWARDS**

#### **Distinguished Service Award**

The Distinguished Service Award will be presented to employees of this Department who have distinguished themselves by actions which are far beyond those required for their position and which result in a significant contribution toward the betterment of our Department and/or its members through:

- improved efficiency;
- increased effectiveness;
- substantial cost savings;
- improved personal safety;
- enhanced public image; and/or
- consistent career excellence.

In addition to other considerations, personnel with 15 years of service, upon honorable separation from the Department, shall be evaluated by their Division for the appropriateness of this award.

#### **Exemplary Service Award**

The Exemplary Service Award may be given to personnel who merit Department recognition for work efforts which show an unusual degree of individual initiative resulting in notable achievement in one or more of the following areas:

- a contribution to organizational efficiency;
- technical innovation;
- devotion to an organizational mission or duty;
- improved personal safety; and/or
- enhancement of the Departmental image.

Nominations submitted by Unit Commanders or above, to concerned Division Chiefs or Division Directors, shall include all pertinent information and any supporting documentation that will serve to establish the criteria for distinguished and/or exemplary service. Nominations may be submitted at any time during the calendar year; however, no later than January 31 of the year immediately following the calendar year during which

the service occurred.

The Executive Planning Council will evaluate and approve awards, subject to final approval of the Sheriff, during a special Executive Session, to be scheduled yearly, after January 31.

Awards will be presented following completion of the nominating procedure.

### Meritorious Service Award

The Meritorious Service Award may be given to personnel who merit Department recognition for work efforts of substantial significance but not to the level specified for the Exemplary Service Award.

Unit Commanders or Directors will submit nominations for this award to their Division Chief or Division Director, or higher ranking member if appropriate. The nomination shall contain all pertinent information and supporting documentation to support the nomination.

The Division Chief/Division Director or higher ranking member shall review and confirm the recommendation and take final action to approve or disapprove the award.

### **3-02/140.17 SHERIFF'S HUMANITARIAN AWARD**

The Sheriff's Humanitarian Award is presented to those Department members who selflessly perform acts of personal commitment and sacrifice to help others. These acts are exceptional, ongoing, and extraordinary, and are considered well above the normal routine. The Sheriff's Humanitarian Award would be issued by the Sheriff during the Department's Awards Ceremonies, which are held three to four times annually. The recipient would receive scroll recognition similar to that presented to the Exemplary and Distinguished Service Awards accompanied with a medal.

Unit Commanders will submit nominations to their Division Chief or Division Director. The nomination shall contain all pertinent information and any supporting documentation substantiating the member's acts of humanitarianism.

The Division Chief or Division Director will review the nomination and forward it to the Awards Evaluation Committee with a recommendation for approval or disapproval. If the recommendation is for disapproval, an explanation will be included.

If the Division Chief or Division Director is unavailable, the nomination will be held pending his return. Nominations that would be delayed in excess of 30 days may be reviewed by the Division's Acting Chief or Division's Acting Director.

The Sheriff's Humanitarian Award will be subject to final approval of the Sheriff.

### **3-02/140.18 LEADERSHIP AWARD**

The leadership award may be presented to employees who have exemplified the character traits and actions that distinguish them as leaders in the Department. These actions must have a positive influence on others and/or the communities we serve. This may be accomplished by:

- mentoring others or providing for the personal or professional development of others;
- acting as a positive role model and; and
- developing an innovative suggestion for bettering the Department.

Any member of the Department or community may make a nomination. Unit Commanders shall submit all pertinent information and supporting documentation for the nomination to their respective Division Chief or Division Director for review and to confirm the recommendation. After review, the Division Chief or Division Director shall forward the nomination to the Deputy Leadership Institute for processing through Training Division Director's Office.

### **3-02/140.20 THE SHERIFF'S AWARD**

The Sheriff's Award may be awarded to veteran members of this Department who have at least 20 years of Department employment and have distinguished themselves by a career of dedicated service. The Sheriff's Award may be awarded to personnel who merit Department recognition for clearly maintaining a record of consistent satisfactory performance over their entire career.

Unit Commanders or Directors will submit nominations for this award to their Division Chief or Division Director, or higher ranking member if appropriate. The nomination shall contain all pertinent information and supporting documentation to support the nomination. Final award approval will be made at the Division Chief or Division Director level or higher.

### **3-02/140.25 SHERIFF'S COMMENDATIONS**

Incidents which reflect action by an employee, or Unit, involving outstanding or exceptional execution of a difficult or dangerous duty or assignment should be the subject of Sheriff's commendations.

Unit Commanders shall prepare a Sheriff's commendation on an SH-AD-32A in quadruplicate. The original and two copies shall be forwarded to the Unit or employee's Division Chief or Division Director and one copy retained for the Unit file.

If the Division Chief or Division Director approves the commendation, he shall prepare a

recommendation on an SH-AD-32A. The original of the commendation and the Division Chief's or Division Director's recommendation shall be forwarded to the Sheriff. One copy of the commendation shall be forwarded to the Undersheriff through the concerned Assistant Sheriff(s).

If the Sheriff approves the Division Chief's or Division Director's recommendation, a copy of the Sheriff's commendation shall be forwarded with the original to Personnel Administration, Attention: Vault Services, for inclusion in the personnel folder of each concerned employee. The employee, or Unit, receives the original letter of commendation and the Sheriff's Commendation Certificate from the Sheriff.

### **3-02/140.26 MASTER FIELD TRAINING OFFICER PIN**

The designated blue pin with gold lettering and border shall be worn by Department personnel currently appointed to the position of Master Field Training Officer.

### **3-02/140.27 FIELD TRAINING OFFICER PIN**

The following criteria will be used for Field Training Officer (FTO) pins:

- the designated green pin can be worn by any Field Training Officer, past or present, without restrictions;
- the designated blue pin can be worn by any Field Training Officer who has performed as an FTO continuously for three years; and
- the designated red pin can be worn by any Field Training Officer who has performed as an FTO continuously for five years.

### **3-02/140.28 PHYSICAL FITNESS PIN**

Employees who voluntarily take and pass the Department's Physical Assessment Test can earn a pin in a "Good," "Excellent," or "Superior" range, dependent on the established criteria and their score. Those scoring in the above stated ranges will be permitted to wear the designated pin for the following two years after which they may re-qualify, or they may display the pin, but not wear it on their uniform or clothing.

The Training Bureau shall promulgate a quarterly testing schedule. Documentation of a qualifying score shall be placed in the employee's personnel file.

### **3-02/140.30 COMMENDABLE RESTRAINT COMMENDATION**

The Commendable Restraint Commendation shall be awarded in recognition of an

employee who used an alternative to deadly force when confronted with a situation which could have resulted in the taking of a human life.

Whenever a supervisor becomes aware of an incident where a member was faced with a life-taking decision and was successful in resolving the incident by means other than deadly force, he shall complete a Commendable Restraint Commendation (Form SH-AD-658). Copies of all supporting documentation and the Commendable Restraint Commendation shall be submitted to the employee's Unit Commander.

The Unit Commander shall review the Commendable Restraint Commendation form and all supporting documents. Upon reviewing this information the Unit Commander shall make his personal recommendations and then forward all documentation to the Division Chief or Division Director.

In addition to the Commendable Restraint Commendation form, a Division Commendation Scroll shall be forwarded to the Division Chief or Division Director for signature (available via Public Folders/All Public Folders/All Forms in Outlook).

The Division Chief or Division Director shall review and evaluate all documentation, upon which he shall do one of the following:

- commend the member;
- forward the recommendation to the Office of the Sheriff; or
- return correspondence to the initiating Unit Commander for disposition.

The Division Chief's or Division Director's recommendation may also include a range of other options from a Valor Award to a Board of Supervisors' recognition. Copies of all submitted recommendations for Commendable Restraint Commendations shall be forwarded to the Assistant Sheriff's Office and to the Sheriff's Legal Advisor by the Division Chief or Division Director.

Upon approval by the Division Chief or Division Director, a copy of the SH-AD-658 and the supporting documentation shall be sent to the Training Bureau. The Training bureau shall review the incident to determine if training curriculum about potential deadly force situations can be enhanced.

The Sheriff's Headquarters Bureau shall, at the direction of the Office of the Sheriff, prepare and coordinate any action to be taken above that of a Division level commendation.

### **3-02/140.35 CAREER ACHIEVER'S AWARD**

The Career Achiever's Award provides recognition to Department members who have put forth special, commendable effort to assist other employees in the development of their careers. Nomination forms are obtained from and processed through the Career

Development Bureau. This award shall be in the form of Star Scroll.

### **3-02/140.38 TRADITION OF SERVICE AWARD**

The Tradition of Service Award will be presented to **retired employees** of the Sheriff's Department who have distinguished themselves by continuing to serve for the betterment of Department, its members and the citizens of the County of Los Angeles through:

- devotion to the Department's mission, its members and community;
- enhancement of the Department image; and/or
- contributing to the Department's reputation of being a leader in law enforcement.

Nominees submitted by Unit Commanders or above who merit Department recognition for their efforts shall submit nominations to their Division Chief or Division Director. All nominations receiving the approval of the Division Chief or Division Director shall be submitted to the Office of the Assistant Sheriffs for evaluation and approval, subject to final approval of the Sheriff.

All awards will be scheduled for presentation following completion of the nominating procedures.

### **3-02/140.40 EMPLOYEE UNIT RECOGNITION PROGRAMS**

The Department encourages formal recognition of commendable service on the part of its employees. Unit Commanders may develop special awards, such as employee-of-the-month awards, in an effort to reward superior performance. This award shall be in the form of a Division Commendation Scroll and a uniform pin.

### **3-02/140.43 DIVISIONAL SERVICE PIN**

Employees evaluated as "Competent" or better after having worked in a Division for at least one year will qualify for a Divisional pin.

### **3-02/140.45 EXECUTIVE COMMENDATIONS**

Unit Commanders may prepare Division Commendation Scrolls for their own signature or that of the concerned Area Commander or Division Chief/Division Director. Such commendations shall be reserved for actions, conduct, or activities that clearly and objectively stand out in terms of quality, professionalism or skill and that demonstrate special effort or sacrifice. Copies of executive commendations shall be filed in both the Department personnel folder and the Unit folder.

### **3-02/140.48 STAR SCROLL/STAR CERTIFICATE AWARDS**

The Star Scroll Award may be presented to individuals or organizations outside of the Department. This award would be given for exceptional heroic acts, contributions to the community and/or law enforcement by civilians, political officials, organizations and dignitaries. There are a variety of reasons to award the Star Scroll, but generally, it is to recognize the recipient's efforts, accomplishments or career as it affects the community.

The Star Scroll measures 11" x 14" with a gold leaf Sheriff's Star located at the top. The scroll is mounted on a burgundy color folder.

This scroll would be appropriate to recognize:

- actions by a person for their display of unselfish commitment to human life;
- an organization for its commitment and partnership with this Department; or
- one time special event relating to contract cities and/or recognized foreign governments with which the Department has a liaison.

The Star Certificate measures 8½" X 11" with a gold leaf Sheriff's Star located at the top and mounted on a dark green folder.

This certificate would be appropriate to recognize:

- contributions made to Department sponsored causes, e.g., Annual Christmas Toy Drive;
- annual events, e.g., "National Days" for consulates or contract city celebrations;
- outgoing officials who have established a partnership with the Department, e.g., contract city council members, consulates, or judges;
- the Sheriff's Award;
- Sheriff's Commendations;
- Commendable Restraint Commendations;
- Career Achiever's Award;
- Employee Unit Recognition Programs; or
- Executive Commendations.

Unit Commanders shall submit all pertinent information and supporting documentation for the nomination to their respective Division Chief or Division Director for review and to confirm the recommendation. After review, the Division Chief or Division Director shall forward the nomination to the Sheriff for his approval.

### **3-02/140.50 SUPERVISORY ACKNOWLEDGMENTS**

Supervisors below the rank of Captain/Director may prepare acknowledgments for their own signature in the form of memoranda or on Unit - level contact sheets. Such

acknowledgments shall be for any commendable action, conduct or activity which the supervisor determines merits this category of documentation.

Supervisory acknowledgments shall be filed in the Unit personnel folder.

### **3-02/140.55 EMPLOYEE RECOGNITION AWARDS FORM**

An Employee Recognition Awards Form, printed on card stock, will be placed in each employee's unit personnel file. Unit Commanders shall ensure that all approved and issued awards are properly recorded on the cards.

### **3-02/140.60 LEGENDARY LAWMAN AND LAW WOMAN PIN**

Deputies, who have worked ten accumulated years in uniformed patrol will qualify for and are eligible to wear the Legendary Lawman or Law Woman pin.

Uniformed patrol is defined as conducting patrol duties, including answering calls for service. Uniform patrol positions include, but are not limited to, field patrol units, motorcycle patrol units, bicycle patrol and foot patrol assignments.

#### **Program Responsibility**

Eligible Deputies shall submit a Legendary Lawman/Law Woman Recognition Pin request form to their Unit Commander for consideration. Unit Commanders are responsible for submission of the form to the Division Chief or Division Director for approval. Once the request has been reviewed and approved by the concerned Division, they shall forward it to Employee Relations Unit for final review. The requests shall then be forwarded to the Office of the Sheriff. The Sheriff or his designee shall personally distribute the pins. After the award has been presented to the employee, the application form shall be sent to Personnel Administration, and filed in the employee's personnel file.

### **3-02/145.00 DEPARTMENT PINS**

The Department Pins will be presented to those members, including Reserves, who have reached certain benchmark dates in their careers with this Department. For all full-time employees, these pins will be in addition to the pins currently issued by the County. These pins are awarded on the basis of Department and not County service time.

The presentation of the pins shall be as follows:

- 15 years - by Unit Commander,
- 20 years - by Area Commander or higher, where appropriate,

- 25 years - by a Department executive,
- 30-35 years - by the Sheriff.

### Program Responsibility

The responsibility for the administration of the Department Pin Program rests with the Director of Personnel Administration. Those responsibilities include but are not limited to:

- ordering and storing sufficient numbers of each pin to meet Department needs;
- tracking all Department personnel to ensure that each employee receives his pin in a timely fashion; and
- providing timely notification to the concerned presenter.

It shall be the responsibility of the Reserve Forces Bureau Unit Commander to give the necessary information regarding Reserves to the Director of Personnel Administration before the end of the year for those who are entitled to receive pins in the following year.

### **3-02/150.00 EMPLOYEE GRIEVANCE PROCEDURE**

The following grievance procedure applies to:

- employees not covered by a Memorandum of Understanding; and
- employees whose Memorandum of Understanding provides that the Department's grievance procedure shall apply.

When a formal grievance is received, Unit supervisors are required to immediately notify Employee Relations/Advocacy Services. This notification is necessary to comply with the Memoranda of Understanding and to provide advice, assistance and coordination of effort in the grievance procedure.

When a formal grievance has been resolved or completed, regardless of the step or level of the grievance procedure, the original Formal Grievance (SH-AD-465) must be sent to Employee Relations/Advocacy Services. A photocopy should be made and retained for Unit records.

### **3-02/150.05 GENERAL PROVISIONS**

- the employee grievance procedure is not applicable in areas outside the authority of this Department, such as County Salary Ordinance interpretation, or in areas where appeal procedures already exist, such as "Unsatisfactory" performance evaluations and certain specified disciplinary actions (discharge or reduction). The employee shall be advised whether or not the Department will handle the grievance at the time he submits his formal appeal;
- if an employee fails to initiate a grievance or to appeal to the next level within the

time limits established in this procedure, the grievance shall be considered settled and not subject to further appeal;

- by mutual agreement of both parties, the various steps and time limits set forth in this procedure may be waived or the grievance may revert to a prior level for reconsideration, except in cases involving a suspension; and
- an employee may present his grievance on County time, but the use of County time for this purpose shall not be excessive nor shall this privilege be abused in any manner. The Department shall determine what constitutes abuse. The use of overtime for processing or presenting a grievance is not allowed;
- if the aggrieved employee wishes, he may be assisted at the first step of the formal grievance procedure or any subsequent step by an authorized representative of a recognized employee organization. The representative of the employee organization must have his name on file and be accepted in accordance with the Employee Relations/Advocacy Services Ordinance of the County or other such applicable employee relations law;
  - It is also the employee's option to choose a fellow employee as his representative. The choice of a fellow employee as a representative must be acceptable to the Sheriff or his alternate;
- if an employee grievance involves disciplinary action resulting in a suspension, the aggrieved employee may waive step one of the formal grievance procedure and submit the SH-AD-465, starting with step two;
  - the aggrieved employee shall submit this form within ten business days from the date the letter of intent to discipline is delivered. If he does not grieve the suspension, disciplinary action taken shall be deemed accepted by the employee; and
  - the grievance form shall contain the employee's objections to the disciplinary action and the employee's suggestion as to what he considers as appropriate corrective action;
- if the grievance does not involve a suspension, but the aggrieved employee definitely believes that his grievance cannot be resolved at a supervisory level, he may, with the concurrence of the concerned supervisors, waive formal step one only;
- to waive step one, the aggrieved employee must obtain the signature of his first level supervisor in the signature space on the SH-AD-465. The aggrieved employee shall also write the word "waived" and sign his name in the decision section for step one and continue the form to step two;
- form SH-AD-465 shall be prepared by the employee for the formal grievance process. The original shall be presented by the employee at the various grievance steps and returned to the employee with the written response. A copy of the original SH-AD-465 in its entirety shall be made by the various supervisory levels and sent to Employee Relations/Advocacy Services at the completion of each formal step. A second copy of the original should be retained as the Unit Commander's record of the grievance discussions. This record will not be included in the employee's personnel file.

### **3-02/150.10 INFORMAL PROCEDURE**

Most problems or complaints can be settled if the employee will promptly, informally and amicably discuss them with his immediate supervisor. This desired initial discussion, a part of day-to-day supervision, should ideally precede any use of the formal grievance procedure.

Within ten business days from the occurrence of the matter on which a complaint is based, or within ten business days from his knowledge of such occurrence, an employee may either discuss the complaint with his immediate supervisor or file a formal grievance.

In those situations where the nature of the problem involves the immediate supervisor, the employee may discuss the problem informally with the next level supervisor, although he should generally advise the immediate supervisor of his intention.

If the immediate supervisor either fails to reply within three business days or gives an answer which the employee feels is not satisfactory, the employee may informally discuss the grievance with his second level supervisor or proceed with the formal grievance procedure within five business days.

If the employee decides to proceed informally to the second level supervisor, he may do so. If the second level supervisor either fails to reply to the employee within three business days, or gives an answer which the employee feels is unsatisfactory, the employee may then initiate the formal grievance procedure at the first level of supervision.

### **3-02/150.15 FORMAL PROCEDURE**

#### **First Step** (First Level Supervisor)

If the problem has not been resolved within eleven business days of the date of the initial discussion with the first level supervisor (or ten business days from the occurrence or knowledge of the occurrence of a grievable matter if no informal discussion has occurred), the employee shall file a formal written grievance with his first level supervisor. The Formal Grievance (SH-AD-465) shall be completed by the employee, describing the problem and the remedy he believes is merited.

The first line supervisor shall promptly notify his Unit Commander who will then notify Employee Relations/Advocacy Services. The first level supervisor shall consider available pertinent information and give his decision in writing on the same original grievance form to the employee within five business days. The supervisor shall include the reasons for his decision and forward a complete copy of the SH-AD-465 to Employee Relations/Advocacy Services.

If, upon receipt of the decision, the employee takes no further action within five business

days, the grievance will be assumed to have been settled.

If the supervisor has not responded to the employee's complaint within five business days, or if the response is unsatisfactory to the employee, the employee may appeal to the next grievance level.

### Second Step

If the employee feels that the first level supervisor has not resolved his problem, he may appeal within five business days to his third level of supervision (or to a designated middle management representative if the grievant is a supervisor). The employee shall submit the original of the Formal Grievance form (SH-AD-465) and shall not add to or amend the original grievance after it has been considered by the first level of supervision.

The third level supervisor or middle management representative shall give his decision in writing (original SH-AD-465) to the employee within five business days. The supervisor shall include the reasons for his decision and forward a complete copy of the SH-AD-465 to Employee Relations/Advocacy Services.

If, upon receipt of the decision, the employee takes no further action within five business days, the grievance will be assumed to have been settled.

If the supervisor has not responded to the employee's complaint within five business days, or if the response is unsatisfactory to the employee, the employee may appeal to the next grievance level.

### **3-02/150.20 THIRD STEP FOR CIVILIAN PERSONNEL**

The third step (final) of the formal grievance procedure for civilian personnel is as follows:

- if the third level supervisor has not answered the employee's formal complaint within five business days, or if the response is unsatisfactory, the employee may submit his written grievance within five business days to his Division Chief or Division Director; and
- written notice of the Department decision shall be sent to the employee within ten business days of the receipt of the Division Chief's or Division Director's decision. The decision by the appropriate Division Chief or Division Director shall be final unless the grievance directly concerns or involves the interpretation or application of the specific terms and provisions of the Memorandum of Understanding applicable to the grievant and the concerned employee elects to take the matter to arbitration.

### **3-02/160.00 RETIREMENT**

### **3-02/160.05 NOTIFICATION OF PENDING RETIREMENT**

Employees shall prepare an "Intent to Retire" request on a SH-AD-32A, in duplicate, a minimum 90 days prior to actual date of retirement request.

The SH-AD-32A shall include the following information:

- employee's name, age, rank (or classification), employee number and Unit of assignment;
- date of entry into County employment;
- type of membership (general or safety); and
- type of retirement (regular service, service connected disability or non-service connected disability).

The notification shall be signed by the concerned employee and distributed as follows:

- original to Personnel Administration Attention: Director of Personnel; and
- copy retained for Unit file.

### **3-02/160.10 REGULAR SERVICE RETIREMENT**

Formal retirement request forms should be submitted to the Los Angeles County Employees Retirement Association (LACERA) 90 days before the contemplated retirement date. Forms and assistance in their completion are available through LACERA and may be requested by telephone or in writing to be sent to the employee's home.

### **3-02/160.15 DISABILITY RETIREMENT**

Formal requests for disability retirement should be submitted to the Los Angeles County Employees Retirement Association (LACERA) 90 days before the contemplated retirement date. Forms, and assistance in their completion, are available through LACERA and may be requested by telephone or in writing to be sent to the employee's home.

### **3-02/160.20 EFFECTING RETIREMENT**

The Los Angeles County Retirement Association (LACERA) will send the employee a written notice of the effective date of his retirement. On, or before, the last working day (the last day prior to the effective date of retirement), the employee shall contact Personnel Administration's Retirement Unit and schedule an appointment with the retirement coordinator to process out of service. The employee, where applicable, shall

then:

- return to the Logistics Section, Fiscal Administration, all County owned uniforms and safety equipment and obtain a written clearance slip;
- return to Personnel Administration all badges and identification cards and the clearance slip from the Logistics Section and obtain a "termination clearance" from the Alpha Processing Unit of Personnel Administration. The Alpha Processing Unit will forward this "termination clearance" to the Central Payroll Unit, Personnel Administration;
- the Alpha Processing Unit will prepare an "outgoing report" which will be forwarded to the Central Payroll Unit for certification of any termination pay due the employee. This payment will be based on the employee's hourly base rate on the last day of service. The certification will be forwarded to the Auditor-Controller through CWTAPPS, who will prepare an outgoing warrant which they will deliver to Sheriff's Central Payroll. The warrant will then be mailed to the employee at the address shown on the termination clearance slip, unless otherwise specified by the employee; and
- employees shall return all County owned communications equipment, e.g., radios, pagers, cellular telephones, telephone credit cards and COMPASS cards to Communications and Fleet Management Bureau. A letter of clearance will be completed by Communications and Fleet Management Bureau.

### **3-02/160.25 RETIREMENT LUNCHEONS OR DINNERS**

To eliminate duplication of time and dates of planned festivities for Department retirees, Unit retirement coordinators shall contact the Sheriff's Headquarters Bureau for scheduling assistance.

### **3-02/170.00 RESIGNATION OR TRANSFER TO ANOTHER COUNTY DEPARTMENT**

An employee who wishes to terminate his employment with the Department or transfer to another County department should give at least two weeks advance notice of such intent in writing.

The employee shall prepare an original and two copies of the Letter of Resignation (SH-AD-271) and submit it to his Unit Commander for immediate forwarding to Personnel Administration.

Unit Commanders or Directors are requested to provide telephonic notification to Personnel Administration as soon as they become aware of an employee's intent to resign. The Unit Commander or Director should then contact the employee to set an appointment for a separation interview.

Form SH-AD-271 is utilized for both a direct resignation as well as a resignation because

the employee is transferring to another County department. Completion of this form is self-explanatory, and the word that is not applicable, "resignation" or "transfer," shall be deleted. The reason for resignation or the name of the County department to which he is transferring shall be given on the last line.

Separation Interview - Unit Commanders or Directors shall conduct a separation interview with the resigning employee using a Separation Interview form, SH-AD-396 (Rev. 6/89). The completed Separation Interview form shall be forwarded to, and signed by, the Area Commander and Division Chief or Division Director, then distributed as follows:

- original and one copy to Personnel Administration; and
- copy to Division Chief or Division Director.

Personnel Administration, Staffing and Item Control Section, shall be responsible for submitting a separation statistical report annually to the Executive Planning Council.

Prior to, or on, the last working day with this Department, an employee shall:

- return to the Logistics Section, Fiscal Administration, all County owned uniforms and safety equipment items. The Logistics Section shall complete, typed or in ink, the Termination Clearance (SH-AD-397), in duplicate. The original copy shall be retained by Logistics, and a copy is given to the terminating employee. The original Termination Clearance slip is to be delivered to Personnel Administration, Attention: Alpha Processing Unit;
- refer to the Uniform and Equipment Chapter for a determination of County property and those items considered employee property through the ownership transfer process;
- return all issued badges and identification items to Personnel Administration along with the Termination Clearance or a payment receipt for non-returned items from Logistics, and obtain a Termination Clearance from Personnel Administration;
- refer to Uniform and Safety Equipment Chapter for replacement/restoration of County property; and
- employees shall return all County owned communications equipment, e.g., radios, pagers, cellular telephones, telephone credit cards and COMPASS cards to Communications and Fleet Management Bureau. A letter of clearance will be completed by Communications and Fleet Management Bureau.

If the employee is resigning and not transferring to another County department, the Alpha Processing Unit will prepare an "outgoing report" for submission to the Payroll Section for final outgoing processing.

The original outgoing report will then be submitted to the Auditor-Controller for preparation of the outgoing warrant, which will be given to the Payroll Section for delivery to the employee.

If the employee is transferring to another County department, an Inter-Department

Transaction form is received from the County department requesting access to the transferring employee. The employee is transferred electronically through CWTAPPS to the designated County department. An outgoing report is submitted to the Payroll Section for processing. The employee shall carry over to his new department all of his benefits, except paid overtime.

### **3-02/170.05 TERMINATION PROCESS FOR RESERVE DEPUTIES**

The termination process requirements for the Reserve Deputy shall be basically the same as for the regular Deputy, with the exception that the Deputy shall coordinate the check-out/clearance with his Station Reserve Coordinator.

The following procedure shall be adhered to by the terminating Reserve Deputy and the Station Reserve Coordinator:

- the Deputy shall return all County owned uniforms and equipment items, badges and identification items to his coordinator;
- the coordinator shall complete a Cancellation of Commission Report (RFB-4) indicating the specific reason for termination. This form, identification items and badges, shall be immediately sent to Reserve Forces Bureau;
- the coordinator shall complete, in duplicate, the Equipment Check-Off Sheet and deliver the original to the Logistics Section with all the County owned items within ten working days of the Deputy's termination notice. The badge set and the identification card shall be delivered to Personnel Administration and a receipt of property obtained;
- logistics shall forward to Personnel Administration a copy of the Check-Off Sheet and issue a Termination Clearance to complete the termination process; and
- employees shall return all County owned communications equipment, e.g., radios, pagers, cellular telephones, telephone credit cards and COMPASS cards to Communications and Fleet Management Bureau. A letter of clearance will be completed by Communications and Fleet Management Bureau.

#### **Reserve Deputies**

Reserve personnel shall direct their concealed weapon permit requests to Reserve Forces Bureau for processing.

### **3-02/170.10 REPLACEMENT/RESTORATION OF COUNTY UNIFORMS, EQUIPMENT, AND BADGES, ETC.**

In the event that all County property is not returned to the Logistics Section and Reserve Coordinator during the termination clearance process, the employee shall be so advised and the Equipment Check-Off Sheet (SH-AD-362) shall indicate the replacement cost to be paid by the employee. Damaged or modified weapons shall be restored, in all cases,

to reissue condition prior to the issuance of the Termination Clearance.

Coordinators will be advised of replacement costs by the Logistics Section of Fiscal Administration.

Payment for items not returned shall be made only at Fiscal Administration and the report stapled to the Equipment Check-Off Sheet, thus absolving the employee of any indebtedness.

When a terminating employee refuses to pay the replacement cost or restore a weapon, Personnel Administration or the Reserve Coordinator shall provide a written document to be read and signed by the employee. This document shall inform the employee that he is liable for County-owned items not returned; and, unless the County is reimbursed, as agreed upon during the issuance of such items, a small claims action may result. If, at the end of ten days, the terminating employee has not satisfied the debt, Personnel Administration or the Reserve Coordinator shall notify the employee, by certified mail, that the County's intention is to seek civil remedies if the debt is not satisfied within thirty days. If satisfactory explanatory correspondence or remittance is not received, Personnel Administration or the Reserve Coordinator shall forward copies of all pertinent documents to Fiscal Administration for a collection referral to the Department of Treasurer and Tax Collections.

### **3-02/180.00 BILINGUAL BONUS**

County employees who are fluent in English and a foreign language, and are assigned to a position requiring use of the bilingual skill, shall be compensated in accordance with the County Code.

Criteria for determination of eligibility are:

- the assignment requires bilingual skill of the employee in order that the public service responsibility of the Department to the foreign language group may be met;
- the Unit Commander concurs on the need for the bilingual skill in the assignment;
- the absence of an employee with the required skill would hamper the effectiveness of the Department in the discharge of its responsibilities; and
- the need for the bilingual skill is a continuing and frequent one which measurably contributes to the efficiency of the office.

Selection of employees for such bonus is based on the following:

- the candidate must possess fluency in the designated language and in English and must possess knowledge of, and sensitivity to, the culture and needs of the foreign language group being served;
- prior to submitting an application for bilingual bonus pay, the employee in question must pass an oral fluency examination. Appointments for such test are to be

- made by calling the Bilingual Coordinator of Personnel Administration; and
- candidate must be certified by the Department as being qualified.

Rules governing such appointments are:

- compensation shall not be effective before the month in which the Unit Commander makes his finding, as required above;
- the authorization for such compensation shall remain in effect only as long as the facts on the Bilingual Pay Request Certification and Authorization Form remain true and the employee has a competent or better performance evaluation. It is the Unit of assignment's responsibility to notify Personnel Administration, in writing, whenever an employee is absent in excess of 60 calendar days;
- a paid temporary absence of the employee which does not exceed 60 calendar days shall not affect the compensation;
- if the employee is absent for more than 60 calendar days, the additional compensation shall be suspended during such absence;
- this bonus shall not apply to persons employed in positions of Interpreter (Item 1154); and
- this bonus shall not constitute a base rate.

Unit Commanders may obtain application forms from Personnel Administration.

The following rules apply to the application:

- an original and one copy of the application shall be typed and the employee number indicated;
- the Unit Commander will sign in the space provided for the supervisor's recommendation;
- the original and copy of the application as well as a copy of the language proficiency card shall be forwarded to Personnel Administration; and
- Personnel Administration shall approve or disapprove the application, indicate the authorization number, and forward the copy to the Unit of assignment.

### **3-02/190.00 SUPERVISOR-SUBORDINATE BONUS**

A supervisor-subordinate bonus is additional compensation paid to a supervisor whose base salary is equal to or less than the base salary of his highest paid subordinate. It provides a supervisor with a salary of \$1 per month greater than the base monthly salary of his highest paid subordinate and may be authorized when certain conditions have been met.

Base rates are those set in the County Code without respect to Notes or other special pay provisions unless such provisions specifically state that they constitute a base rate.

### **3-02/190.05 CONDITIONS FOR PAYMENT**

All of the following conditions must be met before a supervisor-subordinate bonus can be authorized.

#### **Satisfactorily Exercises Full Supervision**

- a supervisor must perform both administrative and technical aspects of supervision. "Administrative" refers to standard supervisory functions such as assignment and review of workload; the approval of leaves; authority to hear grievances and effectively influence or administer disciplinary measures. "Technical" refers to the expertise in the functional aspects of the trade or profession of the subordinate gained through a combination of education and experience, necessary to critically evaluate the work of the subordinate;
- a supervisor fully meets this requirement if he can competently perform the work of his subordinate or can evidence sufficient awareness of methods and detail of procedures in the subordinate's trade or profession to be able to critically evaluate the technical aspects of the subordinate's job performance. A generalist administrator who supervises a highly specialized subordinate such as a physician, attorney or engineer would not normally be eligible for the bonus;
- the supervisor must supervise his subordinate for "a substantial portion of his time." This means the supervisor must be the primary supervisor and supervise the subordinate more than 50 percent of the supervisor's time, even if the supervision is not done in a face-to-face manner; and
- the supervisor's performance must be satisfactory. Therefore, any performance evaluation rating less than "Competent" filed for a supervisor disqualifies that supervisor from the bonus. A bonus which is in effect at the time that a less than "Competent" rating is filed must be suspended until such time as a "Competent" or better rating is filed.

#### **Full-time Permanent Positions**

Both the supervisor and the subordinate must have been appointed to full-time, permanent positions; however, the supervisor-subordinate bonus may be authorized even though one or both have not completed their probationary periods.

#### **Appropriate Classification**

The classification of both the supervisor and the subordinate must be appropriate to the organization and to their duties and responsibilities. Examples of inappropriate classifications include:

- classifications which do not include supervisory responsibilities;
- classifications which include supervisory responsibilities, but which were established to supervise only selected classifications;
- an "in-lieu" position; and

- positions under study by the Personnel Administration at the time of a supervisor-subordinate pay inequity develops.

### **3-02/190.10 SUPERVISOR'S REQUEST FOR AUTHORIZATION**

A supervisor who meets the conditions for a supervisor-subordinate bonus should submit a written request to his Unit Commander containing the following information:

- employee name, classification and employee number;
  - employee's assignment and location;
  - date appointed to position;
  - salary schedule;
  - salary step; and
  - base rate.
- 
- same as above on each subordinate whose base rate is higher than that of the supervisor. This is required so that if the supervisor-subordinate relationship ceases with some of the subordinates due to resignation, promotion, transfer, etc., no new authorization is necessary as long as at least one such relationship remains in effect.

An original organizational chart depicting the reporting structure of the positions involved should accompany the memorandum.

The memorandum and the organizational charts shall be submitted, through Divisional channels, to the Director of Administrative and Training Division. Personnel Administration will subsequently verify the data submitted, and, if all conditions are met, prepare a request requiring the Sheriff's or Undersheriff's approval to be forwarded to the Department of Human Resources (DHR.) DHR will verify the request. After verification, DHR will either approve, deny, or return the request without action, to the Department. On approved requests, Personnel Administration will determine the amount of the bonus and the effective date of the bonus.

### **3-02/190.15 PROCEDURES GOVERNING APPROVED BONUSES**

#### **Adjusting the Amount of the Bonus**

When the supervisor receives a step increase, the bonus is adjusted downward to result in total compensation equal to \$1 more than the base rate of the highest paid subordinate. The adjustment is reported in conjunction with the Step Advance Report.

When the highest paid subordinate receives a step increase, the amount of the bonus must be increased to maintain the \$1 differential. This adjustment is made on the Change of Status Report (Form 76C367) and no new authorization is required.

### Effect of Temporary Absence on Bonus

An absence of the supervisor, subordinate, or both, for a period of 60 consecutive calendar days or less, does not affect the payment of a supervisor-subordinate bonus.

Payment of the bonus must cease after a supervisor has been absent for any reason (vacation, sick leave, etc.) for 60 consecutive calendar days and may not be paid for the duration of the absence; however, the supervisor does receive the bonus for the first 60 days. It is the Unit of assignment's responsibility to notify Personnel Administration, in writing, whenever an employee is absent in excess of 60 calendar days. Payment may be resumed upon the supervisor's return to work without further authorization.

After a subordinate has been absent for any reason for 60 consecutive calendar days, he is no longer considered to be a subordinate for the purpose of justifying a supervisor-subordinate bonus. If no other subordinate is listed in the authorization, the bonus cannot be paid until the subordinate returns to the job.

When the subordinate returns to the job, payment of the bonus may be resumed without further authorization. If a new subordinate is assigned, and such new subordinate was not listed on the prior authorization, a new request for authorization must be submitted.

A Change of Status Report must be used to report any change in the supervisor's compensation due to stopping or resuming payment of a bonus.

### Supervisor's Salary Exceeds Subordinate's

The authorization for payment of the bonus terminates when the base rate of the supervisor exceeds the base rate of his highest paid subordinate. When the supervisor-subordinate relationship ceases to exist, the bonus shall be canceled by the Department.

### Automatic Expiration

All authorizations automatically expire on June 30 of each year and are subject to annual renewal.

### Renewal Procedures

Requests for renewal of the supervisor-subordinate bonus shall be made in the same manner as the original request, except that they are to be marked "renewal." Renewals are subject to the same conditions as original requests.

## **3-02/190.20 RESPONSIBILITY FOR PROCESSING**

Personnel Administration shall prepare a letter to the Department of Human Resources requesting appropriate compensation for individuals who meet the criteria under section 3-02/190.10 for both original and renewal requests.

Personnel Administration shall prepare the Change of Status Report when the supervisor-subordinate relationship ceases to exist; when the status of the supervisor is changed in addition to receiving a step advance; when the status of the subordinate is changed in addition to receiving a step advance; and to report any change in the supervisor's compensation due to stopping or resuming payment of a bonus.

### **3-02/200.00 PAYROLL INFORMATION REQUESTS**

Employees shall direct all questions regarding time and pay to their Unit timekeeper. This includes time and pay codes, which are used to designate a variance from an employee's normal workday.

Unit timekeepers may contact Payroll Operations, Personnel Administration on behalf of employees if further clarification and research are needed. If an answer is urgently needed, the contact may be by phone. All routine requests for information shall be submitted to Payroll Operations on an SH-AD-32A.

Units shall NOT make a direct contact with the Auditor-Controller's Office. Necessary contacts with that office shall be made only by Payroll Operations.

### **3-02/210.00 PAID TIME IN ADDITION TO SALARY**

The overtime rules and special paid time provisions outlined in the current Salary Ordinance of the County shall be applicable unless specifically waived or amended.

When prior formal authorization is required from Personnel Administration and/or the Chief Administrative Officer for any type of paid time, no payment shall be made until the formal authorization is on file with the Payroll Section.

When an emergency situation such as a major earthquake requires extensive manpower and equipment involvement, the Board of Supervisors may authorize special funds outside of the Department budget to cover the costs of such involvement. When a situation of this sort develops, the overtime involved shall be identified in accordance with instructions from the Emergency Operations Bureau.

### **3-02/220.00 EMPLOYEE RELATIONS ORDINANCE**

No benefits involved in an employee representation unit agreement, known as a "Memorandum of Understanding," shall be effective until this Department has been

officially notified that such agreement has been approved by the Board of Supervisors and an effective date has been set for implementation.

Employees will be notified when provisions affecting time and payroll provisions contained in such an agreement are formally in effect in this Department.

### **3-02/230.00 EMPLOYEE'S SIGNATURE ON PAYROLL DOCUMENTS**

Employees shall print and/or sign each time document in ink on which they have reportable time in order to certify that the time as reported is correct.

If the employee is absent and unable to sign, he shall sign a photocopy of the document as soon as possible after his return to work.

### **3-02/240.00 AUTHORIZED SIGNATURE CARD - PAYROLL**

The time documents initiated at a Unit are the basic payroll documents. The person signing these documents is authorizing Payroll Operations to pay or not to pay for the time being reported. Since these documents authorize the payment of money, they shall be approved and signed by the Unit Commander or by another supervisor (preferably of the rank of Lieutenant or above) as designated by the Unit Commander.

When the Unit Commander designates a supervisor of the rank of Sergeant or a civilian to sign such reports, the Unit Commander shall submit a letter of authorization for such employee, together with the signed Authorized Signature Time Record (Form SH-AD-455).

The Unit Commander shall be responsible for seeing that any supervisor who signs the time documents has an authorized signature card on file at Payroll Operations.

When an employee who has such a card on file leaves the Unit, the Unit Commander shall submit a signature card for the employee who is authorized in place of the former employee and shall indicate in a cover memo the name of the employee whose card is to be deleted for that Unit.

When an employee who has such a card on file is promoted while at the Unit and is to continue as an authorized employee of that Unit, the Unit Commander shall see that a replacement card, bearing the new rank of classification, signed by the employee, is sent to Payroll Operations.

Whenever it is necessary to add additional authorized supervisors to those already having signature cards on file, the Unit Commander shall be responsible for seeing that the added cards are submitted.

Time documents not signed by an authorized employee will not be processed. Rubber stamp signatures are not acceptable. When documents consist of more than one page, the person signing the first page may initial the succeeding page(s).

### **3-02/250.00 TAX DEDUCTIONS ON SUPPLEMENTAL WAGES**

All supplemental wages (bonuses, commissions, overtime, retroactive salary increases, etc.) shall be taxed by the Auditor-Controller at a flat percentage rate of 28% Federal and 6% State without allowing for any withholding exemptions.

### **3-02/260.00 EMPLOYEES TEMPORARILY REASSIGNED**

Payroll and time records of an employee on a temporary assignment to another Unit for 90 days or more shall be the responsibility of the timekeeper at the employee's temporary Unit of assignment.

### **3-02/270.00 PAYROLL DEDUCTION CARDS**

County employees may authorize deductions from their paychecks to cover certain items such as insurance, United Way contributions, credit union payments, etc.

Employees desiring to have payments made through the payroll deduction plan must complete a payroll deduction card. These cards may be obtained through the agency to which the payment is to be made, or may be obtained from Payroll Operations, Personnel Administration.

To start, stop or change a voluntary paycheck deduction, the employee shall be guided by the following:

- if the employee is dealing with a credit union, labor organization or similar out-of-County group, the form should be sent directly to the group involved. The outside organization will then forward the request to the Auditor-Controller; and
- for other types of deductions - those sponsored by the County, such as life or health insurance, United Way, U.S. savings bonds, and changes in withholding taxes - the employee shall deal directly with Payroll Operations.

For corrective action in cases where the deducting agency fails to act promptly in processing the deduction, the employee shall write or phone the outside agency or Payroll Operations, as appropriate.

### **3-02/280.00 OVERTIME**

Overtime is defined as time worked in excess of 40 hours in a work week or alternate work schedule.

The appropriate rate of payment for all overtime which qualifies for payment at the premium rate shall be found in the current Salary Ordinance.

In order to earn overtime pay at more than the straight base rate, a qualified employee must work more than forty (40) hours in a work week, unless special pay provisions for overtime at the higher rates are provided in the applicable Memorandum of Understanding.

### **3-02/280.10 OVERTIME AUTHORIZATION**

All overtime must be authorized in advance, whether or not it is to be paid.

Unit Commanders shall exercise strict control over all types of overtime claimed by their subordinate personnel.

Unit Commanders, or designated supervisory personnel, shall be the only persons authorized to give advance approval for working overtime. Refer to section 3-02/010.19 for requirements and notification procedures whenever an employee works overtime at any Unit other than their permanent Unit of assignment.

### **3-02/280.15 OVERTIME PROVISIONS**

The provisions covering a specific employee may be governed by the County Code or the Memoranda of Understanding of an employee group.

Unit timekeepers may help the employee in determining the overtime provisions.

### **3-02/290.00 OVERTIME GUIDELINES**

These guidelines (both general and specific) are not meant to be all inclusive. It is, therefore, incumbent upon each Unit Commander to examine all of his Unit's existing programs and procedures in an attempt to further eliminate any unnecessary overtime that personnel are working.

If any portion of these guidelines conflicts with a Memorandum of Understanding, the Memorandum of Understanding will take precedence.

### **3-02/290.05 GENERAL GUIDELINES**

- no employee shall work overtime when his job can be done during regular work hours;
- credit for overtime worked shall be accrued on a daily basis in 15-minute increments. Overtime shall not be accumulated in smaller increments, except as required by an applicable MOU or federal law;
- Unit Commanders shall establish guidelines whereby non-emergency service requests received near shift change will be assigned, when possible, to the oncoming shift;
- except for emergencies, all overtime shall be approved by the Unit or Watch Commander prior to being worked. Only that overtime which, in the Unit Commander's judgment, is necessary to provide required services in the accomplishments of Department objectives shall be approved;
- all operations which require the use of overtime shall be carefully evaluated in terms of cost-effectiveness. If a program's or operation's cost exceeds its value, the program shall be modified or terminated;
- through proper scheduling and continued utilization of Reserve Deputies, unmanned positions could be efficiently filled without the use of overtime;
- use of overtime to fill a need created by vacancies or foreseeable excess workload must receive prior approval from the Division Chief or Division Director. For the purpose of these guidelines, vacancies are those positions not filled when personnel are transferred or permanently leave a Unit. Positions left temporarily vacant by personnel on vacation or military leave, or absence due to injury or illness, may be filled through the use of overtime only when deemed absolutely necessary by the Unit Commander;
- Unit Commanders shall conduct an audit of their overtime accrual each month to ensure adherence to all overtime guidelines established by this Department;
- Unit Commanders shall define and set a minimum level of acceptable service for their Unit, consistent with Department objectives. This minimum level of service should serve as a general guideline for Watch Commanders to assess their manpower requirements;
- Watch Commanders shall assess their manpower strengths on a shift basis to determine if time off can be allowed. This would be based upon the level of service to be maintained, the Unit Commander's and Watch Commander's determination of anticipated workload, and the manpower available;
- overtime will be re-assessed in 2-hour increments, unless time is needed;
- desk personnel, the Watch Deputy, dispatcher, and the Watch Sergeant shall be responsible for monitoring late calls for possible reassignment to oncoming personnel;
- when service requirements permit, Watch Commanders may permit employees to take a portion of a shift off on creditable service time (E, V, F, or SP); and
- County employees shall not work overtime while using vacation time or during the same shift they elected to take off except on two specific circumstances:
  1. pre-approved special projects - when the CAO or Department Head gives approval for employees to do so on certain projects, such as the 1984 Olympics or the yearly Tournament of Roses Parade;
  2. Court time other than during shift hours - when an employee is off work using

vacation time benefits and, because of a subpoena, must appear in court on behalf of the Department during hours that are not his regular work shift hours, the employee shall earn overtime for those hours he must appear in court that are not during his regular shift hours (i.e., if a PM or EM employee is off using vacation time and must appear in court on behalf of the Department during AM hours, the employee may earn overtime for the time period attending court during AM shift hours).

When an employee is off work using vacation time benefits and, because of a subpoena, is to appear in court on behalf of the Department during his regular work shift hours, the employee shall be taken off vacation for that day, returned to work, and appear in court on County time. No overtime shall be earned for those hours. The employee shall attend court during regular shift hours (i.e., if an AM shift employee is off from work using vacation time and, because of a subpoena, must appear in court during AM shift hours, the employee shall be taken off vacation, returned to work, and appear in court on County time during the AM shift hours.)

When an employee is off work using vacation time immediately prior to and after his regular days off (RDO), the employee shall not work overtime on those RDO's with the exception of must-appear court time.

### **3-02/290.10 SPECIFIC GUIDELINES**

#### **Arrests/Subpoenas**

- Shift Sergeants shall expedite the handling of late arrests by ensuring that the arresting officer receives assistance in all phases of the booking procedure; and
- Supervisors shall ensure that, where possible, in routine misdemeanor arrest situations, the arresting officer shall conduct or witness the searches, tests, or interviews so that only he need be subpoenaed to testify in court. The last paragraph of a report should state the name of the officer who will testify to all the facts. The court Deputy or investigating officer shall request subpoenas for only the minimum number of personnel required to testify in either misdemeanor or felony cases.

#### **Deferred Reports/Late Arrests**

- all patrol personnel are expected to complete crime and arrest reports, including their daily activity report (log), during their shift;
- when a trainee is to write an after-shift report, the Watch Sergeant will determine the necessity for the training officer to remain with the trainee; and
- Watch Sergeants shall be responsible for maintaining a deferred report log and reviewing it for overdue reports on a daily basis.

All report deferrals must be approved by the Watch Sergeant. Every reasonable effort

shall be made to defer reports for the purpose of not expending overtime. The following criteria will apply to any deferred reports/late arrests. A report may be deferred for the following types of incidents:

- no workable information;
- misdemeanor field releases;
- misdemeanor non-desirous;
- felony, no workable information;
- traffic collisions with no injuries;
- traffic collisions with minor injuries and no follow-up;
- late arrest/in-custody reports when a PCD has been completed and detectives are aware of the incident and concur with deferral of the report; and
- any other report that the Watch Sergeant or Watch Commander approves to be deferred.

Deputy personnel should complete a deferred report by the end of shift the next day. If the deputy is not scheduled to work the next day, reconsideration for deferral may be necessary.

Detectives, Secretariat staff, Administration and Operations staff must have prior authorization from the appropriate Lieutenant before working overtime.

### Court Appearances

- all time actually required for court appearances outside of scheduled duty hours shall be credited as overtime. In no event, shall less than one hour be credited for any court appearance, including travel time, outside of an employee's working hours;
- no overtime shall be credited for one hour of the period of time that a court normally recesses for lunch;
- Supervisors shall, where possible, make periodic appearances at court to ensure the presence of Deputies for the necessary period of time required for testimony or disposition of a case; and
- on-call court compensation is not overtime;
  - Deputy personnel are eligible for a minimum of two hours half-time compensation, including travel time, for each on-call subpoena which is not canceled prior to the date of the subpoena; however, compensation will not be granted for any overlap of subpoenas; and
  - Deputy personnel are eligible for a minimum of two hours overtime for each subpoena resulting in a court appearance, including travel time, unless there is an overlap in reporting hours.

### Travel Time

Travel to and from an overtime assignment other than an employee's normal work location shall be compensated by a maximum of one hour of overtime. No travel time

shall be credited to an employee assigned to work overtime at his normal work location.

- when a member is required to make a one-day trip out of Los Angeles County in instances involving such Department business as response to subpoenas, extradition of prisoners, etc., such member shall be considered on-duty during those periods of time involved in traveling and actually conducting the business of the Department. His time on-duty shall begin at the time he reports to his unit of assignment or leaves on his trip from his residence, as applicable, and shall continue until he returns, provided he returns immediately upon completion of the assignment. Total trip time, less time used for eating, shall be considered as time worked; and
- on such trips lasting more than one day, members shall be considered on-duty at the time they report to their unit of assignment or leave directly from their residence, as applicable. Actual time spent in traveling and in carrying out their business shall be considered as time worked. Except as noted below, time spent eating, sleeping, or recreation (free time) shall not be considered as time worked; however, on any day that the member is actually engaged with outside persons in the conduct of the Department's business, he shall be credited as working a full shift. If the member is unable to conduct business because it is a Saturday, Sunday, or legal holiday, such days shall be considered as free time and considered as a regular day off.

NOTE: Members assigned to the state-wide detail of Transportation Bureau shall receive 8 hours of overtime credit for each night they are required to be out of County while transporting prisoners.

### Training

- no overtime or travel time shall be authorized for participation in school district compensated Student and the Law Programs;
- enrollment in courses where attendance is not mandated by the Department shall be on a voluntary basis. Attendance in voluntary courses shall not be compensated by overtime or travel time;
- personnel required to attend mandated classes while off duty shall receive overtime for only that time which is spent in classroom attendance and a maximum of one hour total travel time;
- personnel shall be directed, where possible, to attend Department-mandated classes during regular shift hours;
- members of the Law Enforcement Explorer Academy Staff may be selected from the group of Post Advisors performing their assignments during regular work hours, in which case their schedules shall be adjusted so as to include Saturday as a regular working day. Should sufficient qualified staff not be available from this source, any member of the Department may, with the approval of his Unit Commander, be appointed to the Explorer Academy Staff, with minimum necessary overtime authorized to ensure the continued success of the program; and

- personnel assigned to the Adopt-A-Deputy and Law Enforcement Explorer Programs shall, when possible, be assigned on an on-duty basis. When such personnel are unable to perform their assignments during regular duty hours, the minimum overtime necessary to ensure the viability of these programs may be authorized.

### Qualification Shooting

- for the purposes of satisfying Department firearms proficiency requirements, personnel shall qualify within their alphabetically-assigned month;
- personnel shall be directed to fulfill Department firearms qualification during regular work hours, when possible. This shall include personnel assigned to post positions as temporary relief allows; and
- all personnel required to qualify while off duty shall be credited with a maximum of 2 hours of overtime, including travel time, for firearms qualification.

### Time Off

- personnel off duty on vacation, sick, sick/personal or save time shall not be called back to duty within that 24-hour period, except under circumstances of extreme emergency;
- when an employee has arranged for paid time off on a given day and is then required to work that day, the paid time off shall be restored for the hours worked. If he works fewer than his scheduled hours, the number of hours of paid time off shall be used to make up the required hours. Any time worked in excess of the required hours shall be applied as overtime;
- when an employee does not work his full normal shift hours due to illness or personal reasons, his shift is deemed to start at the beginning of normal shift hours or when he begins work and is deemed to end at the completion of normal shift hours or, if required, when he stops work or has completed his scheduled shift. If the time worked is less than his scheduled shift, the difference shall be appropriately deducted from the employee's paid leave time. If the time worked exceeds his scheduled shift, the employee shall be credited with overtime for the difference;
- scheduling personnel shall accommodate an employee who desires days off when possible to do so without jeopardizing the current level of service. Arrangements for a day off may be accomplished by deleting hours from the employee's paid leave time (except for sick time, unless ill), as specified by the employee;
- when granting an employee time off jeopardizes the necessary level of service, scheduling personnel shall make every reasonable effort to aid the employee in finding a suitable replacement;
- an employee shall not be required to take off any part of his required or optional pay/leave category. The Department will not order any overtime to be taken off solely to prevent payment of overtime earned. Therefore, the Department will accommodate employee preference or convenience in light of operational requirements;

- the Department may direct an employee to take compensatory time off for those hours which are in excess of the required or optional pay/leave category or which are saved in excess of the required pay/leave category. When compensatory overtime is ordered to be taken off, the employee shall be given at least the number of days advanced notice required under the terms of his Memorandum of Understanding (MOU). If the MOU does not specify the number of days advance notice required, the employee shall be given at least 10 business days' notice in advance of the date the time is to be taken off. (Business days mean calendar days, exclusive of Saturdays, Sundays, and legal holidays.) Compensatory time off, commonly referred to as "save" time, is the name for all non-paid overtime earned; and
- employees who have time on the books which has a set expiration date for its use shall be responsible for arranging time off sufficiently in advance of the date for which they wish the time off so as not to jeopardize the Unit's level of service.

### **3-02/290.12 PREPARATION FOR AND COMPLETION OF DUTIES**

All Department members are expected to be fully dressed in their required uniform or business attire, ready to begin work at the time their regularly-scheduled shift is to begin. There is no requirement that members dress into their uniform at the workplace so long as they are in compliance with MPP Section 3-03/030.10 (Who Shall Wear Uniforms). The Department provides lockers and other amenities at most work sites as a convenience privilege; however, the Department expects that if a member opts to dress at work before or after his/her assigned shift, the member is off duty and shall not be compensated with any type of pay or benefit.

All work activities, including briefings, equipment check-out and check-in, Department vehicle preparation, and computer use for Department business, shall be completed within members' regularly scheduled shift hours unless prior approval from their unit commander or a designated supervisor is obtained. In emergent situations where prior approval is impractical to obtain, members shall obtain approval at their first opportunity.

If it is necessary to pass on information to shift relief personnel, members are expected to do so expeditiously, utilizing such tools as assignment logs, email, overlap personnel, and their supervisors, during the members' regularly scheduled shift where possible. If pass on information cannot be conveyed in a less than significant amount of time, or if there is a delay in shift relief at a mandated post, members shall notify their supervisor at their first opportunity and obtain approval to work overtime.

Properly-relieved members who elect to remain at their unit of assignment after their regularly scheduled shift has concluded shall not continue to perform work for the Department unless they have obtained express authorization from their unit commander or designated supervisor to perform overtime work.

Members shall not dissuade another employee from reporting overtime worked.

Members shall not work overtime without requesting compensation, or knowingly permit another employee to do so.

### **SUPERVISOR'S RESPONSIBILITIES**

Supervisors shall ensure that members in their chain of command adhere to the provisions of this policy. When a supervisor is aware that overtime has been worked by a subordinate, the supervisor shall ensure that the subordinate properly reports the overtime, irrespective of whether the subordinate obtained prior approval to work the overtime. Supervisors shall carefully evaluate any request for overtime and shall strictly follow the provisions of this and other related policies including, but not limited to, the expenditure of overtime or the granting of additional leave benefits. Supervisors shall conduct a comprehensive review of this policy with their subordinates during the subordinates' annual performance evaluation process, and the subordinates' acknowledgment and understanding of this policy shall be documented in the evaluation.

### **UNIT COMMANDER'S RESPONSIBILITIES**

Unit Commanders shall ensure that supervisors under their command strictly enforce the provisions of this policy. Unit commanders shall also ensure that efficient shift change procedures are practiced at their units of assignment, and that contingency plans are maintained so that mandatory posts are relieved on time.

### **3-02/290.15 FLSA EXEMPTIONS**

"Exempt" employees are considered to be "Salaried" employees. County officers, any performance-based pay plan participant and any other County employee designated by the employee's department head and approved by the Chief Executive Officer to receive compensation for work performed in a manner consistent with the standards for exempt salaried employees set forth in the Federal Fair Labor Standards Act and its supporting regulations per the County Code (6.09.020) is considered an exempt employee.

#### **Attendance and Absences**

- exempt employees are required to sign in and out of the Daily/Weekly Time Sheet;
- routine absences, such as time off for vacation, medical reasons, reduction of overtime, etc., can be anticipated in advance of the absence date(s), the employee shall prepare an Absence Request Form (SH-R-96) and submit it to his/her supervisor for prior approval;
- with approval, exempt employees may take time off from work in less than full shift increments, and not be charged for such hours. The employee shall prepare an Absence Request Form (SH-R-96) with the statement "Exempt Employee" and submit it to his/her supervisor for prior approval;
- the Daily/Weekly Time Sheet shall reflect time in/time out and the total amount of hours the employee is normally scheduled to work per day (i.e., an exempt

employee who normally works an 8-hour day, from 0830 to 1700 hours, requests to leave 2 hours early for an appointment. The time sheet shall reflect the time in at 0830 hours and the time out at 1500 hours, but the "regular hours worked" section will reflect 8 hours worked. The time sheet will reflect that the employee is Exempt");

- the Unit timekeeper shall post CWTAPPS with the actual hours worked (099) and use code (019) Exempt time for the hours that were taken off. Code 019 does not affect the exempt employee's earnings;
- benefit balances, such as vacation leave and saved overtime, are to be used only when an employee requests time off in full shift increments (8,9 or 10 hours depending on the employee's work schedule). The Absence Request form should reflect the employee's first, second and third choice of benefits to be used for such absences; and
- exempt employees have the option to use any existing benefits available or may choose to be carried authorized absence without pay.

### Holiday

- for employees who are on an alternative work schedule such as 9/80, 12/80, or 4/10, and are scheduled off on holidays, the Unit timekeeper will reflect in CWTAPPS either 9 or 10 hours for the current holiday. CWTAPPS will substitute any hours over 8 as "Exempt Time" and will not charge the employee for these hours; and
- in the event that the holiday occurs on the exempt employee's regular day off (RDO), he/she will be granted 8 hours of holiday time (F) to be used at a later date.

### Vacation

Exempt employees must abide by the current policy which states:

- employees may only defer at the end of each year a maximum of 320 hours of deferred vacation and a maximum of 160 hours of accrued vacation time. Any hours in excess of 320 of deferred vacation must be used by the end of the current year or the excess hours will be paid to the employee;
- the only exception to this policy will apply to Exempt employees who are currently enrolled in the Megaflex Benefit Plan. There is no maximum of vacation hours an employee may defer from one year to the next year. These hours would have been accrued prior to becoming a Megaflex Participant; and
- should an employee choose to enroll into the Flexible Benefit Plan during an open enrollment period, the employee must reduce their deferred vacation by the end of the next year in which they became a Flexible Benefit Plan participant.

### Overtime

- the FLSA Exempt employees may accrue overtime in full increments, depending upon the employee's work schedule (8, 9, 10 or in an unusual occurrence, 12

hours);

- exempt employees may not accrue more than 80 hours (sum of deferred and current) of compensatory overtime at any one time;
- an exempt employee may not add 2 hours on one day to 3 hours on another day and 3 hours on the third day to accumulate 8 hours of overtime. These hours would be reflected on the in-service sheet. The Unit timekeeper will not post these hours to the payroll worksheet nor enter them into CWTAPPS;
- overtime Worked Reports for less than full shift increments are to be maintained by the Unit Commander or the appropriate manager;
- any FLSA exempt employee who works overtime due to an emergent condition or are assigned to weekend duty after reaching the 80-hour maximum can accrue additional hours, but must use the excess hours within 60 calendar days; and
- any compensatory overtime on the books which was earned in the previous calendar year must be used by the end of the current calendar year or be deemed lost.

### Exempt Classifications

1. Sworn personnel with the rank of Undersheriff, Assistant Sheriff, Chief, Area Commander and Captain.
2. Civilian personnel compensated on a Performance-Based Pay plan.
3. Non-represented civilian classifications listed below:
  - Accounting Officer III
  - Assistant Bakery Manager
  - Assistant Staff Analyst Health
  - Bakery Manager Sheriff
  - Building/Communication Manager II
  - Chief Helicopter Maintenance
  - Crime Analyst Program Coordinator
  - Data Systems Supervisor I
  - Dietician Advisor
  - Departmental Employee Relations Representative
  - Executive Secretary
  - Field Deputy Sheriff U/C
  - Food Production Manager II
  - Food Production Manager III
  - Head Departmental Personnel Technician
  - Manager Records Information Systems
  - Medical Records Director I
  - Physician's Assistant
  - Program Specialist II
  - Records Management Analyst
  - Special Services Assistant I
  - Special Services Assistant II
  - Senior Departmental Personnel Technician

- Senior Employee Services Representative
  - Senior Management Secretary V
  - Staff Analyst Health
  - Supervising Administrative Assistant II
  - Supervising Administrative Assistant III
  - Services Unit Materials Manager I
  - Training Coordinator Sheriff
4. Physicians and Dentist Classifications:
- Chief Physician
  - Physician Specialist
  - Physician
  - Dentist
  - Senior Dentist
  - Dental Specialist

### **3-02/300.00 OVERTIME WORKED REPORT**

An Overtime Worked Report (SH-R-251) shall be prepared for each separate period of overtime worked by an employee on any given day. A report must be submitted regardless of whether the overtime worked was voluntary, ordered, paid or saved, and must accurately reflect the number of overtime hours worked to ensure proper compensation.

An employee's failure to submit a report on form SH-R-251 will result in a delay of overtime credit or pay, as no overtime will be entered into the County Wide Timekeeping and Payroll Personnel System (CWTAPPS).

Form SH-R-251 shall be used for the following types of overtime:

- ordered overtime;
- voluntary overtime;
- on-call overtime;
- overtime worked during an unusual occurrence with a control number;
- overtime worked under a special event contract with a control number;
- overtime worked under a private entity contract with a control number;
- overtime worked under a school district contract with a control number; and
- call-back overtime.

### **3-02/300.05 GENERAL INFORMATION**

Information requested on the form shall be legibly printed in ink or typewritten. The identification data and all subsequent information shall be completed as follows:

### Name

The employee reporting the overtime shall provide the last name first, then the first name, and then the middle initial. If there is no middle initial, use the symbol [NMI] - and include the brackets.

### Rank/Title

The title of the position held by the reporting employee must be given in full, unless one of the abbreviations shown below is involved in the title. The following are the only acceptable classification abbreviations to be used when reporting overtime on form SH-R-251:

- Dep. for Deputy
- Sgt. for Sergeant
- Lt. for Lieutenant
- Capt. for Captain
- Cmdr. for Commander
- Admin. for Administrative
- Int. for Intermediate
- L.E. Intern for Law Enforcement Intern
- LECSO for Law Enforcement Community Service Officer
- M.O. for Machine Operator
- Sr. for Senior
- Sh. Sta. Clk. for Sheriff's Station Clerk
- Steno. for Stenographer
- Sup. for Supervising
- T.C. for Typist Clerk
- C.A. for Custody Assistant
- C.L.O. for Court Liaison Officer
- L.E.T. for Law Enforcement Technician

### Unit of Assignment

Enter the name of the Unit to which the employee is regularly assigned. If the employee is on a temporary assignment with another Unit, the name of the permanent Unit of Assignment shall be entered unless specifically instructed otherwise. Approved abbreviations are acceptable. For example, the Unit of Assignment might be ELA Station, SBI, IRC, SEB or Homicide Bureau, etc.

### Outside OT Organization Number (ORG. #)

Enter the accounting organization (ORG.) that the overtime is to be charged to. This field should remain blank if the overtime is to be charged to the employee's Unit of Assignment.

### Employee Number

Enter the separate and distinct number assigned to the reporting employee. This number is shown on both the face and the stub of the employee's paycheck. Employees should be sure they report their correct number, as a wrong number could result in the overtime being credited to another employee.

### Paid/Saved

Check the appropriate box based on existing guidelines published in accordance with the employee's appropriate Memorandum of Understanding (MOU).

### Overtime Code

This section of the form shall be completed for all overtime authorized by the County Salary Ordinance, contracts, and unusual occurrences. The codes printed on the back of the Overtime Worked Report (SH-R-251) shall be used. No other codes are authorized for use in CWTAPPS. It is the responsibility of the supervisor approving the overtime to ensure the use of the proper code. Refer to section 3-02/300.10 for guidelines in the proper use of overtime categories and codes.

### Total Overtime Hours

Enter the total number of overtime hours being reported on this particular report, excluding briefing time (For specific instructions see "Time Spent Briefing For This Overtime").

### Voluntary/Ordered

Check the appropriate box to indicate whether the overtime was voluntary or ordered in accordance with the employee's appropriate Memorandum of Understanding.

### Date Worked

Enter the month, day and year on which the employee began to work overtime. If the overtime worked should extend into the hours of the following day, do not submit an additional form. One form shall be submitted and dated for the day on which the overtime began; the starting and ending times shall be shown (e.g., 2300 hours to 0200 hours).

### RDO/Regular Shift

Check "yes" or "no" to indicate whether the overtime was worked on a regular day off (RDO).

Enter the beginning and ending hours for the employee's regularly assigned shift unless the overtime was worked on a regular day off.

### Overtime Hours Worked

Enter the beginning and ending hours for actual overtime hours worked.

When entering the overtime hours worked, the following guidelines shall apply:

- if the employee worked his regular shift on a regular working day and the overtime was an extension of his regular shift, he shall give the starting and ending times for the overtime only;
- if the employee worked his regular shift and also worked other hours not an extension of his regular shift, only the starting and ending times of the overtime shall be shown;
- if the employee worked on a regular day off, the starting and ending times of overtime hours worked shall be shown; and
- if the employee works more than one separate and distinct period of overtime (not an extension of his regular working shift on a regular day worked, or on a regular day off), he shall use separate forms to record each beginning and ending overtime period.

Call-back time: When reporting overtime as a result of a "call-back," justify the requirement for overtime and use the most specific overtime code, i.e., if call-back is due to broken windows or B/O alarm, the code should be 808 - Facility Security.

### Control Number

If the overtime is worked due to a non-reimbursable event such as a large fire, flood, earthquake, civil disturbance, etc., the Department will make an announcement when an unusual occurrence is in effect and a Control Number has been assigned. The number must be entered on the overtime form. Separate forms (SH-R-251) must be prepared for each day's overtime attributable to the specific event. Control Numbers are assigned to Special Event Contracts, Private Entity Contracts, School District Contracts, and Other Reimbursable Events worked.

The Control Number must be entered on the overtime form if a contract is worked and recorded as overtime.

If the Overtime Report is being submitted for work as the result of an event using the 900 series of overtime codes (Special Event Contract, Private Entity Contract, School District Contract, etc.), the Control Number box must be completed. Failure to complete the Control Number box will cause CWTAPPS to automatically reject the overtime.

### Detailed Explanation and Justification of Overtime Worked

The supervisor approving the overtime shall ensure that a reasonable, concise justification is provided for all overtime worked. The following examples are NOT acceptable:

- shift hold-over;
- heavy workload;
- late call; and
- too many inmates.

When writing the justification, overtime accountability shall be the primary consideration. The following examples are generally acceptable; however, additional information may be required and should be included if available:

- shift held over due to: several arrests, large volume of calls for service with 30 calls backlogged, several large parties in progress;
- heavy workload due to: secretarial staff had to process 20 arrests for court with reduced staff due to sick call-ins;
- late call: refer to tag 198 re: 211 Now call at Thrift Gas Station; and
- additional security for overflow inmates housed in jail chapel.

The space can also be used by Units to track special studies, i.e., time actually spent testifying in court, special programs, etc.

If the employee is to be compensated for travel time, such time should be included in both the "overtime hours worked" and "Total O/T Hours" sections and indicated in the overtime justification.

#### Court/URN Number

If the overtime involves going to court, or time spent on a particular case, the appropriate Court Case Number or URN shall be entered on this space.

#### Vehicle Information

When required, an employee who is assigned to drive a vehicle as part of his activity during an event shall enter the starting, ending and total mileage for the activity on that particular day. If a County vehicle was used, the vehicle number, make and model must also be entered. To provide accurate cost information, if the vehicle used is not a County vehicle, the term "Permittee" or "Non-permittee" shall be entered in lieu of the County vehicle number.

A permittee is defined as someone who regularly claims mileage reimbursement as opposed to a non-permittee who claims mileage reimbursement on a rare or occasional basis.

#### Supervisor Pre-Approving O.T.

Whenever practical, all overtime worked must have prior approval before work can begin. Enter the name of the Watch Commander or supervisor who is initially consulted and gives prior approval for the overtime. The Station court liaison officer shall also use this box to certify on-call overtime.

#### Employee's Signature

The employee's signature certifies that the overtime was worked and that the Overtime Worked Report is completed accurately. The signature must be the employee's full, legal signature. The employee shall enter the date the overtime slip is being signed.

#### Approving Supervisor's Signature

The supervisor's signature certifies the following:

- the accuracy of the entire Overtime Worked Report;
- the necessity for working the overtime; and
- the overtime worked conforms to Unit and Department policy.

The approving supervisor shall enter the date that he is signing the overtime worked report.

#### Distribution

After certifying the accuracy and necessity of the overtime, the supervisor shall submit the Overtime Worked Report to the Unit Commander or his designee for final approval. Approved forms shall be forwarded to the Unit timekeeper for entry into CWTAPPS. All approved forms shall be retained at the Unit except when instructed otherwise by Central Payroll or Emergency Operations Bureau.

#### Final Approval

The Unit Commander shall initiate procedures to ensure that all overtime is accurate and necessary.

### **3-02/300.10 OVERTIME**

The following definitions are provided in order to clarify which code is to be used when completing the Overtime Worked Report (SH-R-251). No other codes are authorized for use in the County Wide Timekeeping and Payroll Personnel System (CWTAPPS).

The supervisor approving the overtime shall have the responsibility for assuring the use of the proper overtime codes.

When selecting a code, the following general guidelines shall apply:

- use the most specific code;
- multiple codes may apply to particular situations due to a variety of activities. When one employee is reporting the overtime, consolidate all activities to the most specific code, e.g., surveillance, arrest-felony, evidence gathering, evidence storage, and report writing should be coded as "701" - Arrest, Felony;
- when more than one employee is reporting overtime related to several activities, use the most specific code for that employee's activity. For example, one employee may report "701 - Arrest, Felony;" "709 - Evidence Storage;" or "712 - Report Writing;" and
- when unable to comply with the above guidelines, code the activity that required the most time.

### **VACANCY**

- 101 Injury on Duty  
Overtime required to replace an employee due to Injury on Duty (I.O.D.)
- 102 Leave  
Overtime required due to a Unit vacancy resulting from military leave, maternity leave, sabbatical leave, or leave of absence.
- 103 Loan  
Overtime required to replace an item loaned to another Unit.
- 104 Sick  
Relief due to illness of a scheduled employee.
- 105 All Other Vacancies  
Overtime required to maintain minimum manpower. This code is to be used only in the event that one of the more specific codes does not apply, i.e., vacancy due to suspension.

Whenever a vacancy code is used, the name of the employee whom you are relieving shall be provided in the justification section, i.e., "replacement for Deputy Jones."

### **TRAINING**

- 201 Departmental  
Training required by Departmental directives, e.g., driver training.
- 202 POST  
Training specifically required or reimbursable by POST.

- 203 Unit Level  
Training required by Unit policy, e.g., Special Weapons Team Training, report writing, rescue, special problems, etc.
- 204 Training Relief - Other  
All overtime required to relieve personnel who are attending training. Provide the name of employee and type of training in the justification section.
- 205 Training Relief - STC  
This code shall be used for Standards and Training for Corrections relief. Provide the name of the employee and type of training under the justification section.
- 206 Firearms Qualification  
Use this code to report all overtime required for mandatory range-firearms qualification.
- 207 Training Development  
All overtime required for the development of a Department or Unit level training program, i.e., Department films, curriculum development, scenario development, writing training manuals, etc.
- 301 Administrative Hearing, Criminal  
All appearances for hearing before the County Grand Jury, Department of Motor Vehicles, Federal Grand Jury, or depositions.
- 302 Federal Court  
All appearances in Federal Court.
- 303 Juvenile Court, Continued  
All appearances in Juvenile Court that are based on a continuance. Do not use this code for a trial that trails to the next day.
- 304 Juvenile Court, Motion Hearing  
All appearances in Juvenile Court based on motions only, e.g., 1538.5 P.C.
- 305 Juvenile Court, Trial  
All other appearances in Juvenile Court including Dennis H. Hearings and/or in trials that trail to the following day.
- 306 Municipal Court, Continued  
All appearances in Municipal Court that are based on a continuance.
- 307 Municipal Court, Motion Hearing  
All appearances in Municipal Court specifically required for motions only, e.g., 1538.5 PC. Do not use this code for preliminary hearings or trial activity.

- 308 Municipal Court, Preliminary Hearing  
All appearances in Municipal Court specifically required for a preliminary hearing. Record time in this category regardless of the number and type of Motions made during the hearing. A preliminary that trails to the following day will also be recorded under this code.
- 309 Municipal Court, Trial  
All appearances in Municipal Court and/or in trial(s) that trail to the following day. Motions during trial shall be recorded in this category.
- 310 Traffic Citations Only  
All overtime required for appearances in all Traffic Courts (Municipal and Juvenile). Do not use this code for felony traffic appearances. Use the appropriate municipal court code.
- 311 Pretrial Conference  
All pretrial conferences with prosecuting attorneys, County Counsel, Judges, etc.
- 312 State Parole Hearing  
All appearances for testimony regarding an individual's parole. For overtime required to provide security at a State Parole Hearing use Code 617 - State Parole Hearing Security.
- 313 Superior Court, Continued  
All appearances in Superior Court that are based on a continuance. For appearances in Juvenile Court, use Code 303.
- 314 Superior Court, Motion Hearing  
All appearances in Superior Court that are specifically required for motions only. For appearances in Juvenile Court, use Code 304.
- 315 Superior Court, Trial  
All appearances in Superior Court, and/or in trial(s) that trail or reconvene the following day.
- 316 Youth Authority Hearing  
All hearings conducted by the California Youth Authority.
- 399 On-Call Court (Half-time)  
All on-call court overtime authorized by the employee's Memorandum of Understanding. Presently this code results in half-time, paid compensation for a minimum of two hours for employees in the Peace Officers and Supervising Peace Officers Memorandum of Understanding.

When evidence required for court must be picked up and transported to court, include the overtime required under the appropriate court appearance code.

## **JUDICIAL PROCEDURE**

- 401 Bailiff - Early/Late  
All overtime required to fill bailiff positions due to extended court hours.
- 402 Civil Process Service  
All overtime required due to Civil Process and Keeper Service.
- 403 Court Lockup Security  
All overtime required to provide security of a court lockup prior to or at the end of a normal shift during regular court hours.
- Special security on a weekend should be recorded under this code. Replacement of a lockup Deputy who is sick or injured must be recorded under the appropriate vacancy code, e.g., 101 - Injured on Duty or 104 - Sick.
- 404 Courtroom Security  
All overtime required to provide/maintain security of a courtroom. Time in this category will include supplemental security for high security trials or acting as bailiff in a court that does not normally have a bailiff. Replacement of a normally assigned bailiff shall be recorded in the appropriate Vacancy category. The primary reason for the overtime shall be used when selecting the proper code, e.g., Witness Protection vs. Courtroom Security or Tactical Operation. A Special Weapons Team call-out due to a barricaded suspect in a courtroom will be coded as 815 - Tactical Operation rather than Courtroom Security.
- 405 Criminal Process Service  
All overtime required due to criminal process.
- 406 Jury Maintenance  
All overtime required to maintain a jury, e.g., security, escort service, protection.
- 407 Witness Protection  
All overtime required to protect a witness. A Tactical Operation developed to protect a witness would be coded under the more specific code of Witness Protection rather than the general code of Tactical Operation.
- 408 Warrant Preparation  
All overtime required for the preparation of an arrest or search warrant when preparation is the only activity.
- 409 Warrant Service  
All overtime required for the service of an arrest or search warrant. Overtime expended by SEB to assist Narcotics Bureau during the service of a high risk warrant shall be recorded as "Warrant Service" rather than "Tactical Operation." Even though a tactical plan was implemented by a Special Weapons Team,

Warrant Service was the primary reason for the overtime.

Regarding warrant preparation and warrant service: Do not submit separate overtime slips when one activity leads to another. For example, while working overtime, a detective prepares an affidavit, locates a judge, obtains a warrant, serves the warrant, makes an arrest and writes a report. The code "Warrant Service" shall be used because all activity occurred as a result of, or to facilitate, the service of the warrant.

## **ADMINISTRATIVE/CLERICAL**

### 501 Administrative/Clerical Duties

All overtime required for clerical duties not covered by a more specific code, e.g., filing, typing, purging, file consolidation, surplus property records/storage, etc.

### 502 Administrative, Staff Duties

Primarily for use by operations, staff, supervisory/ management/executive personnel who, by necessity, must attend meetings; review/write documents evaluations and reports. If attending city council/contract city meetings, use Code 502 – Community Service. If writing criminal reports, use Code 712 - Report Writing.

### 503 Administrative Hearing, Non-Criminal

Appearances before the Civil Service Commission, the Board of Supervisors, etc.

### 504 Administrative Transportation

All overtime specifically required for travel, except standard travel time to and from local courts. Executive transportation, long distance travel to training California Specialized Training Institute (C.S.T.I.), and areas out-of-state shall be included under this code.

### 505 Automated System Maintenance

All overtime required for computer systems repair, maintenance, systems malfunction or restoration. Include overtime required to re-enter lost data or for reprogramming as a result of a malfunction; manual preparation of court lists, searches for inmates and additional jail security required due to computer failure.

### 506 Automated System Programming

All overtime required for programming a computer system, including program development and reprogramming not required due to malfunction.

### 507 Budget Preparation

All overtime required to prepare the Unit, Division or Department budgets; including time required for meetings, writing, typing, negotiation, management/executive review, etc.

- 508 Data Input/Retrieval  
All overtime required for the input or retrieval of information from computer systems. Include all time required for system updates not related to malfunction or the retrieval of information for analysis.
- 509 Data Search/Analysis  
All overtime required for crime trend, data or statistical analysis when computer systems are used to obtain the data.
- 510 Operations Evaluation  
All overtime required to evaluate an operation; includes overtime worked due to command inspection after action report/critique, observation(s) by Inspectional Services Unit (not an investigation), evaluation of activity by another agency, etc.
- 511 Personnel Investigation, Non-Criminal  
All overtime required to conduct, write, interview, report, or review a non-criminal personnel investigation, e.g., internal, background (other than recruitment), citizen complaints, administrative, Unit level, etc. Criminal Investigations should be coded under the appropriate Investigation code.
- 512 Recruitment  
All overtime related to the recruitment and hiring of personnel, e.g., background investigation, interview, recruitment displays/programs, testing, etc.
- 513 Staff Meeting  
All overtime required to conduct staff business not related to a Unit meeting that is authorized/defined in various MOUs.
- 514 Timekeeping  
Overtime specifically required for timekeeping functions, CWTAPPS data entry, and special reports.
- 515 Unit Meeting  
Overtime specifically authorized for all members of an organization to attend a meeting as defined in the various MOU's.

## **CUSTODY OF INMATES**

- 601 Booking Records  
All overtime related to inmate records, e.g., filing, purging, reviewing, document analysis, special studies, property/clothing purge, etc.
- 602 Cashiering (Inmate Funds)  
All overtime related to inmate trust accounts, bail and fine processing, special studies, audits, overage and loss investigations, special deposits, balancing, and inmate mail processing.

- 603 Food Service - Preparation  
All overtime worked by Custody Division Food Services personnel for the preparation of food. Include time expended preparing box lunches for an emergency operation unless an Unusual Occurrence Control Number has been assigned. If an Unusual Occurrence Number has been assigned, record time under Special Compensation - 901, and provide the U.O. Control Number.
- 604 Food Transportation  
All overtime required to transport food to Department facilities or emergency staging areas. If an unusual occurrence (U.O.) has been declared, record time under Special Compensation - 901, and provide the U.O. Control Number.
- 605 Inmate Classification/Movement  
All overtime required for the classification and movement of inmates at the jail including work release, classification, work furlough, interior movement/processing, placement, relocation, etc. (Do not include inmate transportation via radio car, bus or airplane.)
- 606 Inmate Feeding  
All overtime required to facilitate inmate feeding.
- 607 Inmate Incident/Disturbance  
All overtime expended as a result of an inmate incident or disturbance unless a more specific code applies. Include riots, emergency response teams, escapes, jail assaults, searches, fires, etc.
- Do not include jail investigations if a more specific section applies, e.g., Pre-Complaint Investigation, Post-Complaint Investigation, Evidence Gathering, etc.
- 608 Inmate Recreation  
All overtime expended to meet federal mandates for inmate recreation.
- 609 Inmate Vocational Training  
All overtime expended in support of a specific inmate vocational training program, e.g., carpet laying, tile setting, upholstery, etc.
- 610 Jail Enterprises - Bakery  
All overtime required to support the Jail Bakery. Include vacancy and all other overtime under this code; a justification must be provided. \*See Note.
- 611 Jail Enterprises - Farm  
All overtime required to support the jail farm operation. Include vacancy and all other overtime under this code; a justification must be provided. \*See Note.

612 Jail Enterprises - Laundry  
All overtime required to support the jail laundry operation at Pitchess Honor Rancho. Include vacancy and all other overtime under this code; a justification must be provided. Do not include laundry activity for any other facility under this code. \*See Note.

613 Jail Enterprises - Stores  
All overtime required to support the jail store operation. Include vacancy and all other overtime under this code; a justification must be provided. \*See Note.

NOTE: Codes 610, 611 612, and 613 have been developed for specific use by employees whose work is directly associated with revenue derived from a jail enterprise. Sworn and civilian personnel may use the codes; however, a justification must be provided in each case.

614 Medical Records  
All overtime required to manage, maintain, develop, purge or file inmate medical records.

615 Medical Services  
All overtime required to provide medical services for inmates, e.g., pharmacy, laboratory, X-rays, clinic, etc.

616 Security Prowler  
All overtime required for security due to a breach of jail security, special search, overcrowding in a jail facility, etc. Include security required for temporary, short-term housing, e.g., day room, hallway up to 72 hours, and special security at a local hospital. Do not include normal prowler or post positions regularly assigned on a daily basis.

617 State Parole Hearing Security  
All overtime required to provide security for State Parole Hearings.

618 Transportation To/From Court  
All overtime required to provide transportation for inmates going to and from court.

619 Transportation To/From Custody Facility  
All overtime required to transport inmates to and from one custody facility in the County to another facility.

620 Transportation To/From Medical Facility  
All overtime required to transport inmates to and from a medical facility. If a patrol Deputy transports a prisoner from his Station to a medical facility and then to Central Jail, use Code 619 - Transportation to Custody Facility. If the prisoner

remains at the medical facility or returns to the Station, use this code.

621 Transportation - Statewide

All overtime required to transport inmates to and from facilities outside of the County, including extraditions.

**INVESTIGATIONS**

701 Arrest, Felony

All overtime specifically required due to a felony arrest. The arresting officer should include multiple activities, e.g., arrest, booking, evidence storage and report writing under this code when more than one activity is on overtime. If report writing is the only activity on overtime, use 712 - Report Writing. If the arrest occurred during the regular shift but the investigation continued after the shift use 711 - Pre-Complaint Investigation.

702 Arrest, Misdemeanor

All overtime specifically required due to a misdemeanor arrest. Include multiple activities under this code when more than one activity is on overtime, e.g., arrest, booking, additional investigation, transportation to custody facility, etc. If report writing is the only activity related to the arrest use 712 - Report Writing.

703 Booking/Release

Overtime required to book or release inmates.

704 Crime Lab - D.U.I.

All overtime attributed to analysis of evidence from driving under the influence cases, e.g., urine, blood, etc.

\*See Note.

705 Crime Lab - Evidence

All overtime attributed to the gathering and analysis of evidence for crimes other than D.U.I. (704) or narcotics (706). \*See Note.

706 Crime Lab - Narcotics

All overtime required for the gathering, handling and analysis of narcotics; including clandestine laboratories.

\*See Note.

NOTE: Codes 704, 705, and 706 have been developed for specific use by Crime Lab employees whose work could be offset by revenue recovery.

707 Evidence Analysis

All overtime required for viewing, analysis, etc., of all evidence by employees not assigned to the Crime Lab.

- 708 Evidence Gathering  
All overtime required for the gathering, preservation, recovery, security or transportation of evidence by employees not assigned to the Crime Lab, including crime scene security. If gathering and booking of evidence both occurred on overtime, record both activities under the code that required the most time.
- 709 Evidence Storage  
All overtime required for the booking, storage and maintenance of evidence by employees not assigned to the Crime Lab. If gathering and booking of evidence both occurred on overtime, record both activities under the code that required the most time.
- 710 Post-Complaint Investigation  
All investigative activity after the complaint has been filed.
- 711 Pre-Complaint Investigation  
All investigative activity prior to a complaint being filed.
- 712 Report Writing  
All overtime required for writing reports associated with crimes and criminal activity. Include first reports, supplemental reports, and memos regarding suspect activity or unusual circumstances that may be of interest to detectives, force memos, etc.
- 713 Special Investigation  
Overtime required for unique investigations not defined as 511 - Personnel Investigation; 710 - Post-Complaint Investigation; 711 - Pre-Complaint Investigation; or 715 -Traffic Investigation. Use this code only if a more specific code does not apply, e.g., non-criminal organized crime information verification, etc.
- 714 Surveillance  
Overtime specifically required for surveillances. If an arrest occurs during the same overtime period, use the appropriate arrest code.
- 715 Traffic Investigation  
All overtime required for Traffic Investigations. Include accident scene investigation, follow-up, photographs, Fatal Accident Investigation Team, etc.

## **OPERATIONS**

- 801 Air Support  
All overtime required for flight crews and support personnel.
- 802 Community Service  
All overtime required for City Council meetings, Contract City meetings, Youth

Athletic League, and other types of community service not covered by a specific code.

803 Crime Prevention

All overtime required for Crime Prevention Programs, lectures, Neighborhood Watch, Youth Awareness Program, meetings, etc.; for surveillance to prevent crime use Code 714 - Surveillance.

804 Directed Patrol

All overtime required to support a patrol program based on specific data, e.g., C-CAP, etc.

805 Duty Officer

All overtime specifically expended by a Division or Department Duty Officer.

806 Emergency Operations

All overtime required due to an emergency operation. Include Command Post Operations, activities during an emergency not considered a tactical operation, emergency supply runs, blood runs, area damage checks, etc., that have not been designated a U.O. Number, etc.

807 Facility Maintenance

All overtime required to maintain a Department facility.

808 Facility Security

All overtime required to provide security for a building or facility. Do not include short term jail/prisoner security (refer to 616 - Security Prowler).

809 Hazardous Materials (HAZ/MAT) Operation

All overtime required to handle, conduct or coordinate a hazardous materials (Haz-Mat) operation. Include Haz-Mat Team call-outs, Command Post Operations, area security, traffic control due to the Haz-Mat Operation, evacuation teams, etc., that have not been designated a U.O. Number.

810 Late Call - No Arrest

All overtime required due to a late call when a more specific code does not apply. If multiple Units receive late calls that result in a shift holdover, use Code 814 - Shift Holdover.

811 Selective Enforcement

All overtime required due to a specific crime problem or "Police Hazard" that requires selective enforcement, e.g., Whittier Boulevard closure, saturation patrol, drunk driving checkpoints, traffic hazard citation program, etc.

812 Sheriff's Auxiliary Services

All overtime required to support functions related to the Sheriff's Department

Reserves, Posse, Explorer Scouts, Civilian Volunteer Program, etc.

- 813 Shift Exchange  
All overtime required to facilitate body swaps, trades, and the exchange of shift hours.
- 814 Shift Holdover  
All overtime expended when a majority of employees are held after regular work hours due to major workload problems. This code should be used when all Units remain in the field to handle calls, etc.
- 815 Tactical Operation  
All overtime required due to a tactical operation. Include dignitary security, Special Weapons Team call-outs, barricaded suspects, hostage/crisis negotiations, etc. (Overtime expended by S.E.B. to assist Narcotics Bureau during the service of a high risk warrant shall be recorded as "Warrant Service" rather than "Tactical Operation." Even though a tactical plan was implemented by a Special Weapons Team, "Warrant Service" was the primary reason for the overtime.)
- 816 Time Change  
All overtime expended due to time changes caused by Daylight Savings Time.
- 817 Traffic Control  
All overtime expended due to traffic control. Includes traffic signal malfunction, inclement weather, large crowds, traffic accidents, fires, etc.

### **SPECIAL COMPENSATION**

- 901 Non-Reimbursable Event - (Control Number Required)  
All overtime required due to an unusual occurrence shall be recorded using this code. A control number will be assigned and must be reported on the Overtime Worked Report (SH-R-251).
- 902 Special Event Contract - (Control Number Required)  
All overtime required due to a special event coordinated and paid via another governmental agency, e.g., parade, carnival, concert, special security for shopping center, etc. A control number will be assigned and must be reported on the Overtime Worked Report (SH-R-251).
- 903 Private Entity Contract - (Control Number Required)  
All overtime required due to an event coordinated and paid by a private entity, e.g., security for the 1984 Olympics, Movie Site Security, etc. A control number will be assigned and must be reported on the Overtime Worked Report (SH-R-251).
- 904 School District Contract - (Control Number Required)

All overtime required due to an event coordinated and paid by a school district, e.g., security at football games, dances, school carnivals, concerts, on-campus security during school hours, etc. A control number will be assigned and must be reported on the Overtime Worked Report (SH-R-251).

905 Reimbursement Court Overtime - (Control Number Required)

All overtime that is reimbursed by the Court pursuant to contractual agreement, i.e., overtime used to replace absences, fulfill requests for supplemental courtroom bailiff services, for after-hours/off-site event security and to fill specific vacancies.

909 Other Reimbursed Event - (Control Number Required)

All public entity contracts involving special billing, e.g., grants, agreements, non-routine outside agency investigations and the filling of contract vacancies. A control number will be assigned and must be reported on the Overtime Worked Report (SH-R-251).

### **3-02/310.00 CALL-BACK TIME/EARLY SHIFT START**

Call-backs shall be authorized only by the Unit Commander or the Watch Commander.

Persons authorized to be paid for call-back time are employees whose classification is authorized for paid overtime, regardless of the overtime compensation system.

Employees not authorized for paid call-back time shall receive saved time.

Call-back time is involved when an employee is unexpectedly ordered by his Department to return to duty because of unanticipated work requirements. The order to return is given to the employee following termination of his normal work shift and departure from his work location. Such return shall be within 24 hours of when the order was given, but not less than 2 hours before the established starting time of the employee's next regular shift.

When the requirements for paid call-back time are met, the employee shall receive a minimum payment equal to four hours of premium overtime pay. This minimum payment applies whether or not the employee actually works a full four hours, and whether or not the employee has worked more than his required work hours for the workweek involved. Persons not meeting the requirements for paid call-back time (classifications not authorized to receive paid overtime) shall have a minimum of four hours of saved time under the same conditions. They shall also receive saved time for any call-back worked in excess of the minimum four hours.

When an employee eligible for paid call-back time works in excess of the minimum four hours, all such excess time will be compensated in accordance with applicable MOU for represented employees or County Code for non-represented employees. When such employee is eligible for the four hours of paid minimum call-back time, he may not elect to

receive saved time for the four hours.

Employees who are qualified for standby pay who are called back while on standby shall not claim credit for standby for the time spent on a call-back or on overtime work.

Employees shall report call-back time on Overtime Worked Report (Form SH-R-251) by circling #31, "Other (Specify)," and completing the Specific Authorization section.

The following are examples of unacceptable use of call-back:

- employee is behind on work and needs to catch up;
- employee has not done his job right and is called back to correct it or finish it;
- employee takes keys or papers home and is required to return them;
- overtime which can be scheduled while the employee is still on-duty; and
- court time.

When a second call-back is made on the same day, time on the second call-back shall not be counted until a full four hours has elapsed from the time at which the employee began work on the first call-back. For example, if an employee began work on the first call-back at 0900 hours and left at 1000 hours and was again called back and began work on the second call-back at 1100 hours, time on the second call-back could not accrue until after 1300 hours. However, if the same employee was called back at 1300 hours and began work at 1350 hours, all of the time on the second call-back would be counted.

Unless reporting to a location other than the regular Unit of assignment, travel time involved in a call-back shall not qualify as part of the reportable call-back time, nor shall mileage be claimed.

When an employee who is qualified for paid call-back time is required to start his shift up to two hours earlier than his normal shift start, and such employee is also required to work his full normal shift, the employee shall be compensated for such pre-shift time.

If the employee does not work his full shift in addition to the pre-shift time, he receives no overtime.

### **3-02/320.00 STANDBY PAY**

Personnel who are assigned regularly scheduled periods of standby service at home on off-duty hours where such standby time causes inconvenience and restricts normal activity during such standby periods may, when formally authorized, claim standby pay at the rate provided in the County Code or the applicable MOU.

Assignment to such standby service requires the prior annual authorization of the Chief Administrative Officer.

The following are not eligible for standby pay:

- administrative and managerial positions;
- safety retirement members;
- physicians and resident physicians;
- training positions such as students and interns;
- non-competitive positions;
- without compensation positions; and
- persons residing in County-owned buildings.

Civilian positions included in the "Administrative and Managerial" categories are positions comparable to Bureau, Station, and facility Commanders and above.

Requests for formal authorization for standby pay shall be initiated by concerned Unit Commanders and submitted through channels to Personnel Administration who, in turn, will submit the request for the formal approval of the Chief Administrative Officer.

Notification of approved standby requests shall be made by Personnel Administration, through channels, to the requesting Unit and to the Payroll Section. No standby pay will be processed without this authorization.

Saved time may not be substituted in lieu of standby pay.

If a legitimate "call-back" is made during the scheduled off-duty standby time, the number of hours spent on the call-back shall be subtracted from the time spent on standby time.

Standby time is not considered as overtime and shall not be considered as time worked in computing the required workweek hours after which premium pay overtime can apply.

### **3-02/330.00 DAILY/WEEKLY TIME SHEET**

Each Unit shall maintain a record of each employee's time for each day on the Daily or Weekly Time Sheet. The time sheet must be maintained in alphabetical order by shift.

#### **Policy**

- it is the responsibility of scheduling or other designated supervisory personnel within each Unit to ensure that the time of each employee is accounted for each day, and that an approved, accurate, and complete record is provided to the Unit Timekeeper by the appropriate deadlines;
- all corrections to the time variances or hours worked must be submitted to the Unit Timekeeper in writing; and
- all schedule changes should be submitted to the Unit Timekeeper in writing at least two weeks prior to the effective date.

## Procedures

- each employee will indicate the beginning and ending time of their shift;
- when an employee's assigned duties do not allow him/her to personally indicate the beginning and ending time of their shift, it is the responsibility of the Unit supervisor or the scheduling Unit to complete the Time Sheet and indicate the actual hours worked by the employee prior to submitting to the Unit Timekeeper;
- if an employee does not work his full shift, the Time Sheet shall indicate the accrued benefits being used and the number of hours, i.e., "S" - 2, "V" - 8, "SP" - 9;
- all Absence Request (SH-R-96) should reflect a second and third selection of accrued benefits as to how the time off should be carried;
- all "daily time sheets" will be submitted to the Unit timekeeper no later than the following business day;
- all "weekly time sheets" will be submitted to the Unit timekeeper no later than Monday morning of the following week, except when the 15th or the end of the month occurs prior to Friday. A photo copy of the time sheet must be given to the Unit timekeeper on the 1st or the 16th of the month;
- all time sheets must indicate which employees are on a leave of absence, i.e., military leave, family leave, suspension, industrial injury (with the date of injury), etc.; and
- all time sheets must include employee last name, first name, employee number, item number, employee signature, time in & out hours, regular hours worked, overtime hours worked and/or time off.

### **3-02/340.00 AUDIT OF TIME DOCUMENTS**

The source documents for audit purposes by the Grand Jury and the Auditor-Controller shall be:

- Time Sheet or In-Service Report
- Overtime Worked Report (SH-R-251)
- Absence Request (SH-R-96)
- Exempt Overtime Worked Report (SH-AD-678)

Retention periods for these documents and other major timekeeping records maintained at the Units may be found in the Timekeeping Handbook.

### **3-02/350.00 NIGHT BONUS**

The County Code provides bonus pay for some positions assigned to the evening (EM) and night (PM) shifts. It details the classifications which are not eligible.

Bonus pay applies only to hours actually worked.