

CITY OF OAKLAND



2005 APR 21 PM 6:49

CITY HALL • 1 FRANK H. OGAWA PLAZA • OAKLAND, CALIFORNIA 94612

Office of the City Administrator
Deborah A. Edgerly
City Administrator

(510) 238-3301
FAX (510) 238-2223
TDD (510) 238-2007

May 3, 2005


HONORABLE CITY COUNCIL
Oakland CA

President De La Fuente and Members of the Council:

In February 2005, the City engaged The Public Financial Management Group to assess the Oakland Police Department's overtime trends and practices, to identify initiatives to reduce overtime costs, and to provide recommendations to strengthen overtime controls.

The consultant's report is attached.

Respectfully submitted,


Deborah A. Edgerly
City Administrator

Item _____
City Council
May 3, 2005



The PFM Group

Public Financial Management, Inc.
PFM Asset Management, LLC
PFM Advisors

50 California Street
Suite 2300
San Francisco, CA 94111

415 982-5544
415 982-4513 fax
www.pfm.com

April 19, 2005

City Council, City of Oakland, CA, Ignacio De La Fuente, President
Deborah A. Edgerly, City Administrator
City Hall
#1 Frank H. Ogawa Plaza
Oakland, CA 94612

Dear Council President De La Fuente and City Administrator Edgerly:

Please find the *Oakland Police Department Overtime Assessment* for the City of Oakland's (the "City's") review and consideration. In February 2005, the City engaged The PFM Group ("PFM") to assess the Oakland Police Department's ("OPD's") overtime trends and practices, to identify initiatives to reduce overtime costs, and to provide recommendations to strengthen overtime controls. The Assessment's findings and conclusions cover the following areas:

- Financial and personnel trends associated with overtime, and the reasonableness of OPD's overtime;
- Review of recommendations of prior overtime reports, and provision of additional recommendations and initiatives to realize overtime savings and improve monitoring and controls;
- Provisions of the Memorandum of Understanding ("MOU") between the Oakland Police Officers Association ("OPOA") and the City that impact the use of overtime, how they compare to MOUs between other California police departments their employee representative organizations, and conclusions and recommendations regarding adjustments to these provisions that could achieve overtime savings;
- Processes that could lend themselves to abuse of overtime; and
- Overtime-related grants, and issues pertaining to reimbursements.

The Assessment's Findings & Recommendations chapter presents 71 recommendations, organized into three sections: Overtime Savings & Cost Recovery; Workforce Memorandum of Understanding; and Controls & Monitoring.

The Overtime Savings & Cost Recovery section presents 25 initiatives to reduce overtime savings or improve cost recovery associated with extension of shift, backfilling vacancies, calling back officers to work, Workers' Compensation, records management court,



reimbursements, the Jail, and Communications. The accumulated fiscal impact over the next five years if all of these initiatives are adopted is estimated to be \$25.2 million. Of this amount, it is reasonable to expect that 17 of these initiatives could be implemented FY2005-06, with an impact of \$3.2 million, and \$4.3 million in FY2006-07.

Eight additional initiatives could achieve an estimated \$0.6 million in savings or recovered costs, increasing to \$0.9 million in FY2006-07; the City may need to determine if communications would be needed with employee representative organizations. Some initiatives include a recommendation for further planning and analysis that extend beyond the scope of work of an Overtime Assessment. Once completed and implemented, they should result in more efficient use of Oakland Police Department resources.

The Workforce Memorandum Of Understanding (“MOU”) section covers the provisions of the MOU between the City and the Oakland Police Officers Association (“OPOA”) that either have a direct bearing on overtime – such as the minimum number of overtime hours an officer receives for court-related overtime – or an indirect but material affect on overtime, such as the number and composition of holidays. This section presents 28 recommendations that could reduce the Department’s overtime costs to a more fiscally sustainable level. It s not intended to be a first step in bargaining. As such, it does not suggest what the City may be willing to offer in exchange for the OPOA’s acceptance of the recommendations below.

The Assessment’s final section focuses on improvements which can be made in how the Department controls and monitors overtime, beyond those described in preceding sections. Many of these 18 recommendations could be applied throughout the Department; others target processes and policies directly tied to how the OPD manages time and attendance for overtime.

The PFM Group is grateful to the City and its staff for engaging us to undertake this Assessment, and for the time and thoughts of its elected officials, management, and staff. We look forward to presenting a summary of the Assessment to the City in May.

Yours truly,
The PFM Group

Scott Quehl
Managing Director
Strategic Consulting Practice

Oakland Police Department

Overtime Assessment

April 17, 2005

The PFM Group

CONTENTS

SUMMARY	i
CONTEXT: THE NUMBERS	1
Five Year Trend of Budgeted and Actual Overtime	1
Is the OPD's Amount of Overtime Reasonable?	7
FINDINGS & RECOMMENDATIONS	16
Overtime Savings & Cost Recovery	17
Address Provisions of the Memorandum Of Understanding	35
Controls & Monitoring	61
APPENDIX	70

SUMMARY

PURPOSE OF THIS ASSESSMENT

In February 2005, the City of Oakland (the City”) engaged The PFM Group (“PFM”) to assess the Oakland Police Department’s (“OPD’s” or “Department’s”) overtime practices and provide recommendations to strengthen overtime controls and initiatives to reduce overtime costs. The Assessment’s findings and conclusions cover:

- Financial and personnel trends associated with overtime, and the reasonableness of OPD’s overtime
- Recommendations of prior overtime reports, and recommendations of additional initiatives to reduce overtime expenditures
- Provisions of the Memorandum of Understanding (“MOU”) between the Oakland Police Officers Association (“OPOA”) and the City that impact the use of overtime, how they compare to MOUs between other California police departments their employee representative organizations, and conclusions and recommendations regarding adjustments to these provisions that could achieve overtime savings
- Processes that could lend themselves to abuse of overtime
- Overtime-related grants, and issues pertaining to reimbursements.

CONTEXT

The OPD has been successful in making Oakland’s residents, businesses, and visitors safer. The number of homicides fell 24.8 percent from 2003 to 2004. Total rapes, robberies, aggravated assaults, burglaries, and incidents of larceny-theft were also down in 2004 compared to the prior year. In all, Part One offenses were 3.2 percent lower in 2004 than 2003, with person crimes down 7.8 percent, and property crimes declining by 2.0 percent. The City’s voters have approved Measure Y to dedicate a funding stream to improve public safety through, among other enhancements, the addition of 63 sworn officers to the OPD’s 739 officer positions.

Pursuant to a legally-mandated consent decree (the “Settlement Agreement”), standards and procedures have been established to improve and ensure officer accountability, as well as compliance with these standards. The OPD is tightening supervision by improving the ratio of sergeants to officers to one to eight. Among other measures are its expansion of internal investigations resources and coordination of community meetings with its officers.

Beside safety and accountability, a third priority has emerged: cost-effectiveness. Like cities throughout California, Oakland is weathering a period of financial strain, with a fiscal gap of \$30 million. The OPD’s budget is larger than that of any other general purpose department. As such, its overtime spending can have a significant effect upon the City’s overall fiscal condition.

The first chapter presents overtime trends and factors driving these trends. The chapter finds that:

- The OPD's overtime spending has consistently exceeded the budget by a wide margin. The City increased the OPD's General Fund overtime budget to \$11.9 million in FY2004-05 to reflect commitment to violence reduction initiatives. Actual overtime spending is projected to reach \$17.4 million, down from an earlier forecast of \$18.3 million, to reflect seasonality in special events and holidays. (The projection of \$17.4 million is based upon January 28th actuals and seasonal adjustments. The Budget Office will present a Third Quarter Report with a projection which may be as high as \$18.0 million, to reflect third quarter actuals, accelerated recruiting, background check, and training, and other factors.) Net reimbursements, overtime is expected to run to \$15.5 million by June's end. At a projected \$5.4 million, the largest single application of overtime is the backfilling of open positions, particularly to fill 35 patrol beats, two desk officer positions, and two transport wagon positions three watches a day
- Overtime defined as "mandatory" runs at a relatively consistent basis, from \$5.3 million in FY2001-02 and the following year, to \$4.9 million in FY2003-04, to \$5.3 million this Fiscal Year. "Discretionary" overtime is more variable, ranging from \$12.1 million in FY2001-02, to \$7.6 million in FY2003-04, to a projected \$12.1 million for FY2004-05

TRENDS IN OAKLAND POLICE DEPARTMENT OVERTIME BY USE (GENERAL FUND)						
Categories	FY2000-01 Actual	FY2001-02 Actual	FY2002-03 Actual	FY2003-04 Actual	FY2004-05* As of 1/28/05 Actual	FY2004-05 Projected
Reimbursed - Mandatory						
Games	0	1,232,760	1,294,061	1,265,887	966,291	1,370,073
Airport	179,032	448,996	577,003	353,675	200,374	345,669
Parades	0	221,356	309,536	228,976	159,478	231,949
Subtotal	179,032	1,903,111	2,180,601	1,848,538	1,326,143	1,947,692
Total Reimbursed OT	\$179,032	\$1,903,111	\$2,180,601	\$1,848,538	\$1,326,143	\$1,947,692
Non-Reimbursed - Discretionary						
Special Enforcement Actions	0	1,901,819	2,149,021	1,619,470	1,954,363	3,371,507
Callback	0	514,474	509,879	415,476	286,850	494,851
Backfill	0	4,944,910	3,711,631	3,303,914	3,108,627	5,362,750
Shift Extension	0	1,710,619	1,983,385	1,786,106	1,320,669	2,278,311
Recruiting & Background	0	415,555	172,530	777	24,625	42,480
Acting Higher Rank	137,611	164,816	157,935	119,158	71,004	122,491
Unspecified	13,053,871	2,405,025	902,442	331,210	275,967	476,076
Subtotal	13,191,482	12,057,219	9,586,823	7,576,110	7,042,105	12,148,465
Non-Reimbursed - Mandatory						
Court	653,881	615,385	601,902	621,386	433,541	747,909
Community Meetings	0	176,256	134,789	49,497	76,984	132,807
Canine Handling	23,362	31,121	29,954	28,182	14,040	24,221
Training	0	701,416	671,086	244,123	194,731	335,934
Holiday	1,330,239	1,729,908	1,755,672	2,062,483	1,571,540	2,078,468
Line Up Pay	221,341	164,842	0	0	0	0
Subtotal	2,228,824	3,418,928	3,193,403	3,005,670	2,290,836	3,319,339
Total Non-Reimbursed OT	\$15,420,306	\$15,476,147	\$12,780,226	\$10,581,779	\$9,332,941	\$15,467,805
Total Mandatory OT	2,407,856	5,322,039	5,374,004	4,854,208	3,616,979	5,267,031
Total Discretionary OT	13,191,482	12,057,219	9,586,823	7,576,110	7,042,105	12,148,465
Total OT	\$15,599,338	\$17,379,258	\$14,960,827	\$12,430,318	\$10,659,084	\$17,415,496

Overtime expenditures equal expenditures charged to Object 51200 in Fund 1010 in the General Ledger. Overtime categories determined from pay elements in collaboration with Police Finance staff. Variances from journal entries due to grants charged to the special enforcement category. All other non-material variances are charged to the unspecified category. Reimbursement data for FY2000-01 are not readily available.

- Sworn police officers accounted for \$9.7 million, or 78 percent, of the OPD’s General Fund overtime in FY2003-04, while \$2.7 million of overtime, 22 percent, went to non-sworn staff
- The City is investing overtime in special operations, such as policing sideshows (projected at approximately \$780,000 on a straight line basis through the end of January 2005 for all of FY2004-05) and Crime Reduction Teams (spending projected to range from \$1.3 million (straight line basis) to \$1.6 million (up to its budget authorization) for the full Fiscal Year)
- The amount of grant-funded overtime varies, from \$1.5 million in FY2000-01, to just over \$0.7 million in FY2002-03, to \$1.0 million in FY2003-04. FY2004-05 is seeing a significant drop in grant-funded overtime. The number of grants with overtime components fell from 24 in FY2003-04 to 11 this Fiscal Year, though, with six grant proposals still pending, the amount of overtime spending offset by grants may improve by the end of June
- In FY2003-04 – a relatively modest year for overtime spending compared to FY2004-05 – the OPD ranked first among the 10 largest cities in California in terms of its overtime budget per total FTE, \$8,910, and actual overtime spending per filled position, at \$11,393. The Department ranked third when considering actual overtime expenditures as a share of total departmental expenditures, at 7.8 percent.¹ Among departments in the Bay Area for which information was made available, the OPD ranked highest in these three categories²
- There are many efficiencies to be realized before overtime spending can be considered fully reasonable, ranging from initiatives to contain call back, backfill, and extension of shift overtime, to Workers’ Compensation management, to court overtime, to scheduling and deployment, to cost recovery, to MOU provisions, to stronger monitoring and internal controls. Several important factors provide context when weighing the reasonableness of OPD’s overtime spending:
 - The Department faces many demands. The rate of violent crime per sworn budgeted full-time equivalent position (“FTE”) was the highest among California’s 10 most populous cities in 2003, the most recent year in which the Federal Bureau of Investigation’s Uniform Crime Report (“UCR”) data for a full year is available. In property crimes per sworn FTE, Oakland ranked third. Compared to selected Bay Area cities, Oakland was first in violent crime per sworn FTE and sixth in property crime. (This noted, with the sharp drop in Oakland’s violent crime since 2003, and the addition of 63 officers expected in 2005 due to Measure Y, these ratios should improve significantly. These rankings should be reconsidered once a full year of 2004 UCR data are available and the Measure Y officers bring the FTE total to 802.)

¹ Anaheim, Fresno, Long Beach, Los Angeles, Oakland, San Diego, San Francisco, San Jose, Santa Ana, Sacramento

² Berkeley, Concord, Daly City, Fremont, Hayward, Oakland, Richmond, Santa Rosa

The OPD's number of sworn FTEs per 10,000 population in FY2003-04 (again, before Measure Y) ranked fourth, as did the number of sworn FTE per square mile. Compared to selected Bay Area cities, the OPD was second in sworn FTE per 10,000 residents, and fourth in the number of officers per square mile

In terms of filled officer positions, the OPD's complement of budgeted sworn officer positions climbed from 769 FTE in FY2000-01, to 786 in FY2001-02, before falling to 739 in FY2004-05. Much of the FY2001-02 FTE increase was aimed at expanding personnel at the Airport. The FY2003-04 FTE reduction was principally associated with elimination of vacant positions. Filled sworn positions have fallen from 771 in FY2002-03 to 704 by February 2005. Again, Measure Y should improve these rankings

- Officer absences are another factor to consider. Excluding on-duty functions during the course of a regular shift, OPD employees accumulated almost 545,000 hours of paid absences in FY2003-04, up from approximately 484,000 hours in FY2002-01. Workers' Compensation, vacation, holidays, sick leave, Family Medical Leave, Family Death Leave, and Military Leave are among the reasons for OPD's absences. Even as the number of filled OPD positions declined by 1.4 percent from FY2001-02 to FY2003-04, the number of paid absences climbed 12.6 percent

Workplace injuries and Family Leave caused over 134,000 hours in paid absences FY2003-04, up 63.9 percent from FY2000-01. While City data directly tying such absences to overtime are not available, FY2004-05's projected 76,579 hours of absences from Workers' Compensation in Patrol operations alone will cost the General Fund an estimated \$2.8 million in backfill overtime, while Family Leave is estimated to account for \$0.4 million in overtime

- Scheduling and deployment apply other overtime pressures. The Department's adoption of a four day a week, 10 hour per day ("4/10") schedule for patrol officers in the 1990's means that establishing a work schedule with a minimum number of officers on duty for each of three watches requires at least 25 percent more officers to provide minimum coverage than the five day a week eight hour a day ("5/8") schedule of prior decades

Scores of officers are assigned to the Airport, Schools, walking beats, task forces, community policing, and specialized units, such as "Late Tac" units aimed at addressing sidsnows. While achieving worthy public safety objectives, these activities draw available officers out of patrol beats, driving up backfill overtime.

- In short, it is reasonable to conclude that relatively high levels of crime per officer and the decline in the number of filled officer positions are putting pressure on the OPD's overtime. However, the solution extends beyond adding more personnel. In FY2001-02, for example, the OPD generated over 399,000 hours of overtime (\$17.1 million) – more than any year of the decade, including the projected 353,000 hours for the present Fiscal

Year – even though the average number of filled sworn positions was higher than either FY2000-01 or FY2004-05, and the total number of filled sworn and non-sworn positions was the second highest of the five-year period

- There are opportunities for improvement. The Chief’s position has been filled. Oakland residents recently approved Measure Y, which includes the authorization of a dedicated funding stream to add 63 officers to the OPD’s authorized strength. Attention should be placed not only on filling positions, but on undertaking the controls, cost containment, and cost recovery to use the Department’s resources more efficiently, while identifying the most appropriate proposals for Memorandum Of Understanding discussions leading up to June 2006. The remainder of this Overtime Assessment focuses on these issues.

FINDINGS & RECOMMENDATIONS

The Assessment’s Findings & Recommendations chapter presents 71 recommendations to reduce overtime spending, recover overtime costs, and strengthen controls. The findings to support these recommendations are organized into three themes:

1. Overtime Savings & Cost Recovery
2. Workforce Memorandum of Understanding
3. Controls & Monitoring

Most recommendations could be initiated by City management in FY2005-06, or considered for communications with employee representative organizations this year. Such recommendations, termed “initiatives” are accompanied by estimated fiscal impacts over a five-year period, to the extent quantification is feasible.

Some recommendations require further planning and analysis which extends beyond the scope of work of the Overtime Assessment. Once completed and implemented, they should result in more efficient use of Oakland Police Department resources. Recommendations made during prior overtime studies are cited, as well as their status.³

Savings & Cost Recovery Initiatives

This section identifies 25 initiatives to reduce overtime and increase cost recovery by managing overtime associated with extension of shift, backfilling vacancies, calling back officers to work, Workers’ Compensation administration, records management, court, reimbursements, special

³ Sources of recommendations include Police Executive Research Forum’s *Management Study of the Oakland California Police Department*, November 3, 1995 (“PERF Report”) which also references a report by Deloitte & Touche, *City of Oakland: An Analysis of Police Department Overtime*, January 1995; FY1998 report by the City Auditor; A memorandum circulated by the City Manager on January 21, 2002, entitled *Police Overtime Reduction Plan – FY2002-03*; and an Oakland Police Department report by Keith Mills, *Overtime Management & Control in the Oakland Police Department*, January 11, 2002, provides useful insights and data.

events, the Jail, and Communications. The accumulated fiscal impact over the next five years if all of these initiatives are adopted is estimated at \$25.2 million. Of this amount:

- 17 of these initiatives could be implemented FY2005-06, with an estimated impact of \$3.2 million in FY2005-06, and \$4.3 million in FY2006-07. Expected lags in implementation are reflected in discounting of the fiscal impact of initiatives, particularly in FY2005-06
- 8 additional initiatives could achieve at least an estimated \$0.6 million in savings or recovered costs, increasing to \$0.9 million in FY2006-07; the City may need to determine if communications would be needed with employee representative organizations for these initiatives. The Workforce/Memorandum of Understanding section of this chapter addresses 28 other recommendations that could be considered as future initiatives.

These initiatives are listed on the following two pages, with fuller descriptions found in the Findings & Recommendations chapter. The great majority of these initiatives reflect structural changes that can be sustained. Some – particularly those focused on the redeployment from specialized assignments to patrol beats and investigations which the Department is considering – are intended to provide temporary overtime relief until authorized staffing levels are met, beat structure and scheduling can be restructured, Memorandum Of Understanding provisions can be renegotiated, and other structural improvements made.

Depending upon the outcome of these decisions, 35 officers could be redeployed to patrol beats by the close of FY2004-05, with another six available in September 2006. Another seven sworn members could be assigned to investigations. It is estimated that nearly \$2.0 million in overtime savings could be achieved in FY2005-06 through such measures.

Assessing even temporary redeployment recognizes the difficulty of such a decision. In strained financial times, it is appropriate to weigh tradeoffs between immediate fiscal priorities and specialized programs. It is not unusual among police departments facing budget pressures to make such redeployments, if only to fill gaps in staffing and gain a stronger grip on overtime until additional resources become available.

While transferring more officers to patrol beats should provide immediate fiscal relief, it should not be seen as the only answer; these units were established in the first place to address real needs. Instead, the OPD should accompany temporary redeployment with long term structural improvements which would allow the Department to meet the needs of Oakland's communities more cost effectively. For example, it is recommended that the new strategy for deployment, increased scheduling flexibility, and other initiatives be put in place, and new fund resources are identified by September 2006, as alternative to redeploying officers from the schools to patrol beats.

NAME OF INITIATIVE	FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10	TOTAL	Page
Tighten Authorization for Patrol Shift Extensions	\$254,000	\$264,000	\$275,000	\$286,000	\$297,000	\$1,376,000	17
Tighten Authorization for Extending Investigations on Overtime	\$30,000	\$36,000	\$38,000	\$40,000	\$43,000	\$187,000	17
Temporary Deployment of Walking Beats to Patrol	\$1,079,000	\$0	\$0	\$0	\$0	\$1,079,000	19
Redeployment of Task Force Officers	\$135,000	\$185,000	\$192,000	\$198,000	\$205,000	\$915,000	19
Maintain Deployment in 57 Community Policing Beats, Adding Resources to Patrol	\$352,000	\$864,000	\$898,000	\$928,000	\$956,000	\$3,998,000	19
Redeploy Officer Resources at Schools until Additional Funding to Recover Costs are Available	\$270,000	\$0	\$0	\$0	\$0	\$270,000	20
Redeployment from Juvenile Intake	\$75,000	\$78,000	\$82,000	\$85,000	\$88,000	\$408,000	20
Workers' Compensation Management Improvement	\$432,000	\$634,000	\$658,000	\$678,000	\$698,000	\$3,100,000	22
New Policy for Calling Back Investigators on Overtime	\$23,000	\$24,000	\$24,000	\$25,000	\$26,000	\$122,000	27
Full Implementation of Field Based Reporting	\$23,000	\$125,000	\$162,000	\$169,000	\$175,000	\$654,000	29
Shed Certain Responsibilities of Records	TBD	TBD	TBD	TBD	TBD	TBD	29
Further Improve Management of Court Overtime	\$94,000	\$130,000	\$135,000	\$141,000	\$146,000	\$646,000	30
Adjust Investigator Schedules to Cover Saturday Court Work on Straight Time	TBD	TBD	TBD	TBD	TBD	TBD	31
Connect Receivables Management to Event Deployment Decisionmaking	TBD	TBD	TBD	TBD	TBD	TBD	32
Receivable Collection from Oakland Port Authority	TBD	TBD	TBD	TBD	TBD	TBD	33
Shed Jail Services*	\$463,000	\$1,924,000	\$2,000,000	\$2,081,000	\$2,164,000	\$8,632,000	33
Consolidate Public Safety Communications	TBD	TBD	TBD	TBD	TBD	TBD	34
Sub-Total: Savings & Cost Recovery	\$3,230,000	\$4,264,000	\$4,464,000	\$4,631,000	\$4,798,000	\$21,387,000	

* Estimated fiscal impact reflects only overtime reduction. Projections assume 4% annual growth in salaries. "TBD" indicates that further decision-making and analysis will be required before the fiscal impact can be reasonably estimated.

NAME OF INITIATIVE	FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10	TOTAL	Page
End Charging Compensatory Time for Reimbursable Events	\$411,000	\$427,000	\$445,000	\$462,000	\$481,000	\$2,226,000	32
Temporary Employees for Backfill Support for Records	\$44,000	\$110,000	\$115,000	\$119,000	\$124,000	\$512,000	29
Establish Pool of Per-Diem Dispatchers	\$63,000	\$194,000	\$201,000	\$210,000	\$218,000	\$886,000	25
Retired Officers to Augment Investigations Resources	\$57,000	\$150,000	\$0	\$0	\$0	\$207,000	24
Return to 5/8 Schedule for Non-Patrol Officers	TBD	TBD	TBD	TBD	TBD	TBD	28
Civilianization	TBD	TBD	TBD	TBD	TBD	TBD	20
New Strategy for Deployment & Scheduling of Officers	TBD	TBD	TBD	TBD	TBD	TBD	25
Officers Work During Full Period of Minimum Overtime	TBD	TBD	TBD	TBD	TBD	TBD	31
Sub-Total: Savings, Cost Recovery & Productivity	\$575,000	\$881,000	\$761,000	\$791,000	\$823,000	\$3,831,000	
TOTAL	\$3,805,000	\$5,145,000	\$5,225,000	\$5,422,000	\$5,621,000	\$25,218,000	

* Projections assume 4% annual growth in salaries.

Workforce: Memorandum of Understanding

This section of the Assessment covers the provisions of the Memorandum Of Understanding (MOU) between the City and the Oakland Police Officers Association (“OPOA”) that either have a direct bearing on overtime – such as the minimum number of overtime hours an officer receives for court-related overtime – or an indirect but material affect on overtime, such as the number of holidays.

This section presents 28 recommendations that could reduce the Department’s overtime costs to a more fiscally sustainable level. Overtime-related provisions which support improved productivity, more flexible work rules, and overtime compensation more in line with the City’s fiscal condition are needed. Spending targets should be established within the framework of the City’s fiscal forecasts. Then, a menu of overtime-related initiatives – stemming from the recommendations made below or others which may be identified – should be selected, quantified, and agreed upon to meet these targets. This section of the Assessment is not intended to be a first step in bargaining. As such, it does not suggest what the City may be willing to offer in exchange for the OPOA’s acceptance of the recommendations below.

Overarching Issues (p. 36 of the Assessment)

- The City should undertake a full-scale comparability and ability-to-pay analysis in the second half of 2005 and first half of 2006 covering pay, benefits, and work rules, including those beyond overtime-related provisions.
- The City Administrator and the Finance and Management Agency (Personnel and Accounting) should have direct, central involvement with the Chief of Police in formulating and negotiating such a strategy, as well as any agreement between the City and any employee representative unit, particularly in light of the broad service delivery and financial implications the results will have on the City. The staffing and fiscal consequences of OPD’s decision to move from a 5/8 schedule to a 4/10 schedule provides, apparently reached when the MOU was closed, underscores the importance of involvement by central City managers.

Full Understanding of Modification/Beneficial Past Practice (p. 36 of the Assessment)

- Eliminate the provision that existing benefits and past practices, which are normally subject to meet and confer, shall not be modified without mutual agreement.
- Insert a section into the MOU that expressly articulates management’s rights, as Anaheim’s MOU does (Article 5, p. 7).

Minimum Overtime Guarantee (p. 37 of the Assessment)

- Reduce five hour overtime minimum for non-court call back overtime on non-duty days to three hours.

- Reduce minimum overtime for a court appearance on a scheduled day off from four hours to three. This and the initiative above reduce the distinction between guaranteed hours for being called back to work on a day off, and being called back during a regularly scheduled work day.
- An officer completing a court appearance or other task prompting callback would report for other Department duties until the guaranteed overtime work period is complete. This would require bolstering the court liaison monitoring capacity, as well as central coordination of positions/functions that could be filled on a short-time basis.
- Provide that if an employee is scheduled to appear in court up to two hours before or after the beginning of his/her scheduled shift, management can adjust the schedule to reduce the need for overtime pay.

Compensatory Time (p. 41 of the Assessment)

- Reduce maximum number of hours banked from 480 to 120, more in line with other cities.
- Overtime to be paid in cash unless there is mutual agreement to provide compensatory time. This allows management to control the accumulation of compensatory time. Comp time pay-outs would be solely at management's discretion.
- Eliminate first in, last out, provision, reducing liability by paying out hours earned first.
- Eliminate use of compensatory time for overtime work for which Oakland is reimbursed, such as special events.
- Eliminate the clause (p.17) which provides for eight hours compensatory leave for each year of this Agreement.

Paid Time Off: Holidays (p. 43 of the Assessment)

- Establish a mixed fixed-floating system, reducing the number of fixed holidays from 12 to 10, and replacing the two fixed holidays that are eliminated with one or two floating holidays. Straight time would be earned on floating holidays.
- For officers filling non-patrol functions who are not called back to work, pay no holiday compensation other than the paid day off at straight time. (Such officers called back to work would receive callback pay, as with any work day.) For officers in patrol functions, provide a holiday pay premium percentage added to their regular pay for the number of scheduled work days that fall on holidays; scheduled holidays would then be worked at straight time. Officers in patrol functions with scheduled days off on holidays would receive an in lieu day.

Paid Time Off: Vacation Leave (p. 46 of the Assessment)

- Reduce the number of vacation days from 15 to 10 during the first five years of service, and 15 from the sixth through 10th year of tenure, applying this provision either to new hires or existing officers, depending upon other initiatives agreed upon.
- As an alternative approach, consider concept of a paid leave bank similar to Anaheim's, combining vacation with holidays, leave for pregnancy, and similar paid days off.
- Because vacation can lead to backfill overtime, particularly if there are no caps on the number of employees who can take vacation at the same time, or if seniority-driven vacation selection preferences create disproportionate absences on shifts senior officers tend to work, allow employees to sell back some unused vacation annually. As an example, employees with more than one or two years' accumulation could be allowed to sell back one year.

Paid Time Off: Sick Leave (p. 48 of the Assessment)

- Convert to an earned sick leave program, wherein paid sick leave is earned based on service, such as one sick day earned to one per month, 12 a year, with accrual in line with reasonable City-wide policy. Allow paid sick leave to be taken based on earned balance, with sick days beyond the balance unpaid.
- The Department should put in place an information system, ideally interfaced with the City's central time and attendance system, which allows managers to review sick day trend patterns per officer that may be associated with risk or abuse, such as frequent calling in sick on days immediately preceding or follow days off, or calling in sick following extensive use of overtime. Pittsburgh, Pennsylvania's Police Department has put in place such a system, with information circulated to supervisory and professional responsibility staff to promote corrective action.

Organization Leave (p. 50 of the Assessment)

- The reasonableness of time and number of representatives for grievances, meet and confer, and other discussions with the City appear appropriate. But in the present climate of fiscal strain, the provision for 50 paid days off each year to attend seminars and conferences should be reduced. Employees attending union seminars and conferences should simply go on their own time, especially given the expansive build up of compensatory time.

Family Care Leave (p. 52 of the Assessment)

- There should be one City standard for applying Family Care Leave for all employees, not provide Police Department personnel with exceptional benefits. While hours attributed to Family leave are projected to be down in FY2004-05 compared to the previous year, they are still expected to be far higher than in years prior to the 2003 side agreement. With the

agreement now expired, the City should monitor the consumption of Family Leave closely, to determine whether policies associated this benefit should be adjusted for future years.

Overtime Rate & Time Period Entitled to Overtime (p. 54 of the Assessment)

- Consider adjustment to this MOU provision to allow employees to earn overtime if work more than 40 hours in a week, with scheduled time off counted toward the 40 hour calculation, but unscheduled time off not counted. A 171 hour standard could be applied, depending upon the number of other savings initiatives are adopted.

Employees Represented (p. 55 of the Assessment)

- To establish separate communities of interest, separate bargaining units should be established between supervisory ranks and those they supervise, each with separate MOUs. It is recommended that as few as two and as many as three bargaining units be established to represent sworn personnel. If two units, the following breakout could apply:

- Law Enforcement Management (deputy chief, captains, lieutenants)
- Law Enforcement (sergeants and officers)

If three units, the breakout would be as follows:

- *Law Enforcement Management (deputy chief)*
- Law Enforcement Supervisory (captains and lieutenants)
- Law Enforcement (sergeants and officers)

Civilianization (p. 58 of the Assessment)

- The MOU should not include a provision that could be interpreted as limiting the terms under which civilianization would be undertaken, to avoid diluting the proposed Management's Rights article. As an important element of the clarification of management's rights, management should retain the exclusive right to maintain the efficiency of Oakland's operations and to determine the methods, means, and personnel by which Oakland's operations are to be conducted.

Schedule (p. 59 of the Assessment)

- The Department should undertake a comprehensive redeployment strategy which increases the Department's flexibility to assign officers in numbers and at locations that reflect workload, without reliance on overtime to meet a patrol beat structure which may more reflect compliance with past practice than present operational realities.

- The OPD's Transfer Policy prevents managers and unit commanders from reassigning officers based upon need, skills, or emerging condition. This Policy should be fully reworked within the context of clarifying the Chief's rights to maintain the efficiency of Oakland's operations and to determine the methods, means, and personnel by which Oakland's operations are to be conducted.

Deferred Compensation (p. 60 of the Assessment)

- Eliminate overtime from the employer contribution calculation for deferred compensation.

Controls & Monitoring

This section focuses on improvements which can be made in how the Department controls and monitors overtime, beyond those described in preceding sections. Many of these 18 recommendations could be applied throughout the Department; others target processes and policies directly tied to how the OPD manages time and attendance for overtime.

Department-wide Controls & Monitoring

- Expand the scope of OPD's Bureau of Administration to Personnel Management – including but not limited to Workers' Compensation with direct input from central Risk Management – with sworn personnel maintaining responsibility for recruiting, training, and sworn staff performance evaluation. (p. 61 of the Assessment)
- Stronger emphasis on budgeting, monitoring & reporting (p. 61 of the Assessment):
 - The Department should consider reinstating a practice reported to be in place 10 to 11 years ago, in which, for each special enforcement action or planned investigation, a sergeant or lieutenant developed an operations plan before overtime was used that had to include anticipated resources required (e.g., number of officers), anticipated results (e.g., number of arrests) and, after the enforcement action, written results.
 - For overtime in Patrol and other units consuming a significant amount of overtime, OPD command staff should use the CRIMESTOP process to weigh overtime versus operational results and officer absences.
 - For court overtime, the OPD should begin monitoring the numbers of cases, subpoenas per case, frequency of continuances, Overtime Slips with “no testimony given” by its officers, occurrences of officers reporting to court after being notified not to appear, instances of cases or meetings being changed or cancelled without notice given to the notification system .
 - Sworn supervisors and financial managers should collaborate to create report format that is used.

- Reports should be distributed broadly to sworn/civilian supervisors, along with overtime spending targets.
 - The Department should consider connecting overtime for investigator callback to watch commanders' patrol overtime budget – for most non-life-threatening offenses – to moderate consumption on cases that otherwise could wait until regular watch. Presently, overtime booked to Investigations – disconnecting budget, decision-making, and accountability.
- Greater specificity and consistency in overtime coding to help managers manage. (p. 62)

Tighten Payroll Controls.

PFM reviewed the effectiveness of the OPD's policies and procedures over the payroll cycle, in its ability to operate efficiently and effectively, and to provide a sound internal control structure to recognize errors and irregularities and correct them in a timely manner. This cycle includes the time collection, overtime authorization, payroll input and payroll corrections of OPD sworn and non-sworn employees.

Objective #1. To obtain an understanding of the Department's payroll procedures through inquiry and observation. Based on the information above and our observations, there are not sufficient controls over the processing of the weekly time reports or documentation for additional pay amounts. There are no control mechanisms to verify the number of time reports collected, the total hours input or the completeness of the supporting documentation. (p. 64 of the Assessment)

- Modifications or enhancements to the system would include assigning employees to units within the Department for time reporting purposes. Each unit would be input as a batch. A control document could then be developed which lists the employees assigned to the unit. The document should provide for an area to verify if a properly authorized time report has been received from each employee, the total hours reported by time code and if all supporting documentation is attached. This document could then be compared to batch control totals after input into the payroll system. This document could also be used to verify that all documentation has been received in the Accounting Area.
- Compensation time is not reported on the payroll register. There are no controls over the input of additions to compensatory time or use compensatory hours. The payroll register should be modified to report compensation time and that the batch control document previously recommended also include an area for compensatory time hours.

Objective #2: To verify that payroll payments are for work actually performed by existing employees. PFM's testing of employee time reports indicated that approximately 48% were not properly signed. Most of these had only one supervisor's signature before reaching the Office of the Deputy Chief for review and approval. Some had no signature at all. There does not appear to be enforcement of this established and documented procedure. (p. 65 of the Assessment)

- Time reports should not be entered into the time reporting system unless properly completed, signed by the employee and has the signature of the authorized supervisor.
- Adherence to the time limits for reporting time corrections should be enforced to facilitate review and reconciliation of the payroll register.

Objective #3: To verify that overtime worked is for the amount of time actually worked and the documentation is completed per the Department's policies. (p. 66 of the Assessment)

- These results indicate that there needs to be a much closer examination of the work patterns of the employees and supervisors should review and sign each overtime requisition before payment is made to employees.

Objective #4. To determine if overtime is accurately reported in the last two days of the pay period. Overtime is not being estimated in the last few days of the pay period: 90 of the 443 correction reports reviewed were to reclassify time between the categories of regular, sick, compensatory time and Family Leave. Upon further investigation, the apparent cause is that time reports are completed by individuals other than the actual employee. PFM's interviews confirmed that time reports are being completed by division payroll clerks. These individuals must make assumptions in order to process the time reports on a timely basis. This is one of the contributing factors for the number of unsigned time reports described in Objective #2. (p. 67 of the Assessment)

- This reinforces PFM's recommendation from Objective #2 that time reports should not be entered into the time reporting system unless properly completed, signed by the employee and signed by the authorized supervisor.
- During PFM's review and observation of the payroll correction process, it was noted that when time is being reclassified between codes, the original number of hours is overridden, therefore corrupting the audit trail. PFM recommends that an entry be made to reduce the balance in one category and not deleted.

Objective #5. To determine if time charged to grants is in compliance with the Department's policies.(p. 68 of the Assessment)

- A process should be developed to review the appropriate reclassification of the new time code and the new code should be approved by the employees' supervisor.

Objective #6. To determine if time charged is in compliance with the Department's policies. The decentralized input process has lead to inconsistent interpretation of the Department's policies and procedures. Numerous examples were noted from limited test samples. One division reported all hours worked on the day the shift commenced. Therefore, if an individual became involved in an operation that carried through more than a single day, that division may report 36 hours worked in a single day. Another division would segregate the time worked into the time period actually reported for example 12 hours on one day and 24 hours on a second day.

There was also inconsistent application of time reporting procedures on an individual level. (p. 68 of the Assessment)

- PFM recommends that consistent application of the Department's payroll policies and procedures could be strengthened by either training the individuals responsible for data input or centralizing the payroll function. The latter is the preferred option. By centralizing the payroll function there would be a consistent application of the Department's policies. The payroll area should then be instructed not to enter any time unless the form is completed in its entirety.
- An internal self-audit process could also be implemented if the payroll process was centralized. A recommended procedure would be to design the transmittal document that accompanies the time reports and overtime worked reports to document the division/units work schedule. The schedule could be compared to the time reported for accuracy. The discipline of completing this transmittal form by a supervisor would also raise awareness of the unit's time and potentially encourage a more disciplined approach to scheduling employees.

METHODOLOGY

The Overtime Assessment was developed from February through April 2005, applying a combination of interviews, process and document reviews, benchmarking, and quantitative analysis. A City steering committee guided the Assessment's development. Steering committee members included Bill Noland (Director of the Finance and Management Agency), Wayne Tucker (Chief of Police), Debra Taylor Johnson (Director of the OPD's Bureau of Administration), Marcia Meyers (Director of Personnel Resource Management), Anne Campbell-Washington (Office of the City Administrator), LaRae Brown (Controller), Angela Joyner (Agency Manager of the Finance and Management Agency), Claire Iandoli (Employee Relations Division), Sydney Oam (City Administrator's Budget Office). The Agency Manager of the Finance and Management Agency provided day-to-day project direction to PFM, with the *Director of the OPD's Bureau of Administration coordinating interviews, analysis, and data collection within OPD on behalf of the Chief.*

Interviews were conducted with the City Administrator, Chief of Police, the OPD's Deputy Chiefs, the OPD's Director of the Bureau of Administration, other supervisors and staff from the Oakland Police Department (including but not limited to Patrol, Investigations, Personnel, Field Support, Records, Traffic, Communication, Information Technology, Internal Affairs, Court Liaison, Grants, Jail), the Director and Agency Manager of the Finance and Management Agency, the Director of the Office of Personnel Resource Management, managers of Employee Relations and Risk Management, the City Controller and Accounting managers and staff, the Director of the City Administrator's Budget Office and staff, and senior management/representatives of the Alameda County District Attorney's Office and the Oakland Police Officers Association.

Memoranda Of Understanding, benchmarking, budget, and management practice information were gathered regarding the police departments of California's largest cities – Anaheim, Fresno,

Long Beach, Los Angeles, San Diego, San Francisco, San Jose, Santa Ana, and Sacramento – as well as a selection of other cities in the region: Berkeley, Concord, Daly City, Fremont, Hayward, Richmond, and Santa Rosa. Information was collected through a combination of Internet resources, document review, and telephone calls with department staff following a letter from the City Administrator requesting support from these cities.

PFM reviewed the effectiveness of the OPD's policies and procedures over the payroll cycle, its ability to operate efficiently and effectively, and to provide a sound internal control structure for overtime management, to recognize errors and irregularities and correct them in a timely manner. This cycle includes the time collection, overtime authorization, payroll input and payroll corrections of both sworn and civilian employees. For the period of September 10 through November 19, 2004, 520 weekly time reports and 777 overtime slips were reviewed for Records & Warrants, Patrol 3rd Watch, and Homicide. Per the scope of work, PFM's review was not performed with the objective of giving assurance to whether amounts in the Department's financial statements were materially misstated or whether the internal control structure of the Department contained material weaknesses as defined by the American Institute of Certified Public Accountants. Accordingly, PFM does not express such an opinion.

The Appendix describes the methodology used for applying time and attendance and payroll data to support this analysis.

CONTEXT: THE NUMBERS

Five-Year Trend of Budgeted versus Actual Overtime

The Oakland Police Department General Fund overtime budget has climbed from \$8.5 million in FY1999-00 to \$11.9 million in FY2004-05, or 28 percent. The Department's actual overtime spending has been both higher and more variable. After a sharp spike in FY2001-02, when actual overtime spending (pre-reimbursements) reached \$17.4 million, the \$12.4 million expended in FY2003-04 nearly returned to FY1999-00 levels.

ACTUAL VERSUS BUDGETED POLICE OVERTIME EXPENDITURES FROM GENERAL FUND							
	FY1999-00	FY2000-01	FY2001-02	FY2002-03	FY2003-04	FY2004-05 (YTD)	FY2004-05 (Projected)
Budget	8,512,270	8,141,336	8,767,332	8,768,328	10,541,050	11,904,929	11,904,929
Actual (Pre-Reimbursements)	12,233,279	15,599,338	17,378,714	14,960,827	12,430,046	10,659,084	17,415,946
Variance	\$3,721,009	\$7,458,002	\$8,611,382	\$6,192,499	\$1,888,996	(\$1,245,845)	\$5,511,017
Actual As % of Budget	144%	192%	198%	171%	118%	90%	146%

Budget figures from City Administrator's Budget Office, except for FY2004-05 projection of \$17.4 million, which is composed of the Budget Office's projection of \$18.3 million less adjustments to Special Event and Holiday overtime, to reflect seasonality. Actual figures determined by summing charges to Object 51200 in Fund 1010 in the General Ledger. FY2004-05 YTD from July 1, 2004 through January 28, 2005.

The OPD's overtime spending has consistently exceeded the budget by a wide margin, with actual spending nearly doubling the budget in FY2001-02. Compared to the four previous years, in FY2003-04, the Department fared much better. The City enlarged the overtime budget to \$10.5 million to better reflect spending pressures. The OPD exceeded overtime authorization by 18 percent before factoring in reimbursements, with spending falling to \$10.9 million after accounting for reimbursements.

FY2004-05 is a different story. The OPD's overtime budget has been increased to \$11.9 million. Nevertheless, actual spending is swelling towards its highest level of the decade. Nearing \$10.7 million through the end of January, the Department spent 90 percent of the overtime authorization, with \$17.4 million projected for the full Fiscal Year. Net reimbursements, overtime is expected to run to \$15.5 million by June's end.

The table on the following page presents trends in reimbursable versus non-reimbursable overtime, "discretionary" versus "mandatory" overtime, and overtime by type of activity.

- *Backfill* overtime, applied when an employee is assigned to a vacant position and paid on an overtime basis, is consistently the largest use of overtime, ranging from a low of \$3.6 million in FY2003-04, to \$5.4 million both in FY2001-02, and projected for FY2004-05
- *Special enforcement actions*, such as Crime Reduction Teams, already accounted for nearly \$2.0 million in overtime through the first seven months of FY2004-05. The previous high was \$2.2 million for all of FY2002-03
- *Holiday pay* premiums were \$1.6 million through January 2005 this fiscal year, and were as high as \$2.1 million in FY2003-04

- *Shift extension* overtime is associated with an employee working beyond her/his normally scheduled hours on a given work day. Employees earned \$1.3 million in overtime for shift extension through January of FY2004-05; the projected \$2.3 million for FY2004-05 is expected to surpass the \$2.0 million spent in FY2002-03

TRENDS IN OAKLAND POLICE DEPARTMENT OVERTIME BY USE (GENERAL FUND)						
Categories	FY2000-01 Actual	FY2001-02 Actual	FY2002-03 Actual	FY2003-04 Actual	FY2004-05* As of 1/28/05 Actual	FY2004-05 Projected
Reimbursed - Mandatory						
Games	0	1,232,760	1,294,061	1,265,887	966,291	1,370,073
Airport	179,032	448,996	577,003	353,675	200,374	345,669
Parades	0	221,356	309,536	228,976	159,478	231,949
Subtotal	179,032	1,903,111	2,180,601	1,848,538	1,326,143	1,947,692
Total Reimbursed OT	\$179,032	\$1,903,111	\$2,180,601	\$1,848,538	\$1,326,143	\$1,947,692
Non-Reimbursed - Discretionary						
Special Enforcement Actions	0	1,901,819	2,149,021	1,619,470	1,954,363	3,371,507
Callback	0	514,474	509,879	415,476	286,850	494,851
Backfill	0	4,944,910	3,711,631	3,303,914	3,108,627	5,362,750
Shift Extension	0	1,710,619	1,983,385	1,786,106	1,320,669	2,278,311
Recruiting & Background	0	415,555	172,530	777	24,625	42,480
Acting Higher Rank	137,611	164,816	157,935	119,158	71,004	122,491
Unspecified	13,053,871	2,405,025	902,442	331,210	275,967	476,076
Subtotal	13,191,482	12,057,219	9,586,823	7,576,110	7,042,105	12,148,465
Non-Reimbursed - Mandatory						
Court	653,881	615,385	601,902	621,386	433,541	747,909
Community Meetings	0	176,256	134,789	49,497	76,984	132,807
Canine Handling	23,362	31,121	29,954	28,182	14,040	24,221
Training	0	701,416	671,086	244,123	194,731	335,934
Holiday	1,330,239	1,729,908	1,755,672	2,062,483	1,571,540	2,078,468
Line Up Pay	221,341	164,842	0	0	0	0
Subtotal	2,228,824	3,418,928	3,193,403	3,005,670	2,290,836	3,319,339
Total Non-Reimbursed OT	\$15,420,306	\$15,476,147	\$12,780,226	\$10,581,779	\$9,332,941	\$15,467,805
Total Mandatory OT	2,407,856	5,322,039	5,374,004	4,854,208	3,616,979	5,267,031
Total Discretionary OT	13,191,482	12,057,219	9,586,823	7,576,110	7,042,105	12,148,465
Total OT	\$15,599,338	\$17,379,258	\$14,960,827	\$12,430,318	\$10,659,084	\$17,415,496

Overtime expenditures equal expenditures charged to Object 51200 in Fund 1010 in the General Ledger. FY2004-05 estimated charges determined by extrapolating FY2004-05 data through January 28, 2005 for the remainder of the fiscal year. Overtime categories determined from pay elements in collaboration with Police Finance staff. Variances from journal entries due to grants charged to the special enforcement category. All other non-material variances were charged to the unspecified category. Reimbursement data for FY2000-01 are not readily available. FY2004-05 projection of \$17.4 million based upon the Budget Office's projection of \$18.3 million less adjustments to Special Event and Holiday overtime, to reflect seasonality.

- *Policing Games* is the next highest use. The costs are reimbursed. Just under \$1.0 million was expended through January, with annual spending projected at \$1.4 million
- *Court* overtime principally applies to employees responding to subpoenas during off duty hours. It is projected to run to \$0.5 million this fiscal year, down from a high of \$0.7 million in FY2001-02
- *Callback* is overtime paid to employees who return to work either on an off-duty day – in which case a minimum of five hours of overtime is paid – or who return to work after completing that day's shift, in which case a minimum of two and a half hours overtime is paid. About \$0.5 million is projected for FY2004-05, with the same level spent in both FY2001-02 and FY2002-03

- Overtime for *Unspecified Purposes*, including that used in Records, is expected to run at the same level as callback overtime
- *Training, Community Meetings, Acting Higher Rank, Canine Handling, and policing Parades* (reimbursable) account for lesser amounts.

Reimbursable overtime for FY2004-05 is projected to be \$1.9 million, consistent with prior years. Grant-funded overtime is accounted for in a separate fund, amounting to \$1.0 million in FY2003-04, compared to \$1.4 million in FY2001-02. Police overtime charged to a number of Other Funds ranges from \$0.2 million to \$0.9 million a year.

As the previous table indicates, overtime defined as “mandatory” runs at a relatively consistent basis, from \$5.3 million in FY2001-02 and the following year, to \$4.9 million in FY2003-04, to \$5.3 million this Fiscal Year. “Discretionary” overtime is more variable ranging from \$12.1 million in FY2001-02, to \$7.6 million in FY2003-04, to a projected \$12.1 million for FY2004-05. The terms are somewhat ambiguous. Clearly, mandatory overtime is that associated with responding to court subpoenas, community meetings as part of the Settlement Agreement, and clear-cut provisions of the Memorandum of Understanding between the City and the Oakland Police Officers’ Association (“OPOA”), such as holiday pay and canine handling. Overtime associated with events for which there are contractual commitments are also considered mandatory.

TRENDS IN OAKLAND POLICE DEPARTMENT OVERTIME BY USE (GENERAL FUND)						
HOURS - ALL EMPLOYEES						
Categories	FY2000-01 Actual	FY2001-02 Actual	FY2002-03 Actual	FY2003-04 Actual	FY2004-05* As of 1/28/05 Actual	FY2004-05 Projected
Reimbursed - Mandatory						
Games	0	25,871	25,117	23,222	16,804	23,752
Airport	3,945	9,369	11,414	6,818	3,905	6,737
Parades	0	4,904	6,329	4,360	2,955	4,177
Subtotal Mandatory Reimbursed OT	0	4,904	6,329	4,360	2,955	4,177
Total Reimbursed OT	3,945	40,144	42,860	34,400	23,664	34,666
Non-Reimbursed - Discretionary						
Special Enforcement Actions	0	42,730	46,985	42,062	35,475	61,198
Callback	0	9,651	9,118	6,832	4,625	7,979
Backfill	0	122,197	89,485	73,285	67,405	116,282
Shift Extension	0	38,131	40,248	32,637	23,505	40,549
Recruiting & Background Investigation	0	7,991	3,241	14	390	672
Acting Higher Rank	2,045	2,487	2,084	1,584	956	1,649
Unspecified	<u>315,881</u>	<u>54,708</u>	<u>24,597</u>	<u>14,888</u>	<u>14,644</u>	<u>25,263</u>
Subtotal Discretionary Non-Reimbursed OT	317,926	277,894	215,757	171,302	147,000	253,592
Non-Reimbursed - Mandatory						
Court	15,299	13,698	12,457	11,941	7,961	13,734
Community Meetings	0	3,977	2,914	897	1,350	2,328
Canine Handling	2,633	3,191	2,957	2,782	1,394	2,405
Training	0	13,558	12,581	4,358	3,319	5,726
Holiday	33,670	41,609	40,596	42,937	30,782	40,634
Line Up Pay	<u>7,128</u>	<u>5,199</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Subtotal Mandatory Non-Reimbursed OT	58,729	81,229	71,505	62,915	44,805	64,827
Total Non-Reimbursed OT	376,656	359,123	287,261	234,216	191,805	318,419
Total Mandatory OT	62,674	121,374	114,365	97,314	68,470	99,493
Total Discretionary OT	317,926	277,894	215,757	171,302	147,000	253,592
Total OT	380,600	399,267	330,121	268,616	215,470	353,085

Overtime expenditures equal expenditures charged to Object 51200 in Fund 1010 in the General Ledger. FY2004-05 projected charges determined by extrapolating FY2004-05 data through January 28, 2005 for the remainder of the fiscal year. Overtime categories determined from pay elements in collaboration with Police Finance staff. Variances from journal entries due to grants charged to the special enforcement category. All other non-material variances were charged to the unspecified category. Reimbursement data for FY2000-01 are not readily available.

Special enforcement actions the Department initiates are discretionary, as are supervisors' decisions to authorize the extension of a shift or call back an investigator to a crime scene. There may be less clarity on the discretionary nature of backfill overtime. The City's practice is to present it as discretionary. This Assessment, therefore, does the same.

It bears noting that police officers are not the only OPD employees earning this overtime. Staff other than sworn police officers accounted for \$2.7 million of General Fund overtime in FY2004-05 – 22 percent – while sworn police officers accounted for \$9.7 million, or 78 percent. The Appendix presents a breakout of sworn police officer and non-sworn overtime accumulated in each unit.

OVERTIME PER POLICE DEPARTMENT POSITION: FY2003-04			
Title	Civilian	Sworn	Total
Sergeant Of Police		2,164,646	2,164,646
Police Officer		7,302,412	7,302,412
Lieutenant of Police		206,519	206,519
Deputy Chief of Police		4,175	4,175
Captain of Police		22,723	22,723
Account Clerk II & III	5,304		5,304
Accountant II & III	8,119		8,119
Administrative Analyst I & II	12,532		12,532
Administrative Assistant I & II	2,039		2,039
Animal Control Officer & Shelter Manager	32,002		32,002
Animal Control Supervisor	1,905		1,905
Correctional Officer	790,671		790,671
Criminalist II, III and Assistant	8,001		8,001
Exempt Limited Duration Employee	575		575
Head Start Driver Courier	162		162
Jail Cook & Cook's Assistant	99,045		99,045
Jail Utility Worker	156,283		156,283
Microcomputer Systems Specialist II	119		119
Neighborhood Services Coordinator	10,170		10,170
Police Communications Dispatcher & Operator	782,536		782,536
Police Communications Supervisor	31,891		31,891
Police Drug Abatement Prg Coor	1,160		1,160
Police Evidence Technician	107,067		107,067
Police Identification Section Sup	10,060		10,060
Police Personnel Oper Specialist	1,353		1,353
Police Property Specialist	31,526		31,526
Police Property Supervisor	7,324		7,324
Police Records Specialist	460,873		460,873
Police Records Supervisor	12,425		12,425
Police Services Technician I & II	94,713		94,713
Police Technical Writer	1,177		1,177
Ranger	56,829		56,829
Temp Contract Svcs Employee, PT	2,241		2,241
Volunteer Program Specialist II	1,469		1,469
Total	\$2,729,571	\$9,700,475	\$12,430,046

Allocations of overtime use are derived from pay element codes filled in by OPD employees on an overtime slip when overtime is claimed. The use of pay elements allows managers to analyze such trends as the amount of overtime spent on backfilling vacant positions, court, and special events, as shown on the table which follows. OPD employees also fill in more detailed program codes, albeit it less consistently. These codes describe such activities as policing sideshows, a program whose projected overtime costs have climbed from \$262,000 in FY2003-04 to about \$780,000 in FY2004-05.

OVERTIME FOR SELECTED POLICE PROGRAMS					
	FY2001-02	FY2002-03	FY2003-04	FY2004-05 (YTD)	FY2004-05 (Projected)
Court Overtime	617,981	603,232	622,287	435,629	\$747,909
Special Events, of Which:	1,454,406	1,603,597	1,496,023	1,128,984	\$1,602,022
- Games	1,232,760	1,294,061	1,265,887	966,291	\$1,370,073
- Parades, Festivals	221,646	309,536	230,136	162,693	\$231,949
Sideshowes	N/A	N/A	262,001	454,890	\$780,977
Backfilling Staffing Shortages	5,193,960	4,176,109	3,559,384	3,215,854	\$5,362,750

Overtime expenditures charged to Object 51200 in Fund 1010 in the General Ledger. FY2004-05 projection of \$17.4 million, based upon the Budget Office's projection of \$18.3 million less adjustments to Special Event and Holiday overtime, to reflect seasonality.

Overtime expenses are born principally by the General Fund, though grant funds have provided an important supplement. Grants have different time horizons ranging from a few months to multiple years. The amount of grant-funded overtime is not constant year-to-year, but depends upon the total number of grants open during a fiscal year and whether or not each specific grant has an overtime component in its program budget. The table below demonstrates the variability in grant-funded overtime, which compares the number of active grants with overtime budgets and dollars of grant-funded overtime over the past five years.

TRENDS IN POLICE OVERTIME BY CAUSE FY2000-01 THROUGH FY2004-05						
	FY2000-01	FY2001-02	FY2002-03	FY2003-04	FY2004-05 (Through 1/28/05)	FY2004-05 projection
Number of Grants Charging Overtime	27	20	26	24	11	17*
Overtime	\$1,486,886	\$872,034	\$702,856	\$1,048,153	\$123,122	N/A

* There are six more grants with overtime funding pending for FY2004-05.

There has been a significant drop in the amount of grant-funded overtime in FY2004-05. Several multi-year grants with overtime allocations were exhausted in FY2003-04. Since 2002, the Federal Government has diverted a large percentage of its grant funds to Homeland Security related projects, which means that there are increasingly fewer grants dollars available.

The Department has generally efficient procedures to administer its grants and submit the expenditures for reimbursement. The Grant Administrator reviews and approves all charges to the each grant. The grant accountant reconciles the grants on a quarterly basis and then submits a Financial Status Report to the appropriate funding agency. The funding agency then reviews the reports and submits reimbursement to the City. Federal grant reimbursement takes approximately one week. State reimbursement takes one or two months. Local Law Enforcement Block Grants and State COPS grants are drawn down in advance. The Department reports that no grant has ever been cancelled over poor administration, and the Police Department has never submitted any claims for reimbursement which have been denied.

Both the City's General Fund and grants have supported the OPD's Crime Reduction Teams ("CRT's"), which the Department formed as part of its October 2003 Violence Reduction Plan. The purpose of the CRT's is to complement focused enforcement efforts and specialized operations initiatives, like Narcotics Buy-Bust Operations. These teams provide the Department with the ability to target officers to specific enforcement actions to reduce violence without adding more staff. Overtime pay accounts for \$1.5 million of the \$1.8 million CRT budget, as the table below presents.

CRIME REDUCTION TEAM BUDGETS		
FY2003-04		
Budget Period	(Jan 1 to June 30)	FY2004-05
Budgeted Overtime	\$598,023	\$1,547,619
Total Budget	\$636,300	\$1,831,365
Overtime as Percentage of Total Budget	94%	85%

Source: Oakland Police Department *Violence Reduction Plan*, October 2003

Patrol officers who volunteer to work on the Crime Reductions Teams bill their time to a special program code in the General Ledger, P819. All of these expenditures fall within the General Fund's overtime accounts for sworn police officers.

GENERAL FUND (P819) SPENDING ON CRT OVERTIME		
FY2003-04	FY2004-05 (Through 1/28/05)	FY2004-05 Projected
\$138,700	\$900,025	\$1,342,660

In FY2003-04, expenditures recorded in the CRT code were significantly lower than FY2004-05. Part of the difference can be attributed to the fact that the CRTs were in operation for only half of FY2003-04, but were in place for all of FY2004-05. Another reason is coding. It is quite likely that not all of the overtime timesheets for CRT activities were properly coded. If they were not properly coded, these hours would most likely have rolled into the extension of shift overtime hours for Patrol without being tagged for the CRTs. In FY2004-05, a new color-coded overtime sheet with a pre-coded P819 marker is being used, improving accurate accounting for these CRT overtime hours. Finally, there were several grants in FY2003-04 which funded violence suppression activities. They are listed in the table below. A portion of these grants were used to fund CRT overtime activities. In FY2004-05, without significant grant funding for CRTs, CRT overtime expenditures are being recorded in the General Fund.

Applying straight line projections from the close of January, CRT overtime expenditures is projected to reach \$1.3 million for all of FY2004-05, though increased activity may result in meeting the \$1.5 million budget.

**GRANTS FUNDING VIOLENCE SUPPRESSION IN
FY2003-04**

Grant Name	Overtime Expenditures Funded By Grant
2002 Local Law Enforcement Block Grant	\$21,783
2002 Weed and Seed	\$43,803
West Oakland Weed and Seed	\$29,287
State Cops VIII	\$540,819
Total	\$635,692

Is the Amount of OPD Overtime Reasonable?

Is the OPD's level of overtime consumption reasonable? One way to approach an answer is to compare the OPD's overtime consumption to that of other police departments. The table that follows suggests that OPD ranks first among the 10 largest cities in California in terms of FY2003-04 overtime budget per total FTE, \$8,910, and actual overtime spending per filled position, \$11,393. Oakland ranks third when considering actual overtime expenditures as a share of total actual expenditures, 7.8 percent. Among departments in the Bay Area reviewed for which information was made available, the OPD ranks highest in all three categories. Given that FY2003-04 was the OPD's most modest year for overtime spending of the decade, the Department should further solidify these rankings in FY2004-05, a year which projects to be far more expansive in overtime expenditures.

COMPARISON OF POLICE OVERTIME										
Name of Police Department	Population	% of Authorized Positions Filled	Total FY2003-4		FY2003-4 OT		Actual FY2003-4		FY2003-4	
			OT Budget per Total FTE	Rank	Budget as % of Total Budget	Rank	OT per Filled Position	Rank	Actual Total OT as % of Actual Expenditures	Rank
10 Most Populous California Cities										
Los Angeles	3,838,838	87.6%	\$4,215	4	6.1%	2	\$6,914	4	8.3%	2
San Diego	1,272,746	97.9%	\$2,216	8	2.1%	9	\$5,111	6	5.0%	5
San Jose	909,890	98.4%	\$4,079	5	3.3%	6	\$3,274	8	2.6%	9
San Francisco	772,065	95.8%	\$4,855	3	4.0%	4	\$5,422	5	4.3%	6
Long Beach	477,368	98.8%	\$3,903	6	3.8%	5	\$7,689	3	7.3%	4
Fresno	449,898	98.5%	\$2,757	7	3.3%	7	\$2,780	9	3.3%	8
Sacramento	439,811	93.1%	\$1,783	9	2.1%	8	\$1,117	10	1.3%	10
Oakland	407,003	92.2%	\$8,910	1	7.1%	1	\$11,393	1	7.8%	3
Santa Ana	347,016	92.2%	\$1,670	10	1.4%	10	\$4,576	7	3.4%	7
Anaheim	336,132	98.0%	\$7,384	2	5.9%	3	\$10,177	2	8.4%	1
Regional Cities with Smaller Populations										
Oakland	407,003	92.2%	\$8,910	1	7.1%	1	\$11,393	1	7.8%	1
Fremont	209,026	98.3%	\$6,461	4	4.9%	4	\$7,975	4	6.3%	2
Santa Rosa	155,099	100.0%	\$7,726	2	5.1%	3	N/A	N/A	N/A	N/A
Hayward	144,215	99.0%	\$3,255	7	4.1%	5	\$2,800	7	3.6%	6
Concord	126,539	94.7%	\$4,639	5	3.5%	6	\$5,234	6	3.7%	5
Vallejo	121,055	100.4%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Berkeley	104,727	94.7%	\$7,652	3	6.0%	2	\$7,099	5	6.1%	3
Richmond	103,629	100.0%	\$3,855	6	2.8%	7	\$8,524	2	4.0%	4
Daly City	102,970	93.9%	\$775	8	0.8%	8	\$8,251	3	2.5%	7
Santa Clara	102,936	93.0%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Source of figures from cities' official websites or cities' fiscal departments. N/A means data are outstanding or are otherwise not available.

This Overtime Assessment focuses on savings, cost recovery, and control initiatives with the aim of containing overtime through greater efficiency. And there are many efficiencies to be realized before overtime spending can be considered fully reasonable. These range from initiatives to contain callback, backfill, and extension of shift overtime, to paid absences, to court overtime, to scheduling and deployment, to cost recovery, to MOU provisions, to stronger monitoring, reporting, and internal controls.

Several important factors provide context to weighing the reasonableness of OPD's overtime spending. The Department faces many demands. As the table of the following page shows, the rate of violent crime per budgeted full-time equivalent position ("FTE") was the highest among the 10 most populous California cities, as of 2003, the most recent year in which the Federal Bureau of Investigation's Uniform Crime Report ("UCR") data for a full year is available (and before Measure Y was adopted to add 63 officer positions to the 739 already authorized). Property crimes per sworn FTE ranked third. The number of sworn positions in FY2003-04 per 10,000 population ranked fourth, as did the number of sworn FTE per square mile. Compared to selected Bay Area cities, Oakland was first in violent crime per sworn FTE and sixth in property crime, second in sworn FTE per 10,000 residents, and fourth in the number of officers per square mile. *All of this noted, with the sharp drop in Oakland's violent crime since 2003, and the expansion of officers due to Measure Y, these ratios should improve significantly.* This comparison should be redone, once a full year of UCR crime data are available for 2004, and the Measure Y officer positions are added to the OPD's FTE total.

CRIME, POPULATION & SQUARE MILES PER AUTHORIZED POLICE POSITION (FTE)									
Name of Police Department	Population	Violent Crime* per Sworn FTE	Rank	Property Crime** per Sworn FTE	Rank	Sworn FTE per 10,000 Population	Rank	Sworn FTE per Square Mile	Rank
10 Most Populous California Cities									
Los Angeles	3,838,838	4.8	2	13.3	10	26.6	2	20.5	1
San Diego	1,272,746	3.5	8	22.1	6	16.5	7	5.7	10
San Jose	909,890	2.5	10	15.4	8	14.8	8	7.6	7
San Francisco	772,065	2.6	9	17.6	7	28.1	1	9.4	5
Long Beach	477,368	3.7	6	15.2	9	20.4	3	14.8	2
Fresno	449,898	4.5	3	35.0	2	17.3	6	7.4	9
Sacramento	439,811	4.4	5	36.4	1	17.7	5	7.8	6
Oakland	407,003	7.6	1	30.6	3	18.2	4	9.5	4
Santa Ana	347,016	4.5	4	24.4	5	11.5	9	14.5	3
Anaheim	336,132	3.5	7	27.9	4	11.2	10	7.4	8
Regional Cities with Smaller Populations									
Oakland	407,003	7.6	1	30.6	6	18.2	2	9.5	3
Fremont	209,026	2.3	9	30.3	7	9.0	10	2.2	10
Santa Rosa	155,099	6.0	4	35.2	4	10.8	9	4.1	6
Hayward	144,215	3.2	6	27.3	8	13.0	5	3.0	8
Concord	126,539	2.5	8	32.8	5	12.6	7	5.3	5
Vallejo	121,055	6.4	3	37.5	3	12.8	6	3.2	7
Daly City	104,727	4.8	5	45.1	2	18.4	1	10.9	2
Berkeley	103,629	7.1	2	46.5	1	14.6	3	2.9	9
Santa Clara	102,970	2.8	7	18.0	10	11.8	8	16.0	1
Richmond	102,936	1.7	10	20.3	9	14.4	4	8.0	4

* Violent crime includes murder and non-negligent manslaughter, forcible rape, robbery, and aggravated assault.

** Property crime includes burglary, larceny-theft, and motor vehicle theft.

Sources of information include Federal Bureau of Investigation's 2003 UCR data, the most recent for which a full year of reported crime is available (www.fbi.gov/ucr), U.S. Census Bureau (www.census.gov), cities' official websites and city finance departments for FTE information. N/A indicates information requested is not available. With the sharp drop in Oakland's violent crime since 2003, and the addition of 63 officers expected in 2005 due to Measure Y, these ratios should improve significantly. These rankings should be reconsidered once a full year of 2004 UCR data are available and the Measure Y officers bring the FTE total to 802.

The tables which follow provide further detail on comparative data between Oakland and other selected California cities.

COMPARATIVE DATA OF POLICE DEPARTMENTS IN 10 MOST POPULOUS CALIFORNIA CITIES												
Name of City		Oakland	Los Angeles	San Diego	San Jose	San Francisco	Long Beach	Fresno	Sacramento	Santa Ana	Anaheim	
Population 2003		407,003	3,838,838	1,272,746	909,890	772,065	477,368	449,898	439,811	347,016	336,132	
Housing Units		157,508	1,337,706	469,689	281,841	346,527	171,632	149,025	163,957	74,588	99,719	
Area in Square Miles (Land and Water)		78.2	498.3	372.0	178.2	231.9	65.9	104.8	99.2	27.4	50.5	
Density Per Square Mile of Land	Population	7,126.60	7,876.80	3,771.90	5,117.90	16,634.40	9,149.80	4,097.70	4,189.20	12,451.90	6,702.00	
	Housing Units	2,809.80	2,851.80	1,448.10	1,611.80	7,421.20	3,402.60	1,427.90	1,687.50	2,748.00	2,037.50	
Median Household Income		40,055	36,687	45,733	70,243	55,221	37,270	32,236	37,049	43,412	47,122	
% Individuals Below Poverty Level		19	22	15	6	11	23	26	20	20	14	
Number of UCR Violent Crime 2003		5,613	48,824	7,366	3,378	5,725	3,579	3,505	3,420	1,788	1,319	
Number of UCR Property Crime 2003		22,630	135,781	46,382	20,748	38,163	14,823	27,196	28,266	9,728	10,446	
Personnel	Total Sworn Filled Positions Per Square Mile	9	18	6	8	9	15	7	7	13	7	
	Sworn	Authorized	739	10,213	2,103	1,351	2,171	975	778	777	398	375
		Vacant	35	1,073	29	9	80	17	8	76	40	8
		Filled	704	9,140	2,074	1,342	2,091	958	770	701	358	367
	Civilian	Authorized	444	3,592	643	447	366	486	378	402	310	281
		Vacant	57	641	29	19	26	0	9	5	15	5
		Filled	387	2,951	614	428	340	486	369	397	295	276
		Total Authorized FTE'S	1,183	13,805	2,746	1,798	2,537	1,461	1,156	1,179	708	656
	Total Filled	1,091	12,091	2,688	1,770	2,431	1,444	1,139	1,098	653	643	
	OT Budget FY2002-03	Sworn	8,768,328	47,938,195	7,015,820	11,579,115	17,240,187	8,500,000	2,826,900	2,028,000	1,462,495	4,941,000
Civilian		N/A	3,860,548	N/A	N/A	19,317	N/A	N/A	N/A	N/A	N/A	
OT Actuals FY2002-03	Sworn	14,960,827	66,251,975	14,703,011	10,157,217	17,369,502	10,400,000	2,784,375	1,699,000	2,294,671	7,267,000	
	Civilian	N/A	6,375,829	N/A	N/A	626,468	N/A	N/A	N/A	N/A	N/A	
OT Budget FY2003-04	Sworn	10,541,050	51,427,884	6,085,981	7,332,615	12,307,208	5,700,000	3,186,800	2,102,000	1,182,680	4,844,000	
	Civilian	N/A	6,762,568	N/A	N/A	10,710	N/A	N/A	N/A	N/A	N/A	
OT Actuals FY2003-04	Sworn	12,430,046	77,399,330	13,737,923	5,795,137	12,751,445	11,100,000	3,165,958	1,226,000	2,988,348	6,544,000	

Violent crime includes murder and non-negligent manslaughter, forcible rape, robbery, and aggravated assault. Property crime includes burglary, larceny-theft, and motor vehicle theft. N/A indicates information requested is outstanding or not available. Sources of information include Federal Bureau of Investigation's UCR data (www.fbi.gov/ucr), U.S. Census Bureau (www.census.gov), cities' official websites and city finance departments. A number of departments do not distinguish between budgets and actual overtime expenditures for sworn and civilian personnel. In these cases, all overtime are shown next to "sworn".

COMPARATIVE DATA FROM SELECTED BAY AREA POLICE DEPARTMENTS

Name of City	Oakland	Fremont	Santa Rosa	Hayward	Concord	Vallejo	Berkeley	Richmond	Daly City	Santa Clara		
Population 2003	407,003	209,026	155,099	144,215	126,539	121,055	104,727	103,629	102,970	102,936		
Housing Units	157,508	69,452	57,578	45,922	45,083	41,219	46,875	36,044	31,311	39,630		
Area in Square Miles (Land and Water)	78.2	87.1	40.4	63.0	30.1	48.8	17.7	52.6	7.6	18.4		
Density Per Square Mile of Land	Population	7,126.60	2,652.30	3,678.30	3,158.60	4,041.00	3,867.90	9,823.30	3,309.50	13,703.80	5,566.20	
	Housing Units	2,809.80	905.60	1,434.90	1,035.80	1,496.00	1,365.40	4,481.80	1,202.30	4,140.90	2,155.00	
Median Household Income	40,055	76,579	50,931	51,177	55,597	50,030	44,485	44,210	62,310	69,466		
% Individuals Below Poverty Level	19	5	9	10	8	10	20	16	7	8		
Number of UCR Violent Crime 2003	5,613	433	998	600	398	997	926	1,078	344	253		
Number of UCR Property Crime 2003	22,630	5,693	5,878	5,125	5,253	5,817	8,695	7,024	2,172	3,006		
Personnel	Total Sworn Filled Positions Per Square Mile	9	2	4	3	5	3	10	3	15	7	
	Sworn	Authorized	739	188	167	188	160	155	193	151	121	148
		Vacant	35	4	0	2	5	0	8	0	6	14
		Filled	704	184	167	186	155	156	185	151	115	134
	Civilian	Authorized	444	111	84	301	66	73	111	63	44	51
		Vacant	57	1	0	3	7	0	8	0	4	0
		Filled	387	110	84	298	59	73	103	63	40	51
		Total Authorized FTE'S	1,183	299	251	489	226	228	304	214	165	199
	Total Filled	1,091	294	251	484	214	229	288	214	155	185	
OT Budget FY2002-03	Sworn	8,768,328	2,342,288	1,892,856	1,260,869	945,402	N/A	1,909,976	1,030,881	N/A	30,498,950	
	Civilian	N/A	N/A	369,185	N/A	N/A	N/A	N/A	249,971	N/A	N/A	
OT Actuals FY2002-03	Sworn	14,960,827	1,792,993	N/A	1,442,258	1,227,502	N/A	2,765,130	1,873,682	N/A	N/A	
	Civilian	N/A	N/A	N/A	N/A	N/A	N/A	N/A	307,215	N/A	N/A	
OT Budget FY2003-04	Sworn	10,541,050	1,931,947	1,660,912	1,590,628	1,048,412	N/A	2,326,213	824,994	127,945	N/A	
	Civilian	N/A	N/A	278,201	N/A	N/A	N/A	N/A	236,633	N/A	N/A	

Violent crime includes murder and non-negligent manslaughter, forcible rape, robbery, and aggravated assault. Property crime includes burglary, larceny-theft, and motor vehicle theft. N/A indicates information requested is outstanding or not available. Sources of information include Federal Bureau of Investigation's UCR data (www.fbi.gov/ucr), U.S. Census Bureau (www.census.gov), cities' official websites and city finance departments. A number of departments do not distinguish between budgets and actual overtime expenditures for sworn and civilian personnel. In these cases, all overtime are shown next to "sworn".

The OPD's complement of budgeted sworn personnel climbed from 769 FTE (full-time equivalents) in FY2000-01, to 786 in FY2001-02, before falling to 739 in FY2004-05. Much of the FY2001-02 FTE increase was aimed at expanding personnel at the Airport. The FY2003-04 FTE reduction was principally associated with elimination of vacant positions. Filled sworn positions reached at 771 in FY2002-03, up from 724 in FY2000-01, but have fallen to 704 by February 2005. Sworn vacancies, as high as 6.1 percent of budgeted positions in FY2001-02, dropped to 1.3 percent the following year, then moved up again, to 4.7 percent by February 2005. Measure Y will bring authorized sworn positions to 802.

The number of rangers, corrections officers, and other non-sworn personnel increased from 474 in FY2000-01, to 499 in FY2001-02, then fell to 444 in FY2004-05. The FY2004-05 total budgeted FTE of 1,183 is 7.9 percent below FY2001-02 total FTE level, and 4.8 percent below that of FY2000-01. Filled positions rose to a high of 445 in FY2002-03, before dipping to 389 in FY2004-05. The percentage of vacancies in February 2005 – 12.4 percent – has almost reached the high of FY2001-02. The table below shows these trends, and table of the following page further breaks out filled sworn positions by rank.

POLICE DEPARTMENT PERSONNEL									
	Sworn			Non-Sworn			Total		
	Budgeted	Filled	% Vacant	Budgeted	Filled	% Vacant	Budgeted	Filled	% Vacant
FY2004-05	739	704	4.7%	444	389	12.4%	1,183	1,093	7.6%
FY2003-04	749	742	0.9%	432	416	3.7%	1,181	1,158	1.9%
FY2002-03	782	771	1.3%	491	445	9.2%	1,272	1,217	4.4%
FY2001-02	786	737	6.1%	499	436	12.6%	1,285	1,174	8.6%
FY2000-01	769	724	5.8%	474	417	11.9%	1,242	1,141	8.2%

Budgeted employee figures provided by the City Administrator's Budget Office. For the purpose of this table, Non-Sworn figures include Rangers. Actual employee figures are an average of filled positions each six months per the OPD's Personnel Distribution Reports, except for FY2004-05, which represents staffing as of February 23, 2005.

Through December 2005, the OPD plans to hire 105 or more officers to reach its full complement of authorized sworn positions and offset attrition. It will begin a class in April 2006 of 20 or more officers to make up for the affects of attrition, if needed, to maintaining full staffing.

According to Office of Personnel Resource Management data, an average of 2.4 officers separated from the OPD each month from February of 1998 through March 2005. Almost one in five of its officers – 129 – and 133 civilians are considered by the Office of Personnel and Resource Management to be likely to retire over the next five years, given age and years of service. If these separations are evenly paced, 26 officers (2.2 per month) can be expected to retire over the next year. Attrition at the historic average of 2.4 officers a month (some separations occur for reasons other than retirement) would require the replacement of 29 officers over 12 months to maintain the OPD's sworn staffing level at full strength.

ACTUAL POLICE EMPLOYEES: FY1999-00 - FY2004-05												
	Chief	Deputy Chief	Captain	Lieutenant	Sergeant	Police Officer	TOTAL MEMBERS	TOTAL RANGERS	TOTAL NON- SWORN	TOTAL PERSONNEL	Police Officer Trainees	Reserve Police Officers
JANUARY 5, 2000	1	3	8	23	117	523	675	18	409.5	1,102.5	53	23
JUNE 28, 2000	1	3	8	23	122	548	705	18	407.5	1,130.5	62	23
JANUARY 3, 2001	1	3	9	24	120	586	743	15	417	1,175	27	25
JUNE 27, 2001	1	3	9	24	120	592	749	14	427	1,190	2	25
JANUARY 2, 2002	1	3	8	28	121	571	732	16	426	1,174	47	26
JULY 3, 2002	1	3	9	27	122	593	755	11	448	1,214	34	26
JANUARY 8, 2003	1	3	9	26	122	613	774	10	445	1,229	22	25
JULY 2, 2003	1	3	9	27	133	605	778	10	444	1,232	0	25
DECEMBER 31, 2003	1	3	7	27	131	590	759	10	427.5	1,196.5	0	13
JUNE 30, 2004	1	3	8	27	124	571	734	10	417	1,161	0	13
JANUARY 5, 2005	0	3	8	25	124	544	704	10	377	1,091	0	13
FEBRUARY 23, 2005	1	3	8	26	127	539	704	10	379	1,093	0	13

Note. 15 Police Officer Trainees are reported by OPD Personnel to be at the Academy as of April 12, 2005.

Absences should also be taken into consideration when determining overtime's reasonableness. On February 23, 2005, 138 officers, sergeants, and lieutenants in the Patrol Division of the Bureau of Field Operations reported for duty on one of three watches. On First Watch, 40 officers reported to their regularly scheduled shift, and 60 were on their regular day off; 31 others were otherwise absent. On Second Watch, 47 officers reported for duty, and 43 had the day off, with nine absent. On Third Watch, 51 officers reported to duty, with 37 taking their regular day off, and 20 absent. The next day, 138 officers reported to work on their regularly scheduled watches as well. According to Patrol Division staff, 95 percent of the time, absences are backfilled by overtime.

PATROL DIVISION STAFFING ON FEBRUARY 23, 2005											
	Report for Duty	Regular Day Off	Comp Time	Sick	Vacation	On/Off Duty Injury - Illness	Transitional (Light) Duty	Family Death Leave	Family Medical Leave	Special Assignment	TOTAL
First Watch	40	60	3	4	3	13	4	1		3	131
Second Watch	47	43		1	3	2			1	2	99
Third Watch	51	37	3	3	1	10			2	1	108
Total	138	140	6	8	7	25	4	1	3	6	338

Source: Oakland Police Department, *Daily Detail Report*, February 23, 2005.

Excluding time for on-duty court appearances, community meetings and training and similar functions occurring during the course of a regular shift, OPD employees accumulated 544,854 hours of paid absences in FY2003-04, 520,463 hours in FY2002-03, and 483,796 hours in FY2002-01. Even as the number of filled OPD positions declined by 1.4 percent from FY2001-02 to FY2003-04, the number of paid absences climbed 12.6 percent.

Workplace injuries and Family Leave drove over 134,000 hours in paid absences FY2003-04, up 63.9 percent from FY2000-01. City data directly tying such absences to overtime are not available. However, OPD unit-specific analysis provides a sense of scale. Applying a blend of straight overtime pay and compensatory time at average hourly rates with a number of assumptions based upon other data and interviews with supervisors regarding backfilling practices suggest that the projected 76,579 hours of absences from Workers' Compensation in Patrol Operations will cost the General Fund \$2.8 million this Fiscal Year. Family Leave is projected to account for \$0.4 million.

PATROL OVERTIME FROM WORKERS' COMPENSATION & FAMILY MEDICAL LEAVE FY2004-05 (Projected)	
	Overtime
Workers' Compensation	\$2,806,000
Family Leave	\$396,000

The table below provides a sense of scale for the entire Department, presenting Family Leave and Workers' Compensation hours, by unit, over the last five fiscal years. The Workforce section of this Assessment describes factors that may have contributed to the spike in Family Leave in FY2002-03 and FY2003-04.

TRENDS IN OAKLAND POLICE DEPARTMENT OVERTIME BY USE (GENERAL FUND)							
HOURS							
Absence Type	Unit	FY2000-01	FY2001-02	FY2002-03	FY2003-04	FY2004-05*	
		Actual	Actual	Actual	Actual	As of 1/28/05	FY2004-05 Projected
Family Leave	Admin & Technical Svcs	179	171	988	712	334	576
	Airport			958	969	608	1,049
	Budget & Accounting		99	113	141	16	27
	Bureau of Field Operations	148	214	346	868	155	267
	CID	253	373	1,480	3,225	1,491	2,571
	Communications	1,159	1,033	1,095	906	876	1,510
	Crime Analysis				483	90	155
	Field Support					674	1,163
	Jail	895	733	985	1,375	464	800
	Patrol - Field Operations	195	291	8,980	20,067		
	Patrol - Operations					5,393	9,303
	Personnel and Training Section	76	145	393	255	68	117
	Records	497	497	791	723	199	343
	Special Operations	399	679	1,552	2,199	473	816
	Traffic Operations	78	283	1,355	3,328	1,106	1,907
Unknown	38			12			
Family Leave Total		3,915	4,516	19,035	35,261	11,943	20,604
On-Duty Injury	Admin & Technical Svcs	430	1,856	837	644	51	88
	Airport	80	1,740	548	1,710	200	345
	Budget & Accounting			545	132	14	24
	Bureau of Field Operations	38		160	210	120	207
	CID	5,026	3,697	7,008	4,895	4,807	8,293
	Communications	3,756	3,319	2,849	655	968	1,670
	Crime Analysis				179	8	13
	Field Support					944	1,629
	Jail	5,348	3,454	1,530	6,219	3,877	6,688
	Patrol - Field Operations	43,415	50,499	58,277	71,870	1,240	2,139
	Patrol - Operations					44,390	76,579
	Personnel and Training Section	8,916	70	960	1,249		
	Records	706	811	766	919	1,703	2,937
	Special Operations	4,665	4,084	3,221	5,164	2,426	4,185
	Traffic Operations	5,613	7,731	10,284	5,146	794	1,369
On-Duty Injury Total		77,991	77,261	86,985	98,990	61,540	106,164
Grand Total		81,906	81,776	106,020	134,251	73,484	126,768

Absences are inevitable. Their expansion at this scale is not. The Findings & Recommendations chapter of this Assessment addresses a number of initiatives to contain paid absences and their effects on overtime.

Scheduling and deployment apply other overtime pressures. The Department's adoption of a four day a week, 10 hour per day ("4/10") schedule for patrol officers in the 1990's means that establishing a work schedule with a minimum number of officers on duty for each of three watches – 35 officers to cover 35 patrol beats, plus two desk officers, plus two officers in a transport wagon – requires at least 25 percent more officers to provide minimum coverage than the five day a week eight hour a day ("5/8") schedule of prior decades.

Scores of officers are assigned to the Airport, Schools, walking beats, task forces, community policing, and specialized units (e.g., “Late Tac” units aimed at addressing sidseshows). While achieving worthy public safety objectives, these activities draw available officers out of patrol beats, driving up backfill overtime. Well over 20 officers are assigned to Internal Affairs Division and Office of Inspector General – again, important functions that pull resources from external investigations. As the Savings, Cost Recovery, and Productivity section in the next chapter describes, the patrol beat structure and Department scheduling practices should be fully reevaluated. Redeployment of certain units, at least on a temporary basis until the Department reaches full staffing, can yield \$1.8 million in overtime savings on an annualized basis as a gap-filling measure until new officers are hired, trained, and deployed.

In short, it is reasonable to conclude that the decline in the number of filled officer positions are putting pressure on the OPD’s overtime. But infusions of new officers are not all that is necessary to reduce overtime to more sustainable levels. In FY2001-02, for example, the OPD generated over 399,000 hours of overtime (\$17.1 million) – more than any year of the decade, including the 353,000 hours projected for the present Fiscal Year – even though the average number of filled sworn positions was higher than either FY2000-01 or FY2004-05, and the total number of filled sworn and non-sworn positions was the second highest of the five-year period.

With the City facing a large budget gap, and the City’s residents having recently passed Measure Y to expand police staffing from 739 to 802, attention should be placed not only on filling positions, but on undertaking the controls, cost containment, cost recovery and productivity initiatives to use the Department’s resources more efficiently. The remainder of this Overtime Assessment focuses on these issues.

FINDINGS & RECOMMENDATIONS

This Findings & Recommendations chapter presents 71 recommendations to achieve overtime savings, recover overtime costs, improve productivity, and strengthen controls, organized into three themes:

1. Overtime Savings & Cost Recovery
2. Workforce Memorandum of Understanding
3. Controls & Monitoring

Among these are 25 initiatives to contain overtime costs or increase cost recovery associated with extension of shift, backfilling vacancies, calling back officers to work, Workers' Compensation, records management court, reimbursement, the Jail, and Communications. The accumulated fiscal impact over the next five years if all of these initiatives are adopted is estimated to be \$25.2 million. Of this amount, it is reasonable to expect that 17 of these initiatives could be implemented FY2005-06, with an impact of \$3.2 million, and \$4.3 million in FY2006-07. Expected lags in implementation are reflected in discounting of the fiscal impact of initiatives in FY2005-06.

Eight additional initiatives could achieve an estimated \$0.6 million in savings or recovered costs, increasing to \$0.9 million in FY2006-07; the City may need to determine if meet and confer would be needed with employee representative organizations.

Some initiatives include a recommendation for further planning and analysis that extend beyond the scope of work of an Overtime Assessment. Once completed and implemented, they should result in more efficient use of Oakland Police Department resources.

A Clover symbol to the left of a conclusion denotes an initiative that could be considered for implementation beginning in FY2005-06. The Open Dot symbol denotes an initiative that may require prior communications with employee representatives.

Many of these initiatives cite recommendations made during prior overtime studies, as well as their status, particularly from the following sources: The Police Executive Research Forum's *Management Study of the Oakland California Police Department*, November 3, 1995 ("PERF Report") which also referenced a report by Deloitte & Touche, *City of Oakland: An Analysis of Police Department Overtime*, January 1995; FY1998 report by the City Auditor; A memorandum circulated by the City Manager on January 21, 2002, entitled *Police Overtime Reduction Plan – FY2002-03*; and an Oakland Police Department report by Keith Mills, *Overtime Management & Control in the Oakland Police Department*, January 11, 2002, provides useful insights and data.

1. OVERTIME SAVINGS & COST RECOVERY

1.A. Extension of Shift

Implementation of Prior Recommendations.

- ❖ **The FY2002-03 Overtime Reduction Plan provided that overtime from extension of shift shall not be authorized if the work can wait, or if someone who is working on a straight-time basis can handle the task.** Section V of General Order D-3 sets forth policies for dispatching officers during relief periods. While it does not justify delays of, or holding off on, the dispatching of “A priority” calls for service, it does provide time limits for dispatching units to respond to B priority and C priority calls during a relief period from one watch to another.

Tighten Authorization for Patrol Shift Extensions. Interviews suggest that this policy is unevenly followed. Final discretion on which officer responds rests with the watch commanders. A watch commander permitting an officer to respond to a call that extends a shift beyond its scheduled completion time justify this decision in writing, with review of such decisions becoming standard parts of CRIMESTOP and performance evaluations. Senior management estimates that four to five officers per day have their graveyard shifts extended by an average of an hour to complete report writing, with an equal number of officers doing the same on the other two shifts combined. Assuming nine officers per day are extending their shifts by an average of one hour to complete paperwork associated with responses to calls received in the last hour of their respective shifts, this initiative could avoid over \$250,000 in extension of shift overtime in FY2005-06.

FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10
0%	0%	0%	0%	0%
\$254,000	\$264,000	\$275,000	\$286,000	\$297,000

- ❖ **FY2002-03 OT Reduction Plan. When watch commanders approve a shift extension (and only in advance), watch commanders must explain and justify its use in writing.** It is the reported practice that at present, if assigned to a call, officers may work two hours with a sergeant’s permission; if more time is needed, authorization is to be provided in writing by the watch commander. The supervisor is to explain in writing why overtime is authorized, with the Office of the Deputy Chief reviewing and following up with each unclear explanation. At issue is the lack of clarity over the level of activity or results of such overtime. As the OPD’s approach to overtime reporting and monitoring evolves, the reporting system should capture this information.

Other Initiatives

- ❖ **Tighten Authorization for Extending Investigations on Overtime.** The Deputy Chief of the Division has recently instituted a procedure that requires his personal oversight for all CID overtime requests, except for homicides. Absent a fixed budget, the Deputy Chief authorizes a fixed amount of callback or extension of shift overtime following each investigator’s request. Work on overtime beyond the pre-authorized amount now

requires the Deputy Chief's approval. During the last pay period, the Deputy Chief indicates that authorization was not provided for three such requests. This initiative assumes three requests for callback or shift extensions which would have occurred before this policy was adopted will be denied per pay period, avoiding five hours of overtime per denied request. Savings are estimated to be \$30,000 in FY2005-06.

FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10
0%	0%	0%	0%	0%
\$30,000	\$36,000	\$38,000	\$40,000	\$43,000

1.B. Backfill Overtime

Implementation of Prior Recommendations

- ***FY2002-03 OT Reduction Plan. Instead of assigning officers to full 10 hour shifts on overtime, overtime shifts should be reduced to five hours.*** This assignment period ties to the five hour minimum overtime for returning to work on an officer's day off, per the MOU. The OPD reports that that patrol officers now work five to eight hours, not 10 hours, except sideshowes, where they work 12 hours. Officers typically report in during portion of watch in which activity is highest.
- ***The FY2002-03 OT Reduction Plan provides that when an officer is assigned to backfill shift on overtime, this should only done with watch commander approval . . . If officers are signed up to work overtime in Patrol Division and all beat assignments are filled, then all overtime officers shall be called at home and advised that their overtime shifts have been cancelled.*** The Department seeks to assign at least one officer to each of 35 beats plus two officers for a transport wagon and two desk officers for each of three shifts. Beats are at times left open, without an officer assigned. The Department employs a process in which watch commanders undertake projections on a multi-week basis of expected vacancies, as well as workload (when needed in shift (early on a shift versus late). Officers volunteer to sign up for projected openings for pay on an overtime basis. If there are sufficient officers, supervisors are supposed to cancel before signed up officers arrive and receive the minimum overtime.
- ***The PERF Report recommends replacement of the use of two sworn officers in prisoner transport wagon with armed civilians.*** Patrol wagons are staffed with sworn officers. There are watches in which they are left unstaffed, with arresting officers providing transport to booking.

Other Initiatives

- ❖ ***Redeployment.*** The Department is either implementing or considering a number of approaches toward staff redeployment, using a combination of reallocation from specialized units and reorganization to reassign more officers to patrol beats and investigations. Depending upon the outcome of these decisions, 35 officers could be redeployed to patrol beats, with another six available in September 2006. Another seven sworn members could be assigned to investigations.

Assessing even temporary redeployment recognizes the difficulty of such a decision. In strained financial times, it is appropriate to weigh tradeoffs between immediate fiscal priorities and specialized programs.¹ It is not unusual among police departments facing budget pressures to make such redeployments, if only to fill gaps in staffing and gain a stronger grip on overtime until additional resources become available. While despecialization should provide fiscal relief, it should not be seen as the only answer; these units were established in the first place to address real needs. *Instead, the OPD should accompany temporary redeployment with long term structural improvements – among them flexibility in scheduling, reconsideration of its patrol beat structure, stronger controls, civilianization, addressing excessively restrictive and costly labor-management practices and agreements – that would allow it to meet the needs of Oakland’s communities more cost effectively.*

- Walking Beats. The OPD deploys 28 walking beat officers and three sergeants. With overtime running at its highest rate of the decade, and filled sworn positions at a low, the Department is considering redeploying 18 of these officers to patrol beats as an interim measure until the Department reaches its full complement of authorized officers. Savings in avoided overtime would be nearly \$1.1 million.

FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10
0%	100%	100%	100%	100%
\$1,079,000	\$0	\$0	\$0	\$0

- Task Forces. The OPD has redeployed two officers to patrol from tasks forces (County Drug and Drug Enforcement Agency) and one to another assignment. An additional officer will be brought back for patrol from an DEA Task Force, as will a sergeant for investigations or other purposes. Savings in avoided overtime for the three officers reassigned to patrol beats is estimated to be \$135,000 in FY2005-06.

FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10
0%	0%	0%	0%	0%
\$135,000	\$185,000	\$192,000	\$198,000	\$205,000

- Maintaining Deployment in 57 Community Policing Beats, Adding Resources to Patrol. The Department is also exploring how its 14 present Problem Solving Officers (“PSO’s”) would be deployed among its 57 community policing beats as Measure Y officers complete their field training, such that 14 officers could be allocated to patrol beats in the second half of FY2005-06 while meeting the Department’s commitment under Measure Y. A full year’s overtime savings would be nearly \$840,000 in the first year, discounted by 50 percent.

FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10
58%	0%	0%	0%	0%
\$352,000	\$864,000	\$898,000	\$928,000	\$956,000

¹ It is assumed that 25% of time is taken compensatory time and 80% to paid overtime.

- Redeploy Officer Resources at Schools until Additional Funding to Recovery Costs are Identified. The OPD has also included in its proposed FY2005-06 Budget the redeployment of six officers and a sergeant from the members assigned to the Oakland Unified School District (“OUSD”) to bring staffing in line with the level of reimbursement, once its present agreement with the OUSD ends in September 2006. Avoided overtime costs would be an estimated \$270,000 in FY2005-06, until new resources can be identified by the start of FY2006-07 to support more officers at the Schools. It is recommended that the new strategy for deployment, increased scheduling flexibility, and other initiatives be put in place, and new fund resources are identified, as an alternative to redeploying officers from the schools to patrol beats.

FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10
25%	100%	100%	100%	100%
\$270,000	\$0	\$0	\$0	\$0

To increase sworn personnel available for investigations, the Department has merged the Metro District with Police Service Area One, making Metro’s supervisory staff available for reassignment.

- **Redeploy from Juvenile Intake.** The Criminal Investigation Division (“CID”) is leading an effort to wind down the Juvenile Intake Desk’s 24/7 operation, with the aim of redeploying five officers (six FTE) to investigations and reducing an estimated \$75,000 a year in overtime that had been associated with weekend work.

FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10
0%	0%	0%	0%	0%
\$75,000	\$78,000	\$82,000	\$85,000	\$88,000

- **Civilianization.** Sworn personnel in 26 positions perform such functions as background checks, information technology, training, vehicle enforcement, auditing, police activities league, personnel management, Workers’ Compensation coordination, and supervision at the Jail and Communications. The City should consider replacing these officers with qualified civilians, freeing much-needed policing resources for patrol and investigations, and easing the strain on backfill overtime. San Francisco recently took a step in this direction, with a newly approved Charter provision which allows for civilianization on a limited basis if the Chief determines that certain work can be performed efficiently by civilians. The ranks of officers in these positions are as follows:

Rank	
Lieutenant	1
Sergeant	9
Police Officer	16
Total	26

It is assumed that the 16 police officers would be transferred to patrol, with nine sergeants going to investigations.

In two units – Communications and the Jail – qualified civilian supervisors could replace sergeants. The Police Departments of Long Beach and Sacramento are among those reporting communications units staffed fully by civilians. The Lieutenant position at Communications would remain to supervise the transition and support the City-wide initiative to consolidate all public safety communications. Such transfers at the Jail may be provisional until holding operations are moved to the County’s facility, per the initiative described in section I.H.

As many as 12 retired officers, working 960 hours a year without benefits as at will employees, and earning similar hourly pay as full-time personnel, could be hired to fill positions filled by full-time officers. They would work as range master (assuming proper certification), as background investigators (recruiting would remain staffed by sworn personnel), in the Police Athletic League, and in internal audit/investigative functions. Funded civilian positions within the OPD or from other City departments would replace sworn positions, which would be transferred to Patrol or CID.

Sworn Job Description	Civilian Job Title
Abandoned Vehicle Abatement	Police Program Coordinator
Fleet & Taxi	Administrative Analyst II
Information Technology	Microcomputer Systems Spec II
Information Technology	Information Systems Supervisor
Inspector General: Auditor	Administrative Analyst II, 2 Retired Officers
Inspector General: Auditor	Administrative Analyst II, 2 Retired Officers
Background Check	Admin Analyst II
Personnel Manager	Administrative Services Manager I
Background Check	Police Background Asst.
Background Check	Police Background Asst., 2 Retired Officers
Background Check	Police Background Asst., 2 Retired Officers
Medical Officer	Management Assistant
Police Activities League	Police Program Coordinator
Firearms Instructor	Range Master, 2 Retired Officers
Firearms Instructor	Range Master, 2 Retired Officers
Safety Officer	Administrative Analyst II
Training, Cadet Coordination, AV	Police Program Coordinator
Vehicle Enforcement	Public Works Supervisor I
Communications Sergeant	Police Communications Supervisor
Communications Sergeant	Police Communications Supervisor
Communications Sergeant	Police Communications Supervisor
Communications Sergeant	Police Communications Supervisor
Jail Sergeant	Supervising Correctional Officer
Jail Sergeant	Supervising Correctional Officer
Jail Sergeant	Supervising Correctional Officer
Jail Sergeant	Supervising Correctional Officer

The current position description and the corresponding non-sworn position description for the proposed positions are shown below. The City’s Office of Personnel Resource Management supported this analysis by identifying comparable non-sworn job classifications to those presently filled by officers, as well as associated compensation

that could be expected with each title. Overtime savings could be substantial; reassignment of 16 of these officers to patrol beats could yield \$0.9 million. But when looking at full costs, including benefits for civilian staff who are not retired officers, prospects for total savings realized by creating new positions and hiring new staff are less compelling, with costs estimated at \$1.3 million.

More promising is filling these positions through funded positions with similar job classifications elsewhere in the OPD or in other departments, even if prior budgetary belt tightening has made it such that there are few such positions immediately available to be dedicated to civilianization. The City plans to undertake significant reorganization of certain functions. This may free positions not otherwise made available: Jail and public safety Communications are two such examples. Technology improvements and other efficiencies, as well as attrition, may provide other opportunities for the City to identify such positions. Results would be not only the easing of pressure on overtime, but also accelerated deployment to core patrol and investigations functions of officers in positions that are civilianized. The timing and fiscal impact of this initiative can be determined after positions that may be allocated to civilianization are identified. Meanwhile, to the extent that the OPD's accelerated recruiting and training requirements will otherwise drive more overtime for existing sworn personnel, the City should consider engagement of retired police officers to meet these needs.

FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10
0%	0%	0%	0%	0%
TBD	TBD	TBD	TBD	TBD

- ❖ **Workers' Compensation/Recovery from Injury Management Improvements.** According to the OPD, on February 23, 2005, 41 sworn employees were on Workers' Compensation through on-duty injuries, as were 11 non-sworn employees. Another eight officers, plus three civilians, were on long-term medical leave/off duty injuries, a number of whom were awaiting outcomes of claims for Workers' Compensation. Transitional/modified duty assignments account for 18 sworn employees. In total, 67 officers and 14 civilians were not available for full duty, instead being on Workers' Compensation, long-term medical leave/off-duty injury, and modified/transitional assignments. (Another six officers and one civilian were also absent due to military leave.) In all, 5.8 percent of the OPD's filled sworn officers' positions are out on Workers' Compensation.

SWORN AND NON-SWORN STAFF ON EXTENDED ABSENCE

February 23, 2005

	Military Leave	On Duty Injury	Off Duty Injury	Extended Leave	Total
Lieutenant	1				1
Sergeant		5	1		6
Police Officer	5	36	7		48
Non-sworn	1	11	3	1	16
TOTAL	7	52	11	1	71

The percentage of officers out on duty related injury appears to be more acute in the Patrol Services Division, where 7.9 percent of officers, sergeants and lieutenants were not available for duty on February 23rd for this reason. Comparative data are sketchy. Fresno has an on duty injury rate for its entire force of 3.8 percent, with Freemont having a rate of 5.4 percent.

The hazardous nature of policing and California Labor Statutes, which constrain the speed with which a disabled public safety employee may be retired on disability, contribute to these numbers. According to the City's Office of Risk Management, nine OPD employees have missed more than 400 days of work. Five have retirements pending. Still, more can be done to promote timely documentation and transfer of claim information from employees claiming injury to the City's Third Party Administrator (TPA). The TPA has a two-week window of time from the date of a claimed injury to accept, deny, or delay it; if it opts to delay, the TPA has 90 days to investigate. Once this window of time has passed, the TPA's ability to affect a case is more limited, such as calling the employee's physician and reviewing ability status report with each time sheet.

According to a report provided by the City's Risk Manager, the City has seen a decline of total Workers' Compensation claims from 1,068 in FY1999-00, to 946 in FY2002-03, to 760 in FY2003-04. The Fire Department has cut claims from 204 in FY2002-03 to 172 in FY2003-04. The City's comprehensive system to manage recovery from injury on the job, adopted in April 2003, seems to have contributed significantly to the reduction. The Police Department has lagged, with the number of claims falling only from 346 in FY2002-03, to 316 in FY2003-04, an 8.7 percent reduction, compared to a 24 percent decrease City-wide, and 15.7 percent drop in the Fire Department. Even as the number of claims are down, hours of work lost to Workers' Compensation is up, from just under 87,000 in FY2002-03, to nearly 90,000 the following Fiscal Year, to a projected 106,200 in FY2004-05.

Despite the hard work of the sworn Medical Officer, Workers' Compensation management in the Police Department requires strengthening. Newly promoted sergeants are reported to be receiving training in Workers' Compensation procedures as part of their supervisory training, but Department-wide training to all supervisors has not happened for at least a year, if not longer. Responsibility for hiring, assigning, and supervising the effectiveness of the OPD's Workers' Compensation coordinator should

be transferred to the OPD's civilian Director of the Bureau of Administration, in coordination with the City's Risk Manager. Training, dissemination of policies, and focus on implementation should be driven from the Office of the Chief to support the Coordinator.

Overtime savings for this initiative are difficult to predict, but, with over 100,000 hours projected for this year, the impact could be substantial. A reduction of hours lost to Workers' Compensation in FY2005-06 back to the nearly 87,000 hours which occurred in FY2002-03, net costs of a new coordinator, would reduce OPD overtime on an undiscounted basis by an estimated \$616,000 in FY2005-06. Applying discounting during the first two years to account for potential implementation delays, savings is estimated to be \$432,000 in FY2005-06, and \$634,000 in FY2006-07.

FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2090-10
30%	10%	0%	0%	0%
\$432,000	\$634,000	\$658,000	\$678,000	\$698,000

- **Retired Officers to Augment Investigations Resources.** Traditionally, Sacramento has used retired officers as reserves to work special events. Recently, Sacramento approved a revamped Reserve Officer Program, supported by a side letter agreement with the Association representing its police officers. Sacramento will recruit police retirees, including those who did not retire from Sacramento, as part of a limited, short-term effort to offset a large number of vacancies that are emerging because of required training.

Reserve Officers will wear uniforms that are identical to officer uniforms, with the only difference being the badge. They will be deployed based on their training; some will be supervised, others will not. All of the Reserve Officers will be paid on an hourly basis. They will be non-career, non-benefits, at-will, City employees. Already, one retiree has been identified for patrol and two are being targeted to work cold cases as investigators.

Officers who retired from the PERS system will be limited to 960 hours annually; other retirees will not have that restriction. Other provisions are:

- Patrol. if the reserve officers provide more than 20,000 hours annually, then five new FTE's will be added in Operations
- Detective Division. If more than 5,000 hours are worked in a year, then two FTE's will be added to the Detective Division
- Other Areas. If Reserve Officers are assigned to areas other than Patrol, then it must be a period of the hourly equivalent of six months or less.

Shoring up Oakland's investigations resources through a similar initiative merits consideration, at least as a gap-filling measure until the OPD can arrive at its full complement of officers. This initiative assumes the hiring of five retired officers over the next 12 months who would each work 960 hours a year through vacant positions on CID property, robbery-assault, and theft cases. As described in the Civilianization initiative

above, additional retired officers would be engaged for internal auditing functions, background checks associated with the Department's expanded recruiting efforts, and range master functions. At least as importantly as overtime reduction, engaging such officers should promote the public's safety by expanding investigator resources at a time when the Department is pressed such personnel. Savings would be realized through sharp reductions in overtime associated with backfill and extension of shift. Accounting for pay, other expenses and an assumed lag in FY2005-06 to allow for reaching an agreement with OPD employee representatives, recruiting, background, and training, \$57,000 in savings may be achieved in FY2005-06, growing to \$150,000 in FY2006-07, before being phased out the following year after the Department reaches and maintains its full complement of officers.

FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10
58%	0%	100%	100%	100%
\$57,000	\$150,000	\$0	\$0	\$0

- **Establish Pool of Per-Diem Dispatchers.** During its transition period following consolidation of Communications for all City public safety departments in FY2005-06, the Department could consider developing a group of dispatchers who work on per-diem basis to supplement Division vacancies during periods of peak demand. Salt Lake City, Utah, Monterey County, California, San Mateo and Mountain View, California apply this approach. Assuming a seven month lag for implementation in FY2005-06 due to discussions with City employee representatives, recruiting, background, and training, savings associated with hiring a pool of per diem employees able to backfill the equivalent of nine dispatcher positions is estimated to be \$194,000 by FY2006-07.

FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10
58%	0%	0%	0%	0%
\$63,000	\$194,000	\$201,000	\$210,000	\$218,000

- ❖ **A New Strategy for Deployment & Scheduling.** The present disposition of OPD officers seems to reflect a mosaic of responses to particular challenges and policing approaches that have evolved over time. The crime reduction results have been real, as is the commitment of resources to improving officer accountability.

However, the Department's move to a 4/10 schedule, its use of a work schedule with a minimum number of officers on duty for each shift, and its expansive assignment of patrol officers to specialized units, walking beats, Schools, the Airport, task forces, community policing, and elsewhere have put pressure on OPD's overtime – notwithstanding the public safety benefits of such assignments.

With regard to scheduling, for example, most departments reviewed employ a 4/10 schedule for patrol. A number also use a 5/8 schedule or nine or 12 hour work days. The disadvantage of a 4/10 schedule is that, with 156 days off (plus paid days off as benefits) it requires 2.169 officers to fill a beat for a single shift, seven days a week, compared to a 5/8 schedule, which, with 104 regularly scheduled days off plus benefit days off, needs 1.657 officers to fill the same beat. A 4/10 schedule expands officer coverage on a single

beat to 70 hours (10 hours per day for seven days) instead of the 56 hours associated with a 5/8 schedule. But the 4/10 also requires 25 percent more staffing to fill the same number of beats seven days a week.

With overtime at its highest level of the decade, and with the prospect of adding 63 Measure Y officers to the force, this is the right time to develop new, comprehensive strategy to deployment, scheduling, and managing workload which reduces reliance on overtime to achieve policing objectives. Except for compliance with legal provisions (e.g., Settlement Agreement, Measure Y), the OPD's approach to deployment and shift structure should be reevaluated. For example, the 35 beat patrol structure, in place since the 1970s, could be reconsidered – consensus among officers interviewed emerged that patrol officers react wherever in the City they are called, not tailor approach to patrol within their respective beats. The creation of five districts instead of 35 beats, with community policing officers taking up more localized functions within 57 community policing beats, could be one of a number of approaches considered.

Agency	Work Schedule
Fresno	• Patrol officer work a 5/8 or 4/10 schedule
San Diego	• Patrol officers work a 4/10 schedule
Fremont	• Patrol officers work a 4 / 11 schedule. 4 consecutive days of 11 hours followed by 4 days off, followed by 5 consecutive 11 hour work days, then 3 days off. The cycle then begins again.
Long Beach	• Patrol officers work a 4/ 10 schedule
Los Angeles	• Officers will work between 152 and 160 hours in a 28 day work cycle Various unit work 8,9,10 and 12 hour shifts
Sacramento	• Patrol officer work a 4/10 or 5/8 schedule
San Francisco	• Patrol officers work a 4/10 or 5/8 schedule
San Jose	• Patrol officers work a 4/10 schedule. Other personnel work 5/8 schedule
Santa Ana	• Officers work a 5/8, 4/10, 4 –5 / 9, and 12 hour scheduling plan
Vallejo	• Officer work a 4/10 and 5/8 schedule
Hayward	• Patrol officers work a 4/10 schedule. Officers in other units “may” work a 5/8 schedule
Richmond	• Officer work a 4/10, 8/5 or 4-5 / 9 schedule
Santa Rosa	• Patrol officers work 4/10 schedule. Non-uniformed officers work 5/8 schedule

Also included in this analysis would be alternative scenarios for new scheduling configurations, augmented with the flexibility for assignment of officers to peak periods to cover seshows and other demands with reasonable notice, and a more flexible paid leave police described in the workforce initiatives in the next section. Communications has already taken steps in this direction. Down 11 dispatchers, Communications has put a staffing plan in place using staggered days off to create as much flexibility as possible to place dispatcher resources with the highest demand for service by hour of day, and by day of week. Line dispatchers and supporting staff primarily have moved back to a 5/8 schedule.

Among elements of this analysis could be:

- Distribution of call for service workloads
- Patrol deployment patterns compared to workload distribution and service requirements
- Patrol proactive capabilities and use of proactive time
- Opportunities to shift deployments to better match time and workload patterns
- Patrol staffing requirements
- Alternative approaches to patrol services, including the use of civilians, expansion of the telephone reporting unit, and use of internet reporting
- Use and effectiveness of specialty units and impact on field services
- Supervisory roles, supervisory staffing and deployment
- Application of crime analysis and usefulness for patrol planning and management.

FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10
0%	0%	0%	0%	0%
TBD	TBD	TBD	TBD	TBD

1.C. Callback Overtime

Implementation of Prior Recommendations

- ❖ ***The PERF Report recommends establishing a night schedule with four investigators to respond to a scene (still working own cases) and determine if specialist investigator needs to be called in.*** Investigators are scheduled to cover shifts through 8:00pm, making them available for early evening interviews. In terms of establishing a dedicated unit scheduled to work nights, the Department has not focused on this initiative. This recommendation could again be considered, with emphasis placed on the quality of investigation as well as reduction of avoidable callback overtime.
- ***The PERF Report recommends assignment of civilians for research and other support to expand percent of investigator time on casework requiring policing expertise.*** This has not been done. At present, civilians act as clerk/secretarial support. While its effect on overtime may be minimal, this initiative could increase productivity of CID without bearing the expense of adding new full-time investigator positions to the Department's budget. Sacramento is developing a reserve officer program to engage retired police officers for investigations. This approach could be effective for internal auditing/investigations, at a minimum.

Other Initiatives

- ❖ **New Policy for Calling Back Investigators on Overtime.** Per the *FY2002-03 OT Reduction Plan*, a policy was put in place that “*no one shall be called back to work on an overtime basis unless they are needed to investigate a death or an incident in which it is likely that someone will die,*” with the caveat that “*specially trained personnel shall continue to be called back to duty to handle such incidents as barricaded suspects, child abductions, or hostage takings.*”² As of March 21, 2005, a new policy has been issued in which callback overtime for investigators will be authorized for homicides, missing children, felony assaults with serious injuries, kidnappings, sexual assaults for serial offenders, and pre-planned special enforcement actions and grant funded operations. This policy allows for greater responsiveness than the FY2002-03 policy, but with reduced savings. Savings through this policy in FY2005-06 are expected to be \$23,000.

FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10
0%	0%	0%	0%	0%
\$23,000	\$24,000	\$24,000	\$25,000	\$26,000

- **Return to a 5/8 Schedule for Non-Patrol Officers.** At present, 20 to 25 percent of investigators in the Criminal Investigation Division (“CID”) are estimated to work a 5/8 schedule, with the rest 4/10. Other Department investigators also principally work 4/10 schedules. Having most investigators with three days off instead of two places pressure on callback overtime, which guarantees five hours minimum overtime when a call back on a day off instead of the two and a half hours guaranteed, when callback occurs during a scheduled working day. CID’s Deputy Chief has supported an initiative to have investigators still working a 4/10 schedule return to 5/8 schedule. This should be negotiated to occur for non-patrol officers throughout the Department.

FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10
0%	0%	0%	0%	0%
TBD	TBD	TBD	TBD	TBD

1.D. Records

Implementation of Prior Recommendations

- ***In the FY2002-03 OT Reduction Plan, it was cited that most “unspecified overtime” was driven by Records Section catching up on backlog of reports. The backlog was reduced in FY2002-03 from 30 days to eight days, with overtime expected to go down.*** It did. Overtime in Records surpassed \$844,000 in FY2001-02 in the face of large backlogs, and was over \$542,000 in FY2002-03 when the *FY2002-03 Overtime Reduction Plan* was issued. With the backlog reduced to eight days, overtime in Records dropped to about \$423,000 the following year. In FY2004-05, the backlog re-emerged, accompanied by staff reductions and transition pains with the new Records Management

² City Manager, *Police Overtime Reduction Plan – FY2002-03*, January 21, 2002.

System. Overtime in Records has surged to a projected \$938,000, of which \$791,000 is backfill. A push to enter data to fulfill 2004 UCR requirements contributed to this rise.

Among workload drivers for Records are car tow releases, data entry for crime reports (UCR + non-UCR supplemental), warrants, identification (fingerprints, registration), data entry for UCR, subpoenas, court orders to seal case records, restraining orders, licenses and permits, and requests from outside agencies for background checks. Beyond the strain on overtime, customer hours have been reduced, and data availability for crime analysis is reported to be sluggish at times.

Other Initiatives

- ❖ **Roll Out of Field Based Reporting** technology, part of the City’s Law Enforcement Records Management System (“LRMS”) initiative, is expected to cut data entry time by 40 to 50 percent for typing in crime report, contributing to overtime reduction by as much as 25 percent of Records’ overtime. Reports will be transmitted electronically, reducing keying in by Records staff sharply. Full deployment is expected by September. Officer training (16 hours per officer) should be complete six to nine months afterward. To be conservative, this initiative assumes total Records overtime against which to calculate savings in FY2005-06 will be the average of FY2004-05 and FY2003-04. Full-year savings without implementation delays would be \$150,000. This initiative assumes only 15 percent of its potential impact will be realized in FY2005-06, increasing to 80 percent the following year, and full savings in the years thereafter.

FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10
85%	20%	0%	0%	0%
\$23,000	\$125,000	\$162,000	\$169,000	\$175,000

- **Temporary Employees to Provide Backfill Support for Records.** The City’s Charter precludes outright outsourcing of existing data entry functions. But using a combination of temporary employees and light duty officers to keep backlogs down deserves serious consideration. The Long Beach Police Department and Hayward use temporary workers in their Records Unit to meet peak demand periods. Santa Ana uses part-time employees or overtime. Santa Rosa uses a mix of temporary employees for data entry as well as light duty officers and secretarial staff from other areas of the Department on an overtime basis. Fremont uses a part-time pool of civilians up to 20 hours a week. OPD’s Records managers said temporary employees were hired five or six years ago, but work ethic, skill set, and responsiveness to supervision were concerns. Using a pool of more highly-paid and skilled temporary employees up to the equivalent of four full-time positions to provide backfill support merits reconsideration. This initiative assumes a six-month delay in implementation in FY2005-06.

FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10
50%	0%	0%	0%	0%
\$44,000	\$110,000	\$115,000	\$119,000	\$124,000

- ❖ **Shed Certain Responsibilities of Records.** Records staff handle administration associated with 50 to 75 tows a day, a figure than can balloon to 200 to 300 tows if there is a special enforcement action. The OPD’s new Request For Proposal for towing services would offload significant administrative responsibilities to towing operators, including tow release paperwork. OPD should also consider assigning Records’ permit issuing responsibilities, except for the background check portion of the permitting process and other policing functions, from OPD Records to a one-stop City shop elsewhere in the City Government.

FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10
0%	0%	0%	0%	0%
TBD	TBD	TBD	TBD	TBD

1.E. Management of Court Overtime

OPD officers making a court appearance on a day off are compensated a minimum of four hours overtime. If they make a court appearance after completing their shift and leaving their place of employment, they are paid two and a half hours overtime. Officers have a critical role to play in the successful prosecution of cases. Their expense makes efficient use of their time on court-related business an important element of OPD’s overtime management.

The OPD uses a notification system through which other agencies in the County’s criminal justice system inform the Department’s Court Liaison Unit of cancellations or other changes to scheduled appearances before subpoenaed officers arrive. The Court Liaison Unit then leaves a taped message which officers scheduled to make an appearance must call in to check. If they are informed by this system that an appearance is no longer necessary and arrive anyway, they are not paid overtime. This is aimed at avoiding unnecessary disruption to officers’ lives, as well as wasteful payment of overtime minimums. Deputy district attorneys frequently contact officers by phone to collect information pertaining to a case, instead of requiring face-to-face meetings.

These efforts represent meaningful inter-agency cooperation, contributing to holding court overtime to five to six percent of the OPD’s net overtime spending. This noted, the OPD can do more to contain court overtime.

- ❖ **Monitoring, Analysis & Reporting.** The OPD should begin systematic monitoring of conditions which affect court overtime, such as numbers of cases, subpoenas per case, frequency of continuances, Overtime Slips with “no testimony given” by its officers, instances of cases or meetings being changed or cancelled without notice to the notification system – all recognizing that the resources needed for such analysis will require more than the one individual whose principal day-to-day job is staffing the OPD’s Court Liaison Unit. She has little time or resources for systematic trend analysis and reporting, even with support from staff in the Office of the Deputy Chief of the Bureau of Field Operations in reviewing and approving court overtime slips.
- ❖ **Inter-Agency Communication.** The OPD should apply the analysis described above toward communication with other agencies involved in the County’s criminal justice system in these areas on a quarterly or semi-annual or more frequent basis. Informed

communication matters. The Sacramento Police Department reports that subpoenas were being issued sometimes to all officers listed on an arrest report. Following discussions with prosecutors, now only the principal officers involved in each case are typically subpoenaed. (Oakland's Court Liaison Unit, in contrast, indicates that on February 22nd, 2.8 officers per case were subpoenaed. On February 24th the ratio reached four to one. Court Liaison statistics indicate that 3.8 officers were subpoenaed per Superior and Municipal Court case on March 7th; on March 8th an average of 2.7 officers were subpoenaed for each case. A broader sample is needed to draw meaningful conclusions – factors ranging from the variable nature of cases to whether or not there was full functionality of the notification system on those dates.).

- ❖ **Formal Policy for Self-Contained Officer Involvement in Misdemeanors.** Per a recommendation in a 2002 OPD study, adopt as a formal policy that an arresting officer for a misdemeanor should conduct tests, take statements, and witness activities needed for effective prosecution, or that would require that only the arresting officer is needed for court testimony.³ Reckless driving and DUI would be among the misdemeanors exempt from this policy.

Because of the inter-connected nature of these initiatives, a target is set to bring court overtime down in FY2005-06 from the \$748,000 projected in FY2004-05, to the average level of the prior four fiscal years, \$623,000 (this four-year average is also at virtually the same level as achieved in FY2003-04). Meeting this target would achieve \$125,000 for a full fiscal year. Discounting of 25 percent is applied to account for ramp up in implementation.

FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10
25%	0%	0%	0%	0%
\$94,000	\$130,000	\$135,000	\$141,000	\$146,000

- ❖ **Adjust Investigator Schedules to Cover Saturday Court Work on Straight Time.** The Deputy Chief is establishing schedules in which investigators will be available to work their regular shifts covering six days (including Saturday: 7am – 6pm), to allow straight time for court work on Saturdays associated with Thursday-Friday-Saturday arrests, which must be brought to court within 48 hours of arrest.

FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10
0%	0%	0%	0%	0%
TBD	TBD	TBD	TBD	TBD

- **Officers Work During Full Period of Minimum Overtime.** The Department should establish a policy such that employees released from court, who have two or more hours of minimum overtime still remaining, report for duty until the minimum overtime period is complete. OPD management should identify appropriate duties, particularly those which would contain other overtime, and put in place a structure to coordinate officers' assignments. Examples of such assignments are guard duty at the hospital and staffing the

³ Keith Mills, *Overtime Management & Control in the Oakland Police Department*, Oakland Police Department, January 11, 2002, p. 58.

counter at Records, freeing a staff person for data entry. This initiative would require active verification of when court duties are complete by Court Liaison monitors, who could be retired officers.

FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10
0%	0%	0%	0%	0%
TBD	TBD	TBD	TBD	TBD

1.F. Overtime Reimbursement

- **End Charging Compensatory Time to Special Events and Parades.** Prior to January 2005, OPOA personnel were expressly prohibited (pursuant to the terms of a Letter of Understanding) from receiving compensatory time for overtime worked at special events. With the expiration of the Letter of Understanding, OPOA personnel may now receive compensatory time in lieu of overtime. To contain unfunded compensatory time liabilities that might otherwise occur as employees’ hourly rates increase over time, the City’s practice is to book compensatory time hours as an expenditure determined at the rate of base pay at time and a half, plus costs for deferred compensation, retirement, and other benefits. As shown in the fee schedule below, rates charged for officers do not approach the City’s hourly compensatory time expenditures. The table above shows the hourly rate for a top-step police officer, and the additional costs for paid leave, retirement, and other fringe benefits. The police officer fee per the master fee schedule of \$70.53 is far less than the compensatory time expenditure per hour of \$129.43 that is booked for the use of compensatory time in lieu of overtime, for the 28,000 of overtime billed to sponsors of special events and parades.

City of Oakland Master Fee Schedule Special Events	
Job Title	Fee
Police Officer	\$ 70.53
Traffic Officer	74.05
Sergeant of Police	81.37
Traffic Sergeant	85.44
Lieutenant of Police	94.12
Traffic Lieutenant	98.82
Captain of Police	\$144.63

If compensatory time were no longer charged for time spent at these functions, the City could avoid an estimated \$411,000 of expenditures in excess of reimbursements for police officers alone in FY2005-06 (not higher ranks or traffic officers), when compared to the rate to be charged in the master fee schedule. This estimate includes OPD’s assumption that 25% of overtime worked is taken as compensatory time.

FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10
0%	0%	0%	0%	0%
\$411,000	\$427,000	\$445,000	\$462,000	\$481,000

As an alternative, if the OPD continues to allow compensatory time for special events overtime, the OPD could alternatively attempt to recover the actual costs of providing the service by billing this amount to the event sponsors. The actual hourly amount that would be charged would depend on the amount of compensatory time taken.

- ❖ **Connect Receivables Management to Special Event Deployment Decision-making.** OPD's Special Events should adopt a formal policy in conjunction with the OPD's Bureau of Administration and City Finance in which it will evaluate receivables owed by event organizers for OPD overtime reimbursement receivables from prior years before agreeing to provide officers for future events. Special Events managers will use this information to promote payment of receivables from organizers before committing to assign officers to new events.

FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10
0%	0%	0%	0%	0%
TBD	TBD	TBD	TBD	TBD

- ❖ **Receivables Collection from Oakland Port Authority.** The OPD provides airport security at Oakland International Airport, subject to reimbursement from the Oakland Port Authority. The Port Authority has accrued a liability of \$12.3 million to the City for the OPD's policing services. For budget purposes, the City has recognized the amount as paid. If the City is successful in obtaining payment of this accrued receivable from the Port, the City's cash position will improve; however, any collection will not increase the budgeted revenue available for the Police Department.

FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10
0%	0%	0%	0%	0%
TBD	TBD	TBD	TBD	TBD

1.G. Special Enforcement Actions

Implementation of Prior Recommendations

- ***FY2002-03 OT Reduction Plan.*** Police Department has suspended all special enforcement actions if they involve personnel assigned on an overtime basis. The OPD will continue to run these operations as long as funds remain available in non-General Purpose Fund budget categories (e.g., Local Law Enforcement Block Grant, State COPS, etc.) The City moved away from this policy, setting aside a Violence Reduction Fund for enforcement actions that are not grant supported.

1.H. Changing Fundamental Approach to Providing Jail and Communications

- ❖ **Offload Jail Services.** Recognizing that it would require much study beyond scope of the Overtime Assessment, the City should consider fundamental restructuring of the use of the Jail facility. Overtime costs alone at the Jail accounted for \$1.3 million in FY2003-04, with \$1.1 million expended through January 2005, and \$1.8 million projected for this fiscal year. Salary, benefits, utility, litigation, maintenance, supplies, and other costs extend far beyond overtime. Civilianization opportunities provide some opportunities for savings. But the City's hands are somewhat tied when it comes to controlling Jail operating expenses, given that a number of components of Jail operations, such as facility maintenance and food service, that are often provided by cost effectively by private contractors on behalf of other local governments are not available to the OPD due to the Charter's prohibitions on outsourcing existing functions.

With the North County Jail in such close proximity, the City should engage in discussions with the County's Sheriff and other stakeholders on the costs, benefits, and timing of establishing booking capacity at this facility, and providing the staffing and services necessary to effectively process and house OPD arrestees. The OPD has estimated between \$3.0 million and \$4.0 million of savings, net booking costs paid to the County, of which \$1.85 million will be from annual overtime savings. Overtime savings associated with Jail closure is reflected below, applying heavy discounting in FY2005-06 to allow for transition.

FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10
75%	0%	0%	0%	0%
\$463,000	\$1,924,000	\$2,000,000	\$2,081,000	\$2,164,000

- ❖ **Consolidate Public Safety Communications.** Public safety communications consolidation, moving Fire and Emergency Medical Service dispatch to the OPD Communications facility, should be strongly considered. Communications consumed just short of \$1.0 million in overtime in FY2003-04, \$0.6 million of which was backfill in light of staffing shortages. For FY2004-05, \$1.1 million in overtime is projected. The Lieutenant in charge of Communications has moved sworn supervisors and civilians to a 5/8 schedule, and has put in place staggered shifts to address workload demands, but backfill overtime is still pressing.

While physical consolidation could occur in FY2005-06, full integration will require a longer transition period. Supporting analysis for communications consolidation is beyond the scope of the Overtime Assessment. But, while backfill overtime may be needed to meet workload while training staff of multiple departments on one-another's communication requirements, a system, once integrated, with each employee trained in police, fire, and emergency communications dispatch, can be expected to create even greater flexibility and economies to meet workload demand without such heavy reliance on backfill overtime.

FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10
0%	0%	0%	0%	0%
TBD	TBD	TBD	TBD	TBD

2. ADDRESS PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING

This section of the Assessment covers the provisions of the Memorandum Of Understanding (MOU) between the City and the Oakland Police Officers Association (“OPOA”) that either have a direct bearing on overtime – such as the minimum number of overtime hours an officer receives for court-related overtime – or an indirect but material affect on overtime, such as the number of holidays. The current MOU between the City and the OPOA, (July 1, 2001 - June 30, 2006), sets forth most of the principal terms and conditions of compensation and work rules between the City and its sworn police officers.

The MOU provisions cited are paraphrased summaries, not the full text. The Assessment leaves for a future analysis those compensation and/or work rule provisions that do not contribute to overtime. Given that MOUs with the two largest general representation units, Service Employees International Union Local #790 and International Federation of Professional and Technical Engineers Local #21, do not expire until 2008, the remainder of this section focuses on the MOU with the OPOA.⁴ As part of this analysis, the MOUs from the 10 most populous cities in California were reviewed, as were MOUs from selected Bay Area cities. To the extent MOU provisions of other California police departments provide context comparative practices, they are referenced. Side agreements/letters between the City and OPOA and those of other departments are not included in this analysis.

This section presents 28 recommendations that could reduce the Police Department’s overtime costs to a more fiscally sustainable level. Overtime-related provisions which support improved productivity, more flexible work rules, and overtime compensation more in line with the City’s fiscal condition are needed. Spending targets should be established within the framework of the City’s five-year fiscal forecasts. Then, a menu of overtime-related initiatives – stemming from the recommendations below or others which may be identified – should be selected, quantified, and agreed upon to meet these targets. This noted, this section of the Assessment is not intended to be a first step in bargaining. As such, it does not suggest what the City may be willing to offer in exchange for the OPOA’s acceptance of the recommendations below.

A final caveat: it is useful to review overtime-related provisions, even in isolation from total compensation and work rule provisions, particularly if there is a willingness to agree on certain “quick win” labor-management initiatives (e.g., civilianization) this year to contain overtime before full-scale bargaining begins in 2006. However, overtime provisions are best viewed

⁴ Before reviewing the provisions of the MOU between the City and OPOA, it should be noted that a number of units represent other Oakland Police Department employees. The Oakland Park Rangers Association represents Rangers. Its MOU with the City runs from July 1, 2001, through June 30, 2006. SEIU 790 covers such positions as Police Communications Operator, Police Communications Dispatcher, Police Evidence Technician, Police Services Technician I, Police Services Technician II, Police Property Specialist, Police Records Specialist, Jail Utility Worker, Cook, Assistant Cook, Correctional Officer, Kitchen Helper (Jail), and Assistant Criminalist. The MOU between the City and SEIU 790 is in effect from July 1, 2002, through June 30, 2008. Local 21 of Professional and Technical Engineers represent such employees as Records Supervisor, Criminalist IIs and IIIs, Police Technical Writer, Animal Control Supervisor, Police Communications Supervisor, Police Personnel Operations Specialist, and Police Property Supervisor, Police Identification Supervisor, Neighborhood Services Coordinator, Police Program and Performance Auditor, Microcomputer Systems Specialist, Administrative Analyst I and II, Account Clerk III, and Administrative Services Manager I. The MOU with Local 21 is in place from July 1, 2002, through June 30, 2008.

within the context of a total pay, benefit, and work rule package, particularly when comparing one city's MOU with another. While such a comparison is beyond the scope of this Assessment and should be validated, using up-to-date data, it is useful to note that 1997 figures presented in a 2002 study commissioned by the Oakland Police Department suggest that Oakland's first-year police officer salaries (\$49,608 in 1997) fall in line with a composite of officers in 10 Bay Area departments (\$49,883), and are higher than the California average (\$43,947), the 10 largest California cities (\$43,494), and the average in the United States (\$32,864).⁵ If present salaries and benefits hold to this pattern, it would suggest that the OPD's high overtime expenditures are layered on top of a compensation package that is already very competitive.

Therefore, as this section's first recommendation:

- ❖ The City should undertake a full-scale comparability and ability-to-pay analysis in the second half of 2005 and first half of 2006 covering pay, benefits, and work rules, including those beyond overtime-related provisions.

Related to this is the second recommendation of the section:

- ❖ The City Administrator, Office of Personnel Resource Management, and the Financial Services Agency should have direct, central involvement with the Chief of Police in formulating and negotiating such a strategy, as well as any agreement between the City and any employee representative unit, particularly in light of the broad service delivery and financial implications the results will have on the City. The staffing and fiscal consequences of OPD's decision to move from a 5/8 schedule to a 4/10 schedule provides, apparently reached when the MOU was closed, underscores the importance of involvement by central City managers.

FULL UNDERSTANDING OF MODIFICATION/BENEFICIAL PAST PRACTICE (p. 31)

At Present. The Full Understanding of Modification provision (p. 31) sets forth that, except for the subject matters of scheduling of work hours and work days and performance of bargaining unit work (including but not limited to "civilianization") which would be open to interest arbitration for the life of this contract, existing benefits and past practices, which are normally subject to meet and confer, shall not be modified without mutual agreement.

Findings. Interview after interview with senior and mid-level department supervisors found that this "beneficial past practice" provision is perceived as deterring management from undertaking initiatives that would contribute to containing overtime, particularly when coupled with the Immediate Dispute Resolution clause. Under this clause, in the event that there is a dispute regarding the interpretation or application of the Agreement that imminently affects the Association or a substantial number of its members, the City or Association can opt to suspend the grievance process – also suspending the actions prompting the dispute – and enter into

⁵ Keith Mills, *Overtime Management & Control in the Oakland Police Department*, Oakland Police Department, January 11, 2002, p. 27.

discussions between the representative of the OPOA and the Chief of Police for up to 45 days, followed by the appointment of an arbitrator, if the dispute is not resolved. In effect, decisions affecting existing Department practices which are not included in the Agreement (e.g., minimum staffing for the patrol beat structure, mid-year adjustments to shift structure in response to changes in work load) are not left to the professional judgment of the Chief, but are subject to negotiation and arbitration, at the will of either party.

Express language on beneficial past practice is rare among the MOUs reviewed. Berkeley's MOU (Section 9.3.) addresses the issue, albeit with language that is ambiguous, reflecting what appears to be tension between the positions of management and the Association: "there is no guarantee that working conditions and practices will be continued if they are not included in the Understanding or if they have not been or are not hereafter specifically authorized by ordinance or by a resolution of the City Council."

Beneficial past practice language does not exist in the City's Agreement with the Police Department's SEIU employees or other civilian employees, though it appears in a different form in the MOU with firefighters.

Conclusions.

- Eliminate the provision that existing benefits and past practices, which are normally subject to meet and confer, shall not be modified without mutual agreement.
- Insert a section into the MOU that expressly articulates management's rights, as Anaheim's MOU does (Article 5, p. 7).

MINIMUM OVERTIME GUARANTEE (p. 5)

At Present.

- Employees called back to work or to make a court appearance after leaving place of employment and completing shift shall be compensated 2½ hours overtime.
- Employees called back to make a court appearance on day off are compensated a minimum of four hours overtime
- Employees called back to work on day off shall be compensated five hours overtime.
- Employees who work overtime or make a court appearance immediately before or after completing shift shall be compensated overtime at actual hours worked.

Findings. It is reasonable to guarantee a minimum amount of overtime to mitigate the disruption caused to officers whose duties extend beyond a normal shift or who are called back to work. At issue are how much time is guaranteed and what officers do while still receiving guaranteed overtime once they have completed the assignment that called them back to duty.

- In **Los Angeles**, an employee who is called into work on a day off is compensated at least four hours at time and a half. Whenever a police officer is required to appear in court outside of a regularly assigned work schedule, she/he receives a minimum of two hours overtime compensation; the minimum of two hours for a court appearance is only granted for first court status of the day, and can only be granted once on any court day. Employees required to attend a meeting outside of normal work hours receive a minimum of two hours overtime and hour-for-hour overtime thereafter, compensated to the nearest tenth of an hour. An employee required to complete a firearms qualification during off-duty hours receives one and a half hours overtime compensation, with no additional payment received regardless of how long or how many times it may take the employee to complete the qualification in each period.
- In **Long Beach**, officers who are called back to duty status for other than court appearances are guaranteed two hours of overtime, or two hours travel time plus time actually worked. Officers who are off duty and are directed to be at court receive minimum overtime of three hours of overtime or actual time worked - presumably whichever is greater. An employee who is ordered to be at court in the afternoon who is ordered to be in court on the same case in the morning receives one half hour of overtime minimum. Officers receive one hour of overtime if they are on “off-duty” status and are directed to be “on call.”
- In **Fresno**, officers are paid a minimum of three hours non-court overtime if called back. Any time worked prior to the beginning of the shift or immediately following a shift shall not be considered as call back and be compensated at the applicable hourly rate. For court appearances, officers on “automatic go” are paid a minimum of three hours overtime. If an officer is required to appear in court on a regular work day outside of assigned work hours, the officer has the option of appearing at the court liaison office at the overtime rate even if an actual appearance in court is not required. If the court appearance starts within a half hour immediately following a shift, the officer receives a minimum of one hour overtime.
- In **San Diego**, an employee released from work who has left the work premises is called back to non-court duty is paid for the reasonable estimate required for travel and time actually worked for not less than four hours. Employees required to make court appearances during off-duty hours are eligible for a minimum of four hours overtime. If an employee is scheduled to appear in court up to two hours prior to the beginning of his/her scheduled shift, the shift schedule may be adjusted to reduce the need for overtime pay. When an employee is under subpoena to appear in court during non-duty hours and goes to court to stand by until called, he/she receives overtime for that time. Employees do not receive a second four hour minimum overtime for subpoenas requiring appearances within four hours of the first subpoena appearance. If an employee makes a court appearance during the morning session and at least part of the afternoon session after completing working a night shift, and is scheduled to work the next succeeding night shift, the employee has the option of receiving overtime for the actual court appearance or having the scheduled night shift off as compensatory time if they do not already have it off.

- In **San Jose**, employees receive a minimum of three hours overtime if called back to work if he/she has completed the work shift and left the premises. If a court appearance is required on a scheduled day off, three hours of overtime is the minimum. If a court appearance is required before the beginning of a scheduled work shift, two hours is the minimum overtime, or actual time worked, whichever is greater.
- The MOU with the **San Francisco** Police Officers' Association provides for a minimum of four hours pay at the applicable rate (not less than time and a half) or compensatory time for employees called back during their normal watch-off. Employees appearing for court on watch-off days receive three hours of overtime. Employees receive one, two, or three hours minimum overtime for court time before their scheduled watches based upon the amount of time they appear for court. Employees attending an attorney's conference but not appearing in court receive premium pay on an hour for hour basis. A two hour minimum (or hour for hour, if actual time is greater than two hours) for administrative hearings that occur while off duty.
- The **Santa Ana** MOU takes an alternative approach for non-court overtime. Employees receive no less than two hours overtime for a court appearance. However, if court appearances are made both in the morning and afternoon of a particular day, a minimum of two hours overtime is allowed for each session attended.
- In **Anaheim**, a minimum of two hours of overtime is paid for each emergency call out, as well as 45 minutes to compensate the employee for travel time. This provision also extends to employees subpoenaed to appear in court during off-duty hours who receive subpoenas after 5pm of the day prior to the date of the court appearance. Employees subpoenaed before 5pm of the day prior to the court appearance date are compensated at the appropriate rate of pay, which, according to City staff, means straight time
- **Berkeley** pays a minimum of four hours overtime for off-duty court appearance. Overtime spent conferring with the prosecuting attorney is considered court overtime and part of a court session only if the employee's presence is required in court after the conference. For off-duty, out-of-town court appearances, travel constitutes court overtime. For telephone standby for court, sworn employees receive one hour minimum compensatory time and hour for hour time thereafter for duty days, and two hours minimum comp time and hour for hour for time thereafter.
- **Fremont** pays a minimum of two hours overtime if an employee is called back to duty following termination of her/his normal work shift and departure from the work location. Minimum overtime for a court appearance is four hours unless the appearance is during regular scheduled work hours or less than four hours prior to the start of regularly scheduled work shift.
- **Santa Rosa** pays a minimum of two hours for non-court overtime when an employee has completed a work shift and left the work site and is ordered to return to work. Employees are paid overtime for a minimum of two hours if they are in the facility any time prior to

the start or end of their shift and are ordered to start a shift. For court overtime, employees required to appear during off-duty hours receive at least three hours overtime. Employees are required to call their assigned voice mail on the date of an appearance two hours prior to their appearance time. If the court appearance is cancelled prior to 7pm of the previous court date, the employee receives no compensation. If the court appearance is cancelled after 7pm of the previous court date, but prior to the employee appearing in court, the employee is entitled to two hours overtime. If the appearance is not cancelled prior to an appearance, the employee proceeds as subpoenaed and compensated at the overtime rate.

By contrast to the practices described above, Oakland's five hour overtime minimum for non-court call back overtime on non-duty days stands out as comparatively high; two hours (Santa Rosa, Fremont, Long Beach (plus travel time), Santa Ana), three hours (San Jose, Fresno, Anaheim (2:45 including travel time)), or four hours (San Francisco, San Diego, Los Angeles, Hayward) are more the norm. There are examples of a four hour overtime minimum for court appearances on days off – San Diego, Berkeley, Fremont, Hayward – but also cities that pay two hours (Los Angeles, Santa Ana (two hours per session)) and some three hours (Long Beach, Fresno, San Jose, San Francisco, Santa Rosa).

A five hour minimum for call back overtime, mixed with investigator schedules, puts pressure on the Department's overtime budget. Call back overtime alone in FY2003-04 reached, \$417,000; as of the end of January 2005, it is \$287,000 in FY2004-05, and on a straight line basis, is projected to reach \$495,000 by year end. Most detectives have moved from a five-day-a-week/eight-hour-a-day schedule to a four-day-a-week/ten-hour-a-day schedule. This means that most detectives now have three days off during a work week instead of two, expanding the number of days an officer is eligible for callback overtime. Such a provision also creates a potential incentive for the disproportionate callback of officers who are on their day off.

At present, if an officer completes the task that led to the callback before the guaranteed period is complete, the officer goes home, still collecting guaranteed overtime. Given heavy work volume, it seems reasonable that the City receive work in return for the overtime pay that an employee receives (e.g., crime reports data to be entered).

Conclusions.

- Reduce five hour overtime minimum for non-court call back overtime on non-duty days to three hours.
- Reduce minimum overtime for a court appearance on a scheduled day off from four hours to three. This and the initiative above reduce the distinction between guaranteed hours for being called back to work on a day off, and being called back during a regularly scheduled work day.
- An officer completing a court appearance or other task prompting callback would report for other Department duties until the guaranteed overtime work period is complete. This

would require bolstering the court liaison monitoring capacity, as well as central coordination of positions/functions that could be filled on a short-time basis.

- Provide that if an employee is scheduled to appear in court up to two hours before or after the beginning of his/her scheduled shift, management can the shift schedule can be adjusted to reduce the need for overtime pay.

COMPENSATORY TIME (pp. 5-6)

At Present. Employees have option of being compensated in cash or compensatory time, subject to following:

- Maximum amount of overtime accrued in the compensatory time bank shall be 480 hours. An employee who exceed 480 hours of compensatory time banked shall be paid overtime in cash
- City may buy any Overtime Worked Credit (OWC) in excess of 96 hours
- Employees exempt from FLSA choosing cash compensation may defer payment until a later date (“Deferred Overtime”)
- Employees covered under FLSA choosing cash compensation for overtime may defer cash compensation until a later date for overtime hours worked up to 171 hours per FLSA work period limit
- Employees may receive cash Deferred Overtime Payment maximum of twice per year
- Deferred Overtime Payment cannot be carried forward from one year to the next, and will be paid at salary level at which it was earned
- Use of time from compensatory fund bank must be last in first out
- In addition to compensatory leave described above, City agrees to provide employees with 8 hours compensatory leave for each year of this Agreement. (p. 17)

Findings. Oakland stands out in terms of the generosity of its compensatory time provisions. The budget impact for compensatory time is significant – \$2.8 million to the General Fund in FY2004-05 for officer comp time alone – particularly since expenditures are booked at the an employee’s salary at time-and-a-half plus benefits at time earned to allow for the accumulation of compensatory time liability which builds up as officer compensation increases between the time at which it is earned and when it is cashed out.

Regarding the amount of compensatory time that can be banked, the Oakland’s 480 hours exceed the amounts allowed to be banked in the following cities:

- Sacramento: employees may accrue 80 hours

- Fresno: officers may accrue a balance not to exceed 96 hours
- San Diego: employees allowed to accrue no more than 80 hours comp time
- Anaheim: 80 hours of comp time per year, paid off to a balance of 40 hours annually
- Los Angeles: lieutenants and below can accumulate up to 96 hours
- Long Beach provides for up to 120 bankable hours
- San Jose: an employee cannot carry more than 240 hours accrued comp time per year. If, on December 1st, an employee is over 240 hours, she/he must put together a spend-down plan to use the time by March 1st. If the time is not by March 1st, the employee is sent home to use the time
- Berkeley: compensatory time earned to a maximum of 120 hours
- Santa Ana: limits accumulation of 80 hours of compensatory time
- Concord: Maximum compensatory time accrual is 170 hours
- Richmond: employees allowed to accumulate up to 120 hours of compensatory time
- Fremont: 240 hour comp time limit for officers and sergeants; 480 for School Resource Officers and DARE officers
- Hayward: an employee may accrue up to 160 hours of compensatory time

San Francisco, with a limit of 480 hours, matches Oakland, except for deputy chiefs, commanders, and captains who held these ranks as of July 1, 2003; they may carry balances of up to 1,500 hours as of June 30, 2005, and 1,300 as of June 30, 2006.

As noted earlier in this section of the Assessment, with hourly compensatory costs exceeding time and a half reimbursement rates by over 80 percent, another issue is the charging of compensatory time to special events, in light of the expiration of an agreement with the OPOA which had stopped charges of compensatory time these events. The OPD is proposing as part of its FY2005-06 Budget charging special event organizers at master fee schedule rates which fully recover costs of benefits and overhead. If this not adopted, compensatory time problems will persist with special events. Compensatory time billed to grants will continue to cost the City money. In contrast, Anaheim's MOU includes a provision stipulating that employees assigned to work overtime for which the City is reimbursed shall not be allowed compensatory time for such work but shall be compensated at the appropriate overtime rate of pay.

The clause which provides for eight hours compensatory leave for each year of this Agreement provides additional compensation, but – by providing either additional paid time off or additional

compensation – either induces fewer officers on the street or additional expenditure not tied to salary or premium pay in return for additional policing service.

Conclusions.

- Reduce maximum number of hours banked from 480 to 120, more in line with other cities.
- Overtime to be paid in cash unless there is mutual agreement to provide compensatory time. This allows management to control the accumulation of compensatory time. Comp time pay-outs would be solely at management's discretion.
- Eliminate first in, last out, provision, reducing liability by paying out hours earned first.
- Like Anaheim, eliminate use of compensatory time for overtime work for which Oakland is reimbursed, such as special events.
- Eliminate the clause (p.17) which provides for eight hours compensatory leave for each year of this Agreement.

PAID TIME OFF

This section summarizes principal provisions affecting paid time off. A number could be brought more into line with other police departments, reducing paid absences provided, while still providing Oakland's police officers with the holidays, vacation, sick time, military leave, organization leave, family death, leave of absence, family care, Workers' Compensation, and temporary disability assignments reasonably associated with their demanding jobs.

Beyond reducing number of days off, provisions that would increase flexibility – such as floating holidays or a paid leave system that combines holidays, vacation, sick time, and similar absences – may also ease pressure on overtime. San Mateo County allows unused sick pay for some bargaining units to fund retiree health. The point is that Oakland should explore other ways that officers can spend their comp time or other forms of paid time off to minimize impact. The City should be creative in determining packages which officers find attractive and which makes sense financially. With the coming of GASB 43, the retiree health ideas might be winners.

Holidays (p. 18)

At Present. Holiday overtime pay is projected to jump sharply, from \$1.6 million in FY2003-04, to \$2.1 million in FY2004-05. While there are many permutations depending upon the employee's responsibility and compensation, an employee who stays home when a holiday falls on a scheduled day off earns eight hours holiday pay at time and a half. If the holiday falls on a scheduled work day, the officer receives 10 hours straight time plus eight hours holiday pay at time and a half. These provisions are not included in the MOU. There is presently disagreement between the OPOA and the Department's leadership as to whether or not the Police Department

management may require officers to stay home on a holiday, or if officers wishing to work on a holiday may do so.

Officers currently receive 12 fixed holidays:

- January 1st
- Martin Luther King Day (Third Monday in January)
- Lincoln Day (February 12th)
- Third Monday in February
- Last Monday in May
- July 4th
- First Monday in September
- Admission Day (September 9th)
- Veterans' Day (November 11th)
- Thanksgiving Day
- Friday After Thanksgiving
- December 25th

While some other departments assessed offer more holidays (San Francisco, Sacramento, San Jose, Long Beach, Berkeley, Hayward), others offer the same (Santa Ana, Richmond, Fremont), or fewer (San Diego, Los Angeles, Anaheim, Concord). Several departments, like Oakland, offer fixed holidays. But a significant number – San Francisco, Santa Ana, Long Beach, Sacramento, Berkeley, Richmond, Fremont – allow for a number of floating holidays or “in lieu of” holidays in which they receive pay instead of time off. Floating holidays tend to be advantageous from an overtime management perspective, allowing for spacing and planning of holidays within an overall deployment strategy that evens out the number of officers who are absent on a given day. As a mutually agreed upon day off, the use of floaters means overtime is not earned by an employee on those days.

- Los Angeles establishes eight holidays for officers working on all watches, and an additional two holidays for officers working on evening or night watches only
- San Francisco provides 11 paid legal holidays per year. In recognition of the agreement to resume payment of the mandatory employee retirement contribution, employees are entitled to additional floating holidays in fiscal year 2003-04 as follows: (a) employees regularly assigned to work 4/10 shifts in a work week receive four additional 10 hour floating holidays; (b) employees regularly assigned to work 5/8 shifts in a work week receive five additional eight hour floating holidays
- Sacramento offers 112 hours each year (14 eight hour days). Officers schedule this time off with supervisor approval. For officers, there are no fixed holidays. If an officer works on December 25th, there is no overtime, compensatory time, or other paid leave. December 25th is treated like every other day
- San Jose provides 13 holidays

- San Diego offers 10 holidays, plus any day appointed (approved or designated?) by the City Council
- Santa Ana's officers receive 11 holidays and one floating holiday selected by the employee with prior permission of the supervisor, plus holidays proclaimed by the Mayor
- Anaheim employees receive 10 holidays, plus days designated by the City Council for a public feast, thanksgiving, or holiday. These holidays are part of a Paid Leave time off provision granted to employees for the purpose of combining scheduled vacation leave, holiday time off, and medical and dental appointments during work hours, and unscheduled Paid Leave time off for the following reasons: (a) illness of the employee or physical incapacity of the employee due to illness or injury; (b) enforced quarantine of the employee in accordance with community health regulations; (c) temporary disabilities caused by pregnancy and childbirth; and (d) illness of the employee's immediate family
- Long Beach employees get 12 "in lieu of" holidays and one floating holiday for a total of 13 holidays. The 12 holidays are accumulated at four hours each biweekly pay period
- Berkeley provides 16 holidays, of which 13 are fixed and three floating, plus any other special holiday declared by the City Manager
- Richmond provides 11 fixed holidays and one floating holiday
- Fremont's employees have 11 fixed holidays and one floating holiday, with employees completing 24 years of service accruing six additional floating holidays
- In Hayward, 14 fixed holidays, including a half day on Christmas Eve Day and a half day on New Year's Eve Day
- Concord offers 11 fixed holidays, plus holidays appointed by the Mayor

Most departments reviewed consolidate February 12th (Lincoln's Birthday) and the third Monday in February (Washington's Birthday or President's Day) into a single day, with Berkeley, Concord, Hayward, and Oakland being exceptions. Admissions Day is typically not a fixed holiday, though Richmond, Vallejo, and Hayward join Oakland in providing it.

Other cities take different approaches to holiday compensation.

- In Santa Ana, employees required to work on a holiday are paid at his/her straight time rate.
- For Sacramento's officers, there are no holidays from a premium pay perspective; there is no overtime, compensatory time, or similar premium. A holiday is treated like every other day.

- Anaheim's employees in uniformed assignments who work on a designated City holiday receive pay of 1/10th of their regular bi-weekly pay, the equivalent of an eight hour shift. Because these employees are paid for the holiday, their Paid Leave bank is deducted by eight hours. Therefore, employees do not benefit additionally from working or not working a holiday.
- San Jose's employees receive in lieu of holiday pay of 5.623 percent of their salary during the biweekly pay period in which the holiday occurs, instead of time off.
- Berkeley's officers, if required to work on a holiday, have the option of earning compensatory time at a straight time rate, or regular hourly salary times the number of hours worked.
- In Richmond, officers may opt for full pay at straight time for 14 days with no holiday taken as days off, or up to seven days off and pay at straight time for seven days.

In San Diego, on the other hand, if an employee is scheduled to be off work on a holiday and is called back to work, she/he receives time and a half and also eight hours of compensatory time. Officers not scheduled to work receive eight hours. Los Angeles pays employees who work holiday time and a half premium pay or equivalent time off in lieu of regular pay. Employees called out or scheduled to work on an overtime basis during a shift specified for premium compensation receive a maximum of four hours straight time in addition to overtime. For San Francisco, employees who are required to work on any of the above-listed holidays, except floating holidays, receive additional compensation at the rate of time-and-one-half, or compensatory time at the rate of time-and-one-half at the employee's option.

Conclusions.

- Establish a mixed fixed-floating system, reducing the number of fixed holidays from 12 to 10, and replacing the two fixed holidays that are eliminated with one or two floating holidays. Straight time would be earned on floating holidays.
- For officers filling non-patrol functions who are not called back to work, pay no holiday compensation other than the paid day off at straight time. (Such officers called back to work would receive callback pay, as with any work day.) For officers in patrol functions, provide a holiday pay premium percentage added to their regular pay for the number of scheduled work days that fall on holidays; scheduled holidays would then be worked at straight time. Officers in patrol functions with scheduled days off on holidays would receive an in lieu day. To avoid abuse, link the holiday premium to attendance, suspending payment for any employees who fail to appear for work on a scheduled holiday.

Vacation Leave (p. 14)

The following vacation days may be taken with approval of Chief of Police or Chief's designee:

- 15 days per first 10 years of service
- 18 days for 11 to 13 years of service
- 20 days for 14 to 20 years of service
- 25 days for 21 and more years of service.

A review of a number of departments suggests a trend, with a number of exceptions, in which Oakland's officers begin with higher amounts of vacation during the first five years of service, before catching up in later years.

- San Jose begins with five fewer vacation days as Oakland during the first five years of service, then offers a similar number of days, with 80 hours (10 eight hour-days) for first five years of service, 120 hours (15 days) for 6th through 10th year of service, 140 hours (17.5 days) at 11th and 12th year of service, 160 hours (20 days at 13th and 14th year of services, and 180 hours (22.5 days) at 15th and more years of service
- Sacramento also starts with five fewer vacation days as Oakland during the first five years of service, then catches up to Oakland in later years. Officers with 0 to 4 years of service receive 10 days (2 weeks or 80 hours). Those with five to nine years tenure receive 15 days (three weeks; this is at the completion of five years). Officers with 10 to 14 years of service earn 15 days + three days personal leave. Those with 15 years of service receive 20 days vacation
- San Francisco, per its Charter, provides 10 working days for employees with one to four years tenure, 15 days to those with five to 14 years, and 20 days for employees with 15 or more years experience
- In Los Angeles, officers with less than two years of service receive 15 days of vacation, 16 days of vacation with two through nine years of tenure, 23 days (24 days effective January 2006) for 10 through 29 years of service, and 24 days (25 days as of January 2006) for 30 or more years
- San Diego's employees earn 5.24 hours per pay period for first five years of service, 6.77 hours per pay period for sixth through 15th years of service, and 8.31 hours per pay period for 16 or more years of service
- Anaheim's Paid Leave system provides for 236 hours of leave for vacation, illness, holidays, and other paid absences until the fourth year of service, 262 hours at the fourth year, 288 hours at the eighth year, 314 hours at the 14th year, 340 hours at the 19th year, and 366 hours at the 24th year of service
- Berkeley's officers begin their service with fewer vacation days, but surpass Oakland by the 12th year of service, provided with 10 days of vacation for the first through third year of service, 15 days for the fourth through 11th year, 20 days for the 12th through 17th year, 25 days for the 18th through 20th year, and 30 days of vacation for the 21st and subsequent years

- Fremont's employees begin with fewer vacation days than Oakland counterparts during the first nine years of service, then pass Oakland in the 10th year, before falling back at the highest tenure, with 12 days of vacation a year during the first through fifth year of service, 14 days per year at the sixth through ninth year, 17 days at the 10th year, 20 days at the 11th through 14th year, 21 days at the 15th through 26th year, then nine days at the 27th year, three days at the 28th year, and no vacation days with 29 or more years of service
- Richmond provides 10 days of vacation to officers with three or less years of tenure, 15 days of vacation for four to 14 years of service, 20 days for 15 to 25 years, and 30 days with 26 or more years
- Hayward's officers receive 10 days vacation for the first four years, 15 days for the fifth through ninth year, 20 days for the 10th through 19th year, and 25 days for 20 or more years
- Concord begins with fewer vacation days than Oakland, catches up, then lags at the high end years of service, with 10 days during the first year of service, 12 days during the second year, 15 days during the third through seventh year, 16 days during the eight and ninth year, 17 days during the 10th through 12th year, 19 days during 13th and 14th year, 21 days in 15th through 19th year, and 22 days during 20th year and thereafter

Conclusions.

- Reduce the number of vacation days from 15 to 10 during the first five years of service, and 15 from the sixth through 10th year of tenure, applying this provision either to new hires or existing officers, depending upon other initiatives agreed upon.
- As an alternative approach, consider concept of a paid leave bank similar to Anaheim's, combining vacation with holidays, leave for pregnancy, and similar paid days off.
- Because vacation can lead to backfill overtime, particularly if there are no caps on the number of employees who can take vacation at the same time, or if seniority-driven vacation selection preferences create disproportionate absences on shifts senior officers tend to work, allow employees to sell back some unused vacation annually. As an example, employees with more than one or two years' accumulation could be allowed to sell back one year.

Sick Leave (p. 15)

At Present. An employee is entitled to receive 60 calendar days of sick leave without loss of pay for each injury or illness. If after 60 days injury or illness continues, an employee is entitled to receive half pay for additional days.

An employee unable to perform normal job duties for her classification due to pregnancy or delivery may use sick leave during incapacitated period. Verification by a treating physician

may be requested under same circumstances as other sick leave usage. An employee may be granted leave of absence without pay for pregnancy and/or maternity in accord with provisions of the Personnel Manual.⁶

Findings. In FY2003-04, 43,636 sick hours were logged for officers, or an average of about 58.8 hours. Civilians accounted for 32,576 sick hours, averaging 78.3 hours. It appears that an important factor keeping average sick days down among sworn personnel is an annual evaluation process which includes amount of sick days taken as a criterion for assessing performance. Sworn personnel who miss more than 14 consecutive days have their positions transferred from their units to the Department's Personnel unit, where time off is monitored.

This noted, this 60 day "free day" system as it is sometimes called, with 60 days of sick leave per occurrence on full pay and half pay for another 60 days is expansive, compared to California police departments reviewed. For example:

- Fresno, for example, provides for eight hours of sick leave to be accumulated per month, or 96 hours a year
- San Jose, likewise, has sick time accumulation up to a maximum of 96 hours per year. Sacramento employees accumulate a day of sick leave per month
- San Francisco provides one half day of sick pay in each biweekly pay period, for an annual equivalent of 13 days. Employees may accumulate up to 1,040 hours. There is a buyout provision at retirement based on a service formula
- Lieutenants and lower ranks in the Los Angeles Police Department receive 96 hours (assume 12 days) leave at full pay, 40 hours (assume five days) at 75% full pay, and 40 hours at 50% pay, with up to 800 hours the maximum accrual over a career (hours in excess paid out at 50%)
- Santa Ana officers accumulate eight hours a month up to a maximum of 1,600 hours
- Long Beach employees get 96 hours or 12 days of sick leave per year accumulated at four hours each biweekly pay period; this can be carried over year to year with no limit
- San Diego includes sick days in an annual leave program, and does not have specified sick days
- Berkeley employees receive an eight hour day of sick leave for each month of service until the 21st year of service, when they receive two days of sick leave per month
- Richmond accrues eight hours per month, with no limit to accrual

⁶ The MOU also stipulates terms for leave of absence without pay (p. 16): an employee may be granted leave of absence without pay for up to 180 days to permit the employee to take care of urgent or most important business that cannot be provided by someone else.

- Hayward employees receive 3.7 hours of sick leave per pay period, or 12 days a year. In short, the 12 day a year sick leave accumulation appears to be the norm

Conclusions.

- Convert to an earned sick leave program, wherein paid sick leave is earned based on service, such as one sick day earned to one per month, 12 a year, with accrual in line with reasonable City-wide policy. Allow paid sick leave to be taken based on earned balance, with sick days beyond the balance unpaid.
- The Department should put in place an information system, ideally interfaced with the City's central time and attendance system, which allows managers to review sick day trend patterns per officer that may be associated with risk or abuse, such as frequent calling in sick on days immediately preceding or follow days off, or calling in sick following extensive use of overtime. Pittsburgh, Pennsylvania's Police Department has put in place such a system, with information circulated to supervisory and professional responsibility staff to promote corrective action.

Military Leave (p. 16)

At Present. An employee with 12 months City service or combined City and military service may take up to 30 days of military leave at normal base rate of pay for his/her classification during the fiscal year provided.

Findings. As of March 16, 2005, six officers are on military leave. Departments with specific military leave provision offer similar levels to Oakland. Santa Ana's MOU, for example, stipulates that an employee shall be granted military leave upon proof of his/her orders to report for duty and can be reinstated after proof of actual service. Members of the Reserve or National Guard are granted temporary leave with pay not to exceed 30 calendar days each year. San Diego's MOU entitles temporary military leave with pay for the first 30 days or 174 hours of such absence. The Vallejo MOU provides that an employee may be granted military leave to a maximum of 30 calendar days in any year.

Conclusion.

- Consider leaving as is.

Organization Leave (p. 17)

At Present.

- Except per below, no employee can conduct Association (union) business during normal working hours. An Association representative processing a grievance is allowed a reasonable period of release time to do so, provided that no more than one such representative is granted such release time to process each grievance. A reasonable

number of representatives are allowed reasonable release time to engage in meet and confer discussions, or other discussions with City representatives

- Up to 50 working days paid leave of absence is granted collectively to employees designated by the Association during each year of the MOU, subject to the approval of the department head, to attend seminars, conferences, or conventions at the local, state, and national level. This time is to be used when seminars, conferences, or conventions are held at a time and location which precludes attendance in addition to performance of regular duties
- Association representatives designated by an authorized official of the Association may take Association Overtime Allowed (AOTA), subject to advanced approval by the Chief of Police or his designated representative. To establish a fund of AOTA, a represented employee may contribute his/her accumulated overtime to the Association subject to the following conditions: an individual employee may contribute a maximum of eight hours from his/her overtime account each contract year; and the AOTA account shall be contributed to, and drawn from, on an hour-for-hour basis, without regard for the rank of the person contributing to or using the overtime.

Findings. Although contracts often provide paid time for union representation services (e.g. grievance, collective bargaining) they typically do not provide this level of paid time off for attending seminars, conferences, and conventions. Berkeley's MOU is explicitly the closest, with 45 days paid leave of absence each year to be granted collectively for conferences seminars, or conventions subject to the Chief's approval. Most cities' MOUs reviewed are silent on attendance of seminar and conferences.

Conclusion.

- The reasonableness of time and number of representatives for grievances, meet and confer, and other discussions with the City appear appropriate. But in the present climate of fiscal strain, the provision for 50 paid days off each year to attend seminars and conferences should be reduced. Employees attending union seminars and conferences should simply go on their own time, especially given the expansive build up of compensatory time.

Family Death Leave (p. 16)

At Present. An employee may be granted by the Chief or designee up to five days of family death leave, not charged against vacation or sick if employee has worked for City for three consecutive months. Leave extends to death of spouse, child, parent, brother, sister, grandfather, grandmother, father-in-law, mother-in-law.

Findings. Family death leave accounted for 3,508 hours of paid absence in FY2003-04, with officers accounting for 2,167 hours, and non-officers 1,341. San Jose's MOU sets forth a similar amount of time as Oakland – 40 consecutive hours – for a slightly broader set of relations, including grandchildren, great grandparents and step-relatives. Santa Ana provides for up to

three days leave without loss of pay in case of death of an immediate family member. Santa Rosa pays employees up to 40 hours of bereavement leave because of a death in the immediate family, covering similar family members as San Jose. In San Diego, an employee may be absent from work with pay to attend a funeral or memorial service for a period not exceeding three days, or five days if the service is outside of California. For ranks to lieutenant in Los Angeles, up to three days leave of absence with full pay is entitled for a death in the employee's immediate family; any employee may at the employee's option choose up to two additional days of leave, or up to four additional days when out-of-state travel is required, in conjunction with bereavement leave, using – in descending order – compensatory time off, vacation leave, or sick leave.

The Richmond MOU stipulates four days for a death with full pay within the immediate family. Vallejo's MOU provides for a maximum of three working days per death of an immediate family member. Concord allows for not more than 80 hours of sick leave per year to an employee due to death of an immediate family member or parent-in-law or grandparents of employee or spouse. Hayward's MOU allows for up to three work days upon the death of a close relative or domestic partner (additional five days for travel purposes if granted by City Manager); when additional time is desired, employees may be allowed to take vacation leave or compensatory time off.

In summary, the range typically offered is three to five days, with many cities charging this time off to sick leave.

Conclusion.

- Oakland's present benefit could be left unchanged without being extraordinarily generous. It could remain at five days, but be charged to compensatory time, sick time, or vacation. As an alternative, three days could be provided without charging an employees' paid time off, with two additional days charged for out of state travel, limited to one occurrence per year.

Family Care Leave (p. 18)

At Present. Employees are entitled to Family Care Leave per Government Code Section 12945.2.

Findings. Family Leave accounted for 35,261 hours in absences in FY2003-04, following 19,035 hours in FY2002-03. On a straight-line basis, it is projected to reach 20,600 hours in FY2004-05. In 2003, there was a component to a larger side agreement in which 80 hours of family leave was provided to Department employees, of which 40 hours could be set aside for family activities not associated with a spouse's or child's illness. The Chief extended the 40 hour family leave portion of this agreement through December 2004. According to the Department, monitoring of the use of this leave was weak; 66 employees are reported to have exceeded the 80 hour limit in 2003, and about 40 employees passed the 40 hour ceiling in 2004. Under the reported terms of a subsequent agreement, excess leave taken is to be repaid in 2005.

Toward the same objective of providing time for family care leave, the San Jose MOU stipulates that accrued sick leave may be used for illness in the immediate family. In Santa Ana, up to 48 hours of sick leave per calendar year is granted as personal necessity leave which may be used to attend to an illness of a family member. Fresno allows up to 48 hours of accrued sick leave per fiscal year for Family Sick Leave. In Long Beach, an employee may use one-half of earned sick leave per calendar year for absence from duty to attend an ill or injured child, parent, spouse, or same-sex domestic partner. A maximum of two days may be used for personal doctor or dental appointments. Employees in ranks to Lieutenant in Los Angeles employed by the City for at least 12 months and who worked at least 1,040 hours in those 12 months receive up to four months of family or medical leave per year, regardless of number of incidents, for childbirth, foster care, or serious health conditions of an immediate family member. Berkeley's MOU stipulates that not more than 10 days of sick leave may be used in the case of serious illness of an immediate family member.

Santa Rosa's MOU provides for the use of accumulated sick leave for the serious illness (under immediate care of a physician) for spouse, domestic partner, child, stepchild, parents and grandparents. For pregnancy and childbirth, an employee may use up to 240 hours of earned sick leave without providing physician certifications as to disability – a physician's certificate is required after six weeks. A new parent may use up to 40 hours earned sick leave upon birth of a child or when a child begins resident with an employee who has commenced adoption proceedings. Concord's MOU stipulates that not more than 80 hours of sick leave within a calendar year may be granted to an employee to care or attend to an employee's immediate family member. Fremont's employees may use up to three days of earned sick leave per year for illness involving a member of their immediate family. After 1,250 hours of continuous service, employees may be provided with up to 12 weeks unpaid leave in any 12-month period.

Conclusion.

- ❖ There should be one City standard for applying Family Care Leave for all employees, not provide Police Department personnel with exceptional benefits. While hours attributed to Family leave are projected to be down in FY2004-05 compared to the previous year, they are still expected to be far higher than in years prior to the 2003 side agreement. With the agreement now expired, the City should monitor the consumption of Family Leave closely, to determine whether policies associated this benefit should be adjusted for future years.

Workers' Compensation (p. 24)

At Present. The City agrees to honor presumptives of California Labor Code 3200 through 3219 and any other presumptives that may apply to police officers. An individual medically diagnosed with presumptive condition shall be placed in ICF code. The City reserves right to challenge such presumptive diagnosis as provided for by law.

Findings & Conclusions. At issue is principally organization, training, and managerial focus on managing Workers' Compensation effectively. See Savings & Cost Recovery section above.

Assignments for Employees Temporarily Disabled (p.25)

At Present. The City, at its sole discretion, may assign to modified duty any employee medically released to return to work with restrictions after industrial injury. Ability to perform work shall be determined by the City's physician. Dispute between City and employee's physician shall be by an IME in procedures of California Workers Compensation System.

Findings & Conclusions. With five or more officers at home awaiting temporary assignment, management focus, as part of strengthening of employee disability management at the OPD, is central. Regarding time limits for limited duty assignments, the San Jose MOU stipulates that such assignments shall be for no more than two years, with an additional assignment allowed when approved on appeal to the Assistant Chief. See Savings & Cost Recovery section above.

OVERTIME RATE & TIME PERIOD ENTITLED TO OVERTIME (pp. 4-5)

At Present. When an employee is entitled to work in excess of his/her work week or work day, one and a half times base pay, except Captain or Deputy Chief, who receive no overtime, but do receive five days of Management Leave annually, and up to five days additional leave at Chief's discretion. (pp. 4-5), and Captains, who received 5% raise in 2002; Captains may receive one and a half times pay if directly charged to a third party. (p.5)

Employees on compensatory leave (OPA) or other form of paid leave of absence, except vacation, shall not be eligible for overtime compensation. (p. 5). Police officer trainees shall receive overtime in accordance with FLSA – overtime for all hours worked over 171 in established 28-day work period.

Findings. This important provision, setting forth the time period beyond which an officer is eligible for overtime, entitles an employee to overtime if work is in excess of his/her work week or work day. The FLSA allows overtime calculations to be based on pay or work period, which can be up to 171 hours in 28 days (i.e., overtime is not paid until 171 hours are worked in a 28 day period), instead of eight or 10 hour daily pay periods, or 40-hour work weeks. Officers are typically receiving overtime for work performed beyond a typical work day instead of a 40-hour work week. As such, an officer on a four-day-per-week schedule may take scheduled (e.g., vacation) or unscheduled (e.g., sick) leave for the first three days of a work week, then work at time-and-a-half for any time worked beyond the regular shift on the fourth day, then earn time-and-a-half for time worked during three days that would normally be off duty. This provides an incentive for officers to increase their earnings for the same number of hours actually worked.

Such language is common, despite its impact on overtime. For example, the San Francisco Police Officers Association MOU and the San Jose Police Officers' Association MOU and the Fresno Police Officers Association MOU designate overtime if hours worked exceed a regular work day or week. Similarly, Anaheim pays overtime if authorized work – including authorized paid leave of absence – exceeds a normal work period, regular work week, work day or shift. Sacramento, San Diego, and Hayward pay overtime if work exceeds employees' shifts. The Fremont Police Association MOU defines overtime as either hours worked in excess of an employee's normal

schedule or shift, or hours worked as defined by the Fair Labor Standards Act, to which an employee is eligible to the extent overtime is not received under MOU provisions.

In contrast, Santa Rosa pays overtime if an employee is required by the City to work more than 40 hours per work week. In Berkeley, overtime is paid for hours in excess of 40 a week. Time spent on sick leave, vacation leave, workers' compensation, holiday time, or other approved leaves with pay are considered time worked.

Payment of overtime in excess of a work day's schedule is not uncommon. But in light of Oakland's strained financial condition, it is appropriate to consider provisions which would factor in of the number of hours an officer works during the course of a work week before paying overtime. The Metropolitan Police Department of the District of Columbia put in place during the District Government's period of financial distress in the mid-to-late 1990s, a policy that overtime could not be earned beyond until an excess of 171 hours in a 28-day period was worked, with scheduled time off not included in the calculation of hours worked. (Oakland's police officer trainees are also entitled to overtime only if they work in excess of 171 hours in a 28-day period, per the Fair Labor Standards Act.) Only in 2005, with financial health returned, has a contractual change been made such that the nation's capital's officers earn overtime if they work in excess of 171 hours in a 28 day period with scheduled leave counted as hours work for the purposes of reaching the 171 hour threshold.

Conclusion.

- Consider adjustment to this MOU provision to allow employees to earn overtime if work more than 40 hours in a week, with scheduled time off counted toward the 40 hour calculation, but unscheduled time off not counted. A 171 hour standard could be applied, depending upon the number of other savings initiatives are adopted.

EMPLOYEES REPRESENTED

At Present. The OPOA represents sworn police staff from the rank of Police Officer through the rank of Deputy Chief. The present Chief of Police is no longer a member of the OPOA. Notably, there are no separate bargaining units for supervisory personnel or management personnel.

Findings. The Oakland Police Department employs many supervisors who put a priority on the efficient use of human and financial resources. But a system in which members of the same bargaining unit represent all employees except the Chief presents inherent potential for conflict of interest between supervisors and those they supervise. The potential for conflict is particularly acute in light of the relatively decentralized methods through which the Department's management has made policy decisions effecting overtime (e.g., reduction in the number of days worked per week on regular schedule from five to four) with limited, if any, formal involvement of central personnel and financial managers.

The PERF Report reached a similar conclusion,

“It is problematic that the department’s labor bargaining unit for sworn officers includes managers through the rank of deputy chief. Police middle managers and managers (lieutenants and above) are responsible for the development and enforcement (ensuring compliance) of operational and administrative rules and regulations. They play a role in establishing acceptable levels of performance and what constitutes acceptable and unacceptable behavior. Though they are a link in the chain of command as well as an open line of communication between rank and file officers and the department’s most senior administrators, their more prominent role is to represent management (the interests of the department and the city) to subordinate officers. It is inappropriate for these managers to be included in the same labor bargaining unit. (p. 62).

The MOU between the City of Oakland and the OPOA includes at least one provision which differentiates compensation for certain supervisors: deputy chiefs and captains receive no overtime, except reimbursable overtime for captains. But, these ranks do receive five days of management leave annually, and up to five days additional leave at the Chief’s discretion.

In reviewing the MOU, representative organizations, and bargaining unit models in other police departments, San Jose is similar to Oakland in having one Association and one MOU in place for sworn employees in the classifications of police recruit, police officers, police sergeants, police lieutenants, police captain, and deputy chief of police (as well as airport police officer and police artist). Other cities separate rank and file officers and supervisors, through a number of approaches, including:

- One MOU, One Representative Organization, Multiple Bargaining Units
- Separate MOUs, Separate Representative Organizations, separate bargaining units
- Separate MOUs, One Representative Organization, Separate Bargaining Units
- No MOU with Supervisors above the Rank of Either Sergeant or Lieutenant

Cities falling in one of these categories are summarized below.

- **One MOU, One Representative Organization, Multiple Bargaining Units.** The Long Beach Police Officers’ Association (LBPOA) and the City of **Long Beach** have a single MOU for job classifications in the Basic Police Unit (police recruit, police officer, police investigator, police corporal), and Police Supervisory Unit (police sergeant and lieutenant). The San Francisco Police Officers’ Association (SFPOA) and the **City and County of San Francisco** have a single MOU for the separate SFPOA bargaining units that represent police rank & file (police officer, police officer II and III, policewoman I, II, and III, assistant inspector I, II and III, assistant inspector I, II, and III, sergeant I, II, and III, inspector I, II, and III, and harbor officer), police supervisors (lieutenants and captains), and police management supervisors (commanders and deputy chiefs). The San Francisco Police Municipal Executives Association (MEA) represents criminologist, assistant chief, and chief of police job classifications. The single MOU between the Berkeley Police Association and the City of **Berkeley** separates classifications in Unit F

(patrol officer, senior patrol officer, police sergeant, police inspector, and police lieutenant) and Unit E (captain).

- **Separate MOUs, Separate Representative Organizations.** The **Los Angeles** Police Command Officers Association represents police captains, police captains II, police captains III, police commander, and police deputy chief I, and police deputy chief II. There is an MOU by and between the Los Angeles Police Command Officers Association and the Board of Police Commissioners and the City Administrative Officer. There is a separate MOU between the Los Angeles Police Protective League – representing with police officer I, II, III, police detective I, II, III, police sergeant I and II, and lieutenant I and II – and the Board of Police Commissioners and the City Administrative Officer. The MOU between the Hayward Police Officers Association and the City of **Hayward**, effective through 2004, employees in the classifications of detective, police officer, police sergeant, and police lieutenant. A separate MOU between the City of Hayward and the Police Management Units covers the position of captain (there are no other ranks above captain, except chief).
- **Separate MOUs, One Representative Organization, Separate Bargaining Units.** In **Fresno**, there is one MOU between the City and police officer recruits, police officers, police specialists, and police sergeants represented by the Fresno Police Officers Association (Non-Supervisory Police Unit 4). There is a separate MOU between the City and the Fresno Police Officers Association (Police Management Unit 9), for the ranks of police lieutenant, police captain, and deputy police chief.
- **No MOU with Senior Supervisors.** In **San Diego**, the only labor agreement the City has with its police officers is an MOU with the ranks of lieutenants and below. Management classifications above lieutenant – captain, assistant chief, executive assistant chief, and chief of police – are all unrepresented and serve at the will of the city manager. The Agreement between the City of **Sacramento** and the Sacramento Police Officers Association covers civilian community services officer and dispatcher I, II, and III, as well as ranks of police officer, police sergeant, police lieutenant. In Sacramento, the positions of captain, deputy chief, and chief are unrepresented.

The Anaheim Police Association represents employees in the classes of bailiff, detention officer, senior detention officer, police officer trainee, police officer, and police sergeant in its MOU with the City of **Anaheim**. Management positions above sergeant are unrepresented. The City of **Richmond's** MOU with the Richmond Police Officers' Association includes the ranks of police officer and police sergeant. The Police Management Association represents the ranks of lieutenant, captain, and assistant chief.

The MOU between the City of **Santa Ana** and the Santa Ana Police Officers association includes the ranks of police recruit, police officer, senior police officer, police sergeant, senior police sergeant, and a wide range of civilian positions. The Police Management Association represents lieutenants and captains; the only other rank is chief, which is unrepresented. The **Fremont** Police Association represents police officer and police sergeant in its MOU with the City of Fremont. Fremont's lieutenants, captains and chief

are not represented by the Fremont Police Association; the Fremont Association of Management Employees bargains for managers across the City. The City of **Concord's** MOU with the Concord Peace Officer Representation Unit of the Concord Police Association includes classifications of police officer, police corporal and police sergeant. The ranks of lieutenant, captain and chief are unrepresented. However, there is a "me too" clause in the police contract that guarantees that the supervisors also get what the represented employees get.

Conclusion.

- To establish separate communities of interest, separate bargaining units should be established between supervisory ranks and those they supervise, each with separate MOUs. It is recommended that as few as two and as many as three bargaining units be established to represent sworn personnel. If two units, the following breakout could apply:
 - Law Enforcement Management (deputy chief, captains, lieutenants)
 - Law Enforcement (sergeants and officers)

If three units, the breakout would be as follows:

- Law Enforcement Management (deputy chief)
- Law Enforcement Supervisory (captains and lieutenants)
- Law Enforcement (sergeants and officers)

CIVILIANIZATION

At Present. While the MOU lacks a section dedicated to civilianization, replacing sworn personnel with civilians has been the subject of meet and confer. Protecting Association work is understandable from one perspective, but is not fully consistent with the aim of placing officers on the street to achieve crime prevention/reduction and overtime management goals. From the sole perspective of efficiency, full authority for making such resource allocation decisions should rest with the Chief. While not optimal from an efficiency perspective, San Jose's MOU does stipulate that up to four sworn positions will be civilianized during the MOU's term, and that further civilianization would be subject to meet and confer. San Francisco has a newly approved Charter provision which allows for civilianization on a limited basis if the Chief determines that certain work can be performed efficiently by civilians.

Conclusion.

- The MOU should not include a provision that could be interpreted as limiting the terms under which civilianization would be undertaken, to avoid diluting the proposed Management's Rights article. As an important element of the clarification of management's rights, management should retain the exclusive right to maintain the

efficiency of Oakland's operations and to determine the methods, means, and personnel by which Oakland's operations are to be conducted.

SCHEDULE (p. 22)

At Present. The MOU does not set forth a specific number of hours worked per shift or number of days worked per week or 28 day pay period for sworn officers. It does state that the functional needs of the City shall prevail in work scheduling, provided that employee transferred on semi-permanent basis from one division or independent section to another by initiation of Police Department shall be notified at least five days in advance. An employee transferred at employee's initiation shall be notified at least 48 hours in advance of transfer.

- Requirement of advance notification may be waived by employee if transfer is initiated by employee. If such notice is not given, and employee's normal work schedule is altered by more than three hours, he/she paid at time and a half for first day worked in position to which transferred.
- Such advance notice is not required when employee is transferred to another division or independent section to fill a vacancy which could not be anticipated, such as a vacancy created by injury, illness, sudden death, death in family leave, emergency overtime allowed, or sudden termination.

Employee loaned on temporary basis from one division or independent section to another to fill anticipated vacancy, such as by vacation, scheduled overtime allowed, or transfer, shall be notified at least 48 hours in advance of such loan.

- If such notice is not given, and employee's normal work schedule is altered by more than three hours, he/she paid at time and a half for first day worked in position to which transferred.
- Such advance notice is not required when employee on loan to another division or independent section to fill a vacancy which could not be anticipated, such as a vacancy created by injury, illness, sudden death, death in family leave, emergency overtime allowed, or sudden termination.
- Such advance notice is not required when employee on loan to another division or independent section to supplement existing personnel when need for such supplementary personnel could not have been anticipated.

Findings & Conclusions. See 1.B. (Backfill) and 1.C. (Callback) of Savings & Cost Recovery section above.

- The OPD's Transfer Policy prevents managers and unit commanders from reassigning officers based upon need, skills, or emerging condition. This Policy should be fully reworked within the context of clarifying the Chief's rights to maintain the efficiency of

Oakland's operations and to determine the methods, means, and personnel by which Oakland's operations are to be conducted.

MINIMUM STAFFING

At Present. There is no explicit provision, but the Department's goal is to assign at least one officer to each of 35 beats plus two officers for a transport wagon and two desk officers for each of three watches. It fills open beats with officers who volunteer through the WODOP process, paid at time and a half. Even with the WODOP process, several beats are unfilled on many watches.

Findings & Conclusion.

- ❖ See Savings & Cost Recovery section above for a discussion of the effects of the 4/10 schedule on deployment. The Department should undertake a comprehensive redeployment strategy which increases the Department's flexibility to assign officers in numbers and at locations that reflect workload, without reliance on overtime to meet a patrol beat structure which may more reflect compliance with past practice than present operational realities.

DEFERRED COMPENSATION (p. 34)

At Present. The MOU provides a 3.75% employer contribution to deferred compensation, which includes overtime in the computation.

Findings. It is unusual to include overtime in such programs, which are typically limited to base wage.

Conclusion.

- Eliminate overtime from the employer contribution calculation for deferred compensation.

3. CONTROLS & MONITORING

This section focuses on improvements which can be made in how the Department controls and monitors overtime, beyond those described in preceding sections. Many of the 18 recommendations could be applied throughout the Department; others target processes and policies directly tied to how the OPD manages time and attendance for overtime.

3.A. Department-wide Controls & Monitoring

- ❖ **Expand the Scope of OPD's Bureau of Administration to Supervise Personnel.** Other initiatives in this Assessment call for the OPD senior management to focus on Workers' Compensation, more consistent payroll administration (see section 3.B.), and systematic monitoring and reporting of paid absences and overtime. Success will depend upon strong professional background in personnel, as well as a direct reporting relationship to the Chief and consistent coordination with central Human Resource Management, Financial Services Agency, and Risk Management. This suggests that OPD Personnel Management should be brought within the span of control of the Director of the Bureau of Administration, as financial management has been. Recruiting, training, and reviewing performance of sworn officers will remain within the purview of sworn personnel.

- ❖ **Stronger Emphasis on Budgeting, Monitoring & Reporting.** The Deputy Chief and Captain of Bureau of Field Operations (BFO) are to scrutinize Patrol Division overtime assignments, according to the *FY2002-03 OT Reduction Plan*. Between the departure of the former financial manager and the present financial manager, there was period during which there were no OT reports. There had been reports in a shared electronic folder at least as far back as a year and a half ago in form of pivot table from prior financial manager, but these reports required a facility with computers to use fully. The present report, while an improvement, still not detailed enough to show causes of overtime, nor comparison of budget to actual spending.

Overtime, absences, compliance with Workers' Compensation procedures should be routine part of CRIMESTOP and other reviews of supervisors' performance. So too should be the establishment of overtime budgets, and monitoring compliance with these budgets. While recognized that unforeseen circumstances, such as public emergencies, can lead a unit to exceed its budget, at least the establishment of a budget would provide supervisors with a threshold to manage within, and senior command staff with a basis for close questioning of a unit's budget is exceeded. The Chief's Management Assessment Program is now underway, focusing on integrating analysis and organizational focus on Crime, Compliance, and Cost.

- The Department should consider reinstating a practice reported to be in place 10 to 11 years ago, in which, for each special enforcement action or planned investigation, a sergeant or lieutenant developed an operations plan before overtime was used that had to include anticipated resources required (e.g., number

of officers), anticipated results (e.g., number of arrests) and, after the enforcement action, written results.

- For overtime in Patrol and other units consuming a significant amount of overtime, OPD command staff should use the CRIMESTOP process to weigh overtime versus operational results and officer absences.
 - For court overtime, the OPD should begin monitoring the numbers of cases, subpoenas per case, frequency of continuances, Overtime Slips with “no testimony given” by its officers, occurrences of officers reporting to court after being notified not to appear, instances of cases or meetings being changed or cancelled without notice given to the notification system .
 - Sworn supervisors and financial managers should collaborate to create report format that is used.
 - Reports should be distributed broadly to sworn/civilian supervisors, along with overtime spending targets.
 - The Department should consider connecting overtime for investigator callback to watch commanders’ patrol overtime budget -- for most non-life-threatening offenses – to moderate consumption on cases that otherwise could wait until regular watch. Presently, overtime booked to Investigations – disconnecting budget, decision-making, and accountability.
- ❖ **Greater Specificity & Consistency in Overtime Coding to Help Managers Manage.** OPD’s accounting systems could provide quality data on overtime usage by officer, unit, pay element, and program. Lack of management’s emphasis on project code information leads to large swings in trends not associated with actual activity, errors, or the use of accounts that are so general (e.g., “public safety”) as to obscure why overtime was used.

OPD should consider replication of the practice of Special Events – in which accuracy for reimbursement purposes is important: with supervisors presenting proper codes to be filled in at line-up; pre-filling in most fields of Overtime Slips.

OVERTIME CHARGES BY PROGRAM: FY2000-01 THROUGH FY2004-05					
Program Description	FY2000-01	FY2001-02	FY2002-03	FY2003-04	(Through 1/28/05) FY2004-05
04-05 HOLIDAY PARADE					\$11,540
199120 - CHINATOWN STREET FESTIVAL	\$5,530				
AGENCY-WIDE ADMINISTRATION				\$2,378	\$98,799
AIRPORT SECURITY				\$79,698	\$167,439
Blight Abatement & Community Revitalization	\$4,468	\$25,642	\$29,541	\$13,696	\$4,371
CITYWIDE MANDATORY MANAGEMENT TRAINING					\$658
COMMUNICATIONS				\$6,853	\$11,902
COORDINATED ENFORCEMENT PLAN 03-04				\$138,700	\$900,025
COUNCIL/CMTE EVENING MTG OT			\$624	\$310	
CRIMINAL INVESTIGATIONS				\$51,753	\$653,458
CRIMINALISTICS				\$280	\$25,360
DISPATCH COMMUNICATIONS				\$627	
ELECTRICAL & ENERGY EFFICIENCY				\$406	
EMERGENCY MEDICAL RESPONSE					\$2,546
Financial Management	\$100,813	\$90,084	\$40,008	\$10,785	\$405
FY 2001-02 AIRPORT SECURITY EXPANSION		\$78,059	\$38,063	\$6,501	
GARDEN CENTER					\$285
INTERNAL AFFAIRS				\$625	\$24,783
IPSS (PRIN TRAK) PROJECT			\$5,094	\$65,898	
IPSS CURE PLAN - MAR 2004				\$1,411	\$24,808
JAIL				\$15,945	\$784,696
JLS OVERTIME JULY 4, 2004					\$90,719
MANDATORY QRTL COMMUNITY MEETING ATTEND					\$7,306
NEW YEAR'S EVE MOBILE FIELD FORCE				\$27,813	
OPERATION IMPACT VIOLENCE SUPPRESSION				\$5,273	
OPERATION SAFE HOME	\$908				
ORG CRIME DRUG ENF TASK FORCE- X3124		\$508	\$3,084	\$597	
OVERTIME PATROL IN PALM VILLA DEVLPMT			\$3,377	\$57	
PATROL AREA 1				\$20,495	\$539,121
PATROL AREA 2				\$26,851	\$777,597
PATROL AREA 3				\$55,685	\$707,363
POLICE FALSE ALARM PROGRAM				\$2,834	\$2,939
POLICE RECORDS				\$822	\$14,845
POLICE SECURITY: WAR ON IRAQ, MARCH 2003			\$358,067	\$33,910	
POLICE TRAINING				\$5,609	\$113,807
PORT OF OAKLAND TRUCKERS' PROTEST					\$123
PRESIDENTIAL VISIT-NOV 001	\$19,749				
PROJECT CHOICE					\$570
PROJECT X-DRUG SUPPRESSION IN AREA 1	\$88,376				
PROTEST AGAINST POLICE BRUTALITY MARCH		\$5,688			\$520
Public Safety	\$5,665,346	\$10,676,718	\$8,741,444	\$6,035,463	\$1,376,654
Public Works		\$685		\$692	\$3,302
RAIDERS PLAYOFF OT 2002-03			\$129,547		
RESEARCH & PLANNING & CRIME ANALYSIS				\$0	\$585
RESEARCH, PLANNING & CRIME ANALYSIS		\$0		\$3,767	
RIDER'S VERDICT OT & EXPENSES				\$243	
ROCKRIDGE SAFEWAY PROTEST				\$9,614	
SCHOOL POLICE				\$2,359	
SIDESHOW ABATEMENT OT				\$262,001	\$361,436
SIDESHOW DEPLOYMENT					\$93,454
SPECIAL OPERATIONS				\$2,853	\$82,670
SPECIAL OPERATIONS-EMERGENCY RESPONSE				\$371	\$479
STREETS & SIDEWALKS MGMT & DEVELOPMENT				\$2,888	
SUMMIT HOSPITAL SECURITY	\$130,132	\$249,878	\$277,278	\$302,758	\$199,374
TACTICAL TEAM OPERATIONS					\$6,763
TRAFFIC OPERATIONS				\$25,987	\$1,163,270
Training & Employment	\$225,990	\$666,885	\$537,782	\$312,820	\$64,133
Undetermined Program	\$9,356,723	\$5,599,680	\$5,406,981	\$4,943,576	\$2,194,722
VEGETATION MANAGEMENT					\$1,868
VICE/NARCOTICS				\$8,158	\$35,360
YOUTH & COMMUNITY SERVICES				\$20,327	\$159,144
Youth Programs	\$0	\$0	\$0		

3.B. Tighten Payroll Controls.

PFM reviewed the effectiveness of the OPD's policies and procedures over the payroll cycle, its ability to operate efficiently and effectively, and to provide a sound internal control structure for overtime management, to recognize errors and irregularities and correct them in a timely manner.

This cycle includes the time collection, overtime authorization, payroll input and payroll corrections of both sworn and civilian employees.

Scope & Approach. The review of the Department's payroll cycle was completed in several steps. PFM first obtained a copy of the Department's Policy Manual and Accounting Manual, and reviewed these items to obtain a general understanding of the payroll/personnel procedures the Department follows. Memoranda of Understanding between the City and the Department's employees were reviewed, as were the 1998 internal audit report documenting the City Auditor's findings of the Department's personnel/payroll cycle. PFM then met with OPD employees who are directly responsible for the various aspects of the Department's payroll procedures to interview them and observe their functions.

These meetings supported PFM's understanding of the Department's policies and procedures regarding payroll matters, and aided PFM in developing limited procedures to verify that certain key aspects of the OPD's policies established a sound internal control structure. The objectives and results of the procedures that were performed are outlined on the following pages. Each procedure is subsequently followed by a summary of the conclusions that were drawn as a result of PFM's procedures, as well as recommendations to the City for improving the operational efficiency and/or effectiveness, and overall internal control structure.⁷

Objective #1. To obtain an understanding of the Department's payroll procedures through inquiry and observation.

Key Internal Control(s). Separation of duties exists among personnel, timekeeping, and payroll disbursements. Payroll policies and procedures are documented and approved by the City and are being followed by employees.

Procedures Performed. PFM met with OPD staff and made inquiries regarding the Police Department's payroll procedures. PFM also reviewed the payroll flowcharts provided as Attachment B of the September 24, 1998 report by the City Auditor. PFM's understanding of the significant functions in the Department's payroll cycle is as follows:

- The workweek is Saturday to Friday and payday is Friday. All employees are required to record their daily time on a weekly basis by completing time report which should be signed by the employee. All non-regular time is supported by separate documentation. Time reports are approved on a weekly basis by each employee's direct supervisor. Each unit collects the time cards from their respective employees and designated unit employees are responsible for input into TAMS. The time reports and supporting documentation are then forwarded to the Police Department's Accounting Unit.

⁷ PFM's review was not performed with the objective of giving assurance to whether amounts in the Department's financial statements were materially misstated or whether the internal control structure of the Department contained material weaknesses as defined by the American Institute of Certified Public Accountants. Accordingly, PFM does not express such an opinion. This report is intended for the information of the City of Oakland and its appropriate personnel responsible for management of the Police Department. However, this report is a matter of public record and its distribution is not limited.

- Financial staff review a biweekly payroll register. Staff manually compares the amounts on the register to time reports, prepares an Excel spreadsheet of perceived problems then investigates/corrects discrepancies noted. Staff also look for extremes in high or low gross pay amounts. Once staff are satisfied that the information in the file agrees to the documentation she releases the information for final processing.

For the last two pay periods the payroll register was not capable of being printed and therefore no verification of the amounts paid occurred.

Conclusion. Based on the information above and our observations, there are not sufficient controls over the processing of the weekly time reports or documentation for additional pay amounts. There are no control mechanisms to verify the number of time reports collected, the total hours input or the completeness of the supporting documentation.

- Modifications or enhancements to the system would include assigning employees to units within the Department for time reporting purposes. Each unit would be input as a batch. A control document could then be developed which lists the employees assigned to the unit. The document should provide for an area to verify if a properly authorized time report has been received from each employee, the total hours reported by time code and if all supporting documentation is attached. This document could then be compared to batch control totals after input into the payroll system. This document could also be used to verify that all documentation has been received in the Accounting Area.
- Compensation time is not reported on the payroll register. There are no controls over the input of additions to compensatory time or use compensatory hours. The payroll register should be modified to report compensation time and that the batch control document previously recommended also include an area for comp time hours.

Objective #2: To verify that payroll payments are for work actually performed by existing employees.

Key Internal Control(s). Weekly time reports are signed by the employees and approved by department supervisors prior to being entered into the payroll system.

Procedures Performed. PFM performed several procedures to verify that this objective was being met. The first procedure performed was to apply judgment in the selection of a sample of timecards of sworn and civilian employees and verify that these timecards contained the signature of the employee and the employees' supervisor indicating supervisory approval. The timecards selected in this sample were as follows:

Division	Pay Period Ending	# of Time Reports	# of Exceptions
Records & Warrants	September 10, 2004	67	6
Records & Warrants	September 24, 2004	67	8
Patrol, 3 rd Watch	October 8, 2004	170	124
Patrol, 3 rd Watch	October 15, 2004	159	113
Homicide	November 5, 2004	29	1
Homicide	November 19, 2004	28	0

The second procedure was to compare the time reports to the payroll register to verify that both documents agreed as to the number of hours reported.

Conclusion. PFM’s testing of employee time reports indicated that approximately 48% were not properly signed. Most of these had only one supervisor’s signature before reaching the Office of the Deputy Chief for review and approval. Some had no signature at all. There does not appear to be enforcement of this established and documented procedure.

- Time reports should not be entered into the time reporting system unless properly completed, signed by the employee and has the signature of the authorized supervisor.

While comparing the hours reported on the time reports to the General Ledger, it was noted that the process required that payroll corrections reports for previous pay periods also be obtained. Corrections were being made from prior time periods, some as long as three months prior to the current reporting period. After reconciling all time correction reports the actual data had high degree of accuracy. The Department has a policy that corrections be reported within four days. This policy is not being enforced, which increases the complexity of accurately reconciling the time paid per the payroll register to the time reported. Records and memories may not be able support accurate payroll corrections.

- Adherence to the time limits for reporting time corrections should be enforced to facilitate review and reconciliation of the payroll register.

Objective #3: To verify that overtime worked is for the amount of time actually worked and the documentation is completed per the Department’s policies.

Key Internal Control(s). Overtime reports reflect reason for overtime, document that authorization was received to work overtime, and that the hours reported were reviewed and approved by the Division’s supervisors.

Procedures Performed. PFM reviewed the overtime worked requisitions for the same units and for the same time periods to ascertain if the reports provided an adequate description of the reason for overtime, as well as to verify that the reports contained the signature of the person authorizing the overtime and the signatures of the personnel responsible for approving the document. The results of the review were:

Division	Pay Period Ending	Overtime Reports	Exceptions
Records & Warrants	September 10, 2004	161	94
Records & Warrants	September 24, 2004	164	74
Patrol, 3 rd Watch	October 8, 2004	140	54
Patrol, 3 rd Watch	October 22, 2004	155	42
Homicide	November 5, 2004	76	4
Homicide	November 19, 2004	71	2

Of the exceptions in the Records and Warrants Division, the greatest number of exceptions (160) was the lack of an authorization signature. Seven of the forms were signed and audited by the

same individuals and no other signatures were evident. Twelve of the forms contained only stamped signatures. The 25 individuals reporting overtime during the pay period that ended September 10, 2004, submitted 878 hours or an average of 35 hours in addition to their 75 hours of regular pay. Three individuals reported 70 or more hours of overtime for that time period. There was a similar pattern in the second time period for this Division. One individual reported more than 80 hours of overtime in both time periods.

Conclusion.

- These results indicate that there needs to be a much closer examination of the work patterns of the employees and supervisors should review and sign each overtime requisition before payment is made to employees.

Objective #4. To determine if overtime is accurately reported in the last two days of the pay period.

Key Internal Control(s). Overtime reports should accurately reflect the overtime worked in the last two days of the pay period and not estimates of the time.

Procedures Performed. PFM interviewed the payroll input individuals in the three sample divisions and reviewed the payroll correction reports for the six time periods selected. All individuals interviewed stated that overtime was not estimated for any individuals during the last two days of the time period. The results of the review of payroll corrections were:

Pay Period Ending	Correction Reports	Overtime Reports Last 2 Days of Pay Period	Court Reports Last 2 Days Pay Period
September 10, 2004	60	25	10
September 24, 2004	85	35	7
October 8, 2004	58	29	6
October 22, 2004	75	41	5
November 5, 2004	65	40	5
November 19, 2004	100	38	8

Conclusions. These results indicate that overtime is not being estimated in the last few days of the pay period: 90 of the 443 correction reports reviewed were to reclassify time between the categories of regular, sick, compensatory time and Family Leave. Upon further investigation, the apparent cause is that time reports are completed by individuals other than the actual employee. Our interviews confirmed that time reports are being completed by division payroll clerks. These individuals must make assumptions in order to process the time reports on a timely basis. This is one of the contributing factors for the number of unsigned time reports described in Objective #2.

- This reinforces our recommendation from Objective #2 that time reports should not be entered into the time reporting system unless properly completed, signed by the employee and signed by the authorized supervisor.

During PFM's review and observation of the payroll correction process, it was noted that when time is being reclassified between codes, the original number of hours is overridden, therefore corrupting the audit trail. For example, if 40 hours of sick pay is entered in the original time period and the time is then reclassified to vacation, the adjustment is not entered as a reduction of sick pay and an increase of vacation pay, preserving an audit trail. Instead the original entry is deleted and 40 hours of vacation is input.

- PFM recommends that an entry be made to reduce the balance in one category and not deleted.

It is also noted that the input of correction entries took between three minutes and 11 minutes per adjustment to save to the payroll system. This amount of time to enter transactions adds to the overtime issue by requiring overtime to enter corrections.

Objective #5. To determine if time charged to grants is in compliance with the Department's policies.

Key Internal Control(s). Time charged to the grants is in accordance with the Department's policies.

Procedures Performed. PFM interviewed the payroll input individuals in the three sample divisions and interviewed individuals responsible for monitoring grant charges. All charges to the grant codes in the time periods selected were reviewed.

Conclusions. The individuals responsible for monitoring charges to grants recently implemented new procedures for time reporting. Overtime reports are printed on color paper. The various colors correspond to particular programs. Additionally, the forms have been modified to limit the available codes. While the opportunity to incorrectly report time to grant codes has been limited, there are still occurrences of misclassified time. When discovered by individuals responsible for monitoring grants, a journal voucher is prepared and submitted for entry to the General Ledger. There does not appear to be a process in place which requires additional investigation to determine where the time being deducted from the grant category should have been reported.

- A process should be developed to review the appropriate reclassification of new time code and the new code should be approved by the employees' supervisor.

Objective #6. To determine if time charged is in compliance with the Department's policies.

Key Internal Control(s). Time charged is reported and entered in the payroll system in accordance with the Department's policies.

Procedures Performed. We interviewed the payroll input individuals in the three sample divisions and reviewed all time reports for the periods selected for compliance with the Memorandums of Understanding.

Conclusions. The decentralized input process has lead to inconsistent interpretation of the Department's policies and procedures. Numerous examples were noted from limited test samples. One division reported all hours worked on the day the shift commenced. Therefore, if an individual became involved in an operation that carried through more than a single day, that division may report 36 hours worked in a single day. Another division would segregate the time worked into the time period actually reported for example 12 hours on one day and 24 hours on a second day. There was also inconsistent application of time reporting procedures on an individual level.

- PFM recommends that consistent application of the Department's payroll policies and procedures could be strengthened by either training the individuals responsible for data input or centralizing the payroll function. The latter is the preferred option. By centralizing the payroll function there would be a consistent application of the Department's policies. The payroll area should then be instructed not to enter any time unless the form is completed in its entirety.

- An internal self-audit process could also be implemented if the payroll process was centralized. A recommended procedure would be to design the transmittal document that accompanies the time reports and overtime worked reports to document the division/units work schedule. The schedule could be compared to the time reported for accuracy. The discipline of completing this transmittal form by a supervisor would also raise awareness of the unit's time and potentially encourage a more disciplined approach to scheduling employees.

APPENDIX

OVERTIME EXPENDITURES BY UNIT: FY2003-04							
Unit	Acting	Backfill	Callback	Canine	Community	Court	Games
	Higher				Meetings		
	Rank						
Admin & Technical Svcs	11,894	3,505	4,445	0	0	0	0
Airport	1,413	255,470	1,493	8,094	0	901	272
Budget & Accounting	0	0	0	0	0	0	0
Bureau of Field Operations	12,050	13,352	462	0	3,427	2,541	1,288
CID	4,721	196,073	232,808	3,566	14,262	18,963	7,281
Communications	5,392	622,449	2,299	0	125	2,410	507
Crime Analysis	0	0	0	0	0	143	706
Jail	5,126	926,679	1,556	0	456	2,602	1,195
Patrol - Field Operations	45,623	1,153,678	129,365	20,797	27,274	534,481	23,770
Personnel and Training Section	742	0	733	0	0	0	2,064
Records	0	327,712	101	0	831	0	0
Special Operations	2,384	22,207	15,251	3,819	1,739	15,878	3,436
Traffic Operations	31,226	38,259	28,455	0	1,383	44,369	1,225,369
Grand Total	\$120,571	\$3,559,384	\$416,969	\$36,275	\$49,497	\$622,287	\$1,265,887

OVERTIME EXPENDITURES BY UNIT: FY2003-04								
Unit	Holiday	Parade	Recruiting	Shift	Special	Training	Unspecified	Total
			and	Extension	Enforcement			
			Background		Actions			
Admin & Technical Svcs	19,176	0	0	17,709	2,748	580	14,853	74,909
Airport	49,865	1,160	0	10,253	5,910	8,879	3,344	347,054
Budget & Accounting	1,692	0	0	15,095	0	0	4,112	20,899
Bureau of Field Operations	26,893	0	0	39,304	18,420	3,035	9,870	130,643
CID	97,792	3,568	0	515,763	95,197	2,677	69,791	1,262,463
Communications	309,372	779	0	18,751	7,421	830	11,687	982,023
Crime Analysis	4,382	553	0	0	2,729	0	1,020	9,532
Jail	307,972	0	0	19,181	1,736	197	14,020	1,280,720
Patrol - Field Operations	1,020,664	9,306	342	1,025,594	1,091,655	15,233	117,912	5,215,693
Personnel and Training Section	9,137	0	0	2,979	1,083	326	3,530	20,593
Records	80,640	577	0	7,690	3,488	0	1,568	422,607
Special Operations	94,953	3,406	0	82,253	36,822	80,704	23,120	385,970
Traffic Operations	89,809	210,786	434	41,786	360,521	140,542	63,999	2,276,939
Grand Total	\$2,112,347	\$230,136	\$777	\$1,796,359	\$1,627,729	\$253,002	\$338,826	\$12,430,046

OVERTIME EXPENDITURES BY UNIT, SWORN & NON-SWORN: FY2003-04								
Sworn		Acting Higher Rank	Backfill	Callback	Canine	Community Meetings	Court	Games
Non-Sworn	Unit							
Non-Sworn	Admin & Technical Svcs		3,505	407				
	Airport							
	Budget & Accounting							
	Bureau of Field Operations		10,543			389		
	CID		26,721	177		1,942		545
	Communications		484,432	2,299			2,034	
	Jail		765,246				1,318	
	Patrol - Field Operations		35,508	464		5,209	10,065	533
	Personnel and Training Section							
	Records		325,759	101		831		
	Special Operations		69			1,010	2,951	
	Traffic Operations		955			124	948	9,602
Non-Sworn Total			\$1,652,738	\$3,448		\$9,505	\$17,316	\$10,680
Sworn	Admin & Technical Svcs	11,894		4,038				
	Airport	1,413	255,470	1,493	8,094		901	272
	Budget & Accounting							
	Bureau of Field Operations	12,050	2,809	462		3,037	2,541	1,288
	CID	4,721	169,352	232,631	3,566	12,320	18,963	6,736
	Communications	5,392	138,017			125	376	507
	Crime Analysis						143	706
	Jail	5,126	161,433	1,556		456	1,284	1,195
	Patrol - Field Operations	45,623	1,118,171	128,901	20,797	22,065	524,416	23,237
	Personnel and Training Section	742		733				2,064
	Records		1,954					
	Special Operations	2,384	22,137	15,251	3,819	729	12,926	3,436
	Traffic Operations	31,226	37,304	28,455		1,259	43,421	1,215,767
Sworn Total		\$120,571	\$1,906,647	\$413,521	\$36,275	\$39,992	\$604,972	\$1,255,207
Grand Total		\$120,571	\$3,559,384	\$416,969	\$36,275	\$49,497	\$622,287	\$1,265,887

OVERTIME EXPENDITURES BY UNIT, SWORN & NON-SWORN: FY2003-04									
Sworn				Recruiting and Background	Shift Extension	Special Enforcement Actions	Training	Unspecified	Total
Non-Sworn	Unit	Holiday	Parade						
Non-Sworn	Admin & Technical Svcs	371			2,704			1,976	8,963
	Airport							54	54
	Budget & Accounting	818			14,778			3,732	19,328
	Bureau of Field Operations	7,902			22,052	1,308		788	42,983
	CID	15,508			9,722	709		3,726	59,049
	Communications	296,448	779		16,534	6,165		4,407	813,098
	Jail	294,470			3,773			1,121	1,065,928
	Patrol - Field Operations	36,724	980		31,931	9,034		2,138	132,585
	Personnel and Training Section				1,566			1,418	2,984
	Records	80,640	577		7,290	3,488		1,433	420,119
	Special Operations	57,342	840		14,921	5,192		507	82,832
	Traffic Operations	5,818	21,172		667	29,190		5,277	73,752
Non-Sworn Total		\$796,041	\$24,348		\$125,938	\$55,086		\$26,578	\$2,721,676
Sworn	Admin & Technical Svcs	18,805			15,006	2,748	580	12,877	65,946
	Airport	49,865	1,160		10,253	5,910	8,879	3,289	346,999
	Budget & Accounting	874			317			380	1,571
	Bureau of Field Operations	18,991			17,252	17,112	3,035	9,082	87,660
	CID	82,284	3,568		506,041	94,489	2,677	66,065	1,203,414
	Communications	12,924			2,217	1,255	830	7,280	168,925
	Crime Analysis	4,382	553			2,729		1,020	9,532
	Jail	13,501			15,408	1,736	197	12,899	214,793
	Patrol - Field Operations	983,940	8,326	342	993,663	1,082,621	15,233	115,775	5,083,108
	Personnel and Training Section	9,137			1,413	1,083	326	2,111	17,608
	Records				399			136	2,489
	Special Operations	37,611	2,566		67,332	31,630	80,704	22,612	303,137
	Traffic Operations	83,992	189,615	434	41,119	331,331	140,542	58,722	2,203,187
Sworn Total		\$1,316,306	\$205,788	\$777	\$1,670,421	\$1,572,643	\$253,002	\$312,248	\$9,708,370
Grand Total		\$2,112,347	\$230,136	\$777	\$1,796,359	\$1,627,729	\$253,002	\$338,826	\$12,430,046

METHODOLOGY FOR DETERMINING PAST OVERTIME EXPENDITURES

This portion of the Appendix describes the methodology used to calculate all the overtime expenditure figures which are used in this report. All the overtime counted was charged to the General Fund 1010 and was reconciled to the General Ledger. PFM used pay elements from payroll to determine the type of overtime (e.g. backfill, extension of shift, etc.) and, through consultation with the Budget office, who prepared previous analyses, we determined whether an overtime charge belonged to a sworn or civilian employee by the specific pay element, as there are different sets of pay elements for sworn and civilian employees. It was beyond the scope of this analysis to investigate past data entry errors which may impact the data, so we used the data currently available in the City's Oracle system. The City's Controller supervised the collection and distribution of all the data which PFM used in this analysis.

1. Use General Ledger account reports from the Controller's office to determine actual overtime expenditures each year.

- The Controller's office provided General Ledger reports for Department DP1000, Police Services Agency for the following time periods: FY1999-2000, FY2000-2001, FY2001-2002, FY2002-2003, FY2003-2004, FY2004-2005 through January 28, 2005.
- PFM sorted data for charges belonging to Object 51200, Overtime. This process enabled us to remove non-overtime pay elements, like regular salary and premium pay elements.
- PFM performed a secondary sort by Fund to separate the charges belonging to Fund 1010, General Fund, from other Funds which accrued overtime (e.g. various Grant Funds). Fund 1250, Paid Leave, expenditures are excluded, as this Fund represents monies that have already been transferred from the General Fund.
- PFM totaled the YTD Expenditures to determine annual totals for overtime, sorted by Fund.
- This data is available only in dollars.

2. Create a pay elements key

- The Controller's Office provided files to PFM containing annual earnings totals for each pay element paid to each police employee, sworn and civilian, for the Fiscal year. The office also provided a master key of all the pay elements in use in the City.
- Using the pay element data provided by the Controller's office, PFM determined which pay elements were used by the Police Services Agency.
- Using the pay elements key, PFM determined which pay elements have an account number belonging to the group 512xx—these account codes which are used to track overtime.

- Using the master key of all pay elements, PFM determined which pay elements were used for sworn employees and which are for civilians. Using this information, we assigned each pay element to either sworn or civilian employees. The reason we used this methodology to sort employees into categories is that we have been instructed by Budget Office personnel that the pay elements are more accurate in determining sworn or civilian status than the Rep Unit information included with the pay elements.
- PFM worked with finance staff at the Police Service Agency to determine which pay elements belonged to each overtime category.
- The pay elements key for police overtime is shown in the appendix of this document.
- This data is available in dollars and hours.

3. Use Pay Element Records to categorize overtime expenditures by type, (e.g., backfill, extension of shift, etc.).

- Using the pay elements summaries for each fiscal year provided by the Controller's office (described above), we used the master key to assign each pay element its correct account number.
- Once each pay element had been assigned its account number, PFM sorted the data to isolate accounts with numbers 512xx, the overtime codes. This process enabled us to remove non-overtime pay elements, like regular salary and premium pay elements.
- PFM performed a secondary sort by Fund to separate the charges belonging to Fund 1010, General Fund, from other Funds which accrued overtime (e.g. various Grant Funds).
- Using the pay elements key (described above), we assigned the correct categories for overtime use and employee type to each pay element line item. The pay element line items are a summary of the hours/dollars for each pay element for each employee for each fiscal year.
- Once each pay element line item had been properly categorized, we used the pivot table function in Excel to summarize the hours/dollars expended for each category for sworn and civilian employees.

4. Reconcile differences between the Pay Element and General Ledger data.

- Staff in the Controller's office explained to PFM that there are some discrepancies between the Pay Element and General Ledger data. The reason for this is that Finance Staff adjusts only the General Ledger data, moving dollars between Funds and Accounts when necessary, while the Pay Element data is not adjusted in this same way.
- Many of the discrepancies can be explained by looking at the Journal Voucher entries which are recorded when funds are moved between accounts in the General Ledger. For example, there are many Journal Voucher entries which appear to move funds between the General Fund and specific Grant funds.
- PFM worked with staff in the Grants department to categorize the type of overtime expended by each Grant. PFM then examined the Journal Voucher data. Where funds were moved from the General Fund to a Grant Fund, PFM debited the amount from the appropriate General Fund overtime category and credited to the appropriate Grant overtime category. Where it was not possible to determine what type of overtime had been credited or debited from the General Fund, PFM credited or debited the unspecified overtime category.
- After the journal voucher entries had been accounted for, there were still small, non-material discrepancies between the Pay Element data and the General Ledger data. These discrepancies were netted against the unspecified overtime category.

5. Use FY2004-05 YTD figures to project the expenditures for the entire year.

- PFM used a straightline technique to project the total overtime expenditures for all pay elements except holiday, games and parades.
- Because holiday, games and parade overtime charges have some seasonality, PFM used a different technique to determine these numbers. For holiday overtime expenditures, PFM determined how many holidays there were in FY2004-05 for both sworn and non-sworn employees. Then, PFM used the number of holidays which had already passed for sworn and non-sworn employee to determine the per holiday overtime expenditures. PFM multiplied the the per holiday overtime expenditures for sworn and non-sworn by the total number of holidays for sworn and non-sworn to determine the total holiday overtime projections for FY2004-05.
- Games and Parades also have some seasonality, but their total expenditures are not as predictable as holidays. Although the games schedule for the Raiders', Warriors' and Athletics' games are known, the Coliseum also requests officers for concerts and special events that it hosts. Shows are always being added and the police make a determination based on the type of show on how many officers will be needed. In addition, although the police know in advance which Athletics' and Warriors' games will require a higher police presence, this could change depending on actual events.

For all described above, PFM could not use the exact same methodology as it used for holiday. Instead, PFM worked with the special events coordinator at the Police Department to determine the historical seasonality of the overtime expenditures for games and parades. In the calendar year 2004, the police expended 12% of the overtime from January 1 to March 31, 21% from April 1 to June 30, 33% from July 1 to September 30, and 34% from October 1 to December 31. The special events coordinator at the police department reported that he expected the same number of events and usage for the period from January 1 to June 30 in 2005 as 2004. Therefore, as the data we had went through January 28, we estimated that 71% of the special events overtime expenditures had already been accrued. We came to use the number 71% by taking 67% for the period from July 1 to December 31, plus 1/3 of the expected expenditures for January 1 to March 31—4%—equaling 71%. Using that information, we divided the overtime expenditures through January 28 by 71% to calculate the projections for the entire year.

6. Mandatory vs. Discretionary Overtime

- PFM categorized overtime as mandatory or discretionary according to the table below.

Mandatory	Discretionary
Canine Handling	Acting Higher Rank
Community Meetings	Backfill
Court	Callback
Holiday	Recruiting and Background
Line Up Pay	Shift Extension
Training	Special Enforcement Actions
	Unspecified

Police Overtime Pay Element Key

Pay Element	Overtime or Comp Time	Civilian or Sworn	Category
CTPB_OPD Backfill CTE	Comp Time	Backfill	Civilian
OTPB_OPD Backfill NS OT	Overtime	Backfill	Civilian
CTPC_OPD Callbacks CTE	Comp Time	Callback	Civilian
OTPC_OPD Callbacks NS OT	Overtime	Callback	Civilian
OTPM_OPD CmntyMtgs NS OT	Overtime	Community Meetings	Civilian
CCB CT Court Non Sworn	Comp Time	Court	Civilian
CCB CT Court NonSworn	Comp Time	Court	Civilian
OTC NonSworn OT Court	Overtime	Court	Civilian
CTPG_OPD Games_Events CTE	Comp Time	Games	Civilian
OTPG_OPD Game_Event NS OT	Overtime	Games	Civilian
CompTime Holiday Earned	Comp Time	Holiday	Civilian
HDO Holiday OT	Overtime	Holiday	Civilian
HDO Holiday OT Special Inputs	Overtime	Holiday	Civilian
CTPP_OPD Parade_Event CTE	Comp Time	Parade	Civilian
OTPE_OPD ParadEvent NS OT	Overtime	Parade	Civilian
CTPX_OPD Extension CTE	Comp Time	Shift Extension	Civilian
OTPX_OPD Extension NS OT	Overtime	Shift Extension	Civilian
CTPS_OPD Spcl Enfcmnts CTE	Comp Time	Special Enforcement Actions	Civilian
OTPS_OPD SpecialEnf NS OT	Overtime	Special Enforcement Actions	Civilian
CTE Comp Time Earned	Comp Time	Unspecified	Civilian
CTE CompTime Earned	Comp Time	Unspecified	Civilian
CTPU_OPD Unspecified CTE	Comp Time	Unspecified	Civilian
OTP NonSworn OT	Overtime	Unspecified	Civilian
OTPU_OPD Unspec NS OT	Overtime	Unspecified	Civilian
AHO Acting High Rank OT	Overtime	Acting Higher Rank Overtime	Sworn
Def OT Backfill OPOA	Overtime	Backfill	Sworn
OTSB_OPD SwornBackfill OT	Overtime	Backfill	Sworn
SORB_OPD BackfillCTS	Comp Time	Backfill	Sworn
Def OT Callbacks OPOA	Overtime	Callback	Sworn
OTSC_OPD SwornCallback OT	Overtime	Callback	Sworn

Pay Element	Overtime Comp Time	or Civilian or Sworn	Category
SORC_OPD CallbacksCTS	Comp Time	Callback	Sworn
CHO Canine Handlers OT	Overtime	Canine	Sworn
Def OT Cmty Mtgs OPOA	Overtime	Community Meetings	Sworn
OTSM_OPD SwornCmtyMtg OT	Overtime	Community Meetings	Sworn
SORM_OPD Cmunity MtgsCTS	Comp Time	Community Meetings	Sworn
CTC CompTime Court Earned	Comp Time	Court	Sworn
OCD Court Deferred OT	Overtime	Court	Sworn
OTC Sworn OT Court	Overtime	Court	Sworn
Def OT Games_Events OPOA	Overtime	Games	Sworn
OTSG_OPD SwornGms_Evnt OT	Overtime	Games	Sworn
SORG_OPD Games_EventsCTS	Comp Time	Games	Sworn
HDS Holiday Sworn Special Inputs	Overtime	Holiday	Sworn
SOH Hol CompTime Sworn	Comp Time	Holiday	Sworn
LUP Lineup Pay	Overtime	Line Up Pay	Sworn
Def OT Parade_Event OPOA	Overtime	Parade	Sworn
OTSP_OPD SwornPar_Evnt OT	Overtime	Parade	Sworn
SORP_OPD Parade_EventCTS	Comp Time	Parade	Sworn
Def OT Rectg_Bkgd OPOA	Overtime	Recruiting and Background	Sworn
OTSR_OPD SwornRec_Bkg OT	Overtime	Recruiting and Background	Sworn
SORR_OPD Recruit_BkgdCTS	Comp Time	Recruiting and Background	Sworn
Def OT Extension OPOA	Overtime	Shift Extension	Sworn
OTSX_OPD SwornXtension OT	Overtime	Shift Extension	Sworn
SORX_OPD ExtensionCTS	Comp Time	Shift Extension	Sworn
Def OT SpecI Enfcmnt OPOA	Overtime	Special Enforcement Actions	Sworn
OTSS_OPD SwornSpecIEnf OT	Overtime	Special Enforcement Actions	Sworn
SORS_OPD Spcl EnfcmntsCTS	Comp Time	Special Enforcement Actions	Sworn
Def OT Training OPOA	Overtime	Training	Sworn
OTST_OPD SwornTraining OT	Overtime	Training	Sworn
SORT_OPD TrainingCTS	Comp Time	Training	Sworn
CTR CT EarnedStraight	Comp Time	Unspecified	Sworn
Def OT Unspecified OPOA	Overtime	Unspecified	Sworn
Deferred Overtime OPOA	Overtime	Unspecified	Sworn

Pay Element	Overtime Comp Time	or Civilian or Sworn	Category
FLSA Adjustment	Overtime	Unspecified	Sworn
FLSA OT Premium	Overtime	Unspecified	Sworn
OTS Sworn OT	Overtime	Unspecified	Sworn
OTSU_OPD Sworn Unspec OT	Overtime	Unspecified	Sworn
SOR CompTime Sworn	Comp Time	Unspecified	Sworn
SOR CompTimeSworn	Comp Time	Unspecified	Sworn
SORU_OPD UnspecifiedCTS	Comp Time	Unspecified	Sworn