

Law Enforcement Hours of Work Policy

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DEFINITION OF LAW ENFORCEMENT

Law enforcement personnel are employees who are empowered by State ordinance to enforce laws designed to maintain peace and order, protect life and property, and to prevent and detect crimes; who have the power to arrest; and who have undergone training in law enforcement.

STRAIGHT-TIME/OVERTIME/LEAVE: (NON-EXEMPT LAW ENFORCEMENT)

1. All hours worked up to eighty-six (86) hours during a 14 day work period shall be compensated at the straight time rate. Hours worked from eighty-one (81) through eighty-six (86) during the 14 day work period may be compensated with compensatory time at the straight time rate. Hours worked in excess of eighty-six (86) hours shall be compensated (overtime or compensatory time) on a time and a half basis. All hours worked up to one-hundred twenty-eight (128) hours during a 21 day work period shall be compensated at straight time. Hours worked from one hundred twenty-one (121) through one hundred twenty-eight (128) during the 21 day work period may be compensated with compensatory time at the straight time rate. Hours worked in excess of one hundred twenty-eight (128) hours shall be compensated (overtime or compensatory time) on a time and a half basis.
2. Time not worked but compensated, such as sick-leave, holiday, vacation, etc., shall be calculated at straight time. If time worked during a 14 day period is less than eighty (80) hours, the difference between the hours worked and eighty (80) hours must be accounted for with leave time. If time worked during a 21 day period is less than one hundred twenty (120) hours, the difference between the hours worked and one hundred twenty (120) hours must be accounted for with leave time.

NON-EXEMPT LAW ENFORCEMENT DUTIES

Law enforcement officers who are engaged in non-law enforcement activities for more than 20% of their work period are not considered eligible to be compensated under the definition of law enforcement.. In the work period, if an employee's nonexempt duties cause a loss of the exemption, they must be paid under the regular FLSA overtime rules, being paid overtime on the hours that exceed 40 hours.

NON-EXEMPT LAW ENFORCEMENT DUTIES – SPECIAL DETAILS

The Fair Labor Standards Act makes special provisions for law enforcement employees of public agencies who, at their own option, perform special duty work in law enforcement or related activities for a separate and independent employer (public or private) during their off-duty hours. The hours of work for the separate and independent employer are not combined with the hours worked for the primary public agency employer for purposes of overtime compensation