

General Order

Houston Police Department



ISSUE DATE:

June 5, 2018

NO.

300-34

REFERENCE: Supersedes all prior conflicting Circulars and Directives, and General Order 300-34, dated June 6, 2005

SUBJECT: STRATEGIC OFFICER STAFFING PROGRAM

POLICY

This General Order outlines the Strategic Officer Staffing Program (SOSP), which maintains minimum staffing levels needed to deliver necessary police services while establishing staffing programs and procedures allowing:

- a. Classified employees to take time off from work when the *Red Book* is full.
- b. The department to staff *special programs* with less budgetary and personnel impact.

This policy applies to police officers, senior police officers, sergeants, and all classified employees holding the pay grade of VI or below. Officers participating in the Phase Down Program are not allowed to work any HPD SOSP without the prior written approval of the Chief of Police.

This General Order applies to all classified employees.

DEFINITIONS

Red Book. City issued calendar used to record personal leave for employees and to document minimum staffing levels for each particular day and shift.

Replacement Program. Allows an officer to take time off from work and be replaced by another qualified officer.

SOSP Compensation (For Pay). Pay calculated at straight time (base and longevity pay) plus HPD training pay only. Compensation for pay is at the discretion of the department and must receive the prior approval of the division commander from whose account the funds will be paid.

SOSP Compensation (For Time). For pay grade VI or below, time credited to an officer's compensatory time bank at the rate of time and a half.

Special Program. Any temporary assignment or event designated at the discretion of the department and with the approval of the Chief of Police for staffing in whole or in part.

1 PROCEDURES

Replacement Program

Officers having their request for time off denied because the *Red Book* is full may find qualified officers to work as replacements.

The request for time off and the designation of a replacement officer must be:

- a. Made no less than 72 hours prior to the shift during which the time off is to be taken. If the request is made less than 72 hours prior to the shift then the affected shift commander may waive the minimum time requirement.
- b. Indicated on the *Strategic Officer Staffing Program Request* form, which is available on the department's Intranet Portal.

Officers requesting time off under the SOSP are responsible for finding a qualified replacement and ensuring the roll call sergeant documents the replacement's name in the *Red Book* before taking time off. The division commander may elect to develop another method of finding a qualified replacement officer (e.g., a volunteer roster). However, the requesting officer is still responsible for ensuring the replacement's name is listed in the *Red Book* by the roll call sergeant prior to taking time off.

Once the request for time off has been granted, the supervisor responsible for maintaining the *Red Book* shall document the following in the book:

- c. Name of the requesting officer
- d. Number of hours being taken off
- e. Type of time off being taken
- f. Name of the replacement officer
- g. Type of compensation (pay or time)

Special Programs

The department may designate certain temporary assignments or events as eligible to be staffed, in whole or in part, under the SOSP. Staffing of the assignment or event will be at the discretion of the division commander in charge. A special program may also consist of manpower shortages, emergency call-ups, special assignments, or providing additional staffing to patrol shifts.

Strategic Officer Staffing Program Compensation Request Form

At the end of the shift, officers working an SOSP shall complete and submit a *Strategic Officer Staffing Program Compensation Request* form, which is available on the department's Intranet Portal.

2 RESTRICTIONS

Officers holding the rank of sergeant or classified pay grade VI or below whose compensatory time banks are at or above 460 hours shall not be allowed to work any SOSP for compensatory time.

Officers may utilize replacements in order to take time off on a maximum of two separate occasions per *calendar* month. Any request beyond two separate occasions per *calendar* month may be approved by the roll call sergeant. Such instances shall be reviewed by the shift and division commander in order to prevent abuse of SOSP.

Officers shall not:

- a. Volunteer as SOSP replacements for time during which they are otherwise scheduled to work.
- b. Obtain a replacement officer under the SOSP and then serve as a replacement for the same officer during the same or immediately following pay period unless authorized by a shift commander.
- c. Use (burn) all or part of their regular shift in order to work SOSP or some other overtime program in the same shift.
- d. Use (burn) unscheduled leave for all or part of their regular shift in the 24-hour period before or after working SOSP or any overtime program unless one of the "Earn and Burn" policy exceptions outlined in General Order 300-07, **Overtime Compensation – Classified** applies.

Replacement officers holding the rank of sergeant or classified pay grade VI or below are not qualified for straight time pay unless the replacement works 86 hours or less in the designated 14-day pay period. Any leave taken during the 14-day pay period will not count as *time actually worked* for purposes of calculating Fair Labor Standards Act overtime in the SOSP.

See General Order 300-07, **Overtime Compensation – Classified**, for additional information and restrictions regarding SOSP, the 86-hour limit, and the "Earn and Burn" policy.

3 QUALIFICATIONS

Officers and sergeants assigned through the SOSP to regular patrol in the call for service loop may be utilized departmentwide. Officers assigned to these positions must have served in the call for service loop within the previous 36 months or successfully completed the department's "Plainclothes to Patrol Retraining" program within the last 12 months.

Officers and sergeants who are not assigned to patrol but who wish to work SOSP shall first have completed the required Body Worn Camera (BWC) training and shall utilize a BWC while working any SOSP in the call for service loop. An assistant chief in Field Operations may grant exceptions in exigent circumstances, such as when the department is fully mobilized and officers will be assigned to a patrol function without a BWC. For further policies regarding BWCs, see General Order 400-28, **Body Worn Cameras**.

Replacements for specialized units (e.g., Radar, Truck Enforcement, K-9, SWAT, Bomb Squad) or investigative divisions must possess the requisite knowledge, current training, and expertise necessary to fill the position.

All SOSP replacements and special program assignments are subject to approval by the receiving division commander. Non-selection to an SOSP is not a grievable matter.

4 VIOLATIONS

A first violation for failure to ensure a replacement is listed in the *Red Book* may be handled as a Supervisory Intervention and may result in a 30-day disqualification from participating in any aspect of SOSP. Subsequent violations within a 12-month period shall result in a mandatory 6-month disqualification from SOSP participation and shall be investigated in accordance with the department's disciplinary system.

First time failure of a replacement officer to report to duty at the SOSP's scheduled time or location, or to cover the designated shift shall result in a 90-day disqualification from participating in any aspect of the SOSP and may be investigated in accordance with the department's disciplinary system. The only exceptions will be if the replacement officer is on Americans with Disabilities Act (ADA) or Family and Medical Leave Act (FMLA) leave. Any subsequent violation shall result in a mandatory 6-month disqualification from SOSP participation and shall be investigated in accordance with the department's disciplinary system.

5 RELATED GENERAL ORDERS AND REFERENCE MATERIAL

100-03, **Definitions of Terms**

200-26, **Workday and Workweek**

300-04, **Compensation**

300-07, **Overtime Compensation – Classified**

300-36, **Exempt Time Compensation and Exempt Time Credit**

400-28, **Body Worn Cameras**

U.S. Department of Labor, Fair Labor Standards Act (FLSA)

Meet and Confer, 2015, Article 37



Art Acevedo
Chief of Police