General Order

Houston Police Department

ISSUE DATE:	NO.
October 17, 2023	300-35

REFERENCE: Supersedes all prior conflicting Circulars and Directives, and General Order 300-35, dated July 27, 2017

SUBJECT: PHASE DOWN PROGRAM

POLICY

The Phase Down Program (PDP) is a precursor to retirement in which officers who are eligible for retirement may elect to take leave and extend the payment of their accrued eligible leave banks prior to actual separation from the department. Officers entering the PDP shall elect option A, B, C, or Deferred Cash-Out (DCO) as described in the current Meet and Confer Agreement (MCA). If a conflict arises between this General Order and the MCA, the MCA shall supersede this General Order.

This General Order applies to classified employees only.

DEFINITIONS

Date Certain. The date established on which an officer's employment with the department is scheduled to end, which shall not be extended by the employee for any reason.

Hourly Rate. For this General Order, the rate calculated at base and longevity pay only, to be paid at a straight time hourly rate in half-hour increments.

Phase Down Bank (PDB). The officer's total accumulated hours eligible for use in the PDP as specified in the current MCA.

Phase Down Employee Compensation Request Form (CRF). A form available from the Employee Services Division that is used to verify, track, and compensate a PDP officer for time spent performing official duties related to the officer's employment as a Houston police officer.

1 GENERAL GUIDELINES

An officer may sign up for the PDP anytime within 60 calendar days of the date the officer plans to begin the PDP, if an allocated PDP position is available pursuant to the MCA.

All officers participating in the PDP shall notify the Administration and Regulatory Affairs (ARA) Department, Payroll Services Division, of changes in direct deposit information, and shall update their mailing addresses and telephone numbers through HROne Connect or by contacting Payroll Services.

During the period an officer is participating in PDP option A or B, the officer shall be considered actively employed by the Houston Police Department as a police officer. An officer in option A or B shall adhere to the same standards, rules, and regulations as any other active officer, including adherence to all applicable General Orders and Circulars, and applicable drug testing.

The Employee Services Division (ESD) shall issue each PDP officer a date certain at the time of the officer's entry into the PDP. Officers participating in option A or B shall contact ESD at least 30 days prior to their date certain in order to complete the process.

Officers participating in option C or DCO are considered retired, even while receiving PDP compensation or benefits.

2 CHANGING PHASE DOWN PROGRAM OPTION

At any time during participation, an officer in option A or B may elect to retire and convert the participation to option C or DCO. This election to convert to option C or DCO shall be irrevocable and effective on the date designated on the conversion form.

If an officer in PDP is injured in the course and scope of employment as a police officer and the injury incapacitates the officer for 60 calendar days or more, the officer may void the election to participate in the PDP and instead receive a lump sum payment of the PDB.

The Chief of Police may revoke an officer's participation in option A or B for serious misconduct, pursuant to the MCA.

If an officer participating in the PDP dies, the department shall pay the lump sum balance of the PDB to the designated beneficiary at the value the officer accrued the leave hours.

As required by law and contract, an officer in option A or B who assumes an office of civil emolument shall be listed as retired and converted to participation in option C or DCO, effective on the date the officer takes the oath of office or assumes the job duties, whichever comes first.

3 PDP COMPENSATION AND BENEFITS

While participating in the PDP, officers are only eligible for compensation as permitted by the MCA. Officers entering the PDP (options A, B, C, and DCO) shall be compensated for their first workday of participation in the PDP, as a processing day.

Officers participating in the PDP (option A or B) are eligible for limited compensation at their hourly rate for the following actions performed in the scope or duty of employment by the department, upon submission of a CRF:

a. Court attendance pay, with no minimum court compensation.

b. Required meetings related to internal investigations or corrective actions. Such compensation requires prior approval from the division commander of ESD or a supervisor in the Internal Affairs Division.

c. Actual hours worked in the Strategic Officer Staffing Program or overtime.

An officer completing a CRF shall submit the original to the ARA's Payroll Services Division and submit a copy to ESD's Phase Down Unit.

When an officer participating in the PDP receives a subpoena, ESD shall contact the subpoenaed officer at the officer's last known address and shall document whether the officer was notified. ESD shall also update the Court System Management and Resource Technology (CSMART) as to the officer's status.

Workers' Compensation issues for a PDP officer injured or killed in the course and scope of employment as a Houston police officer shall be addressed on a case-by-case basis according to the applicable laws and agreements in effect.

4 TRAINING AND EQUIPMENT

Officers in option A or B shall keep current with department policies.

Training

An officer in option A or B shall obtain sufficient in-service training to comply with training standards as required by TCOLE. The officer shall complete such training on the officers' own time and expense. The department shall allow officers to receive the required TCOLE training at the Houston Police Academy. The Training Division shall post the department's training calendar via the Intranet Portal and ESD shall provide the calendar as needed. An officer may also elect to obtain the required TCOLE training at the officer's expense from another accredited source.

If the department requires a PDP officer to attend in-service courses other than those required by TCOLE, the time spent by the officer at the mandatory training shall not be deducted from the officer's PDB. The officer shall receive additional compensation at the officer's hourly rate for the hours spent in such training. The officer shall complete a CRF and submit the original to ARA's Payroll Services Division and a copy to ESD's Phase Down Unit. Officers shall be notified by the department of this training requirement by certified mail, return receipt requested, sent to the officer's last known address, as provided by the officer.

The officer shall forward proof of attendance and satisfactory completion of in-service training at a provider other than the Houston Police Academy to the Talent Management System (TMS) Unit of the Training Division, as required by the TMS Unit and General Order 300-06, **Training – Classified**. Failure to fulfill these requirements may affect the officer's peace officer license status and result in disciplinary action up to and including removal from the PDP.

An officer in option A or B shall adhere to the requirements of General Order 400-05, **Firearms Qualification and Control**. An officer in option A or B shall complete any required qualification(s) during the officer's own time. A PDP officer wanting to complete a qualification at a location other than a Houston Police Department Academy Firearms Range shall obtain prior written approval from the assistant chief over the Training Division, approved on a case-by-case basis.

Officers in option C or DCO are not required to obtain training.

Equipment

Officers in option A or B shall retain all HPD issued equipment and required personal equipment to maintain the uniform standards of the department. The department shall issue replacement

equipment and uniforms in a manner and quantity like that of an officer assigned to a non-uniformed division. The Chief of Police has discretion for the replacement of such items.

An officer in option C or DCO shall return all City-issued property on or before the officer's processing day.

5 EXTRA EMPLOYMENT AND STRATEGIC OFFICER STAFFING PROGRAM

An officer in option A or B may work any extra employment in accordance with General Order 300-14, **Extra Employment**. When entering option A or B, the officer shall notify the Risk Management Division's Extra Employment Unit, which shall cancel the officer's existing extra employment permits. The officer shall then submit new extra employment applications. The Chief of Police may revoke an extra employment permit without any right of appeal.

An officer in option A or B shall not work overtime or the Strategic Officer Staffing Program (SOSP) without the prior written approval of the Chief of Police. An officer in option A or B who is approved to work SOSP shall be paid at the hourly rate. The officer shall adhere to the requirements of General Order 300-34, **Strategic Officer Staffing Program**.

An officer in option A or B is limited to a combined hours (i.e., 40 hours for option A and 60 hours for option B) of extra employment and SOSP hours per week.

6 REFERENCE MATERIAL

Meet & Confer Agreement (Classified)

Troy Finner
Chief of Police