

GENERAL ORDER

PERSONNEL COMPENSATION

This order establishes compensation policies regarding overtime, compensatory time off, vacations, legal and floating holidays, and military, personal, sick and disability leaves.

I. POLICY

A. WATCH OFF (H)

1. **ENTITLEMENT.** Members of the Department are entitled to (2) two watches off each week, excluding sick, disability, vacations or other leaves of absence, with or without pay.
 - a. Members who work eight-hour days will have a maximum of five (5) watches off in a pay period.
 - b. Members who work 10 hour days will have a maximum of seven (7) watches off during a pay period.
2. **SUSPENDED WATCHES OFF.** The Chief may suspend watches off for any period of time when the needs of the Department require it. Members will receive overtime for suspended watches off and may choose either pay or equivalent compensatory time off as compensation.

B. OVERTIME (OT)

1. **DEFINITION.** Overtime is defined as any work performed by a member in excess of the normally scheduled watch or work week.
2. **COMPENSATION.** Officers will be compensated for overtime at the rate of time and one-half for either time off or pay pursuant to Section 8.451 of the Charter of the City and County of San Francisco. Compensation for non-sworn members will be in accordance with the annual salary standardization ordinance. Members shall not be eligible for compensation during hours on SP, VA, OU, FLH and DP.

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3. EARNING OVERTIME. Overtime shall be earned for:

- a. Work performed on legal holidays.**
- b. Work performed in excess of a normally scheduled watch or work week.**
- c. Required appearances in criminal or traffic court, parole hearings, Department of Motor Vehicles hearings and School Board Decertification Hearings in connection with duties as members.**
- d. Required appearances at the Police Range for requalification during off-duty hours.**
- e. Court standbys.**
- f. Investigative on-call status.**

4. MONITORING OVERTIME

- a. -Commanding officers and officers-in-charge shall investigate the necessity of overtime by their members and take measures to ensure that the amount of overtime is kept to a minimum.**
- b. Compensation Requests (SFPD 289) must reflect the actual date and number of overtime hours rounded to the nearest half hour as follows:**
 - Under 15 minutes = no compensation**
 - 15-44 minutes = one half hour**
 - 45 -1:14 minutes = one hour**
- c. Compensation Requests shall be submitted to the member's commanding officer without delay upon completion of the overtime worked.**

5. COURT OVERTIME

a. WATCH OFF STATUS. Members appearing in court on watch-off days will receive three (3) hours of overtime for their first court appearance commencing with the time indicated on the subpoena. This also includes court preparation and conferences when accompanied by a same day court appearance. No overtime will be allowed for a members meal period.

(1) Members appearing in court for more than three (3) hours will receive overtime on an hour-for-hour basis when appearing on scheduled watch off days consistent with Section I., B., 4., b.

b. SCHEDULED TO WORK STATUS

(1) Members appearing in court less than one hour prior to the beginning of their scheduled watches will receive one (1) hour of overtime.

(2) Members appearing in court more than one (1) but less than two (2) hours prior to the beginning of their scheduled watches, will receive two hours overtime.

(3) Members appearing in court more than two (2) hours, but less than three (3) hours prior to the beginning of their scheduled watches, will receive three (3) hours of overtime.

(4) Members who appear in court during the morning session and are scheduled to start work at 1200 hrs. will be entitled to three (3) hours of overtime regardless of the time indicated on the subpoena. No overtime will be allowed for a members meal period.

(5) Members appearing in court for more than three (3) hours will receive overtime on an hour-for-hour basis when off duty during the entire period consistent with Section I., B., 4., b. No overtime will be allowed for a members meal period.

- c. **COURT STANDBY.** Members placed on court standby without appearing in court will receive (2) two hours of overtime only if they are off duty during the entire call-in period indicated on the subpoena. On duty time includes any overtime for purposes of this section.
 - (1) Members on sick leave with pay or disability leave who appear in court or are placed on standby are not entitled to additional compensation. Members are paid as though they were working during these leave periods.
- d. **MEMBERS ON SUSPENSION.** Members on suspension who are subpoenaed and appear in court, or are on "standby" are entitled to compensation at their "regular" rate of pay, not at an "overtime" rate.
- e. **D.A. CONFERENCES.** A member attending an attorney's conference but not appearing in court will receive overtime on an hour-for-hour basis consistent with Section I., B., 4., b. This is not classified as court overtime.
- f. **CIVIL COURT**
 - (1) Overtime requests for civil court appearances in which neither the City nor the Department is a party will be processed, reviewed, and certified by the Accounting Section of the Fiscal Division. These requests must be sent to the Accounting Section along with a copy of the subpoena and the Record of Civil Court Appearance (SFPD 203) approved by the requesting member's commanding officer. Members will be compensated on a half-hour-for-half-hour basis.
 - (2) The Legal Division will review and approve overtime requests for civil cases in which the City or Department is a party. If approved, compensation shall be awarded on an half-hour-for-half-hour basis pursuant to Section I., B., 4., b.
- 6. **ADMINISTRATIVE HEARINGS.** Any member who, as part of his/her assigned duties, is required to appear at any administrative proceeding while off duty, shall be compensated at time and one-half for the hours actually spent, or shall receive three (3) hours compensation, whichever is greater.

7. **POLICE RANGE.** Any officer required to appear at the Police Range for mandatory requalification while off duty will receive overtime on a half hour-for-half-hour basis.
8. **INVESTIGATIVE ON CALL.** Members placed on investigative on-call will receive (2) two hours of on-call pay per day.

C. COMPENSATORY TIME OFF (OU)

1. **USE.** With reasonable notice, the Department may require members to use accumulated compensatory time off in excess of three hundred (300) hours.
2. **APPROVAL.** The use of compensatory time off is subject to the approval of the member's commanding officer or officer-in-charge and must be consistent with the needs of the Department. A member requesting to use compensatory time off must submit SFPD 320 sufficiently in advance.

D. VACATIONS (VA)

1. **ELIGIBILITY.** No member is entitled to take a vacation day off with pay before completing one year of continuous service as an employee of the City and County of San Francisco.
2. **ACCRUAL OF VACATION**
 - a. At the end of one year of continuous service, members will be awarded vacation allowances calculated by multiplying the total number of paid hours in the preceding year (not to exceed 2080) by .0385 hours. Members with at least one year, but less than five years of continuous service, can accrue a maximum of 320 hours, after which no additional vacation hours will be accrued.
 - b. Members who have completed five years of continuous service will accrue vacation allowances at the rate of .0577 hours for each hour of paid service (not to exceed 2080) in the preceding year. At the end of five years of continuous service, members will receive a one-time vacation bonus computed at the rate of .0192 hours for each hour of paid service. Members with at least five years, but less than fifteen (15) years of continuous service, can accrue a maximum of 360 hours, after

which no additional vacation hours will be accrued.

- c. **Members who have completed 15 years of continuous service shall accrue vacation allowances at a rate of .077 hours for each hour of paid service (not to exceed 2080) in the preceding year. At the end of 15 years of continuous service, members will receive a one-time vacation bonus computed at the rate of .0192 hours for each hour of paid service. Members with at least 15 years of continuous service can accumulate a maximum of 400 hours.**
- d. **Members will receive their vacation allowances at the end of each pay period (biweekly) based on the number of paid hours worked during that period.**
- e. **Members who are absent from duty because of temporary disability arising out of and in the course of their employment, and who are governed by Section 8.515 of the Charter or the Workers' Compensation laws included in the Labor Code of the State of California, shall not lose any vacation rights by virtue of such absence. When a member is unable to use vacation leave due to a disability status, the unused time is added to the member's accumulated balance. If the balance exceeds the maximum allowed, the member will be paid for the excess days.**

3. USE OF VACATION

- a. **Before taking vacation leaves, members must submit vacation requests to their commanding officers indicating the dates and times.**
- b. **With the approval of their commanding officers, members may also use accumulated compensatory time off and equivalent holiday time in conjunction with vacation leaves.**
- c. **With the approval of commanding officers or officers-in-charge, vacation leaves may be taken on an intermittent basis and in one-hour increments.**
- d. **When a legal holiday occurs during a member's vacation, it will not be considered a day of vacation leave. The watch report shall indicate LH (Legal Holiday) for that date.**

- e. **Members in their final year of service before retirement may elect to take cash compensation for their accrued vacation.**

E. LEGAL HOLIDAYS (LH). Members are entitled to 11 legal holidays per year as provided in the Salary Standardization Order.

1. **SCHEDULED TO WORK. Members who are scheduled to work on a legal holiday and do so will receive their regular pay and overtime for the hours worked. Members shall not change their watch-off schedules to work on legal holidays.**
2. **SCHEDULED WATCH OFF. Members who are ordered to work legal holidays even though they are scheduled watch off shall be carried as working regular overtime or EWW if working a special event, not (LH) holiday pay. These members will be entitled to an In Lieu of Legal Holiday to be used at a later date.**
3. **IN LIEU OF HOLIDAY (IL). Members who are scheduled regular watch off on the date designated as a legal holiday are entitled to an In Lieu of Holiday to be taken at a later date. Members who accrue in lieu holidays must use them by the end of the fiscal year in which they are earned.**

F. FLOATING HOLIDAYS (FH). Members will be eligible for floating holidays each fiscal year. Members must use these floating holidays within the fiscal year in which they are earned.

G. MILITARY LEAVE (ML) (MP). Military leaves for members are governed by the provisions of applicable Federal and State laws, by Charter provision, and by Civil Service Commission Rule 22. Questions concerning military leave should be directed to the Commanding Officer of the Personnel Division.

1. **(MP) A member with at least one year of continuous Police Department service immediately prior to the date on which the temporary military leave of absence begins shall be entitled to receive his/her salary or compensation for a period not to exceed the first 30 calendar days of any such leave; however, pay for such purposes shall not exceed 30 days in any one fiscal year. A member is not entitled to a temporary military leave of absence for a period of inactive military duty, such as weekend drills.**

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2. A member of the Department who is also a member of the Armed Forces Reserve Corps, National Guard, or Naval Militia is entitled to a temporary military leave of absence while engaged in military duty ordered for purposes of active military training, provided that it does not exceed 180 calendar days.
3. Members requesting temporary military leaves of absence shall make the application on Civil Service Commission Form 7-20, attach copies of their Active Duty Training orders and submit them to their commanding officers. Commanding officers shall forward the forms and attachments to the Personnel Division at least 10 days prior to the first day of the leave period.

H. PERSONAL LEAVE (PL). Personal leave is defined as an unpaid absence for personal reasons which includes maternity, adoption, etc.

1. **APPLICATION.** Application for personal leave without pay for more than five (5) consecutive working days, as set forth in the Rule 22 of the Civil Service Commission, shall be made in writing on Civil Service Commission Form 7-20. The completed form shall be submitted to the member's commanding officer, for approval or disapproval. Approval shall not be unreasonably withheld.
2. **APPROVAL.** Whether approved or disapproved, the application form shall be forwarded to the Commanding Officer of the Personnel Division at least 10 days prior to the first day of the leave period. The Commanding Officer of the Personnel Division shall approve or disapprove the application and forward it to the Chief of Police.
3. **APPEAL.** The decision of the Chief is final unless an appeal is specifically granted pursuant to Rule 22 of the Civil Service Commission. Questions concerning personal leaves without pay should be directed to the Commanding Officer of the Personnel Division.

I. SICK LEAVE (SL). Sick leave is defined as an unpaid absence due to illness or injury not arising out of and in the course of Department employment.

- J. SICK LEAVE WITH PAY (SP).** Sick leave with pay is defined as a paid absence due to illness or injury not arising out of and in the course of Department employment. Sick leave with pay may be granted only to members who have earned Sick Leave with pay credits and have served a total of six continuous months of regularly paid service.
- 1. ACCRUAL.** Sick Leave with pay is earned at the rate of four (4) hours for each 80 hours of regularly scheduled paid service. A member may accumulate a maximum of 1,040 hours of sick leave with pay credits. All sick leave hours accrued beyond the maximum will be lost. Members on Disability Leave will continue to earn sick leave with pay credits.
 - 2. USE OF SICK LEAVE.** The use of sick leave by officers is subject to rules adopted by the Police Commission and approved by the Civil Service Commission. Any provisions not covered by the Police Commission in this order shall be as provided in Civil Service Commission Rule 22.
 - 3. LEAVE REQUESTS.** Members needing to take extended sick leave because of a non work-related illness or injury must make a request for leave. Members must obtain a Request for Leave Form 3670a CSC 7-20 (1-91) from the Personnel Division, fill in the appropriate sections and forward the form to their personal physicians for completion. When complete, members shall forward the forms to their commanding officers for approval. After approval, commanding officers shall forward the forms to the Personnel Division, which will forward them to the Deputy Chief of Administration. A copy will be returned to the member.
 - 4. EXTENSIONS.** When the member and physician realize that the sick leave will need to be extended, the members shall obtain another Request for Leave form and follow the above procedures to officially extend the leave. Absent the receipt of the request for the extension, the member shall be expected to report for duty within 24 hours of the last day of authorized leave.
 - 5. END OF LEAVE.** A member shall, when on sick leave and the periods prescribed in the approved leave have been exhausted, report for duty within twenty four (24) hours or arrange for additional leave.

6. **BEREAVEMENT.** A member may take up to three (3) days of sick leave in the event of the death of a member's parent, step parent, grandparent, parent-in-law, spouse, sibling, child, step child, adopted child, legal guardian or any person who is permanently residing in the household of the member. A member may take one sick leave day in the event of a death of any other relative.
 - a. Sick leave for bereavement must be taken within 30 calendar days after the date of death. Two additional sick leave days will be granted if travel outside of the State of California is required.
 - b. A member requesting sick leave for bereavement shall notify his/her commanding officer, officer-in-charge or a superior officer at the earliest opportunity, and inform him/her of the decedent's relationship to the member, the number of sick leave days requested and the dates.
 - c. The approved sick leave time will be recorded as SP if the member has SP accrued or SI if the member has exhausted his/her SP balance.

7. REPORTING POLICY

- a. Members who are unable to report for duty because of illnesses or injuries shall immediately notify their commanding officers, officers-in-charge or superior officers.
- b. Officers, after being absent for three (3) consecutive working days, and non-sworn members, after being absent for five (5) consecutive days, shall forward, without unreasonable delay, to their commanding officers a certificate signed by the treating licensed medical doctor, doctor of dental surgery, doctor of podiatric medicine, licensed clinical psychologist, or Christian Science practitioner, stating the reason they cannot report for duty. If the certificate is sent by mail, it shall be mailed by Special Delivery Registered Mail.

K. DISABILITY LEAVE (DP)

1. DEFINITIONS

- a. DUE TO INDUSTRIAL ILLNESS OR INJURY. Claims related to absences due to illnesses or injuries arising out of or in the course of employment are administered under the State Workers' Compensation Laws and the Rules of the Retirement Board.**
- b. DUE TO BATTERY. Non-sworn members who miss work due to injuries or illnesses received in the course of employment and caused by acts of criminal violence shall be entitled to Sick Leave with Pay under the provisions of Civil Service Commission Rule 22. Authorized Sick Leave under this section is not charged against a member's earned pay credits.**

2. REPORTING . When a member of the Department is injured in the line of duty either on or off duty, the following reports must be submitted:

- Employer's Report of Occupational Injury/Illness (Form 2).**
 - DWC (Form 1) - Employee's Claim for Workers' Compensation Benefits.**
 - Written report, if possible, by the injured/sick member showing the cause of the alleged disability and the manner in which it was sustained.**
 - Investigation report by a superior officer stating the facts regarding the injury or illness, the names and addresses of any witnesses, whether or not the disability was sustained in the performance of police duty, and whether the member was on or off duty at the time.**
- a. A non-sworn member suffering an injury or illness in the course of employment caused by an act of criminal violence, shall immediately notify his/her supervisor and request treatment at the Franciscan Treatment Room or Mission Emergency Hospital in the case of an acute emergency. The supervisor shall investigate, ensure that the proper incident report is made and prepare a memorandum requesting the non-sworn member be carried on Battery Leave. The**

memorandum shall include the date, time, location and circumstances surrounding the incident and shall be forwarded to the Payroll Unit.

- b. When a member suffers from a recurrence of a previously reported work-related injury or illness, the following reports shall be submitted:
 - (1) If on duty, the member shall submit a memorandum to his/her commanding officer stating all the facts regarding the recurrence, the date of the original injury and the name of the treating physician.
 - (2) If off duty, the member shall immediately notify his/her commanding officer, officer-in-charge or a superior officer, who shall prepare a memorandum as indicated above.
 - (3) In either case, the member shall also forward a certificate signed by the attending physician describing the disability. If the certificate must be sent by mail, it shall be mailed by Special Delivery Registered Mail.
 - (4) A member suffering from a recurrent injury shall, without unreasonable delay, notify the San Francisco City and County Employees' Retirement System, Compensation Division, Police Claims Adjustor, and follow any direction.

L. TAKING LEAVE PRIOR TO END OF WATCH

- 1. **REQUEST.** A member desiring to leave before the end of his/her assigned tour because of a non-industrial-related illness or for personal reasons may request to do so. The officer-in-charge will grant the request based on the needs of the unit.
- 2. **WATCH REPORT.** If a request is granted, the officer-in-charge shall ensure that the corrected watch report is prepared and indicate the amount of compensatory time, vacation, or SP taken. The officer-in-charge shall also initial the corrected watch report, noting the leave.

M. GENERAL PROVISIONS

1. LEAVES

- a. A member granted a leave for a period of two or more days shall submit a report to his/her commanding officer, officer-in-charge, or to a superior officer indicating where he/she may be located during such leave.**
- b. The types of leaves which require leave papers include: sick leave in excess of five days (with or without pay), personal leave (without pay), military leave (with or without pay), maternity and child care leave (with or without pay).**

2. SICK OR DISABILITY LEAVES

- a. A member shall not simulate any injury or illness or attempt to mislead or deceive the treating physician, the Police Physician, the commanding officer or any superior officer assigned to investigate the circumstances of the injury or illness.**
- b. A member shall not apply for treatment or obtain a sick or disability certificate from the Police Physician.**
- c. While absent from duty on account of sick or disability leave, members shall strictly comply with the instructions of the attending physicians, the Police Physician or their commanding officers.**
- d. Members on sick or disability leave shall not leave their residences for more than 24 hours without first obtaining written authorization from their attending physicians or the Police Physician. Members shall fully discuss all the activities they plan to engage in with their attending physicians or the Police Physician to determine whether the activities could aggravate the injuries or delay convalescence. The member shall forward the written authorization to the Personnel Sergeant.**
- e. Members on sick or disability leave shall notify the Personnel Sergeant whenever they will be away from their residences in excess of 24 hours and provide an address and phone number where they can be contacted.**

- f. A member on sick or disability leave shall not knowingly engage in any activity that could aggravate his/her injury or illness or delay convalescence, e.g., sports activities such as baseball, football, etc. Therapy prescribed by an attending physician or physical therapist is exempt from this rule.**
- g. Members on sick or disability leave shall keep all scheduled appointments with their attending physicians. If it becomes necessary to cancel an appointment, the member shall contact the physician's office at the earliest possible time and advise the office staff of the need for cancellation and rescheduling of the appointment. Members who have returned to duty and have follow-up appointments shall also comply with this rule.**
- h. Prior to returning to duty after disability leave, sick leave in excess of 90 days, or a leave of absence in excess of 90 days, members shall notify the Personnel Sergeant. After an examination of the available medical records, the Personnel Sergeant shall either make arrangements to return the officer to duty, or refer him/her to the Police Physician for a physical examination to determine the officer's fitness to perform police duty.**
- i. Members shall not engage in any other business or calling while on sick leave or disability leave, even though prior written permission to engage in secondary employment has been received from the Chief of Police. Permission for such activity must be specifically granted by the Chief of Police with the concurrence of the General Manager of Personnel for the Civil Service Commission.**
- j. Procedures for sick or disability leave for recruit officers at the Police Academy shall be governed by Academy policies and procedures.**