

**City of Winter Park Fire-Rescue
Standard Operating Guideline**

130.04

Title: Overtime

**Date Issued: December 6, 2005
Date Last Revised: NEW
Revision Number: NEW
Total Pages: 6**

Purpose: To establish procedures for overtime (voluntary and forced) in order to maintain proper staffing levels.

Scope: This procedure is to be followed by all members of this department. Authority to deviate from this procedure rests with the Battalion Chief (Shift Commander) who is solely responsible for the results of any deviation. The Assistant Chief / Operations is to be notified any time a forced overtime person is used to achieve minimum staffing.

General: The following is a guideline for the Shift Commander to use when it becomes necessary to use overtime in the Fire-Rescue Division. A situation may occur that is not outlined in this procedure. If so, the Shift Commander will make a decision based on the circumstances.

The Fire Chief or Assistant Chief / Operations will inform the Shift Commander what level of staffing will be required per shift.

It shall be the responsibility of the OFF-GOING Shift Commander to provide adequate staffing for the on-coming shift in a timely manner based on notification that the on-coming shift is below minimum staffing. Overtime will be budgeted and available to cover shift minimum staffing and other various needs of the Department. Current minimum staffing for all shifts shall be as established in SOG 100.02. Minimum officer staffing for all shifts will be 3 officers. Minimum paramedic staffing for all shifts will be 7 paramedics. EMS Supervisors do not count in the minimum staffing for officers, but only in the minimum staffing for paramedics.

Events that might trigger overtime are:

- Medical Absence Leave
- Extended Medical Leave
- Family Leave
- Maternity Leave
- Bereavement Leave
- Group A Educational Leave
- Jury Duty
- Other leave authorized by the Department

130.04.01. Voluntary Overtime

The following will provide guidelines for the offering, scheduling and distribution of voluntary overtime in the Fire-Rescue division.

- Each Shift Commander will be responsible to insure that voluntary overtime is fairly distributed among the qualified personnel and will keep a written record of dates that individuals have accepted or rejected voluntary overtime offerings.
- Overtime will be filled based on the minimum staffing levels stated above and the needs of the shift, not based on the person who caused the overtime.
- Battalion Chiefs will have the first right of refusal to work back on shifts where the Battalion Chief is off.
- When there are 2 Officers off and one is not the Battalion Chief or when a Lieutenant (including the EMS Supervisor) is on a Kelly Day and overtime is available the Lieutenant will be offered the overtime first. If there is only 1 Officer off and it is not the Battalion Chief, then the overtime will be offered to the qualified Engineers and Firefighters first. If no Engineers and Firefighters accept the overtime offered, then qualified Lieutenants may be offered the overtime. This process should be exhausted prior to forcing any member to work overtime.
- The Battalion Chiefs or those riding in the position of Battalion Chief will bear the sole responsibility for approving any person to fill an overtime position on the Fire-Rescue shifts in order to maintain minimum staffing.
- When a member of the department is offered and accepts overtime, it is presumed that that member will work the entire time period offered. If it is determined that he/she can not or does not desire to work the entire time period, he/she will advise the Battalion Chief accordingly. The Battalion Chief will then return to the overtime rotation list and offer overtime to the next qualified person on the list. If this occurs the person(s) offered overtime beyond the original person will not be marked as having taken overtime as pertaining to the rotation list.
- If nobody on the supplying shift wants to work the remaining overtime period, the Battalion Chief, if time is available to do so, can then go to the list of the other off-duty shift and make calls and offer the remaining period accordingly. If nobody accepts the remaining period overtime, then the person offered the overtime originally must either work the entire 24-period shift, or pass the overtime in its entirety and the

process begins again with the next person on the list...offering the next person the original overtime slot.

- If a person takes a 24-hour shift and then later in the day decides he/she doesn't want to or can't finish out the shift, the on-duty BC would go back to the list of the shift that would have filled the remaining and start making calls to try to fill it. If there is no response, then he/she can go to the other off-duty shift and see if anyone would accept it. If there are no takers, then the person who accepted the 24-hour shift will be required to finish that shift.
- Assignment of the overtime person to a unit should take into consideration minimizing excess costs such as out-of-grade pay. Members who accept overtime will be assigned to positions based on the needs of the organization in order to staff all apparatus adequately and properly and based on the member's qualifications. Under normal operating situations, the position that is filled by the member accepting the overtime will be the position that is filled by any subsequent members who are offered overtime if the original member can not and/or chooses not to work the full time period offered. At no time during normal operating situations will personnel be shifted around mid-shift to accommodate the incoming member who has accepted overtime after the original member chose not to work the entire offered time period. The position filled at 0700 of the overtime shift will be the position that is filled by any subsequent persons during that 24-hour shift. The only exception to this would be the requirement to maintain minimum Paramedic staffing on units to keep them ALS or under emergency conditions as explained in this guideline.
- In the case that a shift suddenly drops below minimum staffing due to illness or emergency, the Battalion Chief will have the sole discretion to fill positions and move people around to maintain minimum staffing requirements. While following the established process contained herein, deviation from the process is allowed in order to place units back in service due to the stated conditions.

130.04.02. Forced Overtime

The following will provide guidelines for the offering, scheduling and distribution of forced overtime in the Fire-Rescue division. Forced overtime will only be used after the voluntary overtime system has been exhausted, or when time constraints happen where the potential for taking units out of service occurs. At no time should an emergency unit be taken out of service to exhaust the voluntary overtime system. In the event that no members voluntarily accept overtime and time permits based on shift

change and the need to staff, the Battalion Chief and/or his designee shall make every reasonable effort to contact members of the off-shift who could work the overtime prior to a member being forced. If volunteers are sought on the off-shift, all reasonable efforts shall be made to utilize that shifts voluntary overtime list. A person from the off-shift that accepts the overtime to avoid forcing a member will not be marked as having accepted overtime on his/her shift voluntary list. The list will only be used as a guide offering the overtime.

- Each Shift Commander will be responsible to ensure that forced overtime is fairly distributed among the qualified personnel and will keep a written record of dates that individuals have been forced.
- Forced overtime will be filled based on the minimum staffing levels and the needs of the shift, not based on the person who caused the overtime. Members who are forced to work overtime will be assigned to positions based on the needs of the organization in order to staff all apparatus adequately and properly and based on the member's qualifications.
- If a member is "forced" to work overtime and is chosen from the "forced" overtime list maintained on each shift, that member will have the option of finding a replacement to work any part of that time period for which the member was forced. All substitutions must be approved by the Battalion Chief. Additionally, the substitution will be assigned to the same position that the forced member was to occupy unless the approved replacement is an officer and there is an open officer position on the shift for that time period. At no time during normal operating situations will personnel be shifted around mid-shift to accommodate any members working during a forced overtime situation, unless an approved replacement for the forced member is an officer and can be used as such on the shift during at specific time.
- If the force is for a 24 hour period and it is determined some time later in the shift that the forced overtime position is no longer needed, that person has the option of being relieved of duty or staying for the duration of the shift. If the force is for a designated number of hours, then the individual will work only those hours, unless an emergency situation, as described in this section, occurs on the shift requiring the person to stay longer. This will only be applicable in a forced overtime situation and does not apply to overtime accepted voluntarily. Additionally, if the shift returns to staffing not requiring the forced overtime, then other members shall not be allowed off creating a continuation of the force.

- Any person that is forced during his/her short pay cycle will be compensated with half-time in Compensatory Time in order to equal time and one-half. This will only occur if the employee would have earned the overtime at time and one-half during a long pay cycle. If the person takes any leave during that cycle that does not constitute time-worked according to the Bargaining Agreement, this will consequently disqualify the person from any additional Compensatory Time.
- In the case that a shift suddenly drops below minimum staffing due to illness or emergency, the Battalion Chief will have the sole discretion to fill positions and move people around to maintain minimum staffing requirements. While following the established process contained herein, deviation from the process is allowed in order to place units back in service due to the stated conditions.

130.04.03. Required Time Off

A great deal of research has been done dealing with the effects of extended shift hours of firefighters and the impact on safety issues. It is for the reason of the safety of all members as well as those we serve, that a limitation is established requiring mandatory time off from shift work.

- Personnel within the Fire-Rescue Division will be required to have a minimum of 12 hours off after being “on-duty” for a period of 48 hours. This will include a 48 hour shift in which the member works a time-trade as part of the 48 hours. Members will not be allowed to return to any function dealing with emergency response until that minimum 12 hours off has been met.
- Members completing 48 hours of consecutive on-duty time can not be forced to work further overtime as part of the forced overtime system established by the Department.
- An exception to the stated limitation is if that member is in the middle of an emergency scene when the 48th hour comes around, or when the Department’s Emergency Plan (hurricanes, etc) is being followed. In the case of the activation of the Emergency Plan, shifts will be rotated in order to provide members with plenty of downtime for the duration of the event. The stated limitation does not give allowances for the member to leave shift at the 48th hour unless properly relieved, but rather, provides a guideline for offering and scheduling overtime while keeping safety in mind. At no time should any emergency units be placed out of service based on the stated limitation. An additional

exception is granted for emergency conditions as stated in this document.

- It is the responsibility of any member affected by these time limits to adhere to this guideline and to notify the Battalion Chief if overtime is offered or if this member is notified of being forced to work overtime. Additionally, it will be the responsibility of the Battalion Chief to ensure that members working overtime do not exceed these time limits, unless exceptions as stated below are in effect.
- Within the Department, there are some members who have projects that allow for overtime compensation or the accrual of compensatory time. Members who fall under this situation will not be subjected to this required time off, nor will this be part of the 48 hours time limit unless said member participates in emergency response operations for the Department.

130.04.04. Emergency Conditions

For the purpose of this guideline, emergency conditions are defined as any conditions determined by the Fire Chief or his designee that could alter and/or supercede the procedures and processes listed within this guideline. It is understood that when the Department is operating under its established Emergency Plan, emergency conditions are in effect and can affect staffing needs and the overtime processes.