


DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 113	WORK HOURS, LEAVE AND PAYROLL	
	Effective: 08/12/2019	Commissioner Approval: <i>AP</i>
	Authorities: 29 CFR 825 ; 29 CFR 553.22 ; AS 39.20.500 ; 2AAC 07.390 ; AAM 280 ; Collective Bargaining Agreements	
	Applicability: ALL DEPARTMENTAL EMPLOYEES	
	Special Instructions:	

113.100 INTRODUCTION

This chapter outlines the entitlements and obligations of supervisors and employees related to work hours and leave.

113.300 APPLICATION OF CONTRACTS AND STATUTES

All employees of the department will comply with current collective bargaining agreements, Federal and State Statutes, and regulations when dealing with personnel matters.

113.310 DUTY DAYS AND WORK HOURS

- A. *The employer will establish duty days and shift hours.*** Commanders and/or supervisors will establish duty days and shift hours to meet the needs of the Department.
- B. *Employees may be required to work overtime.*** A supervisor may require an employee to work in excess of their normal work schedule.
- C. *Overtime eligible employees.*** Overtime eligible employees will be compensated in accordance with FLSA standards or their collective bargaining agreement.

113.320 HOLIDAYS

Employees may be required to work holidays as defined in the applicable collective bargaining agreement. Employees required to work on a holiday will be compensated in accordance with their collective bargaining agreement or State/Federal law.

113.330 APPROVAL AND SCHEDULING OF LEAVE

- A. *All routine leave requests will be submitted in writing.*** All routine leave requests will be submitted in writing on a leave slip prior to the requested leave.
- B. *All routine leave requests will be approved prior to the beginning of the leave.*** All routine leave requests must be approved in writing by the employee's supervisor prior to the beginning of the leave.
- C. *Supervisors are responsible for scheduling leave.*** Supervisors are responsible for leave scheduling that considers satisfactory coverage and service throughout the year. Supervisors

may approve/disapprove leave for specified periods and/or limit the number of employees on leave at any one time.

D. *Minimum amount of leave will be taken prior to the deadline.* Employees who are required to take a minimum amount of leave during the year will take the required leave prior to the deadline. Employees will submit a request to take required leave at least sixty (60) days before the deadline.

E. *Denial of scheduled leave.* Approved leave may be rescinded if the employee has assigned cases or other work in a delinquent status. Prior to beginning approved leave, all assigned cases or other work must be brought to the attention of the supervisor.

F. *Conflicts between leave and court.* When an employee receives a subpoena to appear in court and that appearance will affect approved annual leave, training, or other absences from their post area, the employee shall immediately notify their supervisor. The supervisor will determine if the date of the appearance can be changed. If the conflict cannot be eliminated, the subpoena shall be honored. (Reference [OPM Chapter 109](#))

113.340 TIME REPORTING & OVERTIME

A. *Supervisors will schedule work to minimize overtime.* Supervisors, with due consideration for the integrity of the Department's mission, will plan and schedule work, in accordance with collective bargaining agreements, to minimize the payment of overtime or compensatory time.

B. *Employees will accurately represent hours worked.* Employees shall accurately represent hours worked, including overtime, and/or leave usage on their timesheet. Overtime eligible employees must document actual hours worked on their timesheet.

C. *Supervisors are responsible for ensuring accurate time reporting.* Supervisors are accountable for ensuring accurate time reporting prior to approving the timesheet and/or leave slip. Supervisors are responsible for verifying accurate work hours are reported and that leave slips appropriately designate the leave (e.g. personal leave, FMLA/AFLA, sick leave, court leave, etc.).

113.350 FLEXIBLE SCHEDULES

A. *Assignment to flexible shift governed by contract.* Assignment of employees to flexible shifts and the conditions governing those assignments will be in accordance with the appropriate collective bargaining agreement.

B. *Flexible schedule form.* The Department will only use the flexible schedule form described in the appropriate collective bargaining agreements.

C. *Routing of flexible shift agreements.* Copies of completed flexible shift agreements will be routed to the following:

1. Commander;
2. Employee's Field File;
3. Director's Office;
4. Public Protection Unit, Payroll/Juneau; and
5. Union headquarters.

113.360 FLEXIBLE TIME PLAN

- A. *Assignments to flexible time plans.*** Assignment of overtime ineligible employees to flexible time plans will be in accordance with the appropriate collective bargaining agreement.
- B. *Flexible time plan documents.*** The Department is responsible for entering into a written time plan with the employee and monitoring the use of hours accumulated and hours taken through spreadsheets and leave slips.
- C. *Routing of flexible time plan activity.*** A copy of the flexible time plan must be approved by the Division Director and copied to the Department of Administration, Division of Personnel, Public Protection Unit – Payroll. Timesheets, leave slips, and spreadsheets documenting accrual and use must be submitted to Public Protection Unit – Payroll in a timely manner.

113.370 COMPENSATORY TIME

- A. *Employees Affected.*** Compensatory time does not exist for non-represented employees. Employees represented by ASEA require a letter of agreement between the parties to engage in compensatory time. Employees represented by APEA and PSEA are contractually permitted to accrue compensatory time in lieu of overtime. The following policy governs the accrual and use of compensatory time for employees represented by PSEA.
- B. *Accrual of Compensatory Time.*** Compensatory time is another method of compensating for overtime hours worked. The guidelines for approval of overtime are the same regardless of whether an employee is compensated in cash or in accrued compensatory time. Compensatory time shall be used as set out in the collective bargaining agreement.
1. An employee may accrue up to 100 hours of compensatory time.
 2. Commanders are responsible for monitoring compensatory time and ensuring employees do not exceed 100 hours of compensatory time accrual.
 3. PSEA employees are reminded that the use of compensatory time off does not count toward fulfilling contractual mandatory leave requirements.
 4. Employees may be required to reduce their compensatory time balance prior to changing geographic locations. Employees will be provided as much notice as possible prior to the transfer being effectuated should the employer require the employee to reduce their compensatory time balance.

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5. Whenever possible, compensatory time will be scheduled so that the State does not incur any additional cost due to using personnel in relief who either must receive compensatory time or overtime pay for their assignment.

113.380 BUSINESS LEAVE

- A. *Employees requesting business leave will submit a completed leave slip.*** Employees requesting business leave to conduct union/association business will submit a completed leave slip to their supervisor for approval.
- B. *Approval of business leave.*** Business leave will not be unreasonably denied but must consider the effects of the absence, as is the case with all other leave requests. Approval for business leave shall not exceed an employee's contractual limit.
- C. *Director of the Division of Personnel / Labor Relations.*** The signed leave slip will be sent to the employee's Union Representative who will send a request for business leave to the Director of the Division of Personnel / Labor Relations for tracking.
- D. *A copy of the approved request will be sent to:***
1. DOP, Public Protection Unit - payroll;
 2. the employee; and
 3. the Division in which the employee is employed.

113.390 FAMILY LEAVE

- A. *Request for family leave.*** An employee may request family leave in accordance with applicable Federal and State laws.
- B. *Invoking family leave.*** A supervisor shall conditionally invoke family leave for an employee when they have sufficient information to determine the employee may have a qualifying condition. The [conditional invoke form](#), as well as the [Family Medical Leave packet](#), will be provided to the employee and forwarded to the Division of Personnel and Labor Relations, Public Protection Payroll.
- C. *Designation of family leave on the leave slip.*** Employees using family medical leave must appropriately designate their leave slips as "FMLA/AFLA". However, there should be no indication of family medical leave on the timesheet.

113.400 INJURY LEAVE – PSEA & APEA COMMAND MEMBERS ONLY

An employee entitled to the use of injury leave, in accordance with the collective bargaining agreement, may be placed on temporary limited duty. The appropriate division dictates procedures for such duty assignment.

113.410 SHIFT SCHEDULES

- A. All units will have a shift schedule.** All units of the Department will publish a written shift schedule listing all commissioned officers and CSOs.
- B. Format of the schedule.** A copy of the shift schedule form is [attached](#). More than one post or unit may be listed on a single schedule, provided the separate posts or units are clearly indicated. (Section 113.410.A)
- C. Shift schedule to contain certain minimum information.** The schedule must contain at least the following information for all commissioned personnel and CSOs (including those on leave) assigned to a unit:
1. the name of the Post, Unit, or Section the schedule applies to;
 2. the effective dates of the schedule;
 3. the employee's name (Not nicknames);
 4. the employee's work hours, RDO's, and shift hours; and
 5. a flex shift indicator.
 6. In some locations posts schedule personnel to cover the neighboring post during off duty periods of the neighboring post's personnel. For example, the trooper in Cantwell might cover the Cantwell and Nenana Posts during day shift and the Nenana trooper might cover the Cantwell and Nenana posts during swing shift. In cases such as this, the individual post schedules will be listed separately, yet have an indicator in the notes section that the trooper(s) also respond to another post's area.

113.420 PAYROLL ENTRY

Payroll entry, including supervisory approval in both manual and automated systems (such as OARS) shall be completed by the payroll cutoff. Commanders and civilian supervisors are responsible for the timely completion of payroll entry and for the establishment of written procedures to assure the completion of this task.

113.430 FINAL EVALUATION WITH EXTENDED ABSENCE

If an employee terminates or transfers after a long absence from the workplace that encompasses all or most of the current evaluation period the supervisor should complete an evaluation as follows:

- A. It is not necessary to mark any of the rating boxes.**
- B. "Overall Rating" narrative section.** The "Overall Rating" narrative section will include a notation that the employee was not available for duty during all or the majority of the rating period and will include an overall rating based on the employee's past evaluations;
- C. Other sections not necessary.** Once the notation in 113.430(B) is included it is not necessary to craft Performance, Work Habits, Interpersonal Relationships, Supervisory, or Goals sections.

D. *Rehire recommendation decision is required.* The Rater's Recommended Action must be complete to reflect either: Recommended for Rehire or Not Recommended for Rehire.

113.440 FIREARM TURN-IN UPON TERMINATION

Upon termination of an employee issued a firearm (except for SERT weapons) the firearm shall be transferred to the Public Safety Academy for re-issue.

113.600 PROCEDURES

Temporary limited duty: See [OPM Chapter 128](#)

Department of Administration, Personnel and Labor Relations: [Family Leave](#)