

16.120 SHIFT DIFFERENTIAL: RECORDING AND PROCESSING

Reference:

FOP/City Labor Agreement
 AFSCME/City Labor Agreement
 Automated Shift Differential System User's Manual
 Standards Manual - 12.1.4

Purpose:

Ensure compliance with the labor agreement between the City of Cincinnati and the Fraternal Order of Police, the City of Cincinnati and AFSCME, and the Fair Labor Standards Act.

Enhance accurate recording of shift differential time earned by Police Division employees.

Policy:

The district/section/unit commander will designate the timekeeper or one other person to keep shift differential time for sworn and nonsworn personnel.

Districts/sections/units using the Division's automated shift differential system will record shift differential as outlined in the Automated Shift Differential System User's Manual.

Procedure:

A. Sworn Personnel:

1. Payment of shift differential is determined as follows:
 - a. Officers will receive shift differential for a regular tour ending after 1800 hours up to and including 0800 hours.
 - 1) A regular tour is defined as eight consecutive hours of duty scheduled in advance by a supervisor.
 - 2) Officers will receive shift differential for only those hours worked when compensatory time off is taken.
 - a) Example: An employee is scheduled a regular tour from 1200 - 2000 hours, but the employee takes compensatory time off from 1700 - 2000 hours. The employee receives shift differential from 1200 - 1700 hours.
 - b. The following criteria will determine if shift differential accrues to overtime hours:
 - 1) Overtime in less than eight hour increments:

- a) The overtime must immediately precede or follow a regular tour that ends after 1800 hours up to and including 0800 hours.
 - b) Shift differential is not applicable if there is a non-compensated time break between the overtime and the beginning or end of the regular tour.
- 2) Overtime in eight consecutive hour tours or longer:
- a) The overtime must be scheduled in advance by a supervisor.
 - b) The overtime must end after 1800 hours up to and including 0800 hours, unless the overtime immediately precedes or follows an eligible tour.
- c. The entry on the Daily Shift Differential report (Form 335A) will be a total of the regular hours plus overtime hours computed at their respective shift differential rates. Only overtime hours will be computed at the one and one-half rate for shift differential.
- 1) Example: An employee works a regular tour from 2300 - 0700 hours, and then immediately works overtime from 0700 - 0900 hours. The daily entry on the Form 335A will show 11 hours computed as follows:
- $$\begin{array}{r}
 8 \text{ Regular Hours} \times \text{Straight Rate} = 8 \\
 2 \text{ Overtime Hours} \times 1 \frac{1}{2} \text{ Rate} = 3 \\
 \text{TOTAL} = 11
 \end{array}$$
- d. Partial hours worked during regularly scheduled tour.
- 1) Compute partial hours up to 15 minutes as 1/4 hour worked.
 - 2) Compute partial hours over 15 minutes and up to 60 minutes in 15 minute increments.

B. Sworn Daily Shift Differential Report (Form 335A):

- 1. Complete a Form 335A for each officer eligible to receive shift differential pay.
 - a. Units with less than seven personnel and units without computers will maintain these forms manually.
 - b. All other districts/sections/units will use the automated Form 335A.
- 2. Compute, as in Section A.1.c.1), and then record the number of hours for which shift differential will be paid.

3. Every two months the officer and his supervisor will review and initial the Form 335A.
 - a. Timekeepers using the automated shift differential system will print a copy of the Form 335A for verification.
 - 1) Maintain this signed copy on file until the next time these forms are verified.
- C. Annual Shift Differential Report (Form 335B):
 1. Submit the Form 335B to the Fiscal and Budget Section as directed each year in the Staff Notes.
 2. List alphabetically on the Form 335B officers who earned shift differential pay for the reporting year. Include on this form the:
 - a. Officer's last and first name.
 - b. Number of shift differential hours worked.
 - 1) The automated shift differential system will automatically compute the time at the proper rate and enter the total amount (\$) earned in the "Comments" column.
- D. Transferred and Separated Officers:
 1. When an officer is transferred, send the officer's Form 335A to the new unit of assignment.
 - a. Districts/sections/units using the automated shift differential system will copy the information to a floppy disk.
 - b. Units using the manual system will send the Form 335A.
 2. When an officer is separated from the Division, forward the officer's Form 335A to Employee Relations.
 - a. Districts/sections/units using the automated shift differential system will copy the information to a floppy disk.
 - b. Units using the manual system will send the Form 335A.
 3. Upon verification of the separation, Employee Relations sends the information from the Form 335A to the Fiscal and Budget Section. Fiscal and Budget Section will take the necessary steps to ensure the officer receives shift differential compensation.

E. Nonsworn Personnel:

1. Nonsworn personnel with shifts ending between 1800 and 1000 hours receive shift differential as follows:
 - a. \$.30 per hour if assigned a shift ending between 1800 and 2400 hours.
 - b. \$.45 per hour if assigned a shift ending after 2400 and before 1000 hours.
 - c. Compute compensation for overtime shift differential hours as in Section A.1.c.2)a).
 - d. Part-time employees do not receive shift differential.
2. Nonsworn Biweekly Shift Differential Report (Form 335C):
 - a. Submit a Form 335C, according to the biweekly schedule, to the Fiscal and Budget Section.
 - 1) Keep all Forms 335C manually.
 - b. List alphabetically on the Form 335C employees who earned shift differential pay for the reporting period. Include on this form the:
 - 1) Employee's last, first, and full middle name.
 - 2) Number of second shift hours (1800-2400)
 - 3) Number of third shift hours (2400-1000)