



Las Cruces Police Department
GENERAL ORDERS
ADMINISTRATION VOLUME 1
GO-154 COMPENSATION (Less Critical)
Revised 10/28/2011

154 COMPENSATION

PURPOSE

Pursuant to the principal of public accountability, the wise use of taxpayer monies is a fundamental step in building trust with the community and ensuring that all employees receive proper compensation.

POLICY

The Las Cruces Police Department (LCPD) will maintain procedures for the accurate reporting and accounting of salaries and overtime, which will be consistent with the City of Las Cruces (CLC) payroll system, the Manual of Personnel Policies (PM), and in accordance with the current contractual agreements between CLC and the Las Cruces Police Officers' Association (LCPOA).

APPLICABILITY

This General Order applies to all employees of the Las Cruces Police Department. This General Order supersedes all previous versions.

REFERENCES

- CALEA Chapter 17
- NMML Chapter 16
- Fair Labor and Standards Act (FLSA)
- Department of Labor Rules and Regulations
- City of Las Cruces Manual of Personnel Policies (PM)
- Current Contractual Agreement between the City of Las Cruces and the Las Cruces
- Police Officers Association

DEFINITIONS

Adjusted Work Schedule - Time off within a pay week mandated by a supervisor for a period of time equal to the amount time worked that would have been payable as overtime.

Compensatory time off (comp time) – hours granted, by agreement or understanding between the employer and employee, prior to the work in question being performed, to non-exempt employees covered by FLSA in lieu of overtime. Compensated on the basis of one and one-half (1- ½) hours compensatory time for each hour actually worked beyond



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forty (40) in a pay week, or for work hours designated as eligible for premium overtime pay.

Exempt Employee – Employees whose duties, responsibilities, and compensation render them exempt from overtime requirements of the FLSA.

Non-Exempt Employee – An employee whose duties, responsibilities, and compensation cause them to not be exempt from overtime requirements of FLSA.

Overtime - Time an employee is directed and authorized to work in excess of forty (40) hours per week.

Pay Period – A 14 day period comprised of two (2) pay weeks in which an employee works his/her normal work schedule. There are twenty-six (26) pay periods in a year. Employees receive compensation for hours worked within a pay period.

Pay Week – A seven (7) day period starting on Sunday at 0000 hours and ending on the following Saturday at 2359 hours in which an employee works his/her normal schedule or additional time as authorized.

Premium Overtime Rate – Calculated at one and one half (1- ½) times the regular rate, multiplied by the number of hours in excess of forty (40) hours worked per pay week.

154.01 SALARY

- A. Employees shall normally be paid their wages on the first Thursday following the end of each pay period. Wages are set by CLC or the contract between CLC and the LCPOA.
- B. The Budget/Payroll Unit shall collect, review, and preserve timesheets of all employees and enter the hours worked into the payroll system in order to ensure the proper compensation of employees.
- C. Employees shall submit an accurate and truthful timesheet at the end of each pay period reporting all hours worked to his / her supervisor.
- D. Supervisors shall review the timesheets submitted to them for accuracy, approve and sign the timesheet, then forward the timesheet to the Budget/Payroll Unit.



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154.02 OVERTIME COMPENSATION

- A. FLSA exempt employees are not eligible for overtime.
- B. FLSA non-exempt employees are eligible for overtime calculated at the premium overtime rate or comp time off. Overtime or comp time is paid for all authorized hours actually worked over forty (40) hours in a seven (7) day pay week. Actual time shall be paid, except for the minimum allowances as outlined in the PM, and in accordance with the current contractual agreements between CLC and the LCPOA.
 - 1. FLSA non-exempt employees may be mandated an adjusted work schedule in order to optimize work hours in a pay week. For example, an FLSA non-exempt employee who works two (2) hours over the end of a shift may be mandated to come to work two (2) hours later than normal or to leave work two (2) hours earlier than normal within the seven (7) day pay week. Adjusted work schedules may be cumulative for the employee's normal work schedule over the course of the employee's (7) day pay week.
 - 2. The use of compensatory time off in lieu of cash overtime compensation for nonexempt employees must be by agreement or understanding between the employer and employee. This agreement must be reached before the work in question is performed. Compensatory time is granted in accordance with the PM and current contractual agreements between CLC and LCPOA.
 - a. The department may direct the use of comp time by employees.
 - 3. When working an extra duty assignment reimbursed by a grant or other reimbursement agreement, employees shall be paid the premium overtime rate for all hours actually worked over forty (40) in the designated seven (7) day pay week, or as specified by the grant or other reimbursement agreement.

154.03 OVERTIME PROCEDURES

- A. Employees reporting for overtime will report to the person or place as directed.
- B. Overtime - General Provisions
 - 1. Court notices, summonses, subpoenas, DMV notices etc., may be requested by the employee's supervisor for verification.



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2. Time spent between the end of any tour of duty and scheduled court appearance will not be calculated as hours worked (e.g. employee goes off duty at 0700 hours and has a court appearance at 1000 hours, the three (3) hours between the end of shift and the court appearance will not count as hours worked).
3. Employees on leave who are required to appear for any court or hearing procedures will subtract hours worked from the number of hours of leave taken.

C. Employees shall:

1. Get authorization of a supervisor prior to working any hours over their normal work schedule.
 - a. Due to FLSA regulation, non-exempt employees are not to commence work prior to the scheduled starting time or work past the scheduled end of their shift without authorization from a supervisor.
2. Submit overtime cards immediately after an extra duty assignment to their supervisor or the coordinating supervisor of an extra duty assignment.
 - a. An overtime card submitted after the applicable pay period must be forwarded to the Budget/Payroll Unit, and accompanied by a memorandum through the employee's chain of command citing reasons for the delay.
3. Ensure all areas of the overtime card are completed.
4. Ensure that all overtime or compensatory time earned is properly documented on the timesheet report.
5. Record overtime worked in five (5) minute increments, rounded up to the nearest five (5) minute increment. Refer to the chart below:

0 minutes = .00	30 minutes = .50
5 minutes = .08	35 minutes = .58
10 minutes = .17	40 minutes = .67
15 minutes = .25	45 minutes = .75
20 minutes = .33	50 minutes = .83
25 minutes = .42	55 minutes = .92



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(Example: 2 hours and 30 minutes of overtime will be recorded as 2.50 hours, 3 hours and 37 minutes of overtime will be recorded as 3.67 hours of overtime)

D. Supervisors shall:

1. Receive, verify and complete applicable portions of overtime cards submitted by employees
2. Ensure that the correct Organization or Account number is recorded in the Cost Center box of the overtime card.
3. Ensure that overtime cards are submitted to the Budget/Payroll Unit in a timely manner.
4. Ensure all portions of the overtime card are legible and properly completed prior to being forwarded to the Budget/Payroll Unit.
5. Indicate their approval of overtime by signing the overtime card.
 - a. FLSA non-exempt employees who work unauthorized overtime hours shall be subject to disciplinary action.
6. Ensure that all overtime or compensatory time earned is properly documented on each employee's timesheet.

E. Budget/Payroll Unit shall:

1. Maintain crystal report, entering the data from overtime cards.
2. Maintain crystal report with printouts for reference purposes.
3. Audit each section / unit overtime cards for accuracy and errors each pay period.
 - a. Incomplete or illegible overtime cards will be returned to the section or unit supervisor for necessary corrections. Failure to remedy errors within the given time frame may result in the delay of compensation.
4. Maintain a copy of the overtime card for documentation.



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5. Ensure that proper practices are followed by the department in the use and verification of overtime.