



**Report on
Emergency Communications 911 Center Overtime Audit
By Onondaga County Comptroller Robert E. Antonacci, CPA, Esq.**

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SECTION I

BACKGROUND AND EXECUTIVE SUMMARY

Background

The Onondaga County Emergency Communications – E911 Center was formed in 1992. The mission of the Onondaga County Department of Emergency Communications is to serve as the critical and vital link between the citizens of Onondaga County and the public safety agencies that serve them. E911 has direct dispatch services with all first responders in Onondaga County including 22 police agencies, 58 fire and rescue agencies, 18 EMS agencies and wilderness search agencies. They are committed to saving lives, protecting property, assisting the public in their time of need, and ensuring the safety of their first responders through prompt, accurate, impartial, and professional call taking, dispatch and support services.

New York State’s E911 Board’s minimum standard regarding public safety answering points require all Public Safety Answering Points have staffing adequate to answer 90 percent of all incoming 911 calls within ten seconds. In 2015, Onondaga County’s E911 Center met the standards by answering 90.8% of all calls in less than 10-seconds and 95.6% of all calls in 15-seconds or less.

In 2015 the E911 Center received 618,040 calls, a 6.8% increase over 2014’s number of calls of 578,487. During 2015, E911 Center employees initiated 512,221 police, fire and emergency medical dispatches. In total, there were 1,130,261 calls received and dispatched in 2015. On average, 9-1-1 calls were answered in 5.5 seconds by call takers, who spent 19,262 hours obtaining critical response information from callers and providing pre-arrival emergency medical instructions. Call takers also processed 705 (0.11% of calls received) calls from non-English speaking persons in 29 different languages; while radio dispatchers initiated 8,374,511 radio transmissions, an average of 697,876 per month.

To date, the authorized positions of the E911 Center is 150 employees, and is currently staffed with 132 employees. Of these employees, 3 are Management Confidential and all other employees are CSEA. 88% of personnel resources are operations – call taking/dispatch. The CSEA employees are hired via civil service examination. The exams are held on either an open competitive or promotional basis. Open competitive examinations are open to anyone in the general public who meets the announced minimum qualifications. New hires can be hired off the open competitive list for Public Safety Dispatcher and Public Safety Tele-communicator. Promotion examinations are only open to permanent employees of the agency where the promotional title exists. When hiring for Public Safety Dispatcher, the department must hire off the promotional list first before utilizing the open competitive list. In 2016, the department hired 9 people, 6 are currently employed with the department. The most recent open competitive

lists for Public Safety Tele-communicator and Dispatcher were established January 19, 2017 and will expire January 19, 2018.

Due to the demands of the E911 center; operating 24 hours a day, 365 days a year with hiring restricted by a mandated test list and rigorous training once hired, Onondaga County's E911 center budgets approximately 5% of their yearly budgeted expenses for overtime wages. The average yearly overtime budget over a three year period, 2013 thru 2015, was approximately \$1,100,000 a year of a total yearly expense budget of approximately \$21,198,000. The majority of funding (91%) for E911 operations is derived from local dollars. For the years of 2013, 2014 and 2015 the total actual overtime for the E911 department was \$3,185,081. Of this total OT amount, 24% or \$775,380 was earned by 10 employees and 40% or \$1,268,914 was earned by 20 employees. This is mainly due to the CSEA Contract 2013 – 2015 union rules and regulations which favors giving overtime to the most senior qualified employees in the job title for which overtime is necessary.

Authoritative Agreements and Laws

During the period of audit, January 2013 thru December 2015, E911's overtime policy was guided by the labor agreement between Onondaga County and Local 834, Civil Service Employees Association, Inc., (CSEA), and the OT policies and procedures directives specific to E911.

The overtime policy of E911 is first guided by the Bargaining Agreement between Onondaga County and CSEA Local 834 for the period of January 2013 thru 2015. Article 12 of this agreement defines the Overtime Compensation Premium of all full time and part time employees (except per diem, seasonal, temporary, and casual employees and those employees working in titles designated by the County to be management or confidential) represented by the CSEA Local 834. Article 12, Overtime Compensation Premium, section D–Availability states, “Overtime will be made available to the senior qualified employee in the job title which is ordinarily and customarily assigned the work by the Employer on a rotation basis insofar as practical over the period of this agreement. Departments with the union may establish a policy that takes into account 12-D, which meets the needs of both parties.

E911 department has established overtime directives specific to the needs of the department in order to maintain the orderly operation of its services. The directives are a tool to be used to help administer and record overtime by stating the department's policy guidelines and procedures regarding staff overtime. During the period of audit, Directive 1512 was the department specific policy for overtime. During the period of audit Directive 1512 was revised twice, November 11, 2014 and August 28, 2015. The last update addressed the whole system of overtime being revamped due to the anticipated implementation of the computerized scheduling system called Schedule Express.

Executive Summary

The Audit Division had performed a review of overtime expense throughout the County for 2015. The Audit Division furthered the review by focusing on the top 20 highest overtime earners. This closer look showed that nearly half of the top 20 highest overtime earners were from E911, prompting this audit.

Over the course of our audit, we found the following:

1. Nearly the same 12 individuals were the top overtime earners for 2013, 2014 and 2015.
2. In several instances during the audit testing period the department failed to adhere to one or more of its own overtime policies and procedures.
3. Records were not maintained that would have supported management decisions regarding assignment of overtime.
4. Record retention was not in accordance with New York State standards.

The Schedule Express system was implemented in the 3rd quarter of 2015 and was being fully utilized by the department for all of 2016. Many of the findings during this audit should be eliminated now that the Schedule Express system is in place.

SECTION II SCOPE AND METHODOLOGY

Scope:

The purpose of this report is to provide information and recommendations to E911's management on their overtime hours and their related policies and procedures used to staff the facility.

Our objectives were to:

- Determine if effective and efficient use of staff hours were utilized to minimize the use of overtime compensation.
- Review specific E911 employee overtime practices.
- Select a sample of 3 months during the audit period to ensure the OT policies and procedures were adhered to.
- Provide E911 and County Management with recommendations related to E911 staffing practices and employee overtime policies and procedures.

Methodology:

In order to complete our objectives we:

- Reviewed the County’s employee contracts and E911’s policies and procedures to determine the expectations for E911 employee overtime practices.
- Interviewed the Commissioner and the Deputy Commissioner of E911 to determine their expectations for employee overtime practices.
- Interviewed E911 Accountant II and Supervisor of Administrative Support to determine specific practices for E911 employee overtime practices.
- Review overtime hours and patterns in Onondaga County’s Kronos timekeeping system for E911 employees in the period of audit, January 2013 thru December 2015 to look for discrepancies in overtime policies of Directive 1512.
- Inquired to the Personnel department as to interpretation of Union contracts and Policy and Procedure Manuals specific to E911.

**SECTION III
FINDINGS AND RECOMMENDATIONS**

In order to conduct the overtime audit, the Comptroller’s Internal Audit Division (IA) developed an audit program tailored to E911’s overtime procedures detailed in Directive 1512. This audit program contained 10 audit steps specific to the overtime policies of E911. Findings were discussed with E911 Administrative personnel and reviewed by E911 Management. Their responses are noted where applicable.

The findings are as follows:

I. Section C. Anticipated Overtime:

“All changes, corrections, deletions or additions to the overtime list must be done by a Shift Supervisor or their designee. Employees should refrain from crossing their or anyone else’s name off the available list. (Employees may also call in to do this if they are not at work.) If no supervisors’ initials appear in the box, an employee will still be considered available for overtime even if their name is crossed off.

IA selected 3 days from each of the 3 testing months to review and identify any changes made to the overtime schedule and verify changes were signed off by a Shift Supervisor.

FINDING:

In the 9 days tested there were 30 instances of changes where there were no supervisor’s initials when a more senior employee was skipped for the overtime shift.

E911 Administration's response:

If the employee's name is not signed off by a supervisor, then another employee with less seniority takes the shift. There is usually a recorded telephone conversation with the more senior employees when they are called for the overtime, in which they are turning down the overtime and asking to be kept on the list. Additionally, per the E911 directive #2014, retention of audio recordings; voice recording reviews, holds, duplication requests and/or transcriptions are restricted to requests made within (90) days of the incident, unless hold request was previously made and has not expired.

RECOMMENDATION:

E911 management should review the NYS Department of Education Records Retention and Disposition Schedule CO-2 section Personnel/Civil Service to ensure their policies/directives follow the State guidelines and recommendation for records retention relating to employee's time records.

Management Response:

Senior employees may be skipped if they do not have the requisite skills needed for the overtime assignment. For example, a senior fire/EMS dispatcher may be skipped over if the need is for a County police dispatcher; a senior telecommunicator (call taker) may be skipped if the need is for a dispatcher; or a telecommunicator or dispatcher may be skipped if the need is for a supervisor. Supervisors do an exemplary job in assigning overtime from the availability list and there are very few employee grievances relating to the assignments. Schedule Express software was implemented in August 2015 to streamline the scheduling process and relieve the administrative burdens of manual paper systems for supervisors. The process and recordkeeping is now fully automated.

II. Section D. Bumping:

Bumping occurs when an employee wants to work a posted overtime position that has been filled with an employee with less seniority. The more senior employee must submit a tri-form (AD-139A) to the Shift Supervisor. The Shift Supervisor will cross off the least senior person possible, indicate they were bumped and enter the employee doing the bump on the list with the same number as the person being bumped.

IA selected 3 overtime bumping instances from the 3 testing months to verify that a bumped/canceled tri form (AD-139A) was filled out by the employee doing the bumping. IA verified that the shift supervisor noted this approved bump on the shift schedule, and the employee bumped was properly notified.

FINDING:

IA noted there were several instances of no supervisor signature approving the bumping for overtime. In each bumping instance selected there was no bumped/cancelled tri form (AD-139A). This indicates noncompliance with department policy. With the implementation of the Schedule Express software in late 2015 there will no longer be a need for “bumping” or form AD-139A.

E911 response:

E911 Administration stated that the tri form AD-139A is disposed of at the end of each month.

RECOMMENDATION:

E911 management should review the NYS Department of Education Records Retention and Disposition Schedule CO-2 for use by Counties section Personnel/Civil Service to ensure they are following the State guidelines and recommendation for records retention relating to employee’s time records section 3.393. Records covering leave, absences, hours worked and scheduling, and including but not limited to employee’s time cards or sheets, request for change of work schedule, vacation schedule, report of absence and request for leave without pay should be retained for 6 years.

Management Response:

Schedule Express was implemented in August 2015 to streamline the scheduling process and relieve the administrative burdens of manual paper systems for supervisors. With the implementation of Schedule Express, the practice of “bumping” was eliminated. E911 policy and procedure was revised at that time.

II. Section D. (revision 8/28/15) Filling Overtime:

(Filling Overtime replaces Bumping with the implementation of the Schedule Express software system)

If the most senior employee doesn’t want the open position the open spot will be offered to the next most senior employee listed on the available of overtime list posted in Schedule Express.

IA selected 3 daily overtime lists posted from the three testing months to verify the most senior employee was offered the open spots for the day. In all 9 days tested, it appears the most senior employee on the availability list was offered the overtime. There were no findings.

RECOMMENDATION:

Management should perform the same review stated above regarding record retention to ensure compliance for all documents regarding Personnel/Civil Service to ensure they are following the State guidelines and recommendation for records retention relating to employee’s time records.

Management Response:

With the implementation of Schedule Express software in August 2015, the process of scheduling recordkeeping is now fully automated. The department is reviewing records retention requirements with the software vendor.

IV. Section F: Withdrawing Overtime (Employee):

E911 Directive 1512 states that an employee who wishes to withdraw overtime they have signed up for must do so by submitting a tri-form to the Shift Supervisor. The withdrawal form must be submitted no less than 24 hours prior to the scheduled shift. If an employee cancels overtime with less than a 24 hour notice it will be logged. A yearly log is maintained to keep track of employees who cancel overtime with less than a 24 hour notice. Four occasions of late notice will result in the issuance of a coaching memo. Five occasions will result in the issuance of an oral warning. Six occasions will result in the issuance of a written reprimand. Each subsequent cancellation after the sixth will follow the progressive discipline process up to and including dismissal.

IA selected overtime logs from 2013, 2014 and 2015 to review for instances of cancelling overtime with less than a 24 hour notice and to verify the proper steps were taken regarding the number of occasions the employee cancelled overtime with less than a 24 hour notice.

FINDING:

E911 could not provide the overtime withdraw logs for the testing years 2013 & 2015, therefore no testing could be performed for those years.

The 2014 overtime withdraw log was retained. IA reviewed the entire log and found one employee who had 4 unverified overtime withdrawals and one employee who had 5 unverified withdrawals. IA asked E911 administration for proof of a coaching memo for the employee with 4 unverified withdrawals and proof of an oral warning for the employee with 5 unverified withdrawals. Those documents were not provided.

E911 response:

E911 administration believes the 2013 & 2015 logs were disposed of at year end as they feel the logs are no longer useful once the calendar year is ended.

Coaching memorandums are issued to employees cancelling overtime within 24 hours. Coaching memorandums are expunged after 6 months so the coaching memorandums are no longer on file. Since a coaching memorandum is not a discipline it is not entered into the employee file. The employee file for the employee having 5 unverified withdrawals was checked. There was no further discipline located.

RECOMMENDATION:

Management should perform the same review stated above regarding record retention to ensure compliance for all documents regarding Personnel/Civil Service to ensure they are following the State guidelines and recommendation for records retention relating to employee's time records.

Management Response:

E911 consulted with the New York State Archives regarding retention of overtime withdrawal tri-forms and logs. Shift supervisors have been advised that the overtime withdrawal tri-forms and logs are to be retained for a period of six years. In regard to the retention of discipline, Records Retention and Disposition Schedule CO-2, 2.[392] provides that investigative records and disciplinary proceedings, including but not limited to statement of charges, notice of decision, and correspondence must be retained for three years after the final decision is rendered. However, CO-2 further provides that records may be destroyed before this retention period has been reached, if specified in either a union contract or settlement between the employer and employee.

The Collective Bargaining Agreement between CSEA and Onondaga County provides that an Oral Warning will lapse and shall be expunged from the employee's record upon the expiration of twelve months. In regard to other forms of discipline, especially involving alleged minor procedural violations, as part of the grievance process E911 and the employee often enter into "sunset agreements" that will expunge the discipline from the employee's record after an agreed upon period of time providing the employee receives no disciplinary action for the agreed upon period.

V. Ordered Overtime:

Any unfilled posted overtime will be filled by ordered overtime with employees from that shift, in as much as possible. In order to fill unfilled posted overtime, employees will be ordered to work overtime on a rotational basis, using the "Ordered Overtime Receipt Record" form AD-141, beginning with the employee qualified to work the overtime based on shift need (ie., Fire, City, County, etc.) whose name appears first on the overtime log sheet for their shift. Employees will also show in the ordered overtime list located within Schedule Express.

Based on the documentation provided by E911 administration, there were only 3 days in the period of audit, 2013-2015, that required ordered overtime. These days were 12/1/14, 9/20/15 and 12/12/15. The employees ordered to work overtime on those days were tested in order to ensure the ordered overtime policies of the department, as stated in Directive 1512 (see Appendix below) were adhered to:

- 1) Employees will not be ordered to work overtime two days in a row, including their days off. If an employee uses a pass when ordered to work overtime, it will be considered the same as working the overtime, thus they cannot be ordered to work two days in a row.

- 2) Employees will not be ordered to work more than 4 hours overtime.
- 3) Employees will not be ordered to work overtime if they are scheduled for approved leave (vacation/personal/compensatory/bereavement/sick) immediately preceding or following the ordered overtime.
- 4) Employees may not work more than 16 hours straight, must be off at least 8 hours between shifts after working 16 hours, may not work more than four 16 hours shifts per pay period and must be off at least one 24 hour period per pay period.

12 employees were selected for testing. Their timestamp records for all shifts for the three years were reviewed in the KRONOS recordkeeping system.

- 5) An employee may “pass” on ordered overtime as long as they have passes available. Employees are given 3 passes per year valid from Jan 3rd through January 2nd of the following year. Additionally for every 160 hours of overtime worked employees will be given an extra pass. The pass request is documented on form AD-141 “ordered Overtime Receipt and “Record”. If an employee uses a “pass”, they will be logged at the bottom of the list in the same order that they are ordered in, there is no seniority.

IA reviewed all AD-141 forms that were available to verify the “pass” on ordered overtime was properly recorded and documented.

FINDING:

E911 was unable to provide any AD-141 forms for 2013. Testing for that year could not be performed.

Testing for #1 above yielded:

- one employee with 6 instances where they worked 2 or more overtime days in a row, however do to missing forms, it could not be determined if all instances were ordered overtime events.
- one employee with 2 instances where they worked 2 or more overtime days in a row, however do to missing forms, it could not be determined if all instances were ordered overtime events.

Testing for #2 above yielded no findings.

Testing for #3 above yielded:

- One employee worked 7.5 hours overtime on 4 separate days where they were not on the overtime available list and did not have an ordered overtime form for that day.

Testing for #4 above yielded:

- One employee worked a 16 hour shift and was only off 6.5 hours before the start of his next shift.
- Two employees had a combined total of 5 instances where they worked 5 or more 16 hour shifts in a pay period.

Testing for #5 above yielded no findings.

E911 response:

- #1 Both employees work voluntary overtime, most likely it was not ordered.
- #3 Day 1: The 24 hour report shows the Back Up Center was activated due to a winter storm. This employee is a shift supervisor and most likely came in due to this.
Day 2: The 24 hour report does not indicate over time was ordered.
Day 3: The 24 hour report indicates it was ordered overtime.
Day 4: The 24 hour report indicates nothing. This could have been for a meeting or training.
- #4 Findings were reviewed and it is correct the employees did work those hours.

It should be noted with Schedule Express tracking of the requested information will be much easier and a lot less room for human error.

RECOMMENDATION:

E911 management should monitor and review the activity in Schedule Express to ensure their policies and procedure are being followed and the issues noted in this audit are being corrected.

Management Response:

There are many last minute overtime fills that may not be on a form or in Schedule Express (e.g., overtime availability list exhausted and volunteers sought, employee goes home sick during shift briefing, employee no-show or late, sudden storm onset at shift change). In these cases, the person who volunteers is not on the available list and is just added to the shift schedule. The fact that the employee's name does not appear on the overtime availability list does not mean that the employee was ordered. For example, the employee cited in #3 Day 4 was assigned to work overtime for Fire/EMS refresher training. During the period in question, there were no employee

complaints or grievances alleging that an employee was ordered to work overtime in violation of established policy and procedure. Supervisors have been informed that the AD-141 forms must be retained for 6 years.

VI. Medical Considerations:

Employees who are medically restricted from working ordered overtime may not work voluntary overtime unless approved by the Deputy Commissioner.

Medical Restriction forms were obtained from E911. The time stamps in KRONOS for employees with medical restrictions were reviewed to verify they did not work any voluntary overtime.

FINDING:

For the three year period under review there were no instances for medically restricted employees working voluntary overtime. It appears the Medical Restriction policy was being properly followed during the period of audit.

Management Response:

No response necessary.

SECTION IV APPENDIX

**Collective Bargaining Agreement by and between the County of Onondaga and the CSEA,
Local 834**

January 1, 2013 – December 31, 2015

Authoritative Agreements and Laws

Article 12, Overtime Compensation Premium, defines overtime as follows:

A. Definition:

Overtime compensation shall be paid at the rate of one and one-half times (1 ½) the regular compensation rate plus shift differential premium, if applicable, for hours worked in excess of eight hours in a work day or 40 hours in a defined seven day work week.

Employees covered under this agreement shall have the option, upon prior written request of and subject to prior authorization by the department head or authorized designee, of receiving compensatory time at the rate of time and one half (pursuant to FMCS Case No. 97-14350 (K.Chase)) in lieu of monetary compensation in accordance with the provisions set forth in this Article except as provided in paragraph B below.

B. Applicability:

The provisions of this Article shall not be applicable to classification determined to be exempt pursuant to the Federal Fair Labor Standards Act. Such determination shall not be reviewable under Article 27 – Grievance and Arbitration Procedure of this agreement. Employees occupying such classifications may elect straight time cash or straight time compensatory time for time worked in excess of their normal work day or normal work period as defined under Article 7 – Work Time.

Such election shall be subject to the approval of the department head. Approved compensatory time shall be limited to a maximum accrual of 35 or 40 hours depending on the title and be expended upon prior request by the employee and approval of the department head. When the maximum accrual has been reached, all time worked in excess of the normal work day or normal work period shall be compensated at straight time cash payments.

C. Accountability:

Any unpaid absences shall not be considered as time worked for purposes of computing overtime.

D. Availability:

Overtime will be made available to senior qualified employee in the job title which is ordinarily and customarily assigned the work by the Employer on a rotation basis insofar as practical over the period of this agreement.

Departments with the union may establish a policy that takes into account 12-D, which meets the needs of both parties.

E. Call-In Pay:

The County agrees that any employee covered by this agreement that is called into work for emergency duty shall receive the greater of (a) or (b) as follows:

1. Either a minimum of four (4) hours pay at the regular rate of compensation or upon request of the employee and approval of the department head or designee, a minimum of four (4) hours of straight compensatory time;

2. One and one half times the regular compensation rate or compensatory time in accordance with paragraph (A.) of this article (if classification determined to be non-exempt), or straight time cash or straight time compensatory time in accordance with paragraph (B.) of this article (if classification determined to be exempt), for actual time worked.

The County maintains the right to assign or retain any employee for the duration of the call-in duty.

F. Compensatory Time Balances:

1. The Employer may apply the following methods to manage compensatory time balances accumulated under (A) or (B) of this Article or the Federal Fair Labor Standards Act.
 - a. The Employer may opt to “cash out” (that is to pay the equivalent cash compensation on an hour for hour basis at the then current rate of pay) some or all compensatory time hours at such time or times as it may designate during any calendar year.
 - b. The Employer may opt to schedule employees to expend some or all compensatory time in the form of paid absences from work at such time or times as it may designate during the calendar year.
 - c. The Employer may opt to allow such accumulated compensatory time balances to remain.
2. In the event that the Employer decides to exercise one of the above options, the Employer shall establish a uniform amount or balance to be applied equitably to compensatory time balances within each department.
3. The Employer shall provide 25 working days advance notice to employees in the event it opts to initiate (1) (b) above.
4. Employees shall be able to maintain a minimum compensatory time balance of 35 to 40 hours depending upon the title.
5. Employees may initiate a written request to receive a “cash out” as defined in (1) (a) above of accumulated compensatory time. All such requests shall be subject to the approval of the department head and responded to in writing.

G. Ordered Overtime:

It is hereby affirmed that the Employer shall maintain the right to compel overtime to be worked by employees in instances where:

1. Voluntary overtime arrangements have been exhausted without rendering a qualified employee available to do the work;

2. In the event of unexpected or emergent situations where the Employer determines that a position or post must be staffed or than an assignment or work must be accomplished.

It is further affirmed that the Employer shall have the right to formulate and implement overtime policies in order to assure staffing and that such policies shall include provisions for the isolated occasion to decline ordered overtime where such declination is both reasonable and justifiable.

Onondaga County, Dept of Emergency Communications, Directive 1512, "Overtime" effective November 17, 2014

I. Introduction

The Onondaga County Department of Emergency Communications is committed to providing the most cost effective service to the residents of Onondaga County and at the same time fulfilling its mission. It is understood that there will be times when overtime be needed to accomplish this.

II. Purpose

Staff will be required to work overtime in order to maintain the orderly operation of the Onondaga County Department of Emergency Communications. This Directive describes the basic criteria to be applied as well as the responsibilities for administering and recording overtime, and states the department's policies, guidelines and procedures regarding staff overtime. For the purpose of this policy, overtime is defined as "Ordered or Voluntary".

III. Policy

It is the policy of the Onondaga County Department of Emergency Communications to:

- A. Utilize overtime solely to ensure the continued orderly operation of the department and to assure the achievement of the department's mission and goals.
- B. Provide a fair and equitable system for assigning overtime, consistent with the current collective bargaining agreement.
- C. Assign overtime first on a voluntary basis and then on an ordered basis, with seniority being the determining factor, insofar as practical.

D. Maintain clear and accurate records regarding the assignment of overtime. E. Comply with all federal, state and local laws, rules, regulations and standards, which may relate to this Directive.

IV. Procedure

A. Onondaga County Department of Emergency Communications Operations and Staffing: A shortage of staff to cover essential posts on each shift may result from employees' absence, deployment of staff to handle unusual occurrences, emergency situations, Civil Service examinations or other circumstances.

Consistent with the department's responsibility to maintain the orderly operation of the department, the following guidelines are to be applied for assignment of available staff:

1. The Shift Supervisor will ensure that all provisions of this Directive are strictly adhered to at all times.
2. Staff will not be assigned to work overtime unless every alternative has been explored by the Shift Supervisor, insofar as practical. The specific post assignment on overtime status is a management right and responsibility.

B. Other Operations Staff may be required to work overtime for reasons other than stated in III.A including, but not limited to:

1. completion of reports
2. tape review
3. training

C. Anticipated Overtime

All anticipated overtime will be posted on the overtime section of the overtime/available list (form #AD-140) by the 15^h of the preceding month whenever possible. The type of employee assignment will be noted in red ink on the list if necessary (i.e., Fire, City, County, etc.) Overtime will be posted numerically in four hour slots.

Part-time employees will be required to submit the hours that they are available to work no later than the 10th of each month, for the following month.

Employees will be allowed to sign up (in blue or black ink only) for posted overtime as soon as the overtime has been placed on the overtime clipboard (see "Bumping"). Employees signing up for overtime may request the position(s) they wish to be assigned, but understand this is just a request and not a guarantee. Employees who wish to be considered for overtime if it becomes available should place their name on the available

list. All employees placing their name on the overtime list or the available list are responsible for recording their “seniority number” where designated. Seniority numbers are assigned according to seniority date.

All changes, corrections, deletions or additions to the overtime list must be done by a Shift Supervisor or their designee. Employees should refrain from crossing their or anyone else’s name off the available list. (Employees may also call in to do this if they are not at work.) If no supervisors’ initials appear in the box, an employee will still be considered available for overtime even if their name is crossed off.

D. Bumping

When an employee wants to work a posted overtime position, and it has been filled with an employee with less seniority, that employee must submit a tri-form to the Shift Supervisor of the shift the overtime exists on, specifying the date and time they wish to bump. Requests to bump must be made prior to the end of the shift requested on the 27th of the month for the following month. The bumped employee will be notified of the bump via the overtime “bumped/canceled” tri-form (form #AD-139A). When a bump occurs, the responsible Shift Supervisor will cross off the least senior person possible, indicate they were bumped and enter the employee doing the bump on the list with the same number as the person being bumped. The employee being bumped will have their name placed on the “overtime available” list.

Employees signing up for posted overtime may sign up for more than one four hour block with the understanding that they may be bumped for one or more of these blocks by a person with more seniority.

E. Cancelling Overtime

When the need arises for a supervisor to cancel overtime, as the overtime is no longer needed it will be done by cancelling the least senior person who is signed up for overtime during the respective time frame. When this occurs, the responsible Shift Supervisor will cross off the name of the least senior person possible, indicating they were cancelled. The employee being cancelled will have their name placed on the “overtime available” list and be sent an overtime cancellation slip. Employees will be given 16 hours’ notice when cancelled from overtime they have previously been signed up for. In the case of an employee being offered overtime (on the same day) and a discrepancy is found that the overtime is not needed, the employee may be cancelled without the 16 hour notice.

F. Withdrawing Overtime

Any employee wishing to withdraw overtime they signed up for must submit a tri-form with the date and hours they wish to withdraw. This request to withdraw overtime must be submitted no less than 24 hours prior to the scheduled overtime to the appropriate Shift Supervisor. The Shift Supervisor will then cross off the name of the withdrawing employee and place a "WD" over the name and re-post the overtime. The supervisor crossing off the employee's name will initial the appropriate box.

Onondaga County, Dept of Emergency Communications, Directive 1512, "Overtime" effective August 28, 2015

I. Introduction:

The Onondaga County Department of Emergency Communications is committed to providing the most cost effective service to the residents of Onondaga County and at the same time fulfilling its mission. It is understood that there will be times when overtime be needed to accomplish this.

II. Purpose:

Staff will be required to work overtime in order to maintain the orderly operation of the Onondaga County Department of Emergency Communications. This Directive describes the basic criteria to be applied as well as the responsibilities for administering and recording overtime, and states the department's policies, guidelines and procedures regarding staff overtime. For the purpose of this policy, overtime is defined as "Ordered or Voluntary".

III. Policy:

It is the policy of the Onondaga County Department of Emergency Communications to:

A. Utilize overtime solely to ensure the continued orderly operation of the department and to assure the achievement of the department's mission and goals.

B. Provide a fair and equitable system for assigning overtime, consistent with the current collective bargaining agreement.

C. Assign overtime first on a voluntary basis and then on an ordered basis, with seniority being the determining factor, insofar as practical.

D. Maintain clear and accurate records regarding the assignment of overtime.

E. Comply with all federal, state and local laws, rules, regulations and standards, which may relate to this Directive.

IV. Procedure:

A. Onondaga County Dept of Emergency Communications Operations and Staffing:

A shortage of staff to cover essential posts on each shift may result from employees' absence, deployment of staff to handle unusual occurrences, emergency situations, Civil Service examinations or other circumstances.

Consistent with the department's responsibility to maintain the orderly operation of the department, the following guidelines are to be applied for assignment of available staff:

1. The Shift Supervisor will ensure that all provisions of this Directive are strictly adhered to at all times.
2. Staff will not be assigned to work overtime unless every alternative has been explored by the Shift Supervisor, insofar as practical. Specific post assignment on overtime is a management right and responsibility.

B. Other Operations

Staff may be required to work overtime for reasons other than stated in III.A including, but not limited to:

1. Completion of reports
2. Call/incident reviews
3. Training

C. Anticipated Overtime

All anticipated overtime will be posted in Schedule Express by the 20th of the preceding month whenever possible. The type of employee assignment will be noted in need for specific assignment if necessary (i.e., Fire, City, MRD, NYPIN or Call Taker, etc.). Part-time employees as well as NYSPIN personnel will be required to submit the hours that they are available to work for the following month no later than the 10th of preceding month. Employees will be allowed to post their availability for open or anticipated overtime spots through the 20th of the preceding month and then will be moved to the overtime position based on discipline need as well as seniority. Seniority as per the Collective Bargaining Agreement between Onondaga County and CSEA Local 834 is defined as the date the employee was first appointed to a regular line item position, full or part time on the regular payroll (101) and followed by continuous service thereafter

with the County in title recognized (by the current agreement) except as modified by Civil Service Law. This information is recorded in the Schedule Express Program. Employees who wish to be considered for overtime if it becomes available should post their overtime availability in the request overtime section of the Schedule Express Program. Employees signing up for overtime or placing their name on the request overtime list can also note special circumstances in the special notes section of the request overtime form. Appropriate Notes for example would be. Request to work CFC, or Request SPD TA, or for Administrative staff available 1500-1900 if necessary. All changes, corrections, deletions to the overtime list must be done by a Shift Supervisor or their designee or an employee through the Schedule Express Program. Employees will only be able to withdraw their names from an overtime spot once they notify a desk supervisor of such. At the start of each shift an Overtime availability list will be printed from the Schedule Express Program for the purpose of hiring for unplanned open spots throughout the shift. As employees are hired for open spots or if someone passes and the availability list moves on a line should be used to cross that individuals name off the list and the supervisors initials should be place next to this line so the next person on the available list can be hired to fill the spot. This available overtime list will be stapled with all daily paperwork and filed in the shift folder.

D. Filling Overtime:

If the most senior employee doesn't want the open position the open spot will be offered to the next most senior employee listed on the available for overtime list posted in Schedule Express.

E. Cancelling Overtime

When the need arises for a supervisor to cancel overtime, as the overtime is no longer needed the Shift Supervisor/Designee will cancel the least senior person who is signed up for overtime during the respective time frame provided it still leaves the department staffed with all mandatory positions filled. The cancelled employee's name will then show in the available for overtime list in Schedule Express in order of seniority. When an overtime cancellation occurs a cancellation slip will be filled out or printed from Schedule Express and sent to the employee in question. Employees will be given 16 hours' notice when cancelled from overtime they have previously been signed up for. In the case of an employee being offered overtime (on the same day) and a discrepancy is found that the overtime is not needed, the employee may be cancelled without 16 hour notice.

F. Withdrawing Overtime

Any employee wishing to withdraw overtime they signed up for must submit a tri-form with the date and hours they wish to withdraw. This request to withdraw overtime must

be submitted no less than 24 hours prior to the scheduled overtime to the appropriate Shift Supervisor. The Shift Supervisor will then cancel the overtime via Schedule Express and will hire the next senior appropriately trained employee to fill the open position if needed. When circumstances change, and it is necessary to cancel an employee's overtime, the supervisor will cancel the overtime in Schedule Express and send the cancelled employee a cancellation slip. The employee that is cancelled automatically is relocated to the availability list in Schedule Express listed by seniority. Supervisors will fill vacancies with someone from the available list in Schedule Express starting with the most senior appropriately trained employee, whenever practical. Employees hired from the available list will be notified via the "taken from available and put on overtime" tri-form (form #AD-139) or printed overtime sheet from Schedule Express. Depending on the specific employees notifications settings in Schedule Express they may also be notified via text message and or email. A yearly log shall be kept to keep track of Employee's who cancel overtime with less than 24 hours' notice. If an employee cancels overtime with less than 24 hours' notice it will be logged. The only exception to this rule would be in case of illness when the employee provides a doctor's note, the cancellation will not be logged. The following shall apply to those employees who cancel overtime with less than 24 hours' notice. Four occasions will result in the issuance of a coaching memo. Five occasions shall result in the issuance of an oral warning. Six occasions will result in the issuance of a written reprimand. Each subsequent cancellation after the sixth will follow the progressive discipline process up to and including dismissal.

G. Unfilled Overtime (Ordered Overtime)

Any unfilled posted overtime will be filled with ordered overtime with employees from that shift, in as much as possible. In order to fill unfilled posted overtime, employees will be ordered to work overtime on a rotational basis, using the "Ordered Overtime Receipt And Record" (form #AD-141) beginning with the employee qualified to work the overtime based on shift need (i.e., Fire, City, County, etc.) whose name appears first on the overtime log sheet for their shift. Employees will also show in the ordered overtime list located within Schedule Express.

The following policies will prevail and be followed as closely as possible to provide our employees with a work/life balance commitment.

1. Employees will not be ordered to work overtime two days in a row, including their days off. If an employee uses a pass when ordered it will be considered the same as working the overtime, thus they cannot be ordered to work two days in a row. (Once an employee has used their allotted amount of passes and refuses to work ordered overtime they can be ordered to work the next day)

2. Employees will not be ordered to work more than four hours overtime.
3. Employees will not be ordered to work overtime if that order does not permit 8 hours of time off between shifts or forces the employee to work more than 12 hours straight.
4. If an employee is already scheduled to report for voluntary overtime, that employee will not be ordered if the order would cause less than 12 hours off between ordered and voluntary overtime. Employees will not be ordered to work a pass day if they have volunteered for overtime on their other pass day.
5. Employees will not be ordered to work overtime if they are scheduled for approved leave (Vacation/Personal/Compensatory/Bereavement/Sick) immediately preceding or following the ordered overtime.
6. Employees may not work more than 16 hours straight, must be off at least 8 hours between shifts after working 16 hours, may not work more than four 16 hour shifts per pay period and must be off at least one 24 hour period per pay period.
7. No employees will be ordered in from home, if at all possible.
8. There is no continuation of shift. Once an employee finishes their 8 or 12 hour shift they shall be considered off duty and overtime worked after this time shall be credited to them being "on pass." For example, if an employee who works 2300-0700 hours stays until 1100 hours on their last day this would be considered working on their pass day. In conjunction with this if an employee who works 2300-0700 hours is scheduled to work 1900-2300 hours on overtime their first day back that would be considered working their pass day and they would not be ordered to work any other time during their scheduled 2 (pass) days off.
9. As long as the 12 hours shift is in effect employees working on an 8 hour schedule should not be ordered while on their assigned pass days.
10. Employees assigned to the 12 hour work schedule should not be ordered to work on their 12 hour days. They can be ordered to work overtime on their 4 hour days as well as their pass days. If vacancies occur less than 24 hours prior to a shift, the first four hours will be filled by the Shift Supervisor from the shift just prior to the shift that the vacancy has occurred. The second half of the shift will be filled by the Shift Supervisors working the shift where the vacancy has occurred, with the exception of A Watch, B Watch or C Watch must attempt to fill A Watch's second half, and if unsuccessful, resort to ordering D Watch personnel, if possible. When an employee is ordered to work overtime, and chooses to accept the order, they will indicate that they will comply on the form and sign and date the form. The supervisor doing the ordering will also sign and date the form. When an employee is ordered to work overtime, and chooses not to accept the order, they

will indicate that they will not comply on the form and sign and date the form. The supervisor doing the ordering will also sign and date the form. An employee may "pass" on ordered overtime as long as they have passes available to them. Employees will initially be given (3) passes per year, beginning January 3rd through January 3rd of the following year. Additionally for every 160 hours of overtime worked employees will be granted an extra pass. This pass request will be documented on Form AD-141 "Ordered Overtime Receipt and Record". If an employee exercises a "pass", they will be logged at the bottom of the ordered list immediately. If more than one employee exercises a pass, those employees will be logged at the bottom of the list in the same order that they were ordered in. There is no seniority logging for the usage of "passes". Personnel that actually worked the overtime will be logged, as usual, in reverse seniority order after those that used a "pass". If an employee has used all of their "passes", subsequent passes are considered a refusal of ordered overtime and their name will remain at the top of the list. The first refusal will result in a Coaching Memo, the second refusal will result in an Oral Warning and the third refusal will result in a Written Reprimand. Any further refusals will result in appropriate disciplinary action, up to and including suspension and/or termination. If an employee exercises a pass, and then presents a physician's note stating the employee was unavailable for medical reasons, the pass will be credited back to the employee and the employee's name will be placed back on the list where it had been removed from. Employees who are ordered to work overtime on their pass days who call in sick will be required to provide a doctor's note or they will be charged with taking a pass. Subsequently employees who are working and are ordered to stay who are unable to stay because they are ill will also be required to provide a doctor's note or they will be charged with a pass.

When a pass is used, it will also be logged on the "Ordered Overtime Pass List"; an alpha listing of all employees (form #AD-141A). When an employee has worked overtime, (a minimum of 1 hour) their name will be rotated to the bottom of the list, regardless of whether the overtime is "ordered" or "voluntary". As time passes, the list will continue to rotate. New employees will be added to the top of the list (as the least senior employee), but they have the same chance to work overtime to go to the bottom of the list.

H. Sudden Overtime:

In order to fill sudden vacancies (caused by but not limited to sick call ins, weather conditions, serious incidents, etc.) employees on the available list will be contacted in order of seniority insofar as practical, prior to ordering any employee(s) to work overtime. This may be done by telephone, page or in person. If personal contact cannot be made, the supervisor attempting to fill the overtime may continue on to the next person on the available list. In the case where a page has been sent or a message left on an answering machine, an attempt to reach the next person may be made after five minutes if practical. Once an employee has been reached, if they accept the overtime,

they will be added to the managed overtime in Schedule Express. If an employee has been contacted and is not available, their name will be crossed off the printed available overtime list that was printed off from Schedule Express at the beginning of the shift. The Supervisor that crosses a name off from the list will initial next to the name crossed off so that other supervisors know who contacted or passed over an employee for overtime. If no volunteers are found for the overtime, the appropriate scenario for the Communicator will be activated in a last attempt to find a volunteer before any personnel are ordered. When making calls to fill overtime for the current day common sense needs to be used. If a person did not work the night before and you are filling a vacancy for 1900 hours discretion can be used, you might make the call at noon. If a person worked the midnight shift and the overtime is for 19:00 that evening you should not be calling until at least 1400 hours.

I. Errors in Filling Overtime:

When an error is made filling overtime the remedy shall be as follows. The employee(s) who should have been offered the overtime shall be entitled to work the amount of hours they were not offered. This can be done at their convenience and they shall receive their choice of overtime pay or compensatory time.

J. Medical Considerations:

Employees exempt from working ordered overtime must provide updated documentation every thirty (30) days. Employees who are medically restricted from working ordered overtime may not work voluntary overtime unless approved by the Deputy Commissioner.

K. Filling NYSPIN O:

Staff permanently assigned to NYSPIN will be given the first opportunity to work NYSPIN overtime, including both posted and any other NYSPIN overtime.

ORDER TO BE USED FOR FILLING OVERTIME (to be done by Seniority, most Sr. person first)

- NYSPIN Assigned Clerks
- NYSPIN Assigned PST's
- All other NYSPIN trained staff

L. Same day sick call-ins/Last minute vacancies:

Upon receipt of a same day sick call-in/last minute vacancy for NYSPIN the Shift Supervisor/Designee will check the schedule for the next shift and see if coverage is

needed. If coverage is needed the Shift Supervisor/Designee will check the floor schedule and see if the shift is over and there is a NYSPIN trained person scheduled to work the floor. If this is the case and that person can be pulled from the floor (without causing a shortage of dispatchers) this person will be assigned to NYSPIN. If the floor is not over the overtime will be covered by referring to Schedule Express availability list. This will be done by contacting employees on the Schedule Express available list which is in order of seniority insofar as practical, prior to ordering any employee(s) to work overtime. This may be done by telephone, text, page or in person. If personal contact cannot be made, the Shift Supervisor/Designee attempting to fill the overtime may continue on to the next person on the available list. In the case where a page has been sent or a message left on an answering machine, five minutes shall be allowed for a callback before the next call is made if practical. Once an employee has been reached, if they accept the overtime, their name will be added to the manage overtime section of Schedule Express. If an employee has been contacted and is not available, their name will be crossed off the Schedule Express available list printed off at the beginning of the shift and appropriately initialed by a supervisor. If after calling all the names on the back-up list no volunteers are found for the overtime the Shift Supervisor/Designee will activate the appropriate scenario for the Communicator in a last attempt to find a volunteer before any personnel are ordered. For same day overtime, calls will not normally be made until three hours before the time of the overtime spot. (i.e. For a 19:00 hour overtime spot calls should not be made before 16:00 hours. Common sense needs to be used. If a person did not work the night before discretion can be used you might make the call at noon. If a person worked the midnight shift and it is 09:00 and the overtime is for 19:00 that evening you should not be calling until 1600 hours.

M. Future Vacancies:

When doing the monthly NYSPIN schedule, if NYSPIN coverage is needed, before posting NYSPIN overtime the following will be done. The scheduler will check Schedule Express for possible over staffing of the floor which could be moved into NYSPIN. This would be provided pulling this person does not cause overtime to the floor) this person will be assigned to NYSPIN. If the floor is not over the vacancy will be posted on the monthly overtime available list and filled in accordance will page 7 of this directive. The Shift Supervisor/Designee shall be responsible for ensuring that the NYSPIN assignment is filled.

N. Posted Overtime:

If the most senior employee doesn't want the open position the open spot will be offered to the next most senior employee listed on the available for overtime list posted in Schedule Express.

IV. Procedures:

Responsibility Action

A. Anticipated Overtime

Staff

1. Sign up for voluntary overtime using Schedule Express program.
2. Be available on the date indicated if overtime is needed.
3. Submit tri-form to remove name from overtime sheet when necessary.

Shift Supervisor

1. Refer to overtime in Schedule Express
2. Ensure a fair and equitable system when assigning staff for voluntary overtime.

B. Ordered Overtime

Shift Supervisor

1. If no employee is available after canvassing in accordance with IV (A) above, ordered overtime as per procedures outlined in this directive.
2. Complete Form AD-141 "Ordered Overtime Receipt and Record" in triplicate and distribute as follows:
 - Original to the business office
 - Copy to employee
 - Copy to employee's ordered overtime file in the Shift Supervisor's office.