
COMPENSATION AND LEAVE

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600.1 General Provisions

Under most circumstances, issues related to compensation and leave benefits are governed by the Federal Fair Labor Standards Act (FLSA), California Administrative Regulations (CAR), Collective Bargaining Agreements or policy statements originating from California State University, Long Beach Staff Personnel Services or the Division of Personnel Services (SUAM) in Sacramento.

Establishment of a base salary rate, step increases, service-based salary increases, merit-based salary increases, and cost of living increases will be done in accordance with the collective bargaining agreement of the individual employee.

The following regulations are designed as an operating guide for Departmental conduct. In all cases of conflict, the above cited authorities shall supersede any Department policy or supervisory order.

600.2 Overtime

Whenever possible, within budgetary constraints, overtime will be paid rather than requiring accrued leave to be used later.

600.2.1 All employees are subject to work overtime and may be required to do so. As much notice as possible will be given. See General Order 2 for further on the allocation of overtime.

600.2.1.1 Every effort will be made to offer and assign overtime on as equitable basis as possible.

600.2.1.2 While the Department will strive to present the opportunity for overtime on a uniform basis, it is not necessary, or guaranteed, that each employee will receive an identical amount of overtime over a set period of time

600.2.1.3 Overtime is to be kept to a minimum.

600.2.2 All overtime must be approved in advance by the immediate supervisor. Employees who know they will go into an overtime situation need to seek their supervisor's approval.

600.2.3 Supervisors who observe an employee working over the established, regular schedule need to immediately determine the nature of the work and either approve it as overtime or send the employee home.

600.2.4 Compensatory time shall be provided by mutual agreement between the employee, and the Department, in accordance with that employee's collective bargaining unit agreement with the CSU. See General Order 2 for further on CTO accrual and use.

600.2.5 The use of flex time to avoid the payment of overtime will not be allowed, except with the approval of the employee and in accordance with that employee's collective bargaining agreement with the CSU.

600.3 Holidays

Whenever possible, within budgetary constraints, employees will be offered the option of holiday pay or time at a later date.

600.3.1 All employees are subject to work holidays and may be required to do so. Scheduling of holidays, and holiday work, will be done in accordance with employee collective bargaining unit agreements with the CSU.

600.3.2 Departmental units requiring staffing on a holiday will do so at the minimum authorized level.

600.3.3 Holidays are announced by Staff Personnel Services at the beginning of each calendar year.

600.3.4 Employees required to work on a holiday will be compensated at one and one half the regular rate. Only the actual hours worked will be used in the computation of overtime.

600.4 Shift Differential

Only forty hour employees are eligible for shift differential, per current CSULB Personnel Regulations.

600.4.1 Shift differential will not be paid on overtime hours.

600.5 Training and Travel Compensation

Training, if required, is time worked and counts toward overtime computation. Travel time to training is time worked, if the employee drives to training.

Travel time to training held on campus is not included for compensation. Travel time, in excess of the normal driving time to work is compensated for training held elsewhere within and outside the metropolitan Long Beach area.

Employees attending in-service training will receive a minimum of three (3) hours compensation, except where attendance occurs during normal duty hours.

600.6 Promotions and Position Reclassifications

Where possible, within budgetary constraints, employees will be given the maximum pay increases or minimum pay decreases allowed under current CSULB Personnel Regulations.

600.7 Call-In/Callback/Stand-by (on-call)

The above terms are defined as follows:

- (a) Call-in: Where an employee is called in to work on a regularly scheduled day off.
- (b) Call-back: Where an employee has already worked an assigned tour of duty and is called back to work to complete a second tour of duty or part of a tour.
- (c) Stand-by (on-call): A period of time outside the employee's regularly scheduled work hours, during which the employee is required to remain available to the Department within a specified response time.

600.7.1 Eligibility for the above is as follows:

- (a) Overtime exempt employees are not eligible for call-ins, call-back, or stand-by compensations.
- (b) Nonexempt employees are eligible for call-in, call-back, and stand-by compensation.

600.7.2 Procedural requirements:

- (a) Situations where twenty-one (21) days advance notification has been given for the need to work a regular day off are not considered call-in, but are a temporary modification of the employee's regular work schedule (see 600.10 and 600.11 for clarification).
- (b) When called back for duty, all employees shall receive a minimum of four (4) hours, except where notification was received within four (4) hours prior to the start of the employee's next, regular tour of duty. Only hours spent performing call-back work shall be counted as time worked for the purpose of computing overtime. The hours credited but not worked shall be paid at the straight time rate of pay. (Police Officers appearing in court shall receive a minimum of four (4) hours compensation, except where court falls within their regular work schedule.
- (c) Employees required to attend a regularly scheduled staff meeting, planning meeting, or personnel related meeting shall receive a minimum of four (4) hours compensation, except where the activity occurs within four (4) hours of the start of the employee's next, regular tour of duty.
- (d) Where any employee is ordered to stand-by at a designated phone number or location for a possible call, that employee shall go "on the clock" for straight time compensation at the time of notification.
- (e) Police Officers shall receive a minimum of two (2) hours compensation or compensatory time off at straight time rate for required standby time for court appearances outside a unit members' regular schedule. Employees are required to inquire with the party issuing the subpoena regarding official time to stand-by and the continuing need of standby status and document on their time sheet with the court case number and person confirming the on-call time period.
- (f) Police Officers shall receive a minimum of two (2) hours compensation or compensatory time off at straight time rate for required DMV and other telephonic hearings. Police Officers shall receive overtime premium rate for the duration of the time spent testifying on the phone and straight time for any remainder of the two (2) hours minimum time period.

600.8 Jury Duty, Required Court Appearances and Compensation

CSULB Personnel Regulations and S.U.P.A. and C.S.E.A. agreements provide for leave with pay to serve on jury duty or to respond to subpoenas and court orders. Restrictions are also delineated. The current regulations and agreements will be the governing factor for this subject.

600.8.1 Each employee requesting leave under this regulation shall supply a copy of the subpoena, court order, or other official notice, which will be attached to the Department's payroll sheet.

600.8.2 Police Officers appearing in court as a direct result of their official duties need not request leave, but shall be compensated as regular duty.

600.9 Reporting of Time for Compensation

Pay periods and pay days are set by Payroll Services. Each employee must submit a time sheet, completed per established procedures, in order to be compensated. The following rules shall apply:

600.9.1 Each time sheet shall reflect exact and accurate information. No employee shall knowingly submit inaccurate information or assist another employee in submitting inaccurate information for the purposes of fraud or deceit. Employees will sign their time sheets at the end of each pay period to attest to agreement of hours recorded and accuracy of information.

600.9.2 Time recording is the responsibility of the individual employee. The supervisor is responsible for the review and approval of the time sheet and authorizing leave taken. In the absence of the employee, the supervisor shall be responsible for the completion of the employee's time sheet. Supervisors and Division Commanders will sign time sheets to indicate concurrence and approval of hours recorded by employees.

600.9.3 All employees must account for their total work commitment, either through hours worked, leave taken, leave without pay or any combination.

600.10 Regular Days Off

Employees shall normally be assigned consecutive, regular days off each week. Where allowed by Collective Bargaining Agreement, and by mutual agreement, employees will be allowed time off on a regular work day to compensate for extra hours worked, but the regular days off will remain the same.

600.10.1 Regular days off may be permanently changed at the Department's discretion, with a minimum of twenty-one (21) days notice to the employee.

600.10.2 Employees who are scheduled rotating days off will be allowed days off which are consecutive.

600.11 Duty Assignments and Hours

Generally, employees will be assigned specific, defined duties for specific days and the same set of hours for each work day. Schedule alterations or rotating shifts may be established dependent upon existing or projected requirements.

600.11.1 Employees will be given a minimum of two weeks notice to a permanent change of duty schedule or assignment.

600.11.2 Employees will be given a minimum of fourteen (14) days notice to a temporary change of duty schedule or assignment, except where:

- (a) The change is in response to emergencies.
- (b) The change is pursuant to actions of the employee which may result in disciplinary action.
- (c) The change is made as a result of an employee failing to maintain a condition of employment.

600.11.3 Where allowed by Collective Bargaining Agreement, and by mutual agreement, any employee who works extra hours not scheduled or planned as overtime, on a regularly scheduled work day, may have his/her work schedule adjusted (reduced) for the following work day or for another mutually agreeable work day within the current fourteen (14) day period, commensurate with the number of extra hours worked, so as to maintain an eighty (80) hour work schedule within the fourteen (14) day period.

600.11.4 Where allowed by Collective Bargaining Agreement, and by mutual agreement of all involved parties and the Department, any swaps of shift, days off, or hours of duty must be documented on the appropriate form and the swap must be completed in the same 80 hour work period.

600.12 Coffee and Lunch Breaks

The Department shall abide by the provisions of the collective bargaining agreements.

600.12.1 Employees who are not paid for their lunch breaks will take this time away from their desks and offices.

600.12.2 Breaks can not be used to make up for reporting late for duty or to leave work early. Breaks will not be taken during the first or last hour of a scheduled tour of duty.

600.12.3 Coffee and lunch breaks can not be combined to extend the amount of time off.

600.12.4 Department personnel should recognize that breaks can not be guaranteed in emergency situations. Every reasonable effort will be made to accommodate breaks.

600.12.5 There are no provisions for alternate compensation if an employee misses a rest break.

600.12.6 Employees who are paid for their lunch breaks may be restricted to campus or their work stations. When an employee takes a lunch break away from an assigned duty station or where the breaks causes the employee to be unavailable for calls, the employee will be required to make up the break time at the end of the watch. This type adjustment must receive prior supervisory approval.

600.13 Authorized and Unauthorized Leave: General Provisions

The accrual and use of leave is a benefit received by employees as part of their employment with the University. It is the general operating policy of the Police Department that employees should be afforded their benefits to their best advantage, but without adversely affecting the operations of the Department. Employees are expected to request the use of accrued leave in advance. The amount of advance notice required depends on the urgency of the request.

600.13.1 Leave that has been requested and approved by the manager, per current procedures, shall be termed authorized leave.

600.13.2 Leave that has not been requested per current procedures or which has not been approved shall be termed unauthorized leave, unless the employee furnishes the manager evidence satisfactory to the manager that circumstances made it impossible to request leave in the form and at such time as prescribed by current procedure.

600.13.3 Use of unauthorized leave shall be recorded on the employee's time sheet as "WOP" (without pay) and shall result in the employee being "docked" the number of hours absent, except as provided in 600.13.2.

600.13.4 The habitual or flagrant use of unauthorized leave shall be grounds for disciplinary action.

600.14 Vacation Leave

Employees are encouraged to take maximum advantage of their vacation leave benefits.

600.14.1 Employees are allowed to use vacation leave in any increments, but will generally be restricted to a maximum of two (2) consecutive weeks at a time. All requests for vacation leave in excess of (2) consecutive weeks may only be approved by the Chief of Police.

600.14.2 Vacation leave should be requested as far in advance as possible. All vacation leave must be approved by the employee's manager in advance. In the absence of the manager and when an employee requests vacation leave without advanced notice, the employees supervisor has authority to grant vacation leave. (Example- same day, afterhours and weekend requests) Supervisors are not authorized to grant vacation leave that results in overtime without manager approval.

600.14.3 Vacation leave requests will generally be granted on a "first-come, first-serve" basis.

600.14.4 Managers shall not be arbitrary in approving or rejecting vacation leave requests. Managers shall not unreasonably defer the taking of vacations so that for all practical purposes, the employee is deprived of vacation rights.

600.14.5 Except in emergencies or in unexpected and unforeseeable circumstances Managers shall not cancel vacations or vacation leave requests once granted.

600.15 Sick Leave

All supervisors shall assume an attitude of "good faith" in dealing with employees requesting the use of sick leave, unless such use has reasonably been determined to be abusive. Employees are granted sick leave use under circumstances defined in CSULB Personnel Regulations. Employees are reminded that, while often times necessary, the use of sick leave can place a burden on co-workers.

600.15.1 Employees will notify the on-duty supervisor at least one (1) hour prior to the beginning of the shift. The on-duty supervisor will be responsible to arrange for a replacement employee, if necessary. Employees are strongly encouraged to provide more advanced notice, if possible, so that staffing arrangements can be made.

(a) The on-duty Dispatcher or Supervisor taking the call will update the scheduling software to record the absence and notify the watch commander of the employee's absence.

(b) Employees are required to call in on each day of an illness, unless otherwise excused.

600.15.2 Employees will be required to produce a physician's release in order to return to duty when:

(a) The employee has been ill for three (3) or more consecutive days.

(b) The employee is returning to duty following a contagious illness.

(c) The employee is being released following surgery or a Worker's Compensation injury. The release should include a statement of what the illness was and that the employee is able to return to duty.

(d) Supervisors may also require a physician's release for less than a three (3) day absence where there is reason to believe there is an abuse of the benefit or where there has been habitual or flagrant misuse of sick leave.

600.15.3 All physician releases shall be placed in the employee's Departmental personnel file.

600.15.4 Employees may be placed on Medical Certificate and required to produce a physician's release after each illness when;

(a) There is habitual misuse of sick leave.

(b) There is flagrant abuse of sick leave.

Employees shall not be placed on Medical Certificate for a period longer than six (6) months.

600.15.5 Where an employee has exhausted accrued sick leave, a specific request must be made to the Manager prior to use another form of accrued leave. A decision will be at the discretion of the Manager. Where no such request is made, the absence shall be counted as leave without pay (dock). The Manager will additionally document this with an email to the timekeeper. When such request is made and approved, the time sheet shall reflect "Vacation/Sick." Generally, employees who have a documented history of sick leave abuse or misuse will not be allowed to use other forms of leave time.

600.15.6 Employees may be counseled or disciplined for the excessive use sick leave, especially when such usage places an unreasonable burden on co-workers.

600.16 Disability Leave

The administration of Industrial Disability Leave and Enhanced Industrial Disability Leave shall be coordinated through Safety & Risk Management. It is the employee's responsibility to ensure proper notifications and compliance to implement this benefit.

Pregnancies are governed by CSULB Personnel Regulations. The Department will coordinate with the employee and the physician in addressing pregnancies or adoptions for male and female employees.

600.16.1 Employees will be expected to perform their assigned duties as normal until such time as a physician's statement is presented which states that the employee can no longer function in their normal capacity without undue medical risk.

600.16.2 When such a statement has been received, the Department will attempt to reassign the employee to light duty as described in Section 600.21 of these Regulations.

600.17 Parental Leave

Parental Leave shall be afforded an employee in accordance with CSULB Personnel Regulations. The Department will coordinate with the employee to allow them to take the allowed paid leave associated with the birth, adoption, or placement of a foster child. Additional absence(s)/periods shall be in accordance with those prescribed by the Federal Family Leave Act.

600.18 Military Leave

All permanent employees who are members of an organized United States military reserve or National Guard unit are entitled to a maximum number of days paid leave per year as prescribed by current CSULB Personnel Regulations.

600.18.1 Employees shall give two (2) weeks notice of a planned absence in order to be compensated or provide sufficient explanation as to why the proper notice could not be given.

600.18.2 In order to use military leave with pay, a copy of the employee's military orders must be attached to the Department payroll sheet. The time used will be reflected as "Military Leave of Absence" or "MLOA."

600.18.3 In the event the employee has exhausted the maximum amount of authorized leave or if the appropriate notice has not been supplied, the time used will be reflected as "WOP-MLOA", unless the employee has specifically requested the use of vacation, holiday, or compensatory leave. These requests will be granted automatically.

600.19 Funeral Leave

Funeral leave requests which conform to the provisions of CSULB Personnel Regulations shall be automatically granted. The employee's time sheet shall reflect "Funeral Leave".

600.19.1 The employee may be required to produce an obituary notice when abuse is suspected.

600.19.2 Where a law enforcement officer has been killed in the line of duty and the Department has determined to be represented at the funeral as a professional courtesy, one employee will be assigned as a representative and shall receive full compensation. Other employees desiring to pay their professional respects will be required to use accrued leave. The Department representative will usually be the highest ranking or most senior police officer attending.

600.20 Leaves of Absence

This section is intended to address other types of authorized leave not otherwise covered.

600.20.1 A medical leave of absence may be granted when the employee has produced a physician's statement which clearly states the employee is unable to perform all normal duties due to a specified illness or medical condition. All such requests shall be made to the Chief. When granted, the employee will be required to use all accumulated sick, compensatory, and holiday leave before being placed on leave without pay. Use of vacation leave prior to a leave of absence will be at the discretion of the employee. The employee's time sheet shall reflect "Medical Leave of Absence".

600.20.2 A personal leave of absence may be granted where the employee has requested it in writing and demonstrates a compelling reason for the leave and it is considered for the good of the employee and the Department. All such requests will be made to the Chief. When granted, the employee will be required to use all accumulated compensatory, holiday, and vacation leave before being placed on leave without pay. The employee's time sheet shall reflect "Personal Leave of Absence".

600.20.3 Leaves of absence without pay will be taken after the required use of accumulated leave. Circumstances of leave with pay or administrative leave will be allowed only when:

- (a) CSULB Personnel Regulations authorize such.

- (b) The employee has been relieved of duty with pay under circumstances described in Section 800 and 900 of these Regulations.
- (c) As authorized by the Chief, a Division Commander, or his/her designee under unusual or extraordinary circumstances.

600.21 Temporary Duty Modification

The Department does not have provisions for light duty *per se*. It is recognized, however, that circumstances arise where an employee is medically unable to perform their full duty, but could serve in a limited or restricted capacity. In those instances and where a physician's statement verifying this condition is presented, the Department will make every reasonable effort to reassign or modify the work assignment of the employee, providing the employee has no on-going disciplinary problems and has a good attendance and productivity record.

- 600.21.1** Under no circumstances will the employee be assigned so that the condition creates an undue hazard for the employee, co-workers, or the public at large.
- 600.21.2** Reassignments will be made based on legitimate need. No "busy work" assignments will be made. Employees reassigned or assigned to modified duties must be qualified to perform the essential functions of the duty assignment.
- 600.21.3** Modified duty assignments will be made for a maximum of 90 days. After review, the assignment may be extended for additional increments of up to 90 days.
- 600.21.4** Where the employee has presented a physician's statement recommending light duty and where there is no legitimate assignment available, the employee will be required to use leave per the procedures defined in Section 600.20.1 of these Regulations.

600.22 Tardiness

Tardiness shall be defined as the failure to report for duty at the assigned location and time or failure to return from an authorized break at the appropriate time, without advance notice and approval.

- 600.22.1** All non-exempt employees who realize they will tardy for duty are to notify Dispatch as soon as possible to allow for any necessary shift coverage.
- 600.22.2** All non-exempt employees who report late for duty shall be automatically "docked" the amount of time they are late, except where the employee can satisfactorily demonstrate that the delay was reasonably unforeseeable and unavoidable. Oversleeping will not normally be considered just cause.
- 600.22.3** Employees who are tardy may not use accumulated leave to make up for the unexcused absence. Where the employee meets or exceeds the work period commitment, there shall be no loss of compensation, but the time sheet shall reflect the tardiness. Employees will not automatically be allowed to make up their lost time.

600.23 Workers' Compensation

In normal circumstances, a Worker's Compensation claim is between the employee, the State Compensation Insurance Fund, and Safety & Risk Management. The Department will render whatever assistance and information it can on behalf of the employee. All procedures and processes shall conform to Worker's Compensation procedures as administered by Safety & Risk Management.

600.23.1 All on-duty injuries require a report of injury and shall incorporate the following requirements:

- (a) All forms shall be completed by a supervisor before going off duty.
- (b) The employee should be strongly encouraged to be examined at the designated Worker's Compensation facility or the appropriate emergency room before going off duty.
- (c) The supervisor shall follow the physician's recommendations. Where light duty is recommended and there is no legitimate work for the employee, the employee shall be sent home. Where the claim is a direct result of an on-duty work-related injury the employee will be placed on Industrial Disability Leave. Where acceptance of the claim has been delayed by Worker's Compensation the employee will be required to use sick leave.
- (d) All paperwork available (a copy of the physician's report is not necessary) shall be submitted to the personnel related staff member in police administration.
- (e) Two (2) copies will then be forwarded to the appropriate referral point and one (1) copy will be placed in the employee's departmental personnel file.
- (f) The personnel related staff member will handle initial calls on the claim. Questions which can not be answered at this level will be referred to the supervisor or directly to the employee.

600.24 Participation in Service and Professional Organizations and Compensation

This is intended as a general guide to handling employee time and compensation for those personnel who participate in organizations and activities which fall outside an employee's regularly assigned duties and are not addressed in the collective bargaining agreements.

600.24.1 Any activity which an employee is required to participate in will be fully compensated. Where an organization or activity is initiated by the Department or University, full compensation may be awarded.

600.24.2 Where organizations or activities are initiated outside the University and when the employee wishes to participate, no on-duty compensation shall be offered. Participation shall be conducted on off-duty hours or during the use of accrued leave.

600.24.3 Most organizations and activities will be determined on a case-by-case basis for compensation. When necessary, clarification will be made by General Order or letter.

600.24.4 It shall be the individual employee's or organization's responsibility to ensure compliance with all applicable State laws and University Regulations.

600.25 Daylight Savings Time

The Department shall handle daylight savings time in a manner most beneficial to the employee. In the fall, when time is set back one (1) hour, on-duty employees will record nine (9) hours worked (11 hours if on the 4/10 plan or 13 hours if on the 3/12 plan). In the spring, when time is moved ahead one (1) hour, on-duty employees will record seven (7) hours worked (9 hours if on the 4/10 plan or 11 hours if on the 3/12 plan), with no leave used. It will not be necessary for on-duty employees to make up that one hour during the course of the pay period.

600.26 Special Assignment Pay (Stipends)

Pursuant to SUPA Collective Bargaining Agreement the following criteria have been established for the award of special assignment pay.

600.26.1 All Special Assignments Stipends will be valued at \$100.00 each. Officers may earn up to \$400.00 per month in Special Assignments as described in the SUPA collective bargaining agreement "Special Assignment Stipend".

600.26.2 *Unrestricted Assignments.* The term "unrestricted" describes those assignments that involve the award of special assignment pay on an on-going basis for the duration of the assignment. Assignments will be made by the Chief of Police for a specified time period. Those assignments include the following:

- a. Critical Response Unit
- b. Primary Calibrator for Preliminary Alcohol Screening (PAS) Device
- c. Firearms Team Member; Range Master, Firearms Instructor and Armorer
- d. Program Coordinator; Bicycle Program
- e. Canine Handler
- f. Electric Bicycle Program

600.26.3 *Restricted Assignments.* The term "restricted" describes those assignments which involve the award of special assignment pay only when a certain level of participation is achieved during a pay period. This includes the following:

- (a) Acting as an instructor for any Department authorized course of instruction. One Stipend will be awarded for each of the following increments of instruction up to a maximum of \$400 for the month; 1-4 hours, 5-8 hours, 9-12 hours, 13-16 hours. Officer must have POST certification as a trainer for the course offered to be eligible. To be eligible for the stipend a Training Course Announcement must have been generated and course outline must be on file with the Training Coordinator. Does not include any; "on-the-job" training (OJT), Field Training Officer duties or Range Qualifications and Firearms Training by a Firearms Team Member.
- (b) When assigned as a Field Training Officer (FTO) only when assigned a trainee. This stipend has a \$100.00 value when assigned a trainee. A sti-

pend will be awarded for each week when serving as an FTO, up to a maximum of \$400 for the month. A week is defined as the work week either 36 or 44 hours. One day as an FTO does not constitute a “week.” An FTO working in the “Partner Phase,” is eligible for total compensation of \$100 for the entire month working in this capacity. The \$100 is not awarded by the week, it is by the month. The month being the entire scheduled work period for the month by pay period.

- (c) Bilingual Interpretation Services only when used as a primary investigator/first responder in an event recorded by a department report (CR#). To be eligible, an officer must possess conversational skills, not just “street” skills. Demonstration of conversational skills must be made to and approved by a Department authorized evaluator.
- (d) Acting as University Defensive Driving Course Facilitator.
 - 1. Course facilitation is open to all sworn personnel who have successfully completed Department instruction in the University Defensive Driving Program and have clearance from the Chief or his designee to facilitate the course. A stipend is awarded for every course facilitated up to a maximum of \$400 for the month.
- (e) Acting as a RAD Instructor or RAD Aggressor, unless that duty is part of the instructors normal job duties. A stipend is awarded for each four hour block of instruction up to a maximum of \$400 for the month.
- (f) Special assignments such as; bicycle patrol, investigations, crime prevention, and Officer-in-Charge (OIC) when specifically assigned outside an officer’s normal duties and when forty (40) hours or 36 hours consecutively in one workweek is spent in any combination of these activities. These hours must be accrued during one pay period.

600.26.4 Special Assignment pay does not apply where an employee’s job description includes these duties and the employee’s base classification already compensates for the duties.