

Overtime Study

Report of the 1999-2000 San Francisco Civil Grand Jury

SUMMARY

The Civil Grand Jury investigated overtime compensation, the way overtime is awarded to employees, its fiscal impact, its use by and effect on various departments, the manner in which overtime is controlled, and its short-term and long-term consequences for the City.

Some employees receiving overtime are able to substantially enhance their pensions due to overtime worked. Over the life of the employee's pension, the City pays or incurs a pension obligation approximately 10 times the employee's regular hourly rate for each hour of overtime worked. The cost of overtime in this instance is grossly disproportionate to the benefits received by the City and results in a huge windfall to the employee. The amount received by the employee can be approximately 20 times the employee's regular hourly rate.

Causes of excessive overtime are identified, and examples of impact to the Retirement System are presented. Both department-specific and general recommendations are presented.

BACKGROUND

1. OVERTIME COSTS AND PRODUCTIVITY IN GENERAL

In its simplest form, overtime generally results in the City paying one and one-half times the usual hourly pay for each hour of work. While there are some savings from not having to incur the cost of fringe benefits and employment taxes when the City does not hire additional employees to perform needed tasks, the cost to the City for most overtime is approximately 30 percent greater than the employee's regular hourly compensation. It is generally recognized that excessive overtime can decrease employee work performance and productivity.

2. PENSION ENHANCEMENT AND COST

Some employees receiving overtime are able to substantially enhance their pensions due to overtime worked. The cost of this overtime lasts as long as the employee receives pension benefits. The pension benefit received by the employee is more than the cost to the City due to accrual of pension plan earnings (e.g., interest or dividends) that reduce the amount the City is required to contribute to the City pension plan. City pension plan costs are based on an assumed 8.25 percent return; if the pension plan investments return more than 8.25 percent, as they have in recent years, the cost to the City is reduced accordingly.

Over the life of the employee's pension, the City pays or incurs a pension obligation approximately 10 times the employee's regular hourly rate for each hour of overtime worked. The cost of overtime in this instance is grossly disproportionate to the benefits received by the City and results in a huge windfall to the employee. The amount received by the employee can be approximately 20 times the employee's regular hourly rate.

3. TIER 1 - EMPLOYEES ELIGIBLE FOR PENSION ENHANCEMENT

Certain employees have the ability to increase their pensions by working overtime. In 1976, the City Charter was amended to preclude overtime from being considered in calculating a subsequently hired employee's pension. Currently only Miscellaneous Employees (everyone other than Police and Fire Department employees) employed prior to November 2, 1976, are eligible for pension enhancement due to overtime. As provided by the San Francisco Retirement System, as of July 1, 1998, there were 2,782 employees in this category (also known as Tier 1 Employees), broken out as follows:

Employee Type	Number of Employees
Municipal Railway	312
Craft Workers (Department of Public Works, Water Department)	320
Other	2150
TOTAL	2,782

Pensions for these employees are based upon age, years of service and "final" salary. Final salary consists of the employee's highest compensation in any year of employment.

4. OPPORTUNITY FOR PENSION ENHANCEMENT

Institutionalizing practices at certain City departments results in overtime opportunities being afforded to those employees on the verge of retirement, thereby making an enhanced pension benefit opportunity available to the employee. Usually that results in overtime hours being worked by a soon-to-be-retired employee, which are far in excess of the overtime hours worked in previous years by that employee. The awarding of an overtime opportunity to an employee may be controlled by a MOU (Memorandum of Understanding) between a City department and the employee's union. In some instances, the department MOU provides for rotating overtime amongst department employees and in other instances provides for senior employees (usually the highest paid) to have priority in the awarding of overtime. During investigation, the Civil Grand Jury was told that in some cases cronyism may be used as the basis for awarding overtime. A senior employee on the verge of retirement may thus be given the opportunity for pension enhancement. An existing practice affords an employee who is about to retire the opportunity to receive overtime assignments in his or her final years of employment. An employee then accrues overtime pay, resulting in a pension benefit that has been substantially increased over the amount of the benefit that would otherwise have been paid to the employee.

The Civil Grand Jury was informed that another method that can be used by Tier 1 Public Transportation Department (Municipal Railway) employees to increase pension benefits is to switch from supervisory positions back to regular driver positions in the year prior to retirement. Regular driver positions can offer greater chances for overtime, and also offer a greater variety of job tasks, than do supervisory positions.

5. UNFILLED POSITIONS USED TO FUND OVERTIME

Employees in various departments rely on being able to work overtime in order to supplement their income. Although this would suggest that those employees may be underpaid or otherwise in need of additional income, this need may create a disincentive to add employees when the requirement for additional staffing arises. Certain City departments have not filled authorized personnel positions and have used the amount budgeted for unfilled positions to pay overtime to existing employees, including those eligible for pension enhancement. Department heads have the latitude to shift budgeted employee compensation for unfilled positions to overtime pay.

METHODOLOGY

The Civil Grand Jury interviewed various City department administrators and reviewed fiscal year 1999 payroll records (July 1, 1998 through June 30, 1999) of all City Departments where overtime hours had exceeded 16 percent of regular hours. This report from the Controller's Office reflects that approximately 2,600 employees reached this level of overtime.

Those departments with significant numbers of employees earning overtime pay substantially in excess of their base pay are the focus of this report. However, in order to reduce the data to a more manageable size, the following charts are limited to employees whose base pay is over \$40,000 and whose overtime hours exceeded 25 percent of their regular hours.

MUNICIPAL RAILWAY

The Municipal Railway functions seven days a week. Employees who work a five-day workweek can call in sick or otherwise not show up on a regular employment day and come to work on one of their days off. This results in the employee being paid time and a half for the day worked. Even if pay is docked for the day not worked, the employee has increased his/her income for the week by the amount of extra overtime pay.

Of the 3,582 Municipal Railway-funded positions, 1,269 workers received overtime hours greater than 16 percent of their regular hours. Simply put, more than one of every three Municipal Railway workers fell into this category. This level of overtime may introduce a fatigue factor, and further studies may be able to show some linkage between personnel with significant overtime hours and those involved in traffic accidents.

It must also be noted that about 466 Municipal Railway employees in our current study had an annual salary above \$40,000, and this amount was supplemented by overtime hours which was at least 25 percent of their regular hours. Just to highlight this situation, below is a listing of those employees who received more in overtime pay they received in their annual base pay.

NAME	JOB	BASE PAY	OVERTIME PAY	OVERTIME HOURS
Jeffrey Chow	Transit Supervisor	\$43,005	\$90,368	2,046
Evette Geer-Stevens	Transit Supervisor	59,243	77,013	1,761
Wade Lee	Transit Operator	45,905	57,349	1,881
Danilo Farrales	Transit Supervisor	55,189	66,241	1,534
Edward Dennis	Transit Operator	44,981	53,572	1,742
Gene McClain	Transit Operator	44,058	52,842	1,697
James Rogers	Transit Operator	45,353	53,057	1,725
Stephen Dickson	Transit Operator	43,937	49,917	1,634
Udaniel Hamilton	Transit Operator	45,371	50,657	1,662
Arturo Poblette	Transit Operator	45,837	50,987	1,672
Raymond Triplitt	Transit Supervisor	59,243	67,192	1,518
John Kantor	Transit Operator	44,997	46,865	1,537
Allan Buscaglia	Transit Supervisor	59,017	63,550	1,425
Leon Clark	Transit Operator	45,047	46,462	1,529
Robert Wiseman	Transit Operator	44,392	46,254	1,503
Prospero Sunga	Transit Supervisor	45,780	46,198	1,463

FIRE DEPARTMENT

There were 156 Fire Department employees who had overtime hours greater than 16 percent of their regular hours. Of this group, about 9 out of 10 were uniformed fire-fighters/paramedics. Again, this level of overtime may introduce a fatigue factor, and further studies might be able to uncover some linkages between front-line Fire Department personnel with significant overtime hours and those involved in street accidents or fire injuries.

Below is a listing of Fire Department personnel who had an annual salary over \$40,000 and who additionally received overtime hours which amounted to more than 25 percent of regular hours.

NAME	JOB	BASE PAY	OVERTIME PAY	OVERTIME HOURS
Larry Sinigiani	Firefighter	\$57,258	\$52,248	1,554
Charles Lesca	Firefighter	57,658	44,961	1,292
Robert Postel	Firefighter	56,057	42,810	1,272
Michael Arsanis	Fire Rescue Paramed	62,254	44,152	1,261
James Kenyon	Firefighter	56,857	39,907	1,188
Ray Crawford	Fire Rescue Paramed	62,554	42,893	1,153
Stephen Lynch	Firefighter	58,661	35,854	1,068
John Cavanaugh	Captain, EMS	63,822	40,082	900
Sebastian Wong	Captain, EMS	61,234	36,415	816
Patrick Gardner	Lt. FD	65,910	37,726	964
William Gunn	Plumber Sup.	72,372	40,673	782
James Beem	Fire Rescue Paramed	61, 856	34,220	920
M. Tragesser	Fire Rescue Paramed	63,139	33,938	916
James Dunson	Lt. FD	65,080	33,152	709
Michael Jones	Lt. FD	71,092	32,723	836
Timothy Howe	Fire Rescue Paramed	62,910	29,212	788
Ernest Ware	Lt. FD	65,538	29,046	744
Elyse Duckett	Firefighter	55,787	24,058	716

John Faulkner	Firefighter	56,057	24,179	720
Thaddeus Golas	Firefighter	57,258	18,200	540
George Bruce	Lt. FD	65,910	27,887	713
Sheila Reid	Payroll Clerk	45,159	19,050	592
Curtis Young	Lt. FD	76,913	33,433	721
M. Creedon	Firefighter	56,191	23,291	695
Conrad Brosas	Firefighter	56,057	23,197	688
Alfred Rizotto	Lt. FD	65,585	24,773	634
Rudolph Erler	Firefighter	65,960	26,438	677
M. Thompson	Firefighter	45,434	19,646	672
W. Demattei	Lt. FD	65,074	26,287	672
Vincente Cogal	Fire Rescue Paramed	62,722	19,064	516
Paul Wyrsh	Firefighter	56,857	22,541	672
Frank Agius	Firefighter	55,718	21,590	644
Gerald Coghlan	Firefighter	56,457	21,766	648
James Griffin	Lt. FD	65,073	24,844	636
D. Gerhardt	Firefighter	56,435	21,353	531
Eric Nylander	Fire Rescue Paramed	61,703	24,591	628
W. Landivar	Lt. FD	65,074	24,591	631
John Christy	Fire Rescue Paramed	74,049	24,534	663

HEALTH DEPARTMENT

Below is a listing of Public Health Department employees who had an annual base pay over \$40,000 and whose regular pay was supplemented by overtime hours which were at least 25 percent of their regular hours.

NAME	JOB	BASE PAY	OVERTIME PAY	OVERTIME HOURS
Charles Reinhart	Psych. Tech.	\$48,914	\$56,821	1,600
Frances Ye	Unit Clerk	45,251	39,541	1,264
William Riggs	Surgical Tech.	49,066	36,110	971
Josephine Perez	Surgical Tech.	49,101	33,350	967
Rose Coleman	Eligibility Worker	48,819	32,927	920
E. Anocleto	Lic. Voc. Nurse	47,474	31,699	882
Anene Ugbaja	Inst. Police Off.	45,980	29,693	838
R. Restauero	Inst. Police Off.	53,199	24,738	829
J. Ballanado	Lic. Voc. Nurse	48,118	24,738	819
Stanley Lee	Stores/Equip Asst Sup.	46,333	25,602	767
Marjorie Rubio	Lic. Voc. Nurse	48,443	26,826	763
F. Garcia	Health Team Leader	45,277	24,161	725
Yuan Hsu	Op. Room Nurse	63,002	41,290	820
Eric Cranston	Inst. Police Off.	51,176	28,568	705
Johnnie Chavez	Psychiatric Tech.	44,212	23,007	657
Adlaida Samson	Surg. Proc. Tech.	49,097	25,085	720
Delmy Hinds	Hosp. Eligibility	49,832	25,509	713
Mylene Espiritu	Lic. Voc. Nurse	42,109	18,519	648

E. Palacios	Truck Driver	41,879	20,846	568
Moises Tiglao	Radiologic Tech.	52,690	27,379	640
Samuel Cherry	Inst. Police Off.	47,796	19,980	581
N. Gammad	Lic. Voc. Nurse	46,189	15,281	568
John Majka	Inst. Police Off.	47,446	21,898	639
Judy Chou	Hosp. Eligibility	49,645	21,032	563
Marisa Allen	Lic. Voc. Nurse	43,899	18,482	578
V. Alibutod-Romabile	Lic. Voc. Nurse	40,606	16,546	541
Larry Prosper	Inst. Police Off.	53,610	21,277	542
M. Barquero	Lic. Voc. Nurse	47,552	16,955	518

POLICE DEPARTMENT

Of the 2,595 Police Department funded positions, 614 employees (or approximately one of every four employees) received overtime hours greater than 16 percent of their regular hours.

About 220 Police Department employees had an annual salary above \$40,000 and this compensation was supplemented by overtime hours of at least 25 percent of their regular hours. To highlight this situation, below is a listing of those employees whose overtime hours exceeded 50 percent of their regular hours.

NAME	JOB	BASE PAY	OVERTIME PAY	OVERTIME HOURS
James Gaan	Police Officer	\$63,921	\$71,361	1,566
M. Thompson	Sergeant	67,737	71,361	1,440
John Fewer	Inspector	68,990	61,796	1,248
Curtis Dowling	Police Officer	59,425	53,152	1,245
A. Johnson	Police Officer	59,425	52,084	1,219

Robert Ramos	Police Officer	56,114	49,072	1,220
A. La Rocca	Police Officer	55,573	48,400	1,202
P. Schlotfeldt	Police Officer	62,361	53,695	1,201
Ross Laflin	Police Officer	59,480	51,061	1,195
James Hickson	Police Officer	63,489	54,269	1,191
D. Clennell	Police Officer	63,183	53,827	1,181
Michael Gaynor	Inspector	68,398	57,831	1,167
Phillip Frenkel	Police Officer	56,110	46,394	1,152
Edward Weaver	Police Officer	62,410	49,311	1,100
Dominic Yin	Police Officer	58,408	46,184	1,101
Edbert Dare	Police Officer	63,837	49,960	1,095
M. Simmons	Police Officer	58,076	45,404	1,083
G. Constantine	Police Officer	59,198	46,224	1,082
Robert Bonnet	Police Officer	63,362	49,060	1074
Joseph Toomey	Inspector	68,990	52,356	1,059
J. Ongpin	Police Officer	59,767	45,035	1,055

PARKING AND TRAFFIC DEPARTMENT

Below is a listing of Parking and Traffic Department personnel who had an annual base pay in excess of \$40,000 and whose base pay was supplemented by overtime hours which were at least 25 percent of their regular hours. We were surprised to find that painters dominated this category.

NAME	JOB	BASE PAY	OVERTIME PAY	OVERTIME HOURS
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R. Galarce	Painter	\$50,081	\$32,625	945
Victor Garcia	Painter	50,667	32,838	925
Romulo Ratola	Painter	50,667	30,534	871
Michael Hart	Painter	50,667	24,555	707

RECREATION AND PARK DEPARTMENT

Below is a listing of those employees who had an annual salary in excess of \$40,000 and had their pay supplemented by overtime hours at least 25 percent of their regular hours.

NAME	JOB	BASE PAY	OVERTIME PAY	OVERTIME HOURS
Roger Revel	Gardener	\$42,447	\$28,962	965
F. Halldorson	Gardener	41,753	27,166	906
Michael Bagdon	Gardener	41,753	17,466	585
Joseph Caputo	Gardener	41,753	18,651	622
S. Grech	Groundkeeper	45,955	17,689	537

SHERIFF'S DEPARTMENT

There were 117 Sheriff's Department personnel who had overtime hours greater than 16 percent of their regular hours. Of this group, almost 97 percent were sworn deputies. Therefore, it seems that future studies should be made to determine whether some of the current Deputy assignments could be appropriately and adequately performed by non-law enforcement personnel.

Below is a listing of Sheriff's Department employees who had an annual salary over \$40,000 and who had supplemented their pay by overtime hours at least 25 percent of their regular hours.

NAME	JOB	BASE PAY	OVERTIME PAY	OVERTIME HOURS
T. Bradley	Deputy Sheriff	\$55,747	\$52,244	1,350
M. Turner	Deputy Sheriff	43,449	39,880	1,287

Charles Gatson	Deputy Sheriff	50,318	40,387	1,116
Barry Bloom	Deputy Sheriff	45,351	34,167	1,026
Harry Lee	Deputy Sheriff	41,708	30,696	1,013
Malechi Burris	Sr. Deputy Sheriff	55,539	40,629	1,015
K. McConnell	Deputy Sheriff	42,967	31,234	1,007
Carolyn Gage	Deputy Sheriff	50,322	35,295	989
David Johnson	Deputy Sheriff	42,798	29,681	966
F. Dimapasoc	Deputy Sheriff	50,324	32,750	916
Dwight Hall	Deputy Sheriff	41,876	27,884	907
Lloyd Jones, Jr.	Deputy Sheriff	50,317	27,498	760
Sarah James	Deputy Sheriff	46,086	24,736	753
R. Johnson	Deputy Sheriff	41,949	22,584	621
Kevin Warren	Deputy Sheriff	50,317	26,717	742
April Johnson	Deputy Sheriff	42,202	22,135	743
Ernest Smith	Deputy Sheriff	50,322	26,159	727
D. Carter, Jr.	Deputy Sheriff	50,317	24,513	679
T. Catchings	Deputy Sheriff	41,950	19,977	565
A. Carrasco	Deputy Sheriff	50,317	23,073	646
Anna Payne	Sr. Deputy Sheriff	55,747	25,158	631

WATER DEPARTMENT

Of the 67 Water Department employees who received overtime hours greater than 16 percent of their regular hours, more than one third had a total annual income exceeding

\$100,000. Below is a listing of only those who had an annual base pay of more than \$40,000 and who had their pay supplemented by overtime hours of at least 25 percent of their regular hours.

NAME	JOB	BASE PAY	OVERTIME PAY	OVERTIME HOURS
Samuel Botza	Inspector	\$65,029	\$43,689	937
Carl Spirz	Operating Engineer	60,116	41,327	887
Thomas Sutter	Plumber Supervisor	77,854	47,019	840
Norman Nelson	Plumber Supervisor	72,373	41,013	770
Patrick Shea	Truck Driver	49,137	28,273	740
William Teahan	Plumber Supervisor	72,372	39,285	742
Michael Lyons	Plumber Supervisor	72,233	37,807	709
Michael Reidy	Plumber Supervisor	72,373	37,406	697
Robert Tusch	Plumber Supervisor	72,373	34,457	661
Gerald Lyons	Plumber Supervisor	77,854	36,697	656
D. Gramberg	Stationary Engineer	65,251	30,777	632
John Teahan	Plumber Supervisor	72,373	33,607	630
Phil Marovich	Plumber Supervisor	72,373	32,468	624
L. Contreras	Plumber Supervisor	72,372	33,033	616
M. Spillane	Plumber Supervisor	72,373	32,934	613
Robert Sexton	Operating Engineer	59,360	28,052	590
W. Mecham	Truck Driver	49,137	22,282	569
Angus Pera	Truck Driver	50,492	23,712	587

R. McClean	Plumber Supervisor	72,373	29,921	572
Jorge Vicente	Truck Driver	49,157	22,825	565
Ralpheal Hale	Plumber Apprentice	60,485	24,619	560
D. McCarthy	Plumber Supervisor	72,373	29,556	552
Dennis Oneil	Operating Engineer	60,116	25,553	552
John Rincon	Truck Driver	50,677	20,473	533
Ronald Craig	Operating Engineer	59,829	24,646	532
T. Wortmann	Plumber Supervisor	72,373	28,548	533

POTENTIAL BENEFITS AND COSTS DUE TO OVERTIME PENSION ENHANCEMENT

Once a pension is awarded, it is based on the life of the retiree and of the retiree's qualified survivor (spouse or domestic partner). The retiree has the right to make certain pension benefit selections, which result in different pension amounts based upon the survivor benefit selected. The City is responsible for funding the benefit selected. A Tier 1 employee generally earns a substantially higher pension as a result of working overtime in his/her final years of employment. The annual cost to the City of the pension benefit is increased as a result of pension enhancement.

Using representative overtime hours as reflected in the previous tables, the following table shows the potential for pension enhancement and the potential cost to the City where overtime is earned by Tier 1 employees. The table assumes that the employee is 60 years of age with a 20.6 year life expectancy, that no survivor benefit was selected, that the overtime earnings represents the employee's highest compensation in the final year prior to retirement, that the base pay in the final year is the highest base achieved by the employee during his/her employment, that all earnings, including overtime in prior years do not exceed the base pay during the final year of employment, and that the retirement fund earns 8.25 percent annually.

	BASE PAY	OT PAY	YEARS OF SERVICE	MONTHLY BENEFIT WITHOUT OT*	OT HOURS	MONTHLY BENEFIT WITH OT	LIFETIME BENEFIT ENHANCED BY OT*	LIFETIME COST OF ENHANCED BENEFIT*
1	\$65,029	\$43,689	42.8	\$4,064	937	\$6,830	\$683,787	\$330,042
2	44,392	46,254	37.4	2,700	1,503	5,547	703,882	339,741

3	45,354	53,057	35.3	2,333	1,725	5,090	681,439	328,908
4	41,753	27,166	32.8	2,083	585	3,464	341,354	164,760
5	45,905	57,349	32.1	2,454	1,881	5,543	763,625	368,577
6	77,855	47,019	29.8	3,867	840	6,214	580,084	279,988
7	43,005	90,368	27.7	1,726	2,046	7,645	1,463,291	706,283
8	41,753	18,561	25.2	1,315	622	1,911	147,109	71,005
9	45,372	50,657	24.8	1,427	2,255	3,044	399,767	192,954

* Benefit calculations by Retirement System

CONCLUSIONS

The following causes of excessive overtime are identified by department. We note that some of the causes may be beyond the control of the department.

POLICE DEPARTMENT:

- Understaffing
- court appearances by arresting officer after shift ends or on day off
- report writing when an arrest is made near end of shift
- arrested person in need of medical treatment is routinely rejected by the Sheriff's Department causing the officer, who may be at the end of his shift, to accompany the prisoner to medical facility and to wait until the facility accepts the prisoner
- City emergencies
- unplanned protests
- visits by VIPs
- supplying officers for private events*
- street fairs*
- sporting events*
- filming of movies and commercials*
- private security needs of businesses.*

(*in some instances, the City may receive reimbursement of some of the overtime costs)

FIRE DEPARTMENT:

- Understaffing
- emergencies
- absences due to fraudulent worker's compensation claims
- illness
- work rules requiring minimum staffing at stations and to operate equipment
- general discontent by rank and file with management is believed to be responsible for some absenteeism

- Overtime paid to employees who participate in the delivery of toys during the Department's Toys for Tots program
- Alleged incidents of racism directed at the Chief may have resulted in overtime abuses in order to call into question the Chief's management skills.

MUNICIPAL RAILWAY:

- Understaffing
- unexcused absenteeism
- overtime abuses
- fraudulent worker's compensation claims
- outdated management information systems
- special events
- poor hiring practices
- labor agreements which limit management's ability to terminate employees for poor attendance.

RECOMMENDATIONS

General Comments

A close analysis of the Controller's overtime report/compilation of 2,600 City government employees revealed there are some job classifications that could provide additional job opportunities while reducing overtime hours. Additional persons hired into these job classifications could significantly reduce the risks and expenses involved with the dependency on overtime used to deliver necessary City services. One possibility is the General Laborer (7514) job classification, which appears in the Port Authority, Water Department, and rather extensively in the Department of Public Works. The other consists of the Security Guards (8202), Institutional Police Officers (8204) and even Museum Guards (8226) who received significant overtime hours in various City departments.

Furthermore, in order to elevate the issue of overtime to the proper priority level, overtime reduction should be connected to two existing monetary controls. One is to affix overtime reduction to the bonuses which City executives generate through the goals they set in Management Performance Reviews. The other is to assign a measurable value to overtime reduction which should be reflected in Performance Measures of departmental budgets.

Finally, the Civil Grand Jury cannot dismiss the widely held general opinion that significant overtime contributes to a fatigue factor in individuals which markedly reduces their peak performance. Therefore, claims against the City should also be compared against the overtime listing in order to determine if those City employees involved in some claims also happen to be recipients of significant overtime hours.

Police/Sheriff

1. Police Officer court appearances should be coordinated with the District Attorney's Office and the courts to attempt to arrange appearances on a scheduled workday with a realistic time scheduled for the appearance.

Required Response

Police Department
District Attorney

2. The Sheriff's Department should be responsible for custody of all prisoners delivered to the jail or to a medical facility while awaiting treatment. Individual officers should be relieved of this responsibility.

Required Response

Police Department
Police Commission
Sheriff's Department

3. Street fairs consume substantial overtime and the entity conducting the fair is only responsible to contribute a maximum of \$2,500 toward the costs incurred by the City. This contribution is sometimes waived by the Board of Supervisors depending on political considerations. The fee should be increased and guidelines established for the uniform waiver of fees.

Required Response

Police Department
Board of Supervisors

4. The use of police officers for private functions under Administrative Code section 10b results in some reimbursement to the City for overtime incurred. The Board of Supervisors recently repealed the requirement that a 20 percent fee be charged in addition to the overtime incurred. The repealed fee was not uniformly charged and that served as a reason for its repeal. Currently no charge is assessed for the cost of administering the program or for the use of City equipment by police officers hired under the 10b program. The 20 percent fee should be reinstated and assessed equally in all instances. If a waiver is justified it should be pursuant to established guidelines and not waived on the basis of political considerations.

Required Response

Police Department
Board of Supervisors

5. Studies should be made to determine whether some of the current Deputy assignments could be appropriately and adequately performed by non-law enforcement personnel.

Required Response

Sheriff's Department

Fire Department

6. Work rules should be re-examined to determine whether the current requirements unnecessarily contribute to overtime requirements.

Required Response

Fire Department
Fire Commission

7. The Department should increase its vigilance in curtailing and prosecuting fraudulent sickness and compensation claims.

Required Response

Fire Department
Fire Commission

8. Investigate incidents determined to be a tactic to discredit the chief, responsible personnel should be identified and disciplined or terminated.

Required Response

Fire Department
Fire Commission

9. While Fire Department personnel understandably wish to witness the joy of a child receiving a toy, the City could arrange for the toys to be delivered in a less costly manner.

Required Response

Fire Department
Fire Commission

10. A comprehensive study ought to be made of Fire Department activities and policies to determine the root causes of its continuing heavy use of overtime.

Required Response

Fire Department
Fire Commission

11. An independent committee should be appointed to work with the Department to establish controls aimed at reducing overtime.

Required Response

Fire Department
Fire Commission

Municipal Railway

12. Legislation is required that would limit payment for overtime only where the workweek exceeds 40 hours. Employees should not be able to be absent during a

regular workday and then receive overtime for working on their regular day off during the same workweek.

Required Response

Board of Supervisors
Public Transportation Department

13. Overtime incurred for special events should be budgeted separately thereby allowing management to focus on other root causes of overtime not related to special events.

Required Response

Public Transportation Department

14. Management has a problem obtaining current data due to its use of technologically outdated information systems. Other departments have similar complaints. The City should analyze its information systems and include in its budget funding for a state-of-the-art management information system that potentially can be shared with all departments having similar needs.

Required Response

Public Transportation Department
Human Resources Department

General Recommendations

In addition to the specific recommendations above, we have the following general recommendations that cover all departments. Department heads are responsible for controlling overtime. The budget process consists of departments budgeting for overtime by generally basing the request upon the prior year's experience. As a result, overtime has become institutionalized as part of the budget. Common experience suggests that a department will find ways to use overtime funds awarded to it in the budget. The City will not be able to control overtime unless the systemic institutionalized process can be diverted to a process which views overtime as an extraordinary expenditure and there is an independent review for all overtime awarded.

15. The Civil Grand Jury believes that there are several job classifications that could provide additional employment opportunities while reducing overtime hours. One possibility is the General Laborer (7514) job classification, which appears in the Port Authority, Water Department, and rather extensively in the Department of Public Works. The other consists of the Security Guards (8202), Institutional Police Officers (8204) and even Museum Guards (8226) who received significant overtime hours in various City departments. Additional persons hired into these job classifications could significantly reduce the risks and expenses involved with the dependency on overtime used to deliver necessary City services.

Required Response

Mayor
Board of Supervisors
Controller

16. Discretionary and emergency overtime should be budgeted separately. Only unforeseen events should be considered in the emergency category.

Required Response

Board of Supervisors
Controller

17. Currently biannual reports are required where overtime for an employee exceeds 16 percent of base pay. Departments should be required to submit the report at the end of each month. The report should document the name of the employee, the amount of overtime pay earned, the reasons for the overtime and the department's plan of action to eliminate future discretionary overtime.

Required Response

Mayor
Board of Supervisors
Controller

18. Although the offices of the mayor and the controller have recently initiated monthly overtime expenditure reports, monitoring of the report requires that it be submitted for review by an independent body, the responsible commission, the mayor and the Board of Supervisors. Overtime expenditures for all departments should be reviewed by an independent oversight committee appointed by the Board of Supervisors. If the overtime expenditure is found to be excessive, the department head and oversight committee should work together to develop a plan to control future overtime expenditures. Multiple incidents of excessive overtime expenditures should be brought to the attention of the mayor for possible counseling of the department head.

Required Response

Mayor
Board of Supervisors

19. The Mayor, who has the power to hire and who can influence his or her appointed commissioners to fire department heads, has the ultimate responsibility for controlling overtime abuses. The cycle of overtime use, abuses and pension enhancement can be broken if the Mayor exerts leadership by letting department heads know it is City policy that the need for overtime is an extraordinary event and is to be kept to a minimum. It should be the City's goal to have appropriate staffing to fill the justifiable employee needs of the City, to budget for appropriate staffing, and to seek to reduce overtime as a way of life for City employees.

Required Response

Mayor