3.10.1 PURPOSE

To establish uniform practices and procedures for capturing hours worked and leave time in an accurate and efficient manner through an electronic time and attendance system while ensuring compliance with the Federal Fair Labor Standards Act (FLSA), all applicable state laws, the City’s Personnel Code and applicable bargaining unit agreements. In addition to outline compensation plans and benefits available to employees.

3.10.2 POLICY

Department employees shall abide by this order and the procedures outlined herein. The policy is to provide guidance on time and attendance, compensation to employees and benefits, i.e. medical, flexible spending, vacation and sick leave.

3.10.3 DEFINITIONS

**Non-exempt Employee:** Those employees who are paid on an hourly basis for all hours worked and eligible for overtime compensation pursuant to the provisions of the FLSA and/or applicable bargaining unit agreement.

**Exempt Employee:** Those employees who are paid on a salary basis and work in a bona fide executive, administrative or professional capacity and are exempt from the overtime provisions under the FLSA.

**Punch:** A punch is the exact time an employee clocks in or out for a shift as well as time left for any unpaid period of time lasting 20 minutes or more and time returned from the unpaid period. Per Department guidelines, a punch may be done using an assigned employee identification badge at a G1 or G2 terminal, through IVR Phone system or through a web punch entry on a computer or smart phone.

3.10.4 TIME AND ATTENDANCE
A. Non-Exempt Employees

1. It is the responsibility of each non-exempt employee to accurately record all hours worked, non-paid meal periods, overtime worked, and/or leave time utilized. This includes accurately recording through the designated time capture device the beginning of the work shift, meal periods, and end of shift.
2. If an employee fails to record time during a work shift he/she must immediately notify their supervisor so that the time can be recorded.
3. All overtime and leave must be recorded in quarter hour increments in accordance with the applicable Department procedures and applicable bargaining unit agreements.
   a. Employees working overtime outside their normal scheduled hours will receive supervisor permission. The employee will document in the electronic timecard under the OT comments line with comments in the notes section outlining what the overtime was for and which supervisor approved it.
4. Unauthorized hours worked will be compensated, however employees who do not adhere to assigned work schedules without advanced authorization may be subject to progressive discipline, including possible termination, pursuant to Department policy, City Personnel Code and/or applicable bargaining unit agreement.
5. Employees are prohibited from recording time for another employee or having another employee record time on his/her behalf into the time capture device. This does not prohibit supervisors from correcting electronic time cards for employees.
6. By approving the electronic time record, the employee is attesting to the best of his/her knowledge that the information contained in the time record is a complete and accurate reflection of hours worked and leave time used. Any falsifications or misrepresentations of hours worked and/or leave time may be cause for progressive discipline, including possible termination, pursuant to Department policy, City Personnel Code and/or applicable bargaining unit agreements.

B. Exempt Employees

1. Exempt employees are paid on a salary basis for the performance of assigned position duties and responsibilities. There is an expectation that exempt employees work at least an average of 40 hours per work week for a predetermined amount of compensation. Each day worked must show 8 hours worked, 8 hours leave or combination of 4 hours worked and 4 hours leave.
2. Unless required for grant compliance or project costing purposes, exempt employees will only submit leave requests as needed and timecards at the
end of each pay period.

3. All leave time must be recorded as time used in half or full day increments in accordance with the City Personnel Code and applicable Departmental procedures.

4. By approving the electronic time record, the employee is attesting to the best of his/her knowledge that the information contained in the time record is complete and accurate. Any falsifications, or misrepresentations of hours worked and/or leave time may be subject to progressive discipline, including possible termination, pursuant to Department policy or the City Personnel Code.

C. Supervisor Approval

1. Each pay period supervisors are responsible for reviewing and approving subordinate employee time records within the time and attendance system. By approving employee time records, the supervisor is attesting to the best of his/her knowledge that the information contained in the time record is complete and accurate.

2. Supervisors may designate an alternate supervisor(s) to authorize subordinate employee time records in their absence.

3. Supervisors may make corrections to time records only with the acknowledgement of the employee. All corrections must be supported by an explanation of the adjustment in the comments section and the employee must be notified in writing.

4. Supervisor approval is the final authorization of time record submission prior to payment to employees.

5. Supervisors who demonstrate a failure to monitor or establish a practice of authorizing omissions, inaccuracies, falsifications or misrepresentations of hours worked and/or leave time may be subject to additional training, progressive discipline, including possible termination, pursuant to Department policy, City Personnel Code and/or applicable bargaining unit agreements.

3.10.5 COMPENSATION AND BENEFITS

A. Compensation

1. Salary: Pay ranges for all Department positions are contained in the official Classification and Pay Plan adopted by City of Topeka and current bargaining unit contracts. Each job classification has a minimum (entry level) and a maximum salary level. Shift differential and longevity are specified in the appropriate contract or City pay plan.

2. Salary augmentation: Salary augmentation is provided by contract and City Personnel Code for special skills/purposes:

   a. Physical fitness incentive pay (FOP contract);
b. Standby pay (both contracts);
c. Call back pay (both contracts)
d. Pay for duty in a higher rank/classification (Personnel Code, FOP & AFT contracts); and
e. Field Training Officers and Supervisors (FOP contract).

3. Overtime and compensation are defined by Personnel Code and appropriate bargaining unit contracts.

B. City Employee Leave Program

All authorized leave is outlined in City policy and appropriate bargaining union contracts. Authorized leave includes:

1. Military duty/training,
2. Court appearances
3. Jury duty,
4. Inclement weather leave,
5. Emergency leave,
6. Funeral leave;
7. Personal leave,
8. Leave of absence,
9. Administrative leave,
10. Extended sick leave,
11. Medical disability leave;
12. Observed City holidays;
13. Sick leave; and

C. City Employee Benefits

1. Free use of the City’s Wellness Fitness Center. (Personnel Code)
2. Group medical coverage is provided for the employee. (See Personnel Code or Personnel Benefits Coordinator for detailed information.)

   a. The extent of coverage is determined annually by the City.
   b. Family coverage is available at the option of the employee and partially paid by the employee.

3. Kansas Public Employees Retirement Systems (KPERS) and Kansas Police and Fire Retirement System (KP&F) participation: <22.2.2a, c>

   a. KP&F for sworn employees includes life & disability benefits.
   b. KPERS for non-sworn employees includes life & disability benefits.
   c. (See City Benefits Coordinator and/or City Pension Manager for detailed information.)
4. Tuition reimbursement is covered in City Personnel Code and FOP/AFT contracts. <22.2.2e>
5. Cafeteria benefits for personnel include term life insurance, death & disability insurance, flexible spending plan, dependent care assistance plan, cancer insurance and deferred compensation programs.
6. City Employees Credit Union including such benefits as expand-a-check checking accounts, savings, loans, shares certificates, US savings bonds, Christmas club, money orders, travelers checks, payroll deductions, financial counseling, life savings insurance free, loan protection insurance free, discount tickets to entertainment parks, free notary service, IRAs, money market checking, movie tickets. (See City Employee Credit Union for more information).
7. Employee Assistance Program administered through @Life. (FOP Contract; Personnel Code).

D. Topeka Police Department Employee Benefits

1. The Topeka Police Department Benefit Fund Inc. was established by City ordinance to provide funds for sworn officers’ unreimbursed medical expenses. This is available to sworn officers only, not their family members.
2. Eligibility for membership into the TPD Credit Union.
3. A Chaplaincy program coordinates stress management training and support for law enforcement families. Its mission is “to assist in the spiritual and physical health and wellbeing of law enforcement employees and their families by providing training and support for common sense approaches to reducing stress at home and on the job.”
4. The Department Peer Support Team provides assistance to employees in time of need.

E. Liability Insurance <22.2.2d>

1. City vehicle coverage is maintained through a commercial carrier as determined by Risk Management.
2. The City of Topeka is self-insured for employee liability.
3. For details see Risk Management or the City Attorney’s office.

F. Time Away From Work Requests

An efficient and orderly system of processing time away from work requests is essential to ensure the Department maintains proper staffing levels. It is also imperative that all personnel have ready access to their earned time. An electronic Department wide system shall be in place to accomplish both of these requirements.
1. Use of leave time is set forth in City Personnel Code and applicable labor contracts.
2. Time off from regular duty assignments must be requested on an electronic time away from work request and submitted through the chain of command. Time away from work does not apply to court, holidays, administrative leave, or suspension.
3. An employee requesting leave time should provide as much prior notice as possible.
4. Leave may be taken in 1/4-hour increments for non-exempt employees. Personal Leave must be taken in 8 or 10 hour blocks with the exception of K-9 handlers.
5. Accrued time cannot be used in lieu of being late for work.
6. Employees are responsible for being current on information when returning to duty. This includes checking:
   a. Bulletin boards;
   b. Mailbox;
   c. Power DMS;
   d. E-mail; and
   e. With the supervisor regarding any new directives and information which may have been issued during the leave.

G. Vacation leave, Compensatory and Personal Leave Time <22.2.1d>

1. Contract employees will follow the relative contract. The following provisions apply for non-contract employees and for issues not covered by contract.
2. Electronic leave requests are subject to a “first come, first served basis” or as provided by applicable labor contract. Supervisors shall approve/deny leave time in accordance with the current bargaining unit contract.
3. Partial time off, once on duty, is subject to the Field Commander/or supervisor’s discretion.
4. A last minute request for time off from the upcoming shift should be made through the chain of command. If no one can be located, the request can be approved by the on duty Field Commander/Section Supervisor. The Field Commander/Section Supervisor will ensure the proper supervisor is notified.

H. Sick Leave

1. Employees using sick leave must call the Field Commander or desk officer at least 1 hour before the start of their scheduled shift or assignment.
2. The on duty Field Commander or Section Supervisor can approve sick leave. The person receiving the employee’s call will notify the appropriate shift.
3.10 EMPLOYEE TIME AND ATTENDANCE, COMPENSATION AND BENEFITS

a. The electronic time away from work request must be completed and submitted on the first day returning to duty.

3. Officers who are sick will notify the appropriate prosecutor’s office or the administrative hearing officer if they are scheduled to testify. This will be done as soon as practical prior to the scheduled court time.

4. Employees using sick leave must be at home, hospital or other place of convalescence or treatment during their assigned shift. Short absences (approximately one hour) to pick up needed pharmaceuticals or nutritional needs are acceptable.

5. Employees may use accumulated sick leave to care for family members living at the same residence as defined by the Family and Medical Leave Act, City Personnel Code or Labor contract.

6. Any full time employee using more than 4 consecutive days of sick leave must obtain a return to work permit from Human Resources prior to returning. See City Personnel Code.

7. Any employee that is absent from work due to illness without appropriate leave accrual to cover the time will use vacation and/or compensatory time before going on no pay status.

8. Any employee that must go on no pay status due to lack of any accrued leave will be subject to progressive discipline.

   a. The Chief of Police may make exceptions to this rule provided the employee can demonstrate mitigating factors causing the employee to exhaust their leave accruals.

   b. Mitigating circumstance may include, but is not limited to; sick leave used for a medically verified condition or injury requiring extensive recovery.

9. Employees in no pay status when on Family Medical Leave Act will not be subject to discipline.

I. Family Medical Leave Act

   1. Except as indicated below, Family Medical Leave is governed by the City FMLA policy.

   2. No more than twelve (12) work weeks are allowed in any 12-month period. Employees must use all accrued leave time prior to going on no pay status. Use of more than 12 weeks during a 1-year period may be cause for termination because of excessive absenteeism.

      a. Intermittent or reduced schedule leave counts toward the twelve (12)-work week allotment. (Intermittent would be some days on and some off. Reduced would be less than a full day for a period of time.)
b. The City may temporarily transfer an employee when intermittent or reduced leave is necessary.

3. Pregnancy and Work Issues

a. Sworn officers will notify the Bureau Commander according to bargaining unit agreement of medical confirmation of a pregnancy.
b. The employee must submit a doctor’s certificate of fitness for duty in her present position within 3 days of confirmed pregnancy.
c. Any doctor’s certificate of inability to work regular duty will be provided to the Chief of Police within 24 hours of its issuance in which case the Chief of Police will normally approve assignment to limited duty.
d. A doctor’s certificate stating the employee is physically fit to perform her regular duties may be required if there is reason to doubt the employee’s ability to perform regular duties. An examination by a City physician may also be required to determine the employee’s ability to perform regular duties.

J. Emergency/Funeral Leave

Funeral and emergency leave are governed by City Personnel Code or applicable labor agreement.

K. Late to work/Absent without Leave

1. Absence without leave is any absence not approved by the immediate Supervisor or Shift Commander prior to the scheduled duty time.
2. Employees shall notify the Field Commander or supervisor as soon as possible.
3. An employee’s schedule cannot be changed from an early to a late shift to make up the time difference.
4. Missing a duty assignment (regular scheduled work day, scheduled assignment, court, administrative hearings, and voluntary OT work assignment/commitment) should be handled under the guidelines set forth below.
5. The supervisor will take action as outlined in labor contracts, Personnel Code and Department policy.

a. Corrective/disciplinary action cannot be waived at shift level.
b. A supervisor must document the actual time of arrival with dispatch.
c. The employee feedback form shall be used for first offenses involving attendance and punctuality by sworn officers, excluding court time. (This form is used when a person is late for an assignment and not when a person fails to attend an assignment.)
6. Employees reporting to duty 1/4 hour or later will not be paid for the time they were absent. Such pay reduction is calculated in 1/4-hour increments.

7. If an officer is a no call/no show for a scheduled shift the watch commander will be notified and a reasonable effort will be made to contact the officer.

L. Fitness for Duty

1. When the Chief of Police has reasonable cause to believe an employee is unable to perform the essential duties of his/her position due to illness or injuries, the Chief may require the employee to report to Human Resources. Human Resources may require the employee to report to a health care provider to evaluate the physical or psychological ability of the employee. The Chief of Police may also place the employee on administrative leave pending the results.

   a. Any supervisor who has reason to believe an employee is unable to perform the essential duties of his/her position due to physical or mental reasons will make a written report to the Chief of Police. The report will describe the performance problems and facts that support the supervisor’s belief.

   b. A supervisor may immediately remove an employee from duty if he or she has reason to believe that the employee is a danger to himself or others. The supervisor shall immediately notify his/her supervisor so the Bureau Commander can be notified of the situation.

2. When an officer that is requested to submit to an examination to assess fitness for duty, the Chief of Police will receive a copy of the examination results.

   a. The City shall pay the cost of the examination and the employee shall be considered on pay status until released to work or notified of unfitness for duty.

   b. The officer’s duty or pay status while attending the appointment shall be as follows:

      1) If the officer is on leave time, the appointment shall be taken during leave time.

      2) If the officer is on duty, the officer shall not be required to use any leave time.

      3) If the officer is working prior to the appointment and the appointment occurs outside of the officer’s regular shift, the officer may receive overtime.
TOPEKA POLICE DEPARTMENT POLICY AND PROCEDURE MANUAL
3.10 EMPLOYEE TIME AND ATTENDANCE, COMPENSATION AND BENEFITS

c. The officer’s failure to cooperate in this process shall be cause for
disciplinary action.

M. Return to Duty Procedures

1. These procedures apply to any employee who has been absent from work
for more than 2 consecutive weeks;
2. They cover any type of absence (vacation, sick, military, family medical,
administrative, etc.) or any other leave of absence authorized by the
Department;
3. The employee’s supervisor shall track the start and end dates of the
employee’s time away. When the employee returns:

   a. Obtain a list of Department written directives issued in the employee’s
      absence on Power DMS; and
   b. Obtain a list of training held in the employee’s absence from Training
      Unit and arrange for any necessary training the employee missed while
      absent; to include maintaining or updating certifications on lethal and
      non-lethal authorized weapons.

4. Upon returning to work, the employee and their supervisor shall meet and
cover the following:

   a. Review any new or reissued General Orders and Standard Operating
      Procedures with the employee;
   b. Ensure they are trained on any new technology made available for
      their use in their absence; and
   c. Update the employee regarding any duties that
      were completed on
      their behalf.

5. Employees, who are absent for over 6 months, may be required to attend
   sessions with a mental health professional; and/or
6. May be required to ride with a supervisor or Field Training Officer for a
time period to adjust back to civilian law enforcement. The following
matrix may be used for reference:

<table>
<thead>
<tr>
<th>Length of Absence</th>
<th>Proposed Length of Remedial Training</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 3 months</td>
<td>At the discretion of the Field Commander</td>
</tr>
<tr>
<td>3 – 6 months</td>
<td>16 hours ride along</td>
</tr>
<tr>
<td>6 – 12 months</td>
<td>40 hours ride along</td>
</tr>
<tr>
<td>12 – 24 months</td>
<td>80 hours ride along and 8 classroom hours</td>
</tr>
<tr>
<td>24-36 months</td>
<td>160 hours ride along and 8 classroom hours</td>
</tr>
<tr>
<td>Over 36 months</td>
<td>Assigned to Training for proficiency training and testing then 160 hour ride along</td>
</tr>
</tbody>
</table>