



HOWARD COUNTY DEPARTMENT OF POLICE

# GENERAL ORDER ADM-61 LEAVE AND OVERTIME POLICY

EFFECTIVE FEBRUARY 2, 2022

---

This General Order contains the following numbered sections:

- I. POLICY
- II. LEAVE
- III. PAID OVERTIME
- IV. COMPENSATORY TIME
- V. COMPENSATION FOR COURT APPEARANCES
- VI. CANCELLATIONS

## **I. POLICY**

The Howard County Department of Police (HCPD) shall provide appropriate programs and controls for the management and use of leave and overtime.

## **II. LEAVE**

- A. All leave will be earned, scheduled, and used in accordance with the requirements and guidelines set forth in the Howard County Employee Manual and/or any applicable negotiated bargaining agreements.
- B. The following types of leave are provided and specifically defined and regulated by the Howard County Employee Manual and/or any applicable negotiated bargaining agreements:
  - 1. Annual Leave;
  - 2. Bereavement Leave;
  - 3. Disability Leave;
  - 4. Extended Leave;
  - 5. Family Medical Leave Act (FMLA);
  - 6. Holiday Leave;
  - 7. Jury Leave;
  - 8. Leave of Absence Without Pay;
  - 9. Leave for Negotiations;
  - 10. Liberal Leave;
  - 11. Military Leave;
  - 12. Official Leave;
  - 13. Personal Leave;
  - 14. Union Leave; and
  - 15. Worker's Compensation Leave.
- C. Members may not submit leave requests in advance of receiving earned leave.

D. Annual Leave<sup>1</sup>

1. Annual leave will be granted based upon available leave slots and staffing needs in accordance with the guidelines of the Howard County Employee Manual and the provisions afforded by any applicable negotiated bargaining agreement. SOP COMM-10, [Leave and Overtime](#), provides additional guidelines for members of the Communications Division.
2. Leave requests may be submitted no earlier than 120 days prior to the date for which leave is requested, unless otherwise negotiated in a bargaining agreement.
3. Leave requests submitted between 90 and 120 days prior to the date for which leave is requested will be granted by seniority based on time accumulated since the date of hire or class ranking.
4. Leave requests submitted less than 90 days from the date for which leave is requested will be granted on a first-come, first-served basis.
5. Supervisors will approve leave requests in accordance with existing staffing requirements within their organizational component.
  - a. Supervisors may grant exceptions where a demonstrated hardship is proven and approval is received from the employee's District or Bureau Commander.
  - b. If granted, the District or Bureau Commander must ensure the organizational component is suitably staffed.

E. Bereavement Leave

1. Bereavement leave is granted by the Chief of Police in accordance with any applicable bargaining agreements and the Howard County Employee Manual.
2. Bereavement leave will be granted for a maximum of three (3) consecutive workdays following the death of a spouse, son, daughter, mother, father, brother, sister, parent-in-law, stepparent, or grandparent.
3. A maximum of one (1) day will be granted upon the death of the employee's brother-in-law or sister-in-law.
4. Up to two (2) days of additional bereavement leave may be granted for an out of state death with written authorization.

F. Disability Leave<sup>2</sup>

1. Except in emergencies, notification of illness or injury that would prohibit an employee from being at work will be accomplished as early as possible but not less than one (1) hour prior to the time the employee is scheduled to report for duty, assignment, or detail. If the employee's supervisor cannot be reached, he shall notify someone within his direct Chain of Command.
2. Last minute leave requests impact the ability to begin patrol shifts with adequate staffing.
  - a. Patrol officers shall strive to make notification of illness or injury at least one (1) hour in advance of their shift.

---

<sup>1</sup> CALEA 22.1.2d

<sup>2</sup> CALEA 22.1.2c

- b. Patrol officers shall notify their immediate supervisor or the Duty Officer of the District they are assigned.
3. Members assigned to the Communications Division will make notification to the 911 Center on-duty supervisor.
4. The member requesting disability leave is responsible for ensuring that all notifications are made to appropriate personnel when the member is scheduled for an assignment other than his normal duty assignment, i.e. District Court, training sessions, etc. The member is also responsible for obtaining the name of the person to whom notification is made to ensure accountability at a later date, if necessary.
5. All disability leave use must be documented on the appropriate HCPD form by the member receiving the notification of request for leave.
6. Officers on disability leave are considered to be on temporary non-officer status. They maintain their police powers but are not allowed to work either within the HCPD or with any secondary employment agency. Members on disability leave or light duty status may not use any HCPD physical fitness facility unless specifically authorized in writing by their medical practitioner and supervisor.
7. Employees using more than three (3) consecutive workdays of disability leave must submit a written certification from a physician or other licensed medical practitioner upon their return to work. The certification must confirm the dates of treatment, the anticipated duration, and the employee's inability to report to work or perform the employee's duties and responsibilities for the duration of his absence from duty.
8. If more than three (3) consecutive workdays of disability leave are used by the member to care for a sick child or spouse, the procedure for written certification in the above section should be followed.
9. If disability leave abuse is suspected, the member may be notified that a doctor's certificate will be required for future absences of less than three (3) days.
10. A member who has submitted a notice of intent to resign may be required to submit a doctor's certificate for all disability leave used during the notice period.
11. Howard County Human Resources may require a second opinion, at no expense to the member, as to any serious health condition that results in the member missing five (5) or more consecutive days of work, consistent with the provisions of the FMLA.
12. A member who has prior knowledge of a need for disability leave (i.e. prescheduled treatment, dental procedure, operation, etc.) will inform his supervisor in advance so that changes to work schedules may be requested and approved as appropriate.
13. If a member does not have any remaining disability leave he should request, in writing, approval from the Chief of Police to use personal leave, compensatory time, and/or annual leave if he needs to take leave for disability. A request is not a guarantee of approval.

G. Extended Leave

1. Extended leave refers to discretionary paid leave requested by an employee during the period preceding their resignation or retirement.
2. Extended leave requested for a period of three (3) consecutive calendar weeks or less may be approved by the member's immediate supervisor.

3. Extended leave requested in excess of three (3) consecutive calendar weeks requires the approval of the Deputy Chief of the member's assigned Command, or, if assigned to the Chief of Police's Office, the Chief of Staff.
4. Factors to be considered when approving a request for extended leave may include but are not limited to:
  - a. The impact on staffing and unit efficiency caused by the extended absence of the employee.
  - b. The inability to advertise and fill the vacancy prior to the actual departure of the employee from the Department.
  - c. An officer's court appearance schedule.
  - d. The need to make arrangements through HCPD and Howard County Human Resources (HR) for out-processing and exit interview.
  - e. The need to make arrangements with the Quartermaster for inventory and return of all issued equipment, if applicable.
  - f. The need to minimize the operational involvement of sworn employees in the period preceding their departure.
  - g. Consideration of removal from the PVSP Program, if applicable, during the period prior to departure from the Department.

H. Family and Medical Leave Act (FMLA)<sup>3</sup>

1. All civilian and sworn employees are entitled to the provisions of the FMLA as identified in the Howard County Employee Manual.
2. Supervisors may not sign FMLA leave slips until officially authorized by the Howard County Office of Human Resources.
3. All the provisions and limitations identified for disability leave within this General Order shall apply to any member on FMLA, regardless of the actual type of leave used.

I. Holiday Leave:<sup>4</sup> Employees will be entitled to paid holidays as identified in the Howard County Employee Manual and any applicable negotiated bargaining agreement.

J. Leave of Absence Without Pay: Except for non-duty related disabilities, the Howard County Personnel Officer may grant requests for leave of absence without pay for a period not to exceed one (1) year under such terms and conditions as are set forth in the Howard County Employee Manual.

K. Liberal Leave

1. Civilian employees will be entitled to liberal leave as identified in the Howard County Employee Manual, except for employees who are designated as essential/emergency civilian employees.
2. The Chief of Police or his designee will publish and periodically update a list of essential/emergency civilian employees, to include all designated Communication Center employees and all employees designated as providing an essential service.

---

<sup>3</sup> CALEA 22.1.2e

<sup>4</sup> CALEA 22.1.2b

L. Military Leave<sup>5</sup>

1. When a member has been notified by the military of dates to report for any training or deployment, the member must submit a leave slip to their immediate supervisor as soon as possible.
  - a. A copy of the orders shall be submitted upon receipt.
  - b. The same process shall apply should the orders be cancelled.<sup>6</sup>
2. The HCPD has established guidelines to assist and support members in preparing for and returning from an extended military deployment, defined as 180 days or more. These guidelines include support for the member's family during this stressful time.
  - a. Pre-Deployment: Upon receipt of the member's military orders, a representative of the Employment Services Division (ESD) will be assigned as the point of contact to do the following:<sup>7</sup>
    - i. Place a copy of the military order in the member's personnel file.
    - ii. Send a copy of the order to Howard County Human Resources.
    - iii. Ensure a Personnel Order is issued to all HCPD personnel.
    - iv. Ensure the member's family contact information is up to date.
    - v. Assist the member in making sure the following contacts are made:
      - a) County Human Resources to discuss salary, leave, benefits, etc.;<sup>8</sup>
      - b) The appropriate Divisions to turn in certain issued equipment, including but not limited to Departmentally issued weapons and the MDC;<sup>9</sup>
      - c) Their immediate supervisor, to provide deployment dates and a court notification form; and
      - d) The Chief of Police or his designee for an exit interview.<sup>10</sup>
  - b. During the deployment, the HCPD ESD representative will:<sup>11</sup>
    - i. Periodically check on the member and the member's family.
    - ii. Forward promotional information to the member and, if possible, conduct a live promotional interview with the Chief via the internet.
    - iii. Ensure the member's work email remains activated so the member may periodically check emails.

---

<sup>5</sup> CALEA 22.1.2f

<sup>6</sup> CALEA 22.1.2f

<sup>7</sup> CALEA 22.1.9a

<sup>8</sup> CALEA 22.1.9b

<sup>9</sup> CALEA 22.1.9d

<sup>10</sup> CALEA 22.1.9c

<sup>11</sup> CALEA 22.1.9g

- c. Post-Deployment and Reintegration
  - i. HCPD will comply with the provisions stated in the Uniformed Services Employment Reemployment Rights Act (USERRA).
  - ii. The ESD representative will notify County HR of the member's return date so County HR may send a letter to the returning member with benefit information.
  - iii. Upon return, the member will be temporarily assigned to Education & Training for a period of time to complete the reintegration process which shall include the following:<sup>12</sup>
    - a) Meet with ESD Representative to review process;
    - b) Schedule any recertification and in-service training;<sup>13</sup>
    - c) Meet with the Psychologist;
    - d) Meet with Chief of Police or his designee;<sup>14</sup>
    - e) Review policies and procedures; and
    - f) Meet with Quartermaster to pick up previously turned in equipment.
  - iv. Once the reintegration process is complete, the member will return to active duty with a Field Training Officer for an unspecified period of time to readjust to civilian work.

M. Official Leave<sup>15</sup>

- 1. The Chief Administrative Officer may grant official leave with pay to allow employees to attend professional meetings, technical conferences, and short-term courses outside the County on subjects related to official duties or for other purposes.
- 2. Members requesting attendance at a meeting, function, or training covered by official leave shall consult General Order ADM-37, [Budget and Fiscal Procedures](#), for the procedure. When possible, any request will be made at least thirty (30) days prior to the actual event.
- 3. The HCPD Personnel Section will issue a Personnel Order upon verification of the proper authorization and forward it to the Deputy Chief for Administration Command for approval.
- 4. When the final approval is received, the Personnel Section will distribute a copy of the Personnel Order to all affected personnel.

**III. PAID OVERTIME<sup>16</sup>**

- A. Paid overtime will be authorized when deemed necessary by a supervisor or when required by the Howard County Employee Manual and/or negotiated collective bargaining agreements.

---

<sup>12</sup> CALEA 22.1.9e

<sup>13</sup> CALEA 22.1.9f

<sup>14</sup> CALEA 22.1.9e

<sup>15</sup> CALEA 22.1.2a

<sup>16</sup> CALEA 22.1.1f

- B. Overtime is only authorized for:
  - 1. Non-supervisory civilian members at pay grade I and below.
  - 2. Civilian supervisors at pay grade J and below.
  - 3. Lieutenants and below.
- C. Paid overtime will only be authorized for officers who are summoned to court while on annual leave if the summons was received after the leave was approved. The same is true for officers who are asked to work during their annual leave time due to low staffing levels.
- D. Members requesting paid overtime will complete and submit the appropriate HCPD form either on the same day that the overtime is earned or by the next shift.
- E. Tech corporals may not work supervisory overtime outside of their specialty.
- F. Immediately upon receipt, overtime forms must be signed by a supervisor or commander directly related to the assignment or detail and at least one rank above that of the requesting officer.

**IV. COMPENSATORY TIME**<sup>17</sup>

- A. Compensatory time will be earned, used, and managed as defined and regulated by the Howard County Employee Manual and/or any applicable negotiated bargaining agreement.
- B. Authority to earn compensatory time, when authorized by a supervisor, will be granted to:
  - 1. Non-supervisory civilians pay grade I and below.
  - 2. Civilian supervisors pay grade J and below.
  - 3. Lieutenants and below.
  - 4. Captains will be given compensatory time at the straight time rate for up to eighty (80) hours.
  - 5. Civilian employees pay grade K and above will be given compensatory time at the straight time rate for up to eighty (80) hours.
- C. Employees requesting compensatory time will complete and submit the appropriate HCPD form either on the same day as the compensatory time is earned or by the next shift.
- D. Immediately upon receipt, compensatory time forms must be signed by a supervisor or commander directly related to the assignment or detail and at least one rank above that of the requesting officer.

**V. COMPENSATION FOR COURT APPEARANCES**

- A. Compensation for court appearances will be in accordance with the Howard County Employee Manual and any applicable negotiated collective bargaining agreements.
- B. Compensation for job-related appearances in civil cases will be in accordance with the following guidelines:
  - 1. Any HCPD member receiving a summons to appear in court regarding a job-related civil case will notify his supervisor on the first workday after receiving the summons.

---

<sup>17</sup> CALEA 22.1.1e

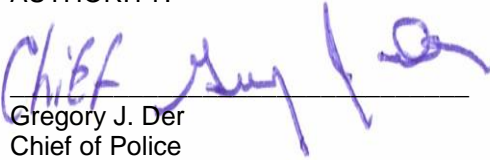
GENERAL ORDER ADM-61  
FEBRUARY 2, 2022

- a. If it appears that the civil proceeding may involve a significant number of days in court, the supervisor should attempt to adjust the member's work schedule to accommodate this need.
  - b. Unless a schedule change has occurred, members will submit an overtime/compensatory time slip in a similar manner as for criminal court cases.
- 2. This does not apply to civil cases that have no connection to work-related incidents.
  - 3. Members are not to be privately reimbursed by a party to a job-related civil proceeding.
- C. The HCPD does not provide compensation to former employees for court appearances. However, civilian positions where testifying is a part of the job responsibilities, i.e. crime scene technician, latent print examiner, etc., may be compensated for court appearances related to prior HCPD law enforcement employment as authorized by their respective Deputy Chief of Police.
  - D. Sworn members shall be compensated for court appearances related to law enforcement employment prior to laterally transferring to the HCPD, as authorized by their respective Deputy Chief of Police.

**VI. CANCELLATIONS**

This General Order will cancel and replace General Order ADM-61, Leave and Overtime Policy, dated December 1, 2015.

AUTHORITY:



Gregory J. Der  
Chief of Police