
Temporary Substitutions / Higher Position Pay

1012.1 PURPOSE AND SCOPE

The purpose of this directive is to ensure personnel fair and equitable compensation in the event they are assigned to temporarily fill a position higher in rank than his/her regular position or to perform duties equivalent to such higher rank.

This department may utilize employees temporarily in established positions of higher classifications when the incumbent employees are absent from their positions because of leave, or other reasons, or when it is necessary to fill a vacant position.

Temporary Substitution / Higher Position compensation shall be determined by using the guidelines provided within this policy and as delineated in Article 18, Temporary Substitutions of the Fraternal Order of Police, Lodge No. 3 current contract.

1012.2 ARTICLE 18

TEMPORARY SUBSTITUTIONS

When an employee in the bargaining unit is assigned to temporarily fill a position higher in rank than his/her regular position or to perform duties equivalent to such higher rank, said employee shall receive the designated pay for that higher rank or equivalency for each hour assigned.

1012.3 POLICY

- (a) When an employee, in the absence of the supervisor, is assigned and performing the full duties and assignment of that supervisor, the individual shall be entitled to additional compensation over and above his/her base salary.
- (b) Acting employees will have the responsibility, accompanied by commensurate authority, to make decisions necessary for the timely and effective execution of their assigned duties.
- (c) Compensation for employees authorized to work out of classification shall follow the rules of promotion.
- (d) Individuals should not work out of classification more than one hundred twenty (120) consecutive days unless the vacancy cannot be filled immediately or exigent circumstances exist.

1012.4 PROCEDURE

HIGHER POSITION COMPENSATION FOR SWORN OFFICERS

- (a) In order for Higher Position compensation to be earned, an employee must be assigned by a Captain or higher, to perform the duties and responsibilities of a higher classification, and the member must serve in the Higher Position for an entire workday.

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- (b) An employee MAY be assigned to perform the duties and responsibility of the higher classification if the Supervisor in the higher class is absent for valid reasons including, but not limited to:
 - 1. Illness or incapacitation.
 - 2. Leave of absence.
 - 3. Use of vacation, personal, sick, or compensatory leave.
 - 4. Resignation/retirement.
- (c) * It should NOT be presumed that, because a supervisor is off, an employee of lesser rank must be appointed automatically to the Higher Position status.
- (d) Emergency Appointment- In the event that the on-duty Patrol Division Officer in Charge must leave work due to an unforeseen emergency, is injured or incapacitated to the extent that he/she cannot continue to supervise the following shall occur:
 - 1. If the Officer In Charge must leave work for an emergency reason and no other Supervisor is available (either currently on duty or being called in for duty), the on-duty Patrol Division Officer In Charge shall appoint the senior on-duty patrol officer, as the acting supervisor.
 - 2. If the on-duty, Patrol Division Officer in Charge is injured or incapacitated, the senior member at the scene/call shall immediately assume responsibility until relieved by the senior member of the shift. Appropriate departmental notifications to the Command Staff will be made in accordance with departmental policy.

DIVISION COMMANDER RESPONSIBILITIES

- (a) When a supervisor of comparable rank is not available to assume the duties of the absent supervisor, the Division Commander shall consider the following when determining whether or not a Higher Position assignment is appropriate:
 - 1. The designated member will actually perform the duties of the absent supervisor.
 - 2. That any incident occurring during the work shift will be handled by the Higher Position designee and will not necessitate calling in the absent supervisor.
- (b) Division Commanders must also recognize that the appointment of an acting supervisor to one rank does not always require the same action in each preceding rank. (A sergeant appointed to fill a temporarily vacated lieutenant's position does not automatically require that an officer be appointed to fill the sergeant's position.) In many instances, the member assuming Higher Position status can perform the additional duties required as well as the duties of their regular position.
- (c) Division Commanders shall determine that the appropriate requisites have been met for a member to receive the Higher Position compensation. Careful consideration must be given to determine that the Higher Position designee is actually fulfilling the duties and responsibilities of the higher rank and not simply performing regular duties while the supervisor is absent.