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<b>Chapter</b> 401 - Career Development			
<b>Reviewing Office</b> <i>Payroll/Labor Relations</i>			<input type="checkbox"/> <b>New Directive</b> <input checked="" type="checkbox"/> <b>Revised</b> <i>Revisions in italics</i>
<b>References</b>			

## **TIMEKEEPING**

### **401.10 - 1 PURPOSE**

The purpose of this directive is to outline the guidelines, policies, and procedures for the preparation of timekeeping for personnel employed by the Detroit Police Department (DPD).

### **401.10 - 2 Absences and Timekeeping**

#### **401.10 - 2.1 Verification of Information on Court Appearance Notices (DPD442)**

The supervisor receiving the completed appearance notice from the concerned *Department member* shall compare the information on the notice with the entry in the Court Appearance Book to ensure that the information corresponds. The supervisor shall then sign and date the appearance notice verifying that the information on the notice is accurate and complete. The appearance notice is then forwarded to the command's timekeeper who shall enter the proper amount of time on the member's Time Card (DPD590).

#### **401.10 - 2.2 Retention of Court Appearance Notices**

The Court Appearance Notice and 3<sup>rd</sup> Circuit Court Subpoenas shall be filed and retained for a period of three (3) years.

#### **401.10 - 2.3 Leave Days**

1. A leave day is a temporary absence from duty. A member on leave is subject to all rules and regulations of the Department, including immediate recall to duty. When possible, the work week of every member of the Department shall consist of five (5) days. Leave days granted to members who work Monday through Friday shall be Saturdays and Sundays.
2. A member shall be entitled to eight (8) leave days in each twenty-eight (28) day work period. Supervisors shall ensure that exactly eight (8) leave days are scheduled in each twenty-eight (28) day work period.

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**401.10 - 2.4 Working Leave Days**

1. When an emergency makes it necessary for a member to work all or part of a leave day, the member shall be compensated in cash or compensatory time at the prevailing overtime rate. However, leave days added to a furlough shall not be canceled unless the accompanying furlough is canceled. For those members who do not qualify for overtime pay, the lost leave time may be carried forward and taken at the earliest convenience.
2. Leave days, after having been posted for members, shall be changed only by mutual consent of the member and the Department, and only to another day within the same work period, except when leave days are canceled due to any emergency.

**401.10 - 2.5 Accruing Leave Days - Rank of Captain or Above**

Members with the rank of captain or above who do not qualify for overtime pay may be authorized to carry leave days forward to succeeding work periods. However, not more than one-hundred twenty (120) hours *can be accrued in the leave coming bank*.

**401.10 - 2.6 Leave Days and Absences - Rank of Commander or Above**

1. Whenever a member with the rank of commander or above is granted permission to be absent from duty, a member of the next lower rank shall be designated from within the bureau or command to perform the duties and act in the member's place. The appropriate deputy chief shall be notified through the use of an Inter-Office Memorandum (DPD568). If the absence is for a period of time in excess of three (3) working days, the appropriate deputy chief shall issue a teletype advising the Department of the temporary change in command.
2. A member with the rank of captain or above shall not receive compensatory time for work on Saturday, Sunday, or leave days unless scheduled by a *higher ranking member*. In such instances the *higher ranking member* shall receive written permission from the appropriate deputy chief or the assistant chief to *accrue leave coming*.

**401.10 - 2.7 Furloughs**

By definition, a furlough is a temporary separation from service. A furlough shall be construed to include the standard number of leave days granted in connection with a furlough. Furlough time for all members shall consist of and be computed on the basis of twenty (20) workdays for each year of active service and a total of two (2) furloughs for each full year of service. When it becomes necessary to prorate furlough time, it shall be computed on the basis of one (1) day for each eighteen (18) days of paid straight time. A member shall be granted a summer or winter furlough, as the case may be, at the expiration of six (6) months of initial service and thereafter as the member is entitled to it. No claim shall be recognized for any furlough arising out of the initial six (6) months of service of any member. Members who are appointed in April or October will be eligible for furlough if they have completed six (6) months of service and there are at least fourteen (14) days remaining in the furlough period. Members who do not receive a furlough at the

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end of their six (6) months will receive a furlough or prorated furlough upon retirement or separation from the Department.

**401.10 - 2.8 Furlough Usage**

No unused furlough time may be credited from one (1) period to another except by authorization of the Chief of Police resulting from an emergency. All such requests shall be submitted in writing and one (1) copy, if approved, shall be forwarded to Payroll. In an extreme emergency or unusual hardship, a member may request permission to use a portion of one (1) furlough period by submitting a written request to the member's commanding officer for approval. In the event of the death of a member, the member's estate shall be entitled to a claim on any furlough or leave time accruing to the member. When a member is transferred as a result of promotion or voluntary transfer, and has not used a current furlough, the commanding officer will endeavor to grant the furlough as scheduled. However, if staffing requirements necessitate change, the commanding officer shall be guided by the applicable bargaining agreement.

**401.10 - 2.9 Number of Sworn Members on Furlough**

1. In a precinct, not more than two (2) lieutenants, one (1) of whom is the administrative lieutenant, shall be on furlough at the same time. In other entities, not more than one (1) lieutenant shall be on furlough at the same time. All commands may have ten (10) percent of their sergeants, investigators, and detectives on furlough at any one (1) time unless management makes a good faith determination that personnel conditions require otherwise.
2. Normally in a given entity, not more than ten (10) percent of the total number of police officers shall be absent on furlough at the same time. Members assigned to special or desired jobs on platoon two (2) (such jobs to be determined by special joint conference and published thirty (30) calendar days prior to the furlough drawing date) shall draw furlough assignments among themselves, and the overall ten (10) percent limitation shall apply. Where there is a fraction of a percentage over the ten (10) percent, an additional furlough period shall be allowed unless such fractional allowance is specifically vetoed by the Chief of Police. Certain members of Traffic Safety, whose duty assignments shall be coordinated with the school year, may take furloughs to the greatest extent possible during the prolonged school holidays occurring during Christmas, Easter, summer vacations, and between semesters, as manpower allows.

**401.10 - 2.10 Furlough Seasons**

The annual furlough shall be divided into two (2) seasons: summer and winter. Each furlough season shall consist of thirteen (13) furlough periods, corresponding with the bi-weekly payroll periods. Each furlough period shall contain ten (10) consecutive days, which will begin with the first day of payroll period. The furlough shall also include the standard number of leave days granted in connection with furlough.

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**401.10 - 2.11 DPOA Member's Furlough Drawing**

Furlough drawings shall be made in accordance with the provisions of the prevailing labor agreement. Furloughs shall be drawn in accordance with the *DPOA member's* seniority. The officer in charge or another member designated by the absent member shall select the furlough in accordance with seniority and request. In case of a tie between members having identical seniority, priority shall be determined by lot. The officer in charge will then record the furlough period number drawn. No exchange of furloughs shall be permitted without the approval of the member's commanding officer. Detroit Police Officers Association (DPOA) members have the option of *selling or banking furlough time in accordance with the collective bargaining agreement. Members who elect to sell or bank furlough time must submit the Inter-Office Memorandum (DPD568) to the member's command at the time of the furlough draw. The designated Inter-Office Memorandum (DPD568) is available on the Department's Intranet website. The command is responsible for forwarding the Inter-Office Memorandum (DPD568) to Payroll. Such payment will not be included in the computation of average final compensation for pension purposes. Members who elect to bank one additional week of furlough time in the year, shall be eligible for payment, at the member's current rate of pay, upon separation.*

**401.10 - 2.12 Furlough Drawing by DPLSA Members**

1. *DPLSA members* shall select their summer furlough period on March 20 and winter furlough period on September 20. Lieutenants shall draw their furloughs as a group at a meeting arranged by the commanding officer. Sergeants shall draw their furloughs at meetings with the platoon commanding officer. Precinct Detective Units (PDU) shall draw as a separate group. The administrative lieutenants and sergeants including the PDU, patrol supervisors, and Special Operations supervisors shall draw separately. The shift sergeants shall draw as a shift. The sergeants in administration will replace each other while on furlough so as not to draw from the patrol sergeants' roster. Criteria for selection within each group shall be by rank, time in rank, and, in cases where these factors are equal, by Department seniority.
2. All *DPLSA* members have the option to bank one (1) of two (2) furlough periods. The members can have the option to forfeit the furlough in lieu of cash compensation, or bank the furlough time at minimum wages of their applicable rank, and exclusive of longevity payments. Such payment will not be included in the computation of average final compensation for pension purposes. *Members who elect to bank their furlough shall be eligible for payment, at the minimum wage of their applicable rank, upon separation.*
3. The member's option shall be given in writing by the member at the time of furlough selection to their commanding officer. Failure to exercise the option in writing at the time of furlough selection shall be a full and complete waiver of the operation for that furlough period.

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**401.10 - 2.13 Furlough Drawing, Commanding Officers and Members with the Rank of Captain or Above**

Commanding Officers and members with the rank of captain or above shall select furlough periods by special arrangements with their immediate superiors. A written request shall be submitted to the immediate superior for approval at least two (2) weeks prior to the desired effective date of the furlough. A copy of the approved requests of captains and commanding officers shall be forwarded to the appropriate deputy chief. A copy of the approved requests for executive officers shall be forwarded through channels to the Chief of Police for review.

**401.10 - 2.14 Furlough Records**

1. A schedule of furlough periods covering personnel of the command shall be prepared in triplicate, on an Inter-Office Memorandum (DPD568), following each furlough drawing. The copies shall be distributed as follows:
  - a. One (1) copy shall be kept in the time book;
  - b. One (1) copy shall be filed with the officer in charge; and
  - c. One (1) copy shall be sent to the respective commanding officer.
2. Extra copies may be made if further notifications are deemed necessary.

**401.10 - 3 Standby Time**

**401.10 - 3.1 Policy Information**

1. Standby time only applies to sworn members below the rank of captain who are assigned to entities and job assignments within those entities, as defined by the Chief of Police, as requiring standby personnel.
2. Standby time shall be identified as the time period, which is other than a members work day or shift, when the member must be immediately available and ready to return to work. Time spent on standby time does not constitute work hours, and members so assigned shall be free to pursue their personal activities which do not impede their ability to perform required duties if recalled.
3. Standby time shall be offered in eight (8) hour increments only.

**401.10 - 3.2 Requirements**

1. Members on standby shall be available to respond to a specified scene or location within forty-five (45) minutes or a reasonable time period established by their command. Members on standby must remain accessible by phone or any other communications device, and must be fit for duty (Reference Manual Directive 102.3 - Code of Conduct).
2. Members of specialized units as identified by the Chief of Police, will be subject to standby status, reserving the executive prerogative to determine units that may be included and/or removed from necessitating members on standby.

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3. Members on standby accept this status under the condition they will be expected to handle incidents specific to their job assignment.

**401.10 - 3.3 Violations**

1. Members assigned to standby status that cannot be reached or who do not respond in a timely manner to a recall attempt, or who fail to report when recalled will forfeit standby pay for that shift and may be subject to corrective measures, up to and including disciplinary action.
2. Members ending their standby status for any reason, prior to the completion of the required eight (8) hours, shall not be compensated for standby time and depending on the circumstances of the termination, may be subject to corrective measures, up to and including disciplinary action.
3. Members shall not be scheduled for standby time on court dates, furlough, *while working secondary employment assignments*, or discretionary time off and shall be cancelled upon mobilization. Further, there is no additional premium pay rates for members on standby time during holidays.

**401.10 - 3.4 Scheduling**

1. Standby shall, whenever possible, be assigned on a voluntary basis based on seniority rotation. When voluntary assumption of standby duty is insufficient to meet the needs of the Department, or a member possesses insufficient knowledge, skill, or experience to adequately serve in a standby capacity, then standby duty will be assigned. In the event standby duty is assigned on a non-voluntary basis, such assignments shall be on a reverse-seniority rotation.
2. If a member becomes sick or unable to comply with the responsibilities of being on standby, the member must contact their supervisor immediately or as soon as possible so that alternative arrangements can be made.

**401.10 - 3.5 Compensation**

1. Members who are assigned to standby duty pursuant to this manual directive, shall receive compensation in the form of pay or compensatory time at one (1) hour of straight time, at members current base pay rate, for every eight (8) hours assigned to standby duty.
2. Members who are recalled while on standby shall be compensated in accordance with Articles 33.A and 45.A, Recall Pay, of the DPOA and LSA contracts, respectively.
3. As a general rule, members unable to complete the entire eight (8) hours of standby time shall not be compensated. Replacement members may be called to complete uncompleted standby hours. The replacement members shall be compensated for the entire eight (8) hours of standby time.

**401.10 - 3.6 Recalled While on Standby**

1. When recalled, the time spent on duty will commence at the time the member reports to the designated place of assignment (not notified) and will terminate at the time the



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member is released from duty. If released from duty within the eight (8) hour standby period, the member shall return to standby status and be governed by the applicable rules.

2. Standby status, as provided by this policy, is a formal designation and shall be assigned only by a supervisor. Members who are recalled but not identified as being on standby time are ineligible for standby pay and shall only be compensated in accordance with Articles 33.A and 45.A, Recall Pay, of the DPOA and LSA contracts, respectively.

**401.10 - 3.7 Supervisor Responsibility**

1. Supervisors shall schedule standby time, with members notified at least seven (7) days in advance.
2. Commands shall maintain a seniority standby list.
3. Supervisors shall make at least three (3) attempts to reach a member on standby.
4. Members transferring into an entity shall be placed on both seniority lists according to their seniority and receive an opportunity for standby time when they are deemed duly qualified and are reached on either seniority list.
5. If a member terminates their standby status within eight (8) hours of their assigned standby time, the supervisor shall assess the situation and determine if there is a need for a replacement.
6. Subject to prior approval, a member assigned to standby duty may trade such assignment with another duly qualified and eligible member.
7. Duly qualified members not polled for voluntary standby opportunities in accordance with the seniority roster shall be scheduled for the next comparable opportunity.

**401.10 - 4 Emergency Days**

**401.10 - 4.1 DPOA Members**

Emergency or excused days may be granted to a member for an absence justified by urgent reasons such as attendance to demanding personal business or other pressing matters which cannot be covered by other banked time. Permission to use emergency days shall be granted in advance from the member's commanding officer or the officer in charge of the command. No more than five (5) emergency or excused days may be granted in any one (1) fiscal year under any circumstances. All excused days will be deducted from the member's accumulated sick bank, and will subsequently affect the accumulation of bonus vacation days.

**401.10 - 4.2 DPLSA Members**

Emergency or excused days shall be granted to a member for an absence justified by urgent reasons (such as attendance) to demanding personal business, which cannot normally be taken care of outside of working hours. No more than five (5) emergency or excused days shall be granted in any one (1) fiscal year to a member under any circumstances. All emergency or excused days that are granted shall be deducted from

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the member's accumulated sick bank and will subsequently affect the accumulation of bonus vacation days.

**401.10 - 5 Funeral Attendance Leave**

1. Members are eligible for funeral attendance leave without deduction from pay, sick banks, or other leave time for the death of relatives. For death occurring in the immediate family, the member will be granted three (3) days of leave. Such leave may be extended to five (5) days at the discretion of the commanding officer, based on individual circumstances. For this leave, the immediate family is defined as:
  - a. Wife;
  - b. Husband;
  - c. Son;
  - d. Daughter;
  - e. Brother;
  - f. Sister;
  - g. Father;
  - h. Mother;
  - i. Step-Mother;
  - j. Step-Father; or
  - k. Other members of the employee's household.
2. One (1) day will be granted for the death of a grandson, granddaughter, grandmother, grandfather, brother-in-law, sister-in-law, uncle, aunt, mother-in-law, or father-in-law. This definition does not include the uncle or aunt of a member's spouse.
3. **For DPOA only:** Great-grandchildren and great-grandparents are now defined as relatives. *DPOA members* are granted one (1) day funeral leave not to be deducted from the *member's* sick bank.
4. **For DPOA only:** *Legal Guardian, or an individual over whom the member serves as a legal guardian, shall be treated as an immediate family member. DPOA members are granted three (3) days of leave. The Department may require the member to furnish proof of legal guardianship.*

**401.10 - 6 Bonus Vacation Days**

Bonus vacation days are granted for unused current sick time. DPOA members who have accumulated a minimum of thirty-five (35) sick days and LSA members who have accumulated a minimum of fifty (50) sick days, including both current and seniority days, and have accrued the minimum years of service as prescribed by applicable bargaining agreements, will on July 1 of each year be credited with one-half (1/2) of the unused current sick time from the previous fiscal year up to six (6) days. A member may request to take bonus vacation days in any sequence by submitting a request in writing to the member's commanding officer. This request will be reviewed for the availability of personnel by the commanding officer. The Department shall ensure that bonus vacation



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days are expended proportionately throughout the year and are not carried until the last months of the fiscal year; therefore, on May 1 the commanding officer shall assign the remaining bonus vacation days at the commanding officer's discretion for all LSA members and April 1 for all DPOA members. Bonus vacation days which are not used prior to the end of the fiscal year, will be lost. Seniority will be a prime consideration when several officers request the same period of time off. *For DPLSA members only, sixteen (16) hours of bonus vacation may be carried over from one fiscal year to the subsequent fiscal year.*

**401.10 - 7 General Leaves of Absence**

A leave of absence without pay may be granted to a member for a period not to exceed one (1) year. Minimum service time requirements for leave of absence eligibility shall apply as set forth in current applicable bargaining agreements. A written request for the leave of absence shall be submitted to the Chief of Police, through channels. The request shall include the reason for the leave and the length of time requested. All recipients of educational leaves shall submit continuing proof of enrollment to the Chief of Police for the specified period of absence.

**401.10 - 7.1 Conduct on Leave**

Members on any type of leave of absence shall maintain the same standards of conduct that are required of sworn members. Acts of misconduct of a serious or grave nature that are committed by a member while on a leave of absence may subject the member to disciplinary action in accordance with the collective bargaining agreement, up to and including discharge from the Department.

**401.10 - 7.2 Member's Benefits**

Hospitalization coverage and life insurance coverage must be maintained at the member's own expense. Details for maintaining this coverage may be obtained by contacting Human Resources. To ensure a smooth transition of coverage, this contact should be made prior to the commencement of the leave of absence.

**401.10 - 7.3 Termination of Leave of Absence**

1. At least thirty (30) days prior to the expiration date of the leave of absence, the member shall submit to the Chief of Police written notice of intent to return to duty. If a member fails to submit the above notice or fails to report at the expiration of the leave, he/she will be considered absent without leave.
2. A Restoration Investigation must be conducted for a member to return to duty. The Restoration Investigation must include the following procedures:
  - a. Reporting to Police Medical to obtain a duty status;
  - b. Reporting to Human Resources for record updating, notifications to the Office of the Chief of Police, and appropriate command; and

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- c. Reporting to Recruiting for a Restoration Investigation Interview (separations that exceed thirty [30] days).
3. It is the command's responsibility to ensure that all members have a duty status from Police Medical at the time the member reports for duty from a leave of absence or a separation from the Department. In addition, it is the responsibility of Recruiting to contact Training and refer the member, when necessary, if the member's leave/separation was in excess of thirty (30) days.

The Chief of Police reserves the right to terminate any leave of absence for cause.

**401.10 - 7.4 Medical Leave of Absence**

1. A medical leave of absence without pay shall be granted to a member who is suffering from any non-duty related sickness or disability for which the member's physician prescribes extended treatment or rest. Minimum service time requirements for medical leave eligibility shall apply as set forth in current applicable bargaining agreements. A written request for a medical leave of absence shall be submitted to the Chief of Police. The request shall contain the diagnosis, treatment prescribed, and length of absence required. It shall be accompanied by a signed endorsement from a physician describing a complete medical diagnosis.
2. The Chief of Police shall grant a medical leave of absence to the member for a period up to six (6) months. A further extension of six (6) months may be granted upon approval of the Chief of Police.
3. A member on medical leave shall not participate in any promotional examinations or be promoted until fully restored to active duty. Before a member on medical leave is returned to duty, the Department physician shall make a written recommendation to the Chief of Police, who may then restore the member to active duty. If returned to active duty, a member shall be restored to the rank held prior to the granting of a medical leave and shall retain all seniority rights, including longevity privileges.

**401.10 - 8 Disabled Time**

Disabled time is time not worked when a member has sustained an injury or illness in the performance of duty. During periods of disability, members remain fully accredited in that they continue to draw their regular salaries, accumulate sick leave and furlough time, and are subject to the rules and regulations of the Department as their conditions permit. Any member who has been off duty (disabled) shall undergo an examination at Police Medical prior to returning to duty. The examining physician will conduct a thorough examination of the injury or ailment and will consider the type of duty performed by the member before ordering the member to full duty. If a full duty status would in any way jeopardize the member's safety, or that of the member's partner, the member shall not be returned to full duty. If the physician deems the member capable of performing limited duty, the physician may recommend such duty and the member will work in a restricted duty capacity while dressed in civilian attire.

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**401.10 - 9 Suspended**

1. A member who has been suspended is temporarily relieved of police duties and authority until restored to duty, discharged, or otherwise permanently separated.
2. A member who is suspended without pay may not draw wages, accumulate sick or furlough time, or otherwise derive benefits to which a member would normally be entitled, unless such penalty or loss of pay during the duration of an appeal is precluded by current applicable bargaining agreements. A suspended member is subject to investigation prior to reinstatement only *if* the member's activities, while suspended, would prevent the member's appointment to the Department.
3. For Lieutenants and Sergeants Association (LSA) members, an employee subjected to disciplinary suspension may elect to use compensatory time, deducted from their compensatory time bank, in lieu of the loss of actual workdays resulting from suspension.

**401.10 - 10 Absent With Leave**

Absent with leave is considered a full duty status with all related benefits. It is an authorized absence granted by the Chief of Police to attend certain types of conventions, special training, seminars, or those absences contractually awarded for certain union officials. Prior approval shall be obtained before any leave of absence with pay will be recognized as an authorized absence with leave. *Members carried absent with leave on a holiday shall not receive premium compensation for the day.*

**401.10 - 11 Absent Without Leave**

Personnel who fail to report for duty without prior authorization shall be considered absent without leave. Any such absence for five (5) consecutive days shall be deemed a resignation.

**401.10 - 12 Absent No Pay**

1. A member who is off *work* and has used all available time (i.e. sick time, compensatory time, etc.) and is excused from duty shall be carried absent no pay.
2. A member on absent no pay is still subject to all rules and regulations of the Department.

**401.10 - 13 Military Obligation**

1. All members of this Department who are obligated military reservists are cautioned to maintain satisfactory standards of participation in drill sessions of their reserve units.
2. All members of the Department having reserve obligations shall inform their commanding officer of their current status and schedule of drills so that arrangements may be made in advance to ensure their attendance requirements.

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3. Should an emergency situation arise requiring the cancellation of leave days, thus resulting in the failure of a member to fulfill military obligations, the member's commanding officer shall furnish appropriate documentation for submission to the concerned reservist's military training unit. No subordinate officer shall issue such documentation.

**401.10 - 14 Military Leave**

The distinction between military leave and military training is contingent upon the duration of the absence. If a member's military absence will be for more than fifteen (15) days, it shall be considered military leave, and the member shall follow the procedure outlined for resigning members turning in equipment. Members on military leave are considered separated from the Department. Their name may continue to appear on the Bi-Weekly Time and Attendance Report and need only be marked with the words "MILITARY LEAVE" to the left of the member's name.

**401.10 - 15 Military Training**

1. Military training shall include military absences of fifteen (15) days or less in duration. One (1) military training absence is permitted per calendar year. Any member officially notified to report for military training shall present a copy of the orders, if available, to Human Resources. Request for Time Off for Military Purposes (DPD334), shall be completed by the member and shall indicate whether the time required for the training will be covered by furlough, leave, compensatory time, etc., by military training time, or a combination.
2. The forms shall be endorsed by the member's commanding officer and returned to Human Resources which will be responsible for notifying Payroll and proper filing of authorization forms. When the time is covered by any time except military training, the member will receive the normal rate of compensation. If the member elects to use military training time, the normal pay will be adjusted by the amount received from the military paymaster. The member shall submit the military pay voucher to Payroll upon return to duty for any necessary adjustment.
3. Commanding officers may allow exchanges of furlough periods among members to permit members having reserve military status to participate in officially ordered military training, if exchanges are made on a voluntary basis.
4. The number of days which may be used as military training time (M/T) is restricted to ten (10) per calendar year. The other time taken in conjunction with a military training absence may be leave, compensatory time, etc.

**401.10 - 16 Regularity in the Use of Sick Leave Benefits**

1. The Detroit Police Department is responsible for providing efficient law enforcement services. Maximum attendance is required from all members if this responsibility is to be fulfilled.

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2. It is necessary to identify and correct members who have developed a pattern of regularity in the use of their sick leave benefits. Therefore, all commanding officers are to review the records of their members quarterly: each January 10<sup>th</sup>, April 10<sup>th</sup>, July 10<sup>th</sup>, and October 10<sup>th</sup>.

**401.10 - 16.1 Counseling Regarding Regularity in the Use of Sick Leave Benefits**

Commanding officers shall counsel all members whose records show such an indication of regularity in the use of sick leave benefits. The counseling session shall include a discussion of the pattern observed to date and the member's reason for absences. Where appropriate, the commanding officer shall explore positive future courses of available action with the member in an effort to assist the member in adopting corrective measures. At the end of the counseling session, the commanding officer shall prepare a detailed report of the meeting and attach the report to the member's Detroit Police Department Attendance Card (DPD350-C). A copy of this report shall be provided to the member. Counseling does not constitute disciplinary action. Further, counseling reports shall be removed from the Detroit Police Department Attendance Card (DPD350-C) at the end of six (6) months providing no disciplinary action or abuse of sick leave has occurred since the initial counseling session with the member.

**401.10 - 16.2 Continued Pattern of Regularity in the Use of Sick Leave Benefits**

1. If counseling does not produce improved attendance and the commanding officer, after meeting with the member, determines that no satisfactory reason exists which would justify the member's continued regularity in sick leave usage, a supervisor shall personally serve the member with a Notice of Regularity in the Use of Sick Leave Benefits (DPD350), and forward the necessary copies as outlined on the form.
2. The supervisor shall inform the member of the requirement to obtain documentation of the member's illness or of the illness of a family member, which necessitates the member's absence from work. This documentation shall consist of a statement from a physician concerning the illness for each sick day taken during the next three (3) month period. This requirement shall be strictly adhered to during this period of time, except where the commanding officer is convinced that a reasonable basis exists for not requiring a physician's note in conjunction with a particular absence. The member will also be advised that the physician's documentation shall be submitted on the Medical Certificate (DPD350-A), or an equally detailed doctor's note, and shall be presented to the member's commanding officer within three (3) days after returning to duty.
3. This documentation is subject to the review of the Department's physician. Commanding officers shall ensure that the copy of the Medical Certificate (DPD350-A), which is submitted by the member, is forwarded to Police Medical for retention.
4. A member who has been served with a Notice of Regularity in the Use of Sick Leave Benefits (DPD350) and is being carried sick due to personal illness or injury or for attendance upon a sick family member, must secure permission from the officer in

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charge of their parent command before the member may leave their place of confinement. This restriction does not apply on leave days.

5. The member's commanding officer shall further advise the member that failure to satisfactorily comply with the regulations will result in the designation of each working day taken as "Sick" to be changed to "Absent No Pay." The member's commanding officer or designee shall also advise the member that unless attendance improves, additional disciplinary action may be imposed.

**401.10 - 16.3 Extended Medical Treatment**

Members who document that their illness requires treatment on a regular basis may submit a Medical Certificate (DPD350-A) for that ailment on a semi-annual basis. The Department physician, however, may want further verification concerning the member's ailment, and the member may be required to see the Department physician.

**401.10 - 16.4 Failure to Present Documentation by a Physician**

If failure to comply with the regulations set forth on the Notice of Regularity in the Use of Sick Leave Benefits (DPD350) occurs, the commanding officer or their designee shall serve the member with a Notice of Failure to Present Documentation by a Physician (DPD350-B), and shall forward the necessary copies as outlined on the form.

**401.10 - 16.5 Appeals**

When the member, in accordance with the applicable collective bargaining provisions makes an appeal, the change in designation from "Sick" to "Absent No Pay" will be held in abeyance during the duration of the appeal.

**401.10 - 16.6 Improved Attendance**

If attendance improves at the end of the three (3) month period, the commanding officer shall remove this regulation by serving a Notice of Removal of Sick Leave Regulations (DPD350-D), to the member. The commanding officer shall then forward the necessary copies as outlined on the form.

**401.10 - 17 Detroit Police Department Attendance Card (DPD350-C)**

Commanding officers shall ensure that all sick leave taken is properly recorded on the Detroit Police Department Attendance Card (DPD350-C). This form is used in conjunction with procedures outlined in this chapter governing regularity in the use of sick leave benefits.

**401.10 - 17.1 Provisions of the Detroit Police Department Attendance Card (DPD350-C)**

The design of the Detroit Police Department Attendance Card (DPD350-C) provides for the following:



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- a. Calendar blocks are provided on the front and back of the card for recording sick time use over a period of two (2) years. Both sides of the card shall be completed before a new card is issued;
- b. Possible patterns of regularity in the use of sick leave benefits can be rapidly reviewed for any developing patterns as well as established patterns that can be readily recognized during a review; and
- c. Dates of any action taken as prescribed in the previous section with the exception of verbal counseling, can be recorded on the top of the card in chronological order. The attendance card should be filed in the same binder as the Time Card (DPD590), where possible. In those cases where space will not permit filing in the same binder, a separate binder may be used.

**401.10 - 17.2 Recording of Information**

The Attendance Card (DPD350-C) is self-explanatory; however, to ensure uniformity throughout the Department, the following explanations are given for clarification:

- a. The command, badge number, and the name of the member shall be recorded in the spaces provided at the top and right margins on the front of the card. The month and day of any prescribed action taken pursuant to regularity of sick time use shall be recorded in the space provided on the top portion of the card below the word, "DATE," (e.g. initial counseling April 10). A space is provided to the left of the January block for recording the year;
- b. If no sick time is taken during a particular month, a diagonal line shall be drawn through that month's entire block. Whenever a sick day is taken, an "S" shall be placed in the square of the day that the member is off sick. If sick time is taken subsequent to reporting for duty, the letters "W/S" shall be placed in the square of that particular day to indicate that the member was excused from duty for reason of illness; and
- c. In all cases when an entry is made on the attendance card indicating a member was sick, it becomes necessary to record all other absences during that month in order to discern that a possible pattern of regularity has been, or is being established. Only sick time entries shall be made in red. This procedure makes obvious any pattern established over the three (3) month review period. Months that overlap into a six (6) week period shall be recorded in the following month's block. For example, the month of "MAR" has thirty-one (31) days. The last two (2) days of March fall in the block for "APR." If a member calls in or is excused from duty for reasons of illness on either the 30<sup>th</sup> or 31<sup>st</sup> of March, the appropriate entry shall be made in the respective square of the calendar block for the month of April.

**401.10 - 17.3 Retention and Documentation**

Upon completion of each Attendance Card (DPD350-C), a new Attendance Card (DPD350-C) shall be initiated. The completed card shall remain in the binder together with the new card to serve as a reference to commanding officers during review. After the new

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card has been completed, the old card shall be placed in the member's command personnel file.

**401.10 - 17.4 Reviewing the Attendance Card (DPD350-C)**

All Commanding officers shall review the Attendance Cards (DPD350-C) of their personnel quarterly - each January 10<sup>th</sup>, April 10<sup>th</sup>, July 10<sup>th</sup>, and October 10<sup>th</sup>. After each review, commanding officers shall counsel all *members* who's Attendance Card (DPD350-C) and other records indicate patterns of regularity in the use of sick leave benefits. If counseling does not improve a member's attendance, commanding officers shall take the appropriate action and enter, in the space provided, the date of such action.

**401.10 - 18 Adverse Weather Conditions**

**401.10 - 18.1 Normal Operations Suspended**

When the Mayor or the Mayor's designee declares a formal suspension of normal city operations, the following procedures shall be followed:

- a. All *members* whose assignments are based on a seven (7) day week shall report for their regularly assigned shifts;
- b. *Members* who fail to report for work will not be paid and shall not be allowed to charge vacation, compensatory time, or other time bank balances;
- c. No *members* whose assignments are based on a seven (7) day week shall be excused because of adverse weather conditions;
- d. Commanding officers of five (5) day operations shall maintain normal operations within their commands as much as possible. However, if only limited work is available, the excess personnel shall be relieved of duty;
- e. The option to work or leave shall be offered to *members* based upon seniority. *Members* relieved shall be carried on vacation time, compensatory time, bonus vacation, or absent no pay;
- f. Commanding officers shall not terminate the operation of their entire command without authorization from the Office of the Chief of Police; and
- g. If the operation of a command is terminated or if only limited work is available, commanding officers shall ensure that *members* scheduled to report to work are advised of the operating status of their command.

**401.10 - 18.2 Normal Operations Cancelled**

When normal operations are cancelled by directive of the Mayor or his/her designee, the following procedures apply:

- a. In the event that the Mayor declares an emergency and cancels city operations, all departments that provide essential services, as determined by the Mayor's Office, are required to report for duty. Members engaged in essential work shall not be excused. Those members who do not report for work shall not be paid, or allowed to charge vacation time or compensatory time unless approved in accordance with

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normal Department policies and/or practices, or pertinent terms of applicable bargaining agreements; and

- b. In the event that the Mayor declares an emergency and cancels City operations, all other Department members who do not perform essential services are required to utilize vacation time and compensatory time. Members shall be required to exhaust all vacation time and compensatory time before being allowed to utilize Department leave.

**401.10 - 18.3 Tardiness**

*Members* arriving late for their regularly scheduled shifts may, at the discretion of the commanding officer, be allowed to cover reasonable periods of tardiness with compensatory time, or make up the time by extending their regularly scheduled shifts.

**401.10 - 18.4 Use of Sick Time, Emergency Time, or Department Leave**

1. *Members* shall not be allowed to charge sick time, emergency time, or Department leave to cover their absence from their regularly scheduled shifts due to adverse weather conditions.
2. *Members* reporting sick may be required to provide suitable proof of illness. If suitable proof of illness is not provided, the member may be subject to discipline under procedures currently in effect.

**401.10 - 18.5 Absent Without Leave**

*Members* failing to report for work or leaving work without authorization shall be carried absent without leave and shall be subject to disciplinary action.

**Related Procedures:**

- Directive 401.6 - Payroll and Paychecks
- Directive 401.7 - Work Period Time Report
- Directive 401.8 - Sickness, Injury, or Death
- Directive 401.11 - Holidays
- Directive 401.12 - Time Card
- Directive 402.1 - Civilian Timekeeping
- Directive 402.2 - Daily Detail Sheet
- Directive 403.8 - Pregnant Officers
- Executive Order 2011-1