



Lunenburg Police Department

Policy Number: 4.09	Subject: Overtime
Issue Date: 10/10/2019 Revision Date: 10/28/2021 10/29/2021 Effective Date: 10/10/2019	Massachusetts Police Accreditation Standards Referenced: N/A
Issuing Authority: <i>Chief Thomas L. Gammel</i>	

I. PURPOSE

This policy is established to clarify the process of selecting who is eligible for overtime and details on a fair and equitable basis as required by the contract agreements between the Town of Lunenburg and its' police officers and to give management the necessary guidelines to make mandatory overtime for public safety personnel as acceptable as possible thereby carrying out our core mission; to deliver a level of service that provides a safe and secure environment for all Police Personnel and for all citizens.

II. POLICY

All personnel are individually responsible for making efficient use of their own work hours to avoid incurring unnecessary or unreasonable overtime or compensatory time. Overtime and compensatory time work shall be necessary only when operations cannot be performed by on-duty employees during their regular work week.

Therefore, managerial and supervisory personnel are responsible for keeping overtime and compensatory time usage to the minimum amount reasonably necessary to fulfill legal mandates, contract obligations, and achieve departmental objectives, i.e. deliver effective, uninterrupted service to the community.

This policy will not permit any infringement on the police chief's inherent managerial right to require mandatory overtime of public safety personnel.¹

III. DEFINITIONS

- A. Compensatory time: Time earned by an employee in lieu of cash payment for overtime.
- B. Incidental overtime: The amount of overtime an employee needs to complete their final work assignment for that tour of duty.
- C. Involuntary overtime: When an employee is ordered to work in excess of their regular work schedule.
- D. Overtime: Work in excess of the regularly scheduled week as provided by the collective bargaining agreement as well as all applicable state and federal laws.
- E. Payroll Administrator: The employee delegated by the Chief of Police to administer the payroll duties.
- F. Police Detail Tracking System (DTS): The software used by the Department to maintain and post the schedule, track hours worked, overtime and details submissions, and benefit time.
- G. Assignment Slip: The official departmental form used in DTS to document overtime and details.
- H. Leave Request: The format used in DTS to submit a request for benefit time off, e.g. sick, vacation, personal, compensatory time, administrative days, and bereavement days.
- I. Specialty Overtime Assignments: Overtime assignments ordered by the Chief of Police or designee that will not be posted in Police DTS, e.g. sexual assault serious motor vehicle crash, narcotics investigations, community outreach within specialty positions, court liaison responsibilities.

IV. SCHEDULING OFFICER

The Chief will designate a supervisory or ranking officer to act as Scheduling Officer. The Scheduling Officer will be responsible for maintaining the work schedules and for implementing this policy.

Any disagreement arising out of filling overtime and/or details shall be brought to the Shift Commander's attention, and the Shift Commander will review the matter and make a decision. That decision may be appealed to the Scheduling Officer by any party to the disagreement, and if not resolved at that level then up the chain of command to the Chief of Police, if needed. In the event the aggrieved party is a Superior Officer, appeal of a Shift Commander's decision shall be made directly to the Chief of Police, so as to avoid conflict of interest. Further relief may be sought through the grievance procedure as outlined in the contract.

¹ Town of Saugus v. Saugus Public Safety Dispatchers (64Mass. App. Ct. 916 (2005) and Town of Andover v. Andover Police Patrolman's Union (45 Mass. App. Ct. 167 (1998))

V. HOURS LIST

Separate hour's lists are maintained in Police DTS for the purpose of filling overtime and details. The lists are updated live and are available to view at any time in Police DTS.

A. Guidelines for Establishing Overtime Lists for Full Time Officers:

1. Overtime shall be distributed in an equal manner, whenever possible.
2. There shall be one overtime list for all full-time Officers in Police DTS. A new list shall always be started on January 1st of the New Year, whether or not there are any additions or subtractions of officer(s) from the list.
3. Overtime hours are updated each time an officer is awarded an overtime shift and is next to the officer's name on the hour's list. The hour's list shall be made available to all officers in Police DTS.
4. New officers hired by the Police Department may be added to the overtime list after successful completion of basic police academy training and any required departmental familiarization/field training before being assigned to patrol duty alone.
5. All full-time officers will begin with zero hours on January 1st of the New Year. Initially, the list will be awarded by seniority, beginning with the senior officer and then progressing through the list by seniority. The overtime list will then be calculated by overtime hours worked. The officer with the least amount of overtime hours worked will be awarded first, progressing to the officer with the most overtime hours worked.
6. Should a new officer be added to the list, that officer's hours will be expressed by dividing the total sum of all overtime hours accrued by the number of full-time officers on the overtime list.
7. The listing of accumulated overtime hours shall expire on December 31st of each year.

B. Guidelines for Establishing Detail Lists for Full Time Officers:

1. Details shall be distributed in an equal manner, whenever possible.
2. There shall be one detail list for all full-time Officers in Police DTS. A new list shall always be started on January 1st of the New Year, whether or not there are any additions or subtractions of officer(s) from the list.
3. Detail hours are updated each time an officer is awarded a detail and is next to the officer's name on the hours list. The hour's list shall be made available to all officers in Police DTS.
4. New officers hired by the Police Department may be added to the detail list after successful completion of basic police academy training and any required departmental familiarization/field training before being assigned to details.
5. All full-time officers will begin with zero hours on January 1st of the New Year. Initially, the list will be awarded by seniority, beginning with the senior officer and then progressing through the list by seniority. The detail list will then be calculated by detail hours worked. The officer with the least amount of detail hours worked will be awarded first, progressing to the officer with the most detail hours worked.

6. Should a new officer be added to the list, that officer's hours will be expressed by dividing the total sum of all detail hours accrued-- by the number of full-time officers on the detail list.
7. The listing of accumulated detail hours shall expire on December 31st of each year.

C. Guidelines for Establishing Overtime Lists for Reserve Officers:

1. Overtime shall be distributed in an equal manner, whenever possible.
2. There shall be one overtime list for all Reserve Officers in Police DTS. A new list shall always be started on January 1st of the New Year, whether or not there are any additions or subtractions of officer(s) from the list.
3. Overtime hours are updated each time an officer is awarded an overtime shift and is next to his name on the hour's list. The hour's list shall be made available to all officers in Police DTS.
4. New officers hired by the Police Department may be added to the overtime list after successful completion of Reserve police academy training and any required departmental familiarization/field training before being assigned to overtime.
5. All Reserve Officers will begin with zero hours on January 1st of the New Year. Initially, the list will be awarded by seniority, beginning with the senior officer and then progressing through the list by seniority. The overtime list will then be calculated by overtime hours worked. The officer with the least amount of overtime hours worked will be awarded first progressing to the officer with the most overtime hours worked.
6. Should a new officer be added to the list, that officer's hours will be expressed by dividing the total sum of all overtime hours accrued-- by the number of Reserve Intermittent Officers on the overtime list.
7. The listing of accumulated overtime hours shall expire on December 31st of each year.

D. Guidelines for Establishing Detail Lists for Reserve Officers:

1. Details shall be distributed in an equal manner, whenever possible.
2. There shall be one detail list for all Reserve Officers in Police DTS. A new list always be started on January 1st of the New Year, whether or not there are any additions or subtractions of officer(s) from the list.
3. Detail hours are updated each time an officer is awarded a detail and is next to his name on the hour's list. The hour's list shall be made available to all officers in Police DTS.
4. New officers hired by the Police Department may be added to the detail list after successful completion of Reserve police academy training and any required departmental familiarization/field training before being assigned to details.
5. All Reserve Officers will begin with zero hours on January 1st of the New Year. Initially, the list will be awarded by seniority, beginning with the senior officer and then progressing through the list by seniority. The detail list will then be calculated by detail hours worked. The officer with the least amount of detail hours worked will be awarded first progressing to the officer with the most detail hours worked.

6. Should a new officer be added to the list, that officer's hours will be expressed by dividing the total sum of all detail hours accrued-- by the number of Reserve Officers on the detail list.
7. The listing of accumulated detail hours shall expire on December 31st of each year.

E. Use of Hours Lists:

1. Overtime and details will be distributed in an equal manner, whenever possible.
2. Full-time Police Officers will be given first choice of available details and overtime.
3. Solely for the purposes of this policy, and not for the purpose of determining overtime compensation pursuant to the Fair Labor Standards Act, 29 U.S.C. 201, et. seq., court time is not to be considered as overtime.
4. The hour's lists shall be used for any overtime and/or detail of four (4) hours or more. Any overtime and/or detail that is less than four (4) hours does not require use of the rotation list, nor shall the officer be charged for the same.
5. All required information shall be filled in by the Scheduling Officer who is filling the overtime and/or details in Police DTS. If there is a mistake or cancellation, the Scheduling Officer should be notified to ensure that the correction is made in Police DTS.

VI. DISTRIBUTION OF OVERTIME

- A. Distribution: Overtime work shall be distributed on an equitable basis among employees qualified to do the work.
- B. Filling Overtime: All officers shall be notified through Police DTS of any available overtime assignments.
- C. Overtime Assignments: If a shift opening is within a 24-hour period, the bid will close within 2 hours of being posted. If the shift opening is more than a day out, the bid will close 6 hours after being posted. The shifts will be sent out in 4-hour blocks to allow for split shifts. If an officer is eligible to work an 8-hour block, that officer may bid on both 4-hour blocks.
- D. Right of First Refusal: Full-time officers have a right of first refusal for all overtime. If overtime cannot be filled with a full-time officer, then the Reserve Officer Overtime hour's list shall be used.
- E. Posting and Re-Posting:
 1. When overtime becomes available, it shall be posted in Police DTS by the Scheduling Officer.
 2. If an overtime assignment is not filled, the assignment will be reposted in Police DTS. If the reposted assignment is not filled, contact will be made through whatever means made available by the individual officers, including but not limited to cellular phones, pagers, and land-line phones. If live contact is not made, a voice message shall be left indicating

the time called and the overtime being offered. If live contact is not made after utilizing all practical means available, a voice message has been left and a reasonable amount of time has passed without a return call, or the overtime is refused, the next eligible employee on the list will be contacted.

- F. Emergency Overtime Assignments: Emergency overtime assignments will be posted in Police DTS, if time permits. Depending on the nature of the emergency, contact shall be made through whatever means made available by the individual officers, including but not limited to cellular phones, pagers, and land-line phones.
- G. Specialty Overtime Assignments²: Assignments made by the Chief of Police or designee. Specialty overtime generally involves an investigation, community outreach initiatives, or prosecutorial oversight of arrests, applications for complaint, and other court related duties and will not be posted in Police DTS. These assignments could include, but not limited to the following examples:
 - 1. Sexual assault investigations
 - 2. Serious Motor Vehicle Crash investigations
 - 3. Internal Investigations
 - 4. K-9 and Comfort Dog use
 - 5. Narcotics Investigations
 - 6. Arson Investigations
 - 7. School Resource Officer related investigations and outreach
- H. Removing Names From Scheduled Overtime: Strictly prohibited; No officer shall remove his/her name from the overtime schedule without first notifying the Scheduling Officer or the Officer in Charge of the Shift or the oncoming shift to ensure that the job is re-posted and filled. If the overtime cannot be filled without an “order-in”, then the officer who was originally awarded the overtime is required to work unless he/she has a legitimate excuse, e.g. sickness or injury, in which case he/she shall notify the Scheduling Officer or Officer in Charge of the shift or the oncoming shift. This policy shall be adhered to when re-filling an overtime shift.
- I. Bumping: 24-hour notice must be given to “bump” an officer off a detail or overtime shift. If a “bump” occurs, it is the responsibility of the bumping officer to make the proper notification to the officer that has been bumped and to the Scheduling Officer or the Officer in Charge. Reserve officers have no authority under the CBA to bump.

VII. DISTRIBUTION OF DETAILS

- A. Distribution: All officers shall be notified through Police DTS of any available detail assignments.

² The right to assign duties and tasks is an inherent managerial prerogative promulgated in the cba article XXV, rights of the town.

- B. Filling Details: Bids for details will close at 1800 hours the night before the scheduled day of the detail.
- C. Right of First Refusal: Full-time officers have the right of first refusal for all details. If a detail cannot be filled with a full-time officer, then the reserve officer detail rotation list shall be utilized.
- D. Posting and Re-Posting:
 - 1. Details will be posted immediately by any officer, including but not limited to the Desk Officer, the Officer in Charge, or any officer receiving a detail request.
 - 2. If a detail assignment is not filled, the assignment will be reposted in Police DTS. If the reposted assignment is not filled, contact will be made through whatever means made available by the individual officers, including but not limited to cellular phones, pagers, and land-line phones. If live contact is not made, a voice message shall be left indicating the time called and the details being offered. If live contact is not made after utilizing all practical means available, a voice message has been left and a reasonable amount of time has passed without a return call, or the detail is refused, the next eligible employee on the list will be contacted.
- E. Emergency Detail Assignments: Emergency detail assignments will be posted in Police DTS, if time permits. Depending on the nature of the emergency, contact shall be made through whatever means made available by the individual officers including, but not limited to cellular phones, pagers, and land-line phones.
- F. Removing Names From Scheduled Details: Strictly prohibited; No officer shall remove his/her name from the detail schedule without first notifying the Scheduling Officer or the Officer in Charge of the Shift or the oncoming shift to ensure that the job is re-posted and filled. If the detail cannot be filled without an “order-in”, then the officer who was originally awarded the detail may be required to work unless he/she has a legitimate excuse, e.g. sickness or injury, in which case he/she shall notify the Scheduling Officer or Officer in Charge of the shift or the oncoming shift. This policy shall be adhered to when re-filling a detail shift.
- G. Bumping: 24-hour notice must be given to “bump” an officer off a detail. If a “bump” occurs, it is the responsibility of the bumping officer to make the proper notification to the officer that has been bumped and to the Scheduling Officer or the Officer in Charge. Reserve officers have no authority under the CBA to bump.
- H. Cancellation Notice: There shall be a minimum two (2) hour cancellation notice for all private detail work. Failure to notify will result in payment of the four-hour minimum.

VIII. INCIDENTAL OVERTIME

- A. Report Writing: Overtime for report writing will be authorized only for arrest reports and/or report of incidents/motor vehicle crash reports that are of such a serious nature that completion is essential, as determined by the shift commander.
- B. Accountability: While it is clear that incidental overtime is sometimes necessary for the effective and efficient delivery of police services, it must be used responsibly and within the procedures outlined in this policy.
- C. Responsibility: It shall be the responsibility of the shift commander to effectively manage incidental overtime.
- D. Authorization: All employees must receive prior authorization from their shift commander or officer in charge before working any incidental overtime. The employee must keep the shift commander or officer in charge informed of their continuation on overtime status until they are properly relieved of duty.
- E. Non-Emergency Late Calls for Service: If applicable, and at the discretion of the shift commander, those non-emergency calls for service received within fifteen (15) minutes prior to the end of the shift shall be handled by the oncoming shift personnel. A delayed response shall be used for any applicable non-emergency late call for service. If applicable, an officer shall have dispatch inform the caller of the non-emergency response and provide an estimated time of arrival for the police officer.
- F. Incidents Pending Completion at the End of the Shift: All incidents, arrests, calls for service or investigations pending completion at the end of the shift shall be reviewed by the shift commander.

IX. POSTING SCHEDULES

The Scheduling Officer shall post a minimum of three (3) work schedules in DTS, showing anticipated vacancies due to vacations, sick time, training, etc.

X. USE OF COMPENSATORY TIME

- A. Calculation: Compensatory time shall be calculated at time and one-half for overtime worked. Examples:
 - 1. An employee who works 60 minutes overtime shall receive 90 minutes of “Compensatory Time.”
 - 2. An employee who works 8 hours of overtime shall receive 12 hours of “Compensatory Time.”
- B. Usage: Compensatory time shall be allowed and must be used during the same fiscal year in which it is earned. A Compensatory Time Cap shall be determined by the CBA.

1. An officer may request compensatory time off that is due to him/her at any time during his/her term of employment provided only one (1) person per shift is allowed to be absent due to compensatory time off.
2. The use of compensatory time is subject to the approval of the Officer in Charge/Shift Supervisor or commanding officer, whoever is available at the time of the request. All requests for compensatory time should be communicated via Police DTS within 24 hours of the request. All requests for compensatory time are subject to the shift being covered.
3. The requesting officer is responsible for ensuring that he/she has sufficient compensatory time to use.
4. If compensatory time is scheduled and later determined insufficient, then the officer shall be charged with another form of benefit time, e.g.: Vacation day or Personal day.
5. Solely for the purposes of this section, and not for the purpose of determining overtime compensation pursuant to the Fair Labor Standards Act, 29 U.S.C. 201, et. seq., paid details shall not be deemed overtime.

XI. PROCEDURES

- A. Scheduled cruiser overtime shall be filled by the Scheduling Officer or his/her designee.
- B. Unscheduled overtime shall be filled by the Shift supervisor or his/her designee as soon as reasonably possible.
- C. No calls for overtime or details are to be made between 12:00 Midnight and 6:00 A.M. unless absolutely necessary, e.g. overnight prisoner watch, unscheduled overtime, emergency details.

XII. ASSIGNMENT SLIP SUBMISSION

- A. Officers shall submit an Assignment Slip for any overtime, shift coverage, prisoner watch, court, desk watch, community policing, order-in/hold-over, and detail worked.
- B. All slip submissions shall include a description of the assignment.

XIII. BENEFIT TIME

Any officer who is requesting the use of benefit time, e.g. vacation, sick, personal, compensatory time, administrative time, bereavement time, shall submit a Leave Request through Police DTS.

XIV. NO SHOWS/MISTAKES

- A. When an officer gets to their assigned detail and the company who requested the detail is not there, within the first two (2) hours of the start of the detail, the officer is to call in to the station to confirm the detail is still scheduled for that day. If it is determined the company made a mistake, then that company will be billed for the minimum amount equal to four (4) hours. If it is determined the department made a scheduling error, the officer will be given the right of first refusal for the next available detail.

- B. If an officer is inadvertently skipped or by-passed for a detail which he/she was eligible for, once the error has been confirmed and verified by any Shift Commander, the officer will be given the right of first refusal for the next available detail.

NOTE: Officers shall not give out the home telephone numbers or home addresses of department personnel to anyone outside the department without the approval of the Chief of Police. In the event of an emergency request, the officer's telephone number will be called with a notification to call the person making the request.

XV. HOLD-OVERS

If a tour of duty is left vacant due to an unforeseen absence, and/or the officer in charge determines that a position must be filled, he/she shall order the least senior full-time officer who is on duty to remain on duty to fill the vacancy, unless a volunteer can be found. This practice has commonly been referred to as a "Hold Over." This does not apply to emergency call-ins.

A. Hold-Over Conditions

1. Officers shall not be ordered to work more than sixteen (16) consecutive hours unless there are extenuating circumstances, such as a state of emergency has been declared by the Governor, or a disaster has occurred within the town and coverage is needed to protect its inhabitants. Only the Chief of Police, or designee, may determine the need for an officer to be ordered to work more than sixteen (16) consecutive hours in these instances. Due consideration must be given for the health and safety of the officer so assigned, and the safety need of the community, before requiring an officer to work more than sixteen (16) consecutive hours. This includes all types of overtime, compensatory time, swaps, substitutions, etc.
2. An outside detail does not excuse the officer from a holdover. The officer will be removed from the outside detail first, and a replacement then found to cover that job, if necessary.
3. Reserve Officers shall be held-over if they are assigned to cover a shift full-time/Desk Officer-- as noted in this policy—when a full-time officer cannot be held over due to one or more of the hold-over conditions.
4. If a shift comes to an order-in, two officers may split the shift on a voluntary basis to avoid an order-in. It is incumbent on the officer who is being ordered in to secure the voluntary arrangement, not the Shift Commander who is filling the shift. Said officer must notify the Shift Commander and/or Scheduling Officer of any alternate arrangement made. Overtime hours as a result of officers accepting the voluntary assignment shall be entered in DTS.

B. Order-In/Hold-Over Rotation List

1. There shall be one order-in/hold-over rotation list for the full-time officers.
2. The order-in/hold-over list will be updated live in DTS.

3. New officers hired by the Police Department may be added to the order-in/hold-over list after successful completion of basic police academy training and any required departmental familiarization/field training before being assigned to patrol duty alone.
4. All full-time officers will begin with zero hours on January 1st of the New Year. Initially the list will be called by seniority beginning with the officer who has the least seniority and then progress through the list until reaching the officer with the most seniority. The order-in/hold-over list will then be calculated by order-in/hold-over hours worked. The officer with the least amount of order-in hours worked will be called first, progressing to the officer with the most order-in hours worked.
5. Officers will receive credit on the order-in/hold-over list for every hour he or she is ordered in for.
6. Officers shall be ordered-in due to extenuating circumstances such as unforeseen absences, a state of emergency being declared by the Governor, or a disaster has occurred within the town and coverage needed to protect its inhabitants.
7. For an immediate emergency situation, such as a declared state of emergency, a serious weather event, or critical incident that necessitates an immediate police response, the Shift Commander/Officer in Charge may disregard the order-in/hold-over and/or overtime rotation list(s).
8. An order-in takes precedence over other duty.
9. An officer working a detail shall be ordered to work patrol duty if his/her turn is next, but will get his/her rotation numbers back for said detail.
10. Shifts may be split on a volunteer basis to avoid an order-in.
11. Reserve Officers who are assigned to work on a full-time basis or assigned to work the desk full-time shall be called after the full-time order-in/hold-over list is exhausted.
12. The listings of accumulated order-in and hold-over hours shall expire on December 31st of each year.

XVI. ORDER-IN AND HOLD-OVER INELIGIBILITY

Ordering in to duty or a hold-over shall be done to maintain the minimum safety standards of coverage, and only after a vacancy cannot be filled voluntarily- in accordance with the Collective Bargaining Agreement,- Article XXV, ["Rights of the Town," retained by and reserved exclusively by the Town and the Chief of Police].

Officers are required to possess and answer or return phone calls as provided for in the Lunenburg Police Department Rules and Regulations, RULE 11.2 - HOME ADDRESS AND TELEPHONE, which states as follows:

Officers shall have a telephone in their place of residence, or where they can be reached, and shall report any change of telephone number or home address to the Chief of Police within twenty-four hours of such change.

In the event of an emergency request, the officer's telephone number will be called. Should the call be forwarded to voice mail then a notification will be left on voice mail to return the call- as soon as possible.

Officers shall not give out the home telephone numbers or home addresses of department personnel to anyone outside the department without the approval of the Chief of Police

- A. Officers shall not work more than sixteen (16) hours within a twenty-four (24) hour period unless there are extenuating circumstances, e.g. declared state of emergency, a disaster has occurred within the town, or other circumstances whereby the Chief of Police or his designee has determined that necessity prevails, however due consideration must be given for the health and safety of the officer so assigned, and the safety need of the community, before requiring an officer to work more than sixteen (16) consecutive hours. This includes all types of overtime, compensatory time, swaps, substitutions, etc.
- B. Officers who are scheduled for training during the 7a-3p shift will not be eligible for details/overtime during the 11p-7a shift preceding the training. Such qualifying training must be approved by the Chief or designee.
- C. Any employee who has used a sick day, as defined under departmental Rule 14.2, section 2; care for the employee's own physical or mental illness, injury, or medical condition that requires home care, professional medical diagnosis or care, or preventative medical care, for their regularly schedule tour of duty shall be ineligible for the purposes of accepting overtime/details for a 24-hour period, unless recalled to duty due to an emergency as determined by the Chief of Police, or his/her designee.
- D. Officers on holiday, personal day, vacation or compensatory time off, or scheduled day(s) off, when coupled with a minimum of two (2) days off or a combination of holiday, personal day(s), vacation, or compensatory time shall be exempt from being ordered-in on those specific days. When used in conjunction with two of the above qualifiers, a "swap out of shift" will also be considered ineligible for ordering in to duty.
- E. Officers on bereavement leave will be considered ineligible for ordering in to duty.
- F. Reserve Officers shall not be ordered in unless a public safety issue exists as determined by the Chief of Police, he/she is assigned to cover a shift on a full-time basis, or the Desk Officer assignment. Reserve officers who meet these criteria shall be placed last on the order-in rotation.
- G. Any officer who has been held over for four (4) or more hours within the previous eight (8) hours shall be exempt from being ordered to cover the vacancy. An officer may volunteer to do so, however.

- H. Officers working 3-11PM or 11-7AM shifts and scheduled for court the next day shall not be held over.
- I. Officers already working an overtime shift, or substitution are exempt from a “Hold-Over.”
- J. An officer scheduled to start his/her vacation at the end of the shift or is scheduled for a comp day, personal day or vacation day within the next twenty-four (24) hours is exempt from a holdover.

NOTE: Order-ins for details shall only occur if a public safety issue exists as determined by the Chief of Police in accordance with M.G.L. Chapter 41, Section 97A, or unless there are extenuating circumstances, such as a state of emergency being declared by the Governor, or a disaster has occurred within the town and coverage needed to protect its inhabitants.

XVII. HARDSHIP PASS

In the event than an order-in creates a hardship for the officer, each officer will be allowed 2 passes during a calendar year. This will be noted as a pass in DTS on the order-in list. Any officer utilizing the hardship pass shall provide the Police Chief, or his/her designee, with a note explaining the hardship and any reasonable steps taken to resolve the hardship. Three or more hardship passes may result in disciplinary action. Hardships may include, but are not limited to, the following examples:

- A. Child care is not available at the time of the order-in;
- B. Too far out of the area to be on time for an order-in;
- C. Home sick on a day off and not well enough to respond to an order-in.

XVIII. ADMINISTRATIVE PASS

The consumption of alcohol is legal for persons 21 years of age or older. In many cultures the consumption of alcohol during meal time, or at family, social and religious celebrations, is an accepted practice. Whereby consumption of alcoholic beverages while on duty is strictly prohibited for the Police, off-duty consumption of alcohol is limited to the extent that an officer cannot exhibit obnoxious or offensive behavior, discredit themselves or the department nor consume alcohol to the extent that they are unfit to report for duty.³ In addition, reporting for duty after consuming any amount of alcohol is strictly prohibited. Therefore, it shall be necessary to issue an administrative pass to an officer who has been off duty, has received an order-in call and indicates to the caller that he/she has consumed alcohol. The conditions under which an administrative pass will be allowed are as follows:

³ *RULE 14.7 – OFF DUTY USE OF ALCOHOL* Officers shall not use alcoholic beverages off duty to the extent that their conduct is obnoxious or offensive and discredits them or the department. Officers, off duty, shall not consume alcoholic beverages or medication to the extent that they are unfit to report for their next regularly scheduled tour of duty.

- A. The officer will be required to provide the Chief of Police with a letter confirming that he/she had in fact consumed alcohol prior to being ordered in.
- B. Only two passes will be considered in a calendar year;
- C. The pass will be noted in Police DTS on the order-in list;
- D. More than two passes may result in disciplinary action.

XIX. COPIES / CHANGES

- A. This policy/order is implemented as a result of impact bargaining sessions with the Lunenburg Police Officers Union, I.B.P.O. Local 353 in accordance with M.G.L. Chapter 150E, in which consensus was reached by all parties.
- B. Copies of this policy shall be given to each officer and shall be placed in his/her Rules and Regulations manual.
- C. There shall be no changes or deviations from this policy without the express authorization of the Chief of Police.