

MANAGING OVERTIME

1053

(No. 27 August 1992)

It is the policy of the Department of Forestry and Fire Protection to avoid overtime work whenever possible. When overtime is necessary, it shall be kept to a minimum, consistent with good personnel and program management. Each individual assigned supervisory responsibility and the authority to approve overtime (including rank-and-file staff) will be held accountable for carrying out this policy. While this section outlines policies and procedures pertaining to uniformed personnel, the concepts apply to all CAL FIRE staff.

The administration of this policy will not conflict with collective bargaining agreement provisions.

The following constitute examples of how each program and supervisor is responsible for minimizing or eliminating the need for overtime.

- Emergency Response Period (ERP) schedules will be developed to provide seven day coverage where necessary and without incurring unnecessary unplanned overtime. Unplanned overtime may or may not be anticipated in advance.
- Work schedules during the Non-Emergency Response Period (NERP) will be arranged to minimize or eliminate overtime.
- Staff will be productively employed during all ERP and NERP work hours.
- Supervisors are to enforce return and availability policies for on-call and standby hours during ERP and NERP.
- Employees must be changed from NERP to ERP whenever it is operationally sound and cost effective. They should also be changed from ERP to NERP when this is cost effective and consistent with the collective bargaining agreement.
- Overtime must be approved in advance by authorized personnel.
- Employees will not "self-dispatch" themselves to incidents. Employees will not volunteer for and work unplanned overtime without prior approval.
- Resource status will include information about standby and on-call availability. Those on-call and on standby will be utilized first and as otherwise consistent with the collective bargaining agreements.
- Where practical and cost efficient, supervisors will arrange on-incident relief for personnel finishing a shift by using staff from the next shift.

- Equipment (e.g., engines, bulldozers, etc.) and crews assigned to strike teams or other out-of-unit work will be staffed consistent with departmental policy but in a manner which minimizes or eliminates overtime.
- Where sufficient staff members are available, fire suppression schedules will be developed to ensure that at least one individual is available seven days a week, 24 hours a day during ERP without incurring unplanned overtime. The alternative is to establish a callback roster where the movement of employees is not restricted in a manner which inhibits personal pursuits and thereby necessitates compensation. Use of such a roster must meet the operational needs of the department.
- Fire prevention staff will not routinely assist local government in fire investigations if an overtime liability may be incurred by the state. Schedule A will continue to meet its contractual obligations.
- Employees will be relieved from duty as soon as it is operationally feasible.
- To the extent possible, travel between work locations will occur during regular work hours.
- Use of accrued leave (i.e., vacation, CTO, holiday credit, excess hours) will be scheduled far enough in advance to allow scheduling changes necessary to minimize or eliminate overtime.
- Training, special assignments, meetings, etc., will be planned in a manner which minimizes overtime. This includes use of five-day shift patterns as allowed by the Unit 8 contract for formal training.
- As otherwise consistent with departmental policy and the collective bargaining agreements, daily working hours will be adjusted to avoid overtime.
- Whenever operationally feasible, the 24-hour engine will be used instead of the 12-hour engine when extended periods of work or overtime are anticipated.
- Where operationally feasible, support staff (e.g., HEMs, clericals) will not be placed on standby or on-call even during emergency incidents.

VOLUNTEER OVERTIME SENIORITY SYSTEM (Bargaining Unit 15)

1053.1

(No. 91 December 2002)

The Department of Forestry and Fire Protection has established a volunteer overtime seniority system to be used in the distribution of overtime for Bargaining Unit 15 employees. Through the establishment of a volunteer overtime seniority system, CAL FIRE will endeavor to reduce the amount of mandatory overtime by distributing overtime fairly among volunteers as permitted by operational needs, security, health, safety, and other emergencies.

PROCEDURES

1053.1.2

(No. 91 December 2002)

1. Bargaining Unit 15 employees must request, in writing, the placement of their name on the volunteer overtime list for their classification. The list will be established in order of classification seniority, as defined in Section 1053.1.3, and seniority will be confirmed by Human Resources. The employee's name will remain on the volunteer overtime list until the employee requests the removal of their name from this list or they separate from the classification.
2. When possible or actual overtime has been determined, the individual in the program/unit responsible for managing overtime, will notify the employee on the top volunteer overtime list of the possible or actual overtime.
3. If the contacted employee declines the overtime, the individual responsible for managing the overtime will notify the next employee on the overtime seniority list. Accepting or declining possible/actual overtime will not affect the placement of an employee's name on the list.
4. If the volunteer overtime seniority system does not obtain a sufficient number of employees to work overtime, mandatory overtime will then be required, utilizing an inverse seniority selection system, whereby individuals with the least seniority will be selected first.

Note: No food service employee will be required to work in excess of sixteen (16) hours continuously in a twenty-four (24) hour period, nor shall a food service employee be required to work more than two (2) double shifts within his/her scheduled workweek, unless mutually agreed to.

DETERMINATION OF SENIORITY

1053.1.3

(No. 91 December 2002)

For purposes of this section, seniority shall be based on an employee's total state service in the classification.

Ties shall be broken by seniority with CAL FIRE and then by lot, if necessary.

EXCEPTIONS

1053.1.4

(No. 91 December 2002)

CAL FIRE reserves the right within budgetary constraints to require overtime, to assign work to another appropriately classified employee from the volunteer list, OR require an employee to complete work in process by that employee if the determination that overtime would be necessary was made while the employee was completing the work.

An employee's requests for overtime may be denied for reasons, such as, a current attendance restriction, documented performance problems (i.e. Adverse Action), or training. Reasons for denial shall be directly related to the performance of overtime work. Upon request, a denial shall be made in writing.

When assigning mandatory overtime by inverse seniority, special needs of employees who have issues, including, but not limited to documented medical problems or substantiated childcare problems, which may impact the employee's ability to work the overtime assignment(s) will be considered.

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