



# Memorandum

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"Service, Pride, Integrity"

**May 16, 2008**

**To: All Sworn Personnel**

**From: Chief Deborah Linden**

**Subject: Implementation of Donning/Doffing Settlement**

On May 7, 2008, the Court approved a settlement reached by the City and the POA in the lawsuit filed by the POA concerning the donning and doffing of safety equipment (*Charles Riedel v. City of San Luis Obispo*," Case Nos. CV07-02701). The settlement provides for compensation for certain sworn personnel who don (put on) and doff (take off) specialized protective gear (gun belt, ballistic vest, and similar equipment). The purpose of this memo is to outline the provisions of the settlement agreement and explain how officers should implement these provisions.

## Provisions of Settlement Agreement Pertaining to Donning:

Effective May 8, 2008, all uniformed, sworn police officers who don (put on) and doff (take off) specialized protective gear will receive five minutes of overtime, which will be coded on employee time sheets as 1/10<sup>th</sup> of an hour of pay, for each day they work under the following conditions:

1. The officer is reporting for a patrol shift or other assignment for which the Department requires him or her to don and doff specialized protective gear and a police uniform; and
2. The officer does not have the option of wearing alternative, non-uniform attire in lieu of a uniform; and
3. The officer is not already provided on-duty time to don specialized protective gear, such as is provided during range training or qualification, or defensive tactics training.

Officers reporting for court, range qualification, training, or other assignment or duty, pursuant to subparagraph 2 above, who have the option of wearing non-uniform attire shall not be eligible for five minutes of time and shall not put in for 1/10<sup>th</sup> of an hour of overtime, whether or not they choose to wear their uniform and specialized safety equipment instead of non-uniform attire.

## Compensation Procedures for Donning/Doffing:

In order to be compensated for five minutes of overtime for donning/doffing the specified protective gear under the conditions specified above, officers must do the following:

1. For each shift during which a uniformed officer is eligible for the five minutes of overtime for donning/doffing protective gear, the officer must enter the following on their time sheets:
  - In/Out Times: Enter the five minute period utilized for donning (Example: 0640–0645 or 1840–1845)
  - Reason for Overtime: Enter the word “Donning”
  - Hours Worked: Enter 0.10 hours
  - Work Code: Enter 084 (shift continuation code)
2. Officers may cumulate the “donning” overtime similar to what is currently done for briefing overtime. In this case, the officer would use the last date of the pay period as the OT date and enter the word “donning” x the number of days eligible. Example: If a uniformed officer worked patrol shifts on seven days during a pay period, the officer would enter “Donning x 7” in the Reason for Overtime space. The Hours Worked would then be entered as 0.70 (0.10 hours x seven days = 0.70 hours total). If an officer only worked patrol on three days during a pay period, they would enter “Donning x 3” and enter 0.30 under Hours Worked.
3. Overtime slips are not needed.
4. Compensation will be retroactive to May 8, 2008. For the period of time between May 8, 2008 (the effective date of the settlement) and May 14, 2008 (the end of the pay period), officers shall enter the donning time worked between May 8 and May 14 on the subsequent time sheet (payroll period 5/15/08 – 5/28/08).

Provisions of Settlement Agreement Pertaining to Doffing:

All uniformed, sworn police officers who don and doff specialized protective gear will receive five minutes of time prior to the scheduled end of their shift (i.e., they will have five minutes on City-paid time) to doff (take off) their protective gear and uniform. There will be no additional compensation (i.e., overtime) paid to officers to doff their gear and uniform, as they will be doffing during the last five minutes of their shift. If occasional shift activity does not allow them to doff their safety equipment and uniform during the last five minutes of their shift, they will not put in for any additional compensation or overtime for doffing after the required activities are completed beyond that to which they would otherwise be entitled to under the City’s current overtime practices for shift continuation.

Implementation of Doffing Time Provision:

Effective immediately, Sergeants and Watch Commanders shall, when possible, allow officers to return to the station five minutes prior to the scheduled end of their watch to doff their protective gear and uniform.

Impact on Shift Start/End Times or Briefing Overtime:

These procedures will not affect the starting or ending times of patrol shifts. Officers are still expected to arrive for briefings (or the beginning of their scheduled pay back shifts) fully dressed in their uniform and having already donned their protective gear. Officers will still receive briefing overtime when they attend briefings pursuant to the POA MOA.

Application of Settlement Provisions to Non-Uniform Sworn Employees:

Non-uniformed, sworn personnel (such as detectives, SORT, SRO and DARE) who are not required to report for duty having already donned specialized protective gear will receive no change in their hours or pay, except when working a shift or assignment as a uniformed officer as specified in the donning provisions above.

Application of Settlement Provisions to Non-Sworn Employees:

The provisions of this settlement do not apply to non-sworn employees regardless of assignment or required attire.

Please feel free to contact me with any questions.