



Performance Audit of the Sheriff-Coroner Overtime County of Orange

Final Report

March 24, 2020



I. Executive Summary 2
Introduction 2
Key Finding: Need for Continuous Overtime Management Control 3
Recommendations for Managing and Reducing Overtime..... 4

II. Analysis 5
Methodology 5
Five Year Trend in Overtime Costs..... 6
Five Year Trend in Overtime Hours..... 7

III. Reasons for Overtime..... 9
Five-Year Trend in Reasons for Overtime 9
Reasons for Overtime in FY 2018-19 10

IV. Overtime by Divisions and Units 15
Five-Year Trend in Overtime by Division 15
Overtime for the Field Operations and Investigation Division by Unit..... 17
Overtime for the Custody Operations Division by Unit..... 19

V. Overtime Hours by Positions..... 22
Five-Year Trend in Overtime Hours by Position 22

VI. Issues That Affect Overtime 24
Labor Agreements 24
State Prison Realignment (AB 109)..... 25
U.S. Immigration and Customs Enforcement (ICE) Contract..... 26
Management of Overtime Use 27
Electronic Scheduling and Timekeeping Systems 30
Additional Recommendations for Decreasing Overtime Costs..... 31

Appendix I – FY 2018-19 Reasons for Overtime 32

Appendix II – FY 2018-19 Overtime by Unit 33

Appendix III – FY 2018-19 Overtime by Position 35

Appendix IV – List of Recommendations 36

Introduction

Overtime costs for the Sheriff’s Department has been an ongoing issue for the County of Orange since the County of Orange’s Office of the Performance Audit Director conducted the first audit of overtime in the Sheriff’s Department in 2008. A follow up audit was conducted in 2011 which found that overtime costs had decreased, primarily due to budget cuts and a lower inmate population with some jail facility closures. The overtime decrease from 2011 was temporary and has now increased to beyond the 2008 levels and significantly impacts County resources.

While the budget for staffing of a Sheriff’s Department can typically be managed, overtime use is necessary in order to ensure that there is adequate staffing to provide public safety services 24 hours a day, seven days a week as well as staffing for unplanned emergency services. As an agency has a better understanding of its use of overtime, they can improve their regular staffing needs in order to ensure that less overtime is required. Some of the issues of overtime had been previously addressed in 2008 and in 2011 from which the Sheriff’s Department implemented several new overtime management controls.

The primary purpose of the 2020 Performance Audit of the Sheriff-Coroner Overtime is to identify reasons for the increasing costs of overtime and to make recommendations for reducing that cost. From FY 2014-15 to FY 2018-19, the department has seen its cost in overtime payments rise by 42.6%.

Overall, this audit shows that the Sheriff’s Department has taken steps to control and reduce overtime costs over the past two years, despite factors beyond control of the department. Some factors for increasing overtime costs, include the salary raises approved and negotiated with the bargaining units in the Memoranda of Understanding (MOUs) by the Board of Supervisors and costs of the implementation of AB 109 (2011), the State Prison Realignment program. Many of the interviews with department managers noted improved budget training with the department’s Budget and Finance staff to control the use of overtime.

It was noted that the department has more control of overtime hours rather than overtime costs since the department can

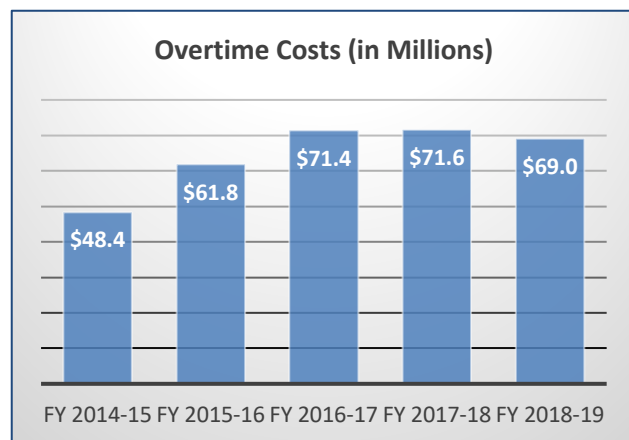


Figure I-1
Five Year Trend in Overtime Costs for Sheriff-Coroner Department (060)

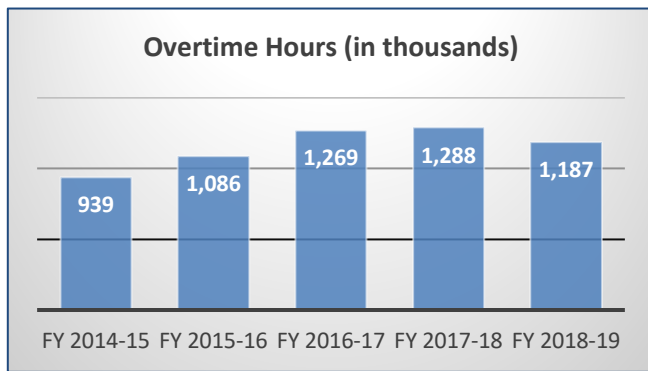


Figure I-2
Five Year Trend in Overtime Hours by Sheriff-Coroner Department (060)

make its own staffing decisions as to which shifts need to be covered by overtime hours for public safety controls. Overtime hours have increased over the last five fiscal years by 26% as shown in Figure I-2. We did not find a singular reason for the increase. Some of the increase is due to reasons beyond control of the department, such as additional categories being added to the Sheriff-Coroner Department (OT). These additional categories included some technical and human resources positions

into the Department. Like overtime costs, the overtime hours significantly increased between FY 2014-15, FY 2015-16, and FY 2016-17. Peaking in FY 2017-18, overtime hours decreased in FY 2018-19.

Key Finding: Need for Continuous Overtime Management Control

There have been indications from reviewing the data of overtime hours and the *Over 48 Hours of Overtime Reports* over the last five years that control of overtime had relaxed. There were several reoccurring issues of maximizing overtime which had previously been discussed in the *2008 Performance Audit of Overtime*. The issue of maximizing overtime had since been addressed for Correctional Technician and Sheriff Special Officers classifications in their MOUs. The use of the maximizing of overtime by Peace Officers has not been addressed, thus allowing Sheriff Deputies, Sergeants, and Investigators to continue to maximize on planned overtime shifts and shift replacements. The department's overtime cost and hours had decreased over the past year, yet the average overtime pay for Peace Officers remained over 30% of their regular salary in FY 2018-19.

While the department's Overtime Policy has not changed since the last overtime review in 2011, we noted relaxed controls over the use of overtime hours between FY 2014-15 and FY 2016-17. While the department regularly circulated a report of *Over 48 Hours of Overtime Reports* for each pay period among the Executive Management Team, there is no indication of consequences, especially for those that frequently appeared on the report. While some of the incidents were allowable exceptions, such as

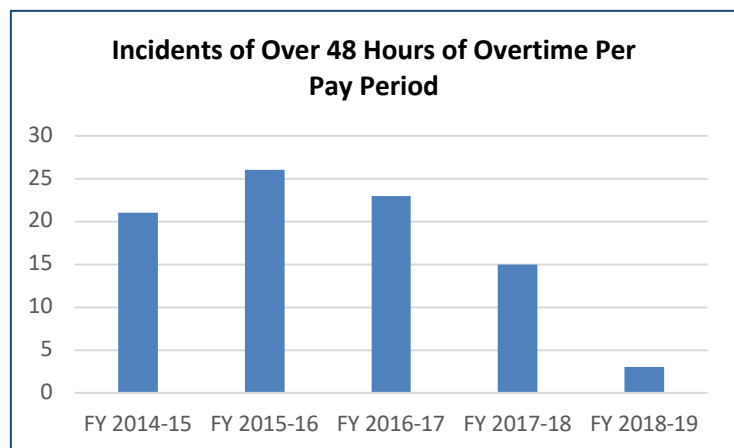


Figure I-3
Median Number of Incidents in an Over 48 Hours of Overtime Report per Pay Period

for extended shifts and emergency events, others seemed to maximize overtime hourly payments by using annual leaves for their regular shifts and picking up overtime pay for shift replacements or planned overtime activities. These activities are allowable under current department policy and the Peace Officers MOU with the County, but have negative consequences to overtime costs for the department.

Over the past few years, there has been a significant decrease of the median number of incidents in the *Over 48 Hours of Overtime Reports* indicating that there are tighter controls over the management of overtime.

Recommendations for Managing and Reducing Overtime

- Eliminate the use of vacancy goals for units. While vacancies may lead to cost savings from a unit's approved budget, this will only add unbudgeted overtime hours and costs across the department. With a large department, there is continual turnover and opportunities for advancement. This trend leaves vacant positions due to natural attrition which take time to fill. Continual recruitments will lower vacancies in Field Patrol units and Custody Operations units.
- Allow the Supervisors more discretion for utilizing overtime and time off. Review staffing needs by shift, by utilizing flexible minimum staffing levels rather than automatically filling open shifts.
- Utilize hours worked rather than hours paid for all departmental staff and/or allow for the approval of switching shifts rather than utilizing time off while filling shift replacements or planned overtime.
- Pursue the development of an electronic system that allows for an integrated scheduling with payroll data for increased access to information regarding time off and overtime scheduling of individuals.
- Review police service contracts and special events to ensure that they fully cover the costs of overtime. Consider additional contract costs for cost recovery for multi-day events that impact regular shifts.
- Incrementally decrease monthly targeted overtime hourly budgets by unit. Establish realistic targets that units can agree upon.

Methodology

Our primary methodology for conducting the performance audit was based on interviews, data, and document reviews we obtained from the department staff. In addition, since the unit with the largest amount of overtime use was the Theo Lacy Correctional Facility, we toured the facility to better understand staffing needs and challenges. We also reviewed journal articles regarding public safety emergency events that impacted the department since 2014. We researched issues, best practices, and available funding regarding AB 109 (State Prison Realignment), past and ongoing lawsuits with the Prison Law Office regarding County jails, and best practices regarding the control of public safety overtime.

Our project team conducted interviews and/or had correspondence with:

- Several members of the Executive Management Team from the Sheriff's Department
- Various OCSD Division Commanders
- OCSD Financial, Budgeting, and Payroll Managers
- Various Custody Operations Captains, Scheduling Sergeants, Administrative Lieutenants, and the Administrative Manager

We reviewed the *2008 Overtime Audit of the Sheriff-Coroner Department*, the department's *Response to the 2008 Overtime Audit*, as well as the *2011 Follow-up Review*. Additionally, the following data was reviewed of overtime activities of the past five fiscal years (FY 2014-15, FY 2015-16, FY 2016-17, FY 2017-18, and FY 2018-19) including:

- Overtime costs and budgets from ERMI Database
- Overtime hours from ERMI Database
- Labor contracts/Memoranda of Understanding covering the periods over the last five years of overtime users for the AOCDS Peace Officers Units, the SSO Units, and the County General Units
- OCSD Overtime Policy 1038
- Over 48 Hours Overtime Reports of Employees for each pay period
- ICE contracts and amendments
- Sample public safety contracts with cities
- Sample payroll data for pay period
- Sample watch lists
- Organization charts for custody and OCSD management structure
- Revenue data for overtime costs

We also sought to review as much similar data and documentation that was previously reviewed from the prior audits. In addition, we conducted research on best practices for public safety overtime as well as sought to review emergency incidents that impacted the Orange County Sheriff's Department.

Finding: Aggregated monthly data for overtime use was not always accurate (ERMI Reports).

We encountered problems with evaluating details of the monthly data. In evaluating monthly data with noted high overtime utilization, we noted that the monthly data included additional pay periods than what had actually ended in the prior month. This caused certain months to appear to use more overtime than they had. For example, the data we received showed that November 2018 was an abnormally high month of overtime usage, but upon investigation, we noted that the monthly number was aggregated from a pay period that should have been included in the prior month's data set.

Recommendation II.1: Modify the ERMI software to ensure that data is correctly aggregating by months for dates of the end of the pay period.

Correcting the software aggregated data will allow the department to provide more accurate analysis for monthly data trends, especially in being able to account for trends in activity.

Five Year Trend in Overtime Costs

The costs of overtime increased by nearly 50% from FY 2014-15 to FY 2016-17, increasing from \$48.4 Million to \$71.4 Million.

Previously, the *2008 Performance Audit of Overtime* completed for the Sheriff's Department noted that the overtime costs, was at its peak in FY 2007-08 at \$47.5 Million. The overtime costs during the follow-up report in 2011, noted a decrease of overtime costs to \$21.6 Million in FY 2009-10. The *2011 Follow Up Review* noted that many of the recommendations from the 2008 Report were implemented and that the costs of overtime for the department had improved. The follow up report also noted that the decrease in overtime costs was due to required County budget cuts and the temporary closure of multiple sections of the jail facilities. Staffing changes, the implementation of the new Platoon work schedule, and labor agreement negotiations, which counted hours worked rather than hours paid, additionally contributed to the lower overtime costs. Since the *2011 Follow Up Review*, overtime costs almost doubled that of the previous high point of FY 2007-08.

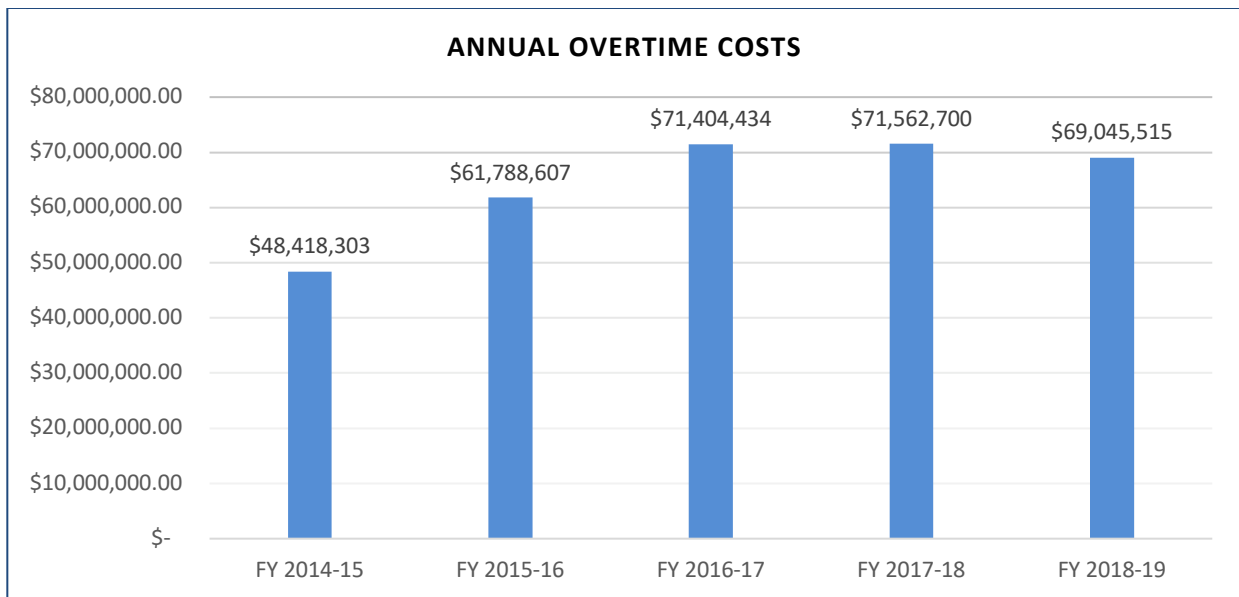


Figure II-1
Five Year Trend in the Annual Costs of Overtime in the Sheriff-Coroner Department (060)

Five Year Trend in Overtime Hours

The number of overtime hours have increased over the past five years, going from under 900,000 in FY 2014-15 to hovering around 1.2 Million overtime hours in the last three fiscal years, a five year increase in overtime hours of 26.4%.

During our interviews with staff, the department was aware of its increase in overtime costs since FY 2014-15. It was noted that they have been making a concerted effort to keep within their budgeted overtime hours rather than overtime costs since they have little control over salary increases. A significant portion of the overtime cost increase is due to the approved salary increases from the MOU negotiations with the labor unions and are negotiated directly with the County and therefore beyond the control of the department. Over the past five years, actual overtime costs have increased rapidly by 42.6%, well above the approved budgeted overtime costs for the department. While costs are the driving concern of the County, our analysis focused on overtime hours, which is primarily within the control of the department. The annual overtime hours represent a much smaller increase than the annual overtime costs between the same five year period. Increasing overtime hours combined with increasing overtime rates, have led to the large increase in overtime costs.

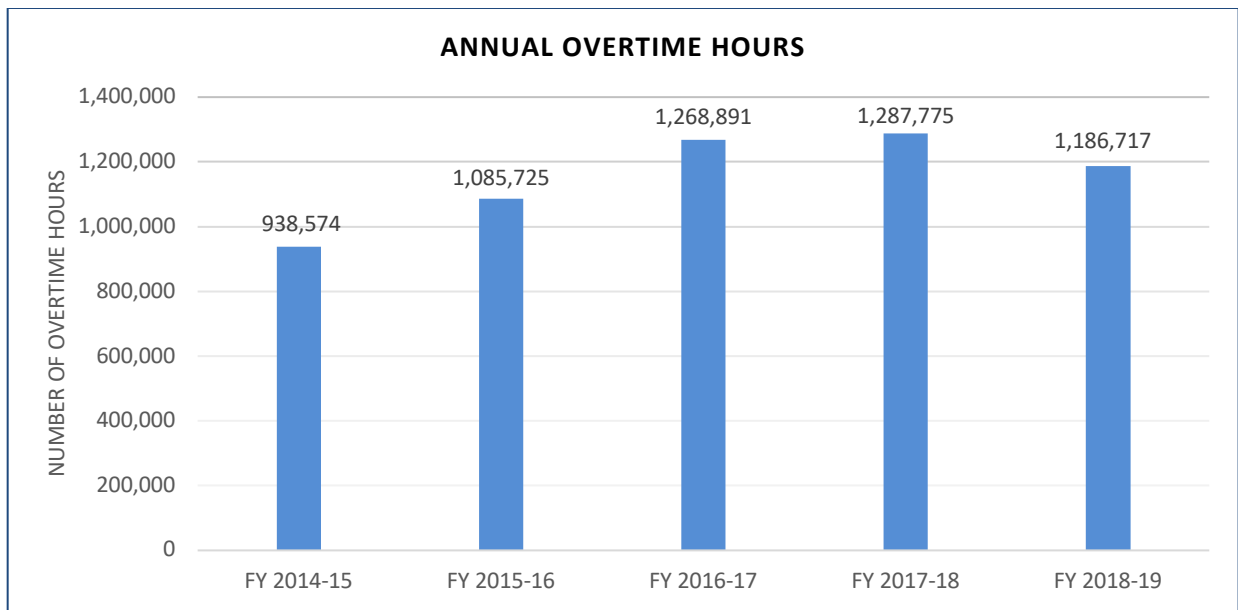


Figure II-2
Five Year Trend of Annual Overtime Hours

Five-Year Trend in Reasons for Overtime

There are a few primary reasons for the justification of overtime that is utilized by the department which include shift replacements, extended shifts, and planned overtime. Shift replacements are utilized to fill a shift that is vacant, but also if a person is out due to vacation days, sick days, annual leave, or other leaves of shifts. The shift replacement can typically be scheduled well in advance, such as shift replacements to fill a known vacant position or a person scheduled to be on a vacation or other pre-approved leave. The extended shift is often unexpected and used to complete work that cannot be completed during a regular shift, such as to complete reports before the end of a shift. Planned overtime can include coverage of special events, training, providing emergency mutual aid, or other planned activities that are not regular shifts. There are also call backs and extended investigations that require overtime.

Finding: Some of the data fields have missing justifications (no job number or job description.)

In addition to these primary reasons, a large portion of overtime costs of the department (060) did not provide a justification, where the job number and job descriptions had no data to support it. A majority of the incidents that were left unjustified, had paycodes listing them as comp payouts or mandatory holiday compensation payout. We have listed all of the hours without a listed justification as "Comp Payoffs/Payouts." Of the overtime hours without job justifications, 14.5% of the overtime hours in this category had a different paycode description, often using "Mandatory Compensation Pay" as the paycode. There is a separate budget category outside of Overtime (060) for the department for compensation payouts. Should the overtime hours and overtime costs with no job number or job description be moved to a different budget category, the overtime hours would be similar to that of FY 2007-08 levels.

Recommendation III.1: Determine if Compensation Payoffs and Holiday Mandatory Compensation Payouts and other Mandatory Compensation Pay without Job Codes or Descriptions should continue to be included in the Overtime Budget.

Recommendation III.2: Require units to report job numbers and job description with each report of overtime so that data more accurately reflects the justification for overtime hours and costs.

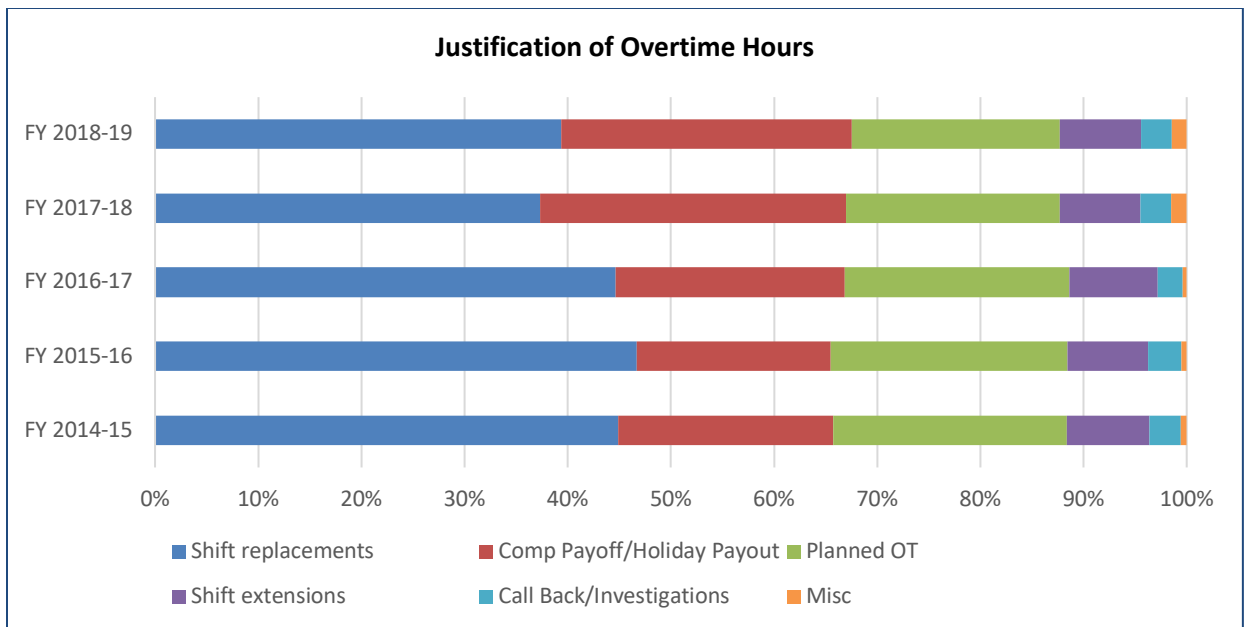


Figure III-1
Five Year Trend in Justifications of Overtime as a Percentage of Overtime Hours

The trend in the justification for the use of overtime shows that the primary justification for overtime is for shift replacements of those who have taken time off for vacation, sick time, annual leave hours, and comp hours as well as vacant positions. While the number of overtime hours for shift replacements grew from FY 2014-15 to FY 2016-17, this has not continued to increase over the last three fiscal years. Other planned overtime, which often includes special events and training activities, has remained fairly stable. The use of shift extensions increased for FY 2015-16, but has since stabilized. Figure III-1 above demonstrates that the amount of Comp payouts and mandatory holiday payouts have increasing taken a larger percentage of the overtime hours included in the overtime costs. This category of justification was not included in the 2008 Overtime Audit.

Overtime hours paid for comp payouts and mandatory holiday compensation payoffs, and other non-justified reasons for overtime increased by 71.0% (from 195,438 hours in FY 2014-15 to 334,184 in FY 2018-19) over the last five years.

Reasons for Overtime in FY 2018-19

We broke down the categories utilized by the department for justifications for the overtime hours and costs for FY 2018-19 in order to provide further analysis of the primary justifications for overtime. From the below table, we see that shift replacements justifies the largest portion of the overtime hours, utilizing 39.4% of all of the overtime hours in FY 2018-19.

Comp payoffs and mandatory holiday compensation payouts are not typical uses of overtime and comprise 28.2% of the overtime hours in FY 2018-19. These typically are not considered regular overtime pay since they are generated upon request, rather than time worked and are contracted pay given to staff who are required to fill shifts during the holidays. These overtime hours are not within the control of the department as are the other categories of justification for overtime. This was not a category that appeared in the previous 2008 Overtime Report.

Planned overtime for special events, training, and other planned overtime comprises 20.2% of overtime hours in FY 2018-19. Other categories such as shift extensions, call backs/investigations, and miscellaneous categories comprise the remaining 12.3% of the justifications.

Recommendation III.3: Move Comp Payoff/Holiday Payout to a separate budget category to keep overtime hours within the control of the department.

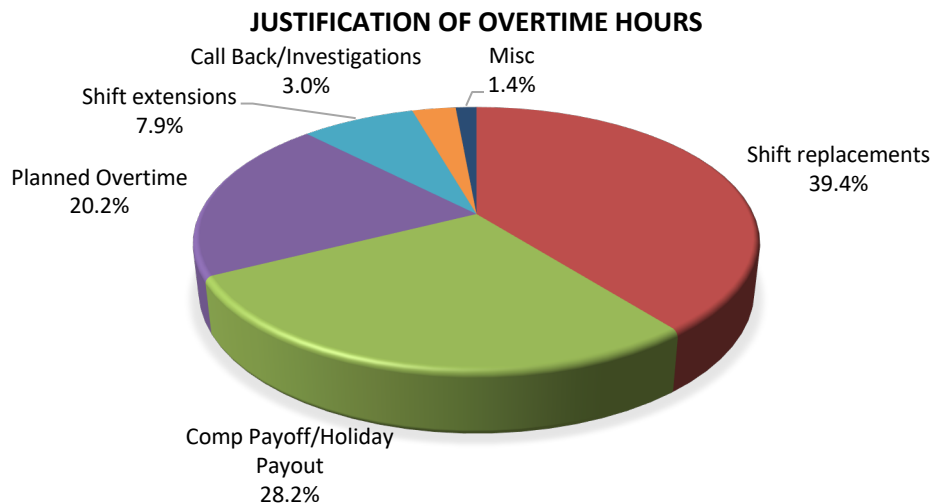


Figure III-2
FY 2018-19 Justification of Overtime Hours by Category

Justification	Overtime Hours	% of Overtime Hours
Shift replacements	467,208	39.4%
Comp Payoff/Holiday Payout	334,184	28.2%
Planned Overtime	239,539	20.2%
Shift extensions	93,216	7.9%
Call Back/Investigations	35,579	3.0%
Misc	16,992	1.4%
Total	1,186,717	100.0%

Table III-1
FY 2018-19 Justification of Overtime Hours by Category

Each justification category is broken down further to gain a better understanding of each of their uses within the department.

Shift replacements made up 39.4% of the overtime hours in FY 2018-19. Out of those shift replacements, we can break down the reasons for the shift replacements as shown in Table III-2 below. Vacation leave and vacant positions comprise a majority of shift replacements. Compared with the *2008 Overtime Report*, shift replacements for vacant positions have gone down considerably, utilizing just 10.7% of overtime hours, compare to 38.9% in the 2008 Report, indicating that staff vacancy is not as much of cause for overtime as it was in FY 2007-08. Per our interviews, it was stated that the department utilizes vacancy goals to demonstrate budget savings. While this practice may provide budget savings, in reality, the practice resulted in an increase of overtime costs.

Recommendation III.4: Fill vacant positions as soon as possible so that they do not require the use of overtime for shift replacements.

Shift Replacement Details	Overtime Hours	% of Shift Replacements	% of Overtime Hours
Vacation leave	128,392	27.5%	11.0%
Vacant positions	125,346	26.8%	10.7%
Worker's Comp and other leave of absences	66,944	14.3%	5.7%
Training	50,853	10.9%	4.3%
Sick leave	41,105	8.8%	3.5%
Loan to other Division & Special Assignment	24,263	5.2%	2.1%
All Others (listed & misc)	20,018	4.3%	1.7%
Comp time	10,286	2.2%	0.9%
Total	467,208		39.9%

Table III-2
FY 2018-19 Table of Reasons for Shift Replacements

Compensation Payouts, Holiday Mandatory Compensation Payoffs, and other incidents which do not list any Job Numbers/Descriptions, make up 28.2% of all overtime hours in FY 2018-19. The majority of this category was Mandatory Holiday Compensation Payouts. For employees who work on County holidays, they are eligible for Holiday Compensation Pay. While this is an overtime rate, it can and should be budgeted since they are regular occurrences for public safety staffing in order to provide services 24 hours a day, seven days a week. Compensation Payoffs are any unused annual leave, vacation leave, or sick leave upon retirement, separation from the County of Orange, or by request to pay out any unused accumulation of leave. These payoffs have increased since FY 2014-15. This is likely due to the introduction of a cap of Annual Leave amounts as well as the reintroduction of the use of Vacation Leave and Sick Leave instead of the Annual Leave program in 2016. Other incidents of overtime hours typically had a job number/description often listing "Mandatory Compensation Pay (MCCPY2)" as the paycode description. This paycode was also used for other job numbers/descriptions, typically for Call Backs or Investigations.

Compensation Payouts/Payoffs	Overtime Hours	% of Payouts/Payoffs	% of Total Overtime Hours
Mandatory Holiday Compensation Payout	175,149	52.4%	14.8%
Compensation Payoff	110,754	33.1%	9.3%
No reason/description (MCP & misc.)	41,638	12.5%	3.5%
Mandatory Compensation Pay (ST)	6,642	2.0%	0.6%

Table III-3
FY 2018-19 Table of Reasons for Blank Job Numbers/Descriptions

Planned overtime comprised about one-fifth of all overtime hours in FY 2018-19. The primary reasons for planned overtime lists training, other, special events, hospital security, investigations, and maintenance. Overtime costs listed for special events includes the Orange County Fair and other special events put on by a city or another agency that requires additional public safety staffing for a large gathering of people. These are often reimbursed by the agency hosting the special event and are not an additional cost to the County.

Planned Overtime	Overtime Hours	% of Planned Overtime	% of all Overtime Hours
Training	58,129	46.0%	4.9%
Other (listed)	54,925	43.4%	4.6%
Special Events	47,003	37.2%	4.0%
Hospital Security	19,335	15.3%	1.6%
Investigations	17,825	14.1%	1.5%
Maintenance	14,055	11.1%	1.2%
Misc. (all others)	11,797	9.3%	1.0%
Backlog Clear	7,742	6.1%	0.7%
Range Qualify	5,894	4.7%	0.5%
Community Awareness	1,608	1.3%	0.1%
Mutual Aide	1,226	1.0%	0.1%

Table III-4
FY 2018-19 Table of Reasons for Planned Overtime

During the summer pay periods, the *Over 48 Hours of Overtime Reports* showed that the Orange County Fair has an indirect consequence that impacts the net County overtime costs. The additional staffing needs required for the Fair can impact staff's ability to perform their regular shift duties. It was noted that many overtime hours were utilized by the North Patrol unit during the month of August as some staff used annual leave of regular shifts while picking up overtime pay for the Orange County Fair. This also required others to fill in those annual leave shifts as shift replacements, and as a result, causing a cycle of additional overtime costs for the County beyond those required for shifts directly attributable to staffing the Fair.

Recommendation III.5: Consider negotiating for additional costs for the Orange County Fair and other multi-day Special Events to cover some of their impact on regular shifts.

Additional for managing Special Events Overtime include:

- Develop blocks of overtime shift schedules to staff the Orange County Fair in blocks of less than 48 hour shifts per pay period. Allow staff to only be assigned one overtime schedule in each pay period to ensure that staff do not work over 48 hours of overtime in a pay period.
- Check scheduled overtime for each person prior to approving assignments for overtime shifts.
- Ensure that staff are not taking vacation time or other time off while being assigned to overtime shifts for the Orange County Fair (this creates overtime shifts that need to be filled.)
- Ensure that overtime for special events are available to all eligible staff and are distributed fairly, including non-sworn staff.
- Allocate public safety staffing responsibilities to other local public safety agencies.

Five-Year Trend in Overtime by Division

Overtime hours have increased steadily since FY 2014-15 in the Field Operations and Investigations Division, peaking in FY 2017-18.

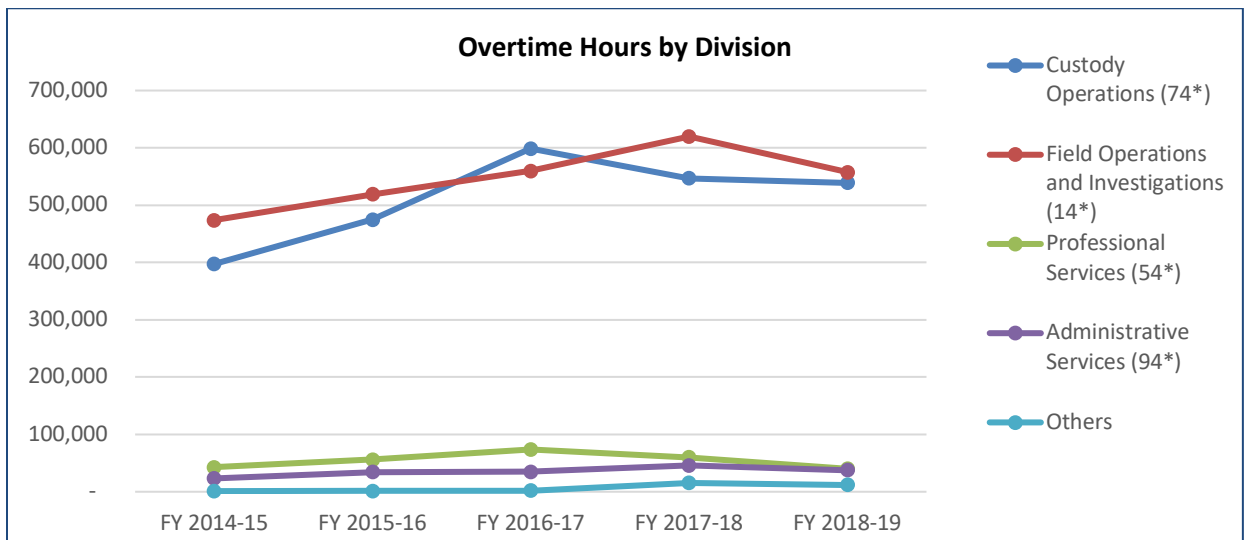


Figure IV-1
Five Year Trend of Overtime Hours in Divisions

Overtime hours in the Custody Operations peaked in FY 2016-17 and decreased in the past two fiscal years.

Interviews cited the incident of the inmates escape from the Men’s Central Jail in January 2016 which occurred in FY 2015-16, as a large contributor to the increase in overtime hours. This also likely had an effect in FY 2016-17 as changes were made to staffing as well as procedures to allow for changes as a result of the incident. In addition, there were increased staffing needs to combat the changes in the jail population as a result of 2011 AB 109 (State Realignment). State Realignment lowered the state prison population, increasing the County jail population, by having the formerly categorized lower level prison inmates serve out their sentences in County jails. This forced County jails to house inmates for longer terms as well as also changed the overall inmate population and dynamics.

While the use of overtime hours in Field Operations and Investigations has remained on par with Custody Operations, the costs of overtime in Field Operations and Investigations is much higher than overtime costs for Custody Operations.

Custody Operations utilizes both sworn and non-sworn Correctional Services Staff in Custody Operations. The costs of overtime are not as high as for the Field Operations and Investigations of which the vast majority of employees utilizing overtime are sworn employees, whose base salaries are higher and therefore have higher overtime costs.

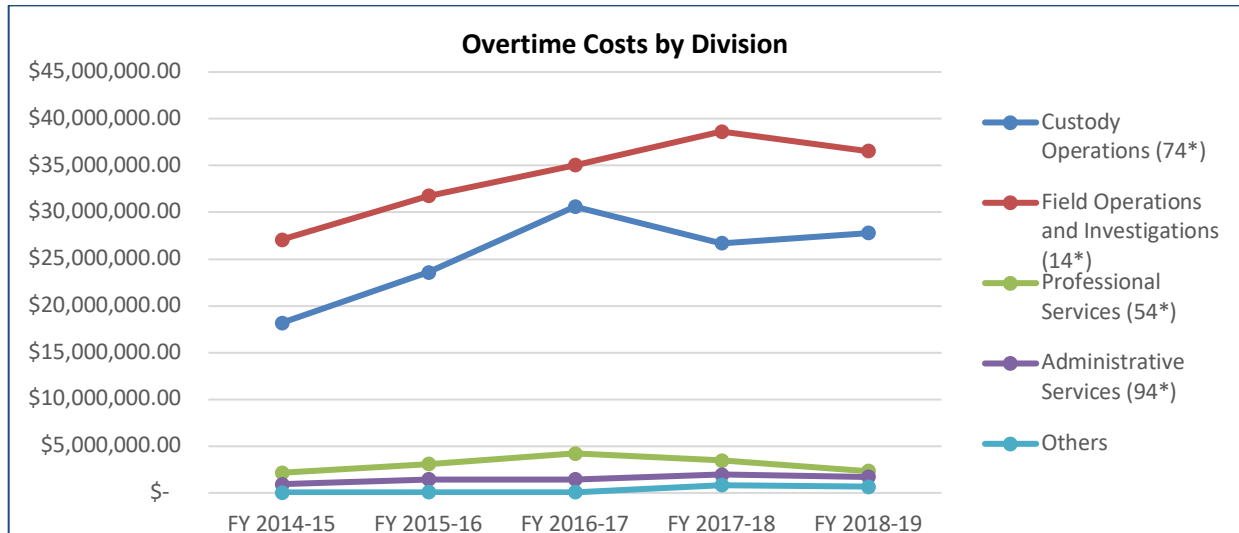


Figure IV-2
Five Year Trend in Overtime Costs by Division

Looking at FY 2018-19 overtime hours in Figure IV-3, we can see that the Field Operations and Investigations Division utilizes 47.0% of the department’s overtime hours in FY 2018-19, while Custody Operations utilizes 45.4% the department’s overtime hours. The other divisions, primarily Professional Services (3.4%) and Administrative Services (3.2%), utilized the remaining 7.6% of the department’s overtime hours.

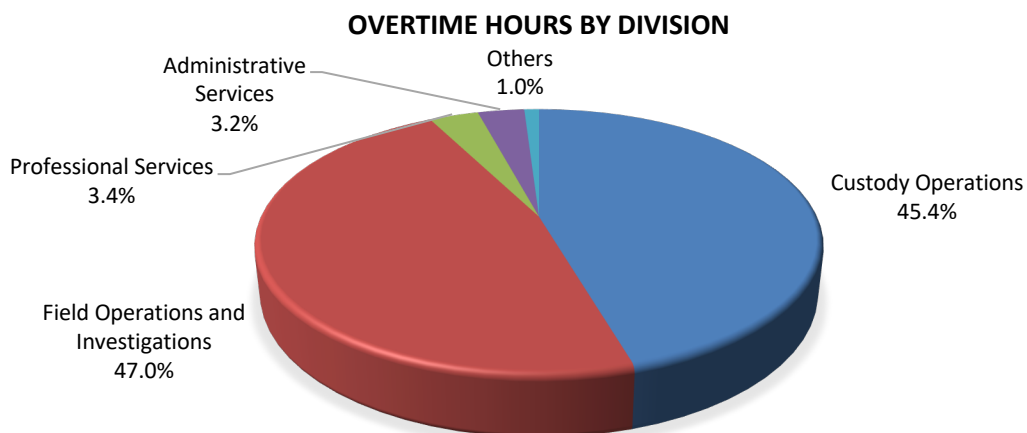


Figure IV-3
FY 2018-19 Overtime Hours by Division

Overtime for the Field Operations and Investigation Division by Unit

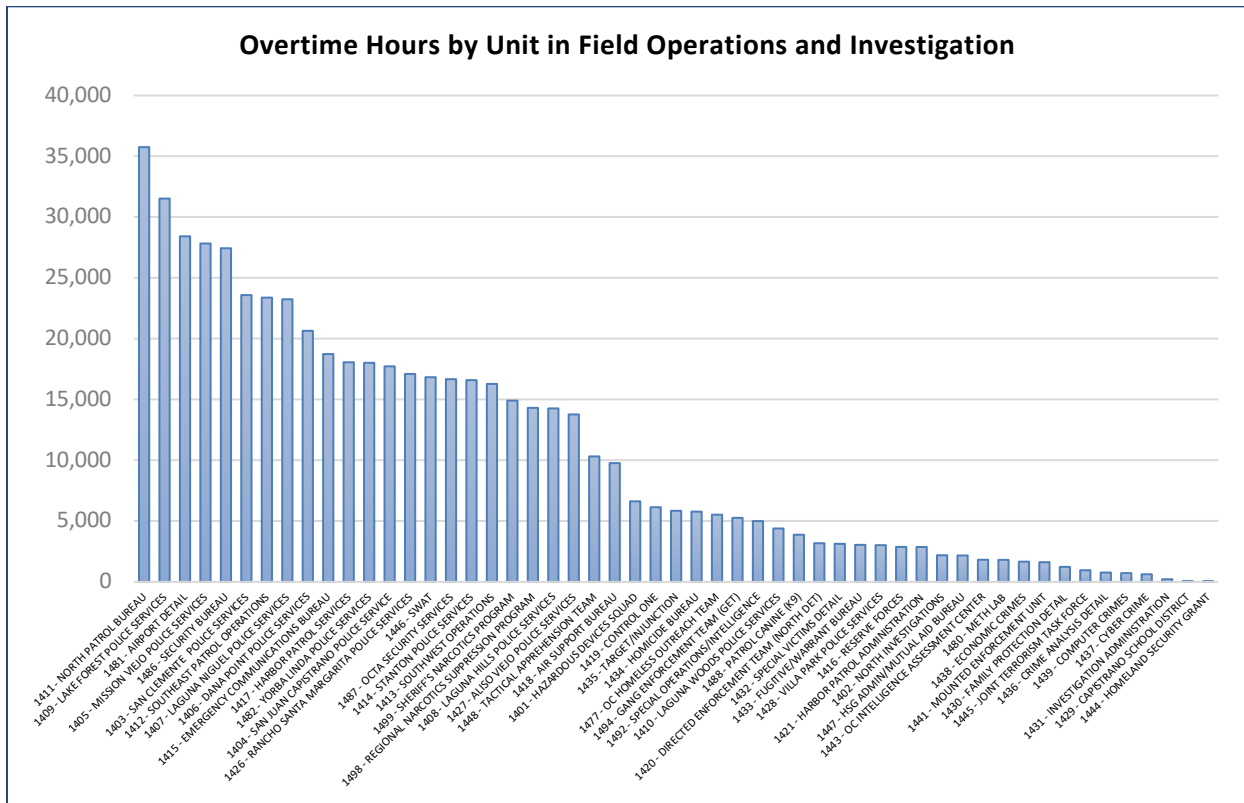


Figure IV-4
FY 2018-19 Overtime Use by Unit in the Field Operations and Investigation Division¹

When we look at overtime hours of the Field Operations and Investigation Division, ordering it by which units utilize most of the hours, we can see that the North Patrol Bureau utilizes the greatest number of overtime hours in the Division. Many of the top users of overtime in this division are contracted services, meaning that the overtime should be covered by the contracted services, not by the County’s funds. In addition, there are also several grant funds which pay for portions of overtime for the division.

In theory, this means that much of the division’s overtime costs are paid for by the public agencies that utilize the department’s services. Should the full costs of overtime for the contracted services be fully funded by the agencies, the County costs should only be 43% of all of the overtime costs of the division. Figure IV-5 shows the share of the contracted police service hours by the contracted units along with the grant fund revenues that were received by units in FY 2018-19 that paid for overtime.

¹ A detailed chart can be found in *Appendix II - FY 2018-19 Overtime by Unit*.

OVERTIME COSTS FOR FIELD OPERATIONS

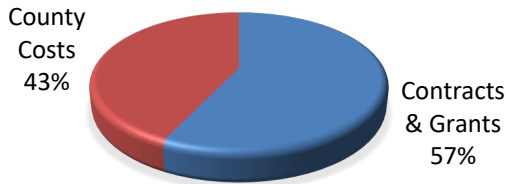


Figure IV-5
FY 2018-19 Overtime Costs for Units in Field Operations and Investigation Divisions
County Costs vs. Contracts & Grants

The contracts for services by other agencies should cover the required overtime to staff the contracts. The contracts list specific charges such as a specific number of staff positions dedicated to the city as well as portions of other departmental staff or services dedicated to the city. Additionally, the service contracts also utilize payments of "Other Charges and Credits" to pass on other charges including overtime costs. Credits include estimated vacancy credits, false alarm fees, reimbursement for training, as well as a retirement rate discount. While most of the contract is a set charge to the

agency, the Other Charges and Credits is a flexible amount, where the County is allowed to invoice up to the maximum of Other Charges and Credits to the agency, one of which is overtime costs.

We reviewed a sample of police services contracts as well as their total revenue received for FY 2018-19. From the revenue received, the fixed costs were separated according to their contracts to yield the Other Charges and Credits. Other charges for special events are typically charged to the jurisdiction outside of the contracted amounts. In two of the five contracts we reviewed, the overtime costs charged to the units were significantly more than the amount received by the County and did not demonstrate coverage of the full cost of overtime costs charged to those units.

Unit	Description	Actual Revenue Received	Contract Fixed Costs	Amount Paid for "Other Charges and Credits" & Special Events (Actual - Fixed Costs)		Net after Overtime Costs
				Overtime Costs Charged to Unit	Overtime Costs Charged to Unit	
1403	San Clemente Police Services	\$ 15,076,940.00	\$ 13,412,585.00	\$ 1,664,355.00	\$ 1,659,285.00	\$ 5,070.00
1405	Mission Viejo Police Services	\$ 18,992,824.00	\$ 16,900,987.00	\$ 2,091,837.00	\$ 1,832,389.00	\$ 259,448.00
1414	Stanton Police Services	\$ 10,596,711.00	\$ 9,138,797.00	\$ 1,457,914.00	\$ 1,117,537.00	\$ 340,377.00
1426	Rancho Santa Margarita Police Services	\$ 8,978,173.00	\$ 8,069,821.00	\$ 908,352.00	\$ 1,153,554.00	\$ (245,202.00)
1482	Yorba Linda Police Services	\$ 11,184,972.00	\$ 10,512,246.00	\$ 672,726.00	\$ 1,172,232.00	\$ (499,506.00)

Table IV-1
FY 2018-19 Analysis of Police Service Contracts Revenue and Overtime ²

The table above notes the amount of revenue received from the police service contracts along with the amount of overtime costs charged to the unit as reported in the department's ERMI reports. The overtime costs charged to the unit does not reflect credits for vacancies or other credits that would offset the overtime amounts and it also differs from the department's report of overtime usage that were actually reported and charged to the city. In

² "Overtime Costs Charged to Unit" source is from ERMI Report H-PA-37G10 Employee Accounting Detail Labor Report FY 2018-19 and differs from LEC Contract Analyst Monthly Status Reports to the cities.

the case of the City of Yorba Linda, their “Other Charges and Credits” revenue did not cover almost a half million dollars of overtime charges to the unit. In addition to overtime costs, this amount typically includes various credits (e.g. holidays, vacancies, etc.) given to the city. An analysis of the each of the cities’ invoices with actual charges and credits was not performed to determine if charges and revenue received was adequate.

Finding: The revenue from “Other Charges and Credits” did not demonstrate that it covered the costs of overtime charged for some of the units with police services contracts.

Because police service contracts are negotiated separately with each public agency utilizing a contract, the cities have the potential not to invoice all of the costs of overtime being used by the agency. Being able to demonstrate the accounting of revenue received for overtime costs, would help to assure that the County is receiving proper funds for overtime. It has been our experience with other agencies that incomplete revenue collection could be an issue to alleviate some of the overtime costs for the department.

Recommendation IV.1: Review the department’s contracts, coding, and invoice practices for police service contracts and special events contracts to ensure that the revenue received covers the overtime charges for the cities and special events.

Recommendation IV.2: Add a line item for “Revenue for Special Events (Overtime)” in the County Budget documents to explain the cost recovery from contracted overtime events to provide special services to other agencies.

There is often a misconception that overtime costs are out of control of the department and is an unfunded expense. Providing information in the budget documents regarding the revenue received directly from agencies for planned overtime services, such as public safety staffing for the Orange County Fair or other special events, should help alleviate some of the concern for the department’s overtime. This practice will also help ensure that the revenue being received for overtime costs are being appropriately matched with the expenses of the overtime costs. The contracts can be renegotiated if the revenue is not sufficient to cover actual expenses.

Overtime for the Custody Operations Division by Unit

Overtime for Custody Operations by unit reveals that overtime hours are correlated to the size of jail facility. The largest jail, the Theo Lacy Facility, which can house twice the inmate population of the second largest jail, utilizes the most overtime hours. An exception to the correlation of facility size is the Intake Release Center, which processes all of the inmates. Because there is a need for the movement of inmates in the Intake Release Center, this facility, with a smaller number of beds than the Men’s Central Jail or the Musick Facility, has additional staffing requirements.

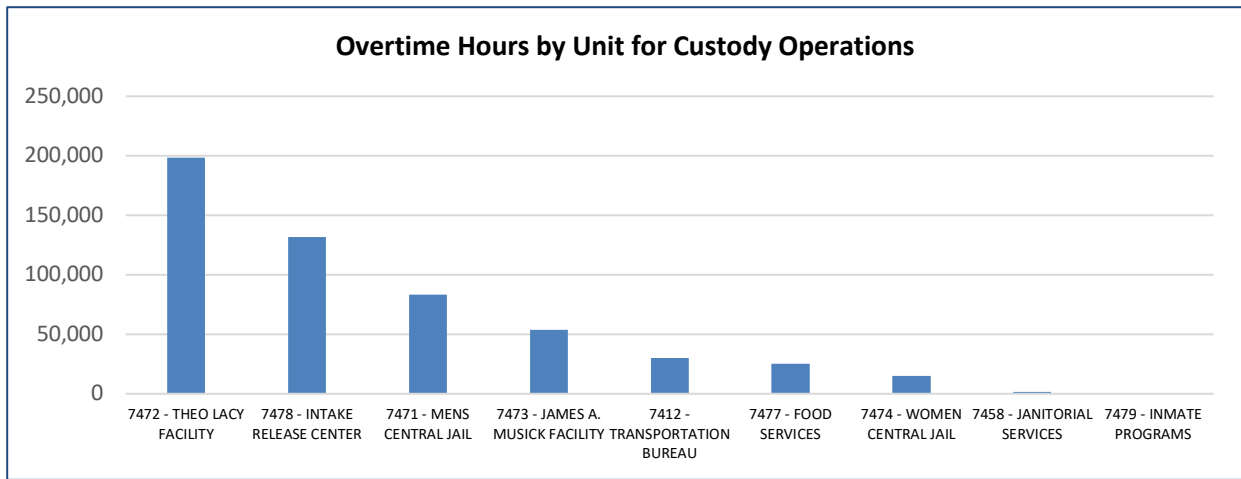


Figure IV-6
FY 2018-19 Overtime Hours by Custody Operations Units

One might expect the number of overtime hours required in Custody Operations units to correlate with inmate population. We found that there is no correlation with inmate population with overtime hours from FY 2018-19.

Inmate population DOES NOT correlate with overtime hours (monthly analysis for FY 2018-19).

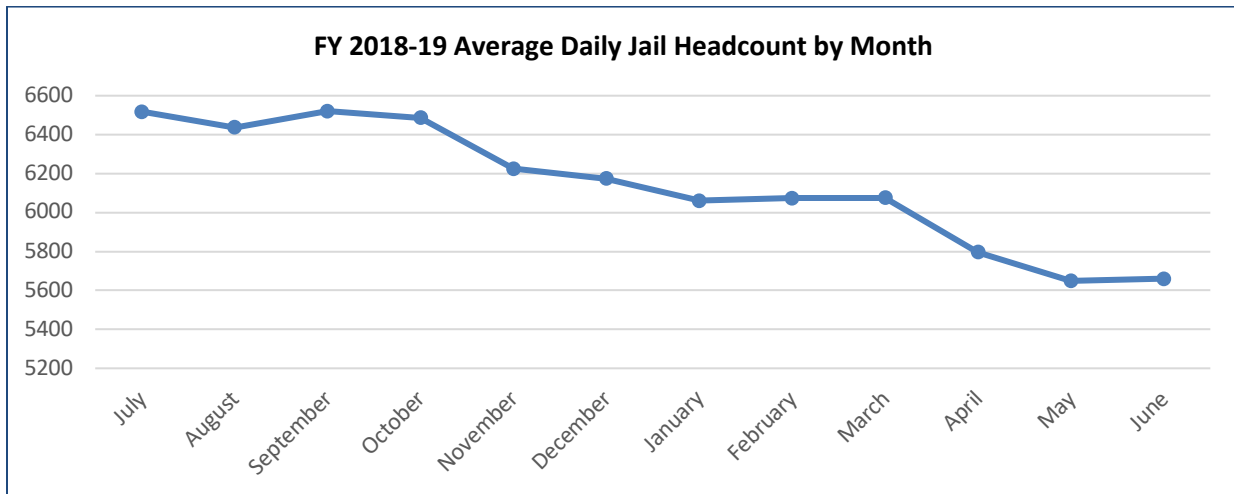


Figure IV-7
FY 2018-19 Monthly Average Daily Jail Headcount

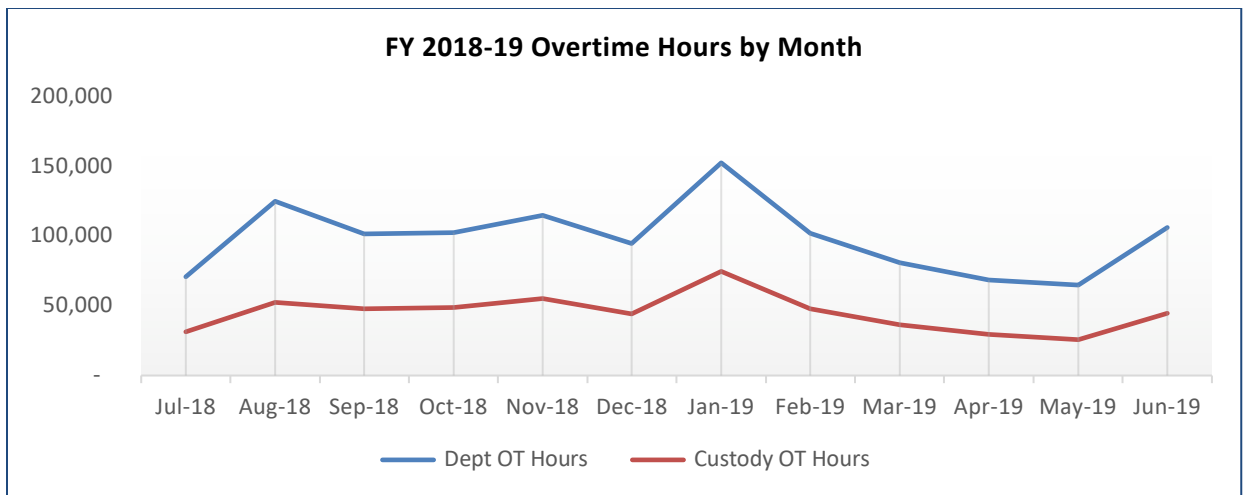


Figure IV-8
FY 2018-19 Monthly Overtime Hours in Custody Operations and Department

The average monthly inmate daily headcount decreased as the U.S. Immigrations and Customs Enforcement (ICE) Detention program ended in March 2019 and Musick Facility prepared to temporarily close for renovations. There should be an expectation that as the ICE program ended, there would be a decrease of overtime hours, especially within Custody Operations as available staff would fill vacant positions. The overall numbers of overtime hours in custody command primarily reflects the overall staffing number and not necessarily the headcount of inmates.

Within the Men’s Central Jail, the staffing needs have been re-evaluated so there is an allowed flexibility in staffing on each shift. While there is a certain amount of staffing per shift schedule, each shift also has a different requirements for minimum and maximum staffing levels. Should there be unstaffed shifts from vacancies, vacations, sick leave, training, there is not necessarily a need to replace all of the shifts. This allows the scheduler to maintain some flexibility for keeping unstaffed shifts, rather than requiring them to be filled with overtime hours.

The temporary closure of the Musick Facility has allowed the positions from the Musick Facility to feed into the other custody facilities. The County should see a significant decrease in overtime hours from Custody Command for FY 2019-20 as a result of extra staffing being available. Staff tend to rotate out of Custody Command and rather build their careers in Patrol and Investigation because there is a lack of opportunities to build a career in Custody Command. Because of this trend, it is likely that full staffing is not likely to continue and that eventually, the Sheriff’s Department should continue its pace of training new hires so that they will not once again be significantly understaffed.

Recommendation IV.3: Reevaluate staffing needs by shifts in custody facilities, maintaining flexibility for the scheduler to allow for minimum and maximum staffing levels. These evaluations should also include day and night shifts as well as inmate headcounts, etc.

Five-Year Trend in Overtime Hours by Position

Overtime by positions show that a majority of overtime is used by sworn officers including Deputy Sheriffs, Sergeants, and Investigators.

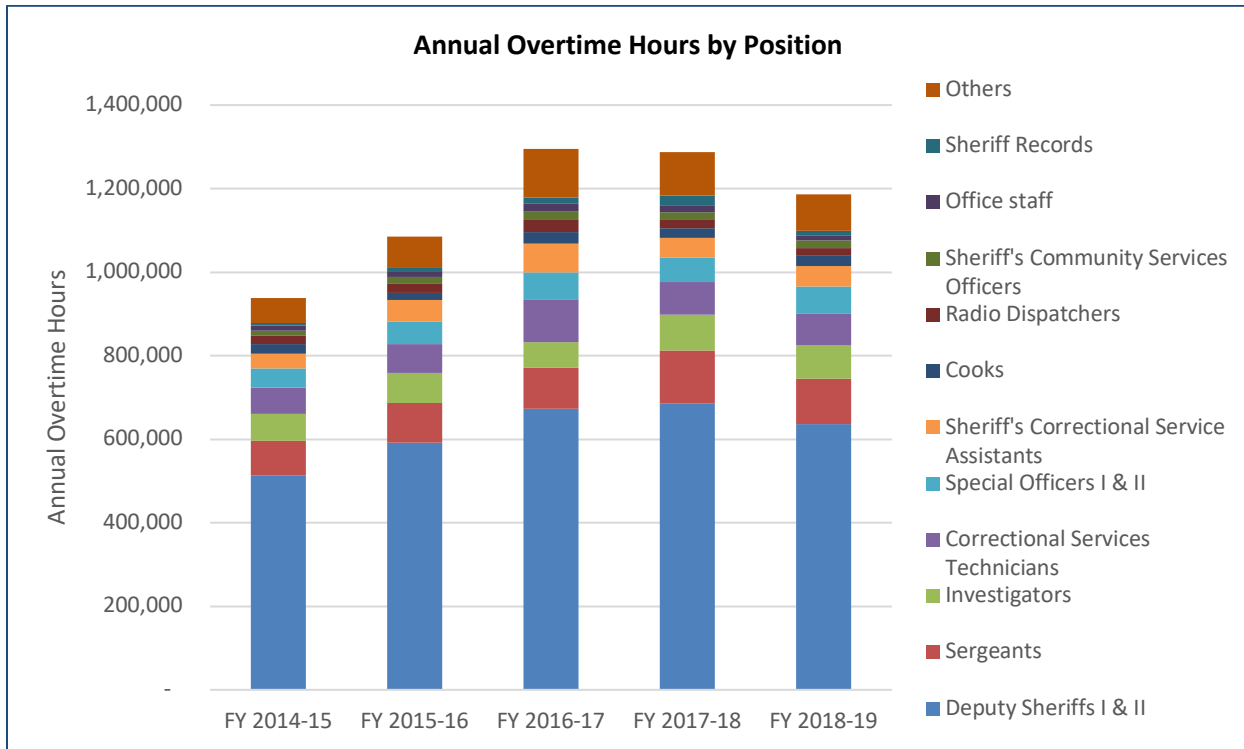


Figure V-1
Five Year Trend in Overtime Hours by Position

Over 50% of overtime hours are utilized by the Sheriff Deputy I and II positions.

Approximately 70% of overtime hours are utilized by the sworn Peace Officers positions of Sheriff Deputy, Sergeant, and Investigator.

An overview of a five-year trend of overtime use and costs in the department reveals that the overtime costs were heightened by a jump in overtime hours from FY 2014-15 to FY 2016-17. Interviews with the department’s financial staff, Commanders, and Captains, have confirmed their tighter control over overtime costs over the past two years, by having each division and section take responsibility of their own budget of their overtime hours. Yet the

question remains as to the cause for the increase in overtime hours and how many overtime hours are reasonable so that the County's public safety is not compromised.

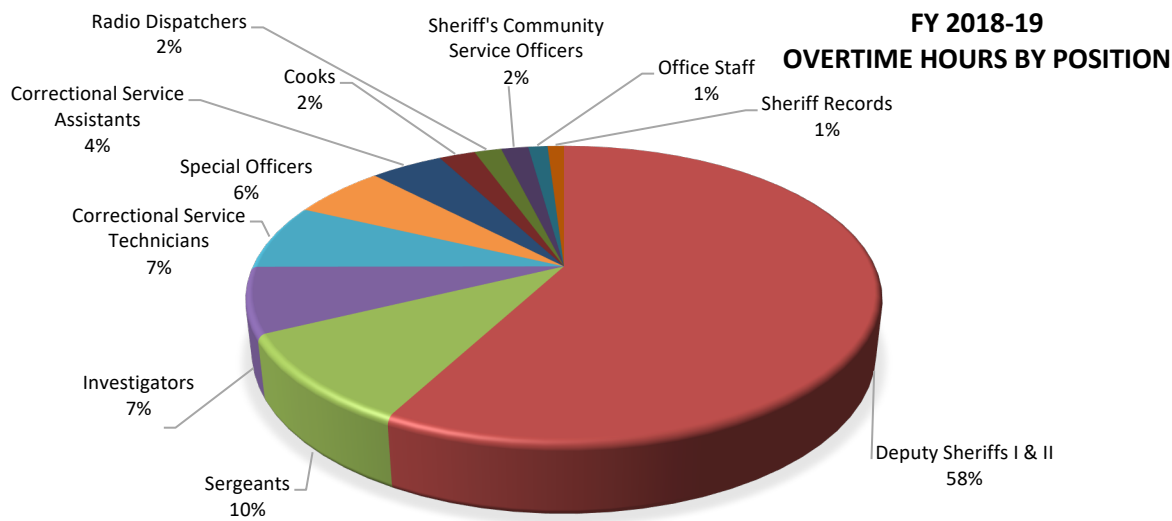


Figure V-2
Chart of FY 2018-19 Overtime by Positions

Recommendation V.1: Modify the department's Overtime Policy and the MOUs so that everyone in the department receives overtime pay based on hours worked, not hours paid.

Currently, those under the Peace Officer's MOU receive overtime pay for hours worked beyond their regular shift, allowing them to take time off and earn overtime hours in the same pay period. This has allowed for Sheriff Deputies I and II, Sergeants, and Investigators to earn, on average, over 30% of their salary from overtime pay. This was a previous recommendation of the *2008 Overtime Report*. Since then, the Special Officers MOU was modified to have overtime pay be based on hours worked, not hours paid, but the Peace Officer's MOU has remained to allow overtime pay for hours worked beyond their regular shift.

Recommendation V.2: Increase the use of civilians for department staff.

Consider increasing the use of non-sworn, civilian staff throughout the department in order to decrease the overtime costs in addition to increasing overall salary savings. Other Counties and police services have utilized this strategy in order to decrease overall costs. Counties, such as Riverside and San Diego have focused on increasing their civilianization in Custody Operations, where there becomes greater opportunity for non-sworn Correctional Services staff to build a full career in Custody Operations. There could be some additional opportunities for increasing the use of civilian staff on units to aid with investigations and reports.

Labor Agreements

Over the last five years, the average cost per overtime hour has increased from an average cost of \$51.59 per hour to \$58.18, an increase of 12.8%.

Year	Cost	Hours	Average cost per hour
FY 2014-15	\$ 48,418,303.00	938,574	\$ 51.59
FY 2015-16	\$ 61,788,607.00	1,085,725	\$ 56.91
FY 2016-17	\$ 71,404,434.00	1,268,891	\$ 56.27
FY 2017-18	\$ 71,562,700.00	1,287,775	\$ 55.57
FY 2018-19	\$ 69,045,515.00	1,186,717	\$ 58.18

Table VI-1
Five Year Trend of Overtime Costs Per Hour

Overtime has become more expensive to fund in FY 2018-19. The cost per hour of overtime averaged \$51.59 per hour in FY 2014-15 and averaged \$58.18 per hour in FY 2018-19. This is partially due to the approved salary increases in the Memoranda of Understanding (MOUs) negotiated with each employee bargaining unit. MOUs are negotiated with the County and approved by the Board of Supervisors and are beyond the control over the department.

Should the salaries of the employees of the department increase in the MOU, there should also be an expectation that Overtime Costs should at least increase by that same amount, unless overtime hours are decreased. Besides negotiated base salary increases across the board, overtime costs are also sensitive to other cost increases, such as an introduction to higher Step salary increases in FY 2015-16 in the Peace Officers MOU, allowing those with more seniority to increase their base salaries. The reintroduction of vacation leave from annual leave in the beginning of 2017 also encourages employees to utilize their vacation time, resulting in Shift Replacements for overtime because of limitations on its accumulation.

Finding: Increasing the salaries of department employees **directly** impacts the costs of overtime.

Approved Salary Increases for Peace Officer's MOU

Impact on Fiscal Year	Changes in Salary Terms
FY 2015-16	3% increase base salaries Introduction of a new Step 13 and 14 on top of Step 12
FY 2016-17	2.5% increase base salaries January 2017: Elimination of Annual Leave method of time off and return to separate Vacation and Sick Leave allocations
FY 2017-18	July 2017: 1.5% increase base salaries January 2018: 1.5% increase base salaries
FY 2018-19	July 2018: 1.5% increase base salaries January 2019: 1.5% increase base salaries

Approved Salary Increases for County General Unit and Sheriff Special Officers MOU

Impact on Fiscal Year	Changes in Salary Terms
FY 2015-16	4.5% increase in base salaries
FY 2016-17	2.5% increase base salaries
FY 2017-18	2.5% increase base salaries
FY 2018-19	June 2018 1.5% increase base salaries January 2019 1.0% increase base salaries

It should be expected that overtime costs will continue to increase by at least the salary increases each year, unless overtime hours can be decreased.

State Prison Realignment (AB 109)

Interviews with Captains in Custody Operations discussed issues and concerns with the changed inmate population as well as some departmental policies that are beyond their control which lead to carrying many of the department's overtime hours to their units. Interviews with Custody Operations as well as the Executive Team from the Sheriff's Department, noted that a large part of the changed inmate population is due to the passage of the State's AB 109 in 2011 (State Realignment). County jails were not built for inmates to serve out long term sentences. Prior to 2011, the inmate population was typically for holding people while they wait for their trials. Post AB 109, inmates began serving out their non-violent, non-serious, non-sex offender sentences in County jails rather than in State Prisons. Because State Prisons were built for people to serve out their sentences, prisons typically have educational, technical training, and other recreational opportunities that the County jails have not traditionally needed or offered to inmates.

In addition, circumstances like inmate riots that are regular occurrences among state prison populations, now occur in the County Jails, as evidenced in the February 2019 riot in the Musick Facility and the December 2018 riot in the Men's Central Jail. According to the

Sheriff Don Barnes, prior to the law taking effect, there were an average of 26.8 inmate assaults on staff every year. Since the bill took effect, the average has more than doubled to 64.5 assaults per year (abc7.com, December 20, 2018). Because of the danger of assaults, the use of non-sworn staff has become more limited.

The threat of litigation, as seen from other county jails, has forced the County to rethink the facilities and staffing needs. The threat of litigation has led to the temporary closure of the Musick Facility (July 2019) and the termination of the ICE detention/housing contracts (March 2019) in order to upgrade the facilities and services to accommodate the changing needs of County inmates, specifically the needs of mental health patients. Class action lawsuits to California County have recently included:

- San Bernardino County Jails (April 2018) reached a settlement with the Prison Law Office on claims of civil rights violations and lead to allowable increases of time outside of cells.
- Santa Clara County Jails (October 2018) reached a settlement with the Prison Law Office to improve living conditions for inmates confined over three years as well as to improve provisions for medical, dental, and mental health programs.
- Sacramento County Jails (June 2019) reached a settlement with the Prison Law Office and called for significant expansion of mental health programming and services as well as other health services, a reduction of the County jail population, and investment in other community services and programs.

Despite being under the threat of litigation, Custody Operations has been able to lower its level of overtime hours and overtime costs over the past two years. They also contend with a regularly changing staff as many of the Correctional Staff and Patrol Deputies start out in Custody Operations before moving to Field Operations. Overtime use in the custody operations occurs regularly as events such as hospital escorts and security are unplanned events that cannot be scheduled. Overtime hours have been reduced by evaluating current policies and procedures to managing safety and security.

U.S. Immigration and Customs Enforcement (ICE) Contract

The County notified the U.S. Immigration and Customs Enforcement (ICE) of its intention to discontinue the County's ICE detention program in March 2019. Overtime costs due to the ICE contract no longer has a negative effect on overtime for the department. By reassigning the former staffing needs for ICE detainees as well the temporary closure of the Musick Facility for renovations to the other Jail facilities, we anticipate a significant decrease in overtime hours in Custody Command in FY 2019-20.

ICE detainees were processed through the Intake Release Center and those that stayed past 72 hours were housed in the Theo Lacy Facility and the James A. Musick Facility. The Federal Government's contract with the County reimbursed the County at a rate of \$118/day per bed to the County for a maximum of 958 beds as well as provided reimbursement for medical prescriptions as well as staffing for escorts and travel costs for court appearances.

While staffing needs of the detainees were discretionary by the department, there were also additional requirements placed on the Custody Command Division for food, laundry, and staff training. These standards were stated in the contract with ICE and the 2011 Performance Based National Detention Standards. Since the detainees were not facing criminal charges and the requirement of escorts and transportation for court appearances could be planned in advance, there was no noticeable increase in overtime activities due to the ICE contract. Overtime hours due to the ICE Detention contract was at 0.2% of all of the overtime hours in FY 2018-19. The Custody Operation's peak overtime use in FY 2016-17, ICE Detention job codes were only used for 0.3% of all of the overtime hours used in the department.

Management of Overtime Use

As other significant impacts on overtime costs or hours could not be discerned from the data, we conclude that it is the general management of overtime use that effects overtime for the department. The department has made strides in decreasing its overtime use since becoming aware of its dramatic increase in overtime costs in FY 2016-17. Much of the management of overtime use can be directly attributed to the development of management practices to control and monitor overtime use by having the department's finance staff train the divisions and unit staff to understand budgets, and carefully monitor budgeted monthly overtime hours and costs.

Work schedules and service levels have not changed significantly to warrant changes in overtime use. We have not been made aware of any significant changes in work schedules since the change to a Platoon Schedule in 2008, eliminating a shorter 8 hour work shift. Service levels are discretionary to some extent. It is the responsibility of the department's management to determine the service level that it has the ability to provide in order to keep a community safe. It is often when there are public safety failures that the County realizes that the service level is not sufficient.

Service levels in Custody Services are established in order to keep the inmates and the staff safe. They have seen failure with an escape in the Men's Central Jail in January 2016. Rising violent incidents between inmates and staff have called for a re-evaluation of policies and procedures. For staffing, this has caused an increased reliance on the utilization of sworn deputies and a limitation of the non-sworn Special Officers and Correctional Service Staff. The use of Deputies in Custody Services is more costly to fund than non-sworn staff, but has been necessary to manage inmates.

Service levels in Field Operations and Investigations are primarily developed in negotiation with the cities that contract for police services. Service levels for patrol units are also discretionary to the level of service the Captain can provide according to the budget and service level expectations set by the Board of Supervisors. There is some discretion for

overtime use in making decisions to fill shift replacements or allow for extended shifts or other planned overtime activities.

Many of the same issues of employee practices that lead to overtime maximization noted in the *2008 Overtime Audit*, were also present in the five years of *Over 48 Hours of Overtime* reports that were reviewed for this report. Appearing in the *Over 48 Hours of Overtime* reports should be rare occurrences, since these should only be exceptions to the department's Overtime Policy otherwise employees would be in violation of the policy. In the FY 2014-15, 2015-16, and 2016-17, there were 20 median incidents per pay period as opposed to the 3 median incidents per pay period in FY 2018-19.

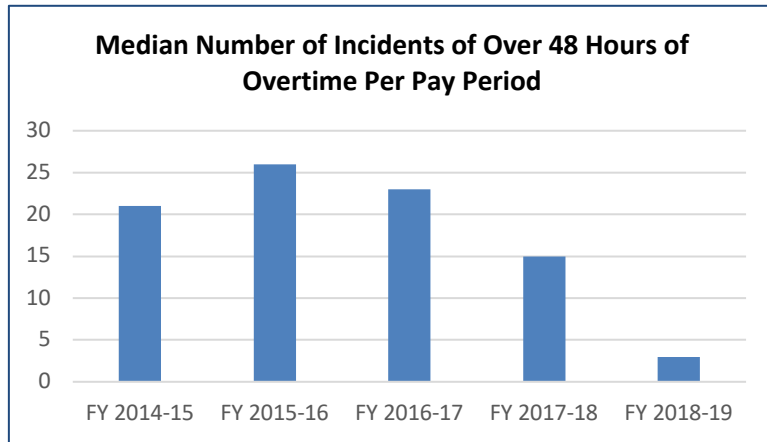


Figure VI-1
Five Year Trend of Median Number of Incidents in a Pay Period of Over 48 Hours of Overtime Reports

It is likely that if employees are allowed to “game the system” with no negative consequences, it paves the way for others to also game the system. Hence, many employees appear numerous times in different pay periods in the *Over 48 Hours of Overtime Reports*. While some were legitimate reasons for utilizing a large amount of overtime, such as responding to emergency situations, many were not.

Some employee overtime maximization practices we observed from the *Over 48 Hours of Overtime Reports*:

1. Taking time off of regular shifts and picking up overtime shifts during the same pay period (noted in *2008 Overtime Audit*).

The Peace Officer's MOU allows for overtime pay for any hours worked over their regular shift. This practice allows people to take a shift off and pick up a replacement shift or a special event without being overworked. This practice leads others to pick up their dropped regular shift as a shift replacement, also earning overtime pay, the action causing two sets of shifts on overtime pay.

2. Frequent extensions of work shifts (noted in *2008 Overtime Audit*).

There were many more incidents of shift extensions of a few hours to complete assignments/report writing prior to FY 2017-18.

3. Employees working overtime in multiple locations (noted in *2008 Overtime Audit*)

Several employees worked overtime as shift replacements in multiple locations, making it difficult for Scheduling Supervisors to monitor overtime worked.

4. Orange County Fair increases violation of Overtime Policy

Many employees worked many additional hours of overtime for the Orange County Fair, appearing on the *Over 48 Hours of Overtime Reports* during those pay period. In addition, there were also marked increases of overtime hours and costs to the North Patrol unit during those times as employees would take off their regular shifts to provide staffing for the Orange County Fair, requiring the North Patrol Unit to take on overtime shifts to fill replacement shifts.

Since increased vigilance of overtime budgets, the median number of incidents of people working over 48 hours in a pay period has been reduced to 3. More of these incidents are reports of mandatory call backs for emergencies and for mutual aid.

Finding: While the MOU with the Sheriff's Special Officers and the General Units have OT based on hours worked, the Peace Officer's MOU is based on anything additional to a regular shift, allow for a practice that maximizes overtime.

For Peace Officers, this method of maximizing overtime hours allows overtime pay to be calculated on hours paid versus hours worked was noted in the *2008 Overtime Report*. On the reports for the *Over 48 Hours of Overtime* in a pay period, this was a method frequently utilized by Deputies who appeared on the reports. On the *Over 48 Hours of Overtime Reports*, it often noted where Deputies took annual leave or other leave during the pay period and worked over 48 hours overtime. While this notation would reveal that the department's Overtime Policy is not violated, because the employee did not technically work over 48 hours in addition to their regular hours, this practice does allow Peace Officers to maximize their overtime hours without being overworked. On the other hand, General Units and Sheriff Special Officers are not allowed to accumulate overtime hours by working anything over their regular shifts (only their hours worked), so that Correctional Services Staff appear much less frequently on the *Over 48 Hours of Overtime Reports*, even though they accumulated a significant number of overtime hours.

Recommendation VI.1: Employees who appear in an *Over 48 Hours of Overtime Report* for non-emergency events in violation of the department's Overtime Policy, should be given a consequence for violation of the Overtime Policy.

We were unaware of any consequences given to those frequently violating the Overtime Policy. Possible consequences for an overtime policy violation could be placing a limitation on one's ability to be scheduled for future overtime shifts or to be given less priority for taking overtime shifts.

Recommendation VI.2: Those who have requested any time off in a pay period, should not be scheduled for shift replacements or special events unless others in the patrol unit have turned down those overtime shifts.

Recommendation VI.3: Allow more civilian staff to assist in providing overtime staffing for planned overtime special events, so that overtime costs are less costly to the department.

Electronic Scheduling and Timekeeping Systems

The payroll system (VTI) can help keep better track of payroll issues. The violation of the Overtime Policy is likely to occur, even as VTI helps to report those overtime hours, unless the scheduling Supervisors are constantly using VTI to track overtime worked before scheduling shift replacements or special event shifts. During our interviews, many of the staff were in the process of shifting to utilizing the electronic timekeeping system that is utilized by the County. It is hoped that once this system is in place for all employees in the division, it will allow for better supervision of overtime usage by employees. It should also allow for easier access to reports of employees who are earning more overtime than others.

InTime, the Scheduling System for the Sheriff's Department is a separate system from VTI. The department is currently unable to transfer information between VTI and InTime to ensure that schedules and timekeeping match for each employee. InTime should be regularly used by Scheduling Supervisors to not allow the approval of taking regular time off (annual leave or sick leave) while signing up for other Shift Replacements, especially those from other units. The use of InTime could allow the Scheduling Supervisors to better track personnel, especially from other units, to view personnel schedules and also to ensure that overtime shifts are being distributed fairly, allowing more people to have access to overtime, rather than a select few.

Recommendation VI.4: Scheduling Supervisors should review employee InTime schedules and VTI for hours worked prior to approving Shift Replacements and Planned Overtime.

Recommendation VI.5: Allow employees to swap shifts in order to accommodate needed personal time off.

Allowing for shift swaps would allow for employees to be able to swap out their shifts in order to accommodate personal needs. This would eliminate overtime hours if two employees can agree to switch shifts rather than having one employee take a leave of their shift, requiring their vacated shift to be filled by a shift replacement at overtime pay. This would also make it less likely for the person who needed time off for a personal need to pick up an extra shift at overtime costs.

Recommendation VI.6: Replace the current scheduling system (InTime) and the payroll system (VTI) with an integrated scheduling and timekeeping system.

Many of the *2008 Overtime Report* recommendations regarding the IT systems' impact on overtime management are yet to be implemented. While the department should soon be fully integrated with VTI, the InTime system for scheduling is not integrated into the VTI system. The sign in sheet process of time worked is still manual, subject to errors in electronic entry of the information. As the VTI process for payroll is in the initial stages of implementation of the employee's ability to submit time sheets, there should be increased management control over overtime worked. Utilizing an integrated scheduling system would aid in the department's ability to manage and control the employee scheduling of overtime.

Additional Recommendations for Decreasing Overtime Costs

Recommendation VI.7: Increase flexibility in management of shift replacements.

While it may make sense to ensure that each shift is replaced, the department may consider developing a more flexible schedule for shift replacements by having each unit consider utilizing a minimum number of staffing per shift, rather than exact numbers of staffing. The Men's Central Jail has re-evaluated its staffing needs and has implemented a system of minimum staffing levels which has helped to reduce its overtime hours over the last three fiscal years. There should also be a consideration for the number of inmates being housed and develop some flexibility of staffing levels when the inmate population is lower. Custody Operations units and Field Operations units should be constantly evaluating their staffing needs to determine necessary shift replacements to meet service levels and not automatically replacing shifts when they come open.

Recommendation VI.8: Decrease the budgeted overtime hours per unit.

The current monthly overtime budgets for each unit seems to be working as a targeted number in order to combat the increase in overtime hours. Decreasing the overtime hourly budget targets by the same amount of the yearly salary increases by the Peace Officer's MOU would keep the overall overtime costs from increasing. Decreasing the overtime hourly budget targets beyond the salary increases would help to bring the overtime costs back to a "reasonable" level for the department. The department needs to set realistic expectations of overtime hours and costs. Intentionally underfunding overtime costs for the department makes it difficult to set and establish realistic goals.

Appendix I – FY 2018-19 Reasons for Overtime

Justification	Number of Overtime Hours	% of all Overtime Hours
Shift Replacements	467,208	39.4%
<i>Vacation Leave</i>	128,392	10.8%
<i>Vacant Positions</i>	123,346	10.6%
<i>Worker's Comp or Other Leave of Absence</i>	66,944	5.6%
<i>Training</i>	50,853	4.3%
<i>Sick Leave</i>	41,105	3.5%
<i>Loan to other Division & Special Assignments</i>	24,263	2.0%
<i>All Others (listed & misc.)</i>	20,018	1.7%
<i>Comp Time</i>	10,286	0.9%
Unlisted Job Number/Description	334,184	28.2%
<i>Mandatory Holiday Compensation Payout</i>	175,149	14.8%
<i>Compensation Payoff</i>	110,754	9.3%
<i>MCP & Misc.</i>	41,638	3.5%
<i>Mandatory Compensation Pay (ST)</i>	6,642	0.6%
Planned Overtime	239,539	20.2%
<i>Training</i>	58,129	4.9%
<i>Other</i>	54,925	4.6%
<i>Special Events</i>	47,003	4.0%
<i>Hospital Security</i>	19,335	1.6%
<i>Investigations</i>	17,825	1.5%
<i>Maintenance</i>	14,055	1.2%
<i>Misc. (all others)</i>	11,797	1.0%
<i>Backlog Clear</i>	7,742	0.7%
<i>Range Qualify</i>	5,894	0.5%
<i>Community Awareness</i>	1,608	0.1%
<i>Mutual Aide</i>	1,226	0.1%
Shift Extensions	93,216	7.9%
<i>Complete Assignment</i>	70,393	5.9%
<i>Special Project</i>	6,605	0.6%
<i>Report Writing</i>	5,682	0.5%
<i>Meals</i>	5,562	0.5%
<i>Shift Extension</i>	3,152	0.3%
<i>Clear Backlog</i>	1,336	0.1%
Call Back/Investigations	35,579	3.0%
Misc.	16,992	1.4%
Total	1,186,717	100.0%

Appendix II – FY 2018-19 Overtime by Unit

Division	Unit	OT Hours	% OT Hours
FIELD OPERATIONS AND INVESTIGATIONS DIVISION		557,511	47.0%
	1401 - HAZARDOUS DEVICES SQUAD	6,622	0.6%
	1402 - NORTH INVESTIGATIONS	2,189	0.2%
	1403 - SAN CLEMENTE POLICE SERVICES	23,583	2.0%
	1404 - SAN JUAN CAPISTRANO POLICE SERVICE	17,722	1.5%
	1405 - MISSION VIEJO POLICE SERVICES	27,826	2.3%
	1406 - DANA POINT POLICE SERVICES	20,645	1.7%
	1407 - LAGUNA NIGUEL POLICE SERVICES	23,240	2.0%
	1408 - LAGUNA HILLS POLICE SERVICES	14,263	1.2%
	1409 - LAKE FOREST POLICE SERVICES	31,521	2.7%
	1410 - LAGUNA WOODS POLICE SERVICES	4,389	0.4%
	1411 - NORTH PATROL BUREAU	35,751	3.0%
	1412 - SOUTHEAST PATROL OPERATIONS	23,375	2.0%
	1413 - SOUTHWEST OPERATIONS	16,276	1.4%
	1414 - STANTON POLICE SERVICES	16,589	1.4%
	1415 - EMERGENCY COMMUNICATIONS BUREAU	18,735	1.6%
	1416 - RESERVE FORCES	2,874	0.2%
	1417 - HARBOR PATROL SERVICES	18,060	1.5%
	1418 - AIR SUPPORT BUREAU	9,765	0.8%
	1419 - CONTROL ONE	6,138	0.5%
	1420 - DIRECTED ENFORCEMENT TEAM (NORTH DET)	3,176	0.3%
	1421 - HARBOR PATROL ADMINISTRATION	2,869	0.2%
	1426 - RANCHO SANTA MARGARITA POLICE SERVICES	17,098	1.4%
	1427 - ALISO VIEJO POLICE SERVICES	13,767	1.2%
	1428 - VILLA PARK POLICE SERVICES	3,016	0.3%
	1429 - CAPISTRANO SCHOOL DISTRICT	60	0.0%
	1430 - FAMILY PROTECTION DETAIL	1,231	0.1%
	1431 - INVESTIGATION ADMINISTRATION	211	0.0%
	1432 - SPECIAL VICTIMS DETAIL	3,128	0.3%
	1433 - FUGITIVE/WARRANT BUREAU	3,042	0.3%
	1434 - HOMICIDE BUREAU	5,774	0.5%
	1435 - TARGET/INJUNCTION	5,844	0.5%
	1436 - CRIME ANALYSIS DETAIL	766	0.1%
	1437 - CYBER CRIME	623	0.1%
	1438 - ECONOMIC CRIMES	1,660	0.1%
	1439 - COMPUTER CRIMES	718	0.1%
	1441 - MOUNTED ENFORCEMENT UNIT	1,616	0.1%
	1443 - OC INTELLIGENCE ASSESSMENT CENTER	1,817	0.2%
	1444 - HOMELAND SECURITY GRANT	54	0.0%
	1445 - JOINT TERRORISM TASK FORCE	953	0.1%
	1446 - SWAT	16,829	1.4%
	1447 - HSG ADMIN/MUTUAL AID BUREAU	2,169	0.2%
	1448 - TACTICAL APPREHENSION TEAM	10,317	0.9%
	1477 - OC HOMELESS OUTREACH TEAM	5,524	0.5%
	1480 - METH LAB	1,808	0.2%
	1481 - AIRPORT DETAIL	28,414	2.4%
	1482 - YORBA LINDA POLICE SERVICES	18,013	1.5%
	1486 - SECURITY BUREAU	27,436	2.3%
	1487 - OCTA SECURITY SERVICES	16,667	1.4%
	1488 - PATROL CANINE (K9)	3,877	0.3%
	1492 - SPECIAL OPERATIONS/INTELLIGENCE	4,995	0.4%
	1494 - GANG ENFORCEMENT TEAM (GET)	5,263	0.4%
	1498 - REGIONAL NARCOTICS SUPPRESSION PROGRAM	14,309	1.2%
	1499 - SHERIFF'S NARCOTICS PROGRAM	14,904	1.3%

PROFESSIONAL SERVICES DIVISION	40,061	3.4%
5440 - S.A.F.E.	757	0.1%
5451 - OC CRIME LAB	11,224	0.9%
5453 - BUSINESS LICENSE	36	0.0%
5454 - CORONER	4,550	0.4%
5455 - INTERNAL AFFAIRS	3,469	0.3%
5456 - RECRUITING	2,092	0.2%
5457 - EMPLOYEE RELATIONS	112	0.0%
5458 - EMPLOYEE SERVICES	222	0.0%
5459 - CCW LICENSE	606	0.1%
5460 - BACKGROUND	3,522	0.3%
5461 - PROFESSIONAL STANDARDS DIVISION	621	0.1%
5462 - TRAINING ACADEMY	5,726	0.5%
5463 - RANGE	1,734	0.1%
5464 - STC/AOT/RTU	778	0.1%
5465 - TACTICAL TRAINING CENTER	2,198	0.2%
5466 - FIELD TRAINING BUREAU	823	0.1%
5467 - TRAINEE UNIT	1,591	0.1%
CUSTODY OPERATIONS DIVISION	539,272	45.4%
7412 - TRANSPORTATION BUREAU	29,825	2.5%
7458 - JANITORIAL SERVICES	1,622	0.1%
7471 - MENS CENTRAL JAIL	83,083	7.0%
7472 - THEO LACY FACILITY	198,680	16.7%
7473 - JAMES A. MUSICK FACILITY	53,806	4.5%
7474 - WOMEN CENTRAL JAIL	14,913	1.3%
7477 - FOOD SERVICES	25,345	2.1%
7478 - INTAKE RELEASE CENTER	131,650	11.1%
7479 - INMATE PROGRAMS	347	0.0%
MISCELLANEOUS	1,516	0.1%
3700 - CIVIL PROCESS SERVICES	171	0.0%
8497 - COMMUNITY PROGRAMS AND SERVICES	702	0.1%
8498 - PUBLIC AFFAIRS	642	0.1%
ADMINISTRATIVE SERVICES DIVISION	48,358	4.1%
9360 - ENGINEERING	2,461	0.2%
9364 - RADIO & MICROWAVE SYSTEMS	1,890	0.2%
9366 - DISPATCH CENTER SYSTEMS	756	0.1%
9370 - EMERGENCY COMMUNICATIONS UNIT	242	0.0%
9376 - 800 MHZ DRAFTING SVCS	4	0.0%
9380 - TECHNICAL SERVICES	310	0.0%
9381 - ENGINEERING VIDEO/SOUND	136	0.0%
9382 - INSTALLATION SVCS	1	0.0%
9383 - SOUND SVCS	711	0.1%
9384 - RADIO SVC - SHOP	422	0.0%
9387 - CUST SERV & PURCHASING	196	0.0%
9390 - COMMUNICATIONS ADMINISTRATION	3,238	0.3%
9392 - ACCOUNTING/ADMIN SUPPORT	83	0.0%
9421 - RECORDS	6,832	0.6%
9422 - PROPERTY/EVIDENCE	1,869	0.2%
9424 - INFORMATION SERVICES BUREAU	4,301	0.4%
9425 - RESEARCH & DEVELOPMENT	478	0.0%
9430 - QUARTERMASTER	317	0.0%
9475 - FACILITY PLANNING TEAM	2,038	0.2%
9483 - FLEET MANAGEMENT	87	0.0%
9484 - FACILITIES OPERATIONS	9,815	0.8%
9490 - PURCHASING BUREAU	203	0.0%
9491 - ADMINISTRATION	2,093	0.2%
9493 - FINANCIAL/ADMIN SERVICES	3,306	0.3%
9495 - CASHIERING OPERATIONS	6,284	0.5%
9496 - SUPPLY/REPRODUCTIONS	285	0.0%
TOTAL OVERTIME HOURS	1,186,717	100.0%

Appendix III – FY 2018-19 Overtime by Position

Position	Number of Overtime Hours	% of total Overtime Hours	Cost of Overtime	% of total Cost of Overtime	% Overtime Out of Salary
Deputy Sheriff II (6130PO)	362,902	30.6%	\$ 24,496,437	35.5%	37%
Deputy Sheriff I (6128PO)	272,910	23.0%	\$ 14,968,834	21.7%	31%
Sergeant (6135SP)	109,173	9.2%	\$ 8,697,589	12.6%	31%
Investigator (6508PO)	78,957	6.7%	\$ 5,859,598	8.5%	35%
Correctional Services Technician (7451GE)	68,180	5.7%	\$ 2,366,766	3.4%	37%
Sheriff's Special Officer II (6112SO)	59,450	5.0%	\$ 2,725,009	3.9%	26%
Sheriff's Correctional Service Assistant (6116GE)	48,636	4.1%	\$ 1,783,236	2.6%	19%
Sr. Institutional Cook (1622GE)	18,915	1.6%	\$ 663,476	1.0%	24%
Sheriff's Community Services Officer (6122GE)	18,099	1.5%	\$ 601,257	0.9%	22%
Radio Dispatcher (0695GE)	14,648	1.2%	\$ 744,014	1.1%	26%
Sr. Correctional Services Technician (7453SM)	9,755	0.8%	\$ 585,669	0.8%	59%
Lieutenant (6138ML)	6,674	0.6%	\$ 557,303	0.8%	6%
Office Specialist (0536CL)	6,485	0.5%	\$ 182,362	0.3%	5%
Sheriff Records Technician (0494GE)	6,294	0.5%	\$ 189,286	0.3%	11%
Sr. Head Cook (1638SM)	5,372	0.5%	\$ 201,994	0.3%	21%
Telecommunications Engineer III	4,466	0.4%	\$ 286,887	0.4%	23%
Sheriff's Special Officer I (6109SO)	4,001	0.3%	\$ 124,796	0.2%	14%
Investigative Assistant (0609GE)	3,992	0.3%	\$ 142,434	0.2%	8%
Forensic Scientist III (3935GE)	3,708	0.3%	\$ 248,756	0.4%	5%
Communications Coordinator II (3371GE)	3,224	0.3%	\$ 145,747	0.2%	17%
Cashier (0830CL)	3,041	0.3%	\$ 86,584	0.1%	22%
Accounting Office Supervisor I (0821SM)	2,846	0.2%	\$ 93,924	0.1%	22%
Sheriff's Records Supervisor (0496SM)	2,601	0.2%	\$ 96,721	0.1%	12%
Data Entry Specialist (0538CL)	2,532	0.2%	\$ 69,767	0.1%	7%
Staff Specialist (8543GE)	2,457	0.2%	\$ 97,213	0.1%	6%
Facilities Mechanic (3166CP)	2,367	0.2%	\$ 100,686	0.1%	16%
Supvg Communications Coordinator (0696SM)	2,312	0.2%	\$ 119,763	0.2%	30%
Crime Prevention Specialist (8908GE)	2,260	0.2%	\$ 80,327	0.1%	16%
Supvg Radio Dispatcher (0696SM)	2,085	0.2%	\$ 121,112	0.2%	22%
Air Conditioning Mechanic (3112CP)	1,970	0.2%	\$ 102,009	0.1%	15%
Communications Technician II (3381GE)	1,790	0.2%	\$ 80,460	0.1%	8%
Sr. Deputy Coroner (6007PS)	1,742	0.1%	\$ 89,891	0.1%	7%
Sr. Forensic Scientist (3937SM)	1,712	0.1%	\$ 140,268	0.2%	9%
Lead Forensic Specialist (3953GE)	1,682	0.1%	\$ 79,230	0.1%	8%
Deputy Sheriff Trainee (6124PO)	1,599	0.1%	\$ 61,846	0.1%	1%
Administrative Manager I (8011MA)	1,590	0.1%	\$ 75,730	0.1%	1%
Forensic Specialist (3952GE)	1,586	0.1%	\$ 59,162	0.1%	8%
Plumber (3136CP)	1,560	0.1%	\$ 65,127	0.1%	10%
Sr. Communications Technician (3382SM)	1,483	0.1%	\$ 70,929	0.1%	10%
Captain (6141ML)	1,416	0.1%	\$ 133,825	0.2%	5%
Sr. Project Manager (1937SM)	1,336	0.1%	\$ 100,520	0.1%	29%
Training Assistant/Sheriff (0674GE)	1,271	0.1%	\$ 45,002	0.1%	7%
Craft Supervisor I Electrical/Mechanical (3182SM)	1,242	0.1%	\$ 65,077	0.1%	12%
Administrative Manager II (8012MA)	1,233	0.1%	\$ 80,383	0.1%	2%
All Others (each position under 0.1% of overtime hours for the Department)	35,162	3.0%	\$ 1,372,261	2.0%	
Total	1,186,717	100.0%	\$ 69,059,267	100.0%	24%

Appendix IV – List of Recommendations

Recommendations	Page
II.1 Modify the ERMI software to ensure that data is correctly aggregating by months for dates of the end of the pay period.	6
III.1 Determine if Compensation Payoffs and Holiday Mandatory Compensation Payouts and other Mandatory Compensation Pay without Job Codes or Descriptions should continue to be included in the Overtime Budget.	9
III.2 Require units to report job numbers and job description with each report of overtime so that data more accurately reflects the justification for overtime hours and costs.	9
III.3 Move Comp Payoff/Holiday Payout to a separate budget category to keep overtime hours within the control of the department.	11
III.4 Fill vacant positions as soon as possible so that they do not require the use of overtime for shift replacements.	12
III.5 Consider negotiating for additional costs for the Orange County Fair and other multi-day Special Events to cover some of their impact on regular shifts.	13
IV.1 Review the department’s contracts, coding, and invoice practices for police service contracts and special events contracts to ensure that the revenue received covers the overtime charges for the cities and special events.	19
IV.2 Add a line item for “Revenue for Special Events (Overtime)” in the County Budget documents to explain the cost recovery from contracted overtime events to provide special service to other agencies.	19
IV.3 Reevaluate staffing needs by shifts in the custody facilities, maintaining flexibility for the scheduler to allow for minimum and maximum staffing levels. These evaluations should also include day and night shifts as well as inmate headcounts, etc.	21
V.1 Modify the department’s Overtime Policy and the MOUs so that everyone in the department receives overtime pay based on hours worked, not hours paid.	24
V.2 Increase the use of civilians for department staff.	24
VI.1 Employees who appear in an <i>Over 48 Hours of Overtime Report</i> for non-emergency events in violation of the department’s Overtime Policy, should be given a consequence for violation of the policy.	29
VI.2 Those who have requested any time off in a pay period, should not be scheduled for shift replacements or special events unless others in the patrol unit have already turned down those overtime shifts.	30
VI.3 Allow more civilian staff to assist in providing overtime staffing for planned overtime special events, so that overtime costs are less costly to the department.	30
VI.4 Scheduling Supervisors should review employee InTime schedule and VTI for hours worked prior to approving shift replacements and planned overtime.	30
VI.5 Allow employees to swap shifts in order to accommodate needed personal time off.	30
VI.6 Replace the current scheduling system (InTime) and the payroll system (VTI) with an integrated scheduling and timekeeping system.	30
VI.7 Increase flexibility in management of shift replacements.	31
VI.8 Decrease the budgeted overtime hours per unit.	31