



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Court Overtime

Eff. Date 06/10/2014

Purpose

To clarify the contractual compensation and payroll entries associated with court testimony in person and via telephone as well as court cancellation provisions.

Procedure

WHEN AN EMPLOYEE IS SUBPOENAED FOR COURT DURING NON-DUTY TIME

- Per the MPPOA contract, you must physically come in to attend court to be considered a call back. If you attend court, the correct overtime code is **OT Court**.

Regularly Scheduled Work Day or COA Day

- 1st, 2nd or 3rd detail assigned personnel, the appropriate detail code is either COU or PCOU.
- 4th or 5th detail assigned personnel, the appropriate detail code is COU3 or PCOU3.
- If an employee is scheduled for court during regular work hours on a COA or sick day, no overtime is earned. Instead, the leave time will be reduced to accommodate court attendance during regularly scheduled work time.

RDO or Vacation Day

- If court attendance is on an RDO or vacation day, the correct detail code is CRDO or PCRDO.
- Phone testimony is covered under Article VIII, E, 5 of the MPPOA contract that covers payment for off-duty phone calls regarding testimony. When contacted by phone from the DA, whether it's for court testimony or prep, the employee is eligible for overtime if the call is longer than 10 minutes. The employee enters the exact hours of the phone call as follows:
 - The appropriate overtime code is OT Misc OT Pay. The detail code is either COU (or PCOU), COU3 (or PCOU3) or CRDO (or PCRDO) depending on work shift and/or whether it's a regular day off. (Refer to information above).
 - The employee is paid for the exact time of the phone call only. No minimum call back to duty times apply.

LESS THAN 24 HOUR NOTICE OF COURT CANCELLATION

- If an employee is subpoenaed to attend court and is later notified they will be testifying by phone, they can enter overtime for court cancellation if the notification was less than 24 hours notice. (Note: an employee is only eligible for court cancellation overtime, if court was scheduled outside of normal working hours or on a regular day off or vacation day.)
- If an employee has a court cancellation and then testifies by phone they can only enter one type of overtime. Either they are paid the minimum 2 hours for a court cancellation or they are paid the time of the phone testimony. The employee cannot request both.
- Court cancellations are as follows:
 - Employees are only eligible for court cancellation overtime if court is scheduled outside of their normal work hours, or on a regular day off, or on a vacation day.
 - The work code is OT Court and the detail code is COL or PCOL.
 - An employee is eligible if they are notified that court has been canceled less than 24 hours before they are scheduled to testify. If the start time for court is moved, but the appearance remains on the same date originally scheduled, then the employee is not eligible for court cancellation overtime.

- If court is scheduled to start during an employee's regular work shift, even if that is the end time for the work shift, then the employee is not eligible for court cancellation overtime.
- The overtime entry should be made with a start time that is the same date and time that appears on the subpoena or, when required, 30 minutes prior for a meeting with the City Attorney. The entry is always for 1 hour, unless the 1 hour overlaps the start of a work shift. In that situation, the end time is the start of the shift.

MPPOA Earned Time Off cannot be used during the time an employee is subpoenaed for court.

(Reviewed Only: 02/22/2016, 01/09/2017, 12/26/2017)