STOCKTON POLICE DEPARTMENT

GENERAL ORDER

SHIFT TRADES

SUBJECT

DATE: OCTOBER 23, 2022  NO: A-15
FROM: CHIEF STANLEY MCFADDEN  TO: ALL PERSONNEL
INDEX: Shift Trade
FLSA

I. POLICY

The Fair Labor Standards Act (FLSA) extends a provision for public employees to trade shifts with other employees under certain conditions. It is the intent of this policy to establish a mechanism for personnel in Patrol and Communications to trade shifts pursuant to FLSA. The policy will facilitate personnel taking time off without charging their leave banks and assist in preventing hire back with paid overtime personnel.

It is the policy of the Stockton Police Department to allow two employees of the same job classification/rank in the Field Operations Division/Patrol to trade shifts within the same work week, Sunday through Saturday, with each other. Pay periods are defined as the first day of the month through the 15th day of the month and the 16th day of the month through the final day of the month. The hours worked will be excluded by the department in the calculation of the hours for which the substituting employee would otherwise be entitled to overtime compensation. Where one employee substitutes for another each employee will be credited as if he or she had worked his or her normal work schedule for that shift.

Trades involving more than two employees at a time are not permitted. Trades involving a recognized holiday will not be allowed. Trading hire-back shifts requires the approval of the issuing supervisor.

II. PROCEDURE

A. Two officers may volunteer to trade regularly scheduled shifts as follows.
   1. Requests for shift trades will be made no less than 14 workdays prior to the days impacted. Shift Trades will be for no more than three consecutive workdays.
   2. Shifts must be for the same number of hours. Under no circumstances is time to be traded for anything other than equal time.
   3. Shifts can be traded on the same Phase with different shifts (i.e., 2/1 and 3/1) or on various phases and shifts (i.e., 2/2 for 3/1)
   4. Officers must have at least 8 hours between shifts worked
   5. Both Officers will submit a trade request through their respective sergeants via email.
   6. Both supervisors must approve the shift trade.
   7. Once both supervisors approve, the request will be given to the appropriate Watch Commander for final concurrence.
   8. The initiating employee’s supervisor will confirm the approval via email with both employees.
   9. Each supervisor will track the trade on their respective monthly rosters.
   10. Each Supervisor will ensure their employee’s timesheet is updated with the correct days worked.

B. Employees who fail to report for their part of a shift trade risk being denied for future requests by their or the receiving supervisor. In the event of an officer missing their traded shift
   1. Officers missing their traded shifts will be charged either sick leave or annual leave, whichever is appropriate. If the employee has no personal time to use, they will be placed in a leave without pay status for the days missed.
   2. If an employee agrees to trade shifts with another employee and then calls in sick or otherwise does not work the shift, the following provisions apply:
a. If an unexpected absence occurs during the first part of the trade, the trade is considered canceled. The employee regularly scheduled to work will use vacation, compensatory, or personal leave. The employee may report sick leave if the absence qualifies for sick leave.

b. If an unexpected absence occurs during the second half of the trade, the employee scheduled off in the second part of the swap will complete the trade by taking the day off and reporting the trade as planned. The employee who did not complete the shift trade will reflect vacation, compensatory, or personal leave on the original day taken off during the first part of the trade. Sick leave may only be used if the original absence taken during the first part of the trade qualifies for sick leave usage.