

BLOOMINGTON POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

HIRE BACK

Reviewed by: Lt. Paul Williams	Effective Date: March 15, 1999
Authorized by: Chief Daniel Donath	Revision Date: December 2, 2019

PURPOSE

The purpose of this SOP is to establish the procedure for hiring a police officer(s) by a group, organization, business or individual. The city and the prospective hiring entity will enter into a contractual arrangement which will result in the officers providing services to the entity. The hiring entity shall remit payment directly to the city and not the individual officers. All officers shall be considered “on duty” for purposes of pay and benefits, including workers compensation. These jobs have historically been called “outside employment jobs” or “contractual jobs.”

This policy shall also outline the procedure for hiring officers for work initiated by the City of Bloomington and/or the Bloomington Police Department.

POLICY

1. The hiring entity will contact the Chief of Police or their designee. The hiring entity shall receive an application to complete. The application shall outline the type of work the officers will be requested to do, the number of officers needed, the hours the officers will be requested to work, and other relevant information.
2. The application shall be reviewed by the Chief of Police or their designee. The City of Bloomington and the Bloomington Police Department shall usually not engage in some types of work which might be considered inappropriate or objectionable. The city reserves the right to deny applications under these circumstances.
3. The safety of the police officers shall be taken into consideration when reviewing applications. The Chief of Police or their designee shall discuss with the prospective hiring entity the need for adequate police officers to ensure officer safety, depending on the type of work. For example, some types of work might require a team of officers and a supervisor. Other types of work might require only one officer. The Chief of Police or their designee shall have the right to request additional information if the original application is not specific.
4. Whenever five patrol officers are hired, the hiring entity shall be required to hire one supervisor. If ten or more patrol officers are hired, then there shall be at least two supervisors hired.

5. Once a decision regarding the application has been made by the Chief of Police or their designee, the prospective hiring entity shall be notified of that decision. Once the hiring entity and the Chief of Police or their designee sign a contract, the police department shall make every effort to provide the officer(s) agreed upon in the contract. The hiring entity shall be informed that unanticipated emergencies requiring police response might take precedence over the contract.
6. When working the contractual job, police officers shall advise in and out of service via primary police radio upon arriving and departing the job location. Police officers shall make every effort to comply with the reasonable requests of the hiring entity. If requested, officers will be in full uniform and in a police car. The car may be marked or unmarked, depending on the request of the hiring entity. Officers shall remain mindful that departmental rules and regulations are to be followed while working the contractual job.
7. When working the contractual job, police officers are still subject to the needs of the department and, under exceptional circumstances, the officers can be ordered off the contractual job and assigned to some other duty at the discretion of the shift commander. Absent an extreme emergency, an officer shall not leave the hireback job to respond to a different police event without supervisory approval. If a supervisor requests, or approves, an officer leaving a hireback job, that supervisor shall author a memo to the Patrol Division commander explaining the exceptional circumstances that justified the decision to reassign the officer.
8. It is recognized that sometimes, despite the best efforts of the hiring entity, events for which the officers were hired may last longer than originally expected. Under these circumstances officers may be requested to stay on the job until the event is over. When an officer signs up for an extra job, the officer should be prepared to stay on the job longer than was originally planned. Officers are not allowed to walk off a job because the original time they signed up for has ended. Officers are expected to remain on the job until the hiring entity releases them even if this release time is beyond the original arrangement. If and when this happens, the officers will be paid for the extra time they worked.

GUIDELINES

1. A running list of officers wanting to participate in hireback work shall be maintained. At the beginning of each year, officers shall be asked whether or not they want to be on said list. During the year, officers can add their name to the list. Probationary Police Officers (PPO) in the FTO program, not yet assigned to solo patrol, are not eligible to participate in hireback work. However, once released to unrestricted solo patrol, officers may request their name be added to the hireback list. The PPO's name shall be added to the hireback list in seniority order.
2. This list shall be posted on the board in front of the command tower.
3. Work shall be offered in seniority order. An officer on the list may elect to accept a job or decline the job, thereby moving the opportunity on to the next officer on the list. The actual officer whose name is next must sign the slot in person. There are no exceptions.

4. Once an officer accepts or declines a job, the entire list must be exhausted before that officer has another opportunity to accept or deny a job. In other words, the list shall start and run in seniority order; however, the list must be exhausted before the list starts over anew.
5. Once an officer signs the list and accepts a job, it is that officer's responsibility to ensure the job is worked. Once signed, the officer is not allowed to use white out on the list and expect someone else to sign up for the job. Simply because an officer tries to erase his or her name from the list does not relieve the officer of his or her responsibility to work the job. All changes to the master list must be done by a supervisor. The approving supervisor will initial and date the change.
6. White out on the list may not be used unless a supervisor initials next to the white out. This should be a very rare occasion.
7. Occasionally, a job is posted that no officer wants. When this happens, the least senior officer on the list, not already on duty at the police department, shall be ordered to take the job. If the officer is on his/her regular days off, the officer ordered to take the job must take the job. Nothing prohibits this officer from finding a replacement for himself. However, the responsibility for filling the job lies with the officer ordered to work the job. Absent an emergency, officers previously approved for leave (V, CE, PC, B, ED, and TAL) other than allowed leave shall not be ordered to work a job on the previously approved leave day(s). Absent an emergency, officers with leave previously scheduled on all work days falling between their allowed leave days will not be ordered to work a job on the allowed leave days preceding or following the leave. Officers unwilling to accept these conditions are reminded that signing up for the extra work was voluntary at the beginning of the year. Officers are also reminded that when a supervisor is forced to order someone to take an unwanted job, there is no way to make a rule that the officer will like. Therefore, the best alternative is to have a rule in place that is fair and consistent. This rule attempts to be fair and consistent.
8. Calling in sick during a time when an officer is expected to work an extra job, especially an undesirable job that an officer has been ordered to take, may be viewed as unusual and be scrutinized. However, if sick time must be used, employees are asked to be considerate and afford the on-duty supervisor with as much advanced notice as possible since another employee will likely have to be ordered to work the extra job. This employee will be selected in reverse seniority.
9. Once reverse seniority is used to order an employee to take a job that is unwanted, that employee shall not be ordered again, for the current calendar year, to take an unwanted job until the list is exhausted utilizing reverse seniority.
10. If sick time was used which resulted in an officer not having to work a job that he/she was ordered to take, that officer shall be ordered to take the next unwanted job that a supervisor is ordered to fill.

11. The proven abuse of sick time in order to allow an officer to get out of having to work an extra job could result in an adverse job action being initiated against the interests of the officer.

PROCEDURE

1. Once a contract between the bloomington police department and the hiring entity has been signed, it must be determined which officer(s) will work the job. This is accomplished by “posting” the job on the board in front of the command tower.
2. Once posted, the executive board of unit 21 and the executive board of the command union shall monitor the sign up procedure to ensure the sign up procedure is moving quickly and efficiently.
3. On-duty supervisors are also expected to monitor the posted work to ensure the list is moving along at an acceptable speed.
4. Officers on duty are expected to either accept or refuse a job when the list has arrived at their name. When an officer has worked and neglected to sign up for a job when that job was available, it shall be deemed that the officer did not want the job. A sergeant or lieutenant may then skip said officer and move the list along to the next officer.
5. In order to reduce the number of times a supervisor must order an officer to take a job, the “5 day rule” was developed and is now incorporated into this policy. In essence, whenever an unfilled job gets to 120 hours (5 days) or less, any officer(s) on the sign up sheet may sign for that job without regard to seniority.
6. If an unfilled job has reached the 120 hour limit, and two officers are standing at the board waiting to sign the open slot, the officer with the higher seniority shall be the officer that is allowed to take the job.
7. Once a job has been worked, the officer(s) that worked the job must complete an overtime slip. The purpose of the slip is so the administrative office knows how many hours to bill the hiring entity. Also, the same slip will be routed to the officer’s supervisor so the overtime can be added to the officer’s overtime records. The officer shall have the option of banking the hours, selling the overtime for cash or taking the overtime in the form of time off.
8. The overtime slip must be completed by the officer and signed by an on-duty supervisor. The slip is then placed in the administrative mailbox.

DEPARTMENT INITIATED OVERTIME OPPORTUNITIES

Irrespective of the situations where an outside entity hires police officers, there are frequently overtime opportunities available due to department initiatives. For example, there have been jobs referred to as the Downtown Hireback Detail, the Domestic Violence Grant, the DUI grant, Seatbelt Compliance Grants, the July Fourth Detail, and the McLean County Fair Detail, etc.

This SOP in no way guarantees these jobs will continue; however, they are mentioned by way of example to preface the following information. These jobs, and similar jobs, are handled in a similar fashion as when an outside entity hires a police officer. The primary difference is who is hiring the officer(s); however, the fashion that the work is distributed is very similar.

Some jobs are long term jobs, e.g. Downtown Hireback Detail. When a long term job is available, a sign-up list will be created for officers to sign. This list of officers will be voluntary. Since the employer is the City of Bloomington, often a supervisor has the discretion to allow the jobs to go unfilled.

Officers may have their name placed on different lists. For example, an officer might want to be on the Downtown Detail list but not on the list maintained for private hiring entities.

GRANTS

Certain grants the police department applies for and are awarded do not allow banking of hours. For reasons beyond the control of the Police Department and the City of Bloomington, some grants require officers to be paid for their work and do not allow the employer to permit the employees to bank the overtime hours. Both the collective bargaining agreements (CBA) for Unit 21 and the Command Union have provisions that acknowledge and provide for this situation.