

IDAHO STATE POLICE PROCEDURE

03.15 TIME MANAGEMENT/REPORTING/USE OF LEAVE

A. General

State employees' use of leave is governed by federal law, [Idaho Code Title 67 Chapter 53](#), Division of Human Resources (DHR) Executive Branch Agency Policies, and the Rules of the DHR and Idaho Personnel Commission, [IDAPA 15.04.01](#).

This procedure assists with time management, reporting of hours, and use of leave for Idaho State Police (ISP) employees.

B. Definitions

“Called Back or Call-Out” is an unscheduled request made by an agency designee that requires an employee to return to work due to unforeseen or emergency situations after the employee has left the official work location.

“Fair Labor Standards Act (FLSA)” establishes minimum wage, overtime pay, and recordkeeping standards. FLSA Codes are used to categorize an employee for the basis of overtime pay calculation.

“On-Call” is an employee who is designated to be available if called upon by their agency during hours that are outside of their normally defined work schedule.

“Pay cycle” is used to identify the time period reviewed for pay audits. 40-hour employees have a one-week pay cycle.

“Pay period” means the two workweeks covered by a timesheet submittal in LUMA. An employee's time is calculated depending on their hourly designation:

1. 40-hour employees are based on a workweek. Their pay period consists of two workweeks; each week is calculated separately to reach 40 hours per week.
2. 80-hour employees are based on 80 hours in a 14-day pay cycle. Their pay period consists of two combined workweeks for a total of 80 hours.

“Workweek” is defined by the state as 12:01 AM Sunday through 12:00 midnight Saturday.

C. Work Schedules

1. State employees must accurately report all time worked.
2. Employees may not work unreported hours voluntarily, nor may they be asked to work unreported hours.

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3. ISP administrative office hours are 8:00 a.m. to 5:00 p.m. Monday through Friday.
4. The normal schedule for administrative and support employees is 8:00 a.m. to 5:00 p.m. Monday through Friday with a 1-hour uncompensated meal break. An adjusted schedule of four, ten-hour shifts may be approved by a supervisor or designee, so long as the required office hours are covered. Supervisors or designees shall work with their staff to ensure office hours are covered when approved time off is granted. This may require another employee to adjust their shift from four (4) 10-hour shifts to five (5) 8-hour shifts to meet the needs of the office.
5. During a holiday week, the employee receives eight (8) hours of holiday pay. If the employee has an adjusted 10 hour shift, they will need to adjust their shift to eight (8) hours for the remaining four (4) days of the week or use their personal leave(s) with approval to reach 40 hours in the work week.
6. Great care will be taken to ensure non-exempt employees are afforded the ability to eat meals away from their desks, so they are not expected to continue working or face meal interruptions caused by work requests, phone calls, etc. If such work is expected or permitted by the supervisor or designee, the entire meal period will be considered work time. This should be used in exceptional circumstances as workload dictates, and not become a standard part of the employee's schedule.
 - a. Two (2), 15-minute rest periods (breaks) per day may be allowed, subject to ISP requirements and available personnel;
 - b. breaks are at the approximate mid-point of the morning and afternoon schedule.
7. Work schedules other than outlined above must be requested by the employee and are considered on an individual basis:
 - a. the employee requests the change in work schedule from the supervisor;
 - b. the requested deviation must not negatively impact the work unit's ability to provide customer service;
 - c. the deviation must not be contrary to legitimate business practices;
 - d. scheduled meal breaks are a minimum of 30 minutes unless there are extenuating circumstances;
 - e. utilizing the chain of command, any deviation must be approved by the Major/Manager.
8. Part-time, non-benefited employees work no more than 19 hours per week; exceptions must be pre-approved by the Major/Manager.
9. Commissioned personnel work either an 8-hour or 10-hour day or totaling 80 hours in a 14-day pay cycle.
10. All commissioned personnel will start their shift once they are in their state vehicle and assigned work duty status for the day. All commissioned personnel are available and working upon entering their vehicle. The expectation is that all law enforcement duties will be carried out by all commissioned personnel while on work duty status.

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11. All commissioned personnel may take up to 30 minutes for compensated meal break as circumstances and workload permit. Communications officers, and control center staff may also take up to 30 minutes for a compensated meal break as circumstances and workload permit. These employees are allowed to eat when they can during their shift. No meal period is provided; however,
 - a. the 30-minute meal break is normally taken near the middle of the shift;
 - b. patrol troopers must report their location and be reachable by phone or radio during this break; all other commissioned personnel must be available by phone or radio. If unavailable for work-related duties due to pre-approved leave, this leave time is uncompensated unless covered by VAC or COMP;
 - c. communications officers, and control center staff must be within the controlled area of the communications center or control center area respectively;
 - d. when a shift is expected to exceed 12 hours, an additional meal break may be authorized;
 - e. troopers may not travel long distances for breaks or meals; and
 - f. radio traffic concerning meals and breaks must be professional, precise, and brief.
12. Two (2), 15-minute rest breaks are authorized per patrol/communication shift:
 - a. One (1) of the rest breaks may be combined with the meal break, leaving one (1) additional rest break;
 - b. an additional 15-minute rest break is authorized for each additional four (4) hours worked during a shift.
13. Under normal patrol circumstances, no more than two (2) troopers in uniform may take a rest or a meal break at the same time at the same location.
14. If more than two (2) troopers need to take a break or eat lunch together while on patrol, prior supervisor approval is required.
15. Troopers assigned to administrative duties, training, or other non-patrol situations may, at the discretion of their supervisor, spend their breaks together.

D. Time Recording and Commonly Used Codes

1. Time is recorded in LUMA to the nearest 1/10, or 6minute intervals, of an hour.
2. Use and limitations of leave codes are governed by [DHR statewide policies](#).
3. Leave cannot be recorded if it generates overtime within a workweek for a 40-hour employee; within a pay period for an 80-hour employee, or within a pay period for a 160-hour employee. The purpose of paid leave is to bring the pay up to 40 hours (or 80hours), not for compensating above regularly scheduled full-time hours.
4. ACT – Actual hours worked.

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5. ADT – Administrative Leave with Pay – This coding indicates leave with pay granted by the Director only under specific conditions described in [DHR statewide policies](#).
6. CPP – Compensatory Time Payoff – This coding is used at the discretion of the agency to pay an employee's compensatory time.
7. CPT – Compensatory Time Taken. This coding reduces the accrued compensatory time balance.
8. DNO – Organ and Bone Marrow Donation Leave – Employees are not required to take sick leave when donating an organ or bone marrow.
9. RHT- Regular Hours Held Taken. This coding reduces the regular hours held time balance.
10. HNL – Holiday Not Worked Law Enforcement (1.0). This coding indicates holiday hours that fall on a regularly scheduled day off so that holiday pay at straight time can be received over and above the regular week's earnings.
11. HOA – Holiday Worked Accrued (1.5). This coding indicates hours worked on a holiday by a Fair Labor Standards Act ([FLSA](#)) covered employee, and the time is accrued as compensatory time at 1.5 the hours worked.
12. HOE—Holiday Executive. This coding indicates hours worked by executive employees, more than one half day, on a designated holiday.
13. HOL – Holiday Pay (not worked). This coding indicates a day of exemption from work for which employees are paid as if they had worked:
 - a. designated holidays are listed in [Idaho Code 67-5302\(15\)](#);
 - b. employees are paid holiday leave pursuant to [I.C. 67-5302\(15\)](#) and [I.C. 67-5328](#);
 - c. troopers, communications officers, and control center personnel are paid holiday leave for either the actual holiday, or the observed holiday;
 - d. full-time employees on an agency-required work schedule receive paid holiday leave for their regularly scheduled work hours;
 - e. full-time employees on a requested work schedule receive eight (8) hours paid holiday leave:
 - (1) The employee may work regular 8-hour shifts for the week in which the holiday occurs: or
 - (2) Use accrued vacation or compensatory time to complete the normal 40-hour work week.
 - f. calculation of leave for part-time employees who are eligible for benefits is outlined in [IDAPA 15.04.01.073.04.c](#).
14. HOS – Holiday Worked Straight (1.0). This coding indicates hours worked on a holiday by a professional, administrative, executive, or specific information technology employee who is [FLSA](#) exempt.

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15. HOW – Holiday Worked Paid (1.5) – This coding indicates hours worked on a holiday by [FLSA](#) covered employees, paid at 1.5 the employee's regular rate of pay.
16. HWL – Holiday Worked Law Enforcement (1.5). This coding indicates hours worked on a holiday by a commissioned [FLSA](#) covered employee.
17. JAT – On-the-Job-Accident Sick Taken – This is leave taken with pay when an accident has occurred on-the-job and workers compensation is being used.
18. JUR – Jury Duty. Employees summoned by proper judicial authority to serve on a jury are granted a leave of absence with pay for the time they otherwise would have worked.
19. LWO – Leave Without Pay. An employee may be granted leave without pay for one day, a fraction thereof, or an extended absence when such leave would not have an adverse effect upon ISP. Requests for LWO must be in writing and establish reasonable justification:
 - a. The employee requesting leave without pay fills out the [EHF 03 15-03 Request for Leave Without Pay](#) and submits to their section supervisor/Captain;
 - b. once approved by the section supervisor/Captain, the form is forwarded to the Major/Manager for final approval prior to the leave;
 - (1) extended leave without pay (in excess of one week) must be approved by the Director.
 - c. the Major/Manager forwards a copy of the approval for leave without pay to HR and to the FSO Personnel Technician.
 - d. disciplinary actions may require an employee to be placed on leave without pay, pursuant to [IDAPA 15.04.01.190](#). When LWO is for disciplinary purposes:
 - (1) scheduled overtime, such as ONL, is not authorized during the pay period which includes the disciplinary LWO (within a workweek for a 40-hour employee, within two weeks for an 80-hour employee, or within two weeks for a 160-hour employee).
 - (2) overtime generated from necessary law enforcement activity within the normal scope of duty, such as DUI, crashes, etc. should be taken off within the same pay period it is generated.
 - e. approved LWO of more than 20 hours within a pay week may affect Medical Insurance Coverage. Employees must contact HR prior to taking LWO for assistance in understanding how benefits may be affected.
20. MLT – Military Leave Taken - Employees serving as members of the National Guard or the Military Reserve who are directed by proper military authority to participate in military field training, receive military leave with pay for a maximum of 120 hours in any one (1) calendar year:
 - a. each absence must be supported by orders to report;
 - b. employees must request military leave through their immediate supervisor by providing a copy of their military orders as early as possible prior to the need for leave;

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- c. the supervisor forwards a copy of the leave request to HR;
 - d. military leave in excess of 120 hours in any calendar year requires use of military leave without pay, vacation, or compensatory time.
21. ONL – Overtime hours worked outside of a regular shift for an approved grant or project and paid at 1.5 the employee's regular rate of pay, regardless of pay period;
- a. ONL hours do not accrue towards compensatory time earned;
 - b. ONL does not affect other leaves taken; and
 - c. Lieutenants claiming ONL need to use code OPS on their timesheet as they are a different payroll classification.
22. SIC – Sick Leave Taken is used in cases of actual illness, medical doctor's appointment, or disability requiring the employee's compensated absence from work, or as otherwise defined in [IDAPA 15.04.01.240](#) or DHR statewide policies:
- a. sick leave cannot be taken in advance of being earned;
 - b. employees must notify their immediate supervisor as soon as possible when it becomes apparent they must leave work, will be late for work, or will be unable to report for work during the normally scheduled workday or shift;
 - c. should an employee record more sick leave than has been accrued, the remaining time is deducted from other available leave balances according to the leave defaults chart in Section F. of this procedure;
 - d. regularly scheduled days off and official holidays falling within a period of sick leave are not recorded as sick leave;
 - e. supervisors may request a physician's statement from the employee when the absence exceeds three (3) consecutive days or when there is reasonable cause to believe habitual or improper use of sick leave may be occurring;
 - f. any employee may be required to produce a physician's approval for return to work without regard to the length of time the employee has been absent;
 - g. employees designated as executive under the [FLSA](#) do not use accrued sick leave in less than half day increments.
23. VAC – Vacation Leave Taken is a period of exemption from work during which the employee is compensated:
- a. vacation leave must be requested in advance and requires approval by the immediate supervisor;
 - b. vacation leave cannot be taken in advance of being earned;
 - c. if an employee on approved vacation leave becomes ill, sick leave cannot be substituted;
 - d. should an employee take more vacation leave than has been accrued, the remaining time is deducted from other available leave balances according to the leave defaults chart in section F. of this procedure;
 - e. requests for a combination of vacation, compensatory time off, and out-of-town business trips exceeding a total of two (2) consecutive weeks must be approved by the employee's Captain/Manager;
 - f. employees designated as executive under the [FLSA](#) are not required to use accrued vacation in less than half day increments.

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E. System Generated Time Codes

1. COMP – Compensatory time for actual hours worked in excess of 40 hours in a week for FLSA covered employees, or 80 hours in a 14-day pay cycle for FLSA non-covered or covered commissioned employees..
 - a. OTA – Overtime Hours Accrued or O/T @1.5 is any hours over 40 worked in a week, or 80 hours worked in a 2-week period by an FLSA covered employee.
 - b. OTS – Overtime Hours Accrued or O/T @1.0 is any hours over 40 worked in a week by an [FLSA](#) non-covered employee.

F. Payroll Reporting Leave Taken/Leave Defaults

1. When sick, vacation, or compensatory hours are coded and an employee does not have enough accrued hours to cover the coded leave, the payroll system will automatically reduce other leave balances in the following order:

HOURS REPORTED	SYSTEM DEFAULT
SIC	COMP>VAC>LWO
VAC	COMP>LWO
	COMP>VAC>LWO
CPT	VAC>LWO

2. The supervisor's LUMA entry approval is acknowledgement and approval of the leave as recorded in LUMA.

G. Overtime Management

1. Overtime or COMP hours must be kept to a minimum whether reimbursed in cash or compensatory time off.
2. Overtime is approved in advance or, when that is not feasible, is reported the following day.
3. The reason for the overtime worked is noted in the comments section of the employee's LUMA document for each day that overtime is generated.
4. Leave cannot be recorded if it results in overtime within a workweek for a 40-hour employee; or within a pay period for 80-hour employees;
5. Managers may require an employee to submit a plan to use accumulated compensatory time within a reasonable time period.
6. Supervisors may revise the balance of the workweek to adjust for necessary overtime.

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7. Overtime management is the responsibility of every employee and supervisor. Overtime is capped by the Major/Manager at:
 - a. 30 hours for Troopers, Specialists, Sergeants, RCOs, RCSs, and RCCCs; and
 - b. 75 hours for all other employees.
 - (1) exceptions to the cap and mandatory reduction of overtime are hours attributed to a specific federal grant, contract, or agreement and are paid according to the conditions of the grant, contract, or agreement;
 - (2) other exceptions may be authorized by the Major/Manager; and
 - (3) VAC may be used prior to COMP if the employee is within 20 hours of their vacation maximum accrual limit.

H. Overtime and the Fair Labor Standards Act ([FLSA](#))

1. The [FLSA](#) provides that employees of state governments and political subdivisions of the states can be given compensatory time off in lieu of cash overtime payments.
2. There is no assurance that ISP will pay cash for overtime.
3. [FLSA](#) C covered employees and FLSA A non-covered employees accrue COMP time for hours worked in excess of 40 actual work hours in a week;
4. FLSA L: covered, commissioned employees, accrue COMP hours in excess of 80 actual work hours in a 14-day pay cycle.
3. Overtime for FLSA covered employees that was earned and not used during the previous six (6) months is automatically paid in cash at the end of the next six (6) months:
 - a. Comp time earned may be taken as compensatory leave time.
4. Overtime hours for FLSA non-covered employees are forfeited if not taken prior to the time of transfer to another state agency or prior to termination of state employment.
5. Executive employees who are [FLSA](#) exempt do not accrue overtime.

I. Shift Differential

1. Shift differential compensation is paid at 5% of the employee's hourly compensation.
2. [IDAPA 15.04.01.190](#) provides for the payment of shift differential if 50% or more of an employee's assigned hours in a workweek occur between 6:00 p.m. and 7:00 a.m.:
 - a. leave hours taken are regarded as assigned during the same hours the employee would have worked;
 - b. if an employee qualifies for shift differential pay during a workweek, the shift rate is calculated for all hours reported in that week, including holiday pay, overtime and leave taken; and
 - c. the resulting amount of shift differential pay is included in the compensation for that pay period.

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3. Employees who are not eligible for cash compensation and compensatory time off for overtime work are not eligible for shift differential compensation.

J. Off-Duty Call-Out

Employees may be called out during off-duty hours.

1. Off-duty officers may be called out:
 - a. officers must respond to an off-duty call-out unless physically incapable of safe and effective response due to illness, off-duty consumption of alcoholic beverages in any detectable amount, or legal use of prescribed medication;
 - b. if called out by local authorities, the officer immediately notifies his or her supervisor;
 - c. if called out, the officer assumes duty status and all procedures for on-duty personnel apply;
 - d. time in service begins with the call to report for duty;
 - e. call-out hours are recorded as ACT; and
 - f. the officer is considered to have been “on-duty” for a minimum of two (2) hours regardless of the actual time spent in response to the call-out.
2. Non-commissioned personnel called outside of normal work hours:
 - a. notify their supervisor;
 - b. time in service begins with the call-out;
 - c. call-out hours are recorded as ACT; and
 - d. the employee is considered to have been “on-duty” for a minimum of two (2) hours regardless of the actual time spent in response to the call-out.

K. Interviews

1. Time spent interviewing for positions outside of ISP is not considered time worked:
 - a. the employee is required to use appropriate leave to cover the period of absence from work.
2. Time spent interviewing and testing for a position within ISP is considered time worked and is recorded as ACT.
3. ISP procedure [04.10 Travel](#) governs time spent traveling to and from interviews for positions within ISP.

L. Court Time

1. When an employee is required to appear as a witness or a party in any proceedings not connected with official state duty, the employee must be permitted to use accrued leave or leave without pay in order to attend.

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2. When an employee is required to appear as a witness or a party in any proceedings connected with official state duty, the employee records the time as ACT.
3. Employees subpoenaed to appear in court on their day off receive a minimum of two (2) hours compensation.
4. ISP procedure [02.04 Response to Civil Legal Process](#) governs expenses incurred by the employee when appearing in proceedings connected with official state duty.
5. No compensation is given if the court appearance is canceled at least 24 hours prior to the scheduled appearance.

M. Training

1. While attending training, employees with a regular work schedule of 10-hour days are normally reassigned to 8-hour days for the duration of training.
2. The supervisor reassigns the employee's days off to avoid accruing excessive overtime.
3. When training results in a shortage of hours for a regular work schedule of 10-hour days, an employee may, with supervisor approval, work extra hours during the pay period to offset time lost during training, or use COMP, or VAC time.
4. Meal breaks of at least 30 uninterrupted minutes are not normally compensated.
5. Officers performing enforcement or motorist-assist activities during travel to and from training document that portion of time as time worked.
6. Officers attending training within the districts may begin work before the training or continue to work after the training to fulfill their 10-hour shift.
7. Employees will not be compensated with either paid time or paid overtime for completion of homework, studying, or assignments beyond the end of the scheduled training day.
8. While attending benefits seminars/workshops on-site that are half-day in duration or less, employees' time is generally covered as work time (ACT).

N. Travel Time

Travel time is reported in accordance with the Idaho Board of Examiners' [Idaho Travel Policies and Procedures](#). Any exceptions are outlined in ISP procedure [04.10 Travel](#).

O. Workers Compensation and Disability

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1. When an employee cannot perform assigned duties due to illness or injury, the state provides both short- and long-term disability and workers compensation coverage.
2. Employees qualifying for workers compensation benefits must complete a Workers Compensation Benefits Annual Election Form choosing one of two options:
 - a. Option 1 – The employee receives only workers compensation benefits and retains sick, earned administrative leave, or comp time for future use.
 - b. Option II – The employee uses available paid leave to supplement workers compensation benefits and maintain an income approximate to their working level.
3. Commissioned employees qualifying under workers compensation may be covered for full salary under the Peace Officer and Detention Officer Temporary Disability Act, [I.C. §72-1101](#).
4. Employees may not use paid leave to receive pay in excess of their working level.

P. Family and Medical Leave Act ([FMLA](#))

1. The FMLA is federal law that entitles eligible employees to unpaid, job-protected leave under qualifying circumstances:
 - a. birth of a child; (see section Q. Donated Leave for additional information)
 - b. adoption of a child or placement of a child in foster care;
 - c. to care for a qualifying family member with a serious health condition. Qualifying family member includes:
 - i. spouse,
 - ii. child under 18 years of age,
 - iii. child incapable of self-care due to a mental or physical disability regardless of age,
 - iv. parent with a serious health condition.
 - d. the employee's own serious health condition;
 - e. to attend to a Qualifying Exigency regarding a service member who is "on active military duty in support of a contingency operation"; or
 - f. to care for a qualifying family member who incurred a serious injury or illness in the line of duty while on active duty in the Armed Forces.
2. FMLA is further defined in [DHR statewide policy](#).
3. To initiate protected FMLA leave, the employee or supervisor fills out an [EHF 03 15-01 FMLA Leave Request](#) form and forwards the request to HR.

Q. Donated Leave

1. Pursuant to Idaho Code [67-5334\(2\)\(g\)](#) and [DHR statewide policy](#), accumulated vacation or sick leave may be transferred in certain circumstances from one state employee to another and converted to sick leave when the recipient, or the recipient's immediate family member, has a serious health condition that precludes the employee's presence at work and the employee has exhausted all leave.

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2. The eligible, requesting employee completes the [EHF 03 15-02 ISP Request for Donated Leave](#) form.
3. If the employee is unable to sign the form, they may authorize their supervisor to sign. Verbal authorization is acceptable.
4. Request for Donated Leave forms are approved by the employee's immediate supervisor, Major/Manager, Human Resource Officer, and the Director. There is no right to donated leave.
5. After all signatures are obtained, HR circulates a request for donations and processes the donated leave.
6. A minimum of two (2) weeks is required to process requests through the State Controller's Office.
7. Retroactive pay is not permitted if the timing of the donation results in the receiving employee missing a pay period before the transaction is complete.
8. Unused donated leave cannot be transferred back to the donor.
9. Donated leave is based on fiscal year.
 - a. Minimum amount of leave that may be donated is four (4) hours.
 - b. An employee cannot donate more than a total of 80 hours of vacation and sick leave, combined.
 - c. The donor must have enough leave to retain a minimum balance of 80 hours in their utilized leave bank (SIC or VAC) after the donation.
 - d. Employees who are at or near their maximum leave limit may contact HR and have their names put on a donation pool list; they are automatically contacted when a request is submitted.
 - e. The receiving employee cannot receive more than 160 hours of donated leave in one (1) fiscal year.

R. Separation

1. Upon separation from state employment, covered employees receive a lump sum payment for accumulated unused vacation leave and unused Comp time at the employee's current, hourly rate of pay..
 - a. Upon retirement, an employee with fewer than 15 years of credited state service may use up to two (2) weeks of vacation before their separation (retirement) date.
 - b. Upon retirement, an employee with 15 years or more of credited state service may use up to three (3) weeks of vacation before their separation (retirement) date.
 - c. Upon retirement, an employee with 20 years or more of credited state service may use up to four (4) weeks of vacation before their separation (retirement) date.

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2. Payment for accumulated unused vacation leave is made to the employee (in addition to regular salary) on the regular payroll following the employee's separation.
3. Per [Idaho Code 67-5333\(1\)\(c\)](#), no employee is reimbursed for accrued sick leave at the time of separation from state service:
 - a. If an employee is reinstated within three 3 years, all sick leave credits are reinstated.
 - b. Upon retirement, a portion of unused sick leave pays the employee's state paid group health, accident, and life insurance programs pursuant to [Idaho Code 67-5333\(2\)\(a\)](#).