

Follow-up Information Request Canine Officer Pay Questions from Ad Hoc Committee 2/19/21

1. Do canine officers receive any overtime pay for the extra four hours per week they receive for taking care of the dog outside regular shift hours?

As defined in the MOU, overtime consists of all hours actually worked in excess of a regularly scheduled daily work shift. Taking care of the dog outside of regular shift hours is mandatory and as a result the employee receives a total of 88 hours compensation each pay period. That is, the employee's regular or normal work schedule is 88 hours each pay period. So, while the pay is compensated as overtime, as required by law, it is mandatory work the employee is expected to perform.

2. Is a canine assignment voluntary or are the officers assigned to that duty?

If there is a vacant position, potential canine officers are required to submit interest for the assignment and the chain of command selects the officer. Thus, the process is voluntary but once selected, canine officers are mandated to work 88 hours per pay period which includes time for care of the dog outside of their regular shift work.

3. When training the dog, please detail the type of training that is done on a daily basis for both during an employee's regular shift and after an employee's regular shift.

Training during an employee's regular shift is conducted in compliance with training vendor guidelines and includes live searches and scent training etc. Training after an employee's regular shift primarily includes exercise of the dog and obedience training reinforcement, as necessary.

4. How many hours are reported to SBCERA as compensation earnable? Are any of the hours reported to SBCERA paid at the overtime rate? Please explain.

Assuming the employee works all regular assigned shifts, 88 hours total per pay period would be reported as compensation earnable. In such cases, and per the MOU, 8 hours would be paid at the premium overtime rate, but only the base rate of pay is reported as earnable compensation.

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5. How is the employee compensated for caring for the dog during the assigned shift?

Caring for the dog during an assigned shift is incorporated into the daily duties and regular compensation of a canine officer.

6. Please provide additional detail regarding the following statement in your response to Question 3:

“The 8 hours for care of the animal is included and mandated in their normal work period pursuant to the Safety/SM MOUs.” (County’s Response to Question 3 pg. 1.)

In the response above, “normal work period” is meant to reflect the pay period. The canine lives with the canine officer on a daily basis so whether care is required while working a shift or not, it is mandated to occur, resulting in a work period of 88 hours for employees assigned a canine. Pursuant to Government Code section 31461.6, the work period includes a total of 88 hours because of the ongoing mandated additional care of the dogs after the employee’s regular shift. Further, since care of the dog after the employee’s regular shift is mandatory, failure to care for the dog could result in discipline.

7. You provided the following statement in response 10; however, the statement conflicts with the statement cited in Question 6 above. Could you please reconcile the conflict of whether the 8 hours cited in your response is in addition to or is part of their normal work hours?

“The 8 hours is in addition to their normally scheduled shifts.” (County’s Response to Question 10 pg. 3.)

As included in #6 above, canine officers are required to care for the dogs after their regular shift for which they are allotted an additional 8 hours to account for the additional care and training. Therefore, the 8 hours are part of their normally scheduled shifts.