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D. C. DEPARTMENT OF CORECCTIONS  
Office of the Director  
Washington, D. C. 20001

DO 2211.3  
July 22, 1983  
OPP

DEPARTMENT ORDER NUMBER 2211.3

Subject: Ordering Overtime and Discipline of Employee  
for Refusal to Work Overtime

1. Purpose and Scope. To establish policy and procedures relating to ordering overtime work and for taking disciplinary action against an employee who refuses to comply with a reasonable order. Provisions of this Order remain in effect pending issuance of revised Department Order 2211.1B. The provisions of this Order are applicable to all employees of the Department of Corrections.
2. Issuances Affected or Referenced.
  - a. Issuances Affected. None
  - b. References.
    - (1) Department Order 2211.1B, "Overtime and Compensatory Time," dated April 11, 1980.
    - (2) Department Order 3310.3, subject: "Compliance with Orders by Employees of the Department," dated July 11, 1975.
    - (3) District Personnel Manual Instruction No. 1601-1, dated May 17, 1983.
    - (4) Labor - Management Agreement between D.C. Department of Corrections (management) and Local 1550, AFGE (labor).
3. Authority. District of Columbia Government Comprehensive Merit Personnel Act of 1978 as amended (D.C. Law 2-139, Title XVI).
4. Definition. For the purpose of this Order "emergency is defined as an unforeseen circumstance or condition which would endanger life, property or the security of an institution or, the safety of the community. Typical examples are: escapes, riots, disturbances, breakdown of equipment or utilities considered essential to the security or operations of an institution or facility, or absence of sufficient personnel to maintain security of installations or facilities of the Department.
5. Policy. It is the policy of the D.C. Department of Corrections to order overtime work consistent with security and operations of the Department and its institutions and facilities, providing that the overtime work is of reasonable duration, commensurate with employee health, safety and endurance, and issued under emergency circumstances.

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6. Delegation of Authority. Assistant Directors are delegated authority to order overtime. This authority may be further delegated to Administrators of institutions and facilities and to Office Chiefs. All redelegations of authority will be reduced to writing.

7. Procedures.

a. Supervisors will make all reasonable efforts to alleviate predictable situations by seeking alternatives as possible to overtime such as detailing employees from other institutions or facilities of the Department or appointing additional employees under temporary limited appointments or permanent appointment, either on a full-time or part-time basis; reassigning work to units able to absorb it; establishing shifts when length of coverage is required; or similar steps.

b. Ordered overtime must be in writing and directed to the individual employee(s) eight hours prior to its actual performance, unless an emergency exists, thus allowing sufficient time for employees to arrange their personal schedules.

c. When overtime is ordered on a regularly recurrent basis, notice in writing shall be given to employees at least one week in advance.

d. Written notice need not be given in the event of an emergency as defined in paragraph 4 above.

e. Recompense for overtime shall be compensatory time or overtime pay in accordance with Department Order 2211.1B.

f. Whenever possible, overtime work shall be assigned so as to avoid inequities or hardship to employees. Distinctions concerning each employee's personal situation shall be considered in all cases when ordering overtime.

g. To protect employee's health and avoid fatigue potential, overtime may not exceed eight hours a day in addition to the employee's normal workday; except in emergency situations as determined in paragraph 4 above.

h. An employee may not be ordered or permitted to perform overtime work on any day he/she is in a leave status.

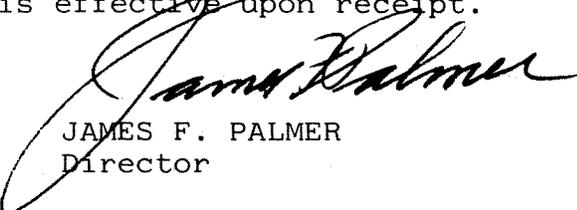
i. An employee who has been given reasonable, and justifiable, notice and who refuses to work overtime may be disciplined by the appropriate official for such refusal. Whether or not the order is issued during an emergency will be a factor in determining the amount of reasonable notice. The employee's personal situation will also be considered in determining whether refusal is justified.

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8. Disciplinary Action for Unjustified Refusal. Disciplinary actions shall be taken in accordance with this Order and applicable procedures of the District Personnel Manual.

9. Grievances. An employee complaint relative to ordering of over-time may be processed in accordance with the grievance procedures of the Department of Corrections Labor-Management Contractual Agreement.

10. Effective Date. This Order is effective upon receipt.



JAMES F. PALMER  
Director

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