

# EXECUTIVE ORDER



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| Subject:<br><b>Exempt Time Off</b>                 |
| Number<br><b>EO-17-014</b>                         |
| Effective Date<br><b>May 10, 2017</b>              |
| Related To:<br>GO-PER-206.01 (Time and Attendance) |

## DISTRICT OF COLUMBIA

### I. PURPOSE

The purpose of this executive order is to announce the procedures for earning and granting exempt time off for sworn employees at the rank of inspector or above and civilian equivalents as authorized by the Neighborhood Engagement Achieves Results (NEAR) Act of 2015 (D.C. Law 21-125; D.C. Official Code § 5-1107).

### II. DEFINITION

When used in this order, the following term shall have the meaning designated:

1. Eligible employees – uniformed employees at the rank of inspector or above, civilian employees grade 15 and above, legal service employees, and excepted service employees.

### III. REGULATIONS

- A. The Chief of Police or his or her designee may require eligible employees to perform work in excess of 80 hours in a biweekly pay period.
- B. The Chief of Police or his or her designee may grant exempt time off to eligible employees, which is to be considered Fair Labor Standards Act (FLSA) exempt, for work performed in excess of an 80-hour biweekly pay period, excluding roll call.

**NOTE:** FLSA exempt management supervisory service (MSS) civilian employees at the grade 14 and below may earn up to 120 hours of exempt time off on a rolling basis in accordance with the District Personnel Manual (DPM).

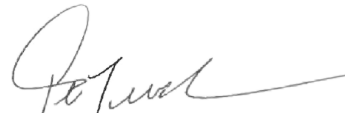
#### IV. PROCEDURES

##### A. Earning Exempt Time Off

1. There are no restrictions to when exempt time may be earned (e.g., evenings, weekends, holidays).
2. Exempt time off shall be earned on an hour-for-hour basis.

##### B. Using Exempt Time Off

1. Exempt time off shall be maintained in a separate account from other forms of leave, but shall be scheduled and granted in accordance with the Department's policy on annual leave.
2. **Exempt time off granted to eligible employees shall not exceed a total of 80 hours in any consecutive 12 month period (i.e., on a rolling basis).**
3. Eligible employees shall forfeit exempt time off if it is not used by the end of the leave year following the leave year in which it was earned. Exempt time is not eligible to be cashed out.
4. Exempt time off not used at the time of an eligible employee's separation from service shall not be included in any form of leave payment.



Peter Newsham  
Chief of Police