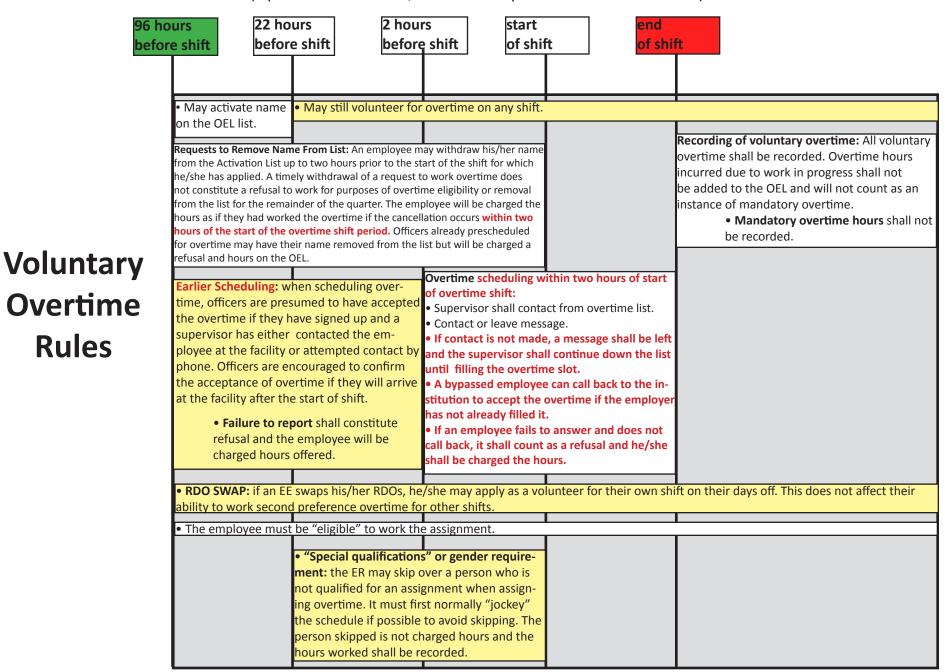
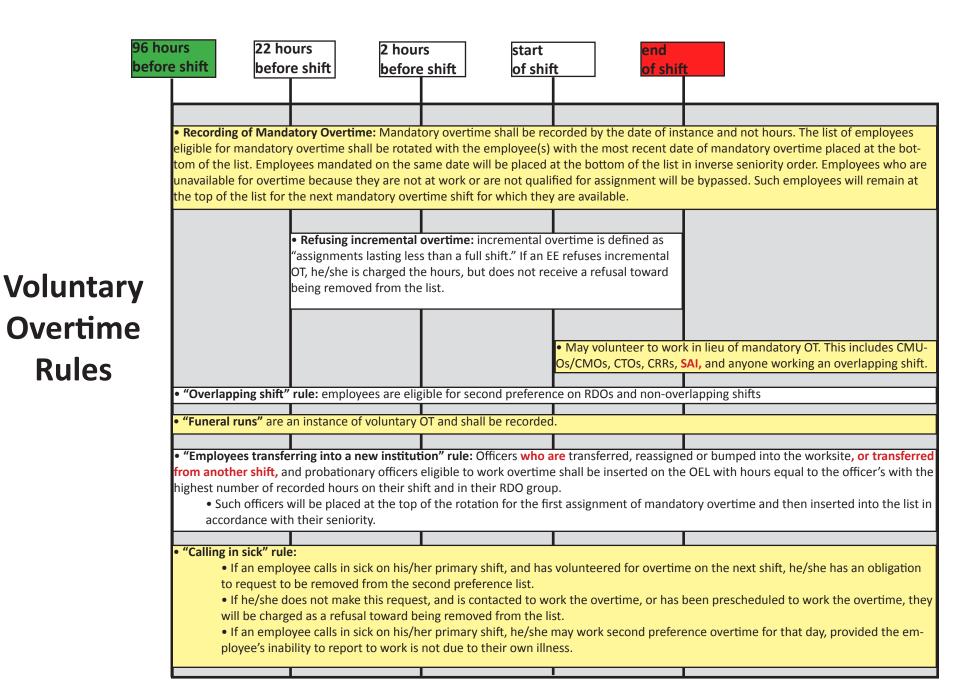
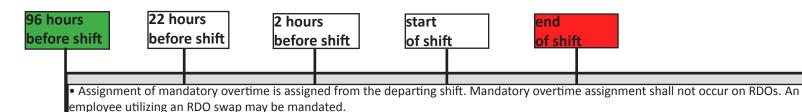
MCO/MDOC Joint Interpretation of Article 17 OEL Procedure

(Updated as of Jan. 1, 2016 CBA. Updates noted in red font.)







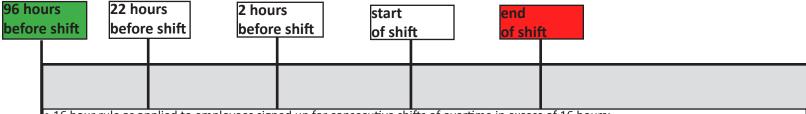
- The bottom half of the seniority list is determined by rounding down.
- Assignment of mandatory overtime to an assignment requiring special qualifications or gender allows for EEs to be skipped in the rotation,
 if the EE does not possess the special qualification. Skipped EEs shall still be eligible for next assignment not requiring special qualifications.
- The "leave exception" rule: if an EE is mandated to work the shift prior to his RDOs, he/she must work. Officers who volunteer for a hold-over are offered release first to encourage voluntary overtime and avoid mandatory overtime where possible. The RDOs are not considered approved leave time.
- Work in progress: overtime hours incurred due to work in progress are not recorded, are not considered voluntary overtime, nor count as mandatory overtime.
- Holdovers: if the employer is unable to secure a volunteer(s) and holds an employee over because someone is running late, it is an instance of mandatory overtime if the employee who is scheduled to relieve him/her is not at the facility at the time the employee's work time exceeds his/her normal shift.
- If one employee is mandated to stay because of a sick call, and then another employee is mandated because of someone running late, both situations are a mandate. When the "late comer" arrives, the employee mandated with the highest seniority will be offered the opportunity to go home first.
- If there are not enough EEs available to mandate, the EE working the assignment on the shift may be held over until relief is provided.
- With the exception of voluntary holdovers, mandatory overtime will be released before voluntary overtime. In the case of a voluntary holdover, we agreed that they would be released first so that it would not dissuade employees from voluntarily holding over.
- Holdover hours are not recorded, but may be an instance of mandatory overtime. (See Section 1b5 of procedure)

"Mandating an officer on an off-site assignment" rule:

- An officer whose name comes up for a mandate, but is on an off site assignment and is returning to the facility, can be mandated. In the absence of a volunteer, the next person shall be mandated to provide coverage until the arrival of the "off-site officer." Once the "off-site officer" arrives, the other officer shall be released and be credited with a mandate on the list.
- Release by high seniority does not apply to this situation because the "off-site officer" is viewed as still being engaged in his/her regular shift duties and not exempt from mandate.
- Special qualification or gender specific assignments are an exception to the "32 hour" rule and "50% line" rule.
- Employees in training are eligible to work once they have completed their training to avoid mandatory OT.

Mandatory Overtime Rules

As shown in this chart, mandatory rules stand regardless of time left before a shift starts or ends.



• 16 hour rule as applied to employees signed up for consecutive shifts of overtime in excess of 16 hours:

• Example: Officer A works 2nd shift and places his name on the Activation Lists for 1st shift and 3rd shift for 6/28. On 6/27, he is called for prescheduled overtime for 1st shift and accepts. Later that night on 6/27, he is called and offered prescheduled overtime for 3rd shift on 6/28. He informs the shift commander that he is already prescheduled for 1st shift on 6/28 and will work his regular shift on 6/28, so therefore he is ineligible for overtime on the 3rd shift. In this scenario, the supervisor should notify the employee that unless he is indicating that he is refusing, he is marking him down to work the 3rd shift, but if he does work 1st and 2nd shift on 6/28, then he will be marked as "16 hour rule" and not charged hours or a refusal. On 6/28 when the early in supervisor comes in on 3rd shift, they can see if the employee has worked 1st and 2nd shift. If so, they mark him as "16 hour rule" and then that is one more person to call in. If the employee didn't work both shifts, then he is expected to work or be charged a refusal.

- Example: Using the same employee in the previous example, the employee is scheduled to work his regular 2nd shift on 6/28 and is prescheduled to work 3rd shift on 6/28. The employee is not prescheduled to work 1st shift on 6/28, but receives a call the morning of 6/28 to work overtime on 1st shift. The employee must accept the overtime or be charged a refusal. The employee cannot claim they are scheduled for 16 hours later today and therefore exempted from a refusal or being charged hours. If the employee works 1st and 2nd shift, then he will be exempted from overtime on the 3rd shift and will not be charged a refusal or hours on the OEL.
 - The 16 hour rule is only applicable if the employee has actually worked 16 consecutive hours and then is up for a consecutive shift of overtime. It is not to be applied in anticipation of scheduled overtime.

Mandatory Overtime Rules

As shown in this chart, mandatory rules stand regardless of time left before a shift starts or ends.

- •CMUOs working overtime— CMUO classification will be treated as CRRs and CTOs for purposes of being allowed to volunteer for OT in lieu of mandates.
- Work in excess of 120 hours: shall be considered on a facility's individual needs (by mutual agreement of MCO Central and DOC Labor Relations).
- Order of Activation Lists—
 - 1. First Preference Sorted by least amount of hours, highest seniority, highest test score, lowest last four of FICA.
 - 2. Second Preference— Sorted by least amount of hours, highest seniority, highest test score, lowest last four of FICA.
 - 3. Volunteers who are not CTOs, CRRs, or Deactivated Employees– Sorted by first to sign up.
 - 4. Deactivated Employees— Sorted by first to sign up.
 - 5. CTOs, CRRs, CMUO/CMO, SAI officers and employees working overlapping shifts— highest seniority, highest test score, lowest last four of FICA.