

**BILL SUMMARY**  
2<sup>nd</sup> Session of the 56<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB 3006</b>
<b>Version:</b>	<b>INT</b>
<b>Request Number:</b>	<b>9003</b>
<b>Author:</b>	<b>Rep. Bennett (F)</b>
<b>Date:</b>	<b>2/13/2018</b>
<b>Impact:</b>	<b>DOC: significant payroll impact, unquantifiable due to large amount of variables</b>

**Research Analysis**

HB 3006 provides that correctional officers who work twelve or more hours in one twenty-four-hour period are to be compensated at 1.5 times the regular pay rate of the officer for any hours worked in excess of 8.5 hours.

Prepared By: Brad Wolgamott

**Fiscal Analysis**

HB 3006 which deals with overtime for correctional officers would create a significant negative impact to DOC. Paying overtime for 12 or more hours worked would increase payroll. The exact estimate is unclear due to the current employee classifications and rankings, the amount of hours a correctional officer works per day, the capabilities of the existing payroll software and formula, and the way in which HB 3006 is phrased. See other considerations below for examples provided by DOC.

Prepared By: Kristina King

**Other Considerations**

The bill has been reviewed by DOC and they state:

Passage of this bill would create the requirement to pay overtime for daily worked hours in addition to weekly worked hours for correctional officers (CO's). In addition to the financial strain this could cause for DOC, passage of this bill would cause other major issues as well:

The language in the bill says "correctional officers." DOC has four levels of the Correctional Security Officers (CSO) job series (Cadet, Officer, Corporal, and Sergeant). The bill's requirement to pay daily overtime (OT) to Correctional Officers would not clearly include our Correctional Security Managers (CSM) (Lieutenants, Captains, and Chiefs). Captains and Chiefs currently do not receive OT in accordance with their FLSA designation but Lieutenants do. We already have a difficult time promoting individuals to Captain or Chief due to the fact CO's and Lieutenants that earn OT can make a higher annual salary w/OT than a Captain (without the added responsibility). With the additional OT generated by this bill, this issue would compound and could result in Cadets, Officers, and Corporals making as much or more than Lieutenants and/or Captains.

Due to staffing levels we have a variety of facilities that work 12 hour shifts. This bill would mean that we would be paying 3.5 hours of OT every day for all officers that work on a given day, regardless of whether they worked 40+ hours for the week or not.

With the bill changes, there would essentially be two separate OT calculations that would be required for CO's; one for daily OT and one for weekly OT. The formula to determine and calculate which OT applied and merge it together would be very complex. OT earned for daily hours worked would calculate differently than the OT earned for the week. Some of the time would be overlapping and the system would have to ensure that hours were not duplicated when calculated and paid. The existing PeopleSoft Time & Leave and Payroll systems do not have the functionality/ability to determine and calculate this type of complex hybrid system.

There are a multitude of scenarios that could create confusion and frustration with this structure of OT:

Example 1:

- Corporal A works 5 10-hour days in a one week period for a total of 50 hours for the week. Corporal A would earn 10 hours of OT ( $\$21.47 \times 10 = \$214.70$ ).
- Corporal B works 4 12-hour days in a one week period for a total of 48 hours for the week. Corporal B would earn 14 hours of OT ( $\$21.47 \times 14 = \$300.58$ ).
- Corporal B would work less hours for the week but earn more OT than Corporal A.

Example 2:

A CO today that works 5 12-hour days in one week earns 20 hours of OT; under the provisions of the bill a CO that works 5 12-hour days should only get 3.5 hours of OT/day for a total of 17.5 hours of OT. For a 4 12-hourday shift it would play out differently.

Example 3:

CO's are currently able to work adjust hours by working more hours earlier in the week and then use them to cover time off vs. having to take leave. With the language in the bill it appears that a CO would be able to work more hours early in the week and get paid OT while also using a work week adjustment to avoid using leave later in the week.