

Meal Periods and Breaks

1034.1 PURPOSE AND SCOPE

The purpose of this policy is to establish consistent and fair procedures for employee work hours and meal/break periods. This policy will address regular work hours and meal periods for both sworn and non-sworn personnel.

1034.1.1 EMPLOYEE CLASSIFICATIONS

Due to various job classifications and work assignments within the Barstow Police Department, working conditions and hours vary to meet the needs of the particular assignment. There is a need to delineate one group from another to clarify regular work hours and individual rest/meal periods. Employees shall be grouped into five (5) separate categories: 1) Patrol Services, 2) Investigative Services, 3) Support Services, 4) Dispatch, and 5) Administrative Services.

1) **Patrol Services:** This category includes those sworn employees who are assigned to a specific shift or assignment related to the 24/7 operations of the Barstow Police Department.

2) **Investigative Services:** This category includes those sworn employees who are assigned to the investigations division and are typically assigned a set work schedule.

3) **Support Services:** This category includes those non-sworn employees who are assigned to Crime Scene Investigation/Evidence Technicians, Police Services Assistants, and any sworn employee not part of the administrative staff or categorized in sections 1) or 2) above.

4) **Dispatch:** This category includes those non-sworn employees assigned to the Barstow Police Department Dispatch Center and who are also assigned 24/7 operations within the department.

5) **Administrative Services:** This category includes those sworn or non-sworn employees assigned to administrative duties to include the Chief of Police, Division Commander(s), Police Services Supervisor, Administrative Sergeant, Training Officer, or other assigned personnel as deemed appropriate by the Chief of Police.

1034.1.2 REGULAR WORK HOURS

1) **Patrol Services:** Employees within this category will work a regular shift schedule which shall consist of either five (5) / eight (8) hour workdays per work week, four (4) / ten (10) hour workdays per work week, or three (3) / twelve (12) hour workdays per work week with an extra eight (8) hour workday for each two (2) week pay period. These assigned work schedules, even when negotiated through a Memorandum of Understanding may be altered by the Chief of Police, or his/her designee, to meet necessary staffing levels.

2) **Investigative Services:** Employees within this category will work a regular shift schedule which shall consist of either five (5) / eight (8) hour workdays per work week, four (4) / nine (9) hour workdays per work week with an eight (8) hour workday for each two (2) week pay period, four (4) / ten (10) hour workdays per work week, or three (3) / twelve (12) hour workdays per work week with an extra eight (8) hour workday for each two (2) week pay period. These assigned work schedules, even when negotiated through a Memorandum of Understanding may be altered by the Chief of Police, or his/her designee, to meet necessary staffing levels.

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3) Support Services: Employees within this category will work a regular schedule which shall consist of either five (5) / eight (8) hour workdays per work week, four (4) / nine (9) hour workdays per work week with an eight (8) hour workday for each two (2) week pay period, four (4) / ten (10) hour workdays per work week, or three (3) / twelve (12) hour workdays per work week with an extra eight (8) hour workday for each two (2) week pay period. These assigned work schedules, even when negotiated through a Memorandum of Understanding may be altered by the Chief of Police, or his/her designee, to meet necessary staffing levels.

4) Dispatch: Employees within this category will work a regular schedule which shall consist of either five (5) / eight (8) hour workdays per work week, four (4) / ten (10) hour workdays per work week, or three (3) / twelve (12) hour workdays per work week with an extra eight (8) hour workday for each two (2) week pay period. These assigned work schedules, even when negotiated through a Memorandum of Understanding may be altered by the Chief of Police, or his/her designee, to meet necessary staffing levels.

5) Administrative Services: Employees within this category will work a regular schedule which shall consist of either five (5) / eight (8) hour workdays per work week, four (4) / nine (9) hour workdays per work week with an eight (8) hour workday each two (2) week pay period, four (4) / ten (10) hour workdays per work week, or three (3) / twelve (12) hour workdays per work week with an extra eight (8) hour workday for each two (2) week pay period. These assigned work schedules, even when negotiated through a Memorandum of Understanding may be altered by the Chief of Police, or his/her designee, to meet necessary staffing levels.

1034.1.3 MEAL / BREAK PERIODS

MEAL PERIODS

Meal periods shall not be taken before the first two (2) hours of the regular assigned work shift or after the last hour prior to the end of the regular assigned work shift, for any employee category.

1) Patrol Services: Employees within this category are entitled to one (1) thirty (30) minute meal period per shift. The meal period is paid and the employee must remain available for service during this time. The meal period must be authorized by the Watch-Commander or Police Dispatcher.

2) Investigative Services: Employees within this category are entitled to one (1) one-hour meal period per shift. The employee's regular work schedule is extended by one (1) hour to accommodate the unpaid meal period (i.e. Regular shift is 9-hours, but employee is scheduled for 10-hours). The meal period is unpaid and the employee does not need to remain available for service during the meal period unless the employee is in an on-call status.

3) Support Services: Employees within this category are entitled to one (1) one-hour meal period per shift. The employee's regular work schedule is extended by one (1) hour to accommodate the unpaid meal period (i.e. Regular shift is 9-hours, but employee is scheduled for 10-hours). The meal period is unpaid and the employee does not need to remain available for service during the meal period. The meal period must be pre-arranged with the employee's immediate supervisor and not every employee within a specific unit may be authorized to be out of service for the meal period at the same time.

4) Dispatch: Employees within this category are entitled to one (1) thirty (30) minute meal period per shift. The meal period is paid and the employee must remain available for service during this time. The meal period must be coordinated with the employee's immediate

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supervisor for relief of the current assignment, or with an additional scheduled employee within the same unit.

5) Administrative Services: Employees within this category are entitled to one (1) one-hour meal period per shift. The employee's regular work schedule is extended by one (1) hour to accommodate the unpaid meal period (i.e. Regular shift is 9-hours, but employee is scheduled for 10-hours). The meal period is unpaid and the employee does not need to remain available for service during the meal period.

BREAK PERIODS

Break periods shall not be taken before the first hour after the start of the regular assigned work shift or after the last hour prior to the end of the regular assigned work shift, for any employee category.

1) Patrol Services: Employees within this category are entitled to two (2) fifteen (15) minute break periods per regular work shift. The break periods are not to be taken consecutive to each other and the employee must remain available for service during this time. The break periods are at the employee's discretion when time and workload permits.

2) Investigative Services: Employees within this category are entitled to two (2) fifteen (15) minute break periods per regular work shift. The break periods are not to be taken consecutive to each other and the employee must remain available for service during this time. The break periods for employee's within this category must be pre-arranged with the employee's immediate supervisor or at the discretion of the employee with the immediate supervisor's approval.

3) Support Services: Employees within this category are entitled to two (2) fifteen (15) minute break periods per regular work shift. The break periods are not to be taken consecutive to each other and the employee does not need to be available for service during the break period. The break periods for employee's within this category must be pre-arranged with the employee's immediate supervisor or at the discretion of the employee with the immediate supervisor's approval.

4) Dispatch: Employees within this category are entitled to two (2) fifteen (15) minute break periods per regular work shift. The break periods are not to be taken consecutive to each other and the employee must remain available for service during this time. The break periods are at the employee's discretion, but must be coordinated with the immediate supervisor or additional staff to provide relief and/or available unit coverage.

5) Administrative Services: Employees within this category are entitled to two (2) fifteen (15) minute break periods per regular work shift. The break periods may not be taken consecutive to each other and the employee does not need to remain available for service during the break period. The break periods are at the employee's discretion when time and workload permits.

1034.1.4 MEAL PERIOD AND BREAK RESTRICTIONS

CITY LIMIT POLICY

All meal periods and breaks shall take place within the incorporated City limits of Barstow, with the following exceptions:

1) Sworn officers may take a meal period at his/her residence outside the City limits as long as the response time to an emergency radio call would not exceed ten (10) minutes.

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2) Any employee taking a non-paid lunch period may take his/her meal period at any location as long as the time constraint for the meal period is not jeopardized.

3) When an assignment takes the employee outside the City limits the meal period may be taken at that location.

NUMBER OF SWORN OFFICERS

No more than two (2) sworn officers may take a meal period or break period at the same time, at the same location. The Watch-Commander may make exceptions to this rule, but a backlog of calls is prohibited.

FAST FOOD RESTAURANTS

No sworn officer, while on-duty, in a marked police vehicle, should drive into or through the "Drive-In" or "Drive Thru" window of any fast food restaurant or compromise, in any way, his/her ability to respond to assigned calls during any meal or break period. An exception may be made when the officer has an obvious exit route and can respond to an emergency call without delay.