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This procedure is for internal use only and does not enlarge an employee's civil liability in any way. The procedure should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this procedure, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

Related Policies: Fair Labor Standards Act of 1938, Chief's Memo 2016-008
Applicable HI Statutes:

I. PURPOSE

The purpose of this Standard Operating Procedure (SOP) is to establish clear guidelines and procedures for compensation for all personnel within the Fire Department in reference to work performed during and outside of normal work hours. Additionally, this SOP is to maintain compliance with Fair Labor Standards Act of 1938 mandates regarding compensable time and to provide guidelines regarding work performed during and outside of normal work hours.

II. APPLICABILITY

This Policy is applicable to all personnel of the Hawai'i Fire Department.

III. PROCEDURES

1. Collective Bargaining Agreements: This SOP will fully reflect the terms and conditions agreed upon, ensuring that no aspect of the procedures will detract from, amend, or conflict with any provisions established through collective bargaining. The intent is to uphold the integrity of the agreements, with all operational practices and guidelines reinforcing the mutually agreed-upon standards, without introducing changes that would compromise or alter the terms negotiated between the parties.
2. Compensation: Compensation refers to the total package of wages, salaries, benefits, and other forms of remuneration provided in exchange for their service. This includes base pay, overtime, hazard pay, health and retirement benefits, leave entitlements, and any other financial or non-financial incentives outlined in employment contracts or collective bargaining agreements. Compensation is structured to recognize the responsibilities, risks, and skills required for fire service roles while complying with applicable laws, policies, and negotiated agreements.
3. Policy:
 - a. Before any work is performed outside of an employee's normal work shift, the employee must first request and obtain authorization through the chain of command. Employees must request authorization through the chain of command to the on-duty Battalion Chief or Bureau Chief. A failure to request and obtain such authorization will be investigated and may result in disciplinary action.
 - b. In the event that the circumstances prevent an employee from first obtaining prior authorization before engaging in work outside the employee's normal work hours, the employee shall request and obtain authorization through the chain of command as soon

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as possible. A failure to request and obtain authorization in a timely manner will be investigated and may result in disciplinary action. On-duty Company Commanders shall continue to have authority to authorize employees to perform work outside their normal work hours in limited circumstances (including, but not limited to, authority to authorize fire fighters to respond to late alarms and to perform maintenance related to late alarms).

- c. Each employee shall be responsible for recording the dates worked and the actual hours worked on his/her timesheet. Each employee shall record all hours worked on his/her timesheet, even if the employee neglected to request and obtain authorization to perform work outside his/her normal work hours. On-duty Company Commanders shall be responsible for checking and coding the timesheet.
 - Once the timesheet is prepared, the employee shall review before signing the timesheet for accuracy purposes. If the timesheet is not accurate, the employee shall inform the on-duty Company Commander of any errors or omissions so that the correction can be made prior to signing of the timesheet. If the employee becomes aware of an error or omission on his/her timesheet after the employee has signed the timesheet, the employee shall inform the on-duty Company Commander.
 - If an employee is not able to personally review and sign his/her timesheet before it is submitted, the on-duty Company Commander shall print
 - "UNAVAILABLE" in the signature block for the employee and shall make a copy of the timesheet.
 - When the employee returns to work, the employee shall review the copy of the timesheet, and if the timesheet is accurate, the employee shall sign his/her name, print the date on the copy, and give the copy to the on-duty Company Commander who shall then submit it to the Fire Department's Fiscal Section via the chain of command. If the timesheet is not accurate, the employee shall inform the on-duty Company Commander of the error or omission, and the on-duty Company Commander shall correct the error or omission after verifying the error or omission. The employee shall then be sent the corrected timesheet for review and signature, and the signed timesheet shall be sent back to the Fiscal Section for processing.
- d. If work is verified as actually having been performed, the employee will be paid for the time worked, unless otherwise authorized for compensatory time by the Fire Chief or Deputy Fire Chief. However, if an employee fails to obtain authorization to perform work outside of the employee's regular work hours or fails to follow these required reporting procedures, the employee will be investigated and may be disciplined for violation of this Policy.
 - If the on-duty Company Commander has reason to believe that the work was not performed and/or that the hours reported are not accurate, the on-duty Company Commander shall advise the on-duty Battalion Chief or Bureau Chief. The appropriate Assistant Chief shall investigate the matter and report his/her findings and conclusions to the Deputy Fire Chief. The Deputy Fire

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Chief shall determine whether or not the work was performed, whether or not the hours reported were accurate, and whether or not the time spent performing the activity in question is compensable.

- e. For purposes of this policy, the term "firefighters" refers to all employees who hold any Bargaining Unit 11 position and any Excluded Managerial position associated with Bargaining Unit 11. Unless specifically stated otherwise, the term "employees" includes all fire fighters, Water Safety Officers and non-exempt civilian personnel.

4. Procedures and Policies Regarding Specific Circumstances: The following procedures pertaining to work circumstances shall remain in effect until the corresponding Hawai'i Fire Department Rules and Regulations and Procedures Manual are revised. In the interim and in the event of a conflict between this policy and the Rules and Regulations and Procedures Manual, this policy shall prevail.
 - a. No work to be performed prior to the start of the shift without prior authorization.
 - Employees shall be properly attired at the start of their respective shifts. Employees may dress for work at their work location upon start of the work shift.
 - Prior to the start of their shift's employees shall not perform any work unless they have first requested and obtained authorization through the chain of command.
 - b. No work to be performed after the end of the shift without prior authorization.
 - After the end of their shifts, employees shall not perform any work, including but not limited to reviewing e-mail, checking equipment, exchanging information, or completing paperwork, unless (1) they are requested to remain beyond their normal work hours by the on-duty Company Commander, or (2) they have first requested and obtained authorization through the chain of command.
 - Employees who are held over due to late alarms, personnel shortages, or other reasons shall be paid for the actual amount of time they were held over, or the amount of time specified in the applicable collective bargaining agreement (if any), whichever is higher.
 - c. Working through meal periods (not applicable to fire fighters in operations)
 - Employees who receive unpaid meal periods shall not perform any work, including but not limited to performing any paperwork or computer work, during his/her meal period unless the employee first requests and obtains authorization through the chain of command.
 - minutes during which the employee is free from work-related interruptions for an unpaid meal period, the employee shall be paid for the missed or interrupted meal. An employee is required to first request and obtain authorization through the chain of command before he/she cuts an unpaid meal period short.
 - d. Completing paperwork or other similar duties before or after shift.
 - Employees who are unable to complete their paperwork (including, but not limited to, reports), computer work (including, but not limited to, e-mail), and other similar duties that must be completed that day during their normal work

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hours must request and obtain authorization through the chain of command before performing paperwork, computer work, or any other similar duties outside their regular work hours.

- e. Equipment checks and maintenance.
 - All maintenance and/or checking of equipment must be done during an employee's normal work hours. If an employee believes the equipment check or maintenance cannot be completed during normal work hours, the employee must first request and obtain authorization through the chain of command before spending off-duty hours on such activities.
- f. Exchange of work-related information with incoming or outgoing shift (applies to fire fighters in operations only).
 - Any work-related information that needs to be exchanged between incoming or outgoing shifts will be communicated through the Company Commanders of the incoming and outgoing shifts and through the station logbook. Therefore, before the end of their shift, all outgoing fire fighters must brief the outgoing Company Commander on any information, memos or other documents that need to be exchanged with the incoming shift. Company Commanders must also log the information in the station logbook before the end of the shift.
 - After the shift has begun, the incoming Company Commander shall discuss the information logged in the station logbook with the incoming fire fighters. The incoming Company Commander shall also discuss any pertinent memos or other documents with the incoming fire fighters. All exchange of information for incoming fire fighters should occur by way of the sharing of information by the incoming Company Commander with the incoming firefighters and the review of written memos, logbooks, or other documents provided by the outgoing shift, both of which shall only occur during normal work hours of the incoming shift. However, if an outgoing Company Commander or fire fighter believes it is necessary to exchange information directly with an incoming Company Commander or fire fighter from an incoming shift, he/she must first request and obtain authorization from the on-duty Battalion Chief each time he/she wishes to engage in a face-to-face information exchange and the exchange time will now be compensable. The Company Commander shall be prepared to provide the on-duty Battalion Chief with a detailed explanation of the reason(s) why he/she believes a face-to-face information exchange is necessary and an estimate of the amount of time needed for the face-to-face information exchange.
 - There is no standing order authorizing face-to-face information exchanges between Company Commanders or fire fighters. If the on-duty Battalion Chief approves the request for a face-to-face information exchange, the outgoing Company Commander or fire fighter shall record on his/her timesheet the actual time spent exchanging information with the incoming Company Commander or fire fighter. In all instances, Company Commanders and fire fighters who wish to exchange information outside of their regular work hours

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must first request and obtain authorization through the on-duty Battalion Chief before spending off-duty hours on such activity.

- g. Purchasing provisions for meal preparation (applies to fire fighters in operations only).
 - The Company Commander may also authorize one or more members to purchase provisions for company meals during normal work hours. To enable the Department to maintain minimum staffing requirements, any member who is authorized to purchase provisions for company meals shall do so using the utility vehicle assigned to his/her station. In the event that there is no utility vehicle assigned to the station, the on-duty Company Commander may authorize the entire company to purchase provisions for company meals immediately before or after a scheduled training exercise. All members who will be participating in the purchase of provisions for company meals outside the company's assigned response area must receive prior approval from the on-duty Battalion Chief.
- h. Participating in or preparing for Department-required training.
 - Employees who are required to participate in or required to prepare for a training course, including any study related to Department-required training, shall do so during their normal work hours. Employees shall provide advance notice to the on-duty Company Commander of their need for regular work time to participate in or prepare for a training course.
 - No employee shall participate in or prepare for a training course outside the employee's normal work shift without first requesting and obtaining authorization through the chain of command. All employees who attend Department-required training shall sign in on the appropriate sign-in sheet. Training instructors shall be responsible for preparing sign-in sheets and submitting the sign-in sheets immediately following the training course to the Training Division Captain.
- i. Cleaning of PPEs (applies to fire fighters only).
 - Fire fighters assigned to stations with extractors shall clean their personal protective equipment (PPE) while on duty during regular work hours. Fire fighters assigned to stations without extractors are not expected to personally take their PPEs to stations with extractors or to personally run their PPE through the extractors nor to personally take their PPE to an Independent Service Provider (ISP). Cleaning of PPEs for fire fighters assigned to stations without extractors shall be coordinated by the Company Commander or other designee as determined by the on-duty Battalion Chief. If a fire fighter's PPE becomes soiled, the firefighter shall inform the on-duty Company Commander that his/her PPE requires cleaning. The on-duty Company Commander shall then contact the on-duty Battalion Chief. The on-duty Battalion Chief shall make arrangements of a designee for the pickup the soiled PPE from the station, the cleaning of the PPE, and the delivery of the cleaned PPE back to the fire fighter's station.

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- To minimize the risk of cross-contamination, the designee, rather than the personnel at the stations with extractors, shall load the soiled PPE into the extractor. Once the soiled PPE is loaded into the extractor, personnel at stations with extractors shall provide the designee with instruction, guidance, and assistance in the operation of the extractor.
 - While PPEs are at the extractor, fire fighters shall use the second set of PPEs provided to them. Spot cleaning of PPE shall be performed while on duty during regular work hours. In the event that spot cleaning of PPE must be performed outside regular work hours (for example, where a fire fighter's PPE becomes soiled during a late alarm), the firefighter shall request and obtain authorization through the chain of command to spot clean the PPE before engaging in such activity.
- j. Transporting employees, equipment and supplies.
- Employees, equipment, and supplies shall only be transported by authorized personnel during their normal work hours. If an employee believes that transporting employees, equipment or supplies outside normal work hours is necessary, the employee is required to first request and obtain authorization through the chain of command before engaging in any transportation of employees, equipment or supplies outside the employee's normal work hours. The Employee shall be properly compensated for any overtime incurred. This policy also applies to the transportation of equipment in need of repair or cleaning to other fire stations or maintenance facilities. Employees are not authorized to transport equipment in need of repair or cleaning to another fire station or facility, nor to pick up supplies during off duty hours (including during their commute to and from their homes and the fire station), unless the employee first requests and obtains authorization through the chain of command.
 - Nothing in this section shall preclude employees from carpooling to or from work for their personal benefit and convenience. Carpooling itself is not compensable work time.
- k. Voluntary community service activities.
- Employees are prohibited from (a) performing any services on a volunteer basis to any department, division, or political subdivision of the County of Hawai'i where the volunteer services are the same or similar to the services that they are otherwise employed to perform for the department, (b) providing off-duty voluntary service as a representative of the Department, or (c) volunteering to participate in and off-duty activity as a representative of the Department.
 - If the Department seeks to have an employee participate in an off-duty activity as a representative of the Department, the Department shall authorize, in writing, the off-duty participation. The time spent in the activity must be reported to the on-duty Company Commander and recorded on the employee's

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timesheet. Such time shall be regarded as compensable work time and subject to the requirements of section I above.

- Nothing in this section shall preclude employees from participating in civic and/or charitable activities that are for the benefit of outside organizations or individuals. For example, employees may speak at "career days" at their children's schools, attend neighborhood board meetings as members of the community in which they live, participate in church fundraisers, pass out water at charity walks, and serve meals at local soup kitchens.
 - Likewise, nothing in this section shall preclude employees from participating in community service activities for civic, charitable, or humanitarian reasons, without promise, expectation, or receipt of compensation for services rendered. Thus, employees may volunteer to participate in community service activities such as the "Fill the Boot" program sponsored by the IAFF or other similar charitable events.
 - Finally, nothing in this section shall preclude employees from performing volunteer services to the County of Hawai'i where their services are offered freely and without pressure or coercion, provided that the volunteer service provided by an employee are not the same type of services which the employee is employed to perform for the County. For example, a fire fighter could serve as a volunteer youth leader in a Hawai'i County Department of Parks and Recreation summer program, and a clerk could volunteer to provide first aid services at a County event, provided that their services were offered freely and without pressure or direct or implied coercion. On the other hand, a fire fighter could not volunteer to provide Emergency Medical Service (EMS) services at a County event because such services would be of the same type as the services the fire fighter is employed by the County to perform. The examples listed in this section are for purposes of illustration only and are not exhaustive.
1. Early relief (applies to fire fighters only).
 - A fire fighter may relieve a fire fighter on a previous shift prior to the scheduled starting time. This early relief must be a voluntary agreement between the two firefighters, but both fire fighters must request and receive authorization from their respective Company Commanders (or BC for Officers) before the early relief may take place.
 - All early relief must be recorded in the station logbook and must include the name of the Company Commanders and the firefighters who are involved in the early relief, as well as the appropriate date, start time and end time.
 - Where early relief takes place, the fire fighter being relieved early (the outgoing fire fighter) will be credited as if the outgoing fire fighter worked his/her normal work schedule for all purposes including regular compensation and calculation of benefits. The relieving fire fighter (the incoming fire fighter) will not be paid or credited for the period of time during which the incoming firefighter provided early relief to the outgoing fire fighter. The incoming fire

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fighter shall only be paid for the incoming fire fighter's regular work hours and other non-early relief work hours.

- Fire fighters who elect to participate in early relief are responsible for ensuring that early relief is reciprocated so that over a period of time both fire fighters work the same amount of time ordinarily provided by their normal work schedule and one fire fighter does not work more or less time than provided by his/her normal work schedule as a result of the early relief.

m. Substitution.

- Employees may request to substitute for each other's scheduled work hours in accordance with the Collective Bargaining Agreement, Section 11, SUBSTITUTION, and the HFD Procedures Manual Memorandum 2015-001.

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