

Q & A on Bethlehem Police Department (BPD) Overtime

Q – Why is the Town Board concerned about overtime in the Bethlehem Police Department?

Overtime expenditures for the Bethlehem Police Department (BPD) exceed \$600,000 annually and are high in comparison to other police departments by every measure available. Despite strong concern from multiple town boards, BPD overtime has been over-budget substantially for each of the past 10 years. Past efforts to rein it in focused on budget appropriations and proved to be ineffective because they did not address the root causes, including scheduling that did not match service needs (especially on weekends), as well as unsustainable time off practices. Over time, the expectation grew that time off requests would be granted without regard to whether it drove overtime or adversely affected coverage. These practices were generally undocumented, were not recognized in the Department's General Orders, prescribed in union contracts, or approved by the Town Board. The Town highly values its Police Department and workforce, but it is necessary to focus on overtime as major budgetary issue.

Q – Why is the Bethlehem Police Department's overtime considered to be high?

As has been demonstrated repeatedly in studies, budget reviews and newspaper articles, BPD overtime is very high. Here are some of the most significant benchmarks.

- In the Empire Center's [What they Make 2013-14](#), an independent review of local payrolls (including overtime) Bethlehem Police were ranked first, with the highest average pay of any town in the capital region (\$93,561); 36% above the regional average for towns, and also higher than police/fire salaries in any cities within the region (including Albany, Schenectady and Troy). This higher average was driven by overtime.
- A "[Benchmark Cities Survey](#)" shows that on average police department overtime is equal to 3.5% of regular pay. By that standard, BPD's overtime should be somewhere around 200,000, whereas it is in excess of \$600,000.
- A [Citizen's Budget Committee](#) in 2012 (including budget experts and other professionals) compared Bethlehem's police department to 5 peer departments in similar NYS suburban communities (Guilderland, Rotterdam, Manlius, Orchard Park & Vestal); BPD's overtime was significantly higher than each of these departments, with 3 of these 5 departments spending in the area of \$200,000 annually, or roughly 1/3 the amount BPD spends on overtime. Updated figures from 2015 budgets show a similar picture.
- The Albany Times Union annually runs stories on local payrolls and overtime. While newspaper articles focus on disclosure and do not necessarily contain comparable data for all municipalities, here are some significant points from the various stories this year:
 - Overtime pay put 10 Bethlehem police officers over the \$100,000 mark, with 4 of these personnel being the highest paid town employees.
 - Bethlehem's police overtime spending exceeded Guilderland's by 27% in 2014; Guilderland is our closest peer and in addition to having a major murder case in 2014, has a special arrangement for coverage of Crossgates Mall which drives overtime.
 - Bethlehem had 6 police (3 sergeants & 3 patrol officers) making over \$25,000 in overtime.

You can view the data for yourself via the Times Union's Bethlehem Blog which lists [overtime and total compensation for all town employees](#).

Q – Are the Bethlehem Police facing budget cuts?

No. The 2015 budget increased funding for BPD and maintained personnel at 37 sworn officers and 3 civilians; this is the same level that BPD has been budgeted at for 3 years. Budgets have been tight, but over the past 5 years BPD's budget has *increased* 4.78% whereas the overall General Fund budget has *decreased* 1.36% and the total town budget including highway, water, sewer and ambulance/EMS funding has gone down 4.67%.

Budget	2010	2011	2012	2013	2014	2015	2010-2015
Police Department	5,921,387	6,182,723	6,340,476	6,097,402	6,148,805	6,204,424	4.78%
Police, Dispatch & Animal Control	7,172,110	7,372,457	7,546,455	7,210,342	7,301,815	7,333,447	2.25%
Town General Fund	18,058,097	17,801,327	18,228,095	17,672,658	17,994,499	17,812,794	-1.36%
Town Budget (all funds)	41,610,031	41,189,000	40,170,311	39,120,859	39,583,348	39,667,492	-4.67%

A – How many officers are in Bethlehem's Police Department? Has this changed over time?

BPD has 37 sworn officers, which has been the budgeted level for three years. This includes 6 sergeants and 20 patrol officers, a 7-person detective office headed by a Detective-Sergeant, and including two school resource officers and a juvenile detective who teaches DARE among other duties. Command staff includes the Chief, two lieutenants and an officer covering IT and communications. Additionally, there are 3 civilian clerical/administrative staff and an animal control officer. As of today, all budgeted positions are filled, but over time the filled level often varies.

BPD unions are saying police positions have been cut by 16% from 44 to 37 police officers, but that figure is not described (i.e., when did this take place?) and does not appear to be accurate. It is true that in some prior periods BPD staffing was higher, with the high points being 2007 and 2008 when there were 41 officers at year end. Government employment has generally declined since that time, as has Bethlehem's workforce, and other components of the town workforce are down proportionally more than the Police Department. For example, over the 10 years since 2005, the overall town workforce is down 8% whereas the BPD is down 5%. Complete background figures are provided in the Town Comptroller's [budget staffing table](#). At 37 members the BPD is staffed higher than Guilderland and other comparable town police departments (see the report on the Police Department from the [2012 Citizen's Budget Advisory Team](#)).

Q – What are the changes the Town has implemented to rein in overtime?

Four major actions took place at the beginning of calendar year 2015:

- An improved patrol schedule was implemented for officers and sergeants that better matches staffing to peak service needs, particularly weekends and court nights, and also includes the addition of a sixth road patrol sergeant (by reassigning an administrative position).
- Stricter adherence to General Order 58 (issued in 1990) was instituted, which requires officers to ask for time off well in advance and provides no guarantee that time off requests will be accepted.
- A doctor's note is required for sick time lasting two days or more (previously it was 3 days).
- Monthly reports are going to the Board on overtime use, and there is a continuing management focus on ways to reduce routine, non-emergency overtime usage.

These changes will help bring overtime to a more sustainable level, and will likely bring overtime within the current budget appropriations. Over the first four months of 2015, overtime has been reduced by 27%.

Q – How much is spent on Police Department Overtime?

BPD actual overtime (hours and dollars) is provided below. BPD overtime spending has been above the budgeted amount substantially every year for the past 10 years, as shown below:

Year	Sworn Officers (end of year)	OT Hours	OT Budget	OT Spending	% Spending Over Budget
2005	39	10,238	\$375,000	\$413,919	10.4%
2006	39	11,123	\$400,000	\$486,477	21.6%
2007	41	11,185	\$425,000	\$513,849	20.9%
2008	41	11,454	\$400,000	\$557,181	39.3%
2009	39	11,159	\$450,000	\$553,789	23.1%
2010	40	11,464	\$449,680	\$569,300	26.6%
2011	40	11,695	\$500,300	\$592,300	18.4%
2012	36	11,006	\$439,943	\$569,554	29.5%
2013*	36	12,572*	\$439,129	\$666,211*	51.4%
2014	37	11,571	\$498,529	\$605,911	24.5%

* Note: 2013 OT is skewed by a single major private overtime detail, where security was reimbursed by a private company. "Private duty" overtime such as this is not included in pension calculations by the State Comptroller and no longer permitted in Bethlehem.

Q – Is the high overtime level in the Bethlehem Police Department overtime caused by short staffing?

No. While in some circumstances overtime can be driven by temporary staff absences, data on BPD overtime demonstrate that overtime is usually higher when there are more police officers. At the high point for the BPD staffing in 2007-08, when there were 41 sworn officers serving and overtime was about the same then – over 11,000 hours. Salaries have increased since that time raising the dollar cost, but the usage of overtime certainly hasn't gone up with fewer officers (there are 37 today).

A closer inspection of disaggregated data demonstrates that BPD overtime costs usually go up when there are more officers on the force. For example, the chart below shows overtime for patrol officers (red line) in comparison to number of patrol officers (blue line).

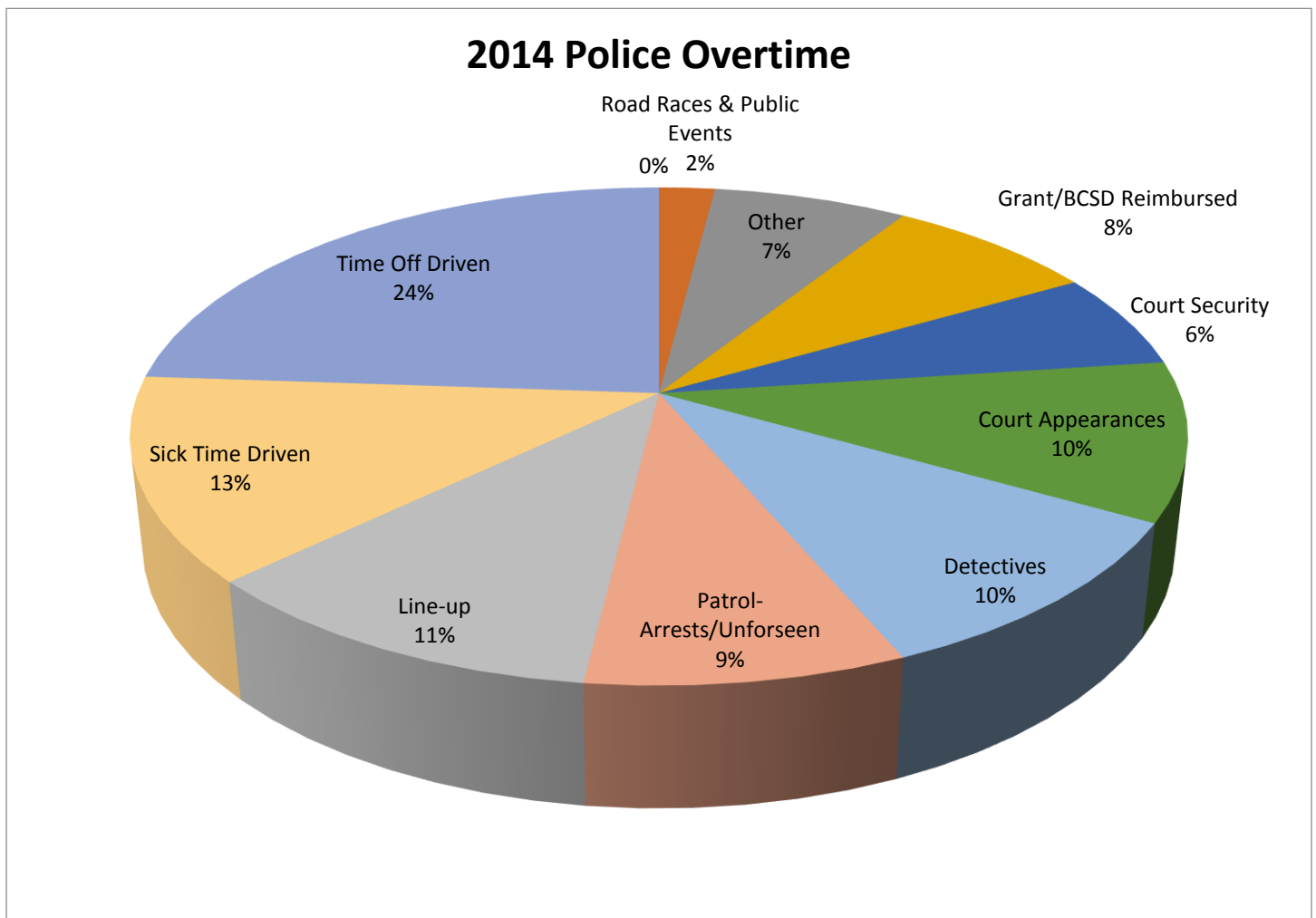


Note: 2013 OT (the upward blip) was skewed by a single major private overtime detail, where security was reimbursed by a private company. "Private duty" overtime such as this not accepted as pensionable income by the Office of the State Comptroller and is no longer permitted in Bethlehem.

Q – What types of activities drive police overtime?

At least half of BPD overtime is driven by continuing and routine causes that can be dramatically reduced or even eliminated through better scheduling, planning and time off practices. These are the categories we are focusing on for reduction, and if successful it will bring BPD into line with norms and peer departments.

As shown in the pie chart below for 2014 overtime, 24% was driven by discretionary time off requests (filled in by replacement officers on overtime), 13% by sick time replacements, and 11% is attributable to line up pay (15 minutes of additional duty daily paid at overtime rate for each patrol officer and sergeant). The major actions taken to date focus on the first two of these; lineup pay is a negotiated item and can only be addressed through contract negotiations. It is noteworthy that the overtime driven by arrests, emergencies and other unforeseen causes represents only 9% of the total, and all types of overtime for Detectives total just 10%. Court appearances represent 10% and court security represents 6%. Overtime in many of these areas can be reduced through more effective management, although some amount of overtime is entirely necessary and expected. The activities funded by state or federal grants or reimbursed by the Bethlehem Central School District represent only 8% of overtime.



Q – What is the average cost for a Bethlehem Police Officer?

In 2014, \$142,117 was the overall average cost, including salary, overtime and benefits/fringe costs.

The table below lists average amounts for actual pay and compensation costs in 2014. Command staff include the Chief and two lieutenants; all other personnel are grouped by rank. In 2015, these costs will increase with inflation in fringe benefits and it is also likely that a collective bargaining agreement will provide for higher salary levels. The overtime averages should go down as a result of the overtime control initiatives.

		Regular Pay	Overtime	Total Pay	Fringe Benefits/ Costs	Total Compensation Costs
Total	37	79,097	16,712	95,809	46,307	142,117
Command Staff	3	109,020	-	109,020	54,948	163,967
Sergeants	7	87,577	24,607	112,184	54,316	166,500
Detectives	6	82,510	15,083	97,593	49,107	146,701
Police Officers	21	70,893	16,937	87,830	41,529	129,359

Q – Are the overtime control initiatives reducing costs?

Yes. So far this year, costs are down 27%. Overtime costs and hours are reported every two payroll periods (roughly a month), and further management reports are in development. Additionally, the BPD and town management staff will examine additional methods of reducing non-emergency overtime.

Change in Overtime Dollars and Hours 2014 to 2015

Payroll Period Starting/Ending	2014 Actual Dollars	2015 Actual Dollars	% Change	2014 Actual Hours	2015 Actual Hours	% Change
1/11-2/7	49,121	35,360	-28.0%	927	687	-25.8%
2/8-3/7	46,514	36,239	-22.1%	909	704	-22.5%
3/8-4/4	47,052	28,774	-38.8%	853	541	-36.6%
4/5-5/2	38,924	31,976	-17.9%	718	611	-14.9%
5/3-5/30						
5/31-6/27						
6/28-7/25						
7/26-8/22						
8/23-9/19						
9/20-10/17						
10/18-11/14						
11/15-12/12						
12/13-1/9						
	\$181,611	\$132,349	-27.1%	3,406	2,544	-25.3%

Q – Is the Town only looking at Police overtime?

No, we've also made changes in other departments. This year a new time and attendance system was implemented for all other town employees that requires a computer or fingerprint sign in and out, systematizes timekeeping and time off approvals, and greatly improves efficiency. We also reviewed policies across other departments and brought non-conforming practices into compliance. However, the Police Department represents about half of overtime in the town (more if we count emergency dispatch), and it is the only town department that has been over budget for 10 years straight. Highway and DPW generally go up and down with weather and other special circumstances.

Department	2014		2013		2012		2011		2010	
	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual
Police	500,392	608,294	440,629	668,158	444,377	571,415	544,023	594,218	548,850	570,827
Dispatch	120,059	121,108	107,660	138,936	100,129	97,009	102,457	99,462	104,395	98,443
Highway	299,064	231,394	276,938	296,673	286,059	234,913	240,741	313,596	353,897	279,811
Water	154,495	201,511	160,320	149,567	161,790	140,406	166,132	169,751	177,094	169,574
Sewer	85,062	96,712	86,916	85,194	86,424	77,969	87,915	104,529	97,201	96,491
Others	69,636	74,521	28,450	35,296	28,300	28,443	32,063	30,246	53,452	44,696
Total OT	\$ 1,228,708	\$ 1,333,539	\$ 1,100,913	\$ 1,373,823	\$ 1,107,079	\$ 1,150,157	\$ 1,173,331	\$ 1,311,802	\$ 1,334,889	\$ 1,259,842

Q – How is the overtime controversy related to Collective Bargaining?

The Town has been in negotiations with the police unions since last year (contracts expired at the end of 2014, and the period covered in the negotiations runs from 2015 to 2017). There are two unions: one that covers supervisors and one that covers police officers and detectives (PBA).

Some portion of overtime is driven by collective bargaining contracts, such as "lineup" provision providing for 15 minutes of overtime pay for officer and sergeant before each patrol shift. Other contract provisions have an impact on overtime, but almost every category of overtime is subject to management approaches that can control the expenditure.

The actions taken this year to control police overtime expenses include scheduling changes, more stringent enforcement of existing General Orders regarding time off and sick leave procedures, and improved reporting and accountability measures. While we believe that these actions do not violate any collective bargaining agreement provisions, the Unions have filed a number of grievances and improper practice complaints with the NYS Public Employment Relations Board (PERB) which we will need to resolve – close to 20 overall, between both police unions. Moreover, the PBA tied any progress in negotiations to the Town's concession on their grievances.

The issue is therefore very much involved in the negotiations. Apparently in reaction to the overtime controls, the PBA (officer & detectives union) has hired a public relations firm, purchased lawn signs and is publishing full page advertisements in local advertising flyers. The PBA has also abandoned negotiations, declared impasse and accordingly the Town and PBA have entered the mediation process required under state law. The PBA's impasse declaration of March 23 stated: "The major issues causing the impasse relate to the town's desire to limit overtime."

While the Bethlehem Town Board values the Town Police Force and respects the officers' right to bargain collectively, we have the responsibility to review expenditures and management policies. We would prefer that the PBA were to return to the bargaining table, and we hope that all parties are ultimately able to reach agreement on fair contracts.