



# KING COUNTY

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

## Signature Report

### Motion 15455

**Proposed No.** 2019-0241.1

**Sponsors** Balducci

1           A MOTION acknowledging receipt of a report detailing the  
2           department of adult and juvenile detention's causes of  
3           mandatory overtime and recommendations for how to  
4           reduce mandatory overtime in compliance with the 2019-  
5           2020 Biennial Budget Ordinance, Ordinance 18835,  
6           Section 52, Proviso P5.

7           WHEREAS, the 2019-2020 Biennial Budget Ordinance, Ordinance 18835,  
8           Section 52, Proviso P5, requires the executive to transmit a report detailing the  
9           department of adult and juvenile detention's causes of mandatory overtime and  
10          recommendations for how to reduce mandatory overtime, and a motion acknowledging  
11          receipt of the report, and

12          WHEREAS, Ordinance 18835, Section 52, Proviso P5, provides that \$250,000  
13          shall not be expended or encumbered until the receipt of the report required by the  
14          proviso is acknowledge, and the motion accompanying the report is passed, and

15          WHEREAS, the council has reviewed the report submitted by the executive;

16          NOW, THEREFORE, BE IT MOVED by the Council of King County:

17          The receipt of the report detailing the department of adult and juvenile detention's  
18          causes of mandatory overtime and recommendations for how to reduce mandatory



19 overtime, which is Attachment A to this motion, is hereby acknowledged in accordance  
20 with Ordinance 18835, Section 52, Proviso P5.  
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Motion 15455 was introduced on 6/12/2019 and passed by the Metropolitan King  
County Council on 7/17/2019, by the following vote:

Yes: 9 - Mr. von Reichbauer, Mr. Gossett, Ms. Lambert, Mr. Dunn,  
Mr. McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles  
and Ms. Balducci



KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

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Rod Dembowski, Chair

ATTEST:

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Melani Pedroza, Clerk of the Council

**Attachments:** A. DAJD Report Detailing the Causes of Mandatory Overtime and Recommendations for  
how to Reduce Mandatory Overtime



**Attachment A**

**DAJD-Motion and Report Detailing the Causes of Mandatory Overtime and Recommendations for how to Reduce Mandatory Overtime, in Compliance with Ordinance 18835, Section 52, Proviso P5.**

**Introduction**

In response to Ordinance 18835, Section 52, Proviso 5, the Department of Adult and Juvenile Detention (DAJD) submits the following report describing the causes of mandatory overtime in the department and making recommendations for how to reduce mandatory overtime. The Proviso specifically asked the King County Executive to submit a report that includes:

- (A) The causes of mandatory overtime; and
- (B) Recommendations for how to address the causes of mandatory overtime identified in the report and reduce its usage.

**Executive Summary**

Overtime within the Department of Adult and Juvenile Detention has been extensively investigated over the previous three to four years. Working with our partners in the County, and with sustained assistance from the continuous improvement team, DAJD identified a number of root causes of officer overtime. Those causes include high and increasing levels of hospital guarding, a lengthy hiring process with high barriers, and contractual elements that increase the amount of leave that officers can utilize. The department's efforts to identify these causes and initial efforts to ameliorate the causes are summarized as well as a review of the current state of overtime and hiring.

The department's recent efforts at reducing officer overtime have focused primarily on hiring. Work has included efforts to both reduce recruiting barriers and also speeding up the overall hiring process. DAJD believes that a department-wide focus on hiring and making sure that all positions are filled with fully trained officers will do the most to decrease overtime use. DAJD is also engaged in exploring other methods of providing relief from high levels of overtime, such as better managing our contract population, and negotiating changes to the King County Corrections Guild's collective bargaining agreement.

**History**

DAJD's staffing and related overtime has been examined extensively in recent years in response to multiple County Council budget provisos, Executive initiatives, and through the regular course of budgeting, negotiating, and arbitrating new labor agreements with the King County Corrections Guild. In 2013, in response to a budget proviso, DAJD hired consultant CNA to evaluate staffing at the KCCF and MRJC. CNA noted that, "DAJD has largely implemented many of the recommendations that are consistent with good operational practice."

In 2015 and early 2016, in response to a budget proviso<sup>1</sup>, DAJD collaborated with the King County Continuous Improvement Team (CIT) to better understand the causes of overtime in the adult divisions and to look for improvement opportunities. The joint DAJD and CIT workgroup examined a number of likely factors influencing overtime, including hospital guarding, the fidelity of the department's Operations Forecast Model (OFM), vacancies, and leave use. The working group concluded that there is not one single factor that can be highlighted as the root cause for overtime. Rather, three drivers were identified: 1) the need for review of the inputs to the OFM tool; 2) increasing levels of specific duty posts,

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<sup>1</sup> King County Council Motion 17763 (December 6, 2016)

primarily related to high levels of hospital guarding; and 3) increased levels of vacancies, both from unfilled positions and increased leave (planned and unplanned) usage.

In response to a 2017 budget proviso<sup>2</sup>, DAJD and the CIT commenced a deep dive into each of the three overlapping drivers of overtime that were identified during the 2016 examination. DAJD and the Executive's Office engaged Rod Miller, a national expert on jail staffing to assist in examining the staffing model that supports the OFM. Recommendations for additional staffing or changes to staffing were made to Director William Hayes in advance of the 2019-2020 biennial budget process. Additional FTEs were requested during the budget process, but ultimately the decision was made to focus on efforts to increase hiring and arbitration with the King County Corrections Guild in early 2019.

With the support of the CIT, DAJD took up a Lean process to examine the hiring process for corrections officers. The goal of this Lean process was to reduce the time to hire a new corrections officer from six months, to 45 days. A number of hiring process steps were re-ordered, eliminated, or automated and DAJD HR was ultimately able to reduce the hiring process by nearly 100 days. The department continues to monitor the elapsed time from applications to offer, and while there is variation over individual recruitment cycles, we continue to see improvements in increasing the speed of hiring.

The department, in partnership with the CIT and Seattle-King County Public Health, Jail Health Services (JHS), also developed a problem solving workgroup to examine hospital guarding and transport. The goals of the group were to determine whether the number of transports to area hospitals could be reduced, as well as whether the time spent in long-term care at the hospital could also be reduced. The group determined that large reductions were not feasible without massive investment in infrastructure and medical hiring, amounting to building an emergency room in each jail facility. The group also determined that if communications between Jail Health and DAJD could be improved, it was possible that some small amounts of non-admission time in the emergency room might be reduced. Those changes have been implemented. In addition, the group recommended that new posts specifically dedicated to hospital guarding and transport be added, shifting hours from overtime to regular time hours. These dedicated posts were not ultimately added to DAJD's budget.

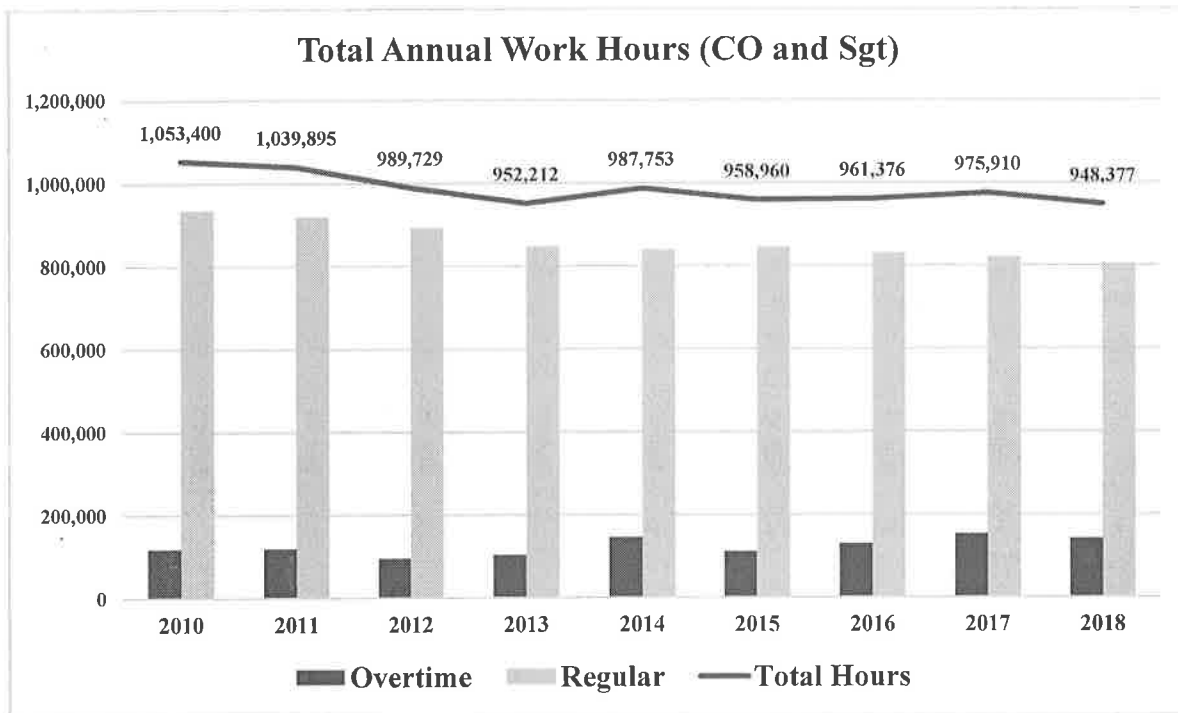
Finally, changes to the King County Corrections Guild's Collective Bargaining Agreement were proposed that the department believes will help control and reduce the level of mandatory overtime. The County and the Guild recently entered arbitration over their Collective Bargaining Agreement, specifically over the issue of a ceiling of the amount of compensatory time that an officer may earn. There is currently no cap and the comp time earned is continuously replenishable, leading to the use of high levels of leave.

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<sup>2</sup> King County Council Motion 15119 (April 9, 2018)

## Work Hours

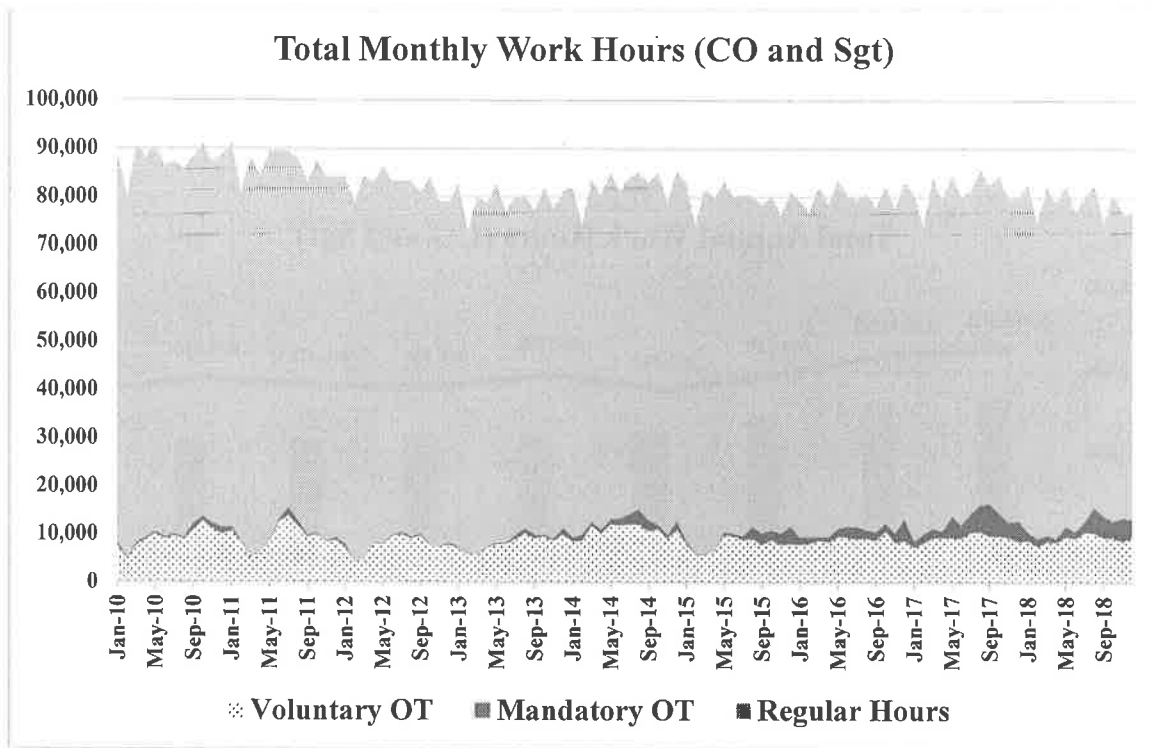
Staffing two continuously operating facilities requires a large number of officer hours. In order to safely operate the KCCF and MRJC buildings, a baseline number of posts are required and cannot be left unstaffed. Each post that must be staffed to operate the facilities safely requires a fully trained officer; whether those officers are working a regularly scheduled shift or an overtime shift, the work hours are necessary. Affecting the total number of work hours needed to staff and operate the adult jail facilities would require long-term elimination of posts, which means the permanent closure of housing units or wings of the facilities.



The total number of work hours that are needed to operate the KCCF and the MRJC for 24 hours a day, 365 days a year has fluctuated slightly over the last eight years, but as DAJD has implemented efficiencies and the average daily population has changed, the hours needed to operate the buildings has primarily trended down.

The chart displayed above provides details about the total number of hours worked by corrections officers and sergeants in the adult division over the past eight years. The chart also breaks down the total number of work hours, by the designation of whether they were worked on regular time or overtime. Over the past few years, the total number of hours has varied only by a few percentage points, but the mix between regular and overtime hours has shifted, with less of the hours being worked with regular hours.

The chart below further illustrates the mix of hours needed, month over month, to operate the KCCF and MRJC. It also breaks out the overtime hours into voluntary overtime and mandatory overtime. While the number of hours of mandatory overtime has increased over the past few years, it is still the smallest percentage of work hours that are utilized to operate the adult jails.



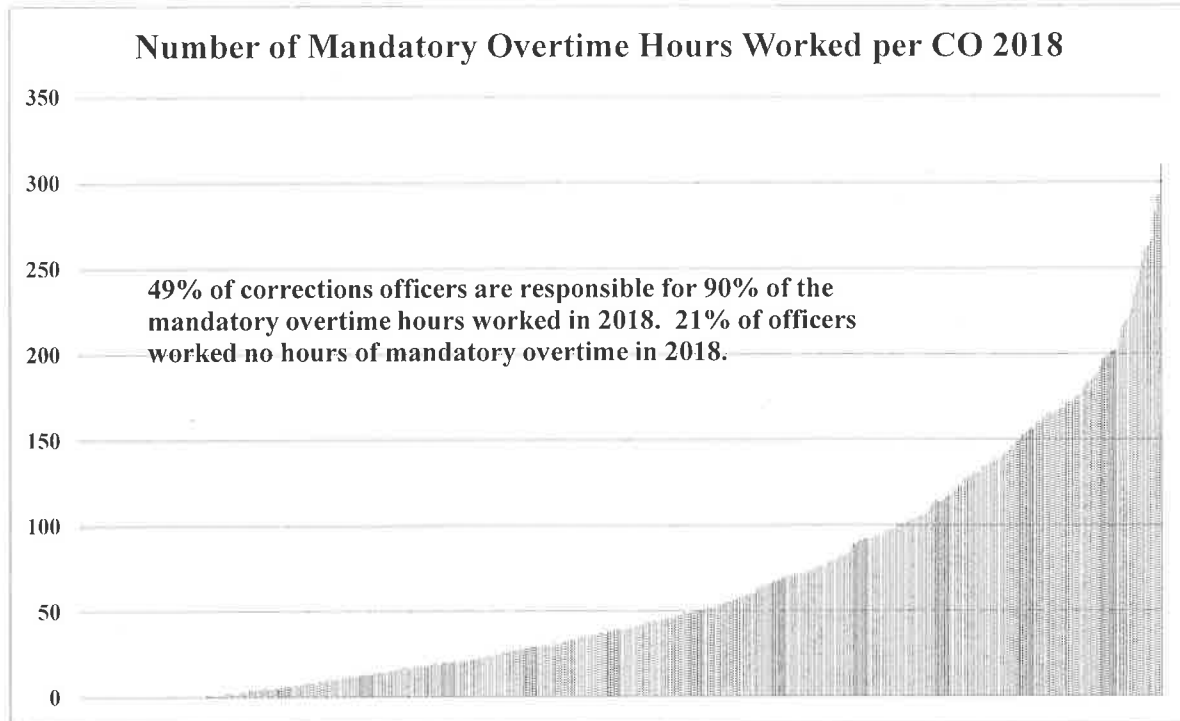
Fully staffing and operating a 24/7 facility requires a fairly standard number of hours to run. For the DAJD adult divisions, that total is somewhere between 950,000 and one million hours a year. This number of hours will be needed regardless of whether they are worked on regular time or overtime. Each officer is expected to contribute a certain number of hours to the total each year. This number is referred to as net annual work hours. An officer that works their normal schedule for all 52 weeks in a year, using no leave, contributes 2,187 to the total. However, we know that no officer works in this manner. The number of hours contributed to the whole is reduced through training hours, sick leave, holidays, and vacation, as well as many other leave types that are guaranteed by the County, state and federal law, or through collective bargaining agreements. These include jury duty, paid family leave, military leave, administrative leave, and compensatory time.

As our staff becomes more senior, they also earn more leave, which continues to reduce the number of hours that each officer contributes to the whole, which in turn means more staff is necessary to meet the 950,000 hours of need. When leave balances and use increases, those hours are often backfilled in each daily roster by overtime hours.

An issue that DAJD continues to monitor in relationship to the burden of mandatory overtime hours is the unequal distribution of mandatory hours. Due to the intricacies of the way mandatory overtime is assigned, differences in need between the facilities and rosters, seniority, leave use, and other operational and contractual practices, the burden of working mandatory overtime is borne by a small percentage of



corrections officers. The chart below shows that, in 2018, nearly half of all corrections officers (49%) worked less than 2% of their total hours of work as mandatory overtime. Further, 21% of corrections officers in 2018 worked zero hours of mandatory overtime. If the overtime burden were equally distributed, each corrections officer would have worked an average of 5 hours of overtime (voluntary or mandatory) per week in 2018.



### Contributors to Mandatory Overtime

As detailed above and in previous reports to the County Council, DAJD has documented a number of inter-related drivers of overtime. It is also important to recognize that the only difference between voluntary overtime and mandatory overtime is a willingness to work it. The next section of this report will focus the discussion on these known contributors to overtime; specifically, hospital guarding and vacancies (both unfilled FTEs and daily vacancies due to planned and unplanned leave).

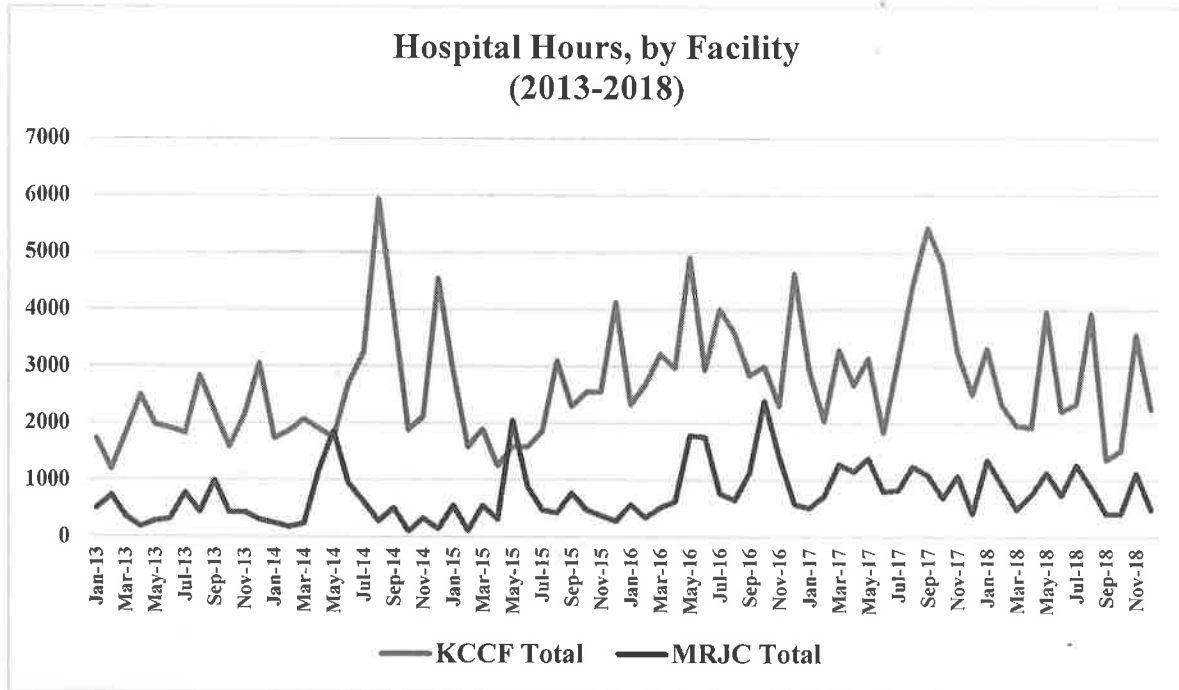
#### Hospital Guarding

As reported in our 2018 proviso response<sup>3</sup>, DAJD's Lean efforts to reduce the overall number of hours attributed to hospital work resulted in some communications efficiencies, but no possibilities for large-scale reductions. Inmates are admitted to King County's jail facilities with a myriad of health challenges that necessitate facilities and treatment that are not available in the jails, thereby requiring transport to a local hospital or clinic.

The number of hours devoted to the hospital has remained relatively stable over the last year at both KCCF and the MRJC. While there are large swings month to month in the total number of hours necessary to guard inmates in the community, the trends are steady over the last 12 to 18 months. Between January of 2017 and December of 2018, the monthly average of hours worked at KCCF was

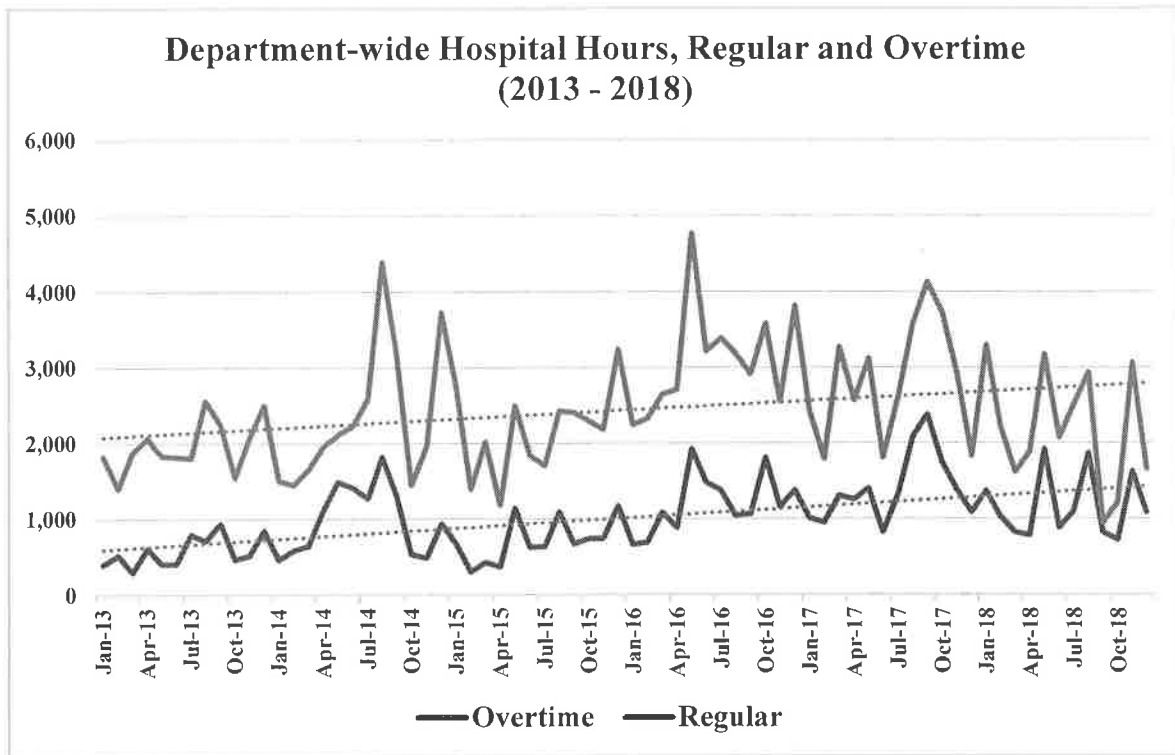
<sup>3</sup> King County Council Motion 15119 (March 9, 2018)

2,900 and 881 at MRJC. This average is up slightly over the eight-year average of 2,600 at KCCF and 700 at MRJC. Details of the hours worked for each facility are displayed in the chart below.



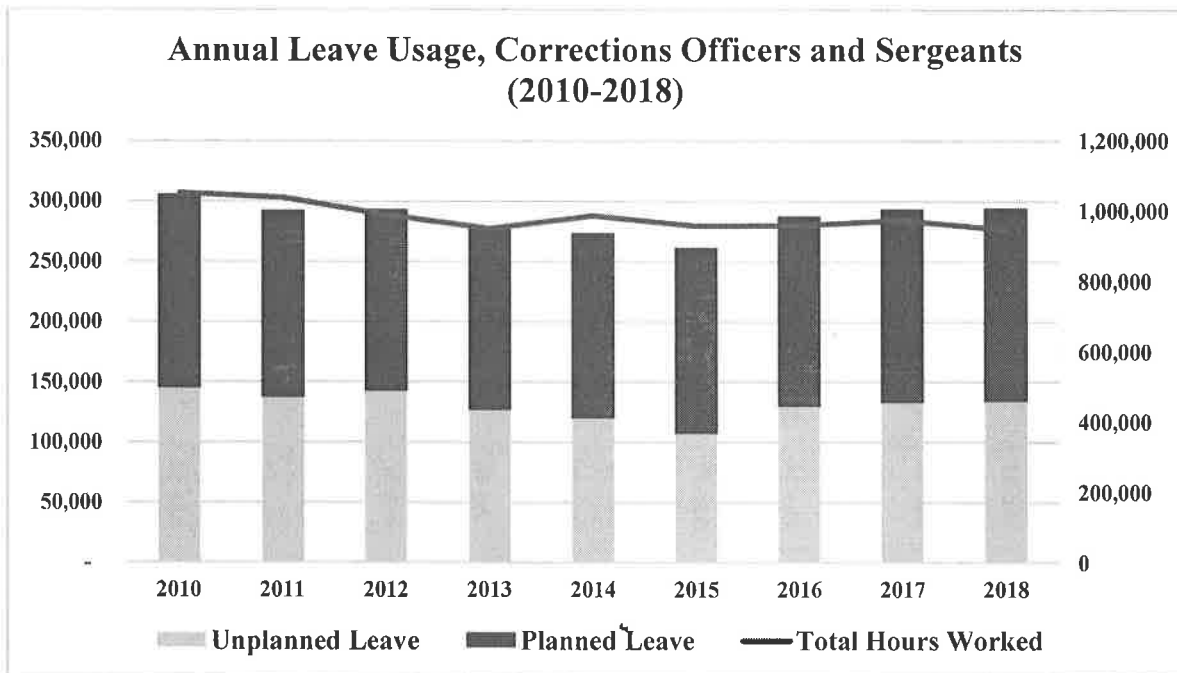
The large upticks in hours of hospital work are driven by one or a small number of inmates that have serious injuries or illnesses and require longer, overnight stays in the hospital. When inmates must be admitted to the hospital, requiring an officer 24 hours a day, hospital related hours accumulate quickly.

While the trends in hours worked have stabilized over the last few years, DAJD is still managing a large portion of the work of guarding inmates at the hospital using overtime hours. The chart below shows the hours of hospital work for both adult divisions, with the top line (gray) indicating the work accomplished on regular time and the bottom line (red) those hours worked on overtime. The dotted red lines show the overall trend for the past five years, which is increasingly slightly for both regular and overtime work.

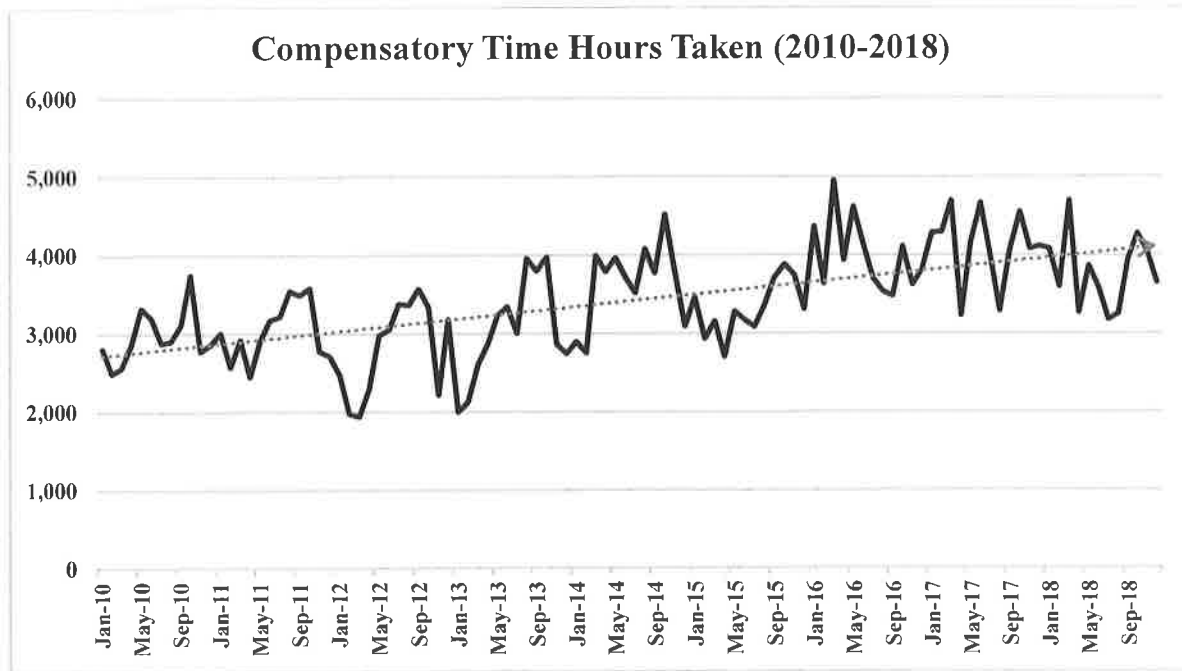


Patterns of Leave Usage

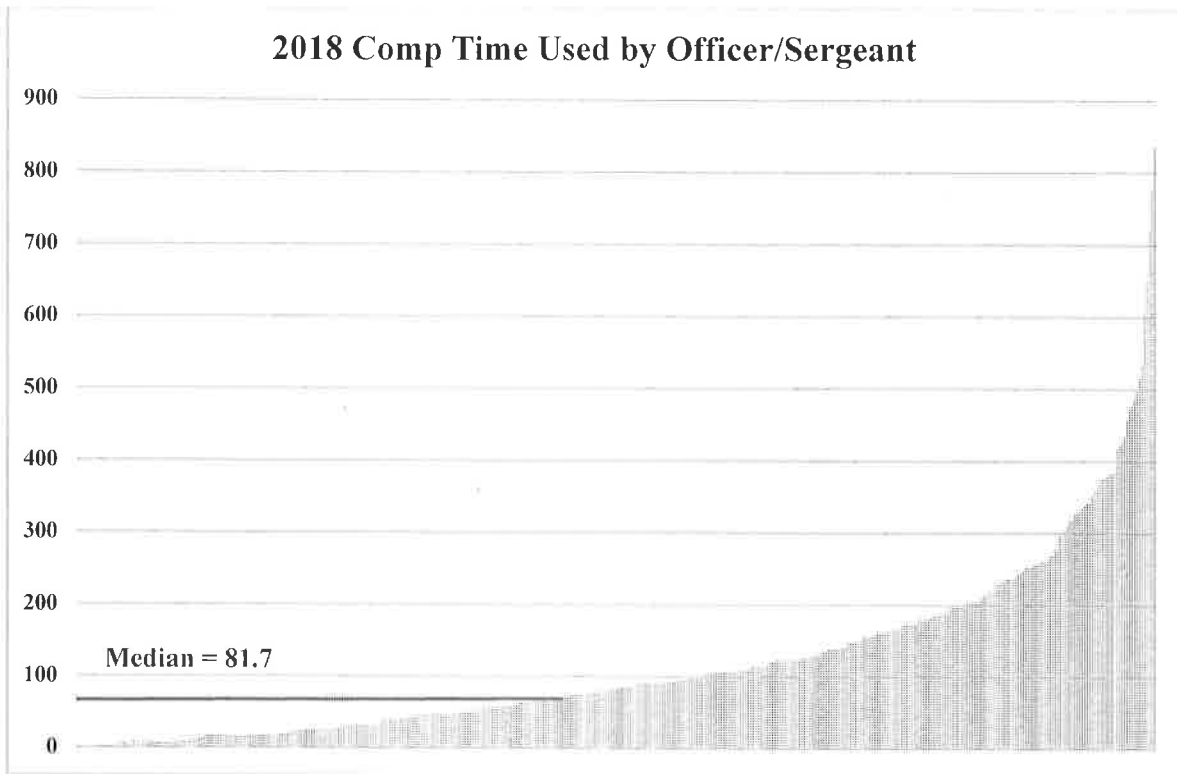
Total leave use has fluctuated over the past eight years, generally mirroring trends in total hours worked and the number of filled corrections officers FTEs. Planned leave hours, which are leave types that require the use of an available leave slot, have remained stable over the eight years at around 159,000 – 160,000 hours annually. The use of unplanned leave, which are things that cannot be planned for, such as sick leave, administrative leave, and military leaves or deployment, dipped significantly in 2015, driven primarily by low levels of administrative and military leave. Unplanned leave has increased slightly since 2015 across all categories of unplanned leave. The bar chart below provides details of annual use over time.



Obscured in these leave totals is a significant increase in the use of compensatory time over the past eight years. Compensatory time, often referred to as comp time, is earned when an officer or sergeant works overtime and rather than being paid for the hours at either time and a half or double time converts those hours to leave. Currently, there is no upper limit, or cap on the number of hours that an officer or sergeant may earn on comp time. This has recently been arbitrated as a contract issue.



In a similar pattern to the uneven burden of overtime hours, the accumulation and use of comp time is also significantly unbalanced among officers and sergeants. In the chart below, each vertical bar indicates an officer that used some increment of comp time in 2018. The horizontal red line indicates the median number of hours of comp time used in 2018. What this illustrates is that, much like the distribution of mandatory overtime, the use of comp time is uneven across the workforce. More than half of the workforce used 10 days or less of comp time in 2018, while on the other end of the distribution were officers that used over 100 days of comp time. The top quarter users of comp time used nearly 32,000 hours of comp time in 2018.



Whether comp time is a cause of overtime or the effect is unclear. An officer must work overtime to earn comp time, but, when comp time is utilized, overtime is often necessary to fill that schedule vacancy. Unravelling the coverage necessary for vacant shifts is difficult and imperfect, because sometimes additional staff is called in, and sometimes the roster can be managed within existing resources. Determining this is more art than science, and driven primarily by the decision making of the shift captain. Given the constantly replenishing, and non-capped comp time balances in the current Guild contract, planning for how much leave will be utilized in a month, or over a year, and on what days, is extremely difficult.

#### Vacancies

DAJD, like many other public safety agencies in the region, has continued to struggle to replace officers at or above the rate that they are separating. According to the Bureau of Justice Statistics, nationwide “the number of full time, sworn police officers per 1,000 residents decreased from about 2.4 in 1997 to 2.17 in

2016 (down 11%).<sup>4</sup> Urban departments (such as the Seattle Police Department and Bellevue Police Departments) have been the hardest hit. Most police departments are starting to experience retirement waves as officers hired in the 1990s under the Clinton era Crime Bill age out of service,<sup>5</sup> a trend also experienced by DAJD. The department is also beginning to feel the retirement wave that follows the massive increase in hiring that occurred in the lead-up to opening the MRJC in 1997.

Since the conclusion of our lean work surrounding the hiring process (detailed above), DAJD has worked hard to continue to reduce barriers to recruiting and hiring. We have removed prior marijuana use as a disqualifier for employment and reduced from five to three the number of years from date of hire that certain criminal convictions will automatically disqualify an applicant.

In August of 2018 the department recruited, and subsequently hired a special duty position to assist in CO hiring efforts. In the 2019-2020 biennial budget, the Department of Human Resources received funding for two additional recruiters that will be dedicated to assisting DAJD's hiring efforts. DAJD and the Department of Human Resources recently finished a joint recruitment for those two FTEs. Those additional resources should be in place and ready to assist shortly. Additionally, the 2019-2020 biennial budget included funding to proceed with hiring incentives of up to \$10,000 for new corrections officers. A separate proviso report will come to the County Council in October 2019 with the results of this pilot project.

DAJD has continued to attend military recruitment events and has expanded outreach to hiring events focused on minority and under-employed groups. With assistance and the backup of recruiters with the Department of Human Resources, the department will be able to continue to attend these events in coming months and years. DAJD has also placed a number of high profile recruiting advertisements over the past 18 months. These included ads in corrections and detention industry related publications, movie theatres, and the sides of King County Metro Transit busses. Plans for 2019 include expanding outreach to WorkSource Centers as well as regional colleges and universities.

As of this writing, May 2019, we have hired more officers year to date than the entire year of 2018. DAJD's hiring goals for 2019 are ambitious. We hope to hire 50 new officers over the year, which is twice as many officers as 2018. We are currently on track to meet that goal. As of the drafting of this report, we have 26 vacant correctional officer positions, which does not include needed backfill of three newly promoted sergeants.

The most recent recruitment for corrections officers opened on January 14, 2019 and closes on June 30, 2019. To date, 623 applications have been received and reviewed. Eighty-nine applicants have passed public safety testing and were invited to background. Fifty-two applicants were invited to oral boards, and 26 have passed. Thirteen applicants are currently active in the background process, and three are scheduled for interviews with command staff. Of the applicants in this recruitment, thus far approximately 18% indicated that they were referrals. Five officers hired thus far are eligible for the \$10,000 hiring incentives that were approved in the 2019-2020 biennial budget. Out of the five officers, four are eligible for \$5,000 incentives and one is eligible for the \$10,000 incentive. Finally, four officers started New Employee Orientation on April 29, 2019, and eight more are scheduled to begin on July 8.

#### Scheduling Difficulties

A number of practicalities of scheduling corrections officers impact, and contribute to both overtime and the uneven distribution of overtime hours. The first difficulty is what is known colloquially as 'the 10-day

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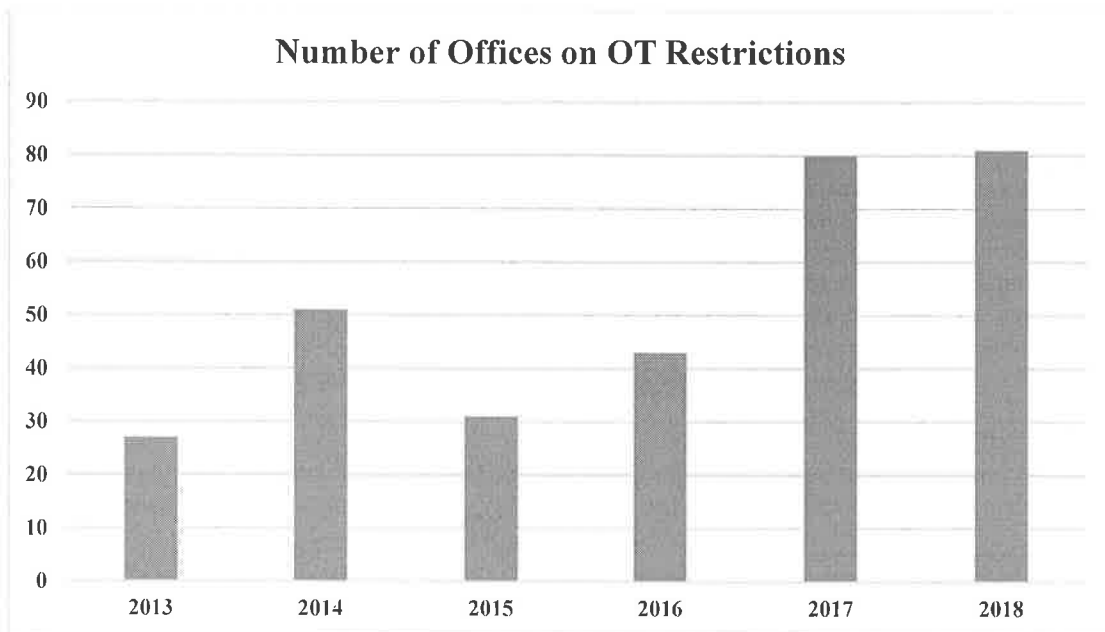
<sup>4</sup> Hyland, S. (2018). *Full-Time Employees in Law Enforcement Agencies, 1997-2016*. Washington, D.C.: Bureau of Justice Statistics, United States Department of Justice.

<sup>5</sup> Kroman, D. (2019, February 15). "Despite city's efforts, Seattle police force is shrinking". *Crosscut*.

wheel'. The wheel is the contractually agreed upon method for assigning an officer to mandatory overtime. The wheel requires that an officer be paid two times their hourly rate (rather than 1.5 times for standard overtime) on the second instance within ten days that they are assigned mandatory overtime. It is not in fact a wheel, as it does not equally rotate through all officers. For each day that there is a need for mandatory overtime, the least senior officer is assigned, working through the roster on a reverse seniority basis (most junior officer first; most senior last).

Another scheduling issue that contributes to higher levels of overtime is the ability to use sick leave toward overtime. In the past, Guild members worked 40.85 (officers work an 8.17-hour day) regular hours before they were eligible to earn overtime. In the last contract update (2015), a change was made whereby sick leave hours counted toward the 40.85 regular hours. An arbitrator awarded this change contrary to the position of the County. For example, an officer can work four full days, take one sick day, and be eligible to earn overtime. Coupled with the increased use of comp time, officers are working fewer regular hours and still being paid for overtime hours, which contributes to fewer regular hours being worked, and replaced with more overtime hours.

One more issue that the department continues to monitor, which is also problematic to scheduling, is an increased number of officers on FMLA related overtime restrictions. Restrictions on overtime can be a directive not to work overtime at all, not to work any more than two or four hours of overtime, not to be assigned mandatory overtime, or not working overtime on scheduled days off work. The FMLA cases that include these restrictions start and end throughout the year. The chart below shows the discrete number of officers each year that had an open, overtime restriction case. Each officer could have more than one open case over the course of a year. In 2018, this represented approximately 15% of our officer/sergeant workforce. As with overtime and comp time use, officers with active restrictions are not equally distributed amongst rosters; meaning that some rosters (such as third shift at the MRJC) are particularly impacted. With a significant number of officers that are not able to work overtime, or only with significant constraints, filling empty posts and shifts, becomes very complicated. It also means that officers without overtime restrictions are assigned mandatory overtime at a much higher rate than other officers.





Additionally, officers are not all the same. Some posts require specialized training or skills. For example, hospital guarding, court transport, and check-in positions require weapons trained officers. ITR (Intake, Transfer Release) posts require significant, special training in proper booking and release procedures, and Commitments posts require years of specialized knowledge of court processes and sentencing. When officers who are regularly assigned to these posts are absent, especially for longer periods of time, the pool of officers who are qualified and able to backfill can oftentimes be very small. This again adds complexity to DAJD's scheduling.

Finally, over the past two years, the department has been engaged in the development and implementation of a number of high profile, time and staff intensive initiatives; specifically, changes to restricted housing procedures and implementation of County Ordinance #18637 concerning the treatment of certain juveniles and young adults in both the juvenile and adult divisions.

Working closely with Jail Health Services, DAJD has completed a multi-disciplinary analysis in 2018 that recommended 13 changes to existing restricted housing practices. Both DAJD and JHS utilized existing resources to complete the analysis, and have secured additional funding and resources in the 2019-2020 biennial budget to implement nine of the 13 recommendations. The work teams related to implementation and monitoring meet regularly and are comprised of both uniformed and non-uniformed staff.

Related to the changes to DAJD's restricted housing practices, implementation of County Ordinance #18637 has required intense and sustained input from uniformed officers, classification staff, and administrative support staff. Major changes to immediate identification of inmates as well as policy and practice changes have been required to get to initial implementation of these ordinances. The department is in early stages of full-scale implementation, and it is likely that this initiative will continue to require substantial support from officers, command staff, and classification staff alike.

While both of these efforts accrue more positive benefits to the inmates and advance correctional practices in our facilities, the planning and implementation, as well as increased programming for inmates, require more and more intense hours of officer work in an already stressed work hour environment. Additionally, taking some of our most experienced, and often specially trained, officers away from their regularly scheduled posts, even for a day, creates a hole in the schedule that must be filled. Likewise, calling an officer in on a day off to participate in the workgroups also directly necessitates overtime.

#### **Recommendations for Limiting Mandatory Overtime**

The only difference between mandatory overtime and voluntary overtime is the willingness to work it. What the department also knows after years of close study of the myriad issues affecting overtime hours is that there is no one solution that will solve the problem. Some amount of overtime in a 24/7 organization is expected, and in some way desired by staff. However, the willingness to work a few hours of overtime each pay period quickly disappears when the burden becomes too great. There is no magic number of what the appropriate or acceptable level of overtime is, and in reality it varies greatly depending on the individual. As a guide, DAJD usually sets a goal of no more than 9 or 10%.

What DAJD has experienced in recent years is a perfect storm of high vacancies, a stable and high inmate population, high levels of hospital guarding, a workforce with increasing leave balances, and increasing demands for officer and inmate time through officer training, restricted housing changes, and increased inmate programming. All of these pressures provide more demand for officer time, with no corresponding downward pressures providing a relief value. Remedying these conditions will require multiple sustained efforts to reduce the overall pressure in the system. A number of efforts are already in some state of implementation. They will be detailed individually below, but we recognized that not one of these initiatives on their own would solve the problem.

### Continued Focus on Reducing Vacancies

DAJD has increased department-wide focus on hiring efforts since completion of our Lean events, and that concerted effort is starting to pay dividends in the hiring of new corrections officers. We have hired more new officers in the first part of 2019 than we have in previous years. This success can be attributed to the reduction in barriers to hiring and in incentives for referring candidates. Employees are our best recruiters, and the department will continue to use hiring incentives as well as having uniformed participation at hiring events in the community. We believe this will continue to help us achieve our aggressive recruiting and hiring goals. In addition, DAJD continues to look for ways to reduce time to hire and reduce barriers to hiring that could help attract, hire, and retain more candidates.

DAJD requested corrections officer positions in the 2019-2020 budget to cover full time posts for hospital guarding. The request for these officers was rejected in favor of increasing focus on the hiring of existing vacant FTEs. The department and the County Executive agreed that adding more positions that would not likely be filled over the year was not the highest budget priority. If and when our hiring efforts are successful in eliminating the majority of our vacant CO positions, these positions can be requested again.

Reducing the number of vacant corrections officer positions will certainly help reduce the pressure on the system as a whole. However, it will not eliminate the need for overtime or even mandatory overtime. Even with near zero vacancies, complexities in staffing a 24/7 operation will necessitate some hours above 40.85 a week. As discussed previously, the facilities take a relatively set number of hours to operate safely, and having more officers available to contribute hours to that total, the fewer the number of overtime and mandatory overtime hours will be needed.

### Contractual Changes

The County has recently completed interest arbitration with the King County Corrections Guild. One issue in the arbitration was a cap on the amount of hours of compensatory time that an officer can earn and use annually. The County argued for a cap of 82 hours. Calculation and analysis that was compiled in support of arbitration estimated that capping comp time use at 82 hours per officer would save the department between 26,000 and 31,000 hours of leave each year. At an estimated contribution of hours of 1,550 per officer, this equates to the equivalent of between 17 and 20 additional FTEs. Eighty-two hours of comp time would allow officers to earn an additional two weeks of leave, in lieu of overtime pay each year. The party's post-arbitration briefs were due in early May and both parties are now awaiting the final ruling from the arbitrator. If the County is successful in achieving a cap on compensatory time hours, we expect this to have a sizable impact in relieving some of the pressure of having inconsistent gaps in the daily schedule that are often filled by overtime.

When the arbitration process is concluded, and negotiations begin again, there are a couple of items that could be negotiated that might also help relieve some of the overtime pressures on the department. The first item would be to reconsider the arbitrator's award in a prior labor contract arbitration allowing the use of sick leave toward the 40.85 hours needed to reach overtime. Requiring officers to work a full 40.85 hours of regular time before would reduce the cyclical use of sick leave, followed by overtime, followed by comp time. This would likely be a more modest impact than capping the accumulation of comp time, but the department predicts it would provide some relief.

The second item that could be addressed through bargaining would be to craft rules around the use of the 10-day wheel that would make the practice of assigning mandatory overtime much more like a wheel. Currently, the least senior officer each day is assigned when mandatory overtime is needed. The 10-day wheel could be revised such that once an officer was assigned, they were not assigned again until assignments had gone all the way through eligible officers. Current use means that less senior officers are assigned mandatory at a much higher rate than more senior officers, and carry more of the burden than

more senior staff. It is not likely that changing this practice would reduce the number of mandatory overtime hours much, if at all, but it would make the method much more equitable.

Finally, a change to the way vacation is bid could be beneficial to lessening overtime use. Currently, vacation is bid by seniority, meaning that the most senior officers can bid large leave balances, leaving little or no vacation slots for less senior officers. In practice, we know that those less senior officers will simply call in sick when there are no vacation slots available for their use. We also know that calling in sick is almost always backfilled with overtime.

#### Reductions in inmate population

DAJD has very few levers that we can pull to either increase the supply of officer hours, or decrease the number of hours needed to impact overtime hours. Jails are responsive on the front end of our process to local law enforcement; when an officer brings an inmate to the facility with a legal reason to hold, we hold. Likewise, at the back of the process, jails hold inmates until the Court with jurisdiction over the inmate tells us to release him or her. Short of restrictions on who the jail will allow to be booked, or criteria directing release of certain classes of inmates outside of judicial purview, there is little a jail can do on its own to reduce the inmate population, and reduce the need for corrections officer work.

In the King County jails, we contract with local cities to provide misdemeanor bed space, and with the Washington State Department of Corrections (DOC) for violator bed space. While contracting with these agencies increases the number of inmates in the facilities, it is also at least partially revenue backed. Eliminating all contracted beds would result in a large decrease in revenue, but better management of our contracted population, especially the DOC population, can help control unexpected spikes in population that put pressure on our operations. We have recently made changes to our criteria for accepting Department of Corrections inmates in order to allow operations to more closely control which DOC inmates are booked. For example, we have more stringent acceptance criteria for those DOC inmates that are very sick or inmates with significant behavioral challenges. This change will also allow our command staff to turn away inmates from DOC once we reach a threshold of 200 ADP, which is our budgeted APD for the Department of Corrections. This is not expected to significantly reduce overtime, but it should provide more certainty in operations.

#### Other Changes

Limiting or reducing the total number of overtime hours requires either an increase in the supply of regular hours available, or a decrease in the demand for hours. Increasing the number of hired, trained, and working corrections officers is the best way to increase the supply of hours. In addition, reducing the number of available leave hours by capping the number of comp time hours an officer can earn and use would also increase supply. Reducing the demand for hours must be done through significant reductions in services. Most of the recommendations for cuts to services are dismissed by the department out of hand for being fairly draconian, and recognizing that implementing many of them would cause other operational issues. For purposes of discussion only, a number are briefly noted here.

Real savings in the jails comes from completely closing units at the MRJC, or floors and wings at KCCF. Achieving this reduction in inmate headcount would require either significant booking restrictions, such as not allowing misdemeanor property offenders to be booked, or the implementation of a release matrix, that would release offenders based on agreed upon criteria when the population reached certain thresholds. While other jails have implemented these types of programs, we anticipate significant pushback from both the Superior Court and local law enforcement. We also recognize that, while it would save DAJD significant resources, it would likely also have detrimental effects on public safety.

Significantly limiting or cancelling altogether inmate visitation and programming would also decrease demand for officer hours. This would likely include the cancelling of all programming that is not

constitutionally protected (such as medical, attorney, and religious) programming, such as AA/NA, work training, yoga and meditation classes, work training and re-entry programs. These programs are staff intensive, and eliminating them would reduce the demand for officer hours. However, they also contribute greatly to inmate well-being, which in turn helps us maintain a safe and secure facility.

Finally, all options for either increasing the supply of available officer hours, or reducing the demand for officer hours should be on the table. DAJD will continue to explore ways of doing both, including reviewing previous efforts, and available data.