



# Pierce County

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January 28, 2013

To: Performance Audit Committee

From: Bill Vetter, Legislative Analyst

Re: Study of On-Call Employees

We are pleased to present this study of on-call employees in Pierce County, initiated in Ordinance 2011-84s. The ordinance requested the Performance Audit Office to conduct a study of existing on-call status provisions and requirements within Pierce County departments, including an analysis of the number of on-call employees in each department, the on-call costs to each department over the past five years, and the process used to place an employee on call.

In addition, the Performance Audit Office contracted with FLT Consulting, of Olympia, Washington, to conduct an examination of how other, similar jurisdictions manage, staff, fund and budget for the use of employees in providing services that require after-hours staff; and to identify relevant best or leading practices in the area of on-call staffing, if any.

The study found that departments providing services in the areas of public safety, facilities management, public works, and legal services maintain after-hours on-call programs, with varying operating structures and costs. Countywide costs of paying employees to be on-call have remained relatively steady since 2008. Countywide workload and overtime costs related to on-call programs were more difficult to determine, as not all departments actively track workload and overtime attributable to on-call shifts. On-call programs in Pierce County did not differ significantly from those in Washington counties of similar size, and on-call practices and policies appear to vary widely and to be developed through the collective bargaining process rather than through standardized approaches.

The major recommendation is for Pierce County departments to regularly monitor workload and cost related to maintaining an on-call program in order to determine the appropriate number of staff to place on call, and to assist management in developing the most cost-effective on-call program structures.

We appreciate the extensive cooperation and effort put into this study by County department staff, including those from Assigned Counsel, the Prosecuting Attorney, Facilities Management, Public Works and Utilities, the Sheriff's Department, Emergency Management, and Budget and Finance.

# On-Call Employees in Pierce County



Pierce County Performance Audit Office & FLT Consulting, Inc.

January 28, 2013

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## Executive Summary

**Background** Pierce County departments place employees in a paid, on-call status to respond to emergencies and provide critical services after normal business hours. Conditions for on-call status vary by department, as do the costs associated with on-call employees. The Pierce County Council requested an analysis of on-call status employees within the County, with a focus on the costs and conditions under which employees are placed on call.

### Major Findings and Recommendations

On-call employees provide after-hours services in the areas of public safety, facilities management, public works, and legal services. Employees are paid at different rates to be on-call, depending upon the relevant union contract, personnel agreement, or department policy. **On-call costs have remained relatively steady since 2008.**

Costs associated with maintaining an on-call program, such as the resulting additional pay that on-call employees receive when called in to work, are more difficult to determine. **County departments do not uniformly track workload and overtime resulting from on-call shifts.** However, several County departments in the study were actively working to reduce the need for on-call employees by analyzing the workload of on-call staff.

**On-call programs in Pierce County did not differ significantly from those in Washington counties of similar size.** On-call practices and policies appear to vary widely and to be developed through the collective bargaining process rather than through standardized approaches.

**The report recommends that county departments should regularly monitor workload and cost related to maintaining an on-call program.** Effective monitoring assists management in determining (a) the appropriate number of staff to assign to an on-call program and for a particular on-call shift, (b) whether the costs of the on-call program and associated overtime exceed costs of an alternative staffing method, and (c) the most effective cost structures for on-call programs.

### Acknowledgements

We would like to thank the staff from Assigned Counsel, the Prosecuting Attorney, Facilities Management, Public Works and Utilities, the Sheriff's Department, Emergency Management, and Budget and Finance for their cooperation and extensive time and effort expended in providing data and feedback for this report.

# Introduction

## Background

Under the ordinance passing the 2012 budget (Ordinance no. 2011-84s), the Pierce County Council requested that the Performance Audit Office dedicate sufficient resources to “conduct an independent analysis of the existing ‘on call’ status provisions and requirements within Pierce County departments.” Specifically, the office was requested to report on which departments have on-call employees; the number of on-call employees in each department; on-call costs over the past five years; and the processes used to place an employee in an on-call status.

In response, Performance Audit staff, in conjunction with FLT Consulting, Inc., conducted this analysis.

Pierce County government employs just over 3,000 individuals to provide services through County agencies. Several of these agencies maintain an “on-call” program for employees to provide services after normal business hours. On-call programs are administered differently within each department; there is no overarching County policy governing on-call status. Generally, employees who are on call are paid to be available, accessible, and able to work after hours. In most cases, if an on-call employee is called in to work, they receive overtime pay for the hours worked.

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## Scope and Objectives

To analyze the level of use of employees in an on-call status, staff reviewed provisions and requirements for on-call employees, examined the processes used to place employees in an on-call status, and analyzed the costs to County departments of maintaining an on-call program. In addition, the Performance Audit Office contracted with FLT Consulting, Inc., to conduct an examination of how other, similar jurisdictions manage, staff, fund and budget for the use of employees in providing services that require after-hours staff; and to identify relevant best or leading practices in the area of “on-call” staffing, if any.

In this study, we defined on-call staff as those employees who charge time in the payroll system as “on-call.” Most on-call employees are covered by union contracts or personnel agreements that detail the compensation and conditions under which they can participate.

Staff reviewed union contracts and personnel agreements, budget and payroll data, policies and procedures created by departments to guide on-call programs, and records of on-call use maintained by departments.

Overtime costs related to on-call programs were estimated from department records of overtime use where available. When on-call overtime data was not available, overtime costs were estimated by calculating overtime hours in pay periods that included on-call hours. This is likely to overestimate overtime costs, but it can give an idea of the change in on-call overtime costs across several years.

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## Conclusions

The study found that departments providing services in the areas of public safety, facilities management, public works, and legal services maintain after-hours on-call programs, with varying operating structures and costs. Countywide costs of paying employees to be on-call have remained relatively steady since 2008. Countywide workload and overtime costs related to on-call programs were more difficult to determine, as not all departments actively track workload and overtime attributable to on-call shifts.

On-call programs in Pierce County did not differ significantly from those in Washington counties of similar size. On-call practices and policies appear to vary widely and to be developed through the collective bargaining process rather than through standardized approaches.

Further, although in Washington state employers are not legally required to pay employees to be on call, the U.S. Department of Labor notes that on-call shifts should be paid “when the on-call conditions are so restrictive or the calls so frequent that the employee cannot effectively use that time for personal purposes.”<sup>1</sup>

This report recommends that County Departments should regularly monitor workload and cost related to maintaining an on-call program. Effective monitoring assists management in determining (a) the appropriate number of staff to assign to an on-call program and for a particular on-call shift, (b) whether the costs of the on-call program and associated overtime exceed costs of an alternative staffing method, and (c) the most effective cost structures for on-call programs.

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<sup>1</sup> U.S. Department of Labor Wage and Hour Division, Opinion Letter – Fair Standards Act (FLSA2008-14NA), December 2008. [http://www.dol.gov/whd/opinion/FLSANA/2008/2008\\_12\\_18\\_14NA\\_FLSA.htm](http://www.dol.gov/whd/opinion/FLSANA/2008/2008_12_18_14NA_FLSA.htm).

## Countywide On-Call Programs

Pierce County employees placed in an on-call status serve in three broad functions of government: Legal Services, Utilities and Facilities Maintenance, and Public Safety. In general, staff are placed in an on-call status to respond to emergencies that cannot wait until normal business hours, are required to remain within the County, and are required to be reachable by phone. Conditions for each separate on-call program are structured primarily through contracts between individual bargaining units and the County or through personnel agreements between employees and the County. In most cases, once an employee is called in, they are paid overtime. Table 1 displays the departments that have an on-call program, positions that are eligible to be on-call, and a brief description of on-call duties.

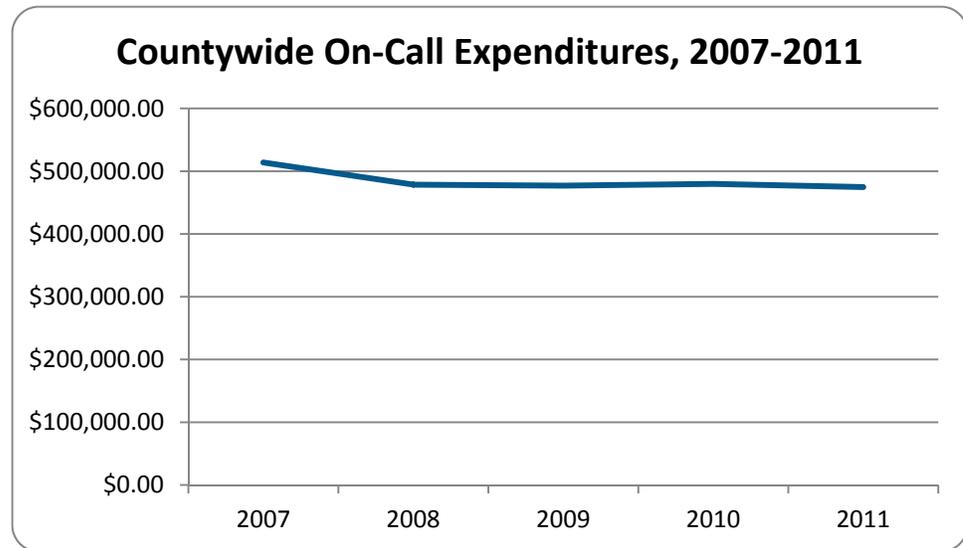
**Table 1. Pierce County On-Call Staff**

Department	Staff	Duties
Assigned Counsel	County Attorney	Respond to after-hours calls from law enforcement
Prosecuting Attorney	County Attorney	Respond to after-hours calls from law enforcement; weekend probable cause hearings
Facilities Management	Facilities Management Technician/Mechanic	After hours emergency maintenance
Public Works and Utilities	Traffic Operations, Sewer Maintenance, Airport and Ferry Administration	Respond to after-hours traffic sign/signal and wastewater treatment plant emergencies
Sheriff	Command staff, Detectives, Forensics, Property Room, Animal Control Officers	Respond to after-hours emergencies and crime scenes
Corrections	Command staff, Mental Health staff and Physician Assistants	Respond to after-hours emergencies at the jail
Emergency Management	Deputy Fire Marshal and Duty Officers	Respond to fires and coordinate agency response during emergencies

## On-Call Costs

As shown in Figure 1, over the past five years countywide on-call costs have decreased by about 7.5%, from \$513,810 in 2007 to \$474,788 in 2011. (This figure does not include the cost of overtime incurred by on-call staff.)

**Figure 1.**  
**Countywide**  
**On-Call Costs,**  
**2007-2011**



This decrease was due initially to changes in the provision of mental health services in the County, and later to the County's transition away from providing mental health services through the Regional Support Network. Many mental health personnel that were previously on call are no longer employed by the County. From 2008-2011, countywide on-call costs have remained relatively steady.

Performance audit staff also estimated the costs of overtime paid to on-call employees who were called in to work. Not all departments track overtime related to on call, and overtime related to on call is not tracked separately from other overtime in the County's payroll system. Therefore, when possible, staff estimated on-call overtime by tabulating overtime pay accrued in the same pay period as on-call pay.

This method is likely to overestimate overtime pay attributable to on-call pay because employee overtime may have occurred within the same pay period, but independent of, on-call status. The amount potentially overestimated varies by department, depending upon the amount of overtime used overall in a department. Consistently counting in this manner should at least give an indication as to the increases and

decreases of overtime related to on call over several years. Performance audit staff estimates that in aggregate, overtime costs relating to on-call status were greater than \$250,000 in 2011.

The following sections discuss on-call use in individual departments, which have been grouped by the service areas of Legal Services, Facilities and Utilities Maintenance, and Public Safety.

## Legal Services

### Section Summary

The Department of Assigned Counsel and the Prosecuting Attorney's Office place employees in an on-call status under similar terms, typically called "beeper duty." Both departments provide access to staff 24 hours per day, 7 days per week for law enforcement. In addition, the Prosecuting Attorney's Office provides staff to be available for Saturday probable cause hearings.

The following summary displays on-call duties and costs in the area of legal services.

Staff:	County Attorneys
On Call Duties:	Respond to after-hours calls from law enforcement; weekend probable cause hearings
2011 On-call Costs:	\$46,815
2011 On-call Use:	Five to twelve calls per week; Saturday hearings
2011 Overtime Costs (on-call):	\$0 (Overtime not paid to on-call employees)

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### Assigned Counsel

As defined by the Pierce County Code, the Department of Assigned Counsel includes the following divisions and functions: the felony division, which represents indigent defendants charged with felonies in Superior Court and processes felony appeals; the Pierce County District Court and Tacoma Municipal Court division, which represents indigent defendants charged with criminal traffic and misdemeanor charges; and the Juvenile division, which represents indigent juveniles charged with misdemeanors and felonies in the juvenile court system and processes appeals from those courts.<sup>2</sup>

#### On-Call Staff

Through a personnel agreement between the County and department staff, the Department of Assigned Counsel assigns one staff member to be on-call after normal business hours.<sup>3</sup> This staff member is usually at

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<sup>2</sup> Pierce County Code, Title 2, Chapter 2.06.010K

<sup>3</sup> *Pierce County Personnel Agreement #A010, Department of Assigned Counsel*

the classification of County Attorney 1 or 2.<sup>4</sup> Staff in the County Attorney 1 classification are required to participate in the on-call program, while other staff participate on a volunteer basis.

### **On-Call Duties**

Washington State Superior Court Rule CrR 3.1(c)2 states that:

“At the earliest opportunity a person in custody who desires a lawyer shall be provided access to a telephone, the telephone number of the public defender or official responsible for assigning a lawyer, and any other means necessary to place the person in communication with a lawyer.”

After normal business hours, the department provides Constitutionally mandated access to a lawyer to persons placed in custody through on-call staff. For example, if a person is arrested for driving under the influence at 2 A.M., they are able to reach the on-call attorney from the department.<sup>5</sup> Participating employees are on call for one week at a time. The department maintains written policies for on-call staff on advising clients, interacting with law enforcement, and techniques for effectively handling calls.

### **On-Call Costs**

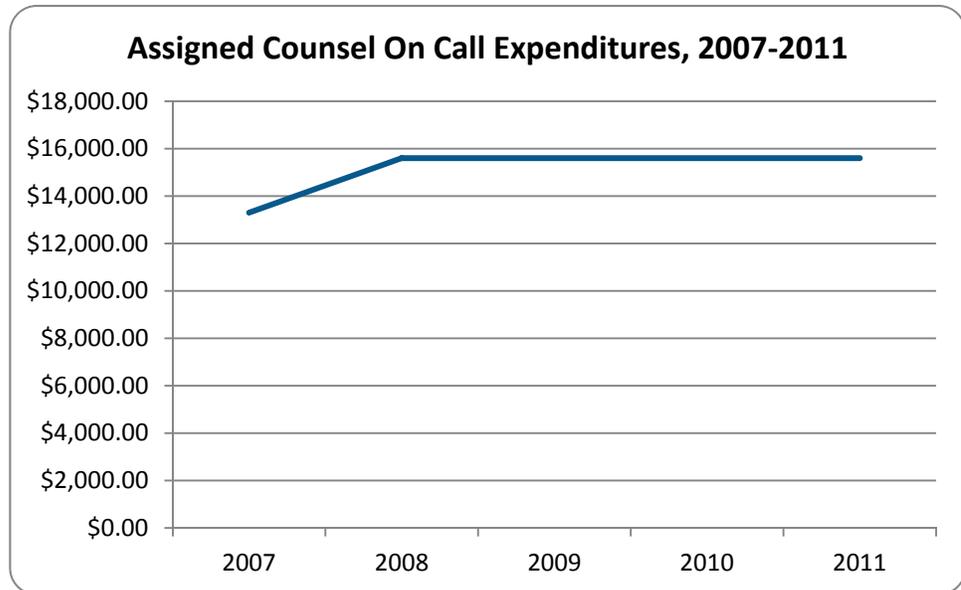
According to the personnel agreement with department employees, on-call staff are paid an additional \$300 for each week they are on call. They are not paid additionally for time worked while on call. Figure 2 displays the on-call costs for the Department of Assigned Counsel from 2007 to 2011. As can be seen from the chart, on-call costs have slightly increased from \$13,300 in 2007 to \$15,600 in 2011, but have remained static from 2008 to 2011. (On-call pay increased to \$300 per week in 2008.) The \$15,600 paid annually from 2008 to 2011 represents a weekly payment of \$300 for 52 weeks.

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<sup>4</sup> Full job descriptions are available from the Pierce County Human Resources Department.

<sup>5</sup> State ex rel Juckett v. Evergreen District Court, 100 Wn.2d 824 (1984).

**Figure 2.  
Assigned Counsel On-Call  
Costs, 2007-  
2011**



#### **Workload of On-Call Staff**

The department maintains a weekly record of calls received by attorneys who are on call. For 2011, on-call staff received 626 calls, at an average of 12 per week. For 2012, on-call staff received 419 calls as of October 8, at an average of 10.5 per week. The majority of calls concerned individuals arrested for DUI.

#### **Overtime Costs**

The department does not pay overtime for staff assigned to on-call duty if they are called in, so there were no overtime costs associated with the on-call program.

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### **Prosecuting Attorney**

The Prosecuting Attorney's duties and responsibilities are regulated by Washington State law (RCW 36.27.020). Per County Code, the department includes the following functions and/or divisions:<sup>6</sup>

- The Civil division, which performs the function of an "in-house" law firm for the County and represents the County as plaintiff or respondent in civil actions which the County brings against others or which are brought against the County, and advises all County agencies, department heads and elected officials in civil law matters.

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<sup>6</sup> Pierce County Code, Title 2, Chapter 2.06.030C

- The Criminal division, which determines whether criminal charges should be filed against persons accused of having committed crimes within Pierce County and prosecutes criminal charges which are filed as a result of such a determination.

### **On-Call Staff**

By an agreement with the Prosecuting Attorney's Guild, the Prosecuting Attorney's Office maintains an on-call program to cover two shifts, assigning either one attorney for both shifts or one attorney for each shift. These staff members are at the classification of County Attorney 2 or County Attorney 3. They are selected for on-call duty in alphabetical order on a rotating basis.

### **On-Call Duties**

Similar to the Department of Assigned Counsel, the Prosecuting Attorney makes one staff attorney available to law enforcement on an on-call basis after normal business hours, one week at a time.<sup>7</sup> According to the department, the on-call attorney provides legal advice to law enforcement and may at times come into the office to assist with the drafting of a search warrant.

In addition, the Prosecuting Attorney assigns one staff attorney to be available over the weekend for probable cause hearings. Washington State court rules require that a "person who is arrested shall have a judicial determination of probable cause no later than 48 hours following the person's arrest."<sup>8</sup> In practice, this means that an individual arrested on Friday night must have a probable cause hearing prior to the next business day on Monday. Probable cause hearings are set for Saturdays in those cases, and an attorney from the Prosecuting Attorney's office represents the state at those hearings.

The same attorney can serve as on-call for law enforcement and probable cause hearings for any given week. The department maintains written policies for staff on procedures for responding to law enforcement and for weekend probable cause hearings.

### **On-Call Costs**

On-call employees are compensated with a flat rate of \$300 per week for each on-call shift, and are not paid overtime for time spent working

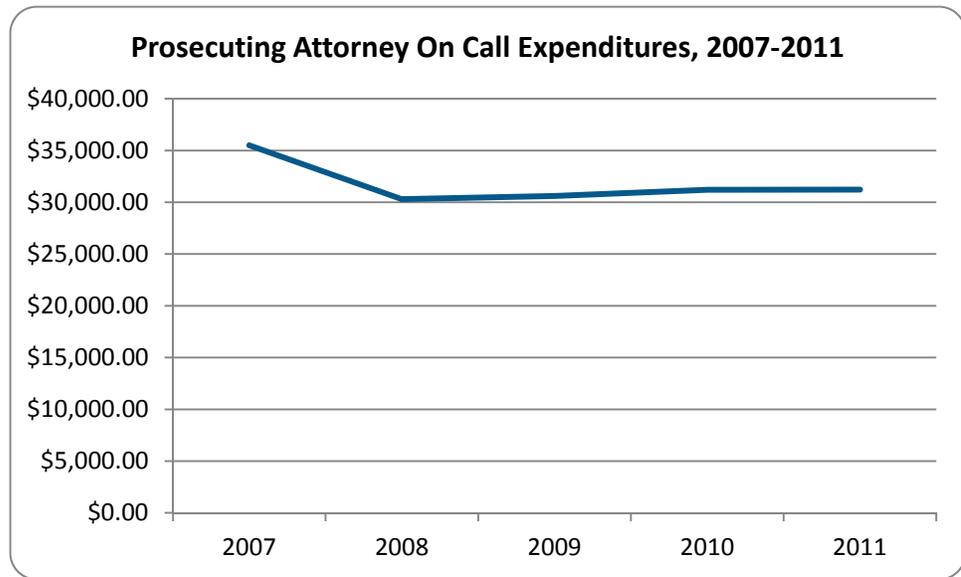
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<sup>7</sup> *Contract By and Between Pierce County and Pierce County Prosecuting Attorneys' Association, January 1, 2010 – December 31, 2011*

<sup>8</sup> Washington State Superior Court Criminal Rules, CrR 3.2.1

as a result of being on-call. Figure 3 displays the on-call costs for the Prosecuting Attorney's Office from 2007 to 2011. As can be seen from the chart, on-call costs have slightly decreased from \$35,500 in 2007 to \$31,215 in 2011. The \$31,215 paid in 2011 represents two weekly payments of \$300 for 52 weeks.

**Figure 3.  
Prosecuting  
Attorney On-  
Call Costs,  
2007-2011**



#### **Workload of On-Call Staff**

The department maintains a weekly record of calls received by on-call attorneys. For 2011, on-call staff received 263 calls, at an average of 5 per week. For 2012, on-call staff has received 292 calls through October, at an average of 6.8 per week. Probable cause hearings are held each Saturday.

#### **Overtime Costs**

The department does not pay overtime to on-call staff when they are called in, so there are no overtime costs associated with the on-call program.

## Facilities and Public Works

### Section Summary

The Facilities Management Department and the Department of Public Works and Utilities place employees in an on-call status to respond to emergencies that occur after normal business hours that cannot wait until the next business day. These emergencies include problems with County facilities and the Chambers Creek Regional Wastewater Treatment Plant, as well as with traffic signals and signs.

The following summary displays on-call duties and costs in the area of facilities and public works.

Staff:	Facility Maintenance Technicians and Mechanics, Wastewater Collections and Treatment Plant Technicians and Operators, Traffic Signal and Sign Technicians, Airport and Ferry Technicians
On Call Duties:	After hours emergency facility, traffic sign/signal, wastewater, and airport/ferry maintenance
2011 On-call Costs:	\$202,234
2011 On-call Use:	3 Facility call-ins per week; 7 sewer and traffic call-ins per week
2011 Overtime Costs (on-call) <sup>9</sup> :	\$110,172

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### Facilities Management

As defined by the Pierce County Code, Facilities Management is responsible for coordinating and administering facilities planning and construction, facilities maintenance, and property management for Pierce County facilities. Responsibilities include planning for needed expansions to the Pierce County physical plant and coordinating the design, funding, siting, and construction or renovation of facilities. In addition, the department is responsible for providing maintenance and repair, remodeling, and custodial services to the County facilities as assigned by the Executive.<sup>10</sup>

<sup>9</sup> Overtime costs represent estimated overtime attributable to the on-call program.

<sup>10</sup> Pierce County Code, Title 2, Chapter 2.06.0100

### **On-Call Staff**

Through a memorandum of understanding with the union representing employees in the department, Facilities Management staffs an on-call program with employees in the classification of Facility Maintenance Technician and Maintenance Mechanic.<sup>11</sup> Employees are required to be “in communications via pager, radio, or telephone and so immediately available.” The program is staffed by volunteers, with senior employees given first opportunity. If there is an insufficient number of volunteers, staff are assigned by the department to be on-call. There are two staff members on-call on each day. Each on-call rotation lasts one week, from Wednesday to Wednesday.

### **On-Call Duties**

According to department policy, on-call staff respond to emergencies at County facilities that cannot wait until the following business day. Each of the two staff members on call are assigned to one of two areas. The *downtown campus* area includes the County-City Building, both Correction facilities and the 900 series buildings that the department maintains. The *outer campus* area includes Remann Hall, the Annex, the Fleet Garage, TOC, ESD, Sheriff’s East Precinct, Thun Field, the Training Range, Peninsula Detachment, Mountain Detachment, Foothills Detachment, and Public Works CMF Buildings B and E.

Examples of emergencies requiring on-call staff include sewer drain backups at the County jail and Remann Hall, fire and security alarms, fire alarm and electrical system issues, doors that cannot be secured, power outages, and water leaks in the boiler room at the County-City Building.

An on-call shift begins when the designated employee completes their regular shift, and ends the following morning at 6:00 AM. Thus, an on-call shift during the week ranges from 14 to 15.5 hours during weekdays, depending upon when an on-call employee’s shift ends, and 24 hours for each weekend day.

### **On-Call Costs**

Per union agreement, on-call employees are paid at a rate of \$2.50 per hour for each hour on call. If an employee is called in, they also receive a minimum of two hours of pay at the appropriate rate of pay,<sup>12</sup> plus pay at the appropriate rate for actual hours worked beyond the first two

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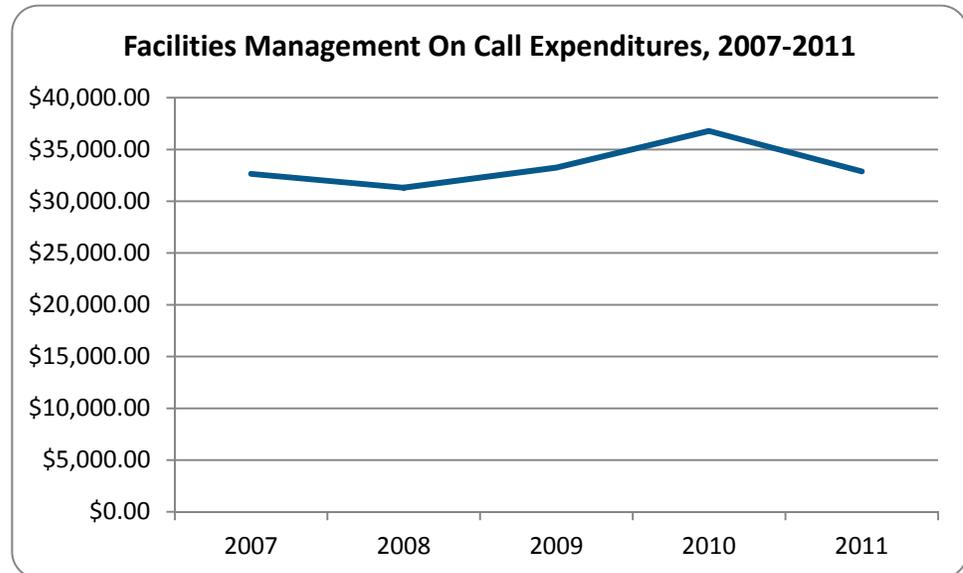
<sup>11</sup> *Memorandum Of Understanding By And Between Pierce County And Teamsters Local Union No. 117, Affiliated with the International Brotherhood of Teamsters, General Unit, January 2007*

<sup>12</sup> The overtime rate, or 1.5 times the normal pay rate, if hours worked for the week exceed 40.

hours. If called in less than two hours before normal starting time, they are paid for that time at 1.5 times their normal rate of pay.

Figure 4 displays the on-call costs for Facilities Management from 2007 to 2011. As can be seen from the chart, on-call costs have remained relatively steady, from \$32,642 in 2007 to \$32,881 in 2011.

**Figure 4.**  
**Facilities**  
**Management**  
**On-Call Costs,**  
**2007-2011**

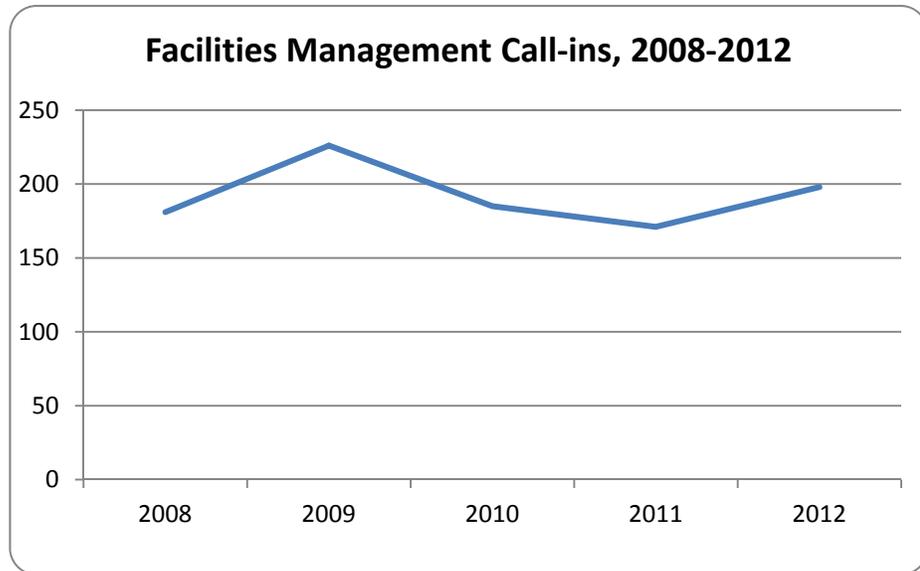


On-call costs can vary slightly from year to year, as on-call shifts vary in length by 1.5 hours depending upon when an on call employee ends their regular shift.

#### **Workload of On-Call Staff**

The department records each time an employee has been called in while on-call. Figure 5 displays the number of call-ins from 2008 to 2012 (2012 figures are projected from data through August 2012). As can be seen in the figure, call-ins have remained relatively steady, ranging from 171 to 226 over that time period. Each call-in resulted in an average of less than two hours of work.

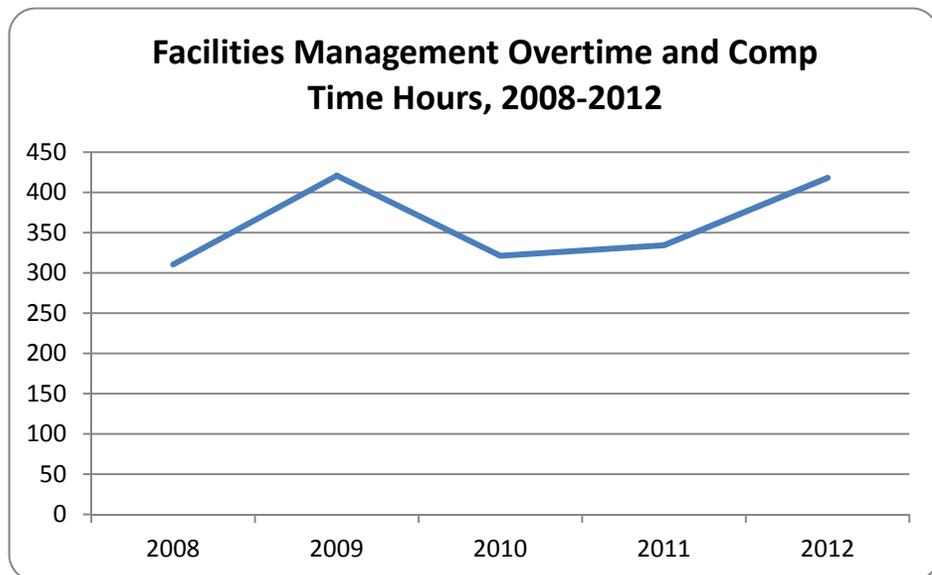
**Figure 5.  
Facilities  
Management  
Call-ins,  
2008-2012**



**Overtime Costs**

As noted above, employees that are called in from an on-call status are compensated at the appropriate rate of pay; if an employee works over 40 hours in the week, they receive the overtime rate. In addition, until 2011, the department allowed the substitution of comp time for overtime pay. Figure 6 displays the amount of overtime and comp time attributable to call-ins from 2008 to 2012 (2012 figures are projected from data through August 2012).

**Figure 6.  
Facilities  
Management  
Overtime and  
Comp Time  
Hours  
Attributable to  
Call-ins, 2008-  
2012**



As the figure indicates, combined overtime and comp time attributable to the on-call program ranged from 310 hours to 420 hours over the time period.

Because overtime and comp time costs related to on-call status are not separately tracked, performance audit staff estimated the cost of this time based on the overtime rate for the mid-range salary of employees eligible for on-call status. Using this method, the annual cost ranged from \$12,803 to \$17,351.

The department has been working to reduce on-call costs by monitoring on-call workload and consolidating responsibilities as facility requirements change.

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## Public Works and Utilities

As defined by the Pierce County Code, the responsibilities of the Public Works and Utilities Department include the planning, designing, engineering, constructing and maintaining of County roads, bridges, traffic control systems, surface water and storm drainage systems, wastewater collection and treatment, river flood control projects, domestic water supply systems, ferry operations, and the operation of Pierce County airports (Thun Field and Tacoma Narrows).<sup>13</sup>

### On-Call Staff

Through personnel agreements and union contracts, the Public Works and Utilities Department maintains an on-call program for staff in the following areas: sewer maintenance and operations, traffic operations, and airport and ferry administration. The on-call program is used to respond to emergencies after normal business hours and, for sewer maintenance and operations, to cover operator shifts at the treatment plant when an employee is unexpectedly absent from work.<sup>14</sup>

Sewer Maintenance and Operations. There are five sewer maintenance and operations staff on call each day: two for the wastewater collections system and three for the wastewater treatment plant. Participating staff include the following positions: Wastewater Maintenance Specialists - Electrical, - Instrumentation, and - Mechanical, as well as Wastewater Treatment Plant Operator 3. Treatment plant operators joined the on-

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<sup>13</sup> Pierce County Code, Title 2, Chapter 2.06.010C

<sup>14</sup> *Pierce County Human Resources Agreement #A001 and #A005; Contract By And Between Pierce County And Teamsters, Chauffeurs, Warehousemen And Helpers Union, Local No. 313 2009 -2011; Contract By And Between Pierce County And International Brotherhood Of Electrical Workers, Afl-Cio, Local No. 483 Traffic Signal 2009-2011*

call program in 2010 as part of a collective bargaining agreement. The division is currently in negotiations to reduce the number of on-call employees on call to four based on an analysis of workload and cost.

With the exception of treatment plant operators, collections and treatment plant employees volunteer to be in the on-call rotation; each rotation lasts one week. Treatment plant operators, on the other hand, are assigned to on-call shifts as necessary to cover the 24/7 operation of the plant. On-call employees are prohibited from engaging in any activity during the on-call period that might delay their ability to respond by phone or in person, and must be free from the effects of alcohol and/or controlled substances.

Traffic Operations. Traffic Operations staff participating in an on-call program include the following personnel: Traffic Sign Technicians and Traffic Signal Technicians. Three sign technicians and one signal technician are on call each day.

Traffic signal technicians are mandatorily placed in an on-call rotation lasting for one week. Traffic sign technicians voluntarily sign up for on-call duty, and are assigned equally from the pool of volunteers, per union contract. If there are an insufficient number of volunteers, the department can assign employees by reverse order of seniority. On-call staff are required to be free from the effect of alcohol and/or any controlled substances, and must be immediately available via pager, radio or telephone.

Airport and Ferry Administration. Staff with the Airport and Ferry Administration division began participating in an on-call program in late 2011. Each of the four employees of the division takes an on-call shift for one week per month. The following staff positions participate in the on-call program: Operations and Maintenance Supervisor, Airport Operations Supervisor, and Facility Maintenance Technician.

According to the department, staff are required to participate in the on-call program and sign up for shifts for the year at the beginning of each year.

### **On-Call Duties**

Sewer Maintenance and Operations. On-call employees in this division cover two areas: the wastewater collections system and the wastewater treatment plant. According to the department, on-call wastewater collections employees (who are responsible for the sewer system outside of the treatment plant) take home a specially-equipped vehicle

and “respond to any emergencies or equipment failures that pose an eminent level of service threat to the NPDES permit, treatment process, or pose a safety concern.”

On-call treatment plant maintenance employees respond for emergency maintenance and repairs at the plant. Treatment plant operators are on-call to cover unexpected absences at the plant, as the plant is a 24/7 operation and operators are required at all times.

Plant maintenance staff are assigned by the department to on-call shifts based on the range of skills needed. On-call shifts are assigned on a weekly basis. For collections and plant maintenance, on-call shifts begin at 3:30 PM and end at 7:00 AM each day. Operator on-call shifts vary depending upon the need for shift coverage.

Traffic Operations. The traffic operations division deploys on-call staff to fix downed traffic signs and malfunctioning traffic signals. On-call employees take home a specially-equipped vehicle. Each of the three on-call traffic sign technicians covers an assigned region of the County, and fix only downed STOP and YIELD signs; other types of downed signs are fixed on the following business day. The on-call signal technician fixes malfunctioning traffic signals and covers the entire County; they receive many fewer calls relative to sign technicians. On-call shifts start at the end of normal business hours and continue until the following day’s shift begins. Each on-call rotation lasts for one week.

Airport and Ferry Administration. Airport and Ferry Administration on-call staff cover emergency maintenance and other emergencies related to the airports and ferries in Pierce County. Examples include calls from the FAA related to emergency transponder signals, security breaches, and operational issues with ferries. On-call shifts are assigned on a weekly rotation and last from 4:00 PM until the next day’s regular shift begins.

### **On-Call Costs**

Per union and personnel agreements, sewer maintenance and operations and traffic operations employees are paid at a rate of \$2.80 per hour for each hour on-call.

If an employee is called in, they switch to overtime pay for actual hours worked.<sup>15</sup> Treatment plant maintenance staff are compensated for a

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<sup>15</sup> Overtime pay is 1.5 or 2 times the regular pay rate, depending on whether the call-in occurs on a weekend or County holiday.

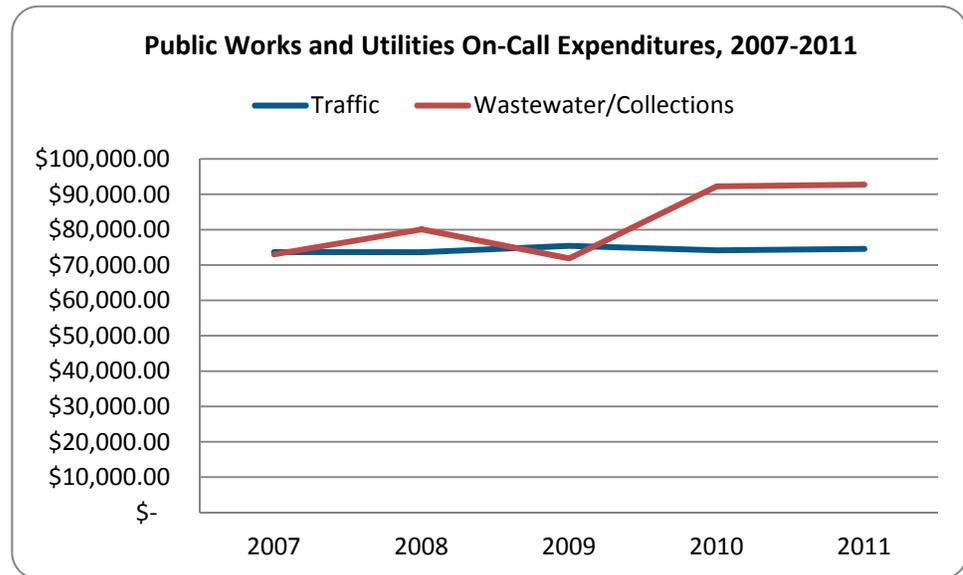
minimum of 4 hours of overtime if called in, while collections staff, treatment plant operators, and traffic operations staff are compensated only for hours worked if called in.

Airport and ferry administration on-call employees are paid at a rate of \$2.80 per hour for each hour on-call. If an employee is called in, on-call pay is suspended and they are paid overtime compensation for the duration of the work.

Figure 7 displays the on-call costs for Public Works and Utilities from 2007 to 2011. As can be seen from the chart, on-call costs have remained relatively steady for traffic operations, while sewer maintenance and operations on-call costs have increased from \$73,626 in 2007 to \$92,753 in 2011.

The Airport and Ferry Administration division began an on-call program in late 2011, so the costs were minimal for the year.

**Figure 7. Public Works and Utilities On-Call Costs, 2007-2011**

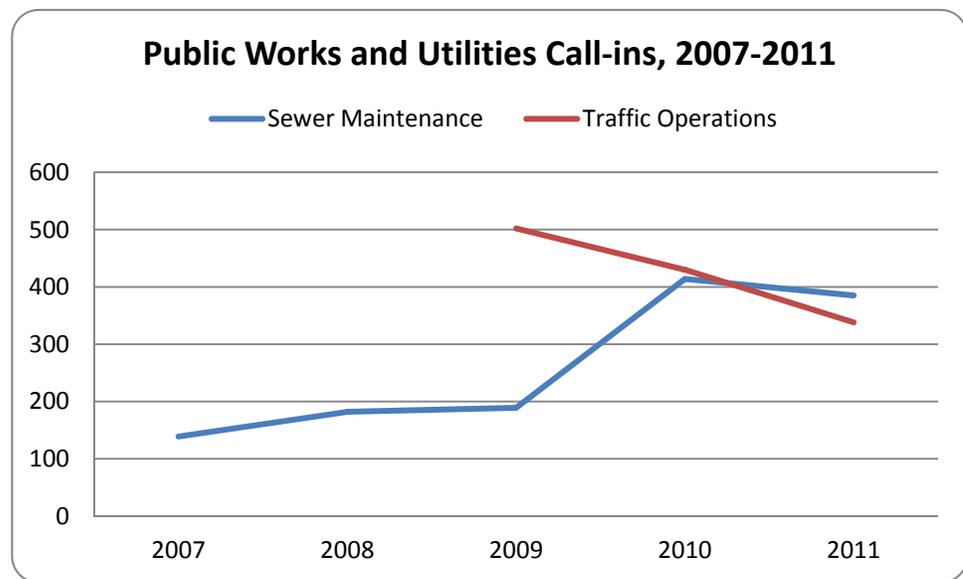


According to the department, the recent increase in sewer maintenance on-call costs is the result of the addition of the Treatment Plant Operator position to the on-call program. Previously, operators did not participate in an organized on-call program, although they were called in to the plant for emergency shift coverage. An on-call program was established for operators so that shift coverage could be more effectively scheduled.

### Workload of On-Call Staff

The department notes each time an employee has been called in while on-call. Figure 8 displays the number of call-ins from 2007 to 2011. As can be seen in the figure, call-ins have increased in Wastewater Maintenance, ranging from 139 to 414 over that time period. This increase is due to the addition of treatment plant operators to the on-call program. Data from Traffic Operations was available from 2009 to 2011, and over that time call-ins have decreased. Airport and Ferry staff received 4 call-ins between the beginning of the program in November 2011 through August 2012.

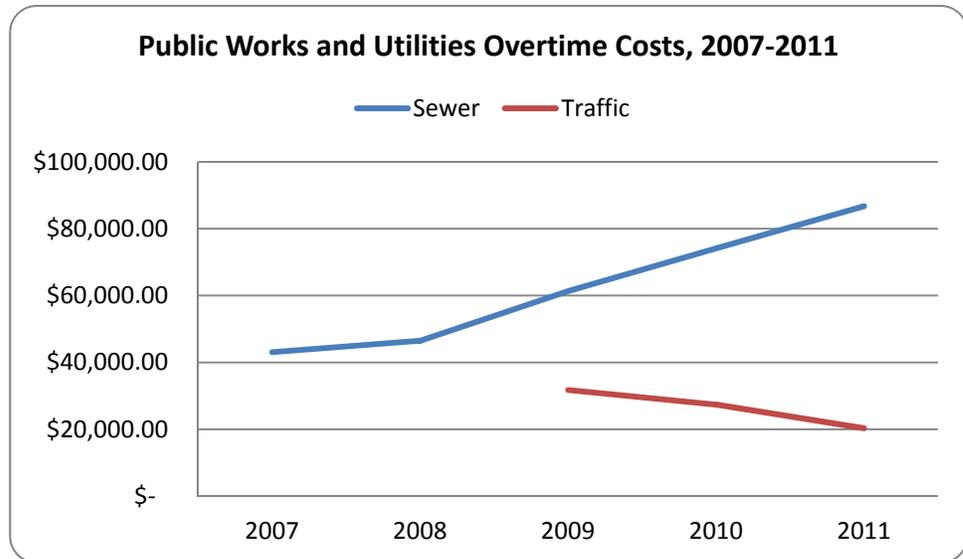
**Figure 8. Public Works and Utilities Call-ins, 2007-2011**



### Overtime Costs

As noted above, employees that are called in from an on-call status are compensated at the overtime pay rate if they have worked over 40 hours for the week. Overtime attributable to on-call was estimated using average salaries of positions that serve in the on-call program. Figure 9 displays the amount of overtime attributable to call-ins from 2007 to 2011. As can be seen from the chart, Traffic Operations estimated on-call overtime costs have decreased from \$31,733 in 2009 to \$20,309 in 2011.

**Figure 9. Public Works and Utilities Overtime Costs Attributable to Call-ins, 2007-2011**



Sewer Maintenance overtime costs attributable to on-call ranged from \$43,094 in 2007 to \$86,732 in 2011. The increase was due primarily to the addition of treatment plant operators to the on-call program.

Airport and Ferry staff incurred 7 hours of overtime attributable to the on-call program between the beginning of the program in November 2011 through August 2012.

It should be noted that the Department of Public Works and Utilities has been proactive in monitoring the use and cost of maintaining an on-call program, and based on that monitoring is in discussions to reduce the number of employees participating.

## Public Safety

### Section Summary

The Pierce County Sheriff and the Department of Emergency Management place employees in an on-call status to respond to emergencies that occur after normal business hours and cannot wait until the following day. These emergencies include medical and mental health issues at the jail, major crimes, fire investigations, and emergency management and coordination.

The following summary displays on-call duties and costs in the area of public safety. Overtime costs related to on-call was estimated for some functions, but aggregate costs were not available.

Staff:	Command staff, Detectives, Forensics and Property Room staff, Animal Control Officers, jail Mental Health staff and Physician Assistants, Deputy Fire Marshals and Duty Officers
On Call Duties:	Respond to after-hours emergencies and crime scenes, emergencies at the jail, and fires, and coordinate agency response during emergencies
2011 On-call Costs:	\$212,901
2011 On Call Use:	Corrections mental health, 5 calls per month; medical, 1-3 calls per day; Operations, 2 calls per week; DEM, 6-7 calls per week

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### Sheriff: Corrections Bureau

According to Pierce County Code, the Corrections Bureau “is responsible for the security, care, and custody of pretrial and committed offenders in accordance with state facility and operations standards. This bureau has a custody section and a program services section which provides social services, food services, and medical services to the prisoners.”<sup>16</sup>

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<sup>16</sup> Pierce County Code, Title 2, Chapter 2.06.010E

### **On-Call Staff**

The Corrections Bureau runs an on-call program within three areas: mental health, medical services, and administration. Prior to June 30, 2011, Corrections mental health staff were managed by the Human Services/Community Connections Department.

In the area of mental health, one Mental Health Evaluation Specialist is on call each day after normal business hours. Per a personnel agreement with the County, on-call mental health evaluation specialists are required to carry a communications device and be able to respond to calls and report to the jail within 60 minutes of receiving a call. They are prohibited from engaging in behavior while on call that would compromise their ability to respond. Participation in the program is mandatory, and the staff agree on on-call shift assignments among themselves.<sup>17</sup>

In the area of medical services, one Physician Assistant is on call each day after normal business hours. Per union contract, physician assistants who are designated to be on call must remain within Pierce County, be in telecommunication contact, and be free from intoxication while on call.<sup>18</sup> On-call shifts are scheduled by management, and generally follow a monthly rotation.

By union contract, one Corrections command staff member is designated to be an on-call Command Duty Officer each week.<sup>19</sup> The command duty officer cannot leave the County and must be “available and subject to call when needed for operational or administrative reasons ... on a 24-hour basis.”<sup>20</sup> Each of the three Correctional Captains and the Corrections Bureau Chief are on call for one week 17 times per year.

### **On-Call Duties**

Jail mental health services places a “MHP Hold” on inmates identified as a risk to themselves or others. According to the department, prior legal opinion has indicated that once this risk has been identified, the jail must perform due diligence in assessing these inmates prior to release. On-call mental health evaluation specialists are called in to evaluate “MHP Hold” inmates when they bail out after normal business hours,

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<sup>17</sup> *Pierce County Personnel Agreement #A003, September 2011*

<sup>18</sup> *Contract By And Between Pierce County And American Federation Of State, County And Municipal Employees Washington State Council Of County And City Employees, AFSCME, Council 2, For The Pierce County Corrections & Detention Center Non-Uniformed Group 2009 -2011*

<sup>19</sup> *Contract By And Between Pierce County And Pierce County Captain's Association, 2009 -2011*

<sup>20</sup> *Pierce County Sheriff's Department Policy Manual, Policy 358*

due to the safety and financial risk associated with their release. Staff will then assess the possibility of voluntary or involuntary hospitalization.

Each day, a mental health evaluation specialist is on call from the end of their shift until the following morning when the first staff member reports for duty.

Physician assistants are on-call to respond to medical emergencies that occur in the jail after normal business hours, such as inmate injuries or illnesses. In addition, they can respond by telephone to prescribe medications or advise whether to send an inmate to the emergency room. As with mental health staff, one physician assistant is on call from the end of their shift until the following morning when the first staff member reports for duty.

On-call command duty officers are notified of “unusual events or incidents in the jail facilities,” including: assaults on staff, in-custody deaths, escapes, riots, serious injury of an inmate, incidents that may draw strong media attention, and any time when CDO’s presence appears necessary.

According to the department, on-call Command Duty Officers primarily advise Corrections lieutenants or are briefed on major incidents that cannot wait until the next day. Command staff take weekly on-call shifts, rotating throughout the year.

### **On-Call Costs**

Per personnel and union agreements, on-call mental health evaluation specialists and physician assistants are paid the equivalent of one hour of regular wages for weeknight on-call shifts (16 hours/shift) and four hours of regular wages for weekend on-call shifts (24 hours/shift). If an employee is called in, they receive a minimum of 2 hours of pay at the overtime rate plus pay for actual hours worked beyond the first two hours.

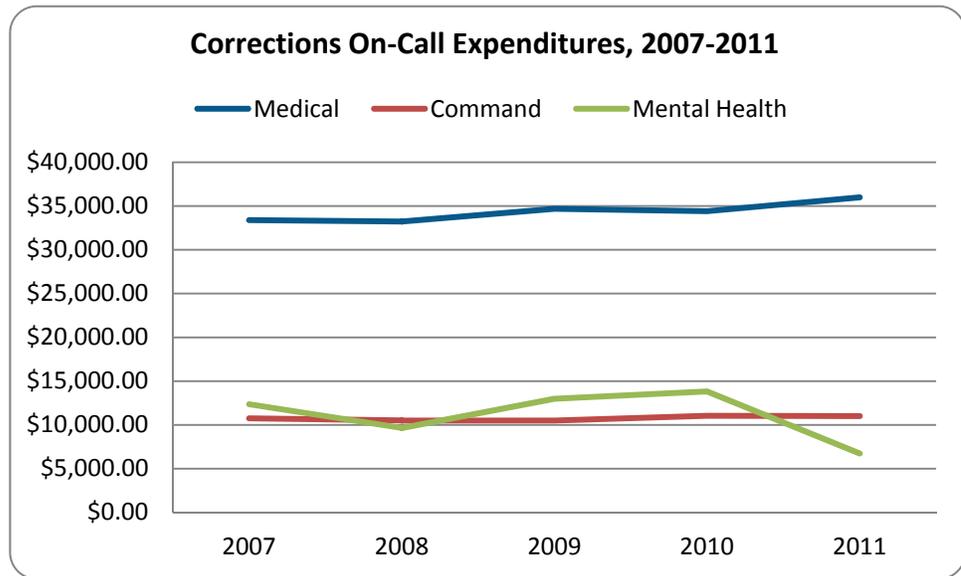
Unionized Corrections Captains who serve as on-call command duty officers are paid to be on call at a rate of \$275 per week.<sup>21</sup> The Chief of Corrections receives the use of a County vehicle to be on call as a command duty officer and is not paid overtime if called in.

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<sup>21</sup> *Contract By And Between Pierce County And Pierce County Captain’s Association, 2009 -2011*

Figure 10 displays the on-call costs for Corrections from 2007 to 2011. As can be seen from the chart, on-call costs have remained relatively steady for both medical and command staff from 2007-2011. Mental health on-call costs decreased temporarily in 2011 because on-call shifts were covered by the division manager, who is not covered under the personnel agreement setting on-call pay. Medical staff on-call costs are generally higher than mental health costs due to their higher relative wages.

**Figure 10.**  
**Corrections On-Call Expenditures, 2007-2011**



### Workload of On-Call Staff

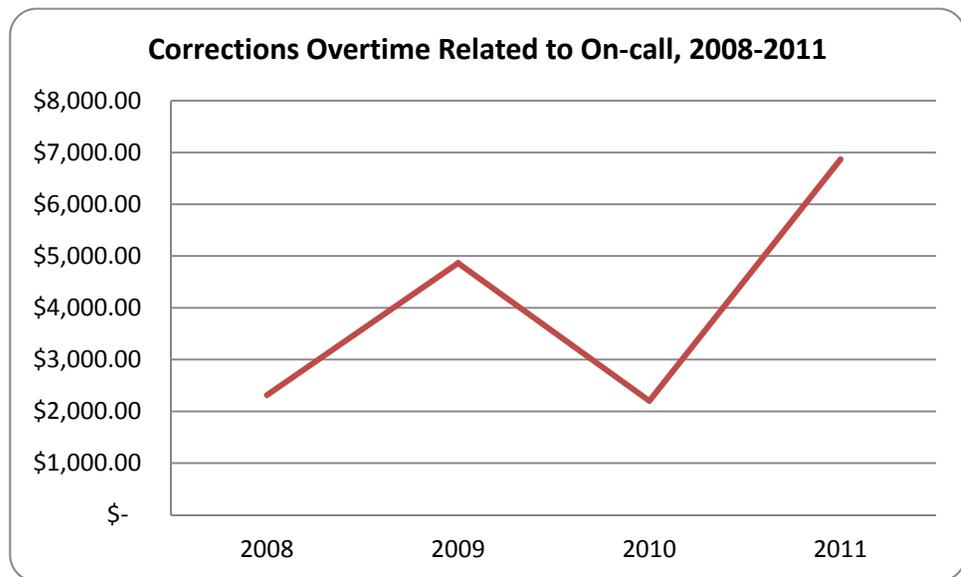
According to the department, since 2007, there have been 30 call-ins for on-call medical staff. Since July 2011, there have been roughly 25 call-ins for mental health staff. Staff also respond by telephone while on call. The department estimates that mental health staff get between 1 and 5 calls per month, physician assistants get between 3 to 5 calls per night, and command duty officers get 5 or more calls per week.

### Overtime Costs

As noted above, employees that are called in from an on-call status are compensated at the overtime rate of pay. Overtime attributable to on-call status is not tracked separately from other overtime in the County's current payroll system, so performance audit staff estimated overtime related to on-call by analyzing payroll records for the years covered in the study. As noted above, it is likely that this analysis overestimates the amount of overtime attributable to the on-call program.

Figure 11 displays the amount of overtime attributable to on-call from 2007 to 2011. As can be seen from the chart, little overtime has been incurred as a result of the on-call program. This is understandable given the limited number of call-ins reported by the department.

**Figure 11.**  
**Corrections**  
**Overtime Costs**  
**Attributable to**  
**Call-ins, 2007-**  
**2011**



The increase from 2010 to 2011 is most likely the result of the transfer of mental health staff to the Corrections Department from the Community Connections Department.

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**Sheriff:**  
**Operations**  
**Bureau**

According to Pierce County Code, the responsibilities of the Operations Bureau include “uniformed patrol response to calls for service, traffic accident investigation and traffic enforcement, apprehension of criminals, vice and narcotic enforcement, drug prevention education, crime prevention education, criminal investigations, and service of warrants.”<sup>22</sup>

**On-Call Staff**

The Operations Bureau maintains an on-call program in the following areas: Investigations, Forensics, Property Room, Administration (Command Staff), and Animal Control.

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<sup>22</sup> Pierce County Code, Title 2, Chapter 2.06.010E

In the area of investigations, one Detective Sergeant or Detective is required to be on-call during the week, and two during the weekend. According to the department, on-call shifts are assigned through a sign-up process based on seniority each November for the following year.

One Forensic Investigator is assigned to be on-call each week based on seniority in mid-November for the following year. Property Room Officers are assigned by management to be on-call based on vacations, staff requests, and operational need up to three months in advance of on-call shifts. Holiday on-call shifts are assigned on a rotating basis. One animal control officer is assigned by management to be on call each day.

Per union contracts, on-call detectives, forensic investigators, property officers, and animal control officers must be free from the effect of alcohol or any controlled substance, reachable through telecommunications, and immediately available.<sup>23</sup>

By department policy, one operations command staff member is designated to be an on-call Command Duty Officer each week. The command duty officer must be “available and subject to call when needed for operational or administrative reasons ... on a 24-hour basis.”<sup>24</sup>

### **On-Call Duties**

According to the department, detectives typically respond to homicides, major assaults, and any other crimes that are deemed serious enough for a detective’s response. One detective is on call between midnight and 6:00 AM each weekday, and two are on call over the weekend. To mitigate the cost of on-call shifts and overtime, the department instituted a regular swing shift lasting from 2:00 PM to midnight from Monday to Thursday each week.

Forensic investigators are on call to respond to crimes that are violent in nature and that occur after normal business hours. Forensic investigators are on call between 11:00 PM and 6:00 AM during the week, as well as over the entire weekend. To mitigate the cost of on-call shifts and overtime, the department instituted a regular swing shift lasting from 1:00 PM to 11:00 PM from Monday to Thursday each week.

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<sup>23</sup> *Contract By And Between Pierce County And Pierce County Deputy Sheriffs' Independent Guild, Local No. 1889 January 1, 2010 -December 31, 2011; 2010-2011 Contract By and Between Pierce County and Teamsters Local Union No. 117, Affiliated with the International Brotherhood of Teamsters, on Behalf of Forensic Investigators and Property Room Officers; Memorandum Of Understanding By And Between Pierce County And AFSCME, Local 120 General Unit*

<sup>24</sup> *Pierce County Sheriff's Department Policy Manual, Policy 358*

Similarly, after normal business hours, on-call property room officers pick up property that is too large, bulky or voluminous to fit in an evidence locker, and so must be transported directly to the property warehouse for processing and storage. After hours property retrieval can be related to narcotics search warrants and homicides, for example. On-call shifts begin and end at noon on Wednesdays, and on-call staff are responsible for responding to calls that extend into or begin in off-duty hours. The property room does not employ a swing shift for operational reasons (for example, two staff are required to access certain security areas, and transporting cash can only occur during business hours).

Animal Control Officers are on call from the end of an employee's shift until the beginning of the following business day. Example calls include loose dangerous dogs, 911 calls involving animals, animal attacks, and livestock blocking roadways.

Command Duty Officers who are on call are responsible for responding to major incidents, including coordinating activities and addressing inquiries from the media and the public. Examples of major incidents include officer-involved shootings, major crime scenes, and SWAT calls.

### **On-Call Costs**

On-call pay is set through personnel agreements and union contracts. Investigations staff receive a flat rate to be on call each day, with a higher rate paid for weekend days. Forensics and property room staff are paid an hourly rate to be on call during the week, and a flat rate for each weekend day. In addition, investigations, forensics, and property room staff are paid 1.5 times the weekend rate to be on call during holidays. Animal control officers are paid a flat rate to be on call each day of the week.

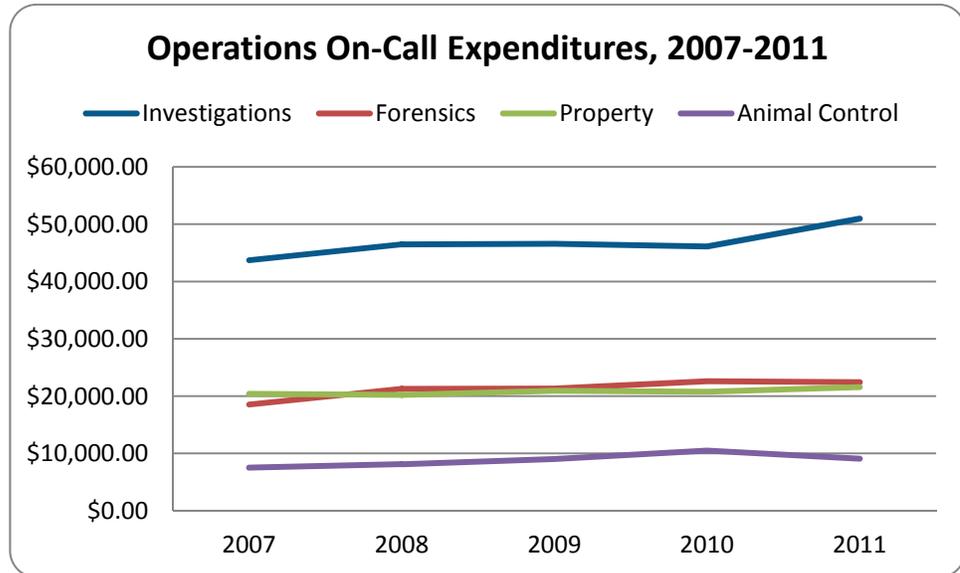
If called in to work, investigations staff receive the appropriate rate of pay for actual hours worked in addition to on-call pay. This rate is the overtime rate if the hours worked in the week exceed 40 hours.

Forensics and property room staff as well as animal control officers receive the appropriate rate of pay at a minimum of two hours when called in, in addition to on-call pay.

Command Duty Officers are assigned vehicles, but are not paid for on-call shifts or any overtime if they are called in.

Figure 12 displays the on-call costs for Operations from 2007 to 2011. As can be seen from the chart, on-call costs have remained relatively steady from 2007-2011. Because there are two detectives on call over weekends, on-call costs for investigations are higher than in other areas.

**Figure 12.**  
**Operations On-Call Costs, 2007-2011**



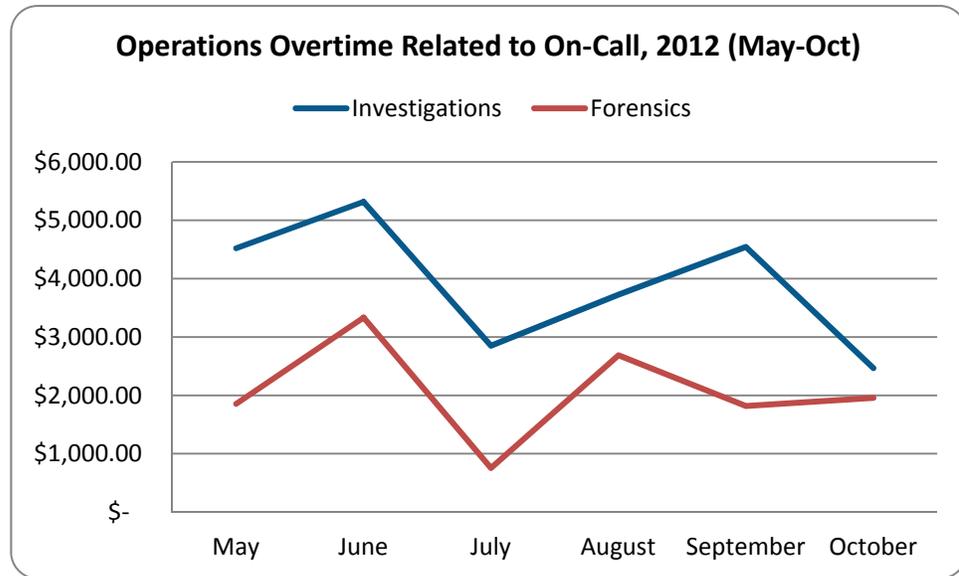
**Workload of On-Call Staff**

Analysis conducted by the Sheriff’s department covering a six-month period in 2012 indicates that on-call investigations and forensics staff are called-in during approximately 25% of on-call shifts. Command staff estimates that while calls are highly variable from week to week, they can range from no calls to several calls each night. Animal control staff estimate that they are called in roughly 2 to 3 times per week.

**Overtime Costs**

Employees that are called in from an on-call status are compensated at the overtime rate of pay. Overtime attributable to on-call status is not tracked in the County’s current payroll system. Based on data provided by the Sheriff’s Department for six months in 2012 (May-October) covering investigations and forensics, performance audit staff estimated overtime costs. Figure 13 displays these costs by month. The estimated total for this six-month period was \$35,812.

**Figure 13.  
Operations On-  
Call Overtime  
Costs, 2012**



## Emergency Management

According to Pierce County Code, the responsibilities of the Department of Emergency Management include preparing and coordinating plans for emergency management in the event of a disaster; developing mutual aid agreements to be executed by the County Executive or designee for the purposes of regional emergency management; acting as the hazardous materials incident coordinating agency for Pierce County; managing and coordinating the County inter-departmental radio communications system; and managing the Office of Fire Prevention and Arson Control (Fire Prevention Bureau).<sup>25</sup>

### On-Call Staff

Emergency Management maintains an on-call program for the Fire Prevention Bureau and also for coordination of emergency response in the County. These programs are regulated through a union contract and a personnel agreement with the County.<sup>26</sup>

For the Fire Prevention Bureau, one Deputy Fire Marshal is on call after normal business hours. Per union contract, on-call deputy fire marshals must be within Pierce County borders, sober, and immediately available through a telecommunications device. Deputy fire marshals are required to participate in the on-call program.

<sup>25</sup> Pierce County Code, Title 2, Chapter 2.06.010E

<sup>26</sup> 2009 -2011 Contract By And Between Pierce County And Council 2 Washington State Council Of County And City Employees, American Federation Of State, County, And Municipal Employees (AFSCME), AFL-CIO Local 120-General Unit; Pierce County Personnel Agreement #A009, 2006

For the coordination of emergency response in the County, two employees – a duty officer and a duty manager – are on call after normal business hours. The duty officer role is filled by the following positions: Emergency Management Coordinator 1, Community Program Educator, and GIS Specialist. The duty manager role is filled by the following positions: Emergency Management Coordinator 2 and 3, and Emergency Management Program Manager. In addition, a Community Program Educator occasionally takes on-call shifts as a Program Information Officer when the Public Information Officer is unavailable. Employees in these classifications are required to participate in the on-call program.

By department policy, on-call employees must maintain themselves in a “work” ready condition, so use of alcohol or controlled substances is prohibited.

### **On-Call Duties**

According to the department, deputy fire marshals are called in from an on-call status by an incident commander of a fire to ask “for a fire investigator when there is significant dollar damage, any unknown cause of the fire, arson is suspected, or death or transportable injury has occurred from a fire.”<sup>27</sup> They can also provide phone consultations on fires of lesser impact or fire code opinions.

On-call shifts last for 16 hours on weekdays (after normal business hours) and for 24 hours on each weekend day. On-call shifts are assigned for each day. Deputy Fire Marshals provide the same services during normal business hours, in addition to performing routine fire inspections. On-call shifts last from 7:30 AM until 7:30 AM the following day.

In the area of emergency management, duty officers are on call to support law enforcement, fire, and health emergencies, where there is a need for coordination among agencies. According to the department, the majority of calls are to support search and rescue efforts in Pierce County and around the state. Examples include the recent shooting of a ranger on Mount Rainier and a search for missing hikers on Alder Lake.

The department instituted an on-call program for duty managers in 2011 so that duty officers can contact staff authorized to make operational decisions after normal business hours. On-call shifts rotate weekly, starting after normal business hours and ending at the beginning of the next business day.

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<sup>27</sup> Email communication, October 15, 2012

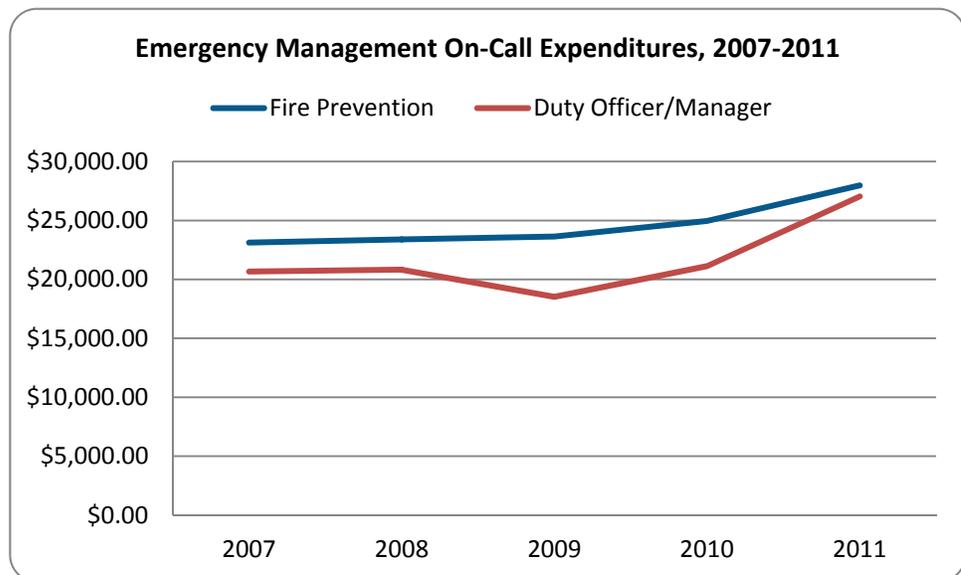
### On-Call Costs

Per union agreement, deputy fire marshals are paid one hour of regular salary for weekday (16-hour) on-call shifts and four hours of regular salary for each weekend or holiday (24-hour) on-call shift. If an employee is called in, they receive the appropriate hourly rate of pay.<sup>28</sup> Fire marshals also receive overtime pay for phone calls received while on-call that last longer than 10 minutes. They receive a minimum of 2 hours of pay when called in, and after the first two hours, they are paid for actual hours worked.

Per personnel agreement, most duty officers and managers are paid \$3.00 per hour to be on call. If they are called, they are authorized to receive overtime beginning with one-tenth of an hour of work done. The Emergency Management Program Managers serving as a duty managers are not part of a collective bargaining unit that receives on-call pay by contract, and thus do not receive payment for being on call.

Figure 14 displays the on-call costs for Emergency Management from 2007 to 2011. As can be seen from the chart, on-call costs remained relatively steady from 2007 to 2010. In 2011, on-call costs increased due to the addition of the duty manager to the on-call program. On-call costs can vary due to the fact that as mentioned above, not all duty managers are paid to be on call.

**Figure 14.**  
**Emergency**  
**Management**  
**On-Call Costs,**  
**2007-2011**



<sup>28</sup> The overtime rate, if the hours worked during the week exceeds 40 hours.

**Workload of On-Call Staff**

In the area of emergency management, the department requires on-call staff to record each instance in which an employee was called or called in. The duty officer log from January 2012, for example, notes at least 25 discrete incidents. The length of each call-in varies depending upon the nature of the emergency or fire.

For the Fire Prevention Bureau, the department estimates that there are roughly 200 fires per year, with roughly 65% occurring after normal business hours. In addition, there are an estimated 100 calls per year occurring at all hours for code questions or smaller fires. Given the number of fires after normal business hours, the department has considered using a night shift. However, night shift deputies would not be able to conduct many of their normal duties after normal business hours.

**Overtime Costs**

Employees that are called in from an on-call status are compensated primarily at the overtime rate of pay. Overtime attributable to on-call status is not tracked in the County's current payroll system, so performance audit staff estimated overtime related to on-call by analyzing payroll records for the years covered in the study. As noted above, it is likely that this analysis overestimates the amount of overtime attributable to on-call status. Given the data, this is the closest estimation that can be currently made.

Based on this analysis, staff estimate that between 2008 and 2011, overtime costs related to on-call ranged from \$45,000 to \$55,000 per year.

## Peer Comparisons and Benchmarking

**Background** The Performance Audit Office contracted with FLT Consulting, Inc., to conduct an examination of how other, similar jurisdictions manage, staff, fund and budget for the use of employees in providing services that require after-hours staff; and to identify relevant best or leading practices in the area of “on-call” staffing, if any.

**Methodology** FLT Consulting researched practices in other counties and conducted research to determine what, if any, best practices exist for the use of on-call or standby staffing to provide services that require after-hours staffing. The selected comparator counties – Clark, King, and Spokane – are similar in size to Pierce County, and represent a geographic diversity, which we hoped would also offer a variety of approaches.

For each county reviewed, FLT Consulting began by contacting the County Human Resources Department to see if that agency had information on county-wide use of on-call staffing. If the Human Resources Department was unable to provide this information, FLT then contacted individual departments. FLT also reviewed relevant collective bargaining agreements to see what on-call provisions they included. FLT focused the review on the types of functions for which Pierce County uses on-call staffing, including attorneys, facilities management, public works, and law enforcement. In some cases they were able to gather information about other county functions that provide on-call pay where Pierce County does not.

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**Peer County Comparison** A few themes emerged from the review of other counties. Generally, on-call pay is used in instances where immediate response to emergencies is essential, whether that is a murder or fire, an alarm at the wastewater treatment plant, or a broken water pipe in a county office building. Another commonality is that on-call or standby pay provisions are usually negotiated as part of collective bargaining agreements. Additionally, staff in all three counties have limited ability to monitor the use and costs associated with on-call staffing.

The table on the following page summarizes the departments or programs in comparator counties that regularly use on-call pay. This table includes only those county programs that regularly pay people to remain on-call. It does not include those programs that require employees to respond to emergencies, but do not pay them to remain on call.

## On-Call or Standby Pay Use in Other Counties by Department

Function	Pierce County	Clark County	King County	Spokane County*
Assigned Counsel/Public Defender	\$300 per on-call week	<i>Contracted function</i>	No	\$300 per on-call week
Prosecuting Attorney	\$300 per on-call week	No	No	\$150 per on-call week
Facilities Management	\$2.50 an hour for on-call; Call-back pay is a minimum of 2 hours at appropriate rate	No	Electricians and plumbers on-call for detention centers: On-call pay of 4 hours overtime for each 24 hour on-call period; Call-back is overtime	No
Public Works and Utilities	\$2.80 an hour for on-call; Call-back pay is overtime for actual hours worked	Wastewater: \$2.35 on hour for on-call time; time and a half for call-out with 4 hour minimum	Wastewater: On-call pay depends on bargaining unit, 10% of regular pay or \$3.26 an hour increased by COLA annually; Call-back pay is one and half regular rate	No
Sheriff	Investigations: Flat rate for weeknight and weekend shifts; Forensics and Property Room: hourly rate for weekdays, flat rate for weekends. Call-back pay is appropriate hourly pay rate  Command Duty Officers: \$275 per week	Enforcement Command Duty Officer receives \$500 per 14-day rotation	Criminal Investigations Division: On-call pay at rate of 12 hours of regular pay for an on-call weekend; Call-back pay is a minimum of 4 hours of overtime	Forensics, Lieutenants, Major Crime Detectives, and Traffic: 12 hours of regular pay for 60 hours of on-call time; Call-back is minimum of 4 hours of straight time, or time and a half the regular rate for all hours worked, whichever is greater

Function	Pierce County	Clark County	King County	Spokane County*
Animal Control	Flat rate for 16 hours on-call (weeknights); If call-back, minimum of 2 hours	No	\$10 per on-call shift; call-out pay is minimum of 2 hours at overtime rate	Higher hourly wages compensate for on-call hours; Call-back is time and a half.
Jail	Medical Services and Mental Health: 1 hour regular pay for weeknights and 4 hours for each 24 hour weekend shift; Call-out pay is minimum of 2 hours overtime  Command Duty Officer: \$275 per week	Custody Command Duty Officer receives 2 hours of leave for 2 weeks	Nurse practitioners and nurse supervisors: 12% of base pay for standby; Call-out pay is overtime	Correctional Lieutenants receive \$300 per on-call week
Emergency Management	\$3 an hour; Call-out pay is overtime	<i>Not county agency</i>	Duty officers receive salary increase due to 24-hour nature of job	No
Fire Investigations	1 hour regular pay for weeknights for and 4 hours for each 24 hour weekend shift; If called back, minimum of two hours pay	\$2.35 of standby pay; Call-out pay is time and a half for a minimum of 2 hours	15% of base pay for standby hours; Call-out pay is time and half for a minimum of 4 hours	No
Other	TPCHD – Nurse Epidemiologists, Emergency Preparedness Staff, Environmental Health: \$75 per shift, 1 shift per week, No OT	Public Health Communicable Disease: \$1.50 an hour in standby pay; Call-out pay is minimum of 2 hours at regular rate		Risk Management: \$50 for a standby shift for Safety Coordinators and Liability Claims Adjudicators

## County Practices Vary

As shown in the table, in most instances where Pierce County uses on-call staffing, at least one of the comparator counties also uses on-call staffing. However, there is no one policy area where all counties consistently use on-call staffing pay in the same way.

Counties have a few ways of establishing on-call pay rates: (a) a set dollar amount for the entire on-call duty (for instance, \$300 for a week), (b) an hourly rate that is less than an employee's normal rate (\$2.35 an hour), or (c) regular pay for a portion of hours worked (12 hours for a 60-hour weekend). King County offers a fourth option of paying people a percentage of their normal pay rate. In many instances, employees receive pay for a minimum number of hours if actually called to work.

Counties use different names to describe the practices described in this report. Some county departments, like those in Pierce County, use the term "on-call." Others, including Clark County, prefer "standby." Further complicating matters, some counties use both terms. King County's agreement with the Police Officers Guild refers to both standby and on-call. According to that agreement, on-call employees must restrict their personal activities and carry a phone or paper, while standby employees are told to be ready to respond within an hour or less but are not restricted in the use of their personal time.

## Monitoring is Limited

Counties appear to have limited abilities to track and monitor the use of on-call and call-back pay. A notable exception is the Spokane County Human Resources Department, which was able to use the payroll system to produce a report on the amount that various departments have spent on on-call pay.

In departments in all three counties, staff have limited ability to tell how often on-call staff are actually called in to work. Several people reported that they could track use of on-call by looking at payroll and other tracking systems, such as 911 reports or logbooks. However, staff also reported that this is not information that they regularly monitor.

## Descriptions of County Practices

**Clark County** uses on-call for the wastewater treatment plant, Sheriff's Office, jail, and fire investigations. Clark County uses on-call staff in Public Health for communicable disease epidemiologists and nurses. On-call employees in wastewater, fire investigations, and public health receive hourly pay. The Sheriff's Office Command Duty Officer receives \$500 for each two-week rotation and the Custody Command Duty Officer at the jail receives two hours of leave for a two-week rotation.

In contrast to Pierce County, Clark County does not use on-call staffing pay for Facilities Management. According to Clark County Facilities Management staff, they have a lead worker assigned to take after-hours calls and then call a tradesperson to respond to the emergency. Because they have multiple people in every department, they are always able to find someone who can respond to emergencies. They have opted to use this approach instead of on-call pay because on-call pay would also limit the freedom of the person on-call, which they would rather not do.

**King County** has over 70 labor agreements, making it difficult to get a complete picture of the use of on-call pay. Of the functions in which Pierce County has on-call pay, King County also compensates some employees for on-call hours. Specifically, King County uses on-call pay for Facilities Management, wastewater treatment, the Sheriff's Office, animal control, adult detention, and fire investigators. At the jail, King County does not have on-call command duty officers like the other counties; however, it does have on-call medical staff.

The various labor agreements – sometimes multiple agreements per department – have differing on-call provisions. A common approach in King County is for on-call pay to be a percent of the regular salary; this is true for some wastewater treatment plant employees, jail health, and fire investigations. Other wastewater treatment plant employees receive on-call pay that is an hourly rate. The Sheriff's Office and Facilities Management pay on-call employees a certain portion of hours worked and animal control pays a fixed dollar amount per shift.

Like Pierce County, King County Emergency Management has on-call Duty Officers. While the collective bargaining agreement for King County Emergency Management includes procedures for a Duty Officers, it does not specify that Duty Officers receive additional on-call pay for this responsibility. However, due to the 24-hour nature of the job, they receive a one range increase in their pay scale (about two percent) compared to program managers in other county departments.

**Spokane County's** Human Resources Department was able to run a report in the payroll system on the use of on-call pay for all County departments. This is an important step in being able to review on-call use in the county. According the payroll report, Spokane County uses on-call pay for the Prosecuting Attorney's Office, Public Defender's Office, Sheriff's Office, Spokane County Animal Protection Services, Corrections Lieutenants, and Risk Management Safety Coordinators and Liability Claims Adjudicators.

The Prosecuting Attorney’s Office, Public Defender’s Office, Correctional Lieutenants, and Risk Management all pay a set dollar amount per on-call duty rotation. The Sheriff’s Office pays a certain number of hours for each on-call weekend. Spokane County Animal Protection Services does not pay separately for on-call time, but increases the regular pay rate to compensate for on-call requirements.

According to the payroll report, traffic sign and signal technicians did not receive on-call pay during the first ten months of 2012. However, the collective bargaining agreement for traffic sign and signal technicians states that technicians will receive \$1.00 per hour for standby on weeknights (Monday through Thursday) and \$2.50 per hour for standby time on the weekends.

### **Other Models**

In our review of on-call or standby staffing, we found a few other variations in practices. First, some counties require certain salaried employees to be on call, but because the employees are salaried and overtime exempt, they do not receive additional compensation for their on-call or call-back hours. An example of this is in King County Facilities Management where supervisors are assigned on-call shifts as duty managers, but as exempt employees, do not receive on-call pay.

Second, some county officials indicated that they use staffing agencies to provide additional staffing as needed. For instance, Clark County Public Works contracts with temporary staffing agencies so the department can add temporary staff during peak season to help with road projects. In addition, the Spokane County Sheriff’s Department uses staffing agencies for interpreters on an as-needed basis.

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### **Best Practices**

Our review found evidence that on-call pay is commonly found in the public sector because of government’s responsibility for functions related to public safety, emergency management, and other vital services such as wastewater treatment systems and traffic management. These functions need to be maintained and operated 24 hours a day, which requires one or more employees to be on-call and able to quickly respond.

### **Standard Practices and Policies Not Found**

However, a search for best or standard practices related to on-call and standby staffing produced limited results. Practices and policies appear to vary widely and to be developed through the collective bargaining process rather than through standard approaches. We researched professional development organizations and looked for standard or “model” policies in this area, but did not find any.

**Fair Labor  
Standards Act  
(FLSA) is  
Primary Guide**

One of the most common topics discussed, for both the public and private sector, is whether the Federal Labor Standards Act requires employers to compensate employees for on-call hours.<sup>29</sup> According to the U.S. Department of Labor, whether an employer must pay an employee for on-call hours depends on the restrictions placed on the employee, such as ability to leave the work site, geographic limitations, frequency of calls received or restrictive response times, and ability to trade on-call shifts.<sup>30</sup>

It is also important to note that in Washington State, employers are generally not required to pay employees for being on-call.<sup>31</sup>

Aside from discussions of legality, we found relatively few discussions about whether on-call staffing is the best way to respond to emergencies and how best to structure it. One exception is related to arson investigation. In 2004, the U.S. Fire Administration published a report on fire investigation units.<sup>32</sup> This report recognizes the competing demands of the work. Most fires are at night and timely response is important, but follow-up work is important and is best done during business hours. However, relying entirely on a daytime schedule with evening and weekend on-call can result in burnout and increased overtime costs.

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<sup>29</sup> See, for instance, Municipal Research and Services Center of Washington:  
<http://www.mrsc.org/askmrsc/featuredinq.aspx?inq=730>

<sup>30</sup> U.S. Department of Labor Wage and Hour Division, Opinion Letter – Fair Standards Act (FLSA2008-14NA), December 2008. [http://www.dol.gov/whd/opinion/FLSANA/2008/2008\\_12\\_18\\_14NA\\_FLSA.htm](http://www.dol.gov/whd/opinion/FLSANA/2008/2008_12_18_14NA_FLSA.htm).

<sup>31</sup> Washington State Department of Labor and Industries.  
<http://www.lni.wa.gov/WorkplaceRights/Wages/PayReq/Wages/default.asp>

<sup>32</sup> U.S. Fire Administration, “Attacking the Violent Crime of Arson: A Report on America’s Fire Investigation Units,” 2004. Available at: [http://www.usfa.fema.gov/downloads/pdf/publications/attacking\\_violent\\_crime\\_arson.pdf](http://www.usfa.fema.gov/downloads/pdf/publications/attacking_violent_crime_arson.pdf)

## Conclusions and Recommendations

**Pierce County** Many County functions require the delivery of services after normal business hours. There are four primary means to doing so:

1. Schedule shifts to provide services at all times, using normal pay rates.
2. Require regular staff to be on-call without pay, incurring overtime for the times they are called in.
3. Pay staff to be on-call as part of an on-call program, incurring overtime for the times they are called in.
4. Contract with an outside entity to provide services on an as-needed basis.

Effectively monitoring an on-call program assists management in determining (a) the appropriate number of staff to assign to an on-call program and for a particular on-call shift, and (b) whether the costs of the on-call program and associated overtime exceed costs of an alternative staffing method.

In Pierce County, several departments pay staff to be on-call after normal business hours to provide unscheduled and unexpected emergency or critical services. The departments differ in how and what they pay staff to be on call, and differ in how they track use and expense within on-call programs.

In most cases, County departments have structured on-call programs to use the minimum amount of staff resources necessary to provide emergency service. This is especially true for programs that have only one employee on call at any time.

While not all departments are consistently tracking on-call and related overtime use, some are monitoring on-call use to inform staffing practices. For example, The Public Works and Utilities Sewer Maintenance and Operations division has studied the use of on-call staff to identify efficiencies, and has begun discussions to alter the program within the framework of union agreements. Their study was based on an analysis of the types of calls for service received after hours, the skill sets required in those calls, and the expense of providing those services on an on-call/overtime basis.

## **Other Jurisdictions**

A review conducted by FLT Consulting, Inc. identified strategies that other counties have used to provide emergency services after normal business hours. These jurisdictions did not differ significantly in how they provide on-call services, and did not generally monitor workload and cost of on-call programs. Further, although Washington state does not require employees to be paid to be on call, research indicated that on-call programs were usually guided by union negotiations rather than by standardized practices.

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## **Recommendations**

Based on the review of Pierce County on-call programs, research on other jurisdictions, and best practices, Pierce County agencies should consider the following modifications to on-call programs:

1. Monitor the workload of on-call employees to determine the appropriate number of staff to assign to an on-call program and for a particular on-call shift. This could be reported in the form of workload service indicators in the annual budget.
2. Track overtime related to on-call programs separately from other overtime to determine whether the costs of an on-call program exceed the costs of an alternative staffing method.

According to the Budget and Finance Department, the new payroll system that the County is implementing should include this functionality.

3. Given the various on-call programs within the County, there is a unique opportunity to analyze the effectiveness of different on-call program structures. Monitoring on-call use and expense could be used to develop metrics, such as on-call costs per hour worked, that could inform management when establishing on-call programs or negotiating rates for on-call pay.