



The Sonoma County Grand Jury

CORRECTIONAL OFFICER OVERTIME, UNDERSTAFFING AND INJURY IN THE COUNTY JAIL

July 1, 2004

Summary

The 2003-04 Sonoma County grand jury found that correctional officer mandatory overtime is excessive, resulting in fatigue and the highest incurred disability injury costs of any Sonoma County job classification. The injury costs outweigh the costs of hiring more correctional officers to reduce the injury rate. Overtime in the jail should be voluntary.

Reason for Investigation

Penal Code section 919(b) mandates the jury to “inquire into the condition and management” of local jails.

Background

As a consequence of the grand jury’s inquiry this year into the condition and management of the jail, the jury learned that correctional officer overtime and staffing were important issues. For more on background see “Facing up to Changes in the Jails” elsewhere in this publication.

Investigative Procedures

The grand jury interviewed the following persons:

- Sheriff
- Assistant Sheriff for the Detention Division
- Three senior officers in the Detention Division
- One Detention Division staff member
- Thirty-three correctional officers and sergeants
- Deputy Director of Administration for the Sheriff’s Department and four staff members
- Manager of Personnel Bureau for Sheriff’s Department
- Sonoma County Risk Manager

The grand jury also reviewed over two dozen reports and documents. For a complete listing, see the Reference List at the end of this report.

Terminology and Concepts Used in Findings Below

- **ADP.** Average daily population of inmates. ADP is based on a census taken at midnight. The annual ADP is the sum of all daily ADPs divided by the number of days in the year.
- **Availability.** The number of regular (not overtime) hours worked within a given time period. Often expressed as a percentage of total possible regular work hours. For example, if in a

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year correctional officers worked an average 1,583 hours each out of a total possible 2,088 hours, their availability was 75.8%.

- **Compensatory time.** Time off in lieu of pay. Comp time.
- **Filled position.** A full-time position for which someone has been hired.
- **Fixed-post positions.** Positions that by policy cannot be vacant.
- **FTE.** Full-time equivalent employee(s). A computed statistic representing the number of full-time employees that could have been employed if the reported number of hours worked (often overtime) had been worked by full-time employees. Commonly computed by dividing the number of paid hours within a given time period by the total number of possible work hours for a full-time position within that time period. For example, a pay period is 80 hours. 200 overtime hours in a pay period equals 2.5 FTE (200 divided by 80). In year 2003 there were 2,088 work hours. 10,440 overtime hours in year 2003 equals 5 FTE.
- **Funded position.** A full-time position for which there is money to pay a full-time employee. A funded position may or may not always be filled.
- **MADF.** Main Adult Detention Facility, 2777 Ventura Ave., Santa Rosa, next to the Hall of Justice.
- **NCDF.** North County Detention Facility, 2254 Ordinance Road, Santa Rosa, next to the Charles M. Schultz airport.
- **Overtime hours.** Hours worked in addition to regular hours. In the analysis below, overtime hours are often described by the reasons for the absences that caused the overtime. For example "10,000 disability hours" would be the number of overtime hours worked to replace workers absent because of disability injuries.
- **Pay period.** 80 hours. In fiscal year 2003-04 (includes a leap year) there are 26.2 pay periods (2,096 paid hours).
- **Turnover rate.** As used here, the annual percentage of correctional officers who leave employment as correctional officers for any reason.

Findings

(Charts are available for several of the following Findings in the Addendum section at the end).

- F1. Overtime pay is an important source of income for correctional officers, averaging 30 percent of total income.
- F2. Most overtime hours are mandatory for correctional officers assigned to fixed-post positions. Some correctional officers choose to work more than the minimum number of mandatory hours.
- F3. Excluding sergeants, management, and administrative positions, correctional officers each worked an average 464 hours of overtime in 2003.
- F4. In 2003, correctional officers assigned to fixed-post positions worked an average 20 hours of overtime per pay period.
- F5. Correctional officers sign up for overtime hours once a month beginning at a specified hour, first come first served. Correctional officers who do not sign up will have hours assigned to them. Correctional officers must wait on their own time for sign-up to begin. For some officers the wait period can be three or four hours.
- F6. Most correctional officers are willing to forgo some overtime in exchange for more free time and more control over their work schedules. A few correctional officers are willing to give up all overtime.

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- F7. Most overtime hours are planned a year in advance. Since fiscal year 1997-98, between 70% and 90% of all Detention Division annual overtime hours were anticipated at the time the budget was approved by the Board of Supervisors. Beginning fiscal year 2000-01, 85% or more of overtime hours were budgeted.
- F8. Administrators know how many FTE to hire to reduce overtime to 1992-93 levels. In the county budget, correctional officer overtime hours are expressed as full-time equivalent positions. Beginning with fiscal year 1997-98, and assuming 80% availability, another 35 to 40 full-time positions could have been filled in the Detention Division to eliminate 70 percent of all Detention Division overtime hours without risk of overstaffing.
- F9. The number of inmates has increased at more than twice the rate of correctional officers. Since fiscal year 1992-93, the inmate population has increased 36 percent while the number of filled full-time equivalent positions in the Detention Division has increased nearly 14 percent.

	1992-1993	2003-2004 thru April	Percent Increase
ADP	791	1079	36.4%
FTE	213	242	13.6%

- F10. In the last few years, overall correctional officer availability to work has averaged about 80.3%. Out of a total 2,088 possible annual work hours, correctional officers have on average worked 1,677 hours. But availability varies by year and by worksite. For example, as of March 25, 2004 MADF correctional officer availability was only 75%.
- F11. The average annual turnover rate for correctional officers working fixed-post positions is 15% a year, or about 26.5 positions. About one-third of these were officers out on disability who were not expected to return to work.
- F12. If the 1992-93 ratio of correctional officers to inmates had been applied in 2002-03, there would have been 277 correctional officers employed, 34 more than actually filled. At 80% availability, 34 more officers would have reduced all Detention Division overtime hours by 54%. If dedicated solely to fixed-post position overtime, 34 FTE would have reduced fixed-post overtime by at least 70%.
- F13. Overtime hours per FTE increased sharply in 1998 and have remained high to the present. The primary cause in 1998 was the opening of the new jail wing at the Main Adult Detention Facility and insufficient filled positions
- F14. In recent years as the use of compensatory time has gone up, sick time has come down in proportion, with the resulting time off remaining about the same.
- F15. Historically overtime hours created by absences due to disability injuries and sick leave have tended to rise and fall together, suggesting that illness and injuries share the same causes. In 2000-01 and 2002-03, disability hours rose while sick hours remained flat. Projected hours for 2003-04 show both declining.

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- F16. Expressed as full-time equivalent positions, overtime hours due to disability injuries were highest in fiscal year 2002-03. They are expected to decline slightly in fiscal year 2003-04, but still remain at a historic high.
- F17. In the first year, the added cost of employing ten new correctional officers, considering the cost of equipment and training, and adjusting for the overtime saved by their addition to the workforce, is estimated at \$357,483, or \$35,748 per individual officer. The additional second year cost at fiscal year 2004-05 rates is estimated at \$51,739 for ten officers, or \$5,174 per individual officer.
- F18. When disability injury costs are not considered, it is cheaper to pay overtime than to hire more permanent correctional officers. The overtime hourly rate is less than the actual salary rate when availability is considered, and with overtime there is no additional training cost. (See sidebar)
- F19. When disability costs are considered, it is often cost effective to hire more permanent correctional officers than to fill positions with overtime hours.
- F20. In the last five fiscal years ending June 30, 2002, the total incurred disability cost for correctional officers in Sonoma County was \$7,300,000, twice the cost incurred by law enforcement and the highest of any job classification in Sonoma County. The highest costs were incurred in 1998-99, the year of highest overtime per FTE.
- F21. Recently disability absences have increased in proportion to all overtime hours.
- F22. The Main Adult Detention Facility is a hard-surfaced environment with concrete floors and steel staircases. The injury rate in this environment is predictably higher than the rate in an environment with wooden floors and rug-covered staircases.
- F23. The jail is a closed environment housing hundreds of people, some of whom are sick. Correctional officers in this environment are likely to be sick more often than people working in more open environments.
- F24. On May 5, 2004, the Board of Supervisors approved the hiring of 10 more correctional officers. But even with 10 additional officers, the jail is still understaffed. At 80.3% availability, 10 are not likely to reduce all Detention Division overtime hours by more than 16-17%, or fixed-post overtime hours by more than 19-20%.
- F25. In a nation-wide study of correctional officer stress, the National Institute of Justice reports that "stress is widespread and, in many cases, severe—and possibly increasing—among correctional officers."
- Primary causes are "rotating work shifts, lack of opportunity for career advancement, frustration with supervisors' leadership styles and demands, understaffing, and mandatory overtime."
 - Lowering stress will "reduce excessive sick leave as a means of coping with stress on the job,...the need to pay overtime to cover for officers on sick leave or who quit because of work-related stress, reduce the time officers need off after a critical incident before returning to work, reduce fees paid into the retirement fund because of fewer stress-related early retirements, improve officer performance through higher staff morale, and increase institutional safety through fewer

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inexperienced officers on duty and fewer officer distractions with work-related and personal stresses.”

- Among the recommendations to reduce organizational stress, the report includes making overtime voluntary and improving the shift schedule to a 3-12 shift arrangement (already in use in the Sonoma County Jails) or “5 days on, 7 days off” to create a “mini-vacation every other week.” (Finn, 2000)

Summary of Findings

In 1997-98 the Sheriff's Department began to accurately estimate overtime hours a year in advance and to build the costs into its budget. This was also the year when the new jail wing opened, creating more unfilled fixed-post positions and a 30 percent increase in overtime hours per FTE. The ratio of overtime hours to FTE has remained approximately at 1998 levels to the present, saving the county the cost of filling and maintaining a possible 35-40 more positions and increasing correctional officer overtime pay to 30 percent of total income. Disability hours and injury costs increased in 1998-99, leveled off in 1999-00, and declined somewhat in 2000-01. Sick hours declined in 2000-01 and have remained flat until the present, in inverse relationship to compensatory hours. In 2001-02 disability hours and the number of FTE absent because of disability injuries rose dramatically, peaking in 2002-03, and appear to be declining in 2003-04 (final figures were not available at the time this report was written). Disability injury costs exceeded the costs of hiring more correctional officers to reduce the overtime and injury rate. (See Addendum: “Is Overtime Cheaper?”).

Questions and Uncertainties

On May 5, 2004, the county Board of Supervisors approved the hiring of 10 more correctional officers in an effort to reduce overtime hours and the injury rate. But are 10 enough? At best 10 more officers will reduce overall Detention Division overtime hours by about 17-18% percent. If this reduction helps to accelerate the decline in disability injuries to 1997 levels, another 8 to 10 officers would be available to work, which with the 10 new hires could reduce the number of Detention Division overtime hours by more than one-third if availability also goes up as a consequence of the reduction in overtime hours. But if the disability decline does not occur, more hires may be needed to significantly reduce overtime fatigue and the resulting injury rate. Another factor is the 15% turnover rate that generates 25 vacancies a year. To keep up with these is difficult and expensive, given the high standards and training required. Adding 10 more funded positions will make it more so. To what extent is the turnover rate a function of mandatory overtime? Many of the correctional officers interviewed said that reducing overtime hours could help to retain experienced officers who were leaving because of the overtime. If so, then recruitment and training costs could decline as a result of a reduction in overtime hours.

Most correctional officers do not like mandatory overtime and want more free time and more control over their work schedules, but how much overtime pay are they willing to give up? Is the problem overtime or mandatory overtime? In the present system, correctional officers cannot say “no” to overtime when they are fatigued or burned out and should not be working. The system cannot adjust itself to the energy level and willingness of its employees. The National Institute of Justice recommends making overtime voluntary. To do that the Sheriff's Department would have to survey its correctional officers to find out how much overtime they want to work, and balance the cost of overtime fatigue and injuries against the cost of hiring more officers. The Sheriff's Department knows how many correctional officers it can hire without risk of overstaffing, and it can program as much or as little overtime as it wants its correctional officers to work.

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Conclusions

1. The jail is understaffed even with the addition of 10 new hires.
2. Most correctional officers work too many overtime hours.
3. Excessive overtime generates a vicious cycle of fatigue, illness, injury, and more overtime.
4. Correctional officers have the highest disability injury costs of any job classification in Sonoma County.
5. When the cost of disability injuries is considered, it is more cost effective to employ more correctional officers than to employ high levels of mandatory overtime.
6. The Sheriff's Department could hire another 20 correctional officers without risk of overstaffing.

Recommendations

- R1. Survey all correctional officers to learn how much overtime they desire.
- R2. Develop a policy that balances the need for overtime against the need to minimize fatigue, prevent injuries and illness, and maintain morale.
- R3. Hire sufficient staff to enable a voluntary overtime system.
- R4. Change the overtime sign-up procedure so hours can be fairly distributed without officers having to wait on their own time for sign ups to begin.

Required Responses to Findings

Sonoma County Sheriff: F6, F7, F19, F24, F25

Sonoma County Administrator: F7, F12, F19, F24

Sonoma County Risk Manager: F19, F24, F25

Sonoma County Board of Supervisors: F7, F19, F24, F25

Required Responses to Recommendations

Sonoma County Sheriff: R1, R2, R3, R4

Sonoma County Risk Manager: R1, R2

Sonoma County Administrator: R2, R3

Sonoma County Board of Supervisors: R2, R3

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Addendum

The following summary entitled "Is Overtime Cheaper?" and the following charts, have been prepared by the grand jury based on information it received from various sources.

Is Overtime Cheaper?

Overtime Cost per Hour

Overtime equals time and a half plus FICA (7.65%) and workers' compensation (8.8%), for a total 75 percent beyond base salary (1 x 1.5 x 1.1645).

Overtime availability is 100 percent, with a fixed overhead of 75 percent.

Average Overtime Cost per Hour

Average Hourly Base Salary CO II	+ 50%	+ FICA & Workers' Comp (7.65% +8.8% x Base)	Total Actual Hourly Cost	% Above Base Salary
\$30.12	\$15.06	\$7.43	\$52.61	75%

Regular Salary Cost per Hour

Benefits as a percentage of regular salary are 60.5 percent for a Correctional Officer II, the most common rank.

Correctional officer availability per full-time position is about 80 percent, increasing the *de facto* base hourly rate by 25 percent and raising the total overhead to 85 percent.

Regular Salary Cost per Hour 2003

Average Hourly Base Salary CO II	x Benefits @ 60.5%	+25% Availability Loss (@80% availability)	Total Actual Hourly Cost	% Above Base Salary
\$30.12	\$18.22	\$7.53	\$55.87	85%

New Employee Training, Uniform, and Equipment Costs

In the first year, the added cost of employing ten new correctional officers, considering the cost of equipment and training, and adjusting for the overtime saved by their addition to the workforce, is estimated at \$357,483. The additional second year cost at fiscal year 2004-05 rates is estimated at \$51,739 for ten officers. In contrast, overtime FTE are not new employees, and so using overtime instead of new hires will avoid all of these added costs.

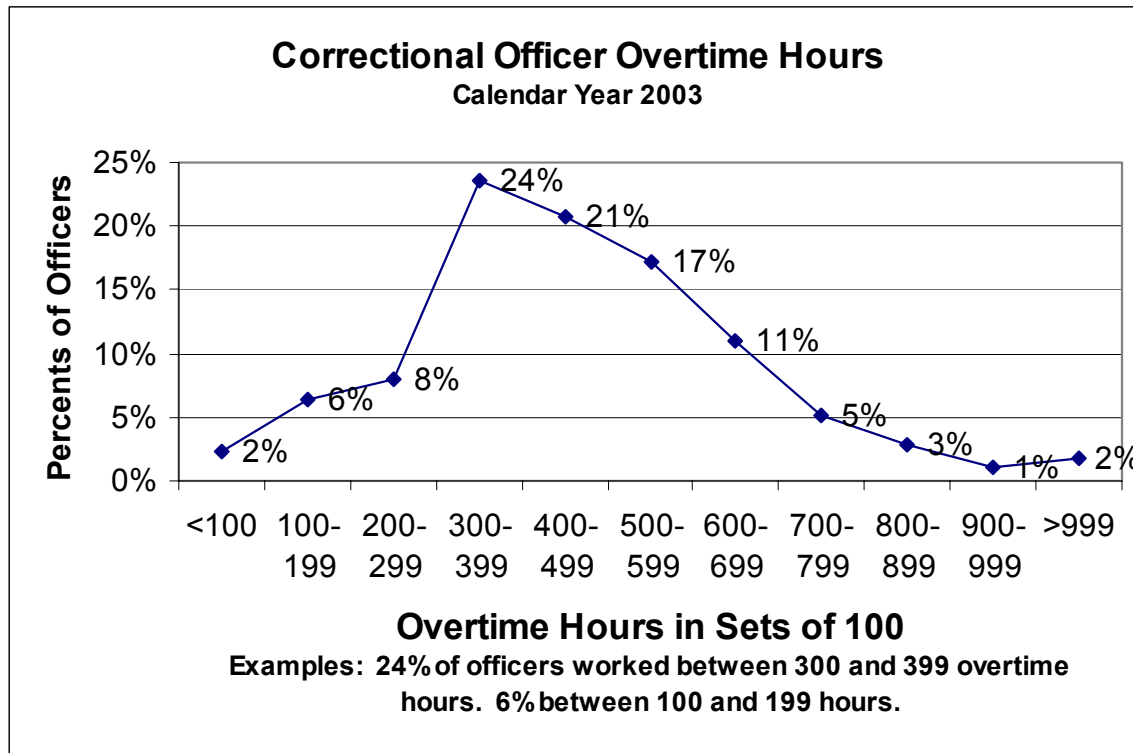
Disability Injury Costs

The elimination of all overtime in the jail would not eliminate all disability injuries in the jail, but according to a National Institute of Justice study a high injury rate in jails and prisons is a predictable consequence of fatigue resulting from excessive mandatory overtime. Some portion of the injury cost then is part of the cost of mandatory overtime. But how much? In 2002-03 there were 14.9 FTE lost to disability injuries, causing at least 18,380 in additional overtime hours at an estimated cost of \$966,972. If 2002-03 overtime hours were reduced from 76 per FTE to the 1996-97 level of 8 per FTE, there would have been only 1944 disability hours at a cost of \$102,274, a difference of \$864,698, enough to hire, train, and equip 24 new correctional officers. On May 5, 2004, the county hired 10 new correctional officers.

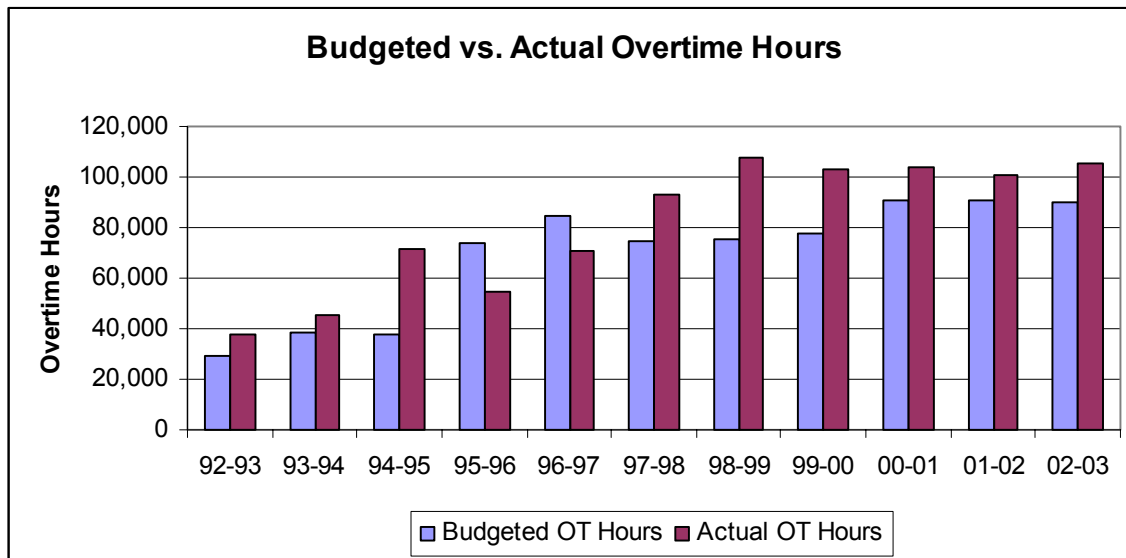
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F3



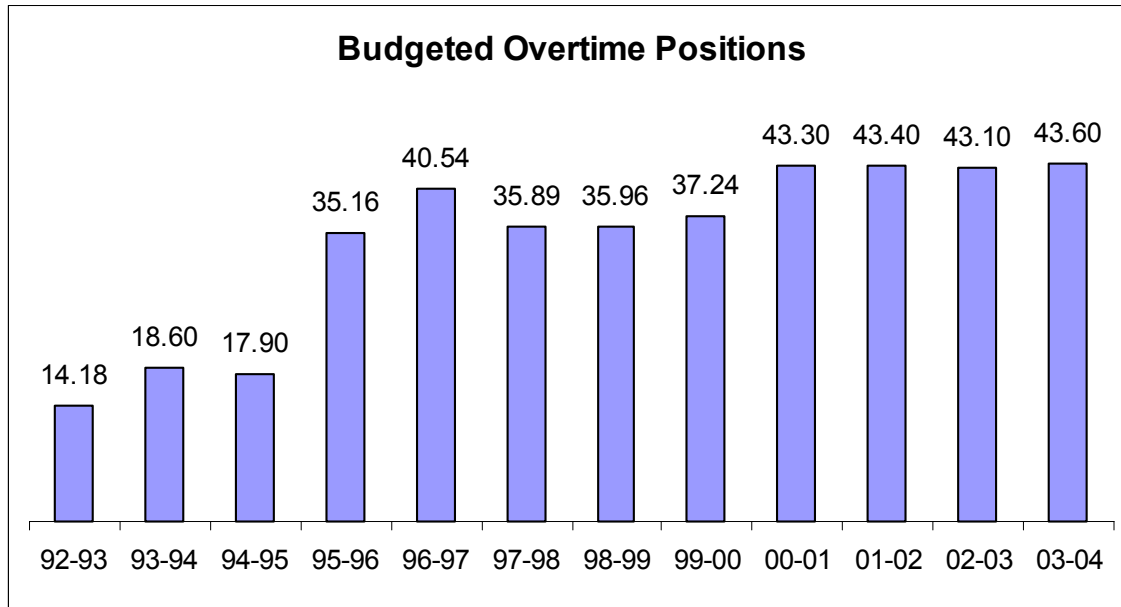
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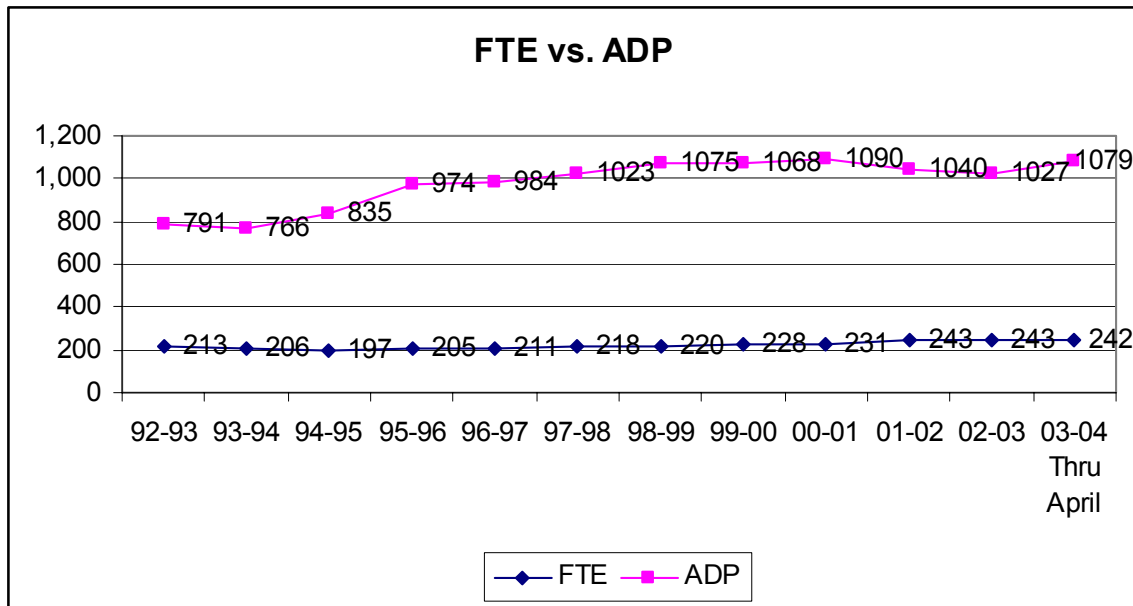
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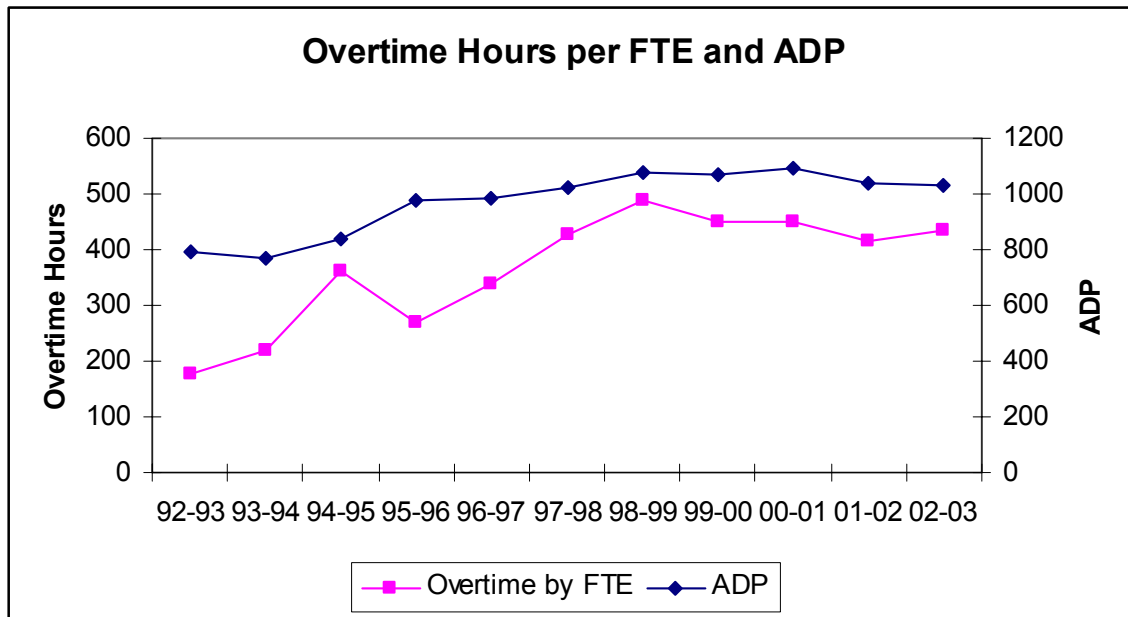
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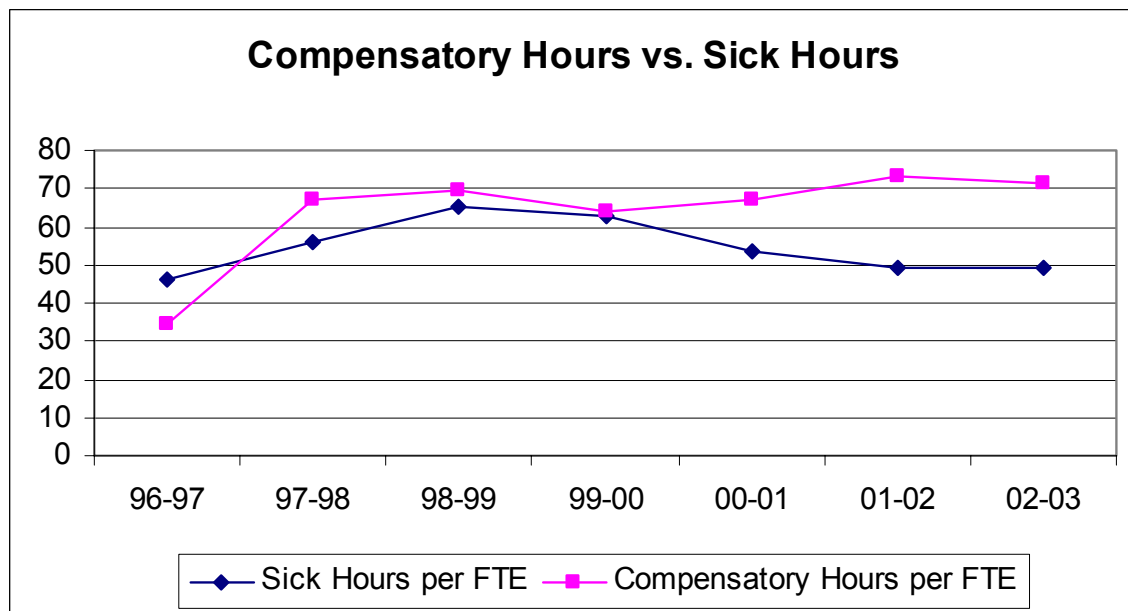
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F13



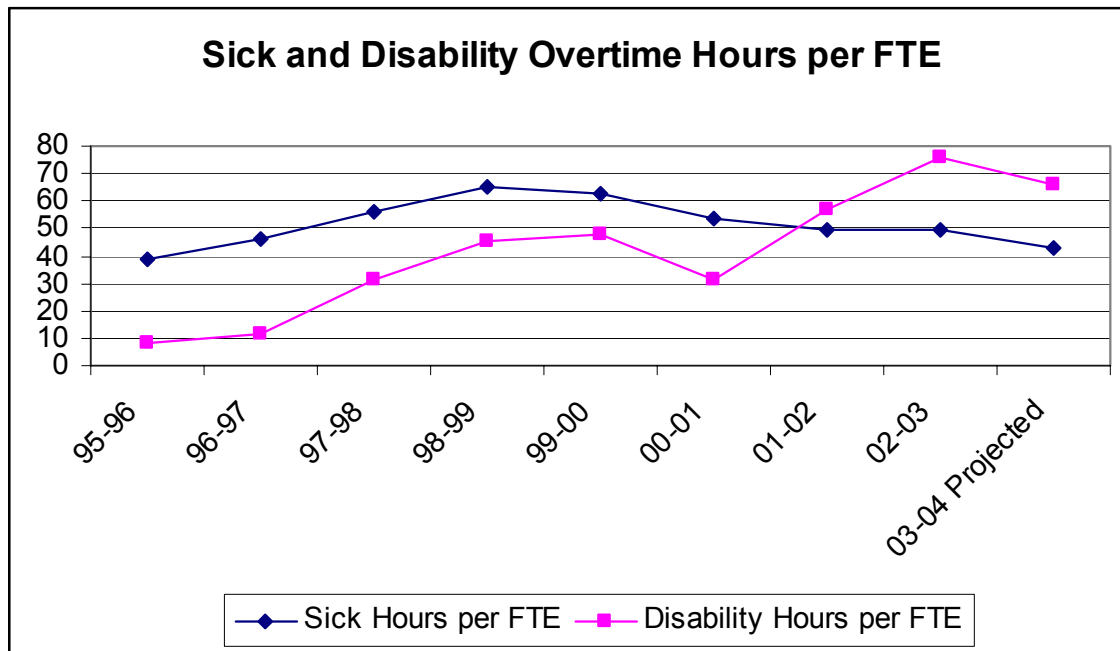
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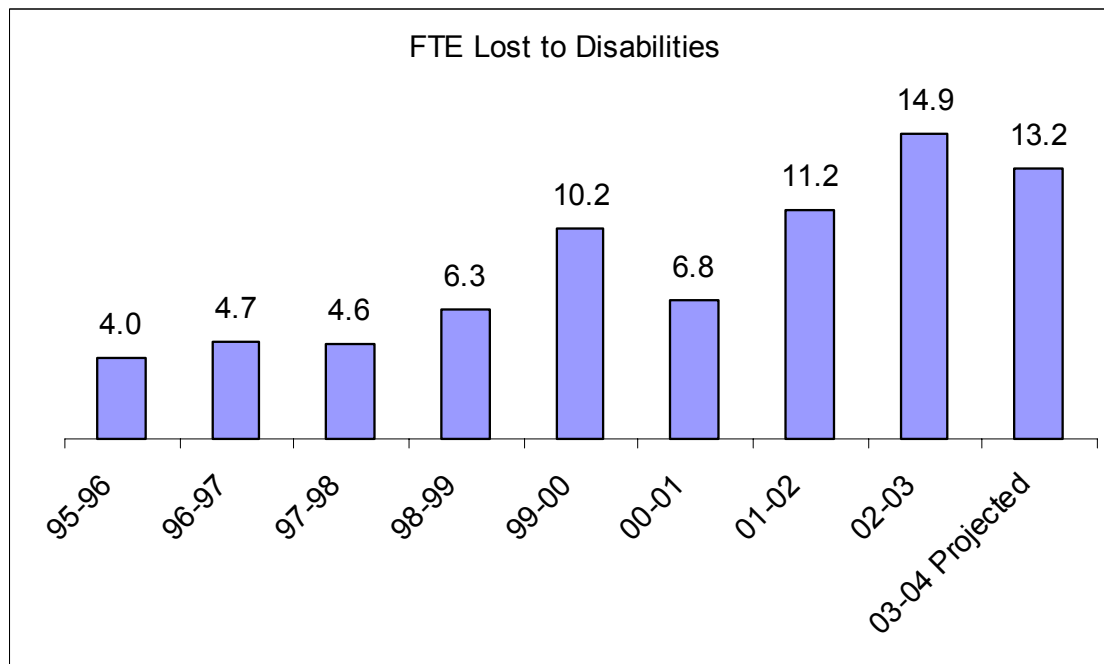
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F15



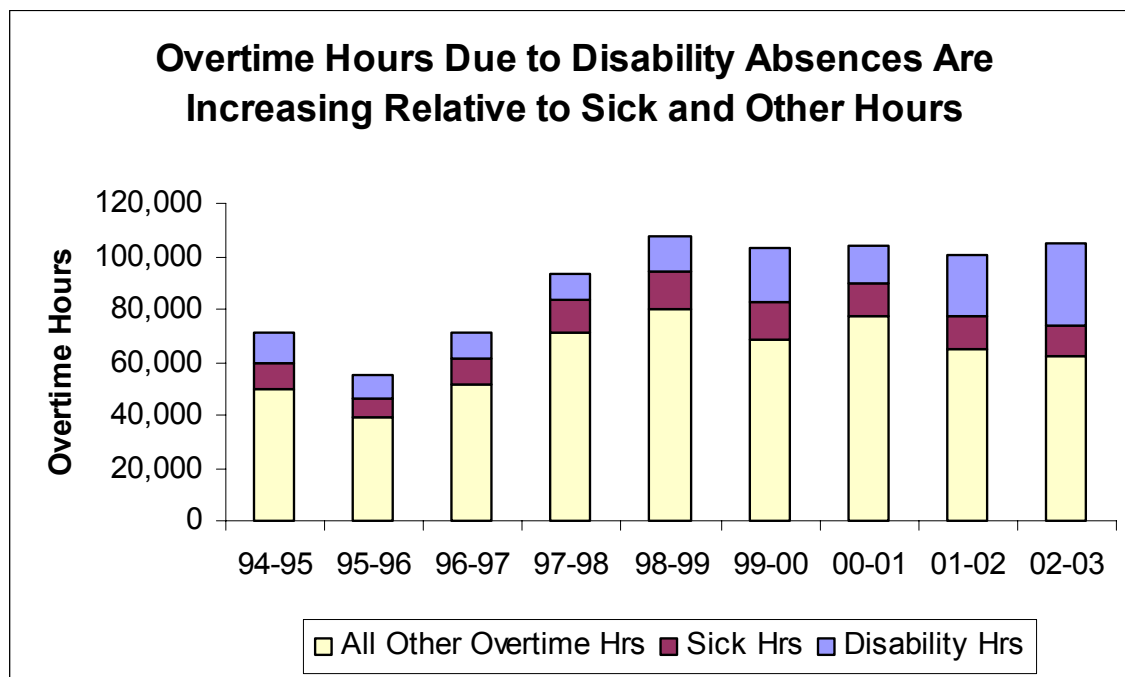
F16



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F21



Reference List

During the course of this investigation, the grand jury reviewed the following reports and documents.

Sheriff's Department reports and documents:

- "Availability". (Report Class: Sheriff.Division.Department.JobClassGroup.PayCode.Average). Start Year 2002-2003, Pay Period Count 26.10; and Start Year 2003-2004, Pay Period Count 15.50 (run February 18, 2004).
- "Availability". (Report Class: Sheriff.Division.Department.JobClassGroup.PayCode.Average). Start Year 2003-2004. Pay Period Count 18.50 (run March 25, 2004).
- "Budget Position Summary Report." Dept 20. Criminal Justice. January 16, 2004.
- "Department Administrative Procedure 60-2, Overtime." Sonoma County Sheriff's Department, pages 1 and 2. August 11, 1992.
- "Detention Division Positions Worked 2001 – 2003" (MADF and NCDF).
- "Labor Distribution to Date Earnings, Period End Date 12-22-2003". Job Class 4154 (MADF and NCDF Correctional Officer II), and Job Class 4082 (Patrol Deputy Sheriff II Intermediate Post).
- "Main Adult Detention Facility Staffing Plan - FY-04-05."
- "Memorandum of Understanding Between the County of Sonoma and the Sonoma County Law Enforcement Association (SCLEA), 2003-2007".
- "Non-Holiday Overtime Worked by Job Classification". (MADF and NCDF). FY 98-99 – FY 02-03.
- "North County Detention Facility Staffing Plan - FY 04-05."
- "O.T. By Job Class Group" (Report Class: Division.Department.JobClassGroup.LaborCode.PayCompensation). Start Year 2002-2003. (All Divisions). February 03, 2004.

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- "O.T. By Job Class Group" (Report Class: Division.Department.JobClassGroup LaborCode.PayCompensation). Start Year 2003-2004. (Detention Main Jail and Honor Farm). March 26, 2004.
- "Overtime Requirements", January – December O/T Requirement, 2002.
- "Overtime Utilization". (Report Class: Division.Department.OverTime. PayCompensation). Group Sheriff. Start Year 2003-2004, 12.5 and 18.5 pay periods.
- "Overtime Worked and Projected". FY 92-93 through 18.5 pay periods FY 03-04.
- "Overtime Worked by Job Class History". (Report Class: Division.Department. JobClassGroup.LaborCode.FiscalYear). Start Year 2003-2004. Detention-Honor Farm. February 19, 2004.
- "Overtime Worked by Job Classification". MADF and NCDF. Budget/Job Class/Reason. FY 96-97 – FY 99-00.
- "Program Improvement Request". Division: Detention. Undated. Received March 25, 2004.
- "Sonoma County Sheriff Budget Line Item Request, Overtime Fiscal Year 2003-2004".
- "Staff Utilization By Job Class, Paid Time Off, FY96-97 – FY 02-03".
- "Staff Utilization By Job Class, Unpaid Time, FY96-97 – FY 02-03".
- "Staff Utilization By Job Class, Vacancies/LWOP, FY00-01 – FY 02-03".
- Various Sheriff's Department ad hoc reports describing the inmate population

Other reference documents

- "County of Sonoma Workers' Compensation Report." Risk Management. May 20, 2003.
- Finn, Peter. *Addressing Correctional Officer Stress: Programs and Strategies*. December 2000. National Institute of Justice. NCJ 183474. Retrieved April 20, 2004
<http://www.ncjrs.org/pdffiles1/nij/183474.pdf>.
- Jail Profile Survey Annual Report 2002*. California Board of Corrections Facilities Standards and Operations Division. Retrieved May 12, 2004 from
<http://www.bdcrr.ca.gov/fsod/fsod.htm>.