



CLEVELAND DIVISION OF POLICE

GENERAL POLICE ORDER



EFFECTIVE DATE: APRIL 7, 2021	CHAPTER: 4 - Field Operations	PAGE: 1 of 3	NUMBER: 4.05.03
SUBJECT: ACTING OUT OF RANK/CLASSIFICATION			
CHIEF: <i>Calvin D. Williams, Chief</i>			

Substantive changes are italicized

PURPOSE: To establish guidelines for authorizing requests for compensation for members who are required to act or perform in a higher rank or classification.

POLICY: *It is the policy of the Cleveland Division of Police* to compensate members for acting or performing duties of a higher rank or classification per the current Collective Bargaining Agreement (CBA).

PROCEDURE:

I. General Guidelines

- A. Members shall be compensated at the pay rate directed by the respective CBA.
- B. Members shall not be compensated when not acting or performing the duties of a higher rank or classification, including, but not limited to:
 - 1. Any period of time the member is not present for duty regardless of the reason.
 - 2. Attending training, seminars, or conferences.
 - 3. Attending negotiation committees or public boards.
 - 4. Completing assessments.

II. Requesting Compensation for Acting Out of Rank - *Sworn Members*

- A. *Sworn members* requesting compensation for acting out of rank, including extended periods as a result of a vacancy in that rank, shall:
 - 1. Receive approval *in writing* from a commanding officer to act as a higher rank **prior to** performing any duties of that rank.
 - 2. Complete the *Request to Carry Acting Rank Form-1(Attachment)* and submit it within seven calendar days after the end of the pay period in which acting pay was claimed.
 - a. *The written approval shall be attached to the Form-1* and forwarded through the chain of command.
 - b. *Overtime shall accrue only when a supervisor performs duties related to the acting rank.*

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- c. When overtime is earned at an acting rate, a copy of the overtime card shall be attached to the Form-1.
- d. The Form-1 shall not be forwarded prior to the end of the pay period in which acting pay was claimed.

B. The Daily Report of the supervisor performing duties in a higher rank shall begin with, "Reported for duty as Acting. . ."

III. Restrictions for Acting Out of Rank - *Sworn Members*

A. Only one subordinate supervisor may request acting pay for the same superior supervisor on any single calendar day.

B. No more than two subordinate supervisors may request acting pay for the same supervisor in any pay period.

C. Sergeants.

1. Shall not act or perform duties for a rank higher than lieutenant.

2. When their lieutenant is on unscheduled leave, and sergeants are required to act or perform lieutenant duties, a written request for acting pay may be submitted to their commander **prior to** performing those duties.

3. Only the senior sergeant present for duty may request to act or perform the duties of the lieutenant through their commander

4. When a lieutenant is acting as a higher rank for a short duration (e.g., furlough, training, etc.), a sergeant shall not act as that lieutenant.

5. When a lieutenant is acting as a higher rank for a long duration (e.g., vacant position, extended illness, etc.):

a. The lieutenant may request a sergeant act as the lieutenant.

b. The sergeant shall not act as lieutenant until approved by the deputy chief in the chain of command.

D. Lieutenants and above.

1. When absent for any scheduled leave (e.g., training, furlough, compensatory time off, personal holiday, Family Medical Leave Act, etc.):

a. Shall review their prospective calendar to determine if, and/or when, a subordinate supervisor will be required to act or perform their designated duties.

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- b. If designated duties are required, the supervisor shall review their subordinates' calendars to make a recommendation *based on availability*.
 - c. Shall submit a Form-1 with the recommendation and the required duties, through the chain of command to their commander.
2. Commanders shall notify the supervisor of their approval *in writing* **prior to** the absence.

IV. Requesting Compensation for Acting Out of Classification - *Non-Sworn Members*

- A. *Non-sworn members* requesting compensation for acting out of classification (for any reason), including extended periods due to a classification vacancy, shall forward the request through their supervisor and the chain of command to the Deputy Chief of Administrative Operations for approval.
- B. *Non-sworn members* shall receive approval *in writing* to act as a higher classification **prior to** performing any duties of that classification.

THIS ORDER SUPERSEDES ANY PREVIOUSLY ISSUED DIRECTIVE OR POLICY FOR THIS SUBJECT AND WILL REMAIN EFFECTIVE UNTIL RESCINDED OR SUPERSEDED.