

SHELBY COUNTY SHERIFF'S OFFICE



Sheriff
Don Koonce

151 North Morgan Street
Shelbyville, IL. 62565
Phone: 217-774-3941 Fax: 217-774-2851



Undersheriff
Rob McCall

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Mr. Allen,

In our previous correspondence, we said that when gathering the information for your FOIA request regarding the deputies' time sheets we discovered that inadvertently the deputies were being paid for 80 hours of work when they were not working the full 80 hours. Upon further review we discovered that the issue lies in our 4 on and 4 off type of rotating schedule. What is happening is that depending on when the pay period falls one shift will have worked 80 hours while the opposite only worked 60 hours. This would repeat for the following pay period and then switch. The average over a full cycle of this would be 70 hours per pay period.

What we initially thought was an oversight and a mistake we realize now is not a mistake. The FOP contract states that deputies are to be paid a set amount based on service time per pay period. Before implementing this schedule type a work week was 40 hours for the deputies. However, the contract states that it is the discretion of the Sheriff to set the schedule up to 40 hours per week. When we implemented the rotating schedule, it was agreed to by the Law Enforcement Committee as well as the bargaining unit of FOP. The only reason we implemented it was because it better met the operational needs of the Sheriff's Office. We were able to provide double coverage of the County while also reducing overtime costs and use of sick time.

So, while we assumed that the hours worked was still hours per week, it's actually averaging 35 hours, the standard work week for the majority of the County offices. We do not believe that any Deputy was being overcompensated for the amount worked. To the contrary, when we calculated overtime pay, we assumed an 80 hour pay period and divided their compensation by 80 when we should have been dividing it by 70. Per the contract, overtime/compensatory time is accrued when a deputy works over their scheduled shift of 10 hours. It is not based on whether they work over the standard work week.

Rather than the deputies being overcompensated on their base pay we believe they may be been shorted on their overtime. This is something that we are still investigating and going to be discussing with the deputies once we know more. Of course, all of this was incidental to the scheduling change that we implemented years ago.

We want to thank you for your FOIA request, without it we would not have noticed the oversight. We want nothing more than to be transparent and open as we run analysis on our system. We will be implementing new processes for not only how the deputies are scheduled, but also how their time is tracked in order to be more efficient going forward.