

PHOENIX FIRE DEPARTMENT

VOLUME 1 – Operations Manual

COURT STANDBY

MP104.01A 11/08 – R

PURPOSE

This procedure establishes guidelines by which members of the Fire Department will qualify to receive court standby pay.

PROCEDURE

When a member receives a subpoena or notice from the District Commander requiring court attendance or testimony concerning the performance of their official duties, at a time other than his/her regularly scheduled tour of duty, the member will confirm the trial or hearing by calling the telephone number printed on the subpoena at the indicated time. The member will be informed at this time of the need to appear or will be placed on a standby status. (Refer to M.P. 106.05)

If the member is placed on the standby for the confirmed trial or hearing, s/he will furnish the court with a telephone number where contact can be made during the times when court is in session and while subject to call. The member shall be entitled to court standby pay at the rate of \$1.50 per hour for hours s/he is subject to call. Court standby is self-canceling on 1700 hours on the day it is invoked, unless another time is requested by the prosecutor or court. Members cannot arbitrarily place themselves on standby status.

A member qualifying for standby pay must complete one copy of the "Overtime/Constant Manning Request," form #90-63D, indicating under **Reason** "Court Standby." A copy of the subpoena will be furnished to the member by the District Commander which must be attached to the "Overtime/Constant Manning Request." The District Commander will review, sign, and forward the completed form via the Division Head to Pay and Benefits. Pay and Benefits must receive the "Overtime/Constant Manning Request" within **FIVE (5) CALENDAR DAYS** of the date standby was required.

When court standby results in a court appearance, a second "Overtime/Constant Manning Request," if appropriate, must be submitted as defined in M.P. 104.01. Court standby and regular overtime/constant manning must be submitted on separate forms.

If a Department member receives a fee as the result of being subpoenaed for witness services relating to his/her official duties, the member must endorse the check and forward it to the Personnel Officer.