

**SUMMARY OF TEAMSTERS COMPLAINT
AGAINST
FLORIDA DEPARTMENT OF CORRECTIONS**

October 13, 2011

U. S. Department of Labor - Wage and Hour Division

Presently, Correctional Officers employed by the State of Florida are not being compensated for all of the work that they perform. These public employees, who risk their lives everyday, work too hard not to be compensated fairly. Thus, the Teamsters request that the Wage and Hour Division of the United States Department of Labor immediately commence an investigation into the following violations.

Correctional Officers are assigned to various facilities throughout the state. Each day, they are required to wait in line to be searched and go through metal detectors. Next, they walk to another area/office containing the necessary equipment they are required to keep on their person. The Correctional Officers spend approximately up to 25 minutes obtaining their equipment (for example, chemical spray, keys, and body alarm) and walking to their respective posts at the correctional facility. Only then, once they are at their respective posts, are the Correctional Officers allowed to “clock in” for their shifts. At the end of the work day, the Correctional Officers are required to “clock out,” and walk back to a specific location, where they drop-off their equipment. This process takes up to another 25 minutes per day. Therefore, as a result of the procedures imposed by the employer, Correctional Officers are not paid for work performed during this period prior to and after “clocking in and out” of their respective shifts.

The aforementioned activities have been determined to be compensable work. For example, in the case of *Amos v. United States*, the Federal Court of Claims determined that Federal Correctional Officers were to be compensated for the performance of the same duties—i.e., obtaining the necessary equipment and walking to their posts, as well as the time spent walking from their posts to the place where the equipment is returned. 13 Cl. Ct. 442 (1987).

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