

## THE FORTY HOUR WORK WEEK

by

MIKE THOMAS

Florida Freshwater Fish and Game Commission

I'm sure that all state conservation agencies have problems, and no one enjoys listening to someone else's problems, but I would like to take this time to tell you about a "*Monster*" that has plagued the state of Florida Game and Fresh Water Fish Commission's Law Enforcement Division — and affected our work schedule in a major way.

I feel obligated to tell you about this "*Monster*" — because you may have to deal with him in the very near future — if you have not done so already. I hope this talk will help you bypass some of the problems that we had to overcome by trial and error.

Yes, you heard me right — "*A Monster*" — at least that is what I called it. The "*Monster*" to which I am referring is *the 40 hour work week* — instead of the unlimited patrol time we previously had which averaged more than 60 hours per week. But don't get the wrong impression, just because I called it a "*Monster*," does not necessarily mean that I consider the 40 hour work week bad or good.

Let me give you an example — if any of you have ever played organized football, you know that most of today's football teams have a defensive rover man also known on some teams as a "*Monster man*"; this player tries to read the play as the offense lines up, he then moves right — or left in the middle in order to block the play or better yet — tackle the ball carrier.

Using this "*monster man*" type defense is a very effective way of playing defensive football — because if he reads the play correctly or guesses right — he can very well block the play. On the other hand, he may very well offer a "*clear field*" if he lines up in the wrong place. Of course, it takes eleven men to make up a team, but this "*monster man*" is very important and that is why a lot of football teams have named him such. As you can see, a monster could be good or bad — depending on the way he is used. That is why I have used this name to identify our *40 hour work week*.

The initial task of planning a 40-hour work week was assigned our supervisory personnel. They had to figure out and put into effect a 40-hour a week program that would meet federal guidelines and still be as effective as our previous system. The elements that had to be considered while planning this system were — 24-hour a day coverage — 7 days a week, working an officer only 40 hours and trying to give him 2 consecutive days off. Some consideration, however, had to be given "*planned irregularity*" in the schedule in order to keep the outlaw in suspense.

Also under consideration was the "*prime times*" — early morning hours, late evening hours, and night hours — when a significant portion of the game and fish violations occur.

The complaints made by concerned citizens could not be brushed off either — time had to be allotted for the investigation of these complaints though they may range from tweety bird complaints to alligator or bear complaints.

The building boom in Florida, where people who want to live on lakes — or canals going into lakes — and have the money to make their own waterways — brings us to another time consuming investigation problem — illegal dredge and fill.

And with the influx of people either settling in Florida or just vacationing — a stack of dominoes is piling up and is starting to tumble in our direction — more people — more houses — more jobs and industry — more development — more pollution — and always just one more time-consuming task taking another chunk out of the wildlife officer's 40-hour work week.

Another important time factor that had to be studied was the obligation of patrol hours, promised by the Game and Fresh Water Fish Commission to land owners whose land is being used as public hunting areas, also known as wildlife management areas.

We as officers were warned well in advance of the coming of the 40-hour work week — we were told to prepare for it because we would soon be working under it. We as officers were asked at each area meeting for suggestions, but I think most of us just thought it was a "*bluff*" — after all — we "*knew*" it could never work — "*not in our type of work.*" But our supervisors knew better and began leading us into it by making gradual changes, they foresaw the fact that it would be a great shock to the working habits of the officers — especially those officers who had long periods of service and were accustomed to working the way they wanted to. It could have been compared to diving into an icy cold spring on a hot day — the effects could be very disastrous to those weak at heart and not adaptable to change.

We were used to working all the hours that were needed to be worked, taking days off when we got a chance. We were allowed to work when and where we thought the violations were occurring —

picking the prime times in prime areas and spending as much time as we thought necessary. We took care of complaints as they came in and investigated tips from concerned citizens on a moment's notice.

We could double up on violations that we thought needed two officers, or sometimes group up and saturate an area. Our average work week consisted of approximately 67 hours a week. *In other words, we covered the ground like the dew.* We got the job done to the best of our physical and mental capability and most of the time we felt the personal satisfaction of a job well done.

The first change was put into effect July 1, 1973 when we were told to work not more than 48 hours a week or less than 40. Well this wasn't too bad because we were still free to work the way and the hours we thought necessary. We could work a lot of hours on the weekend as well as the prime days and the prime hours on the week days.

We could still stake out or camp on an area if necessary, but at this point, we felt the pinch of watching our time in order to be able to work every day. We could not camp the first two days of the week, compile 48 hours, and then take the next five days off. We could not do this and keep up with the public complaints that have no limit on numbers or the time of day. To keep our patrol effective, we had to start planning our work and setting work priorities.

Then on July 1, 1974, the 40 hour work week was put into effect, but it was accompanied by a dearly needed benefit — a 24 hour, 7 days a week radio communication system. We had previously worked under a communications system that only covered the hours of 8:00 A.M. to 5:00 P.M. Monday through Friday. After those hours we were without communications except car to car communications if another officer was working the same time you were and if he was in his car.

When a problem occurred at night, you just had to take care of it by yourself. Even if you did call for assistance the closest officer would often be 30 or 40 miles from you — if you were lucky.

You see in Florida, the officer's regular work area consists of the entire county in which he lives; with approximately two officers to each county with one sergeant overseeing three to four counties. There are 67 counties in the state of Florida and most counties are so large that the officers are required to live in towns which are located in different parts of the county.

So all of us were glad to see the new 24 hour communications system go into effect, but we were saddened by the indirect way it was brought about.

On May 3, 1974 one of our fellow officers — Dan Crowder — was shot and killed while trying to apprehend a man who was hunting deer at night. Dan was not missed until the next morning because it was not unusual for a wildlife officer to stay gone all night. When Dan did not return for breakfast the next morning, his wife became concerned and phoned a nearby officer. She asked him if he would try to contact Dan just to see if everything was O.K. After repeated tries to reach him by radio failed, an all-out search was formed. Dan's body was found late Saturday evening — almost 24 hours later. After an intensive investigation by Commission law enforcement personnel, the Department of Law Enforcement and the Lafayette County Sheriff's office, the suspect was apprehended — tried — convicted and now serving a 20-year sentence. It was not until this incident that the Florida legislature saw fit to appropriate money to create the 24-hour system for the safety of the Florida Wildlife Officer.

Now when a Florida Wildlife Officer stops a vehicle he is required to give a 10-50 signal — investigating vehicle license number and the officer's 10-20. The officer is to clear this investigation within 5 minutes or the dispatcher is to contact him and ascertain his status. This procedure is not guaranteed to save the officer's life but it is a lot better than the one we had before.

This new communication system also included a toll free WATS line to the 5 regional offices. This was installed mainly to receive tips from concerned citizens about violations in progress when the local wildlife officer could not be reached. The officer on duty at that time could then be reached by radio and promptly respond to the violation and hopefully make the arrest. This WATS line serves as a vital link in the communication system when the local wildlife officer is not home. But as more and more individuals are learning the toll-free number, it is progressively becoming an answering service for animal complaints or for those who seek information about hunting or fishing.

We went under this new communication system and the 40-hour work week at the same time — it came as sort of a package deal. Our supervisors had been doing a great deal of homework and planning and had put on paper what they considered the best feasible plan — but to us it was indeed a "Monster."

It was an eight hour a day shift type work detail with the shifts rotating every week. It included round-the-clock coverage with the shifts being a 6:00 A.M. to 3:00 P.M. shift, two 3:00 P.M. to midnight shifts, and a 12:00 midnight to 9:00 A.M. shift. They were set up this way to overlap the

prime times with more man-hours. Example — the hours of 6:00 A.M. to 9:00 A.M. were covered by two shifts of men covering the prime morning hours and two shifts of men on the 3-12 shift covering the prime evening and night hours.

A duty officer (specified to be able to be reached 24 hours a day) was assigned to take care of shift problems or emergencies such as shift changes, day off changes, overtime and compensatory time authorization.

The next six months was a constant battle between “Officer” and “Monster.” We fought tooth and nail and were not about to be beaten. We were not going to give up our fish, wildlife and environment — the things we had dedicated ourselves to protect, and some of our fellow officers had given their lives for, just because someone mandated our work hours.

We used our wits because we were not allowed to use our backs. We tried a new approach — to leave a “new” impression on the Game-Fish law violator that a game warden was behind every *other* tree instead of their old thought that a game warden was behind *every* tree.

We had done things in the past that could no longer be done, for now we had only 40 hours a week and had to make the best possible use of them. We had to break old habits of wasting time and with the help of close supervision this was done. I understand that we had several officers that would be way out in the woods — get hungry — and drive home for dinner. Well it might take him an hour to get home — an hour for dinner and then another hour to get back where he was working. This took three hours of the nine hour shift and definitely was not making the best use of the allotted hours. This procedure used to be acceptable when we had all the time we wanted to work, but not anymore. Our supervisors asked us to plan our work and coordinate our dinner hour as such — if it meant bringing our lunch — do so.

Yes, the Florida Wildlife Officers were faced with new and different problems — over and above the problems of catching the game-fish violators and his other normal problems.

We were not being allowed to work the hours that we thought we should to complete our job. After all, in the past we were averaging 67 hours a week, by working 40 hours a week we were losing 27 hours a week per officer. We wondered who would fill the gap — who would patrol when we were at home.

But we were soon to learn that a properly utilized 40 hours a week was being recorded as more effective than the old 67, at least the arrest statistics were showing this. All types of arrests were shown to be increasing, especially the firehunting cases. But was this because the wildlife officers were doing a better job in 40 hours compared to 67, or was the informed outlaw learning that less men in green were afield — we suspected a little of both.

Speaking of informed outlaws — at a recent area law enforcement meeting we learned just how informed Mr. Outlaw really is.

An undercover investigation had been taking place in our area for over a year with none of the uniformed officers knowing anything about it until the meeting date. The investigation involved a large group of commercial fishermen who were bootlegging scale fish illegally. We were surprised to find out that they had their own informants placed in strategic places to find out information about the working activities of the wildlife officers. They had waitresses at restaurants where wildlife officers frequented for meals and coffee. They had people become friends of the wildlife officer’s wife, just to learn all they could about him and his habits.

They even had one man pose as a *reserve* wildlife officer to try to infiltrate our ranks, which he did successfully for a short period of time. As an example of the exhaustive preparation exhibited by some violators — some commercial fishermen were required by their group to log the place and time that he was checked by said officer or even everytime he spotted the officer. They then combined their facts and figures in order to try to find any sort of pattern that the officer set.

They had a communication pipeline that was almost unbelievable. If wildlife officers grouped up and inspected a couple of fish houses, all the fish houses within a hundred miles knew of the inspection within just a few minutes.

We were shocked to find out about the updated equipment that they were using. In the past a fish hauler was usually easily spotted by noticing dripping water from a cooler truck, or maybe an old car or truck that was weighted down in the back. Also the wildlife officer was familiar with these vehicles because they were usually kept around the fish houses. Not any more — they are now driving brand new fancy cars equipped with two-way radios and adjustable air shocks. These cars are not kept anywhere in the vicinity of the fish houses and with the special air shocks they can carry up to 1,500 pounds of fish without showing a sign of being loaded.

We apprehended one just the other day with 987 pounds of scale fish. It was a 1972 Dodge and you couldn't tell that it was loaded until you opened the trunk. Oh, by the way, it was a woman driving the load. The sophisticated, organized and prepared outlaw was obviously going to become even more of a problem under the confines of a 40 hour week.

Another problem was making the decision of whether or not to change shifts to allow an officer to appear in court on plea day. In the past the officer was asked to be in court by his supervisor — to maybe help explain the nature of a violation if the judge was unfamiliar with the specifics. But with the present day shift system, this court time takes away from patrol hours.

The shift system also affects an officer's working relationship with his fellow officers by not being able to work together unless their shifts happen to overlap. Also how is the brand new officer going to learn? Sure our agency sends them to a training academy — but the older officers used to take up where the school left off by training them in the field and showing them tricks of the trade.

But our problems seemed small when compared to those of our supervisors. After working the shift system for approximately six months it was found that our night shifts were changing right in the middle of the prime time for night hunting, thus losing patrol hours during this time and disrupting stakeouts.

The officer working the 3:00 P. M. to midnight shift would start home at approximately 11:00 P. M. , cutting out one of his best hours of his shift. The officer on the 12:00 midnight to 9:00 A. M. shift could not be in position until approximately 1:00 A. M. thus losing one of his best shift hours.

We also found that we were working some unproductive time in the wee hours of the morning simply to assure that every hour on the clock was covered. So the shift schedule was restudied and reworked — this time with the officers' participation. We tried to cut out unnecessary hours, coordinate shifts with prime hunting time and to utilize man-hours to cover more areas during these prime times — and still keep within 40 hours a week.

By working together as a team, voicing our opinions, problems and dislikes, trying new ideas and concepts, ridding ourselves of old habits, and close and correct supervision, we evolved with the present day system.

The hours of 2:00 A. M. through 6:00 A. M. were not included in the new shift system because of poor weather conditions (mainly ground fog) and the data which indicated only a small number of arrests were made during these hours. We still work these hours on an irregular basis, however, by changing officer's shifts for a short period of time to make sure that violators were not adapting to our pattern. An officer can also request permission through the duty officer to work on information tips.

The shift schedule that is in effect now is a 6:00 A. M. to 3:00 P. M. shift, a 3:00 P. M. to 12:00 midnight shift and a 5:00 P. M. to 2:00 A. M. shift. This system seems to be working a lot better but we are still facing a few problems on a day-to-day basis.

There is no question of the benefits that the shift system holds for the Florida Wildlife Officer. He now knows when to work and when to play and he can get the proper rest that he needs. Therefore, he is alert and ready when on the job, and not feeling the fatigue of two or three 12 hour days worked back to back. He knows his days off and knows them in advance, so he can now plan things with his family and spend more time with them.

At first we all were really concerned about the effects the 40-hour work week would have on our fish, wildlife, and environment, but we are leaning that the long-range advantages may outweigh the inconveniences. As we soon discovered, the "monster" was proper planning and not the 40-hour week.