

OKLAHOMA DEPARTMENT OF AGRICULTURE,  
FOOD, AND FORESTRY  
MEAT AND POULTRY INSPECTION SERVICE  
OKLAHOMA CITY, OK

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**REIMBURSABLE OVERTIME INSPECTION SERVICES**

**I. PURPOSE**

This notice provides Oklahoma MPI personnel with updated guidance and instructions for determining when overtime inspection services are to be provided; how to provide staff to establishments during reimbursable periods; and the procedures to follow when providing reimbursable overtime inspection services. This notice **DOES NOT APPLY** to Talmadge-Aiken establishments.

**II. CANCELLATION**

Any previous memos or letters issued on this subject.  
MPI Notice 04-07

**III. REFERENCES**

2 O.S. § 2-9  
Oklahoma Administrative Code 35:2-3-5; 35:37-3-18; 35:37-3-19; 35:37-3-20;  
35:37-5-5; 35:37-5-15; 35:37-5-16; 35:37-9-26; and 35:37-11-24  
FSIS Directive 12,600.1, Revision 1, Amendment 2  
FSIS Directive 12,600.2

**IV. BACKGROUND**

As set out in Oklahoma Administrative Code (OAC) 35:37-3-18 and 35:37-5-5, "No department of an official establishment in which are conducted operations requiring inspection shall be operated except under the supervision of a Division employee." As set out in OAC 35:37-3-20; 35:37-5-15; 35:37-5-16; 35:37-9-26 and 35:37-11-24; establishments are required to reimburse the Board for the cost of inspection services furnished on State holidays, any Saturday or Sunday, or for more than 8 hours on any one day.

In general, ODAFF MPI charges establishments for overtime inspection services when two conditions are met: (1) The establishment decides to work outside of its approved operating schedule, and (2) ODAFF MPI inspection program personnel need to work outside of their regular tour of duty, either eight (8) hours in a day, or 40 hours in a week, and are entitled to premium pay to provide overtime inspection services to the establishment. ODAFF MPI is to provide overtime inspection coverage to an

establishment during the entire time that the establishment conducts activities that require inspection coverage (as set out in V. below) outside of its approved operating schedule.

## **V. OPERATIONS OR ACTIVITIES THAT REQUIRE INSPECTION COVERAGE DURING OVERTIME PERIODS.**

A. If an establishment requests overtime inspection services in accordance with OAC 35:37-3-20; 35:37-5-15; 35:37-9-26 or 35:37-11-24; ODAFF MPI inspection program personnel are to provide inspection coverage during the overtime period when:

- an establishment will be preparing meat or poultry for packaging or for further processing into meat or poultry food products. Examples of activities include boning, cutting, slicing, grinding, injecting, pumping, adding ingredients through other mechanical means, formulating, labeling, or assembling, packaging and labeling of non-labeled meat or poultry components of meat or poultry food products; or
- an establishment conducts the verification activity of direct observations of its monitoring activities at critical control points (CCP) as required by 9 CFR 417.4(a)(2)(ii) and as set out in its Hazard Analysis and Critical Control Point (HACCP) plan as required by 9 CFR 417.2(c)(7); or
- the establishment is requesting that the mark of inspection be applied to any product during the overtime period.

B. The following types of activities would not require the presence of inspection program personnel if performed outside the regular hours of operation when they are the only ones that the establishment is performing at that time:

- receiving meat or poultry, spices, or ingredients from other establishments;
- receiving and sorting returned products that it had produced;
- shipping inspected and passed, properly labeled products;
- moving product within the plant in order to physically position it for further processing or storage;
- performing sanitation procedures in accordance with its Sanitation Standard Operating Procedures (SSOPs);
- performing sanitation monitoring procedures in accordance with its SSOP;
- performing a monitoring function that it has established in its HACCP plan as required by 9 CFR 417.2(c)(4)(for example, monitoring the chilling of slaughtered carcasses or monitoring the cooking temperatures of products);
- performing a verification activity associated with 9 CFR 417.4(a)(2)(i), the calibration of process monitoring equipment, or 417.4(a)(2)(iii), the review of records generated and maintained in accordance with 417.5(a)(3);
- performing its pre-shipment records review as set out in its HACCP plan;
- performing corrective actions in accordance with its HACCP plan or SSOPs that do not include any of the activities noted in A. that require inspection coverage;
- cooking, drying, or smoking products when the establishment does not verify a CCP during the period. For example, if an establishment cooks products

overnight by placing product in a smokehouse equipped with a continuous monitoring device, and the establishment verifies its lethality CCP as set out in 9 CFR 417.4(a)(2)(iii) the next morning after the start of the establishment's approved operating hours, an inspector would not need to be on duty during the entire cooking/smoking cycle if the establishment is not conducting any of the activities listed in V. A. above; or

- chilling livestock carcasses when the establishment does not verify a CCP during the period. For example, if an establishment chills livestock carcasses that it has slaughtered, and an employee monitors the cooling temperatures with a hand-held thermometer, and then the establishment verifies the chilling CCP the next morning during its approved operating hours, an inspector would not need to be on duty for the entire time that the carcasses chills if the establishment is not conducting any of the activities listed in V. A. above during the same period; and
- collecting or testing samples of its products.

**NOTE:** The above is a comprehensive, but not an all-inclusive, list of activities that an official establishment can conduct without an inspector on duty. If inspection program personnel have questions regarding whether a particular activity not on the above list requires inspection under the Oklahoma Meat Inspection Act, they are to contact their supervisor.

C. Occasionally, ODAFF MPI Field Supervisors will direct inspection personnel to verify, through observation, an establishment's monitoring of a CCP that occurs during periods outside of an establishment's approved operating schedule. If the activity occurs outside of the inspector's tour of duty as well, ODAFF MPI will charge the establishment for the cost of the overtime service.

## **VI. PROVIDING INSPECTION COVERAGE FOR ESTABLISHMENTS WORKING DURING REIMBURSABLE OVERTIME PERIODS**

A. OAC 35:37-3-19 provides that the Director will take into account the efficient and effective use of inspection personnel when approving establishment's operating schedules. MPI supervisors are also to consider how to efficiently and effectively use inspection resources when assigning inspectors to perform reimbursable overtime service. An inspector may have more than one establishment operating in an overtime status and provide inspection coverage to the establishments on a patrol basis.

B. As stated in OAC 35:37-3-20; 35:37-5-15; 35:37-5-16; 35:37-9-26; and 35:37-11-24; establishments must request same day overtime inspection services as early in the work day as possible, or before the end of the work day if the establishment is requesting overtime services to be performed on the next day.

C. MPI supervisors are to make reasonable efforts to combine establishments from regular inspection assignments to fairly distribute the amount of reimbursable charges among the establishments, while assigning overtime to inspection personnel in a fair and equitable manner.

D. MPI supervisors should consider the following factors when forming assignments for inspection coverage during periods of reimbursable overtime on holidays, weekends, or weekdays:

- ***The expected inspection workload during the reimbursable overtime period*** – MPI supervisors are to make a concerted effort to form temporary overtime inspection assignments that approximate as closely as possible a full workload for the assigned inspector. For plants normally covered on a patrol basis, (i.e. more than one plant on the inspection assignment), field supervisors are to attempt to form overtime patrol assignments from the plants that are working overtime. For example, if an inspector is regularly assigned to three plants, and two of those plants work on a holiday, conducting activities that require inspection coverage, then the regularly assigned inspector is to be assigned to cover the holiday work at the two plants and would prorate the inspection coverage between them. On the other hand, if only one plant each from a number of assignments is to work overtime, field supervisors should group the establishments that will work into a temporary overtime assignment that approximates a full workload for an inspector.
- ***The proximity of the establishments that will operate during overtime periods*** – Field supervisors are to group establishments from different assignments that are within a reasonable commuting distance into one overtime assignment to promote inspection travel efficiencies.

## VII. ADMINISTRATIVE PROCEDURES

The following procedures are to be followed when overtime inspection services are requested by an establishment and provided by ODAFF MPI:

- Each inspector should notify their supervisor as soon as possible, when they are informed by an establishment, that it will need overtime inspection services provided to facilitate the efficient and effective use of inspection resources.
- The inspector should complete a Plant Time Card (Form Adm 17B, Rev 2/99), which must include the date the overtime service was provided and the total hours the plant operated under inspection that date and the number of hours of overtime services provided.
- At the end of any week, during which overtime inspection services were provided to an establishment, the completed Plant Time Card(s) must be signed and dated by the inspector and by an authorized plant representative and be submitted to the MPI Oklahoma City Office.
- The Time and Travel Log (Form FSD MIS 12) must accurately show the actual hours worked in each establishment both during normal work hours and when providing overtime inspection services.
- Each inspector who is providing overtime inspection services on a patrol assignment must provide the Oklahoma City MPI Office with the amount of time spent in each plant and the travel time between plants.
- Each establishment will be billed for overtime inspection services provided on a prorated basis, based on the amount of time the inspector spent in the plant, when the plant was operating under overtime inspection services, any travel time

- will be split between the plants. For example, if an inspector is assigned to provide overtime inspection services to two different establishments, each works two hours overtime, and the inspector spends ½ hour in Plant A, 1 hour in Plant B with ½ hour travel time, the plants would be billed as follows: Plant A – ¾ hour overtime, Plant B 1 ¼ hour overtime at the rate published in 35:2-3-5. All charges will be rounded to the nearest ¼ hour. There are additional examples of the calculation of prorated overtime charges in FSIS Directive 12,600.1, Revision 1, Amendment 2, Attachment 1, Question 11, Scenarios 6 & 7.
- When it is not practical or feasible to provide overtime services on a patrol basis, the establishment working under reimbursable overtime services will be billed for the total overtime hours worked at the rate published in 35:2-3-5.

Any questions about this policy should be referred through normal supervisory channels.



**Stan Stromberg**  
**Director, Food Safety Division**

**DISTRIBUTION:**  
**All MPI Personnel**

**SUBJECT CATEGORY:**  
**Administration**