

RESOLUTION NUMBER R- 301420

DATE OF FINAL PASSAGE MAY 10 2006

A RESOLUTION DECLARING IMPASSE WITH THE SAN DIEGO POLICE OFFICERS ASSOCIATION AND IMPOSING TERMS OF LAST, BEST, AND FINAL OFFER

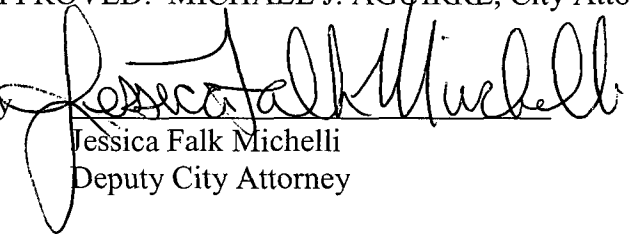
WHEREAS, the Management Team of the City of San Diego has met and conferred with the San Diego Police Officers Association [SDPOA] regarding wages, hours, and other terms and conditions of employment for employees represented by that organization in the Classified and Unclassified Service, and has made detailed recommendations to the City Council in relation thereto; and

WHEREAS, the Management Team of the City of San Diego has been unable to reach agreement with SDPOA regarding wages, hours, and other terms and conditions of employment; and

WHEREAS, the City and SDPOA are at impasse regarding wages, hours, and other terms and conditions of employment for employees represented by SDPOA; NOW, THEREFORE;

BE IT RESOLVED, that the Council of the City of San Diego hereby imposes the City's last, best, and final offer on SDPOA as set forth in the term sheet dated April 27, 2006, attached hereto as Exhibit A.

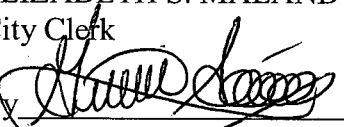
APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Jessica Falk Michelli
Deputy City Attorney

JM:jb
05/02/2006
Or.Dept: Atty.
R-2006-934

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 01 2006.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 5-10-06
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

R-

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City of San Diego and Police Officers Association

City Proposal to POA

April 27, 2006

Compensatory Time

Add the following language to Article 32, paragraph 6, at end of existing language:

The Department will develop minimum staffing levels for each division. The Department reserves the right to revise minimum staffing levels as appropriate. All officer requests for compensatory time off will be honored, unless such request would cause the division to drop below the established minimum staffing level, or would otherwise unduly disrupt the operations of the Department.

Article 41 Police Officer Hearing Rights

The Department and POA will work together to develop a mutually acceptable hearing process for denials of promotion on grounds other than merit brought under Article 41C of the MOU.

Article 23 Out-of-Class Assignments


The City proposes to change Article 23, Section III, second paragraph, final sentence, to read as follows:

"Out-of-class assignments will accrue on a fiscal year basis and shall not be carried forward into the next fiscal year, except in the circumstances cited in the City Memorandum entitled "Policy on Out-of-Class Assignments" dated July 16, 1997."

Article 24 Grievance Procedure

The City proposes to add the following sentence at the end of Step 6 of the Grievance Procedure:

"The City Council shall have one year from the date that POA serves written notice to continue the grievance on the Management Team, within which to calendar the grievance for hearing and decision. If not calendared within the one year period, then the grievance shall be considered granted."

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Article 25 Salaries

The City proposes no salary increase for FY07. Employees in the DROP program continue to have a pay reduction of 3.2%, to correspond to the 3.2% employee contribution to CERS by non-DROP employees.

Article 25, paragraph A, would be deleted, and replaced by the following language:

“There will be no general salary increase for the one-year term of this MOU. Employees in the DROP program continue to have a pay reduction of 3.2%, to correspond to the 3.2% employee contribution to CERS by non-DROP employees.”

Article 44 Retirement

Add a new paragraph 11 to Article 44, as follows:

“11. FY 2007 Retirement Contributions by Employees

Employees continue to pay the 3.2% contribution to CERS (or to a reserve fund to reduce the retirement plan UAAL) effective July 1, 2006, in addition to the 3.37% employee contribution into CERS now that the Employee Contribution Reserve is depleted.”

Article 13 Flexible Benefits Plan

No increase in City contribution to Flexible Benefits Plan for FY07.

The City will complete a study of the flexible benefits plan, with input from POA, by June 30, 2008. One issue to be considered in the study is the reallocation of money spent by the City on the plan, with the intent of funding more family health insurance coverage by utilizing dollars currently paid to employees who opt out of the flexible benefits plan.

Article 8 Holidays

Regarding City-observed holidays falling on weekends, apply existing MOU language as written.

(Tentatively agreed to by the parties on April 17, 2006.)

Article 4 Term of Agreement

The City proposes a one year agreement commencing July 1, 2006.

Article 44, Paragraph 8C Eligibility for Industrial Disability Retirement

The City proposes to change this paragraph as follows:

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Delete the following sentence: "The violent attack must occur on or before July 1, 2000, and such application for industrial disability retirement must be submitted before July 1, 2005."

In addition, change the final sentence of this article to read as follows: "This provision shall sunset on June 30, 2010, and no such applications may be made after that date."

Bereavement Leave

Add a new paragraph 13 at the end of Article 18, Annual Leave which provides as follows:

13. Bereavement Leave

Effective July 1, 2006, paid bereavement leave of up to three days is available upon the death of an employee's spouse, father, mother, brother, sister, son, daughter (including step-, foster, or adopted), or state-registered domestic partner, with a limit of one eligible death per fiscal year. The City can require proof of the death as a condition of this payment. This bereavement leave shall be in addition to the employee's Annual Leave as set forth above.

(Tentatively agreed to by both parties on 4/6/06.)

New Article Retiree Medical Plan for New Employees

The City will complete a study regarding a defined contribution plan for retiree medical expenses for employees hired after July 1, 2005, with input from POA, by June 30, 2008. A participant in such a plan will accrue rights only to the individual's actual contributions and investment earnings on those contributions, but not to retiree medical coverage as a benefit.

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All POA proposals not specifically referred to in this proposal are rejected by the City.
All City proposals not specifically referred to in this proposal are withdrawn by the City.

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Council Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

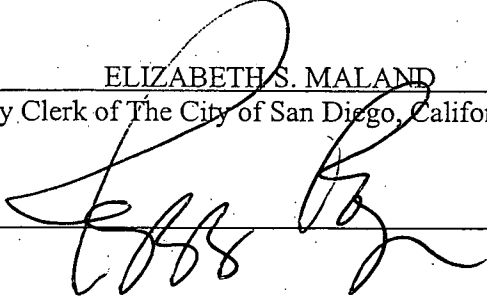
Date of final passage MAY 10 2006

AUTHENTICATED BY:

JERRY SANDERS
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

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