

Side Letter of Agreement to Current Memorandum of Understanding Between The City Of Ontario and Ontario Police Management Group

The City of Ontario and Ontario Police Management Group agree to modify Article IX, Hours of Work, Section 9.01, Work Schedules, and Section 9.02, Overtime – Police Sergeants of the Memorandum of Understanding covering the period from July 1, 2014 through June 30, 2018. The intent of this side letter is to meet current Airport Operations staffing needs until such needs are fully met. This provision shall be effective October 15, 2017.

The revised sections will read as follows:

Section 9.01 Work Schedules

- A. The City reserves the right to schedule work as required in a manner most advantageous to the City and consistent with the public interest and the requirement of municipal employment.
- B. Notwithstanding Section 9.01(A) above, the parties have met and conferred regarding the implementation of modification to employee work schedules.
- C. The parties have agreed that employees in Patrol may be assigned to a 3/12.5 work schedule consisting of 3 consecutive workdays of 12.5 consecutive hours each, inclusive of a paid 30-minute meal period and breaks. During a 28-day work period employees assigned to the 3/12.5 work schedule will also be scheduled to work one additional 10-hour work shift, inclusive of a paid 30-minute meal period and breaks. The 10-hour shift will generally be adjacent to an employee's "Monday" or "Friday", but exceptions may exist to accomplish department-wide training or other special details. The parties will mutually develop rules regarding implementation of the modified work schedule, to address issues such as, extended training of 3 days or more, jury duty leaves and other issues.
- D. Employees in Patrol assigned to the 4/10 work schedule will work 4 consecutive work days of 10 consecutive hours each, inclusive a paid 30-minute meal period and breaks. Employees assigned to the 4/10 schedule will have regularly assigned work days of Monday, Tuesday, Wednesday and Thursday.
- E. Effective April 1, 2008 the parties agree that employees in Patrol required to don and doff uniforms and/or protective equipment will be provided 15 minutes paid time at the start of each work shift for donning and doffing of uniforms and equipment.
- F. The parties have agreed to implement a twelve (12) hour shift for Police Sergeants assigned to the Airport Operations Bureau effective October 15, 2017. The twelve (12) hour shift schedule will be in effect until it is no longer deemed necessary.
 - 1. Employees assigned to the a twelve hour shift will be scheduled to work three consecutive twelve (12) hour shifts each week and one twelve (12) hour shift every other Saturday. Each twelve (12) hour shift will be inclusive of a paid 30-minute meal period and breaks. Training of 3 days or more, jury duty, and other implementation issues that arise will be handled consistent with department policy.

Section 9.03 Overtime – Police Sergeants

- A. The City reserves the right to schedule overtime work as required in a manner most advantageous to the City and consistent with the public interest and the requirement of municipal employment. Overtime is subject to prior approval.
- B. Police Sergeants shall receive overtime compensation at the rate of 1½ the employee's regular rate of pay in cash or compensatory time off, for all time worked, or deemed to have been worked (including paid leaves of absences) in excess of the employee's regularly scheduled daily shift or 40 hours per week for employees on a 4/10, in excess of 40 hours per workweek for employees on a twelve (12) hour shift schedule, or 160 hours in a 28 day work period for employees on a 3/12.5 hour shift schedule. For Police Sergeants assigned to the 3/12.5 hour shift schedule, the 28 day work period will be divided into two 14-calendar day pay periods; one pay period shall include 75 scheduled hours and the other 14-calendar day pay period shall include 85 scheduled hours. Overtime shall be paid to the employees assigned to the 3/12.5 hour shift schedule when the number of hours worked (including all paid leaves of absences) exceeds 75 hours or 85 hours in the respective pay period. For employees assigned to a 12 hour schedule the City may adjust the workweek definition for modified work schedules to be in compliance with the Fair Labor Standards Act. The workweek for an assigned 12 hour schedule employee shall split each Saturday of the pay period at the midpoint of their regularly scheduled shift on a Saturday. Overtime worked pursuant to grant funding must be compensated for in cash.
- C. In lieu of overtime compensation, employees may receive equal compensatory time off upon their request and with the approval of the Bureau Commander.

Approved:

 _____ Al Boling, City Manager City of Ontario	<u>11/07/17</u> Date
 _____ John Duffield, President Ontario Police Management Group	<u>10/31/17</u> Date

