



# TOWN OF FAIRFAX

## STAFF REPORT

### April 15, 2020

**TO:** Mayor and Town Council

**FROM:** Garrett Toy, Town Manager

**SUBJECT:** Second notice and Adoption of a Resolution Approving a Side Letter to Amend the Memorandum of Understanding (MOU) with Fairfax Police Officers' Association (POA) for the period July 1, 2018 through June 30, 2021.

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### **RECOMMENDATION**

Adopt the Resolution approving the side letter to amend the Memorandum of Understanding (MOU) with Fairfax Police Officers' Association (POA) for the period July 1, 2018 through June 30, 2021.

### **BACKGROUND**

In 2015, the Town Council, in response to the Grand Jury report on labor negotiations, stated that the Town would place final tentative employee agreements on two Town Council agendas - the first for notice of the agreement, the second for the Council to vote on the agreement.

This item represents the *second notice and adoption* of the side letter amendments to the MOU with the Fairfax Police Officer's Association. The first notice of the proposed amendments was placed on the Council's March 4, 2020 agenda. The POA currently represents sworn personnel (officers) and non-sworn personnel (dispatchers/police service technician).

### **DISCUSSION**

While the current MOU with POA does not expire until June 30, 2021, the POA has expressed concern over the retention of current police officers. Over the past several months, police officers have either left or indicated they will be leaving for other jobs. Officers leave for a variety of reasons, but compensation is usually one of the key factors. In response to these concerns, the Town Manager has been meeting with POA representatives to discuss incentives for retaining officers. Some of the proposed incentives have financial impacts to the Town. Other incentives have little to no financial impact, but officers have indicated these modifications would/may encourage them to remain longer with the Town. Some incentives are compensation/benefits currently available to officers but have been restructured and increased to encourage officers to remain with Fairfax.

The POA has agreed to the following amendments pending the Town Council approval:

1. **Accelerated Step Increase:** When an employee becomes eligible for Step E they will advance to Step F (skipping Step E) after having served in a satisfactorily level at the prior step as documented in a written performance review. This creates an incentive for newer officers to remain since they will advance an extra step after their third year. This will have an impact in future years, but not this upcoming fiscal year.

2. Officer in Charge pay (OIC): Qualified police officers who cover a minimum of five hours or more of a shift in place of a Sergeant or Corporal of Police shall receive 5% pay incentive for the time worked in that position with approval of the Chief of Police. This has a neutral fiscal impact because the added costs are offset by overtime savings from not having a sergeant or corporal work overtime to fill the shift.
3. Bi-Lingual Pay: Full time employees shall receive a base pay incentive of 2.5% for their ability to speak basic conversational Spanish, and 5% for Spanish fluency. Other languages shall be approved by a supervisor at a maximum rate of \$50 per day of use with a maximum of 5% of base pay in a pay period. Fluency in more than one language does not entitle an employee to multiple pay incentives. We believe the annual costs in FY20-21 to be approximately \$17,000. Most police agencies have bi-lingual pay incentives.
4. Increase Longevity Pay- Increases longevity pay and reduces the time needed for an officer to qualify for longevity pay (see table below). This new structure will cost approximately \$19,000 in FY20-21.

Current	Proposed
5-9 yrs. \$150/mo.	3 yrs.- 2%/mo. (e.g., step D \$141/mo.)
10-15 yrs. \$200/mo.	5 yrs.- 3%/mo. (e.g., Step F \$234/mo.)
16 yrs. + \$250/mo.	7 yrs.- 4%/mo. (e.g., Step F \$312/mo.)
	10 yrs.- 5%/mo.(e.g., Sgt., Step F \$473/mo.)
	15 yrs.- 7.5%/mo.(e.g., Sgt. Step F \$710/mo.)
	20 yrs.- 10%/mo. (e.g., Sgt. Step F \$946/mo.)

5. Increase Vacation Accrual Time- Increases the accrual rate for vacation. Officers would be eligible to accrue more vacation every year between year 3 and 6 (see table below). This will have a minimal cost impact as vacations are planned several months in advance which allows the Department to schedule shifts to cover the vacations (i.e., no overtime).

Current	Proposed
0-4 years- 88 hours	100hrs upon hire, through end of second year of service
4-10 yrs.- 120 hrs.	120hrs at three (3) years of service
10-14.9 yrs.- 170 hours	140hrs at four (4) years of service
15 yrs.+ 200 hours	160hrs at five (5) years of service
	180hrs at six (6) years of service
	200hrs at twelve (12) years of service
	240hrs at fifteen (15) years of service

6. Vacation and Comp. Time Carry Over Balances- Increases the amount of vacation that can be accumulated from 300 hours to 400 hours. Comp time accumulation would increase from 120

hours to 160 hours. While very few employees are at the current accumulation limits, it would allow them to carry over more hours to the next fiscal year. This would have minimal costs to the Town as vacation and comp time are currently required to be cashed out upon separation of employment.

7. Sick Leave Cash Out- For those employees who use one day or less of sick leave or industrial injury leave time (i.e., workers compensation) in a fiscal year, 25% of the sick time (i.e., 30 hrs. of 120 hrs.) that is accrued in a fiscal year will convert to comp time. The Chief reserves the right to send employees home if they are determined to be “too sick” to work or if the chief does not want to expose other employees to the illness. The costs would be offset by the overtime savings. Typically, when an officer calls in sick, PD must fill the vacant shift by having another officer work overtime.
8. Tuition Reimbursement: Adds a provision for tuition and textbook reimbursement program similar to the program available to other Town employees. Employees will be reimbursed up to \$4,000 for eligible tuition and/or fees for textbooks and supplies under certain conditions and subject to pre-approval by the Police Chief. We believe the financial costs will be minimal to the Town.

### **FISCAL IMPACT**

The estimated cost to the Town in FY20-21 is approximately \$36,000. The cost is primarily for longevity pay and bi-lingual pay. The costs will vary in future years depending on staff experience and qualifications.

### **ATTACHMENT**

Resolution with Side Letter