

CITY OF YUBA CITY  
STAFF REPORT

**Date:** October 21, 2014

**To:** Honorable Mayor & Members of the City Council

**From:** Human Resources Department

**Presentation By:** Natalie Walter, Human Resources Director

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**Summary**

**Subject:** Police Officers' Association Memorandum of Understanding (MOU) and Police Sergeants' Letter of Understanding (LOU).

**Recommendation:** 1) Adopt a Resolution approving a two year Memorandum of Understanding with the Police Officers' Association

2) Adopt a Resolution approving a two year Letter of Understanding with the Police Sergeants'

**Fiscal Impact:** None.

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**Purpose:**

To amend the Police Officers Association and Police Sergeants agreements that were adopted on September 16, 2014 to reflect current Police Department practices for paying overtime.

**Background:**

The City's employment agreements with the Police Officers' Association (POA) and Police Sergeants were approved at the September 16, 2014 City Council meeting. City staff has already implemented the terms of the bargaining unit contracts.

**Analysis:**

After City Council approval of the contracts, it was discovered that the language in the overtime section was not reflective of the current Police Department practices for paying overtime. The Police Chief has reviewed the overtime language and agrees that the language represents the current overtime threshold and work period. For both sworn and non-sworn Police employees who work in excess of their standard (i.e. regularly scheduled) daily shift, or in excess of the applicable overtime threshold, 40 hours in one 7-day work period for non-sworn employees and 80 hours in a 14-day work period for sworn employees, said employees shall be compensated for overtime at a rate of one and one-half (1-1/2) times the employee's regular rate of pay. Paid sick leave time shall not be counted as "hours worked" for overtime calculation purposes.

**Fiscal Impact:**

None.

**Alternatives:**

1. Do not approve POA Memorandum of Understanding and provide staff direction.
2. Do not approve the Sergeants Letter of Understanding and provide staff direction.

**Recommendation:**

Adopt a Resolution approving a two year Memorandum of Understanding with the Police Officers' Association and a two year Letter of Understanding with the Police Sergeants.

**Attachments:**

Attachment 1: POA MOU Resolution

Attachment 2: POA MOU

Attachment 3: Sergeants' LOU Resolution

Attachment 4: Sergeants' LOU

**Prepared By:**

/s/ Natalie Walter

Natalie Walter  
Human Resources Director

**Submitted By:**

/s/ Steven Kroeger

Steven C. Kroeger  
City Manager

**Reviewed By:**

Human Resources

NW

Finance

RB

City Attorney

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**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY  
APPROVING THE POLICE OFFICERS' ASSOCIATION MEMORANDUM OF  
UNDERSTANDING**

WHEREAS, the City recognizes the Police Officers' Association commitment to the City and its citizens while providing outstanding and dedicated service to all;

WHEREAS, City staff and the POA have negotiated a two year Memorandum of Understanding (MOU);

WHEREAS, the POA had clarification language for the overtime section in the Memorandum of Understanding after the MOU was approved by City Council;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Yuba City as follows:

Approve the attached POA Memorandum of Understanding.

Authorize staff to make any necessary clarifying language changes to the language in the POA Memorandum of Understanding as long as the changes do not modify the MOU's substantive terms or past practice.

The forgoing Resolution of the City Council of the City of Yuba City was duly introduced, passed and adopted at a regular meeting thereof held on the 21<sup>st</sup> day of October 2014.

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Kash Gill, Mayor

ATTEST:

\_\_\_\_\_  
Terrel Locke, City Clerk

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY  
APPROVING THE POLICE SERGEANTS' LETTER OF UNDERSTANDING**

WHEREAS, the City recognizes the Police Sergeants commitment to the City and its citizens while providing outstanding and dedicated service to all;

WHEREAS, City staff and the Sergeants have negotiated a two year Letter of Understanding;

WHEREAS, the Sergeants had clarification language for the overtime section in the Letter of Understanding after the LOU was approved by City Council;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Yuba City as follows:

Approve the attached Sergeants' Letter of Understanding.

Authorize staff to make any necessary clarifying language changes to the language in the Sergeant's Letter of Understanding as long as the changes do not modify the LOU's substantive terms or past practice.

The forgoing Resolution of the City Council of the City of Yuba City was duly introduced, passed and adopted at a regular meeting thereof held on the 21<sup>st</sup> day of October 2014.

AYES:

NOES:

ABSENT:

ATTEST:

\_\_\_\_\_  
Kash Gill, Mayor

\_\_\_\_\_  
Terrel Locke, City Clerk