

## **Side Letter of Agreement to the 2008-2012 Memorandum of Understanding Between the City of Ontario and the Ontario Police Officers Association**

The term of the current Memorandum of Understanding (MOU) between the City of Ontario (City) and the Ontario Police Officers Association (OPOA) is from January 1, 2008 through June 30, 2012. Article IX. Hours of Work, Section 9.04. Compensatory Time Off of the MOU provides that requests for use of compensatory time off shall be subject to the April 2006 negotiated policy between the City and OPOA. The City and OPOA hereby agree to modify the process by which requests for compensatory time off will be handled as follows:

1. The process for granting or denying requests for compensatory time off set forth in the April 2006 negotiated policy shall be replaced by the process specified herein.
2. For the purpose of this side letter, "minimum staffing" on all patrol shifts is thirteen (13) Officers/Corporals, with the exception of the 3/12.5 Mid Shift where "minimum staffing" is eight (8) Officers/Corporals.
3. If a compensatory time off request is submitted five (5) or more days in advance of the requested day off **and** there are ten (10) or more Officers/Corporals listed as working on the requested day off at the time the request is submitted, then the request shall be approved, and it shall be the Police Department's responsibility to find replacement Officer(s) according to the overtime protocol, so that there are a minimum of thirteen (13) Officers/Corporals working each shift (except 3/12.5 Mid Shift).
  - a. 3/12 Mid Shift  
If a compensatory time off request is submitted five (5) or more days in advance of the requested day off **and** there are five (5) or more Officers/Corporals listed as working on the requested day off at the time the request is submitted, then the request shall be approved and it shall be the Police Department's responsibility to find replacement Officer(s) according to the overtime protocol, so that there are a minimum of eight (8) Officers/Corporals working the shift.
4. In the event the compensatory time off request is submitted less than (5) days in advance of the requested day off (i.e., submitted Monday for Saturday), the supervisor receiving the request shall attempt to fill that vacancy according to the overtime protocol, and if not filled, the compensatory time off request will be denied.
5. The above process will be in effect for every calendar day of the year except for the following:
  - a. The provisions of paragraph 3 and paragraph 3a. above shall be modified on "Super Bowl Sunday," Memorial Day, Labor Day, the Annual Dinner, Christmas Eve, Christmas Day, and New Year's Eve (December 31<sup>st</sup>). Compensatory and holiday time off requests may be denied when there are thirteen (13) or less Officers/Corporals scheduled to work, or eight (8) or less on the 3/12.5 Mid Shift, on the requested day off, and the supervisor receiving the request was unsuccessful in securing a replacement Officer according to the overtime protocol.


b. Independence Day (July 4<sup>th</sup>)

Patrol Officers/Corporals who are regularly scheduled to work on the Fourth of July and who wish to use compensatory or holiday time off for that day will be required to submit a request to a shift supervisor. The supervisor shall attempt to find a replacement Officer/Corporal according to the overtime protocol regardless of shift staffing minimums (i.e. if there are fifteen (15) Officers scheduled, fifteen (15) Officers will be the minimum for that day). If the supervisor receiving the request was unsuccessful in securing a replacement Officer according to the overtime protocol, the request will be denied.

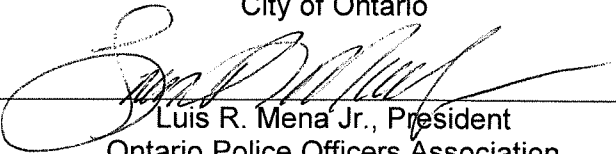
c. If a supervisor is unsuccessful in securing a replacement Officer according to the overtime protocol in instances described in paragraphs 5a. & 5b. above, and it is 24-hours or less before the requested day off, the Officer/Corporal requesting the day off has the option of securing a replacement Officer (e.g. an Officer, Corporal, or Detective who is not on the overtime protocol list for that shift; or an Officer to "hold over" from the previous shift combined with another Officer to come "in early" from the following shift to each work a partial shift).

d. Because shifts overlap to maximize staffing during certain periods, "hold over" and "in early" replacement Officers shall be limited to no more than three (3) replacement Officers on a given shift.

Approved:

  
\_\_\_\_\_  
Chris Hughes, City Manager  
City of Ontario

11/1/10  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Luis R. Mena Jr., President  
Ontario Police Officers Association

11/1/10  
\_\_\_\_\_  
Date

