

# Agenda Report

April 3, 2017

**TO:** Honorable Mayor and City Council

**FROM:** Human Resources Department

**RE:** APPROVAL OF AMENDED AND RESTATED MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PASADENA AND THE PASADENA POLICE OFFICERS ASSOCIATION – APRIL 3, 2017 – JUNE 30, 2018

## **RECOMMENDATION:**

It is recommended that the City Council:

1. Find that the action proposed herein is not a “project” as defined in the California Environmental Quality Act (CEQA), Public Resources Code Section 21065 and Section 15378(b)(2) of the State CEQA Guidelines and, as such, is not subject to environmental review; and
2. Approve a Memorandum of Understanding (MOU) between the City of Pasadena (City) and the Pasadena Police Officers Association for the term of April 3, 2017 through June 30, 2018.

## **BACKGROUND:**

On January 21, 2016 the Sergeants represented by the Pasadena Police Sergeants Association (PPSA) merged with the Officers and Corporals represented by the Pasadena Police Officers Association (PPOA), resulting in a newly reorganized PPOA comprised of Officers, Corporals and Sergeants. During the merger process, it was agreed that the PPSA MOU would remain in effect through its expiration date of June 30, 2016, and that the City and the Sergeants would seek to negotiate a two-year agreement with an expiration date of June 30, 2018 to coincide with the expiration of the existing PPOA MOU.

On July 11, 2016, the City Council adopted Resolution 9512, which implemented the terms of the tentative agreement for Sergeants on the wages, hours and other terms and conditions of employment. As agreed, the parties continued to meet and confer in order to merge the PPSA and PPOA contracts into an amended and restated PPOA MOU. The amended and restated MOU preserves the provisions of the existing PPOA MOU while incorporating the terms and conditions of Resolution 9512. The amended and restated MOU also incorporates a number of provisions related to overtime and compliance with the Fair Labor Standards Act (FLSA) that are the result of a recent agreement between the City and the PPOA.

The following is a summary overview of the key contract modifications:

1. The City will treat all overtime worked by PPOA members, except for Movie Details, as hours worked for FLSA purposes, and include hours worked and the non-overtime pay associated with those hours worked in its calculation of the FLSA regular rate of pay.
2. All overtime with the exception of Movie Details will be paid at 1.5 times the employee's regular rate of pay.
3. The City will pay compensatory time cash-outs at the employee's regular rate of pay.
4. The Movie Detail rate for non-supervisors will increase to \$70 per hour.
5. The amended and restated PPOA MOU includes a significant number of non-economic language revisions due to the need to merge the provisions of two separate labor agreements into one MOU.

**COUNCIL POLICY CONSIDERATION:**

The adoption of the Memorandum of Understanding between the City of Pasadena and PPOA supports the City Council's strategic goal of maintaining fiscal responsibility and stability.

**FISCAL IMPACT:**

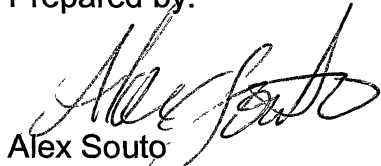
The fiscal impact of the amended and restated agreement is approximately \$35,000 annually resulting from changes required to ensure compliance with the overtime provisions of the Fair Labor Standards Act. The FY 17 fiscal impact of this agreement will be absorbed into the Police Department's operating budget.

Respectfully Submitted,



Jennifer Curtis  
Director of Human Resources

Prepared by:



Alex Souto  
Acting Human Resources Manager

Approved by:



Steve Mermell  
City Manager

Attachments:

1. AMENDED AND RESTATED MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PASADENA AND THE PASADENA POLICE OFFICERS ASSOCIATION