



**RCA
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

AGENDA ITEM NO.: 48
AGENDA DATE: Thu 03/25/2004
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SUBJECT: Approve the Meet and Confer Contract with the Austin Police Association for Austin Police Officers.

AMOUNT & SOURCE OF FUNDING: Funding in the amount of \$33,404,363 will be included in the proposed Operating Budget for Fiscal Years 2004-2005 through Fiscal Year 2007-2008. Funding in subsequent years is subject to appropriation by City Council.

FISCAL NOTE: There is no unanticipated fiscal impact. A fiscal note is not required.

REQUESTING Police
DEPARTMENT:

DIRECTOR'S
AUTHORIZATION: Stan Knee

FOR MORE INFORMATION CONTACT: Rick Coy, Assistant Chief/974-5021

PRIOR COUNCIL ACTION: 03-08-01 - Approval of second Police Meet and Confer contract.

BOARD AND COMMISSION ACTION: N/A

PURCHASING: N/A

MBE / WBE: N/A

In 1995, the Texas Legislature amended state Civil Service law to allow the City of Austin to negotiate and enter into written agreements with firefighters and police officers regarding wages, salaries, rates of pay, hours of work, other terms and conditions of employment or other personnel issues. This legislation is known as the "Meet and Confer" process. Although the law does not require either party to negotiate or reach agreement, any written agreement ratified by City Council and the majority of the bargaining agents membership can supersede and preempt any contrary statute, local ordinance or rule adopted by the State, City, or Civil Service Commission.

The Austin Police Association (APA) anticipates that the membership will vote on the proposed contract by March 11, 2004. In anticipation that the membership will approve the contract, the APA, Police Department and City management are submitting the meet and confer contract for Council approval. The agreement affects all sworn members of the Austin Police Department through the rank of Commander except where provided otherwise. If approved, the contract will be in effect through September 26, 2008.

The contract contains strategic changes that enhance operations.

Retains rights achieved in last contract in addition to the following changes:

1. Improves the hiring process
 - Weighting the written test at 45% and the Oral Interview Board results at 55%.
 - Extra points for education, experience and bilingual skills added
 - Probationary period extended from 12 to 15 months to allow more time to evaluate new hires
2. Improves the promotion process
 - Maintains Assessment Centers for Sergeants, Lieutenants and Commanders
 - Extra points for education and seniority added



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- Officers required to serve 5 years before being eligible to promote to Corporal or Detective
- 3. Discipline- maintains the non-appealable suspension of 1 to 3 days.
 - Suspension is non-appealable if vacation time is used.
 - If appealed, the loser covers the costs.
- 4. Officer's rights maintained- access to a complete file allowed prior to a disciplinary review.
- 5. Enhances Police Oversight
 - No restrictions on the Monitor's access to files.
 - Preserves completion of the investigation with the 180-day limit.
 - Conclusions of Independent Investigations will be released.
 - Eliminates many of the administrative details previously required of the Office of the Police Monitor.
 - Minor improvements to the process documented.

This proposed contract contains the following economic agreements:

Budgeted Cost

- Year 1: \$0
- Year 2: \$3.7 million
- Year 3: \$7.0 million
- Year 4: \$9.6 million
- Year 5: \$13.1 million
- Total Contract Cost: \$33.4 million

The Fiscal 2003-2004 2% public safety premium in the amount of \$2,146,674 is identified as one-time savings to be utilized in FY 2005- FY 2009 funding requests.

Changes in supplemental pay

- Terminal leave: minimum length of service increases to 10 years and maximum payout increases from 720 hours in year 1 to 1400 hours in year 5.
- Shift differential: for all shifts starting on or after 2 p.m., payment increases from \$200 per month in Year 1 to \$300 in year 3.
- Education pay: monthly stipend increases in Year 2 for each level of higher education
 - 60+ college hours increases from \$75 to \$100 per month
 - Bachelor's degree increases from \$160 to \$220 per month
 - Master's degree increases from \$225 to \$300 per month
- Specialty pay: add current \$175 per month allowance for German language and Mental Health Certification
- Court time: minimum of 3 hours overtime for an officer needing to appear in Court on his/her day



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off increased to 4 hours in Year 2.

- Longevity: payment of \$48 per year of service, paid as a lump sum on the anniversary of the officer's commission date (maximum 25 yrs) increases to \$70 in Years 3 & 4 and \$96 in Year 5.

Changes in base pay

Beginning in Year 2: 2% Public Safety Premium

The public safety premium allows for base wages paid to police officers to be increased by two percent (2%) above the base percentage amount established and set aside for "meet expectations" compensation adjustments for non-civil service City of Austin employees for that fiscal year. In the event that no compensation adjustment is established and set aside for non-civil service City of Austin employees for that fiscal year, base wages for police officers shall be increased by two percent (2%). In the event that non-civil service City of Austin employees have three consecutive years without base wage increases, *police officers shall not receive an increase in the third of those three consecutive years.*