



Legislation Text

File #: 16-291, **Version:** 1

Adopt City Council Resolution Approving Side Agreement Amending Article 5, Section 10 of the Memorandum of Understanding between the City of Fort Bragg and the Fort Bragg Police Association Effective April 13, 2015 through June 30, 2017 Regarding K-9 Officer Pay

At the time of negotiations between the City of Fort Bragg and the Fort Bragg Police Association (FBPA), the Police Department did not have a K-9 officer. Beginning on April 7, 2016, a K-9 joined the Department and an officer was designated as its caretaker and handler. Subsequently, the FBPA reviewed the section of the Memorandum of Understanding (MOU) dealing with K-9 Officer incentive pay.

On June 6, 2016, the FBPA sent a letter to the City requesting a revision to the K-9 Officer compensation methodology to better reflect the responsibilities and time necessary to care for the K-9 and to ensure consistency with Fair Labor Standards Act requirements for compensation for overtime hours worked.

The original language in Article 5, Section 10 of the MOU between the City and FBPA provided for a \$750 annual stipend for care and feeding of the K-9 as well as overtime compensation, at the officer's current rate of pay, for 15 minutes of K-9 care every day, 7 days per week. This included time for feeding, grooming and training of the dog.

The revised language for Article 5, Section 10 as presented in the Side Agreement eliminates the annual stipend of \$750 and increases the daily time investment to 60 minutes per day. This includes time for care of the dog such as feeding, grooming, training, socializing, maintenance of the kennel, and tending to the general welfare of the dog. Compensation for these duties is based on the prevailing rate for minimum wage (currently \$10.00/hr) and compensated at an overtime rate (i.e. \$15.00/hr). This methodology has been upheld by the courts. The total annual cost for an officer's incentive pay would be \$5,475 under the new methodology. Under the previous methodology, the total incentive pay would vary depending on the officer's pay rate, but a mid-range estimate is approximately \$4,850 annually.

Staff recommends that the Council approval the Side Agreement authorizing the change in the methodology for providing incentive pay for our K-9 officers. All costs associated with the K-9 program are provided by the Department's Asset Forfeiture funds, thus there would be no fiscal impact to the General Fund. If approved, the K-9 Officer Pay would be retroactive to the beginning of the K-9 program's start date of April 7, 2016.

If the Council wishes to discuss this further, it is recommended that it be pulled from the consent calendar and remanded to the Personnel Committee.