



November 1, 2011

Kevin Rose
President, BPOA

**RE: SIDE LETTER OF AGREEMENT; BENICIA POLICE OFFICER'S
ASSOCIATION, MOU FOR PERIOD OF 7/1/10 – 6/30/12**

Dear Kevin:

Consistent with your discussions with the Police Chief, this letter is to confirm and memorialize the discussions and verbal agreement between the City of Benicia (via your conversations with the Police Chief) and the Benicia Police Officer's Association (BPOA) regarding work schedules for specialized assignments.

I. Summary:

Replace the current 10 hour per day work schedule with a 10.5 hour per day pilot schedule for specialized assignments within the authority of the current Benicia Police Officer's Association (BPOA) memorandum of understanding (MOU).

II. Background:

The officers and sergeants who staff the department's specialized assignments play a significant role within the operations of the police department. Currently there are 8 specialized assignment positions within the police department. Six of these assignments are investigative positions, which handle the community's most prolific and sensitive investigations. These positions require skilled and sophisticated officers to successfully handle these most critical events.

The police department proposes to extend the previously approved traffic officer 10.5-hour shift to all of the department's specialized assignments who currently work a 10-hour schedule. The 10.5 hour schedule allows the special assignment officers to work 104 additional hours per year and be eligible for the "Patrol Pay" as defined in the current Memorandum of Understanding between the City of Benicia and the Benicia Police Officers Association (BPOA), which expires June 30, 2012.

The aforementioned 10.5 hour per day special assignment officer schedule will be implemented for a pilot period of 7 months, commencing October 21, 2011 and concluding June 30, 2012. At the conclusion of the 7-month pilot period, police department staff will examine and review the effectiveness of this schedule and make a permanent recommendation. This will also coincide with the expiration of the current POA MOU and revised language changes can be applied if it is found the goals have been achieved.

In order to make the above-mentioned changes, the language in the Police Officer's Association MOU for the period of 7/1/10 – 6/30/12 will be changed as follows:

Section 6. Shift Schedule

6.2 Ten (10) Hour Shift Schedule:

Employees assigned to Investigations and Administration Divisions will work a 4/10 ~~plan~~ pilot 10.5 hour day plan and therefore be eligible for patrol pay as outlined in Section 6.1. This trial pilot program may be revoked by the Chief of police at anytime with 10 days notice to the POA.

Section 7. Overtime Work, Recall

7.1 Overtime Work

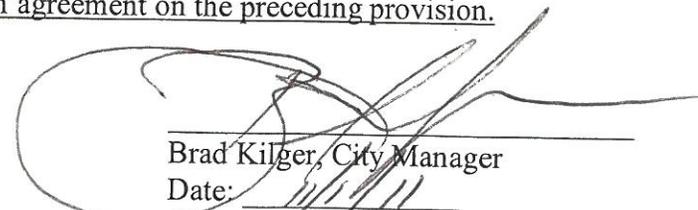
C. 10.5 Hour Shifts: Currently, employees working in "investigation" and "administration" work a 4/10.5 schedule. These employees are entitled to overtime for hours worked in excess of ten and a half (10.5) in a day or forty-two (402) in a workweek. The overtime rate for these employees shall be calculated as follows:

Base Pay for Workweek + Applicable Incentives Earned During that Work Week x 1.5 / 402 hours

By signature below, the parties confirm agreement on the preceding provision.


Kevin Rose, POA President

Date: 11-2-11


Brad Kilger, City Manager

Date: 11/2/11

Cc: BPOA MOU file
Anne Cardwell, Administrative Services Director
Kim Imboden, Sr HR Analyst
Alyson Kauzer, Finance Dept