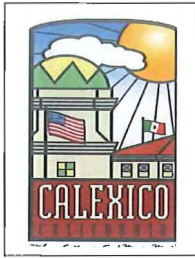


**AGENDA
ITEM**

6



AGENDA STAFF REPORT

DATE: November 3, 2021

TO: Mayor and City Council

APPROVED BY: Miguel Figueroa, City Manager *MV*

PREPARED BY: Denise Garcia, Human Resources/Risk Management Manager

SUBJECT: Approve a Side Letter of Understanding between the City of Calexico and the Calexico Police Officers' Association for the Remaining Term Beginning July 1, 2021 through June 30, 2023

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Recommendation:

Approve the Side Letter of Understanding between the City of Calexico and the Calexico Police Officers' Association (CPOA) for the remaining term beginning July 1, 2021 through June 30, 2023

Background:

The City agreed upon a Side Letter of Understanding with the CPOA on July 13, 2021, amending the existing Letter of Understanding, effective July 1, 2018, and expiring on June 30, 2023. City negotiators met and conferred in good faith with representatives of the CPOA regarding the group's grievance filed on June 1, 2021. The grievance pertained to the interpretation and application of the salary reduction implemented in July of 2018. The City Manager requested additional information from the CPOA and subsequent discussions were held. Both parties have agreed to compromise and resolve the matter through the Side Letter of Understanding.

Discussion & Analysis:

The CPOA will withdraw their grievance and effective retroactively from July 1, 2021, and for the remaining term of the current Letter of Understanding, the salary reduction shall only be applied to the "base salary" and shall not be applied to overtime or any other forms of compensation. The CPOA will also be refunded for the excess salary reductions calculated over the base salary compensation for the Fiscal Years 2018-2019, 2019-2020, and 2020-2021. This payment will be made to all active members with the first full pay period in the 2022-23 Fiscal Year.



Fiscal Impact:

The fiscal impact to the Fiscal Year 2021-2022 budget is \$3,902.87 (up to pay period 10/4/21 to 10/17/21), excess salary reductions to be paid in Fiscal Year 2022-2023 amount to \$31,503.67.

Coordinated With:

Administration
Calexico Police Officers' Association
City Attorney's Office

Attachment:

CPOA Side Letter July 1, 2021 to June 30, 2023

**SIDE LETTER BY AND BETWEEN
CALEXICO POLICE OFFICERS' ASSOCIATION AND
CITY OF CALEXICO**

This Side Letter of Agreement (“Agreement”) is entered into by and between the CALEXICO POLICE OFFICERS’ ASSOCIATION (“CPOA”), and the CITY OF CALEXICO (“City”) (collectively the “Parties”) with respect to the following:

WHEREAS, the CPOA is the recognized employee organization of designated sworn, non-management employees employed in the City’s Police Department; and

WHEREAS, a dispute arose as to the interpretation and application of Paragraph 2 *Salary Reduction* of the current Letter of Understanding between the Parties, for the period of July 1, 2018 through June 30, 2023 (LOU); and

WHEREAS, on June 1, 2021, the City received a grievance submitted by the CPOA regarding the interpretation and application of the LOU; and

WHEREAS, on June 11, 2021, the City Manager responded to the grievance, requesting additional information and clarification on the CPOA’s intent on how to proceed; and

WHEREAS, subsequently the Parties have engaged in discussions, in an effort to cooperatively resolve the grievance; and

WHEREAS, the Parties have agreed to resolve the grievance, and CPOA has agreed to withdraw the grievance.

NOW, THEREFORE, the Parties do hereby agree as follows:

1. Effective the first full pay period in July 2021, and for the duration of the LOU, the 7.69% line item deduction (salary reduction) agreed to between the Parties, shall only be applied to “base salary,” and shall not be applied to overtime or any other forms of compensation.
2. The Parties agree that this Agreement is not an admission of liability or a determination regarding the proper interpretation or application of Paragraph 2 of the LOU or any prior Letter of Understanding, but a mutual compromise to resolve the dispute and grievance.
3. The City agrees to refund to all active members of CPOA for the excess salary reductions on compensation other than calculated over the base salary compensation for the Fiscal Years 2018-2019, 2019-2020, and 2020-2021. This payment will be made to all active members with the first full pay period in the 2022-23 Fiscal Year.
4. Nothing in this Agreement changes any other wages, pay or other terms or conditions of employment, except as explicitly agreed to herein.

FOR THE CITY OF CALEXICO

Miguel Figueroa, City Manager

Date

FOR THE CALEXICO POLICE OFFICERS ASSOCIATION

Luis Casillas, President

Date