

County and KCDOA MOU Negotiations
County Proposal #4
November 30, 2016

1. Term to extend to September 30, 2017.
2. No salary increase during term of agreement.
3. All Tentative Agreements identified in KCDOA Offer #4.
4. Acceptance of withdrawal of proposals identified in KCDOA Offers #2, #3, and #4.
5. Rejection of following proposals from KCDOA Offer #4:
 1. Term
 2. Salary
 3. F Step
 4. STC Certificate Pay
 5. Retiree Health Premium Supplement Program
 6. Employee Random Drug Testing
 7. Temporary Assignment (TDY) Duration
 8. Shift Bids
 9. Availability Pay
6. Agree to incorporate the changes included in the side letter agreed to on December 15, 2014 regarding 12-hour shifts and all previous MOU amendments.
7. Attached proposal regarding Shift Bids and Protected Positions.

ARTICLE III – RIGHTS OF PARTIES

Section 9. Shift Bid Policy

The Shift bid process has been established to provide for fair and equal treatment of all personnel. Shift bids shall be conducted twice a year and the resulting assignments will take effect on or about the second pay period of January or July, respectively. The July shift bid shall be a full bid and January shift bid a facility restricted bid. Personnel may bid for their shifts and days off based on seniority. All positions shall be open for bid, unless otherwise provided for in this MOU.

Prior to the bid process, a number of positions equal to the number of employees on 4850 leave, medical leave, or light duty status will be distributed amongst the sections based on departmental needs. Employees in these status' will bid based on their seniority, but shall be restricted to bidding only these designated positions. In order to not be limited in their bid, the employee must have a doctor's release stating they can return to full duty, with or without reasonable accommodation, within 30 calendar days following the implementation date of the new bid. The doctor's release must be presented to the Lieutenant or Administrative Sergeant conducting shift bids at least seven days prior to the shift bid date.

Officer on probation will only be permitted to bid if they: (1) have successfully completed the Detentions Officers Training Program; (2) have an overall 'standard' or better rating on their most recent Employee Performance Report; (3) have worked for six consecutive months of full duty from their date of hire; or (4) are not restricted from bidding by another section of this MOU.

Section Managers shall have the discretion to make exceptions and assign shifts in the following circumstances:

1. To provide for emergency situations that may arise.
2. To correct or prevent an obvious imbalance in the experience level of personnel assigned to any given shift/assignment.
3. To provide for re-training or appropriate supervision of personnel when determined to be necessary by the Section Manager
4. To compensate for temporary or permanent vacancies due to injury, illness, leave of absence, resignation, or termination.
5. To correct an imbalance of full-duty/light-duty staff assigned to any given shift/assignment. When a squad has too many officers in a light-duty capacity, Section Managers have the discretion to re-assign the full-duty/light-duty employee(s) with the least seniority.
6. To utilize special training or unique skill of an officer for the betterment of the facility.
7. To restrict a minimum number of staff to shifts (and or facilities) when deemed necessary to fulfill an operational need, such as sufficient number of armed staff, or

sufficient number of female staff. Such positions shall be designated prior to shift bids and any mandatory assignment to such positions shall be mitigated through the shift bid process (e.g., a female deputy bidding a security shift with designated female positions shall be placed in one of the available designated positions on that shift) in an effort to reduce the number of mandatory restricted assignments.

Section 10. Protected Positions

Protected position terms listed below shall be effective with the first day of the first pay period following the adoption of this MOU. For anyone bidding or selected to these positions after the adoption of this MOU, the term cap shall begin upon assignment to the position. Staff members who were assigned to positions that already have an existing 3-year cap prior to July 2016 (Facility Utility Deputies, Minimum Veteran Program) will rotate out at the end of their current three-year term.

All detentions deputies selected for protected administrative positions in Facility Administration, Inmate Services, or STC Training shall be capped at three consecutive years. At the end of the three-year term, incumbents will be required to rotate out.

All detentions deputies selected for protected administrative positions in Population Management or Compliance shall be capped at five consecutive years. At the end of the five-year term, incumbents will be required to rotate out.

All detentions senior deputies and detentions sergeants selected for protected administrative positions in Population Management, Compliance, Facility Administration, Inmate Services, Maintenance, or STC Training shall be capped at five consecutive years. At the end of the five-year term, incumbents will be required to rotate out.

The following rules shall apply to protected positions:

1. Section Managers shall have the right to establish additional protected general administrative positions based on departmental needs, without further requirement to meet and confer over the decision or effects of the decision to establish the protected position. Any such position would be limited to a maximum term of five years.
2. Terms will be calculated at the time of the annual July shift bid. If at the time of the bid, an incumbent has reached the three-year cap, he/she will be eligible for rotation. If not, the incumbent will remain in the assignment until the next July shift bid at which their term has expired.
3. Staff members rotating out of a protected position may not consecutively bid to another protected position, with the exception of a promotional opportunity.
4. Protected position vacancies will be filled via a bureau-wide solicitation of volunteers. Solicitations will be posted at least 30 days prior to the date of the July shift bid. Section Managers will fill the vacancies occurring within his/her facility whenever possible from

the responding pool of volunteers. Section Managers will select individuals they believe possess the ability to master the requirements of the assignment, with due consideration being given to seniority.

5. In the event no one bids to fill a vacated protected position, the incumbent would be allowed to remain in the assignment until the next inter-facility shift bid. If the incumbent does not wish to remain in the assignment past the end of term, the least senior person of the required rank and qualifications will be assigned until the next shift bid.