

**SIDE LETTER AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND THE SAN DIEGO
POLICE OFFICERS ASSOCIATION FOR A TEMPORARY EXCEPTION TO ARTICLE 23, SECTION
B OF THE MEMORANDUM OF UNDERSTANDING REGARDING OUT-OF-CLASS
ASSIGNMENTS FOR THE POLICE DETECTIVE CLASSIFICATION**

Pursuant to the provisions of the Meyers-Milias Brown Act (MMBA) and San Diego City Council (Council) Policy 300-06, this Side Letter Agreement (Agreement) is entered into by and between the City of San Diego (City) and the San Diego Police Officers Association (POA), for a temporary exception to the requirement in Article 23, section B of the POA Memorandum of Understanding (MOU) and applicable Staffing Bulletins of the Police Department (Department) that employees who work an out-of-class assignment (OCA), specifically in the Police Detective Classification, must work 30 days in the OCA before being compensated at the OCA rate. This temporary exception will terminate on June 30, 2025. The City and POA are collectively referred to as the "Parties".

The Department is currently understaffed in the Police Detective classification. Due to the need for Police Detectives and the shortage of eligible employees, the Department regularly exhausts its Police Detective Promotional List. This shortage, coupled with the risk of a "domino" effect resulting in staffing issues being worsened in other classifications, the Department is currently only able to hold promotions for the Police Detective Promotional List roughly once every six months.

Currently, the Department has an extenuating need for employees to work in OCA for the Police Detective classification to address operational needs and better execute its mandate to maintain public safety, enforce laws, prevent and investigate crimes, and uphold peace and order in the City of San Diego.

The Article 23 of the MOU provides, in part, that employees working an OCA will be compensated at the rate of the higher paid class only after 30 cumulative days of being assigned to the OCA. Compensation would begin on the 31st day and would be prospective.

POA has confirmed their membership has ratified this Agreement pending Council approval.

The Parties agree to the following:

1. The Parties have satisfied all obligations under the Meyers-Milias-Brown Act, Council Policy 300-06, and other applicable laws and regulations to meet and confer in good faith on the subject matter of this Agreement.
2. The Parties mutually agree to make a temporary exception to the 30-day timeframe in Article 23 of the MOU that an employee is required to work an OCA in the Police Detective classification before being compensated at the higher classification. Employees who are assigned to the Police Detective classification as an OCA will be compensated at the higher paid class immediately upon serving in that capacity and only while working the OCA. This exception to Article 23 will start on July 1, 2024, and terminate on June 30, 2025. Through mutual agreement of the parties and Council approval, this exception can be extended as needed based on operational needs up to three years. This action is not intended to modify the Personnel Manual Section H-3.


SIDE LETTER AGREEMENT BETWEEN THE CITY AND POA REGARDING EXCEPTION TO ARTICLE 23 OF THE POA MOU REGARDING OCA FOR THE POLICE DETECTIVE CLASSIFICATION


3. The Parties mutually agree to temporarily modify applicable Staffing Bulletins, to allow OCA prior to mandatory callbacks. This temporary modification will start on July 1, 2024, and will terminate on June 30, 2025.
4. The Parties acknowledge and understand that this Agreement will only take effect upon Council approval, and the effective date of this Agreement will be the date of final passage of the Council Resolution required for approval of this Agreement.
5. This Agreement will remain in effect through June 30, 2025, unless it is modified through further negotiations in accordance with the MMBA and Council Policy 300-06.

This Agreement is executed, by the following authorized representatives of each party:

San Diego Police Officers Association


City of San Diego

By: 
Brad Fields, Lead Negotiator

By: 
Timothy L. Davis, Lead Negotiator


Date: 4/19/24

Date: 6/4/2024

By: 
Abby Jarl-Veltz, Deputy Director
Human Resources Department

Date: June 5, 2024

Approved as to form this 7th day of June, 2024.

MARA W. ELLIOTT, City Attorney
As to Form
By: 
Joan Dawson
Deputy City Attorney