

**FOURTH SIDE LETTER AMENDMENT TO THE
MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF SANTA ANA AND
THE SANTA ANA POLICE OFFICERS ASSOCIATION
FOR FISCAL YEAR 2004-08**

Effective August 7, 2005, the City of Santa Ana (City) and the Santa Ana Police Officers Association (SAPOA) agree that they have met and conferred and agree to amend Article VIII of the Memorandum of Understanding between the City and SAPOA for Fiscal Years 2004-08. Modifications to this Article shall be in "**bold**" type.

8.4C Use of Comp Time.

1. When an employee submits a request for time off using accrued compensatory time, and that employee has found a qualified replacement, the time off request will be granted. "Qualified" means that the replacement officer or employee is able to fulfill the requirements of the position to which the requesting officer is assigned.

a. **Effective August 7, 2005, compensatory time off requests made for consideration during the monthly scheduling meetings will be treated as any other time off and granted only on the basis of seniority.**

b. **Pursuant to the new 3-12 Operating Rules, officers may trade work days with other officers within the 28-day development period. Any trades must be approved by the affected Lieutenants and the Field Operations Bureau Commander.**

2. When an employee submits a request to take time off using accrued compensatory time and the officer deployment is above minimum staffing for that day, then the request will be granted without further conditions. However, if the number of officers scheduled to work on the day(s) of the request is at or below minimum staffing as defined by the department, the compensatory time off request will be granted only if a qualified replacement has volunteered and committed to work the assignment left open by the request for time off. The volunteer may exchange days off with the requesting employee within the **28-day deployment** period, or may elect to receive overtime compensation, **subject to the rules contained in this Side Letter.**

3. Requests for use of compensatory time off during holidays as defined by the current MOU must be submitted in time to be considered during the monthly scheduling meeting held by bureau and division commanders for the upcoming month. These requests will be considered by seniority and will be granted only if officer deployment is above minimum staffing. **The policy of the department has been, and will continue to be, that compensatory time off requested during a City-designated holiday will be treated as any other time off request and will be granted in order of seniority as long as minimum staffing levels are met. The replacement policy in 8.4C4 below will not apply to compensatory time off requests submitted for consideration during monthly scheduling meetings.**

4. Although it is always preferable for the officer to find a qualified replacement when requesting the use of compensatory time off, if provided sufficient notice of a request for time off, the department will work with employees to find a qualified replacement. Sufficient notice and reasonable period will be defined as follows:

- a. Seventy-two (72) hours notice for one (1) day or less of time off requested.
- b. Five (5) calendar days notice for more than one (1) workday up to one (1) workweek.
- c. Fourteen (14) calendar days notice for more than one (1) week compensatory time off request.

5. If an employee has provided sufficient notice of a compensatory time off request, the department will work with the employee to find a qualified replacement in the following manner:

a. The watch commander will maintain a calendar of time off that has been requested in accordance with the guidelines listed above. Qualified employees will be allowed to volunteer to work these shifts. In the future, the department may develop, at its own discretion, an automated schedule that will contain this information.

b. If an employee volunteers and signs up to work for another employee who has requested compensatory time off, that volunteering employee will be held responsible for working that full shift without further reminder. Employees who do not show up to work, or retract their offer to replace another officer, may be subject to disciplinary action and may not be permitted to volunteer to work in this manner in the future.

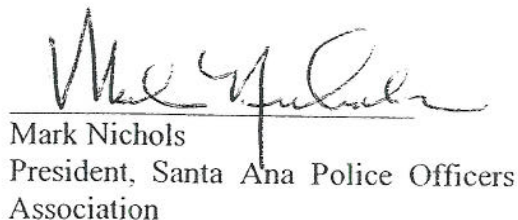
6. The watch commander shall send out an e-mail message to all officers requesting a volunteer to cover the shift by switching days off or working on overtime.

7. When a compensatory time off request is made in a manner that does not comply with this policy, and granting that request would unduly disrupt the operations of the department, the department may deny that request.



Kathie S. Gonzalez
Employee Relations Manager

9/12/05
Date



Mark Nichols
President, Santa Ana Police Officers
Association

9/12/2005
Date