

San Jose Police Officers Association
June 18, 2022
Proposal #1 Term/Wages/Initial Areas of Interest

Term: 2-years
July 1, 2022 through June 30, 2024

Wages: July 1, 2022:
4% Continuing Professional Training Requirement Pay¹ +
4% Base Wage Increase

July 1, 2023:
2% Continuing Professional Training Requirement Pay +
6% Base Wage Increase

All proposed wage increases are pensionable.

Current Perishable Skills Program (PSP) consists of 12 hours of psychomotor, 2 hours of communications, and 4 hours of use of force training every 24 months.

- Category I - Tactical Firearms - 4 hour minimum
- Category II - Driver Training/Awareness - 4 hour minimum
- Category III - Arrest & Control - 4 hour minimum
- Category IV - Strategic Communications - 2 hour minimum
- Category V - Use of Force - 4 hour minimum
- ***SIPOA proposes to increase Strategic Communications to 6 additional hours, Initiate 4 hour Duty to Intervene training, provide more frequent Racial and Cultural Diversity Training; Racial Profiling 8 hours. These trainings would continue to be required every 24-months.***

¹ **Continuing Professional Training Requirement:** Every peace officer shall satisfactorily complete the CPT requirement of 24 (18 of the 24 must be perishable skills) or more hours of POST-qualifying training during every two-year CPT cycle.

Perishable Skills/Communications Requirement for CPT. Effective January 1, 2002, all peace officers (except reserve officers) below the middle management position and assigned to patrol, traffic, or investigation who routinely effect the physical arrest of criminal suspects are required to complete Perishable Skills and Communications training.

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SJPOA Initial List of Negotiation Areas of Interest

1. Compensatory Time – SJPOA proposes that the City buy down every member to 240 hours. Any overtime hours worked below 240 hours are eligible for comp time up to 240 hours or paid overtime at the employees choosing. Any employee with 240 hours of comp time shall be paid overtime for eligible overtime hours worked.
2. Random Drug and Alcohol Testing – SJPOA Evaluating City Proposal
3. Bereavement Leave – ***SJPOA agrees to City proposal***
4. Paid Parental Leave Pilot Program – ***SJPOA agrees to City proposal***
5. Housekeeping – ***SJPOA agrees to City proposal***
6. Police Operations Improvement Reopener – ***SJPOA agrees to City proposal with amended title of Side Letter***
7. Discipline Salary Step Reduction- SJPOA proposes that it be the employee choice between a Salary Step Reduction or Suspension
8. Captains Overtime Eligibility – ***SJPOA rejects City proposal***
9. Dedicated Community Policing Officer Program-See SJPOA proposal
10. Field Training Officer Premium Pay increase – Increase from 5% to 7.5%
11. Discipline Appeals Clean-Up Language – See SJPOA Proposal



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25.8 Disciplinary Grievances

25.8.6.1 An employee challenging a suspension, demotion, dismissal or disciplinary transfer shall have the ~~option of choosing between the dispute resolution provisions of this Agreement, or~~ **right to** appeal to the Civil Service Commission. Any employee who wishes to preserve the right of appeal to the Commission must comply with the time requirements for filing such appeal as specified in the Civil Service Rules. Within twenty (20) days of the date of a Notice of Discipline, the employee may file an appeal with the Civil Service Commission or pursue the grievance procedure or both.

25.8.6.2 Alternatively, an appropriate representative of the Organization may appeal the disciplinary action through the dispute-resolution provisions of this Agreement.

The grievance procedure shall begin at Step IV Arbitration for this process. Immediate arbitration shall not apply.

25.8.6.13 Employees who, **with the approval of the Organization,** elect to use the dispute-resolution provisions of this Agreement, as opposed to electing their right to appeal their discipline to the Civil Service Commission, recognize and agree that any resulting arbitrator's award will be published. The published version of the arbitrator's award will redact the name and any other identifying features of the officer to preserve confidentiality. The opportunity to appeal to the Civil Service Commission shall fulfill the City's obligations to provide an administrative appeal pursuant to Government Code section 3304.

25.8.7 The employee shall confirm his/her election of remedies in writing to the Director of Employee Relations. If the employee files an appeal to the Civil Service Commission and also an appeal through the grievance procedure of this Agreement within the required timelines, the election of remedies must be made no later than 45 days from the date of the Notice of Discipline. The election of remedies must also be made prior to the submission of a request for a list of arbitrators and prior to scheduling a Civil Service Commission appeal hearing. ~~As~~



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~~otherwise provided in this Agreement, for the matter to go to binding arbitration,
the POA must agree (i.e., must be the party taking the matter to arbitration).~~

DEDICATED COMMUNITY POLICING OFFICER PROGRAM

Replace the current Community Policing program (article 52) to this model – change annual shift change (article 17.1) back to every 6-months.

Current model falls well short of delivering actual community policing to San Jose residents:

1. 18 “non-dedicated” positions in patrol are assigned on paper as “community policing officers” (need actual title here)
2. These positions are not being filled by the most qualified, experienced and motivated officers – as such, less qualified and experienced officers are being assigned because the positions aren’t bid by a more senior officer
3. These officers are “community policing officers” on paper, in reality, they are actually patrol officers that are routinely dispatched to respond to calls for service. This creates the illusion of community policing and does not provide the best customer service to our residents and businesses.
 - a. Community ends up with multiple points of contact, no central clearinghouse for community requests, no accountability or proactive plan to address community requests.

Proposed Dedicated Community Policing Program model:

1. 8 dedicated Community Policing Officers plus 2 Community Policing Sergeants:
 - a. 1 per Division on each side of the week
 - b. 4/10 schedule
 - c. 3 Year assignment (falls under Officer Transfer Policy)
 - d. Dedicated officers will be trained in other City and County services so they can quickly respond to and refer community concerns to the most appropriate agency. Examples include, but are not limited to;
 - i. Urban blight
 - ii. Trash cleanup
 - iii. Abandoned car removal
 - iv. Graffiti
 - v. Vandalism
 - vi. Neighbor disputes
 - vii. Unhoused persons/camps
 - viii. Gang activity
 - ix. Neighborhood Watch/Neighborhood Association liaison to ensure consistency within each division
 - e. City issued phone with dedicated Community Policing number so residents and businesses have 1 phone number to contact for their division (the 2 officers on each side of the week would be jointly responsible for answering calls, logging requests for service and tracking responses)

- f. Maintain relationships with DA's Office Community Prosecution Unit
 - i. <https://countyda.sccgov.org/prosecution/departments/community-prosecution-unit>
- g. On overlap days, unit meetings will provide free flow of information between the Officers and Sergeants on each side of the week to compare notes on identified issues and to track responses
- h. Report to BFO chain of command (BFO Admin)
- i. Officers would test for the unit, similar to how other specialized units test and select officers
- j. Officers selected for these 3-year shifts would receive
 - i. Bilingual preference in selection process

This model provides continuity to the community by having dedicated, sworn officers directly addressing community concerns. The three-year assignment allows officers time to get to know the community without the distraction of constantly handling radio calls, and time for the community to get to know the officers. Having a selection process instead of a bidding process ensures truly dedicated people are picked for the assignment. This model is successfully used in another major city – Los Angeles Police Department – to great effect.