

**AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND
THE SAN DIEGO POLICE OFFICERS ASSOCIATION RELATED TO
HIRING OF PROVISIONAL EMPLOYEES**

Pursuant to the provisions of the Meyers-Milias-Brown Act (MMBA) and Council Policy 300-06, this Agreement is entered into between the City of San Diego (City) and the San Diego Police Officers Association (POA) related to hiring of provisional employees in the San Diego Police Department (Department). The City and POA are collectively referred to herein as the "Parties."

Background

With the Department continuing to strive to provide the highest level of service to the community, increased mandated state regulations, and increasing out of service time, existing police resources continue to be severely strained, and overtime is a growing concern that impacts the City's budget and well-being of officers. The use of provisional employees is intended to be a temporary solution to a challenging problem. The hiring of provisional employees is contingent upon the availability of funds and workload considerations. The Department is seeking to hire a maximum of 18 provisional sworn employees to immediately impact the challenges outlined above.

The parties agree to the following:

1. Provisional employees may be utilized to meet the following goals:
 - a. Assist with the sworn duties from open positions, specific only to Area Stations, Domestic Violence, Traffic Investigations, Special Events, ICAC, STAR-PAL, CIMU, Neighborhood Policing/HOT Team, Backgrounds and Recruiting, and Operations Support/Property Room.
 - b. Provisional employees assigned to Investigations should be utilized to supplement units and not replace full time personnel.
 - c. Provide prisoner transports to allow officers more time to proactively engage in community policing.
 - d. Mitigate the additional patrol responsibilities being placed on specialized units due to budgeted positions being unfilled, specific to Neighborhood Policing division and area station beat patrol units.
 - e. Allow for service levels to be maintained as the Department works through the rebuilding process, specific to area station and Headquarters front counter relief to maintain five-day coverage.
2. The Department will handle representation for provisional employees in the same manner as Reserve Officers, where their Legal Defense Fund (LDF) dues are already paid annually by the City/Department. The Department will add the names of the provisional employees to the Reserve roster that is on file with the Peace Officers Research Association of California (PORAC) and will make payment in the same manner. POA will work with the Department to assure that the billing/payment is accurate with PORAC's LDF.

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3. The terms of this Agreement will sunset, such that the use of provisional employees by the Department, shall cease effective June 30, 2023 and will be revisited prior to the start of every fiscal year. Any other potential positions for provisional employees will require an Agreement with POA.

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

San Diego Police Officers Association

City of San Diego, San Diego Police Dept.



Jared Wilson, POA President



David Nisleit, Police Chief, San Diego Police Department

June 30, 2022

Date

7/5/22


Date



Julie Rasco, Director, Human Resources Department

07/01/2022

Date




Abegaile Serafico, Senior HRO, Human Resources Department

June 30, 2022

Date

Approved as to form this 6th day of July, 2022.

MARA W. ELLIOTT, City Attorney

By: 

Miguel Merrell
Deputy City Attorney