

**AGREEMENT BETWEEN THE CITY OF SAN DIEGO
AND
SAN DIEGO POLICE OFFICERS ASSOCIATION
REGARDING IMPLEMENTATION OF A RESPIRATORY PROTECTION PROGRAM**

The City of San Diego (City) and the San Diego Police Officers Association (POA), collectively referred to as the "Parties," enter into this Agreement related to the Respiratory Protection Program for Law Enforcement, issued by the San Diego Police Department (Police Department or Department).

This Agreement is entered into under the authority of the Meyers-Milias-Brown Act (MMBA). The Parties met and conferred in good faith beginning on July 27, 2017, until the date this Agreement is executed.

This Agreement is intended to be read together with the City's present Memorandum of Understanding (MOU) with POA, covering the term July 1, 2015 through June 30, 2020, approved by the City Council by San Diego Resolution R-309613 (April 22, 2015), and is not intended to modify any terms and conditions of employment as set forth in the MOU, except as expressly provided here.

The City and POA agree to the following:

1. The Parties have satisfied their duties under the MMBA to meet and confer regarding the subject matter of this Agreement.
2. The Department will implement the Respiratory Protection Program for Law Enforcement, as set forth in the document attached to this Agreement as Attachment 1. The Department intends to review the policies set forth in Attachment 1 after they have been in place for at least six months to determine whether any changes are necessary.
3. If the Department wishes to make changes to Attachment 1 after the date of this Agreement, the City will provide notice to POA of the proposed changes for review and an opportunity to meet and confer over any mandatory subjects of bargaining related to the proposed changes.
4. Information gathered and documents created through the medical evaluation process described in Attachment 1 will be treated as confidential personnel records and retained in accordance with the Cal/OSHA regulations. However, the medical evaluation documents will not be kept in an employee's individual personnel files in either the Police Department or the Personnel Department.

The medical evaluation will be conducted by the City's Industrial Medicine Contractor (IMC). Medical information will not be shared with the Police Department unless the employee is unable to pass the required respiratory fit test. The IMC will communicate only the information necessary to address accommodations. Any work restrictions will be

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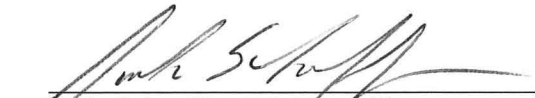
evaluated by the employee's supervisor and chain of command. Light duty will be assigned, when possible.

5. The attached questionnaire will be used to satisfy OSHA questionnaire requirements.


ATTACHMENTS: San Diego Police Department Procedure 1.49
Respirator Medical Evaluation Questionnaire

This Agreement is executed on this 8th day of February, 2018, by the following authorized representatives of each party:

Police Officers Association

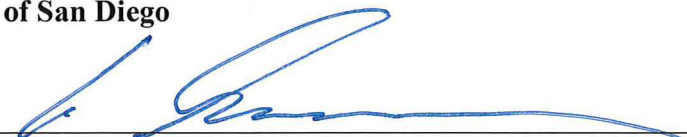


Jack Schaeffer, POA President



Bradley Fields, Lead Negotiator

City of San Diego



Albert Guaderrama, Assistant Police Chief



Abby Jarl-Veltz, Human Resources Deputy Director



Erik Hanson, Senior Human Resources Officer, Human Resources Department

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Approved as to form this 16th day of February, 20 18.

MARA W. ELLIOTT, City Attorney

By: Joan F. Dawson
Joan F. Dawson
Deputy City Attorney