

In order to align Seniority calculation with the FOP patrol contract, the following "Article 5: Seniority" will supercede the current "Article 5: Probationary Period" for the 2016-2019 FOP Supervisors Bargaining Unit contract.

ARTICLE 5

PROBATIONARY PERIOD

~~The probationary period for all newly promoted employees will be a period of six (6) months from the date of promotion. The City shall have the right to demote the employee during the six (6) month probationary period with no appeal rights through the grievance process.~~

Seniority

Section 1.

Seniority shall be defined as the length of total accumulated service with the Delaware Police Department as a sworn police officer. Seniority in rank for supervisors shall be the date of promotion to each rank. Work hours in appointed positions of Detective, School Resource Officer and Community Relations Officer are at the discretion of the Chief of Police. Approved leaves of absence shall not be considered a break in service.

Section 2.

An employee's seniority shall be terminated when one or more of the following occur:

- a. He/she resigns;
- b. He/she is discharged for just cause;
- c. He/she is laid off for a period exceeding the contract terms;
- d. He/she retires;

Memorandum of Understanding Between the City and FOP Supervisors Bargaining Unit

e. He/she refused a recall or fails to report to work within five (5) working days from the date the Employer sends the employee a recall notice by certified mail to the employee's last official address, as shown on the Employer's records.

Section 3:

If two (2) or more employees are hired or appointed on the same date, their relative seniority shall be based on their position on the certified eligibility list from which they were hired.

Section 4:

During the months of January and July of each year, the Employer shall post one (1) copy of the current seniority list for all employees within the bargaining unit and supply a copy to the F.O.P. These lists shall be considered final and binding upon the Union and the employee, unless a notice of appeal is submitted through the Grievance Procedure within ten (10) days from the date of the posting of the seniority list.

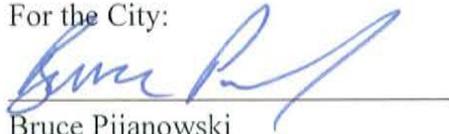
Section 5:

~~The probationary period for all newly hired employees will end twelve (12) months from the date of successful completion of the Field Training program. Any employee off work on an approved leave longer than a thirty (30) day period shall have their probationary period extended for the same time period they are away from work. After successful completion of the probationary period, employees will be credited with seniority from the original date of hire. The City shall have the right to terminate employment of any employee during the probationary period with no appeal rights through the grievance process.~~

Memorandum of Understanding Between the City and FOP Supervisors Bargaining Unit

The probationary period for all newly promoted employees will be a period of six (6) months from the date of promotion. The City shall have the right to demote the employee during the six (6) month probationary period with no appeal rights through the grievance process.

For the City:

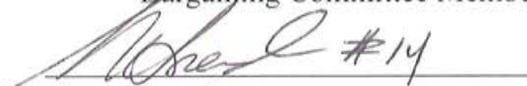


Bruce Pijanowski
Chief of Police

For the F.O.P.



Adam Willauer
Bargaining Committee Member

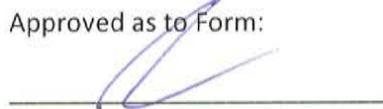


Shawn Snead
Bargaining Committee Member



FOR/OLC STAFF

Approved as to Form:



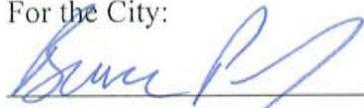
Darren Shulman, City Attorney

Memorandum of Understanding between the City of Delaware and FOP Patrol and Supervisors
Bargaining Units

The following rules will be adopted for the 2017 Prime vacation selection, superseding those found in Article 21 of both the Patrol and Supervisors collective bargaining agreement.

- 1) Prime vacation requests can be done in single day increments starting with the second round
- 2) One day of prime vacation overlap will be allowed per shift per calendar week (Sunday to Saturday) so long as it does not cause the shift to drop below minimums based upon the schedule as it exists at the time prime requests are done.
- 3) Third shift can request off Jug Day but no overlap of prime vacation will be allowed on that day.
- 4) Third shift can request off the day of the All Horse Parade.
- 5) "Being informed by a supervisor that it is their time to select" prime vacation means that the supervisor contacts the member via phone, to include leaving a voicemail if the call is not answered, and sends an email to the member's city email notifying them that it is their time to select. Once those two forms of contact occur the 24 hour time period begins for the member to make his or her prime vacation request.

For the City:

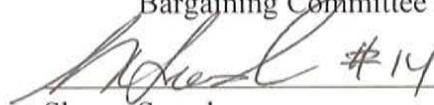


Bruce Pijanowski
Chief of Police

For the F.O.P.



Adam Willauer
Bargaining Committee Member



Shawn Snead
Bargaining Committee Member

Nicolas Barth
Bargaining Committee Member



Derek Childs
Bargaining Committee Member

Jon Weirich
Bargaining Committee Member



FOP/DK C STAFF