


MEMORANDUM OF UNDERSTANDING

**CITY OF SARASOTA
AND
SOUTHWEST FLORIDA POLICE BENEVOLENT ASSOCIATION, INC
AGREEMENT**

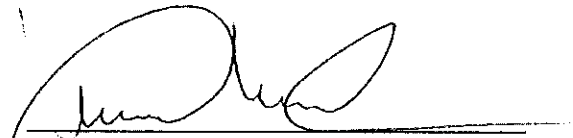
**Subject: Class Action Grievance reference payment method for December 26, 2008
Administrative Leave Day**

It is agreed that the nine affected parties listed on the Grievance Form Supplement (copy attached) will be granted payment for the hours listed at the time and one-half rate, less any compensation already received.

It is also agreed this Memorandum of Understanding shall not set a precedent for future administrative leave days that may be granted by City administration.



**S. Kurt Hoverter
Director of Human Resources
City of Sarasota**



**Michael T. McHale
President
Southwest Florida PBA**

Date:

2/4/09

Date:

2/2/09

CLASS ACTION*

Following is a statement of the grievance hereby presented, which is in my opinion a violation of the current Collective Bargaining Agreement between the City of Sarasota and the Southwest Florida Police Benevolent Association.

Date of Incident: Payroll period ending 12/30/08(PBA became aware of incident on January 9, 2009 after officers received their payroll reports from the City)

Location: Sarasota Police Department

Description of Incident: See attached list of Sarasota Police Department personnel. During the payroll period ending December 30, 2008 the City of Sarasota did not compensate the attached list of officers at their premium overtime rate for extra hours they worked as provided by the collective bargaining agreement. Instead the officers were paid straight time for extra hours worked. These individuals were required to report for duty outside there regular work schedule, assigned to work various hours. These individuals received straight time instead of premium pay. This is in violation of Article 2 – Premium Pay Definition and Article 9, Sections 2, 4, 5 and 6.

Action/Remedy Requested: The extra hours worked by the officers in excess of scheduled workweek so be compensated as premium, overtime rate and not their straight time rate.



(NOTE: If space is insufficient to write complete information, please indicate attached supplements.)

Date Submitted for Action (Formal Step One): January 14, 2009

Name of Grievant: South West Florida
Police Benevolent Association, Inc.



Michael McHale, President

ACTION TAKEN	
STEP TWO	Date Submitted to Step 2: <u>Received 1/14/09 11:00 AM</u>  Response By (Chief of Police): <u>See attached</u> Date of Response in Step 2: <u>2/2/09</u> *Written response required within 10 calendar days.
STEP THREE	Date Submitted to Step 3: <u>Received 4/14/09 11:00 AM</u>  Response By (City Manager): Date of Response in Step 3: *Written response required within 10 calendar days.
STEP FOUR	Date Submitted to Step 4: Response By (Arbitrator): Date of Response in Step 4:

* CLASS ACTION

Instructions: Each response must be in writing, and must be attached to this Grievance Form in order to provide a complete record of the action taken.

GRIEVANCE FORM SUPPLEMENT

Name of Grievant/Employee: Southwest Florida P.B.A.

Date of Incident: Weekending December 30, 2008

Date Submitted for Action: January 14, 2009

This is a class action grievance – Individuals Claiming compensation:

Tim Bales – 2 hrs

Kevin Churchill - 2 hrs

Sean Gleason – 3 hrs

Kevin Schafer – 2 hrs

Valerie Churchill – 2 hrs

Ken Halpin – 3 ¼ hrs

Kari McVaugh – 1 hr

Kathy Viana – 9 ½ hrs

Trip Schwenk – 9 hrs

Signature of Grievant/Employee:



Michael McHale
President