

METRO GOVERNMENT/FOP SYNOPSIS

SYNOPSIS OF ECONOMIC AND POLICY CHANGES TO FY22/23 FOP CONTRACT

This synopsis of changes to the FY 2022 and FY 2023 Fraternal Order of Police union contracts appears in a provision-by-provision summary, in the order in which the provisions appear in the contract. This synopsis does not include some minor changes.

Economic Changes to Contract

- The contract provides 9% raises to sworn LMPD personnel in FY 22 and 3% raises to sworn LMPD personnel in FY 23. This represents the highest single-year wage increase in LMPD history for LMPD sworn personnel.
- Lieutenants are also provided an 8.21% raise for FY 21. This is the same 8.21% raise officers and Sergeants received in December 2020.
- Article 27 § 7 grants members additional compensation when forced to perform overtime in excess of 16 hours a week.
- Article 31 § 6 is modified to afford members the greater benefits of maternity and paternity leave offered under LMCO § 35.014.
- Article 37, § 2 is increased to provide greater reimbursement of members' personal property losses, from \$400 to \$1,000.
- All sworn LMPD personnel will have received the same raises if this contract is approved.

Non-Economic Changes to Contract

- A New Preface is adopted reflecting the parties' joint commitment to reformative change and to addressing the economic realities of staffing.
- Article 1, § 5 is modified to clarify that probationary officers can be removed for any reason and that this decision is not appealable. This section also reflects that officers promoted to new roles may be subject to promotional probationary periods.
- Article 3 is modified to reflect that the parties intend changes in state and local law be controlling, including later statutory changes.
- Article 10, § 2 is modified to standardize promotional vacancies assignments.
- Article 11, § 3 corrects a noticing requirement upon the creation of a vacancy.
- Article 12, § 2 reflects Metro Council's changes to require mandatory arbitration.
- Article 14, § 3 grants Metro Government additional rights of investigatory oversight over members while on duty and, at the same time, recognizes members' rights to privacy while off duty and constitutional rights while under criminal investigation. It also reserves rights to track governmental vehicles owned by Metro Government.
- Article 15, §§ 5-8 are modified to remove requirements that Metro Government provide specific militarized equipment to all members when the job duties do not require the same.
- Article 15, § 9, which requires Metro Government to allow members to review video

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- systems prior to statements, is eliminated.
- Article 17 is substantially modified throughout to mirror state law under KRS § 67C.326.
 - § 1 includes an additional acknowledgement of subrogation principles contained in Article 3.
 - § 2 is modified to eliminate the destruction of complaint inquiry forms after 90 days and to, instead, follow state records retention laws and to require greater examination of citizen complaints when the citizen declines to file a formal complaint.
 - § 3 is modified to allow the Chief greater flexibility in imposing suspensions without pay pending administrative investigation while recognizing members' rights under KRS § 67C.326.
 - § 4 is enhanced to require more significant training requirements for Special Investigation Division investigators (who handle allegations of criminal or policy violations), and eliminates any duplicative or inconsistent provisions with KRS § 67C.326. § 4 also reflects the members' recognition of the Office of Inspector General and the Citizens Review and Accountability Board as a governmental entity.
 - § 5, which prohibits previous instances of discipline from being used against a member after certain time periods, is modified to allow the consideration of past instances of excessive force, sexual misconduct, bias, criminal activity and lack of truthfulness permanently.
 - § 8 is modified to eliminate any duplicated or inconsistent provisions under state law.
 - Article 18 is modified to properly track members' personnel files.
 - Article 20, § 2-4 reflects a new residency stipend of \$5,000.00 to incentivize members to live in qualified census tracts.
 - Article 23 §§ 1-5 is modified to afford no greater or lesser rights to indemnity, contribution and defense than exists under current state law.
 - Article 27 § 3 provides greater notice to members who are having schedule changes and to afford them overtime during schedule transition periods.
 - Article 32 § 1 expedites discussions where members have been injured on the job.
 - Article 38 is modified to reflect greater gender inclusivity.
 - Article 39 § 1 allows for community volunteering on the clock, for organizations in the community in which the member serves.
 - New Article Council Approval is required for this FOP contract despite any pending legal challenges.
 - Article 42, § 4 Requires negotiations to recommence as soon as possible prior to February 1, 2023.
 - Appendix I, Definitions, § 5 adds Critical Incident testing requirements.

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- Appendix I, Procedures and Rules, § 2, implements randomized drug testing for members of no less than 100 unannounced tests per month and adds required testing for drug, prostitution and human trafficking units.
- Appendix I, Procedures and Rules, § 5 adds *mandatory* critical incident drug and alcohol testing for all such incidents and makes such testing compulsory. This Section also clarifies that refusal to submit to such testing after a critical incident may be grounds for termination.