

Collective Bargaining

City of San Antonio &
San Antonio Police Officers Association



City Council "B" Session
January 20, 2021

Maria Villagomez, Deputy City Manager
Elizabeth Provencio, First City Attorney

Presentation Overview

Current
terms of
Collective
Bargaining
Agreement
(CBA)

Bargaining
Negotiations
Process

City
Priorities

Next Steps

Parameters of Employment of San Antonio Police Officers



Chapter 143

- Adopted by SA Voters in 1947
- Provides Civil Service Protection
- Sets out requirements for hiring, promotion, terms of employment, discipline, and termination
- May be repealed by election upon petition

Chapter 174

- Adopted by SA Voters in 1974
- Enables police officers to collectively bargain
- May be repealed by election upon petition

CBA

- Negotiated between COSA & SAPOA
- May alter terms of Chapter 143 by agreement
- If parties cannot come to agreement, negotiations may be subject to mediation, evergreen, or fact finding

Current CBA

City of San Antonio &
SAPOA

Background

- 5-Year Agreement: October 1, 2016 to September 30, 2021
- Requires negotiations begin prior to end of January
- Provides for 8-year Evergreen Period
- SAPOA and City have agreed to begin in mid February due to transition to new Association President

Bargaining Negotiation Process

Background

- COSA & SAPOA agree to meeting dates, time, and location
- Meetings are posted and open to public
- Parties agree to ground rules before negotiations begin
- First meeting triggers 60-day negotiation under CBA statute that can be extended by 15 days
- Current CBA reflects both parties agree to make good faith efforts to reach agreement before expiration

Bargaining Negotiation Process - *Continued*

Background

- Each party selects their negotiating team
- Negotiating teams are the only ones at the table
- Proposals are exchanged and discussed
- Parties bargain by exploring potential compromises to their stated proposals/positions
- Parties may chose to caucus at any time for as long as they need

Bargaining Negotiation Process - *Continued*

Background

- Tentative agreement is reached by both parties
- SAPOA must have more than 50% of membership ratify contract
- City Council approves contract

City Priority Terms

**Discipline &
Transparency**

**Operational
Improvements**

**Fiscal
Responsibility**

Discipline & Transparency Priorities

Reflect input from the community received since June 2020

- Impose discipline from 180 days from the date the Chief knew or should have known of the incident
- Consider all past conduct for disciplinary actions
- Modify timelines in disciplinary process
- Maintain appeal Process for finding of fact. City has the final decision on discipline
- Annual Officer Performance Evaluation

Operational Improvements

- **Scheduling:** City should determine hours of training
- **Working Hours:** City should determine working hours of Units within Department
- **Leave:** City shall determine leave policies for all employees
- **Civilianization:** City should have authority to civilianize any assignment that does not require arrest powers

Fiscal Responsibility

- Contract changes should be in line with City's Financial policies and current economic conditions
- Public Safety spending should remain at less than 66% of General Fund

NEXT STEPS

- February 12: First Meeting with SAPOA

- City's Team
 - Lead Negotiator: Deputy City Manager, Maria Villagomez
 - Lead Lawyer: First City Attorney, Liz Provencio
 - Other City Team members will join team based on their area of expertise

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Backup Slides Status of Petition to Repeal Chapter 174

Changes if Chapter 174 is Repealed

Repeal Vote Fails

- Current CBA process continues

Repeal Vote Passes

- Current CBA continues through its primary term (September 30, 2021) and through any primary term of a successor agreement
- If no successor agreement is negotiated prior to effect of repeal several SAPD practices revert back to a strict Chapter 143

Changes if Chapter 174 is Repealed

Hiring, Promotions, & Appointments

Discipline

Compensation and Healthcare

Other

Civil Service without CBA

Current CBA

Hiring:

- Multiple testing sites and times
- Points for military service, peace officer certifications, education, and residency

Promotions:

- Test may include assessment center for some ranks
- Points for master peace officer certification
- Pre-requisites for certain positions
- Augments training and education requirements
- Demotion:
 - for certain reasons within 6 months of promotion without appeal
 - After probation, it may occur by the Chief Authority

Chapter 143

Hiring:

- One single time and site
- Military service points

Promotions:

- Single 100-point test for all promotions
- Seniority Points
- Demotion:
 - May occur upon approval of the Civil Service Commission after a public hearing

Civil Service without CBA

Current CBA

Appointments:

- 2 Assistant Chiefs, 6 Deputy Chiefs

Discipline:

- Chief may suspend up to 45 days or indefinitely suspend
- Appeal process may overturn Chief's discipline
- Allows Chief's Advisory Action Board

Chapter 143

Appointments:

- 2 Assistant Chiefs

Discipline:

- Chief may suspend up to 15 days or indefinitely suspend
- Appeal process may overturn Chief's discipline

Civil Service without CBA

Current CBA

Pay

- Dictates level of Base Pay, Step Pay, Longevity, and other specialty pays

Healthcare

- Negotiated

Chapter 143

Pay

- No preset wage increase other than longevity or seniority pay, and requires the same base pay within each rank

Healthcare

- Not addressed

Civil Service without CBA

Chapter 143

Other CBA Obligations Eliminated:

- No equipment or vehicle provisions
- No restrictions on Civilianization (reverts to 143)
- No work scheduling provisions
- No dues deductions
- No Association leave for President or officers

Steps the City Will Take

- Bargain in good faith
- Continue review of impact to SAPD if 174 is repealed
- Continue legislative efforts to amend the problematic provisions in Chapter 143
 - 180-days from date of infraction for Chief to impose discipline
 - Disciplinary review by arbitrator or civil service commission limited to fact determination only
 - 5 hiring points for residents of the City of San Antonio