

CITY OF SAN DIEGO
EMPLOYEE GRIEVANCE FORM

WHITE - CITY MANAGER COPY
 YELLOW - ANSWER TO EMPLOYEE
 PINK - DEPARTMENT HEAD COPY
 GOLDENROD - EMPLOYEE COPY

NAME SAN DIEGO POLICE OFFICERS ASSOCIATION, and LARRY S. AVRECH		CLASSIFICATION Employee Association PO I	DEPT./DIVISION Police	DATE OF INCIDENT CAUSING GRIEVANCE March 11, 1981
HOME ADDRESS P.O. Box 1630, S.D. 9863 Vita Rita, Santee 92071		HOME PHONE 239-1283 448-8545	MY GRIEVANCE IS:	
G R I E V A N C E	SEE ATTACHED ADDENDUM			
	ATTACH ADDITIONAL PAGES IF NECESSARY			
S T E P 1	REMEDY SOUGHT: SEE ATTACHED ADDENDUM	EMPLOYEE'S SIGNATURE <i>Larry S. Avrech</i>		DATE GIVEN TO SUPERVISOR <i>March 19, 1981</i>
	S T E P 2	FIRST LEVEL SUPERVISOR'S DECISION: It appears that there is sufficient evidence to substantiate a claim of misunderstanding with the Department with respect to management policy as it relates to the procedures for normal merit increases. The matter cannot be handled at the first level of supervision. It has been referred to the FTO Office for investigation and evaluation.	TIME EXTENSION AGREED UPON THRU <i>April 6, 1981</i> (DATE)	
I (ACCEPT/APEAL) THIS DECISION _____ (LINE OUT ONE) EMPLOYEE'S SIGNATURE _____ DATE _____		EMPL. INITIAL <i>RVA</i> SUPV. INITIAL _____ DATE EMPLOYEE GIVEN DECISION <i>April 21, 1981</i>		
S T E P 3	SECOND LEVEL SUPERVISOR'S DECISION <i>Denied - See attached. All parties agree that this grievance be routed to the City Mgmt. Team. C. L. Schmitt for S.D. P.O.</i>	SUPERVISOR'S SIGNATURE <i>R. V. Armstrong</i>		TIME EXTENSION AGREED UPON THRU <i>May 8, 1981</i> (DATE)
	I (ACCEPT/APEAL) THIS DECISION _____ (LINE OUT ONE) EMPLOYEE'S SIGNATURE _____ DATE _____		EMPL. INITIAL <i>SLA</i> SUPV. INITIAL <i>Shall</i> DATE EMPLOYEE GIVEN DECISION <i>5-8-1981</i>	
S T E P 4	DEPARTMENT HEAD'S DECISION:	SUPERVISOR'S SIGNATURE <i>A. D. Hall</i>		TIME EXTENSION AGREED UPON THRU (DATE)
	I (ACCEPT/APEAL) THIS DECISION _____ (LINE OUT ONE) EMPLOYEE'S SIGNATURE _____ DATE _____		EMPL. INITIAL _____ SUPV. INITIAL _____ DATE EMPLOYEE GIVEN DECISION SUPERVISOR'S SIGNATURE _____	
S T E P 4	DEPARTMENT HEAD'S DECISION:	SUPERVISOR'S SIGNATURE		TIME EXTENSION AGREED UPON THRU (DATE)
	I (ACCEPT/APEAL) THIS DECISION _____ (LINE OUT ONE) EMPLOYEE'S SIGNATURE _____ DATE _____		EMPL. INITIAL _____ SUPV. INITIAL _____ DATE EMPLOYEE GIVEN DECISION SUPERVISOR'S SIGNATURE _____	

Thistle, Krinsky, Elder & Lambert

A PARTNERSHIP INCLUDING LAW CORPORATIONS

CHRISTOPHER L. ASHCRAFT
ATTORNEY AT LAW

AREA CODE 714
231-4403

NINETEENTH FLOOR, THE CHAMBER BUILDING
110 WEST "C" STREET
SAN DIEGO, CALIFORNIA 92101

EMPLOYEE GRIEVANCE FORM

ADDENDUM

SAN DIEGO POLICE OFFICERS ASSOCIATION
and LARRY S. AVRECH

The attached list of grievants are members of the 96th Academy class; graduation date March 3, 1980. In September 1980 these officers were denied pay step advancement from PO I Step B to Step C without being informed by the appointing authority as to the facts prior to the transmittal of the merit increase notice to the Personnel Department as required by Personnel Manual Section H-8 III.A.3.

Shortly after the merit increase notice was forwarded, the grievants were told that their increase in pay step would be held up 30 days due to their not turning in the critical task notebook as previously requested by an FTO staff member.

On March 11, 1981, the grievants discovered that a pay step increase normally scheduled for March 3, 1981, would also be held up thirty (30) days. It was then determined that all of the involved officers would face similar thirty-day penalties at each subsequent pay step date. This additional "penalty" is enforced on the officers due to the requirements of Personnel Manual Section #8 II 1.d. requiring the following:

- d. Full time salaried employees are considered for normal one-step increases upon completion of the following:
 - (1) 26 weeks of continuous service at Step A;
 - (2) 26 weeks of continuous service at Step B;
 - (3) 52 weeks of continuous service at Step C;
 - (4) 52 weeks of continuous service at Step D.

PROPOSED REMEDY:

It is requested that the grievants' pay step anniversary dates be changed to provide them with a step increase date that,

- 1) is consistent with those in the same academy class
- 2) and does not continue to penalize them throughout their career with the department.

It is also requested that any such change in date be retroactive to March 1, 1981, and that all grievants be reimbursed for any loss of compensation.

EMPLOYEE GRIEVANCE FORM

ADDENDUM

SAN DIEGO POLICE OFFICERS ASSOCIATION
and LARRY S. AVRECH

List of grievants (96th Academy Class)

BARONI, Tina
BLOSS, Richard
BOLLINGER, Mike
BRINDELL, Mike
BROOKS, Carey
CARNEY, John
CHIVERS, Steve
CHRISTINZIANI, Joe
DYSON, Denise
GAVIN, Jim
GRANO, Roger
GREEN, Bill
HANDLEY, Sherry
HARMON, Julie
HAYWARD, Alan
HOWES, Roger
KAMINSKI, Steve
MICHALEK, Bill
NORRIS, John
NOWAKOWSKI, Jan
O'DELL, Doug
ORR, Steve
ROBERTS, Art
STARR, Wayne

THE ATTACHED LIST OF GRIEVANTS ARE MEMBERS OF
THE 96TH ACADEMY CLASS; GRAD. DATE 3-3-80.
IN SEPTEMBER 1980 THESE OFF. WERE DENIED PAY
STEP ADVANCEMENT FROM STEP ^{POI} B TO STEP B.C
WITHOUT BEING ~~ADVISED~~ ~~INFORMED~~ BY THE
~~WITHOUT BEING~~ INFORMED BY THE
APPOINTING AUTHORITY AS TO THE
FACTS PRIOR TO THE TRANSMITTAL
OF THE MERIT INCREASE NOTICE
TO THE PERS. DEPT. AS REQ BY
PERS MAN SECTION H-8 III. A. 3.

SHORTLY AFTER THE MERIT INCREASE
NOTICE WAS FORWARDED, THE GRIEVANTS
WERE TOLD THAT THEIR INCREASE IN
PAY STEP WOULD BE HELD UP 30 DAYS
DUE TO THEIR NOT TURNING IN THE
CRITICAL TASK NOTEBOOK AS PREVIOUSLY
REQUESTED BY AN FTO STAFF MEMBER.

H ON MARCH 11, 1981 THE GRIEVANTS
DISCOVERED THAT A PAY STEP INCREASE
NORMALLY SCHEDULED FOR 3-3-81 WOULD ALSO
BE HELD UP 30 DAYS. IT WAS ~~ALSO~~ THEN
DETERMINED THAT ALL OF THE INVOLVED
OFFICERS WOULD FACE SIMILAR 30 DAY
PENALTIES AT EACH SUBSEQUENT PAY
STEP ~~ADVANCEMENT~~ DATE ~~AS THEY~~
ADVANCED ~~THE~~ WERE SCHEDULED FOR

~~1.~~
1. A STEP INCREASE DATE THAT
IS CONSISTENT WITH THOSE ~~WHO~~
IN THE SAME ACADEMY CLASS
AND 2. DOES NOT CONTINUE
TO PENALIZE THEM THROUGHOUT
THEIR CAREER & WITH THE DEPARTMENT

~~ADVANCED IN PAY STEP.~~ THIS
ADDITIONAL "PENALTY" IS ENFORCED
~~ALL OF THESE~~

ON THE OFFICERS DUE TO THE
REQUIREMENTS OF PERS. MAN SECTION
8. II 1. d. REQUIRING THE FOLLOWING:

"d. FULL TIME SALARIED EMPLOYEES ARE
CONSIDERED FOR NORMAL ONE-STEP
INCREASES UPON COMPLETION OF THE
FOLLOWING:

- (1) 26 WEEKS OF CONTINUOUS SERVICE
AT STEP A
- (2) 26 WEEKS OF CONTINUOUS SERVICE
AT STEP B
- (3) 52 WEEKS OF CONTINUOUS SERVICE
AT STEP C
- (4) 52 WEEKS OF CONTINUOUS SERVICE
AT STEP D.

PROPOSED REMEDY:

~~BE~~ IT IS REQUESTED THAT
~~ALL~~ OF THE GRIEVANTS PAY STEP
ANNIVERSARY DATES BE ~~REVERTED~~ ^{CHANGED} TO
PROVIDE THEM WITH ~~THE~~ NORMAL
SALARY INCREASES ~~DUO~~ OFFICERS &
~~OF THE~~ ~~THOSE~~ ~~W.~~ ~~ADD~~ TO

①

DATE: MARCH 31, 1981

TO: A/LIEUTENANT QUICKLEY

FROM: SERGEANT RULETTE ARMSTEAD

SUBJ: GRIEVANCE: SAN DIEGO POLICE OFFICERS' ASSOCIATION
LARRY S. AURECH; ET AL

ON MARCH 20, 1981, OFFICER LARRY AURECH FILED THE ATTACHED GRIEVANCE DATED MARCH 11, 1981. THE GRIEVANCE, STATES IN EFFECT THAT IN SEPTEMBER, 1980, OFFICER AURECH ALONG WITH TWENTY-FOUR (24) ADDITIONAL OFFICERS OF THE 96TH POLICE ACADEMY CLASS WERE DENIED PAY STEP ADVANCEMENT FROM POZ STEP B TO STEP C WITHOUT BEING INFORMED BY THE APPOINTING AUTHORITY AS TO THE FACTS, PRIOR TO TRANSMITTAL OF THE MERIT INCREASE NOTICE TO THE PERSONNEL DEPARTMENT AS REQUIRED BY PERSONNEL MANUAL SECTION H-8 III. A.3.

AFTER THE MERIT INCREASE NOTICE WAS FORWARDED, THE GRIEVANTS WERE INFORMED THAT THEIR INCREASE IN PAY STEP WOULD BE HELD UP THIRTY (30) DAYS BECAUSE THEIR CRITICAL TASK NOTEBOOKS WERE NOT TURNED IN AS PREVIOUSLY REQUESTED BY AN FTO STAFF MEMBER.

ON MARCH 11, 1981, THE GRIEVANTS

(2)

DISCOVERED THAT A PAY STEP INCREASE NORMALLY SCHEDULED FOR MARCH 3, 1981, WOULD ALSO BE DELAYED FOR THIRTY (30) DAYS, AS WOULD EACH SUBSEQUENT PAY STEP INCREASE.

IN AN ATTEMPT TO RESOLVE THE MATTER, WANDA BENSON OF PAYROLL WAS CONTACTED.

BENSON STATED THAT THE MERIT INCREASE DELAY FOR CERTAIN MEMBERS OF THE 96TH ACADEMY WAS THE RESULT OF A NOTICE SUBMITTED FROM THE FTO OFFICE. SHE SAID THAT THE OFFICERS ARE NOT LOSING PAY AND ARE IN FACT RECEIVING THE FULL SIX MONTH PAY BENEFITS. HOWEVER, THE FIRST MERIT INCREASE WAS DELAYED FOR A THIRTY DAY PERIOD. CONSEQUENTLY, SUBSEQUENT INCREASES ARE AUTOMATICALLY DELAYED TO COINCIDE WITH A PARTICULAR TIME FRAME.

CONTACT WAS MADE WITH THE FTO OFFICE. INFORMATION RECEIVED INDICATED THAT EACH ACADEMY CLASS IS AUTOMATICALLY INFORMED, PRIOR TO GRADUATION, AND PRIOR TO TRANSMITTAL OF THE MERIT INCREASE NOTICE TO THE PERSONNEL DEPARTMENT, THAT IF THE CRITICAL TASK NOTEBOOKS ARE NOT TURNED IN AT A SPECIFIED TIME, THEN THE MERIT INCREASE WILL BE DELAYED FOR A THIRTY

(30) DAY PERIOD.

VICKY ROTSTEN OF THE FTO STAFF STATED THAT LIEUTENANT SING INFORMED THE 96TH ACADEMY OF SUCH FACTS. SHE FURTHER INDICATED THAT THE FILES INDICATED THAT LIEUTENANT SING MET WITH THE ACADEMY CLASS ON FEBRUARY 26, 1980.

LIEUTENANT SING WAS CONTACTED. HE STATED THAT HE AND OFFICER LARRY GOSWELL SPOKE WITH THE 96TH POLICE ACADEMY APPROXIMATELY ONE WEEK PRIOR TO GRADUATION. AT THAT MEETING, OFFICER GOSWELL TOLD THE CLASS THAT THEIR MERIT INCREASE WOULD BE DELAYED IF THE CRITICAL TASK NOTEBOOKS WERE NOT TURNED IN ON OR BEFORE A SPECIFIED DUE DATE.

OFFICER GOSWELL WAS ALSO CONTACTED. HE REITERATED THE FACT THAT HE INFORMED THE 96TH POLICE ACADEMY CLASS OF THE AFOREMENTIONED FACT IN THE PRESENCE OF LIEUTENANT SING.

A PHONE CALL WAS PLACED TO CITY PERSONNEL MARY KAERTH (236-5753) STATED THAT IF THE ACADEMY MEMBERS WERE ADVISED THAT THEIR MERIT INCREASE WOULD BE DELAYED IF CERTAIN REQUIREMENTS WERE NOT FULFILLED AND IF THOSE REQUIREMENTS

WERE NOT MET, THEN PERSONNEL RULES MANDATE THAT THE MERIT INCREASE BE DELAYED. THE FOLLOWING PERSONNEL MANUAL SECTIONS WERE CITED AS REFERENCES: (ATTACHED)

- 1. H-8 p.1 SECTION II A #1, SUBSECTION (a) SUB (2)
- 2. H-8 p.3 SECTION II A #2, SUBSECTION (c) SUB (3)
- 3. H-8 SECTION II A #1, SUBSECTION (d)

MARILYN PALERMO OF THE POLICE DEPARTMENT PERSONNEL DIVISION WAS CONTACTED. PALERMO STATED THAT IF MEMBERS OF THE 96th ACADEMY CLASS WERE DENIED A PAYSTEP INCREASE, THEN PER POLICE DEPARTMENT POLICY (INITIATED BECAUSE OF PAST LITIGATION), THE EMPLOYEES SHOULD HAVE BEEN NOTIFIED IN WRITING. A MERIT INCREASE FORM SHOULD HAVE BEEN SENT TO EACH EMPLOYEE, REQUIRING THE EMPLOYEE'S SIGNATURE AS WELL AS HIS/HER SUPERVISOR'S SIGNATURE. MARILYN STATED THAT SANDY DAWSON, THE SENIOR PAYROLL CLERK AT THE POLICE DEPARTMENT POSSIBLY HAD COPIES OF THE FORMS.

UPON MAKING CONTACT WITH DAWSON, SHE CHECKED THE PAYROLL RECORDS AND STATED THAT SHE HAD COPIES OF MERIT INCREASE FORMS FOR EACH PERSON LISTED ON THE ATTACHED GRIEVANCE. DAWSON STATED THAT THE FORMS WERE FOR THE PAY INCREASE EFFECTIVE SEPTEMBER 1, 1980. THE FORMS INDICATED THAT THE LISTED INDIVIDUALS

(WITH THE EXCEPTION OF STEVE CHIVERS: PAY INCREASE GRANTED) WERE NOT ELIGIBLE FOR A NORMAL INCREASE AND THAT THE INCREASE WAS TO BE DELAYED FOR THIRTY (30) DAYS. THE REASON FOR THE DELAY WAS NOT LISTED ON THE FORMS. A NOTATION INDICATED THAT THE NOTICES WERE POSSIBLY SENT OUT TO THE EMPLOYEES ON AUGUST 11, 1980. A STAMP BEARING LIEUTENANT JIM SING'S NAME WAS ON THE FORMS ALONG WITH THE DATE AUGUST 27, 1980, AND A NOTATION WHICH READS, "HAS BEEN CONTACTED, BUT FAILED TO RESPOND."

LT. SING WAS RECONTACTED AND INQUIRY WAS MADE AS TO THE PROCESS FOLLOWED BY THE FTO OFFICE IF CERTAIN OFFICERS OF THE 96TH POLICE ACADEMY WERE TO BE DENIED A PAY STEP INCREASE. LT. SING STATED THAT THE EMPLOYEE WOULD HAVE BEEN CONTACTED AND WOULD HAVE BEEN ASKED TO SIGN A MERIT INCREASE FORM, INFORMING HIM (EMPLOYEE) OF THE REASON FOR THE DENIAL. SING STATED THAT OFFICER GOSNELL HAD TAKEN CARE OF THE PROCEDURE FOR THE 96TH POLICE ACADEMY.

OFFICER GOSNELL WAS RECONTACTED. HE WAS ASKED IF HE HAD SENT MERIT INCREASE NOTICES TO MEMBERS OF THE 96TH ACADEMY WHO WERE BEING DENIED THEIR PAY INCREASE. GOSNELL STATED THAT HE HAD NOT SENT OUT THE NOTICES. HE STATED THAT HE SENT A MEMORANDUM TO ALL OF THE COMMANDS CONCERNED AND THAT THOSE

WHO DID NOT RESPOND DID NOT RECEIVE THEIR PAY INCREASE. GOSNELL STATED THAT THE MEMORANDUM ADVISED THE EMPLOYEES THAT IF THEIR CRITICAL TASK NOTEBOOKS WERE NOT TURNED IN, THEIR PAY STEP INCREASE WOULD BE DELAYED.

VICKY POTSTEN OF THE FTO STAFF WAS RECONTACTED. VICKY STATED THAT SHE COULD NOT LOCATE A COPY OF SUCH A MEMORANDUM.

FIFTEEN MEMBERS FROM THE ATTACHED LIST OF GRIEVANTS WERE CONTACTED EITHER IN PERSON OR BY PHONE. ALL OF THE FIFTEEN STATED THAT THEY HAD NOT RECEIVED THE DESCRIBED MEMORANDUM.

THE CITY PERSONNEL MANUAL SECTION 4-8 III. A.3 STATES, "PRIOR TO TRANSMITTAL OF THE MERIT INCREASE NOTICE TO THE PERSONNEL DEPARTMENT, THE APPOINTING AUTHORITY SHALL INFORM EACH EMPLOYEE WHETHER A MERIT INCREASE IS TO BE RECOMMENDED OR DENIED AND THE FACTS ON WHICH THE DECISION HAS BEEN MADE."

ALTHOUGH THE SECTION STATES THAT THE APPOINTING AUTHORITY SHALL INFORM EACH EMPLOYEE... IT DOES NOT STATE SPECIFICALLY THAT THE EMPLOYEES MUST BE NOTIFIED IN WRITING OR BY WAY OF A MERIT INCREASE FORM.

IT WOULD APPEAR THAT THE APPOINTING AUTHORITY DID IN FACT INFORM EACH EMPLOYEE OF ALL THE FACTS VERBALLY, PRIOR TO GRADUATION FROM THE POLICE

ACADEMY.

ON THE OTHER HAND, THE SAN DIEGO POLICE DEPARTMENT POLICY IS THAT MERIT INCREASE FORMS (PD240) BE SENT TO EACH INDIVIDUAL IN SUCH INSTANCES AND SUCH POLICY WAS NOT ADHERED TO IN REGARDS TO CERTAIN MEMBERS OF THE 96TH POLICE ACADEMY.

AS A RESULT, IT APPEARS THAT THERE IS SUFFICIENT EVIDENCE TO SUBSTANTIATE A CLAIM OF MISUNDERSTANDING WITH THE DEPARTMENT BY THE GRIEVANTS, WITH RESPECT TO MANAGEMENT POLICY, AS IT RELATES TO THE PROCEDURES FOR NORMAL MERIT INCREASES.

RULETTE V. ARMSTEAD, 1914
SERGEANT

PROPOSED REMEDY:

CHANGE THE GRIEVANTS' PAY STEP ANNIVERSARY DATE TO PROVIDE THEM WITH A STEP INCREASE DATE THAT IS CONSISTENT WITH THE OTHER MEMBERS OF THE SAME ACADEMY CLASS. SUCH A CHANGE COULD BE RETROACTIVE TO SEPTEMBER, 1980. SUCH A CHANGE COULD BE REQUESTED VIA THE CITY MANAGER'S OFFICE, REQUESTING AN EXCEPTIONAL PERFORMANCE PAY INCREASE FOR EACH INVOLVED EMPLOYEE.

BACKER MATT ON TIME
 BARONI TINA *
 BLOSS RICHARD CARE * DOESN'T
 BODDE DARRYL ON TIME *
 BOLLINGER MIKE *
 BRINDELL MIKE *
 BROOKS CARLY *
 CARNEY JOHN *
 CHIVERS STEVE ✓
 CHRISTINZIANI JOE *
 DECKER LINDA ON TIME *
 DYSON DENISE *
 GARCIA RALPH ON TIME *
 GAVIN JIM *
 GRANO ROGER *
 GREEN BILL *
 HANDLEY SHERRY *
 HARMON JULIE *
 HAYWARD ALAN *
 HOWES ROGER *
 KAMINSKI STEVE ON TIME *
 KATHAN GEORGE *
 McCULLOUGH MIKE ✓
 McDONALD STEVE ON TIME *
 McMATH DAVID ON TIME *

MICHALEK BILL *
 NORRIS JOHN *
 NOWAKOWSKI JAN *
 O'DELL DOUG *
 ORR STEVE *
 ROBERTS ART *
 SEYMOUR RICHARD ON TIME *
 STARR WAYNE *
 AVRECH HARRY *

* INTERASK INDICATES
 PEOPLE DENIED INCREASE
 ✓ MARK INDICATES UNABLE
 TO CONTACT
 ON TIME INDICATES PEOPLE
 WHO ARE PRESENTLY RECEIVING
 THEIR INCREASES.

SAN DIEGO POLICE DEPARTMENT

INTEROFFICE COMMUNICATION

DATE April 21, 1981

TO _____ DIV. _____ SUBJECT _____

Officer Larry S. Avrech and Lieutenant Tom Hall do mutually agree to an extension of due date to April 30, 1981, reference the grievance dated March 11, 1981.

Larry S. Avrech

Tom Hall 4-22-81

Tom Hall

FROM _____

DIVISION

SIGNATURE

CITY of SAN DIEGO
MEMORANDUM

FILE NO.: 15.22
DATE : April 24, 1981
TO : San Diego Police Officers Association and Larry S. Avrech
FROM : Tom Hall, Lieutenant *THall*
SUBJECT: Response to 3/19/81 Grievance Concerning Merit Pay Increases

Upon reviewing the grievance submitted March 19, 1981, I have identified the two following areas being grieved:

1. The Police Department failed to comply with Personnel Manual Section H-8 III. A.3. - "Prior to transmittal of the Merit Increase Notice to the Personnel Department, the appointing authority shall inform each employee whether a normal increase is to be recommended or denied and the facts on which the decision has been made."
2. That the grievants were further being penalized by holding up their subsequent normal merit increases by 30 days. That this action violates the merit increases explained in Personnel Manual Section H-8 II. 1.d.

An investigation revealed that Officer Avrech and 22 other officers from the 96th Academy were denied their normal merit increase due 9/1/80. Their increase was denied and held for 30 days because they failed to submit their Critical Task Books to the Field Training office on time as previously directed. The thirteen (13) remaining officers in the 96th Academy were granted their increase after they submitted their books on or before the deadline.

On February 26, 1980, Lt. Jim Sing and Officer Larry Gosnell of the Field Training office met with the entire 96th Academy class. They were admonished at that time that the Critical Task Books had to be submitted before their one year anniversary date or else their merit increase would be denied. The same officers were again admonished during their monthly P.R.O.D. training classes. Several of the grievants were personally contacted in person by Officer Gosnell.

Upon learning of the merit increase denials, the grievants submitted their Critical Task Books

In March, 1981, the 96th Academy was due for another merit increase. The grievants did not receive their increase and then learned that their merit increases would continue to be 30 days behind while a Police Officer I.

In reviewing this grievance, I contacted representatives from City Personnel, City Attorney's Office, the Police Personnel Analyst, the Police Personnel Director and staff, and the Police Payroll Section. The Personnel Manual was also reviewed.

It is my decision to deny this grievance based on the following:

1. Personnel Manual Section H-8 II. A.1.a.(2) states: "Merit increases are not an automatic process or right, but are granted only as an award for competent and meritorious performance of the full range of duties assigned to an employee." All of the grievants were assigned to submit their F.T.O. Critical Task Books in completed form before their September anniversary date.
2. The Police Department did comply with the requirements set forth in Personnel Manual Section H-8 III. A.3. in that: All of the grievants were admonished by Lt. Jim Sing in February, 1980, that their merit increase would be denied if they failed to submit the Critical Task Books on time. The grievants were later admonished at their monthly P.R.O.D. training class by Officer Larry Gosnell. Some of the grievants were contacted a third time personally by Officer Gosnell. Many of the 96th Academy officers complied. The grievants did not.
3. It is a fact that the grievants in this case are and will continue to be 30 days behind the other 96th Academy officers in merit increases while Police Officer I's. Personnel Manual Section H-8 II. A.2.a.(3) addresses this issue. Once the appointing authority postpones a merit step increase, the subsequent dates of merit increases are also changed for the same number of days.

Relative to the grievants, this postponement will continue until they are promoted to Police Officer II's. They will be promoted with all other 96th Academy officers on the same date.

CITY of SAN DIEGO
MEMORANDUM

FILE NO.: 15.41
DATE : May 29, 1981
TO : Officer Larry S. Avrech and San Diego Police Officers Association
FROM : D. L. Davis, Commander
SUBJECT: Response to March 19, 1981, Grievance Concerning Merit Pay Increases

It is my decision to deny this grievance for the following reasons.

That portion of the grievance concerning the September, 1980, denial of the pay step advancement from POI Step B to POI Step C without being informed by the appointing authority as to the facts prior to the transmittal of the merit increase notice to the Personnel Department as required by Personnel Manual Section H-8 III A.3. was not grieved in a timely manner. The incident generating this issue occurred in September, 1980, however, it was not grieved until March 19, 1981.

That portion of the grievance concerning the hold up of the March 3, 1981, merit increase is also denied. Personnel Manual Section H-8 II A.2.a(3) requires specified periods of continuous service in each pay step prior to a merit increase. These provisions are being adhered to correctly in the consideration of the merit increase.



D. L. Davis, Commander

June 17th, 1981

To: 96th Academy Graduates.

From: Larry Avrech, Eastern Patrol

Subject: Pay raise grievance

In March of 1981 I filed a grievance on behalf of you and myself with the Police Officers Association. The grievance was filed regarding the City's decision to postpone our merit increases for September 1980 and March 1981. This was done because our Critical Task Books were not returned to the F.T.O. office on time. (So they say)

On June 15th, 1981 a meeting was held with Chief O'Brien to determine the validity of the grievance. After a long session with the Chief he felt that there was some substance to the grievance.

At this time what I need from all of you is the approximate date that you turned in your Critical Task Book and if you can remember who you turned it in to. (If it was a secretary just state so). I will be sending you an affidavit to be filled in and signed. Once you have done this I need to have it returned by interdepartment mail to myself at Eastern as soon as possible, so that a final disposition can be made.

After having signed and returned the affidavit to me, contact Payroll and find out how many hours of overtime for pay you accumulated for the months of Sept. (80) and for March(81). In September of 1980 you were grossing \$600.00 bi-weekly when you should have been grossing \$628.80. In March of 1981 you were grossing \$628.80 when you should have been grossing \$660.00. With these amounts to work with you should be able to figure the differences in the two amounts and figure out what the City owes you.

Only those people that turned their Critical Task Books in prior to September!st will be eligible for reimbursement on both pay increase dates. Those turning their books in after that date will only be eligible for the month of March 1981.

Thank you for your patience and cooperation,

Larry S. Avrech

July 9th, 1981

Larry Avrech -----
 Tina Baroni -----
 Richard Bloss -----
 Mike Bollinger -----
 Mike Brindell -----
 Carey Brooks -----
 John Carney -----
 Joe Christinziani -----
 Denise Dyson -----
 Jim Gavin -----
 Roger Grano -----
 Sherry Handley -----
 Julie Harmon -----
 Alan Hayward -----
 Roger Howes -----
 Steve Kaminski -----

Larry S. Avrech 8-8-80 (TO AGT. NICHOLS)
 Tina Baroni (SEPT CSO BROUGHT TO OFFICE - SEC)
 Richard Bloss - Late Aug. to agent in eff.
 Michael E. Bollinger (MID AUG TO SECRETARY)
 Didn't care either way
 C. J. Brindell (AUGUST - TO PROFFERS)
 John A. Carney 8-21-80 (TO SECRETARY)
 Joseph M. Christinziani 8/15/80 (TO AGT SYALLER)
 Denise Dyson AGT. (NICHOLS)
 Jim Gavin 8-15-80 (TO SECRETARY)
 Roger Grano MID AUGUST TO AGT NICHOLS
 Sherry Handley (8-1-81) TO GOSWELL & SING AT THE OFFICE
 Julie A. Harmon (END OF AUGUST) GOSWELL
 Alan Hayward TO GOSWELL MID AUG 1980
 Roger L. Howes 8-29-81 (SECRETARY)
 Sgt. C. Kain - END OF JULY TO SGT. TY REID.

Bill Michalek -----
 John Norris -----
 Jan Nowakowski -----
 Doug O'Dell -----
 Steve Orr -----
 Art Roberts -----
 Wayne Starr -----

William M. Bell 8-29-81 (TO AGT NICHOLS)
 John B. Norris 8-15-81 (TO SGT BARKER)
 Refused to sign
 Steve Orr middle of AUGUST (FOI Sec.)
 Steve Orr 8-15-80
 Unable to contact
 Wayne Starr 8-15-80 TO GOSWELL

I the above signed certify under penalty of perjury that the above is true to the best of our knowledge, concerning the date or approximate date that the 96th, academy grievants turned in their critical task booklets.

APR 4-1

	SEPT	SEPT	MAR	MAR	MAR
LARRY S. ANRECH	—	3	0	14.3	0
TINA BARONI	SEPT	—	MAR	0	0
RICHARD BLOSS	SEPT	—	MAR	0	0
MICHAEL BOLLINGER	12	6.0	3.0	7.6	6.0
MICHAEL BRINDELL	12	—	0	0	0
CAREY BROOKS	14.6	.68	7.2	0	11.4
JOHN CARNEY	19.5	1.5	0	0	0
JOE CHRISTINZIANI	9.1	5.7	0	0	4.2
DENISE DYSON	—	.8	0	0	0
JIM GAVIN	—	—	6.0	3.5	0
ROGER GRANO	—	4.1	0	0	4.5
SHEARY HANDLEY	12	7.1	7.7	0	0
JULIE HARMON	—	—	0	6.0	0
ALAN HAYWARD	—	9.8	5.3	6.0	.8
ROGER HOWES	—	—	0	3.0	0
STEVE KAMINSKI	—	—	0	0	0
BILL MICHALEK	? 13.5	—	3.3	0	0
JOHN NORRIS	—	—	15.?	30.2	0
JAN NOWAKOWSKI	12	—	4.6	0	0
DOUG O'DEEL	12	8.8	0	5.0	0
STEVE ORR	—	—	6	0	0
ART ROBERTS	12	—	0	0	0
WAYNE STARR	—	12.8	8.4	0	6.8

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* OFF ON HOLIDAY

* DIDNT WORK PROBABLY

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OFF ON HOLIDAY

OFF ON HOLIDAY

OFF ON HOLIDAY



SAN DIEGO POLICE OFFICERS ASSOCIATION INC.

Post Office Box 1630 | San Diego, California 92112
(714) 239-1283

March 2, 1982

Larry Avrech
9863 Vita Rita
Santee, California 92071

Dear Larry,

Regarding your grievance, I spoke with Sue Williams, Deputy City Manager, on the morning of March 2nd. She has informed me that she has recommended that the grievance be approved in your favor.

Unfortunately, it will take special action by the Civil Service Commission to accommodate any change in benefit for the officers affected by the grievance. The grievance now has to be routed through Assistant Chief Robert Burgreen's office and back to Rich Snapper, Personnel Department, who will present this to the Civil Service Commission.

I do not anticipate this paperflow will be in time for the March meeting on the 4th. We can probably expect action on this the first week in April.

Sincerely,


Ty Reid
Director

TR/ilb

CC: C. Aschraft



Affiliated with Peace Officers Research Association of California
and National Association of Police Organizations, Inc.



CITY OF SAN DIEGO
POLICE - PENS. - RPD
STREET NO. 401-012-10

ID NUM.	NAME	AUTHORITY 1 2 3 4
2855	MENDOZA, MICHAEL J.	
2856	MYHOM, CRAIG L.	
2857	NEU, STEVEN P.	
2858	ORSINO, LEE A.	
2859	OSTERMANN, JOSEPH	
2860	CAPLAN, NATHALIO M	
2861	PLEIN, DAN R.	
2862	POTRATZ, DOUGLAS	
2864	PRUTZMAN, BOB T.	
2865	PRUTZMAN, MICHAEL	
2866	RIGGS, THOMAS	
2867	ROCCO, GEORGE	
2868	ROBINSON, STEVE	
2870	SAFFLES, RENEE G.	
2871	SAVALA, SUSAN R.	
2873	SERGOJAN, JACK	
2875	SKLUEFF, STEPHEN N.	
2876	SMITH, EDDIE JR.	
2877	SMITH, KAREN A.	
2878	STEWART, JAMES E.	
2880	SULLIVAN, RICHARD P.	
2882	THIBODEAU, REGINALD	
2883	VAN NORMAN, JAMES	
2884	VOLBERG, MICHAEL	
2885	WALL, STEPHEN	
2887	WATSON, REGINALD	
2888	WEATHERFORD, ARTHUR	
2890	WRIGHT, STEPHEN W.	
2891	CAMERON, PATRICK E	
2892	SNYDER, GRETH D	
2893	BAILEY, MARC C	
2894	CAMERON, PATRICK E.	
2896	BLAYLOCK, MICHAEL D	
2897	SPEYRER, MICHAEL A	
2898	CAMPBELL, SAMUEL T	
2899	SMITH, CARL R	
- 2900	AVRECH, LARRY S	
- 2901	BACKER, MATTHIAS H	
2902	BARON, TINA M	
- 2903	BLOSS, RICHARD A	
2904	BOBBE, DARRELL L	
- 2905	BOLLINGER, MICHAEL E	
- 2906	BRINDELL, MICHAEL W	
- 2907	BROOKS, CAREY L	
2909	GARNEY, JOHN A	
- 2912	CHIVERS, STEPHEN E	
- 2913	CRISTINZIANI, JOSEPH	
2914	DECKER, LINDA S	

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CITY OF SAN DIEGO
 POLICE - PERS. 880
 REPORT NO. A51-032-SD

ID NUM.	NAME.....	AUTHORIZATION						
		1	2	3	4	5	6	7
2915	DYSON, DENISE							
2919	GARCIA, RALPH J							
2920	GAVIN, JAMES P							
2921	STELLMAN, LIGA L							
2922	GRAND, ROGER							
2923	GREEN, WILLIAM							
2924	HARMON, JULIE A							
2925	HAYWARD, ALAN J							
2928	HOWES, ROGER G							
2930	KAMINSKI, STEPHEN A							
2931	KATHAN, GEORGE C							
2932	LARA, LANCE M							
2934	MC COLLOUGH, MICHAEL							
2935	MC DONALD, STEPHEN A							
2936	MC MATH, DAVID							
2937	MICHALEK, WILLIAM T							
2938	NORRIS, JOHN B							
2940	NOWAKOWSKI, JAN J							
2941	OSDELL, DOUGLAS L							
2942	ORR, STEVEN							
2944	HANDLEY, SHERRY L ✓							
2947	ROBERTS, CHARLES A							
2950	SCHAEFER, JUDITH C							
2951	SEYMOUR, RICHARD L							
2952	STARR, WAYNE J							
2955	WALSH, EDWARD M							
2957	WISMANN, CHARLES D							
2960	ALLEN, EUGENE J							
2961	ANNIS, MARK							
2962	BARBER, RICKEY							
2963	BESS, JIMMY W.							
2965	CHAMBERS, GUY E							
2966	COLT, TERRY V							
2967	DAVIS, COLEY B							
2968	DAVIS, COLEY B							
2969	DEGELDER, TERENCE							
2970	EIBEN, KAREN L							
2971	FILLEY, JAMES D							
2972	HATHORNE, JAMES I							
2974	HERNANDEZ, JOEL C							
2975	HOFFMAN, GEORGE							
2976	JOHNSON, JAMES O							
2977	JOHNSON, KIRK L							
2978	KAISER, MONICA E							
2979	KELLY, RICHMOND K							
2980	LEE, DAVID M							
2981	MCDERMED, BOBBY R							
2982	MCDOWELL, LEROY							