

City of San Marcos – San Marcos Police Officers Association

MEET AND CONFER AGREED CHANGES PENDING RATIFICATION AND APPROVAL

October 1, 2022 – September 30, 2025

Hiring:

- Officer entrance process added:
 - Add hiring process outside of entrance test for certified officers.
 - Establish target dates to conduct entrance testing for non-TCOLE certified candidates twice per year.
 - Applicants remain on the list for one year from test date.
 - The new list and current list merge to form a new consolidated eligibility list based on final rank score.
 - Applicants most recent score will be used.
 - Increase the maximum age to test/apply to age 50.
 - Incorporate the Chiefs discretion to rehire an officer who has voluntarily resigned in good standing within the past 12 months without taking an entrance examination. (Currently in the Local Civil Service Rules).
- Lateral entry Program:
 - Entrance testing is waived for certified officers who may apply directly at any time.
 - Reduce required experience to be eligible from four to one year as a commissioned peace officer.
 - Increase the maximum age to hire officer to 50.
 - Non-TCOLE certified peace officer shall successfully obtain TCOLE certification within 90 days of hire.
 - Increase Chief's authority for lateral entry to 8 years at step 19.09.
- Education:
 - Eligible for 5 additional points for completion of a social science bachelors, masters or doctorate degree. When this is added to other points (Law enforcement or military) 8 points is the maximum.

Wages:

- Base pay increase of 2% year one, 5% year two and 4% in year three.
- Increase shift differential from \$100 to \$125 for evening shift and \$200 to \$225 for midnight shift.
- Add certification pay in year two of the agreement contingent on good faith negotiation regarding the role of an arbitrator/hearing's examiner. Certification pay is for TCOLE peace officer certification at the rate of \$50 per month for intermediate, \$100 per month for advanced and \$150 for master certification.
- Increase compensation from step up pay when assigned to work "out of class" as a sergeant for a full pay period or more to \$40.00 per shift when assigned as a sergeant for a full shift or more.
- Increase bilingual pay from \$40 a month to \$80 per month.

Compensatory Time:

- Clarify that only officer(s) on regularly assigned as a school resource officer (SRO) are eligible to accrue compensatory time rather than paid overtime.
- The maximum number of hours that may be accrued is 160, which must be used or paid out no later than one year after start of the school year.
- Define that if there are conflicts between the agreement and federal law, federal law shall govern.

Response time:

- Extend the response time from on officer's residence to the city limits from forty (40) minutes to sixty (60) minutes.

Promotions:

- Changed term for eligibility from classification to rank.
- All ranks currently require both written test and assessment in the promotion process. The assessment was added to additional ranks over time and now apply to all ranks. Restructured to add sections for the written examination and assessment center for clarity and to cut repetitive sections.
- Add performance review, which is review of the employee's file with an employee's performance with the department to be effective in year 2 of the agreement. This provides time for Agency 360 to be fully utilized. This counts as 20% of the promotional score.
- TCOLE certified officers who have an intermediate TCOLE certification and have been in the next lower rank for 2 years are eligible to test.
- Add a provision to allow the chief to waive the training requirement for promotions if a candidate has not been scheduled to attend. Decrease training requirement for a supervisory or management class from 40 to 24 hours to be eligible for promotional test to Sergeant.
- Promotional eligibility lists valid for 18 months following the assessment Center.
- Add a provision that ties to Corporal out of class pay that if a list isn't posted for 90 days or more, Corporals will not be eligible for back pay.

Minor Suspensions:

- Increase the time eligible for minor suspension without pay from 40 hour to 120 hours.

City Property Off Duty and Special Duty Work:

- Effective October 2, 2022 rate increases to \$50.00.
- Effective October 2, 2024 rate increases to \$55.00.

Duration of Agreement:

- Add more specific language on opening discussions regarding triggers for discussions between the City and the Association in relation to reductions in sales tax which tie to the City's Financial Policy.

Authority of An Arbitrator/Third Party Hearings Examiner:

- Agreement to continue negotiations in year one regarding the authority of an arbitrator/hearings examiner in relation to the severity of discipline administered when an officer has violated a rule or engaged in conduct resulting in disciplinary action. Implementation of certification pay in year 2 of the agreement is contingent on good faith negotiations in year 1.

Investigations and Disciplinary Suspensions:

- Non-criminal provides chief must file complaint within 180 days of occurrence and take formal discipline no later than 180 days after the date of the complaint.
- Add provisions for sexual harassment violations allowing a complaint within 300 days of the occurrence to align with state and federal law and to take formal discipline no later than 180 days.
- Criminal violations – Chief must file written complaint within 180 days of the Chief's discovery of the act and take formal discipline no later than 180 days after the chief files the complaint. The 180-day period shall be extended for a period not to exceed 30 days after the final disposition of any pending criminal proceedings regarding the alleged act.
- Pausing of deadlines – timelines are paused at the Chief's discretion because of state or federally mandated leaves (for example: FMLA, military leave and workers' compensation).