



**Fraternal Order of Police
Montgomery County Lodge 35**

**18512 Office Park Drive
Montgomery Village, MD 20886**

Phone: 301.948.4286 FAX: 301.590.0317

April 24, 2003

Councilmember Marilyn Praisner, Chair
Management and Fiscal Policy Committee
Montgomery County Council

Councilmember Phil Andrews
Montgomery County Council
100 Maryland Avenue
Rockville, Maryland 20850

Dear Mrs. Praisner and Mr. Andrews:

At the MFP Committee meeting of April 21, Mrs. Praisner asked for an explanation of the term "pilot program" as used in Contract Article 15 § H *On-Call*, subsection 3 that provides, "The provisions of this section constitute a pilot program and will only continue beyond the term of the contract upon mutual agreement by the parties."

Mr. Andrews requested data on the number of hours bargaining unit members are on-call and standby.

Pilot Program. The term "pilot program" was proposed by the County and has no particular effect upon the contract during its one-year term. It is language we accepted to reach agreement. As with all provisions, it will be negotiated next year and either modified or carried over into a successor agreement. However, the text of the language specifically flags it for review during future bargaining. There is no agreement to conduct any joint study or analysis, however Lodge 35 will evaluate the provision during negotiations next fall. I will defer to the executive to explain the County's intentions and understanding.

On-Call Hours. Last year, a joint FOP-Management Committee studied on-call and reported that bargaining unit members are in an on-call status 11,364.5 hours per week. This is 590,954 hours per year and equates to 284 work years.¹ There is no compensation for this time and, under the current contract, "[I]t is agreed that an officer who is 'on-call' is not obliged to remain ready and available for duty unless placed on stand-by."²

¹ These figures exclude non-unit police officers and all non-sworn personnel.

² Contract Article 15 § H.5, 1991-03 CBA.

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Standby. Unlike on-call, "standby" is a mandatory status requiring an officer to be available for callback. During the first 10 months of CY 2002, nine (9) unit members were paid a total of \$656.64 for 154.5 total hours of standby at a rate of \$4.25 per hour.³ The average standby pay for these 9 unit members was \$72.96; the maximum amount received by any single officer was \$193.38.

I hope this is responsive to your questions but will be pleased to provide any additional information if needed.

This arbitrated agreement represents the County Executive's final offer in an arbitration where the award was in favor of the County. The award takes into full consideration arguments made by the County as to the County's fiscal condition and results in pay increases that are far less than FOP Lodge 35's final offer and .8% less than the November 2002 CPI. Indeed, the primary reason that the award was in favor of Montgomery County instead of Lodge 35 was "ability to pay." Moreover, with savings resulting from attrition, total payroll for existing unit members will be lower in FY 04 than in FY 03.

The Committee's support for this arbitrated award will be greatly appreciated.

Sincerely,



Walter E. Bader
President

cc: Councilmember Howard Denis, Lead, Personnel

³ Source: Montgomery County, Department of Finance and Office of Human Resources, November 2002.