

# Charter Change Request



Date of request \*

01/01/20



1. Requesting City Council member/agency/organization. Please provide a brief description of the body submitting the request. \*

Denver Police Protective Assn

2. Contact person with knowledge of proposed charter issue:

First Name \*

Michael

Last Name \*

Hesse

Phone Number \*

303/495-9718

Email Address \*

mhesse2020@aol.com

3. Contact person to present to City Council:

First Name \*

Nick

Last Name \*

Rogers

Phone Number \*

303/250-7947

## Email Address \*

Nick.Rogers@denvergov.org

## 4. What is the topic of your request?

We are proposing a Charter Change that would apply to Part 8-Collectives Bargaining Police. We are suggesting two simple additions:

(xv) Non-pension benefits for retired officers and their dependents and:

(xvi) the number of hours in a work shift

## 5. What problem are you trying to solve?

Over the last several years both sides have agreed to discuss non-pension benefits for retired officers and their dependents continues to grow as a matter of expense and concern. In addition whether it is the current pandemic or the number of super bugs that officers have to face in the discharge of their duties, health officials warn of many unknown long term consequences to individuals health. Making the change is a recognition of these challenges and

## 6. Is charter change the best way to achieve the goal?

The Charter is the sole document that outlines the mandatory and permissive subjects for bargaining between the City of Denver and the Denver Police Union.

## 7. Who are the external stakeholders?

The external stakeholders are retired Denver Police Officers and their families.

## 8. Who are the internal stakeholders?

The internal stakeholders include current long term Denver Police Officers. ^

In regard to work hours the internal stakeholders include the Administration of the Denver Police and the active officers v

**9. Please provide examples from other cities.**

Certainly in the private sector discussions about health benefits are front and center with most major corporations and union's in today's environment. Recent successful negotiations between the major automotive companies and their unions had a large component of retiree health benefits. We do believe that NYPD and the City have a similar requirement. v

**10. Are there any possible legal problems? Are there any relevant state laws?**

We see no legal problems to our simple charter change. Opponents of our proposal claim that this some how weakens the City's position during negotiation. We strongly disagree with that assertion, Since our charter change just requires a discussion during bargaining and does NOT mandate any outcome to that discussion we don't believe either party is harmed. Secondly, the ultimate outcome will obviously based on the economic climate and v

**11. What are the pros and cons of your proposal?**

The largest pro to making the charter changes that we are supporting our law enforcement personnel in an ever increasing and challenging work environment that they now face as they discharge their duties. Unfortunately, a significant increased challenge has come in the area of long term health. Our charter change helps update the charter in recognition of this fact but again mandates NO outcome. v

**12. Have you contemplated the unintended consequences of your proposal? What are they?**

We would stress that our charter change is merely adding items to discuss during the contract discussions. Since it does NOT mandate an outcome with strongly feel that neither party is harmed. v

**13. Term/duration (Will this item need a sunset clause? If so, why?)**

No sunset is required



**14. What will be the future fiscal obligations of the City due to this proposed charter amendment? (Please include a fiscal impact statement and proposed funding source.)**

Our proposal is designed to ensure discussion on issues that continue to be a concern to both parties. Future outcomes will be solely dependent on the negotiations that occur and the political and economic environment that exists at the time of the discussion,. We therefore believe that their is NO fiscal impact.



**15. Is outside consulting needed for City Council to analyze this charter proposal?**

We do not believe that any outside consulting would be needed by the City. In our meeting in January, their was discussion about the importance of gaining insight from the Denver Police Chief and the administration.



**Please upload supporting documentation.**

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## *The Denver Police Protective Association*



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DENVER COLORADO 80211  
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November 6, 2019

Councilwoman Debbie Ortega  
Councilwoman at Large  
1437 Bannock Street  
Denver, CO 80202

**RE: Denver Police Protective Association-Charter Revision**

Dear Councilwoman Ortega:

On behalf of the Denver Police Protective Association, we would like to thank you for your leadership regarding the organizing efforts to consider changes to the Denver Charter for the May election in 2020. We greatly appreciate being asked for our suggestions.

In this regard, we respectfully propose a Charter change that would affect Part 8 – Collective Bargaining; Police and specifically §9.8.3(B). Please note our changes are listed in red and are just two simple additions.

**9.8.3 Right to organize and bargain collectively; mandatory, and permissive subjects of bargaining.**

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B. The following shall be mandatory subjects of bargaining for Police Officers:

- (i) Compensation;
- (ii) Fringe Benefits;
- (iii) The number of hours in the work week;
- (iv) The definition of "seniority";
- (v) Personal safety and health equipment;
- (vi) A bargaining agent recognition clause;
- (vii) Procedures relating to labor/management cooperation and communication that shall reasonably include participation by groups other than the bargaining agent;
- (viii) The notice and the time intervals regarding changes of a Police Officer's shifts and the emergency exceptions thereto;



- (ix) The collective bargaining agreement severability clause;
- (x) The duration of the collective bargaining agreement;
- (xi) Procedures and notice relating to the layoff and recall of Police Officers, but not the decision of whether to lay off or recall;
- (xii) Payment of fees as set forth in Subsection 9.8.17 (D);
- (xiii) A check-off clause; and
- (xiv) Grievance and grievance arbitration procedures for matters included in the agreement.
- (xv) Non-pension benefits for retired officers and their dependents, and;
- (xvi) The number of hours in a work shift.

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As always, we look forward to working with you and other members of both the Charter Change Committee and the FINGOV Committee. Thank you again for allowing our input and we look forward to ultimately gaining the support of Denver voters.

We greatly appreciate your, and all Council members, service to our community. If you have any questions, please do not hesitate to contact us.

Very truly yours,

DENVER POLICE PROTECTIVE ASSOCIATION



By: Nick Rogers, President  
On Behalf of the Board

SUGGESTED BALLOT LANGUAGE  
DENVER POLICE PROTECTIVE ASSOCIATION  
CHARTER CHANGE  
RETIREE HEALTH

Shall the Charter of the City and County of Denver be amended to add the subject of Retiree Health as a mandatory item of Collective Bargaining for the Denver Police Department?

SUGGESTED BALLOT LANGUAGE  
DENVER POLICE PROTECTIVE ASSOCIATION  
CHARTER CHANGE

Shall the Charter of the City and County of Denver be amended to add the subject of the number of work hours as a mandatory item of Collective Bargaining for the Denver Police Department?