

MEMORANDUM OF UNDERSTANDING
WORKING IN A LIGHT DUTY CAPACITY DUE TO OFF-DUTY INJURY OR
PERSONAL MEDICAL CONDITION

This Memorandum of Understanding is entered into this 3 day of January 2012 between the City of Miami ("City") and Fraternal Order of Police, Walter E. Headley, Jr., Miami Lodge No. 20 ("FOP") (jointly "the parties") to establish a policy for sworn police personnel working in a light duty capacity as a result of an off-duty injury (s) or personal medical condition.

WHEREAS the FOP collective bargaining agreement does not include language regarding Sworn Police Personnel working in a light duty capacity as a result of an off-duty injury (s) or personal medical condition.

WHEREAS the Police Department's Departmental Order 3.4.14.2 language stipulates that Sworn Police Personnel are allowed to work in a light duty capacity while injured or due to a personal medical condition off-duty for a maximum of one hundred and sixty (160) hours.

WHEREAS there is a dispute between the FOP and the City as to the City's past practices regarding accommodations for light duty work as a result of an off-duty injury (s) or personal medical condition.

THEREFORE, the parties agree that Sworn Police Personnel who have suffered an off-duty injury or personal medical condition shall be allowed to work in a light-duty capacity for a total of ninety (90) calendar days per year. If additional time is needed beyond the ninety (90) calendar days, a request for a one-time extension must be submitted to the City Manager for his sole approval. If approved by the City Manager, the extension cannot exceed an additional thirty (30) calendar days. If the extension request is denied, the employee must remain home while using any and all available accrued leave or return to work in full-duty status.

This Memorandum of Understanding resolves Grievance 10-06 (Alexis Carmichael), Grievance 10-08 (Melissa Burhmaster) and Grievance 11-10 (Juan Casiano). This Memorandum of Understanding does not resolve Grievance 02-07 (Andrew Markowitz, Class Action).

This Memorandum of Understanding supersedes any and all Departmental Orders, prior agreements, and/or policies regarding working in a light-duty capacity with an off-duty injury for a medical condition due to a personal injury effectively immediately.

DATED this 3 day of January, 2012.

FRATERNAL ORDER
OF POLICE, LODGE NO. 20

A. Aguilar
Armando Aguilar
President, FOP

1/3/12
Date

CITY OF MIAMI, FLORIDA

J. Martinez
Johnny Martinez, P.E.
City Manager

1-6-12
Date