

City Proposal 3/30/21

ARTICLE 7 Management Rights

Section 1.

Subject to the terms of this Agreement, the Association recognizes the management of the City of San Antonio and the direction of the Police Department are vested exclusively in the City, and nothing in this Agreement is intended to circumscribe or modify the existing right of the City to operate and manage its affairs in all respects. The Association recognizes the City's statutory and Charter Rights to:

A. Direct and schedule the work of its Officers, to include the scheduling of overtime work in a manner most advantageous to the City. Officer work schedules shall not be changed solely to avoid or curtail overtime pay. The City shall have the right to reschedule up to one hundred and twenty (120) hours of training per Officer per year, the City still maintains its right to schedule training during an Officer's regular work schedule. These hours shall include required TCOLE training and exclude in-service hours. The City is not required to use the entire one hundred and twenty (120) hours each year.

B. Hire, promote, demote, transfer, assign and retain Officers in positions with the City.

C. Discharge, demote, or suspend Officers, pursuant to the requirements of Chapter 143 Local Government Code and further and fully agreed to in Article 28, Disciplinary Actions, of this Agreement.

D. Maintain the efficiency of governmental operations.

E. Lay off Officers from duty because of lack of work, consistent with Civil Service Regulations, City ordinances and State laws.

F. Determine the methods, processes, means, and personnel by which operations are to be carried out.

G. Transfer any City operation now conducted by it to another unit of government, and such transfer shall not require any prior negotiations or the consent of any association, group, organization, union or labor organization whatsoever.

H. Contract and subcontract when it is in the best interest of the City.

I. Use security personnel, which include, but are not limited to, such job classifications incorporated within the Classification Manual as Airport Police Officer, Park Police, Life Guard, School Crossing Guard, Municipal Guard, which require training in law enforcement, safety and security duties, firefighting skills, emergency medical treatment, water safety, and other similar related skills.

J. Use of civilians in the Police Department to perform duties which do not require a Commissioned Officer or the power of arrest. The scope of such duties include, but are not limited to, communications, information systems, records, community services, clerical support, maintenance, school safety crossing, and jail operations. Civilians performing such duties are not subject to the terms of this Agreement. This subject is covered in detail in Article 39.

K. Establish classifications, job descriptions, and standards which provide the basis for recruiting and assignment. It is also understood that every duty connected with operations enumerated in job descriptions is not always specifically described. It is, nevertheless, intended that all duties relating to the present mission of the Police Department, as a public safety organization, shall be performed by the Officers.

L. The Association recognizes the City's existing right to establish and enforce rules and regulations, special directives, administrative orders, and amendments for the conduct of the mission of the Department subject to the terms of this Agreement. The Chief has the right to amend, suspend, and/or alter such rules and regulations subject to the terms of this Agreement and approval of the Commission.

M. Any person, whether sworn or unsworn, wishing to address Police Officer roll calls, not to exceed 10 minutes, on any subject ~~(except bargaining unit members who are running for Association office or shift representative and wish to make a statement concerning an election within the Association)~~ must receive written permission from the Chief of Police ~~or President of the Association.~~ ~~When permission is granted by the President of the Association, the restrictions involving subject matter and time outlined in Article 3, Section 6, shall apply.~~

Section 2.

Subject to review by the City Manager, the Chief shall have the exclusive right to:

A. Establish Departmental rules and regulations.

B. Transfer Officers within the Department to accomplish the mission of the Department in the most efficient manner.

Section 3.

Except as otherwise specifically provided in this Agreement, the City, acting through the City Manager and the Police Chief, shall retain all rights and authority to which, by law, it is its responsibility to enforce.

Date: _____

For the City

For the Association