



OFFICE OF POLICE OVERSIGHT

NOTICE OF COMPLAINT

October 28, 2022

ICMS #: 2022-0992

On October 28, 2022, the OPO received an online complaint.

The complainant alleges: On [REDACTED] our shift received an email from SGT [REDACTED] titled "[REDACTED] Leave Request Rules." In this email we were instructed we could not submit leave requests more than 2 months in advance, and we were not allowed to take more than 60 hours of leave each month. I disagreed with this new rule and attempted to schedule a meeting with LT [REDACTED] SGT [REDACTED] and CPL [REDACTED] to discuss my grievance. Prior to receiving this email, or even being told of this change, I submitted leave for the month of [REDACTED], on [REDACTED] and was denied on [REDACTED] via email with the following response from SGT [REDACTED] "Per our conversation at show up [REDACTED] this request is denied due to the new leave request rules." The prior day would have been [REDACTED], at which time I verbally asked SGT [REDACTED] if this was his directive or LT [REDACTED] directive to which SGT [REDACTED] said it was his. I submitted leave for [REDACTED] on [REDACTED] and was denied on [REDACTED] via email with the following response from CPL [REDACTED] "The reason your [REDACTED] request is being denied is that you have eight vacation days (80hrs) on the books for that month. Per the new directive, one is allowed only six days (60hrs) in a month until one month out from the date you are requesting. Your request for [REDACTED] is greater than one month out. If, by [REDACTED] [REDACTED] is still available, you can put it for it." On [REDACTED], I sent an email to LT [REDACTED] SGT [REDACTED] and CPL [REDACTED] requesting a meeting to voice my grievance. SGT [REDACTED] responded via email, with LT [REDACTED] and CPL [REDACTED] added, with the following: "We will meet [REDACTED]. Not sure exactly which day, but it will be between [REDACTED] and [REDACTED] I will let you know when I get the exact date and time nailed down." On [REDACTED] (the final day when SGT [REDACTED] said we would meet), [REDACTED], close to the end of our shift, I asked SGT [REDACTED] via email, if he was able to lock in a time for us to meet that day. SGT [REDACTED] responded with the following: "I was just about to email you. I had contacted HR regarding the leave request rules and I am still waiting on them to get back with me, so we won't be able to have the meeting today. As soon HR gets back with me, I will let you know and we will set up a date and time to meet." I informed SGT [REDACTED] the meeting was no longer needed and that I would pursue my grievance through formal channels. I also made the comment that I thought he would have researched the leave rules



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prior to making any changes to leave requests. SGT [REDACTED] did not respond after I sent this email. Prior to the new leave rules, we have an officer on our shift who works overtime and banks personal compensation time hours. This officer then uses the compensation hours for leave. According to our shared Google calendar, by the end of the year this officer will have taken approximately 117 days of vacation which equates to 1,170 hours. After being with the department for over 8 years, this is the first time I have purposely worked overtime, and instead of being paid, I have chosen to bank compensation time. I started working overtime on [REDACTED]. Once I started submitting leave, using compensation time hours, this new rule was developed and some of my leave has been denied. 1. Date on which you had actual or constructive knowledge of the event giving rise to this grievance. [REDACTED] 2. Describe the resolution that you are seeking. Not making new leave rules/directives without first contact the HR Department to ensure the new rule/directive is not breaking any labor laws. Not placing unreasonable time constraints on when leave can be submitted due to the lack of planning of other officers. Not placing a restraint on the number of leave hours an officer can take in a month. If an officer has accumulated hours through earning them, officers should not be limited on the amount they decide to take. 3. Describe the specific attempts that you have made to resolve this issue with your immediate and next level supervisors. Please read my statement. 4. Describe your supervisors' response(s). Please read my statement. 5. Explain the reasons for your dissatisfaction with the response(s) of your supervisor(s). Please read my statement. My grievance is making a rule/directive to prohibit an employee from taking earned leave by placing a limit on how many hours they can take in a month. My grievance is making a rule/directive to prohibit an employee from submitting leave no earlier than 2 months. My grievance is, when I tried to schedule a meeting with the next higher ranking officer in my chain of command to address my grievance, the date for the meeting was delayed because my chain of command was now consulting with HR department to research the leave rules request, which I would think would have been done before making the new directive/rule. My grievance is unequal and unfair treatment because the officer I spoke of earlier has taken multiple consecutive months where that officer has taken 11, 12, 13, and 14 days of leave in one month and by the end of this year will have taken approximately 117 days, 1,170 hours, off for vacation.

This notice of complaint is a request for Internal Affairs to initiate an investigation to determine if the employee conduct is within compliance of APD policy, Civil Service Rules, and Municipal Civil Service Rules.