

CRIMECONTROL

A comprehensive and independent news summary for the Law Enforcement Professional

Digest

June 7, 2003

Vol. 37, No. 22

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Detroit Chief Gets Split Decision Over Reform Drive To Enforce Discipline

Labor arbitrators have upheld several of Detroit Police Chief Jerry Oliver's reform policies, but struck down his decision denying promotions to all officers to single out a few unqualified candidates.

Oliver came to Detroit 16 months ago with a mandate from the newly elected mayor to improve the quality of a police department that was under federal investigation for civil rights violations and had undermined community support.

In one of his first major actions, Oliver denied promotions to sergeant and lieutenant to a list of 91 candidates the union provided. The chief noted that 10 on the list had been cited for discipline violations or were classified as disabled.

A local court had ruled Oliver must promote all or none of those on the list, so he chose none.

But the arbitrators rejected the court's opinion and upheld the right of the Detroit Police Lieutenants and Sergeants Association to determine promotions based on the union's contract with the city.

Although losing on that point, Oliver pledged to continue to seek control over promotions, probably in the next round of labor negotiations on a new contract.

The arbitrators did give Oliver a major victory in deciding that the chief had broad discretion to take disciplinary actions.

The arbitration panel said the chief is the "the final determinant of guilt or innocence and penalty" in disciplinary cases.

Previously, a police trial board had authority to modify the chief's disciplinary decisions. Now, a disciplined officer has recourse only to arbitration.

The arbitrators also expanded the chief's authority to specifically require the dismissal of any lieutenant or sergeant caught using marijuana.

On compensation issues, however, the chief lost every round.

Arbitrators awarded sergeants and lieutenants three pay increases totaling 11 percent through 2005. Top-scale sergeants will make \$63,229 in 2005 and lieutenants will make \$70,433.

The arbitration panel also allowed retiring officers to get credit for 70 percent of unused sick leave, up from 50 percent.

The department will also pay interest on past-due lump sum payments for unused sick leave when sergeants and lieutenants retire.