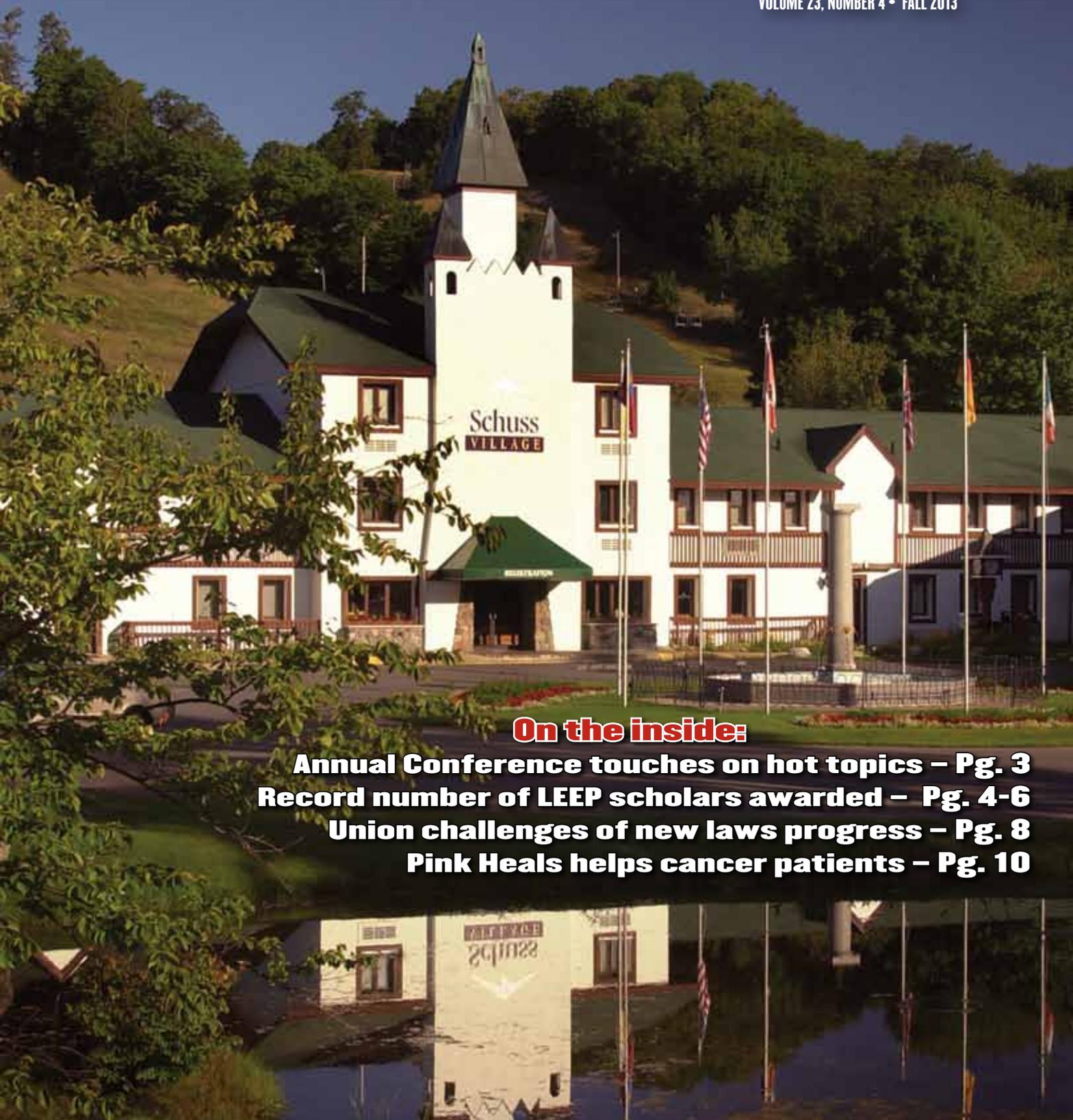


The Police Officers Journal



VOLUME 23, NUMBER 4 - FALL 2013



On the inside:

- Annual Conference touches on hot topics – Pg. 3**
- Record number of LEEP scholars awarded – Pg. 4-6**
- Union challenges of new laws progress – Pg. 8**
- Pink Heals helps cancer patients – Pg. 10**

Law Enforcement Education Program (LEEP®)

Send Address Changes to:

667 E. Big Beaver Road, Suite 205,
Troy, MI 48083.
(248) 524-3200 • FAX: (248) 524-2752
www.leepusa.com

L.E.E.P. Programs: (800) 451-1220
POLC membership: www.polc.org

EXECUTIVE COMMITTEE

CHAIR: Paul C. Combs

Berkley Public Safety Dept.

VICE CHAIR: Shane LaPorte

Jackson City Police Dept.

Collin Birnie

Flint Police Dept.

Rick Bleich

Muskegon Police Dept.

Mike DeKam

Grand Rapids Communications

Scott Eager

Battle Creek Police Dept.

Brett D. McGrew

Berrien County Sheriff's Dept.

Steve McInchak

Gibraltar Police Dept.

Thomas Wilk

Macomb County Community College

DIRECTOR, Richard Weiler

Detroit PD (Retired)

PUBLICATIONS

Fred LaMaire

Conference targets health care changes, new state laws

— By Richard Weiler, Director

The successful Annual POLC/GELC Seminar & Meeting was held in a new venue — Shanty Creek Resorts in Bellaire, Michigan beginning Aug. 23 with a labor seminar and concluding Aug. 24 with LEEP and POLC business.

Mediator and former Labor Council Representative Tom Kreis discussed Act 312 awards filed through July 2013. Pension and health care led the way for issues brought before arbitration panels. Kreis reiterated Public Act 152 of 2011, Publicly Funded Health Insurance Contribution Act (Hard Cap or 80/20), made it easier for employers to win a majority of health care decisions. Employers also won pension changes, however, depending on the locality, 1 to 1.5 percent wage increases seem to be on the rise. Those wages still lag behind 2008 when increases averaged 2.76 percent.

U.S. Health & Life CEO Dan Gorczyca, the insurance company that insures COPS Trust subscribers, showed in national charts that public employees receive better plans and pay less than those in the private sector. To equalize public and private employees, the state devised the 80/20 and Hard Cap health care plans.

Patient Protection and Affordable Care Act (aka ObamaCare) exchanges for individuals and groups under 50 become available commencing in 2014. All U.S. citizens and legal residents are required to have health care coverage through four plans which provide essential health benefits: Bronze, which is minimum creditable coverage at 60 percent of plan benefit costs, with an out-of-pocket limit equal to the Health Savings Account (HSA) current law limit (\$5,950 for individuals and \$11,900 for families in 2010); Silver, Gold and Platinum provide 70 percent, 80 percent and 90 percent of plan benefit costs respectively, with the HSA out-of-pocket limits. Most police officers currently have the Gold or higher plan.

Those whom do not have health insurance are subject to a penalty tax, which increases in subsequent years. Medicaid is expanded to all individuals under 65 (children, pregnant women, parents, and adults without dependent children) and will be financed by pharmaceutical manufacturing sector and health insurance sector companies through an annual fee to the government. States who participate in ObamaCare will receive 100 percent federal funding for Medicaid from 2014 through 2016, 95 percent in 2017, 94 percent in 2018, 93 percent in 2019, and 90 percent for 2020 and subsequent years.

Continued on page 3



FAITHFUL SERVICE

Former POLC Executive Committee Chairman Greg Huggett, a retired Battle Creek Police Sergeant, was recognized "For long faithful service." Huggett, right, with Director Richard Weiler was on the Executive Committee from 1997 to 2013 and served the POLC 20 years.

Fatal officer heart attacks are on the rise

— Excerpted from National Law Enforcement Officers Memorial Fund and USA Today

While 2013 is shaping up to be one of the safest years on record compared to the average number of line-of-duty fatalities per decade, one rising cause of death is catching the attention of researchers and police alike — heart attacks.

The first half of 2013 saw a 60 percent increase in other causes of officer fatalities unrelated to firearms or traffic. Sixteen officers died due to job-related illnesses and other causes compared to 10 during the same period in 2012, according to a mid-year report issued by National Law Enforcement Officers Memorial Fund (NLEOMF) in conjunction with Concerns of Police Survivors (C.O.P.S.).

Job-related illnesses, such as heart attacks, rose dramatically with ten officer deaths compared to two during the same period in 2012, according to the report. Nine of the 10 died of heart attacks, which is three more than all of last year combined, according to the report. Even more noteworthy, at least five of the nine officers were younger than 50 at the time of their deaths. Eight

of the nine were engaged in physical activity related to police work or training when they were stricken. The youngest was a 26-year-old corrections officer who was responding to an alarm inside a prison when he died.

"The number does look dramatic," said Bart Johnson, executive director of the International Association of Chiefs of Police (IACP). "This has been on our radar screen for a while now." Johnson said the IACP has been meeting with representatives of the health care company Johnson & Johnson to develop a more strategic approach to officer wellness as part of the Association's Center for Officer Safety and Wellness.

The effort follows research on heightened risk factors associated with law enforcement jobs. A 2012 article in the medical journal *Cardiology in Review* concluded that common risk factors for officers — hypertension, obesity, smoking, sedentary lifestyles and sudden physical stress — "often (exceed) that found in the civilian population." In March, the National Occupational Research

Continued on page 9

Conference targets health care changes in state

Continued from page 2

Jim Curran, Karoub Associates lobbyist for Michigan Association of Police Organizations (MAPO), reported that within 48 hours two separate Michigan Appeals Courts gave contrary decisions regarding state civil service employees. The Michigan Supreme Court has a 40-year history in which Republican and Democratic majorities have upheld the Civil Service Commission as it pertains to all labor matters. For that reason, many legal minds feel the Supreme Court will strike down the right-to-work law. Curran said an online gaming bill, which will designate revenue for public safety, will soon be introduced by the Senate Majority Leader. Another bill to correct PA 54 — which prohibits step increases and retroactivity — will be re-introduced by Rep. John Walsh to exempt Act 312 eligible employees from that portion of the law. Curran said the legislature is unlikely to fix the personal property tax at this time.

Tom Zulch, Legal Counsel for the POLC and GELC, said many communities' taxable values and revenues peaked in 2008, before the housing market crash lowered property taxes, which equals less money for communities. Fund balances depleted, the stock market crash hurt pension funds, development is stagnant, and state revenues were cut. The projected rate of inflation is 3 percent, while Proposal A limits community recovery at 3 percent. Therefore, taxable value and revenue are not expected to reach 2008 levels until 2021 or 2022!

Future bargaining demands cannot be what they were in years

past. Proposal A and Headlee slow Michigan's recovery, so 2008 revenue will not pay for equal benefits in 2021. Additional concerns are PA 54 (prohibited step increases), PA 152 (Hard Cap or 80/20), personal property tax repeal, and right to work for less.

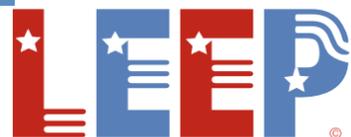
Leon LaBrecque, CPA, CFA, JD, said the stock market remains bi-polar. Europe turned the corner and our deficit has actually decreased because U.S. politicians have done nothing. Sequester, at least to this point, has helped the economy which is somewhat of a surprise. Unemployment seems to be going down so the economy should take off. By 2015, the U.S. will not have to buy oil from the Middle East as we will be oil independent. LaBrecque said 457 municipal plans are protected against bankruptcy and believed pension plans are also protected under the State Constitution, but other benefits are in jeopardy. He reiterated Roth IRAs are good venues to get into and Michigan Educational Savings Program (MESP) college fund is a good choice as you receive a tax credit at year's end.

The conference concluded with a proposal to change the dues structure, which passed, and re-election of the following Executive Committee members for two-year terms: Tom Wilk, Macomb County Community College; Collin Birnie, Flint Police Department; Shane LaPorte, Jackson Police Department; Steve McInchak, Gibraltar Police Department; and Scott Eager, Battle Creek Police Department.

Also re-elected for a one-year term at a post Annual Conference Executive Committee meeting were Paul Combs, Berkley Public Safety Department, as the Council's Chairperson and LaPorte as the Council's Vice Chairperson. Congratulations to all!! ♥

Postmaster: Please send returns and all other communications to the Law Enforcement Education Program Business Office: 667 E. Big Beaver Road, Suite 205, Troy, MI 48083.

Published by The Dale Corp., (248) 542-2400
Executive Editor, Gary Jablonski
Production staff: Diané E. Bertoli,
Jennifer Foley



awards record number of public safety scholarships

— By Jennifer Foley, POJ Editor

Twenty-one top students interested in public safety careers received \$1,000 college scholarships to encourage their pursuit of law enforcement/public safety careers by the professional public safety officers of the Law Enforcement Education Program (LEEP).

In its ninth year, LEEP has awarded some \$102,000 in Dream scholarships to students showing a demonstrated interest in public service/law enforcement careers. The non-profit public safety group's scholarship program is made possible by a growing list of national supporters. Students from 11 states were honored in the 2013 LEEP Dream Scholarship program including:

MICHIGAN

Cory Ellis, of Interlochen, MI. A Lake Superior State University student, he is a Grand Traverse Metro Firefighter and EMT and Grand Traverse County Emergency Telecommunicator. He is a former Grand Traverse Safety Officer and East Bay EMT. The Ingleside High School graduate was on the baseball team, a science tutor/mentor, vice president of his church youth group, and an Eagle Scout. He plans to use his \$1,000 LEEP grant to pursue a degree in Fire Science and a career as a fire chief or fire department administrator.

Ethan Groothuis, of Grand Haven, MI. A Grand Haven High School graduate, he was Varsity Basketball Team Captain, received an Academic All-State Basketball Award, and was on the soccer and golf teams. He was a member of Fellowship of Christian Athletes Club and Honor Roll. He volunteered with YMCA community basketball clinics, No More Sidelines basketball for disabled children, Mobile Food Pantry, and was a Spring Lake Wesleyan Sunday School Leader. The



2013 LEEP Dream Scholarship winners Devon Reppert (at left) and Wade Heidbreder received their awards at the Annual POLC/GELC Seminar & Meeting in Bellaire, Michigan.

YMCA Youth Basketball Referee plans to use his \$1,000 LEEP grant to pursue a degree in Sociology and Criminal Justice at Hope College.

Wade Heidbreder, of Onsted, MI. The Onsted High School graduate has been a Lenawee County Sheriff's Office Explorer since 2011. He was Varsity Baseball Team Captain, receiving All-Lenawee County Athletic Conference First Team Award and Honorable Mention, and Lenawee County Athletic Association Scholar-Athlete Award. He was a member of Quiz Bowl, Teen Court jury, and Honor Society. He volunteered in Youth Group Highway Cleanup and as 5K Run Traffic Director. He plans to use his \$1,000 LEEP grant at Grand Valley State University to pursue a degree in Criminal Justice.



Sarah Lighthart, of Niles, MI, is a graduate of Lake Michigan College. She is the daughter of a Berrien County Sheriff's Deputy and granddaughter



of a retired Berrien County Undersheriff. The Niles Senior High School graduate was in marching band, Phi Theta Kappa, Key Club, tennis team, Spanish Club and Rotary Club. She was Business Professionals of America Historian and Treasurer and a 2012 Presidential Election Inspector. She volunteered with Berrien County Motor Unit Sheriff's Run and Hospice at Home Parade details. She plans to use her \$1,000 LEEP grant to study Biochemistry with a concentration in Forensic Science at Cedar Crest College. Her career goal is to become a federal law enforcement officer.

Kyle Reinink, of Holland, MI, is a graduate of Holland High School where he served as Co-Captain of the football and baseball teams. He volunteered with Holland Public Safety Department's charity softball event and golf outing to raise money for K-9 units. The National Honors Society member was on the swim team, umpired Holland Little League, and was a Holland Youth Football Skill Clinic instructor and referee. He plans to use his



\$1,000 LEEP grant at Grand Valley State University to pursue a degree in Criminal Justice and become a police officer.

Devon Reppert, of Reading, MI, is a graduate of Reading High School. He was in the Criminal Justice program at Branch Area Careers Center. He was president of Skills USA Youth Club, a member of National Honors Society and Varsity Club. A Varsity Football player, he volunteered with Junior Pro Basketball Tourney and attended BALL Leadership Conference and Big 8 Sportsmanship/Leadership Conference. He plans to use his \$1,000 LEEP grant to study Criminal Justice at Lake Superior State University. His career goal is to become a Michigan State Trooper.



Carol Zunker, of Troy, MI, is a graduate of Troy High School. She participated in American Legion Student Trooper Program. She was on the softball team and involved in Environmental Activist Club. She completed a criminal law class and received an Outstanding Performance Award in her forensics class in high school. She plans to use her \$1,000 LEEP grant to study Criminal Justice at Oakland Community College and transfer to Ferris State University to pursue a bachelor's degree in Criminal Justice.

ALASKA

Lena Illig of Anchorage, AK, is LEEP's only scholarship winner awarded two years in a row. She is a member of Alaska Peace Officers Association and Women Police in Alaska and former member of UAA Justice Club. A member of Anchorage Police Department Citizens Academy, she graduated Alaska Military Youth Academy and received a Spirit of Youth Recognition award for working a rape crisis hotline. She works at Aviation Medical Services of



Alaska and volunteered with Anchorage Police Search and Rescue Team and Anchorage Animal Control. She plans to use her \$1,000 LEEP grant to pursue a degree in Criminal Justice at the University of Alaska.

CALIFORNIA

Adrianna Flores of Lancaster, CA, graduated Lancaster High School with a 3.9 GPA. She was secretary and president of Future Business Leaders of America. She participated in intramural tennis, Associated Student Body and Graphics Club. She volunteered over 200 hours at Antelope Valley Hospital. As a member of Heroes Club, she helped feed the homeless every month. She plans to use her \$1,000 LEEP grant to pursue a science and nursing degree at San Diego State University. Her career goal is to become an Emergency Medical Technician (EMT).



Kenny Trabanino of Menlo Park, CA, is a graduate of Junipero Serra High School. He was a Student Neighborhood Association Program (SNAP) Officer at San Luis Obispo Police Department and a student services officer at Riekes Center. A youth camp leader, he fostered dogs in need of a home for the San Luis Obispo Humane Society. He ran track, participated in a co-ed soccer league, and managed and participated in a flag football league. He plans to use his \$1,000 LEEP grant to attend San Jose State University and become a law enforcement officer.

FLORIDA

Danielle DuCasse of Punta Gorda, FL, is a Charlotte High School graduate. A Naval Junior Reserve Officer Training Corps (NJROTC) Cadet for the past four years, she is a former member of the NJROTC Drill Team and Technology



Student Association. She has received medals from Marine Corps League for loyalty and service and Charlotte High School Fishtail Award for student spirit. She plans to use her \$1,000 LEEP grant to pursue a degree in Criminal Justice at the University of Tampa. Her career goal is to become a U.S. Marshall or State Trooper.

Charles Duron of Jacksonville, FL, completed a degree in Criminal Justice at the University of North Florida. He is Quarter-Master of American Red Cross Life Saving Corps (ARCULSC) and was ARCULSC Master Guard and Commodore. The Jacksonville Ocean Beach Rescue employee completed a U.S. Coast Guard internship in the Intelligence Department. A 96th Civil Engineering Group General Clerk, he is a volunteer First Responder. He plans to use his \$1,000 LEEP grant to attend North East Florida Criminal Justice Center at Florida State College of Jacksonville.



Justin Ravelo of Miami, FL, is a TERRA Environmental Research Institute graduate. He volunteered over 200 hours with Miami Dade Police Department. He was the founding member and president of Tri-M Music Honors Society, TERRA Chorus historian and lead male vocalist, and TERRA Mock Trial Team lead attorney. He served on TERRA Yearbook Committee and TERRA Parent Teacher Student Association, volunteering over 200 hours. He plans to use his \$1,000 LEEP grant to attend Florida State University.



IDAHO

Jordan Hogan of Mountain Home, ID, graduated Mountain Home High School with a 3.93 GPA. The Mountain Home Police Department Cadet Sergeant volun-

Continued on page 6

LEEP Scholars

Continued from page 5

teered 500 hours from grades 9-12. He participated in two youth drug and alcohol use leadership summits and created an anonymous peer survey regarding youth drug and alcohol use. The Student Council Treasurer was Vice President and Chapter Leader of Mountain Home DeMolay, a civic awareness and leadership skills organization. He plans to use his \$1,000 LEEP grant to pursue a degree in Criminal Justice at Boise State University.



tend Southern Maine Community College.

MARYLAND

Mark Wright of Catonsville, MD, is a graduate of Howard County Youth Police Academy and Western School of Technology. He is a member of the Criminal Justice Student Association and ASIS International, a security organization. He was a member of Advancement Via Individual Determination (AVID), and is a member of United States Chess Federation, Rites of Passage mentor program, and NASA Inspire space program. He plans to use his \$1,000 LEEP grant to study Criminal Justice at Stevenson University.



MAINE

Amanda Tierney of South Paris, ME, received a degree in Criminal Justice from Central Maine Community College. The Tri Town Rescue and North East Mobile Health Services EMT is a Department of Homeland Security, ICE Investigations intern. She received the Golden Badge Award from Law Enforcement Tech Program, is International Association of Arson Investigators Maine Chapter Board Director, and past Paris Fire Department Junior Firefighter. She plans to use her \$1,000 LEEP grant to pursue a degree in Justice Studies with a concentration in Terrorism and Homeland Security at Southern New Hampshire University.



MISSOURI

Zachary Scott-Grunwald of Pineville, MO, graduated McDonald County High School with a 3.91 GPA. He was Senior Class Treasurer, Spanish Club President, Science Club Treasurer, Drill Class Regulation and Arms Commander, and Drill Class Exhibition Commander. He was a member of Missouri Boys State, Academic Team, Jazz Band, Marching Band, JROTC Drill and Ceremony class, Beta Chi Pi, Student Council, Debate Team and Character Ed. He plans to use his \$1,000 LEEP grant to attend Missouri State University where he plans to enroll in ROTC. His career goal is to be in the Army military police.



NEW HAMPSHIRE

Kayla Malloch of Franklin, NH, is a Franklin High School graduate. The Captain of Tilton Police Explorers completed hundreds of community service hours, volunteering with New Hampshire Special Olympics Law Enforcement Torch Runs and Franklin Fire Explorers. She was a Junior



Ranger and assisted with boat and swimming safety during summer camps. The Student Council member helped found Franklin Youth Initiative, a youth drug task force. She plans to use her \$1,000 LEEP grant to pursue a degree in Criminal Justice at New Hampshire Technical Institute. Her career goal is to become a police officer or EMT.

OREGON

Emily Schroff of Corvallis, OR, graduated Corvallis High School. A Corvallis Police Cadet since 2010, she was promoted to Sergeant. She participated in Cops and Robbers citizen's academy and Cops and Chops community policing program. The Varsity Lacrosse Team Captain was a member of 4-H Rifle Club with NRA qualifications. She volunteered in Polar Plunge for Special Olympics and National Night Out; evacuated citizens during 2012 flood relief; and acted as McGruff the police dog. She plans to use her \$1,000 LEEP grant to pursue a Sociology degree with a Criminal Justice option at Oregon State University.



TEXAS

Jameson Varnado of Lampasas, TX, graduated Lampasas High School with a 4.87 GPA. He is a graduate of Distinguished Student Plan, with 26 dual credit hours. The football and baseball team player received an All Academic Varsity Football award. He participated in University Interscholastic League Science Competition and volunteers with Lampasas County Museum, Vision Lampasas downtown enhancement, 2013 Project Graduation, and Lampasas Chamber of Commerce. He plans to use his \$1,000 LEEP grant to pursue a degree in Criminal Justice at Texas State University and attend Texas State Trooper's Academy. ❤️



Michigan prisons lead the way in protecting incarcerated females

— Excerpted from *The Albany Times Union* and media reports

A move to replace Michigan's male prison guards with female staff in women's prisons in 2005 has proven results. Eight years later, complaints of sexual assaults have plummeted.

"It removes opportunities for complaints to be made, whether or not something is happening," said Patricia Caruso, former director of Michigan's Department of Corrections.

Caruso, who was director when the staffing changes were made, originally opposed the restrictions required as part of an agreement with the U.S. Justice Department based on a federal investigation into sexual abuse complaints.

For years, the state's corrections officers' union fought the gender-based solution, arguing the restrictions would infringe upon the guards' employment rights. In prisons across the nation, similar disputes have occurred, including in New York. Critics and impartial observers agree restricting sensitive duties in women's prisons to female officers would reduce sexual assaults and counter false reporting. That theory proved true in Michigan.

The staffing changes affected 50 positions at Michigan's three corrections facilities for women at the time: the Robert Scott Correctional Facility in Plymouth, Huron Valley Correctional Facility in Ypsilanti, and Camp Brighton boot camp near Pinckney. Since that time, Robert Scott Correctional Facility and Camp Brighton were closed due to budget constraints leaving Huron Valley Correctional Facility as the only women's prison in the state.

In a 2011 Grand Rapids Press article, Michigan Department of Corrections spokesperson Russ Marlin said there were 23 allegations of non-consensual sexual contact among the state's prison popula-

tion of more than 43,000 people. This includes all reported sexual offenses whether they involve prisoners alone or staff. Of the 23 reports, Marlan said, 11 were found to be made on insufficient grounds, while another five were unfounded, leaving seven of the claims to be potentially valid. That's a verified offense rate of 0.0163 percent. "Our job is protecting society, but it is also to protect prisoners and staff, as well," Marlan said.

LAWSUITS

In 1996, the State of Michigan paid \$100 million to settle a class-action lawsuit brought by more than 500 female prisoners who said they were sexually assaulted by prison guards. They claimed the abuse occurred in the 1990s as officials ignored or dismissed warnings by human rights groups that male guards were preying on female inmates. At that time, Marlan said, the settlement included language describing the agreement as "not an admission of guilt, but a compromise."

Male prison guards continue to work in New York's women's prisons. A federal class-action lawsuit filed 11 years ago, *Amador v. Andrews*, charges New York's prison agency failed to protect women from abuse by male guards. New York officials moved to dismiss the case since the correction system is attempting to comply with the Prison Rape Elimination Act (PREA), a law that aims to curb prison rape through information gathering and national standards. Adherence to PREA is voluntary. States lose 5 percent of their federal prison funding if they don't comply, but can retain those funds if they show it will be used for future PREA implementation.

Don Rowe, president of the state's correctional officers and police union, says



WOMEN IN LAW ENFORCEMENT

changing the policies on cross-gender supervision is not necessary and "proper training is the best approach." New York prison officials have a zero tolerance policy toward prison rape, have recently increased sexual abuse prevention training for guards and inmates, and have outfitted women's facilities with video cameras, said Jason Effman, associate commissioner in charge of overseeing PREA's implementation. He said prisoners reporting a rape are taken to the infirmary now rather than solitary confinement, as was past practice.

PREA requires detention centers to ban pat-frisks of female inmates within three years unless there are exigent circumstances. New York is not following that policy, however, prison officials say male guards must use the back of their hands when frisking breasts, cannot pat down the genital area, and "female-frisk-only" tours are routine.

Since PREA does not require female supervision of women prisoners, Effman said, the department's "hands are tied" when it comes to increasing female staff due to the union contract which states no particular officer can be assigned to a particular correctional facility. But PREA does not prevent officials from going beyond the law's standards. "No one is forcing (the department) to sign those contracts," said Dori Lewis, one of the attorneys in the *Amador* case. ❤️

Unions challenge new Michigan Republican laws in higher courts

— By Jennifer Foley, POJ Editor with excerpts from Karoub Associates and media reports

Higher courts will likely have a lot of hot topic issues to decide which affect labor unions in the months to come.

Recent legislation, passed by the Republican Legislative majority, continues to be challenged in court, including Detroit's bankruptcy filing, the new pension contribution requirement and right-to-work legislation.

DETROIT BANKRUPTCY CONSTITUTIONAL

Detroit's bankruptcy filing, which was declared unconstitutional by Ingham County Circuit Judge Rosemarie Aquilina, was later overruled and declared constitutional by a Court of Appeals panel.

"I think some of the union attorneys plan to appeal to the Supreme Court. But I don't think the Supreme Court is any hurry to take it up," said Jim Curran, partner at Karoub Associates, a legislative consulting firm.

Judge Aquilina declared P.A. 136, which permits the Governor to authorize an Emergency Manager to proceed under Chapter 9 bankruptcy, unconstitutional and barred Detroit Emergency Manager Kevin Orr and Gov. Rick Snyder from taking any further action that may cause accrued financial benefits of the retirement system from being diminished or impaired. Michigan Attorney General Bill Schuette filed immediate appeals and motions to stay the trial court ruling. U.S. Bankruptcy

Judge Steven Rhodes will oversee the process.

The City of Detroit denied in court documents that its bankruptcy plan violated state protections for pensioners. The 135-page response to objections to bankruptcy protection for the city said neither the Chapter 9 bankruptcy petition nor Snyder's approval of the petition had any effect on pensions. "These are simply steps that begin the bankruptcy process, where pensions may be impaired by order of a federal bankruptcy court at some later date," city lawyer Bruce Bennett wrote.

Bennett discounted claims by city unions that Snyder was obligated to protect pensions from being slashed under the terms of the state constitution. Detroit faces an estimated \$3.5 billion in unfunded pension liabilities, and legal observers expect retired city workers to face a major reduction in benefits.

PENSION CONTRIBUTION UNCONSTITUTIONAL

Another Court of Appeals (COA) panel unanimously upheld a lower court ruling that P.A. 264 of 2011's requirement that state employees either choose to contribute 4 percent to their defined benefit pension plan or move to a defined contribution (401k) plan was unconstitutional.

The COA found that only the Civil Service Commission (CSC) could make a decision on state employee compensation. "Chang-

ing the nature of the plan changes the nature of the benefit, and thus it amounts to a change in the rate of compensation or in the conditions of employment. This is within the authority of the (Civil Service) Commission, not the Legislature..." Appeals Court Judges Donald S. Owens, Elizabeth L. Gleicher and Cynthia Diane Stephens wrote.

The appellate judges also ruled the Legislature's changes to how overtime is computed for final average compensation for pension benefits "improperly invades the authority of the (Civil Service) Commission and therefore is unconstitutional."

However, it did not throw out the new law completely. The COA reversed a trial court's ruling that the entire law should be voided, remanding the lawsuit back to Ingham County Circuit Court to determine whether the unconstitutional provisions could be severed from the rest of the law, which included changes in health insurance for retirees and workers covered by the 401(k)-style retirement system.

Gov. Snyder and the Republican-controlled Legislature passed the measure in 2011 as part of an effort to slash \$5.6 billion from a \$15 billion unfunded liability in the pension fund that supports about 56,200 retired state workers. When Ingham County Judge Joyce Draganchuk ruled the law was unconstitutional in September 2012, approximately \$20.2 million had been deducted from paychecks of

state workers affected by the law since it had taken effect in April 2012, according to the Michigan Department of Technology, Management and Budget.

"Currently, the state budget director John Nixon has indicated he will not return the money until all legal issues have been resolved," Curran said. "So I think the state is planning an appeal to the Supreme Court." In the meantime, Curran said, the state is holding onto the money it has already withdrawn from employees' checks and drawing interest on those funds.

RIGHT TO WORK

Michigan Supreme Court unanimously denied a request from Gov. Snyder to issue an advisory opinion on whether right to work is constitutional. That leaves the controversial law open to court challenges, the most recent being right to work's inclusion of civil service workers. A different Michigan Court of Appeals denied the challenge in a 2-1 split ruling. The decision disagrees with the state employee union's argument that the CSC is constitutionally bound to handle all matters regarding state employees.

"Michigan case law fully supports the principle that the Legislature, as the policy-making branch of government, has the

power to pass labor laws of general applicability that also apply to classified civil service employees," Appeals Judges Henry Saad and Pat M. Donofrio wrote in their 21-page majority opinion. "For these reasons, we hold that (the right-to-work law) is constitutional as applied to classified civil service positions in Michigan."

Nearly 36,000 Michigan unionized workers are subject to the new right-to-work law, which means those employees are not required to pay union dues when new contracts take effect after Jan. 1, 2013. Police officers and firefighters are exempt from the law.

Ken Moore, president of the Michigan State Employees Association, said he believes the ruling will not stand on appeal. "The ruling by the Court of Appeals that right to work applies to all state employees in the civil service is clearly unconstitutional," Moore said.

Curran agrees and said the case will definitely be going to the Supreme Court. "In the employee deduction case (pension contribution), the Court of Appeals ruled it's unconstitutional because the legislature can't change employee contracts. It has to go through the Civil Service Commission," Curran said. "(For) right to work, different

Appeals judges ruled the constitution doesn't matter — that legislators can do this. You have two different Appeals Court panels coming up with two different interpretations of the constitution."

"So basically what you have is 40 years of case law that says the Civil Service Commission determines all contractual and work-related issues for state employees, then one Appeals Court panel, with very partisan Republican judges, that says 'oh no the legislature can do this,'" Curran said. "This is the first time any judges say the constitution doesn't apply. It's pretty striking that this ruling is so far out of the mainstream of court rulings over the past 40 years."

Passage of the law during a lame-duck session in December 2012 inspired over 10,000 protestors to show up during a five-day period with no committee hearings or public input. A coalition of state employee unions, representing 90 percent of the state's unionized workforce, filed suit challenging one of the two laws, Public Act 349, in February. The laws took effect in March, making Michigan the 24th right-to-work state. ♥

Retired officer seeks cop stories for book

— By Jennifer Foley, POJ Editor

A retired Phoenix Police Detective is seeking stories from officers about their experiences on the job for a book he hopes to have printed in early 2014.

Russ Stallman is writing *Behind the Badge*, which about his own police stories and those of fellow officers. He decided to write the book after almost 30 years of being asked to "tell us a good cop story" at get-togethers and listening to other cops tell their stories. He wants to take the book to a national level by seeking stories of

current and retired law enforcement personnel around the country.

"Cops love to tell their war stories, civilians love to hear them, and I think that a book chronicling some of these stories would be an entertaining and enlightening read for most audiences," Stallman said. ♥

Submissions can be sent anonymously or with full credit given to the author. Multiple submissions are accepted. Officers interested in participating can send their stories to behindthebadge@live.com

Heart Attacks

Continued from page 3

Agenda, a division of the Centers for Disease Control and Prevention, listed cardiovascular disease and its relationship to officer disability and death among its top priorities.

Although many law enforcement agencies require officers to meet fitness standards before employment, few departments require officers to maintain those standards, Johnson said.

Overall law enforcement line-of-duty deaths were 9 percent higher than the first half of last year. Among the 51 officers who died in the first half of 2013, 18 died in traffic-related incidents and 17 were killed in firearms-related incidents, according to the report. While traffic-related incidents were once again the leading cause of officer fatalities, the 18 killed still marked a 34-year low, according to the Memorial Fund. Firearms-related incidents were the

second leading cause of deaths, and ambush attacks were the leading cause of fatal shootings with seven officer deaths. After dramatic increases in 2010 and 2011, firearms-related fatalities dropped to a 57-year low.

The states with the most line-of-duty deaths were: California with seven; Arkansas with six; Louisiana and Texas with three each; and Arizona, Florida, Mississippi, New York and Virginia with two each, the report stated. Forty-seven fallen officers were male, four were female.

"Though our ultimate goal is zero deaths, it is encouraging to see preliminary data in line with 2012, which had the lowest number of officer deaths in 52 years," said Craig W. Floyd, Memorial Fund Chairman & CEO. "We are changing the way people think about law enforcement safety. No longer should any officer's death or injury be accepted as "just part of the job." ♥

A copy of the full report is available at www.LawMemorial.org/ResearchBulletin.

Pink Heals are digging in to help cancer patients

— By Jennifer Foley, POJ Editor



Photo by Michelle Lynema
A cancer patient signs a Pink Heals fire truck.

it (you) see how cancer has impacted families,” Hoeksema said. “The most rewarding piece was going to those homes with those fire trucks and giving hugs to those survivors — seeing how much they appreciated it. That was powerful.”

Zeeland Police Sgt. Tom Ball also participated in the National Tour. “Even for somebody in our profession, I personally was a little nervous but when you pulled up and saw the expressions on their faces and they talked to them a little bit I loosened right up,” Ball said. “There’s a couple I’ll remember. This older woman with no hair came out and, even though she didn’t have any hair, the smile on her face was as big as it could be. Just the look on her face and her warmth coming to us was rewarding to me. I hope the warmth went right back to her.”

So as not to overwhelm the cancer fighters, Ball said, the officers and firefighters formed a single file line with the first public servant delivering flowers, all of them delivering words of encouragement and hugs, and the final visitor giving them a gift bag filled with items. “Then they got to sign the (pink fire) truck,” Ball said. “All of them came out with family and had their picture taken in front of the fire trucks.”

The last visit was very memorable for Ball. The neighborhood had gathered at a cancer patient’s home to support her with a dessert event in her front yard. With over 60 people in attendance, pink vehicles pulled around the corner with their sirens sounding to deliver the unexpected guests. “That woman was dealing with breast cancer and her husband was not there at the time,” Ball said. “He flies civilian cargo planes in Afghanistan. That was kind of neat to see the whole neighborhood had gotten involved.”

STAYING LOCAL

While the national organization relies on merchandise sales to support operating expenses, Pink Heals West Michigan received

This Nissan Cube was loaned to Pink Heals West Michigan while they await a pink police cruiser.

Photo by Michelle Lynema



When Holland Department of Public Safety Officer Joel Maat’s wife, Renee, was diagnosed with breast cancer in January, he began researching cancer support organizations. What started out as a terrible journey has turned into one of hope for the Maats.

“After meeting the local (Pink Heals) guys and finding out more about the mission, my wife and I felt that God was telling us to do this. It has not only helped us through our journey, but we have seen this impact so many more people in our community,” Maat said. “It’s been an awesome experience to be able to minister in this way.”

The mission of Pink Heals is to raise funds for cancer survivors and fighters using pink fire trucks and police cars. The money raised in the communities, counties, and states stays there, giving the group the option to either put it towards research or deliver 100 percent of the money generated to local people who need it most. “Everything that’s raised is thrown right back into the community,” Maat said. “No one gets paid and we rely on police and firefighters to volunteer their time running the organization and participating in the fundraisers.”

On Aug. 19, Pink Heals National Tour came to Holland sporting five pink fire trucks and police cruisers and about 50 firefighters and police officers in pink turnout gear. They visited 18 cancer patients and their families delivering flowers, hugs, hope and encouragement. It was a surprise for the patients, whose families were aware of the upcoming visit. The day ended with a parade in Zeeland, celebrating cancer fighters and survivors.

Along with Holland DPS, POLC units participating with Pink Heals West Michigan include Zeeland Police and Ottawa County Sheriff’s Department. Ottawa County Sheriff’s Lt. Lee Hoeksema helped facilitate some of the fundraisers, traffic control and home visits during the National Tour. Hoeksema lost his grandparents to cancer, but that’s not what prompted him to become involved. “We did it initially because it’s a good community thing, but as you’re part of

support from local businesses, which got them started with a car and funds for merchandise. Elhart Automotive of Holland loaned the program a Nissan Cube, which is wrapped in pink to use at all fundraising events. “The way we operate is off the sales of our t-shirts,” Maat said, adding \$10 of the \$15 sales goes to Pink Heals. “The City Council is still trying to figure out a way to get me a cruiser. They’re (Pink Heals West Michigan) also in a process of purchasing a used fire truck and we’ll paint them both pink,” Maat said.

The West Michigan group planned their fall fundraiser at Crazy Horse Steak Saloon. “They encourage people to tack paper bills to their wood walls and donate to a particular organization,” Maat said. “The entire month of October they will donate to

Pink Heals,” he said, adding the month will close out with a one-day benefit where 20 percent of all sales go to Pink Heals.

“That’s one thing about our area,” Ball said. “We get people who see causes and give their time and materials. We have a very generous West Michigan area.”

Pink Heals also sets up individual fundraisers to help cancer patients that don’t have insurance or have had to quit their jobs due to the illness. “That’s where we see our program going is to help people in need financially,” Maat said.

The group locates cancer patients through referrals from their family and friends and through cancer specialists in the area who are asked to make their patients aware of the organization. So far the West Michigan group has donated 100

GET INVOLVED

Pink Heals is primarily run by firefighters, but police around the country are starting to join in. Maat is researching non-profit 501c3 status for Pink Heals West Michigan. “We need more police involvement!” Maat said, encouraging other POLC members to join.

percent of their profits to the non-profit Bluebird Cancer Retreats center in Spring Lake. “They organize weekend retreats for cancer patients and caregivers at Camp Geneva in Holland,” Maat said. The group raised \$16,000 to have 25 participants attend at no cost. ♥



Left: Ottawa County Sheriff’s Lt. Lee Hoeksema waits his turn to greet a cancer patient at her home.

Right: Ottawa County Sheriff’s Lt. Lee Hoeksema (left) and Zeeland Police Sgt. Tom Ball participated in the Pink Heals National Tour Aug. 19.

Photo by Michelle Lynema



Members asked to sign up for electronic Journal, update mailing list addresses

POLC members are encouraged to sign up to receive an electronic version of the quarterly Police Officers Journal via their email. Signing up for an electronic version lowers production costs and saves members’ money.

The POLC is also updating their member mailing list. Members are asked to contact the POLC office to confirm their addresses as soon as possible.

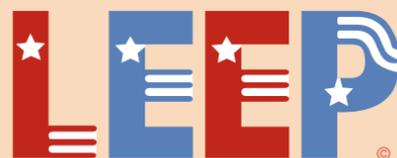
All member communication regarding the electronic edition and member addresses should be done by emailing polc@aol.com with a subject line “Attn: Cindy Gallego.”

The Journal is also available online at www.leepusa.com and www.polc.org by clicking on the Publications tab at the top of the page. ♥



RE-ELECTED EXECUTIVE COMMITTEE MEMBERS

Re-elected for two-year terms on the POLC Executive Committee were from left: Tom Wilk, Macomb County Community College; Collin Birnie, Flint Police Department; Scott Eager, Battle Creek Police Department; Steve McInchak, Gibraltar Police Department; and Shane LaPorte, Jackson Police Department. Also re-elected for a one-year term at a post Annual Conference Executive Committee meeting were Paul Combs, Berkley Public Safety Department, as Committee's Chairperson and LaPorte as Vice Chairperson.



MUD HENS AT FARMER CHARLEY'S SAFETY DAY

The Toledo Mud Hens mascots, Muddonna (left) and Muddy the Mud Hen made a special appearance at Farmer Charley's Safety Day in Monroe Sept. 21. Muddonna tries to get her fingerprint recorded with Sylvia Jenkins, an assistant with LEEP Kids Fingerprinting program. Kids Fingerprinting provides parents with a free CD ROM of their child's fingerprints, physical description and digital picture, which can be used with the Amber Alert system for missing children.



WELCOME ABOARD

The Police Officers Labor Council welcomes the following new units

Unit	Former Affiliation
Alma Sergeants	None
Van Buren County Corrections	POAM

Contract Settlements

— As reported by the POLC Legal Staff

Battle Creek Lieutenants

- **New three-year agreement** expires June 30, 2016.
- **Wages:**
0% effective July 1, 2013.
2.5% effective July 1, 2014.
2% effective July 1, 2015.
- **Fringe Benefits:** Employer will go by literal meaning of contract language that overtime is based upon "hours" worked and not for "time paid."
- **Health Care:** Change to Flex Blue 3 with a \$2,000/\$4,000 deductible on Jan. 1, 2014. Employer will prefund the HSA as follows:
Jan. 1, 2014: \$1,500 for single, \$2,500 for two people or family.
Jan. 1, 2015: Quarterly payments of \$125 for single, \$250 for two people or family.
Jan. 1, 2016: "Me-too" clause for bargained contributions to HSA for other City bargaining units during the life of this agreement over and above what is provided to this bargaining unit.
Employer will pay premium cost for high deductible health plan (HDHP). Employees must contribute \$70 per pay period to administrative cost which Employer will place in employee's HSA if the employee participates in City plan. Employees may choose to remain in current plan after Jan. 1, 2014, but must pay difference in premium cost between the HDHP and the plan they select. For the time period between ratification and Jan. 1, 2014, employee contribution increases to \$100 per pay period towards premium on current coverage.
- **Retirement:** Future members of bargaining unit will bring forward to this unit whatever pension terms they had in the lower unit.
- **Bargaining Team:** Jim Grafton and Stephen Bush aided by POLC Labor Rep. Duane Smith.

Bay County 911 Central Dispatchers

- **New three-year agreement** expires Dec. 31, 2016.
- **Wages:**
3% effective Jan. 1, 2014.
Additionally, employees shall have choice of 1% lump sum bonus every year of agreement or three paid days off every year of agreement.
- **Fringe Benefits:** Modified agreement to include right-to-work legislation. Training premiums increase from 55 cents per hour to \$1 per hour.
- **Health Care:** Employees continue to pay

15% of health care premium. Health care costs will be two-fold. Compliant members – non-smokers who take a personal health assessment – will have deductibles increase to \$500/\$1,000; office visits \$30; emergency room \$100. Non-compliant members – smokers or people who don't take the personal health assessment – have deductibles increase to \$1,000/\$2,000; office visits \$40; and emergency room \$150. Employees have access to a "Wellness Center" sponsored by Employer in which there will not be any co-pays for office visits or for generic drugs prescribed and picked up at the facility.

- **Bargaining Team:** Tony Smith aided by POLC Labor Rep. Duane Smith.

Bay County Sheriffs Command Officers

- **New three-year agreement** expires Dec. 31, 2016.
- **Wages:**
3% effective Jan. 1, 2014.
Additionally, employees shall have choice of 1% lump sum bonus every year of agreement or three paid days off every year of agreement.
- **Health Care:** Employees continue to pay 15% of health care premium. Health care costs will be two-fold. Compliant members – non-smokers who take a personal health assessment – will have deductibles increase to \$500/\$1,000; office visits \$30; emergency room \$100. Non-compliant members – smokers or people who don't take the personal health assessment – have deductibles increase to \$1,000/\$2,000; office visits \$40; and emergency room \$150. Employees have access to a "Wellness Center" sponsored by Employer in which there will not be any co-pays for office visits or for generic drugs prescribed and picked up at the facility.
- **Retirement:** The pension multiplier increases from 2.5% to 2.8% at no cost to the Employee.
- **Bargaining Team:** Ryan Lothian aided by POLC Labor Rep. Duane Smith.

Berkley Public Safety

- **New two-year agreement** expires June 30, 2015.
- **Wages:**
1% effective July 1, 2013.
2% effective July 1, 2014.
- **Fringe Benefits:** Clothing allowance increased from \$500 to \$600 per year. Longevity eliminated.
- **Retirement:** The pension F.A.C. based on best three consecutive years of service, not

the best three years. The pension multiplier for new hires will be decreased from 2.8% to 2.5%.

- **Bargaining Team:** David Arney, Jeff Onesko, Lou Tanghe and Jordan Kobernick aided by POLC Labor Rep. Duane Smith.

Berkley Public Safety Command

- **New two-year agreement** expires June 30, 2015.
- **Wages:**
1% effective July 1, 2013.
2% effective July 1, 2014.
- **Fringe Benefits:** Longevity eliminated at end of contract term. Plain clothes command no longer receives \$600 per year clothing allowance.
- **Health Care:** Retiree health care will mirror active employees. No retiree health care for employees hired after July 1, 2008.
- **Retirement:** F.A.C. based on three consecutive years of service.
- **Bargaining Team:** Paul Combs, Pete Kelly and Robert Beatty aided by POLC Labor Rep. Frank Klik.

Brighton Command Officers

- **New three-year agreement** expires June 30, 2016.
- **Wages:**
1.5% effective July 1, 2013.
1.5% effective July 1, 2014.
1.5% effective July 1, 2015.
- **Fringe Benefits:** Employer pays \$1 per day for carrying cell phones, which is paid annually. There is a \$70 per month cell phone reimbursement. Tuition reimbursement increases from \$600 to \$1,200 per semester. Longevity amended as follows: After five years as command officer, employee receives \$100 per year of service with department, which is paid annually. Title change only for Lieutenant to Deputy Chief.
- **Health Care:** Employees contribute to health care bi-weekly as follows:
One person = \$33.20
Two people = \$73.07
Family = \$92.47
Amounts adjust annually depending on how much hard cap costs increase.
- **Retirement:** Effective July 1, 2013, employees contribute 2.5% to pension. Effective July 1, 2014, employees contribute 5% to pension.
- **Bargaining Team:** Rob Bradford aided by POLC Labor Rep. Frank Klik.

Continued on page 14



Contracts

Continued from page 13

Brighton Patrol Officers and Detectives

- **New four-year agreement** expires June 30, 2017.
- **Wages:**
 - 1.5% effective July 1, 2013.
 - 1.5% effective July 1, 2014.
 - 1.5% effective July 1, 2015.
 - Wage re-opener July 1, 2016.
- **Fringe Benefits:** Personal time increases from 32 to 36 hours per year. Detective and School Liaison Officer on 84-hour pay period like patrol. Increase clothing allowance from \$450 to \$600 per year. Effective July 1, 2015, college compensation increases as follows: 30 credits from \$200 to \$500 per year. 60 credits from \$250 to \$550 per year. 90 credits from \$300 to \$600 per year. 120 credits from \$350 to \$650 per year.
- **Health Care:** Employees contribute to health care bi-weekly as follows:
 - One person = \$33.20
 - Two people = \$73.07
 - Family = \$92.47
 Amounts adjust annually depending on how much hard cap costs increase.
- **Retirement:** Effective July 1, 2013, employees contribute 2.5% to pension. Effective July 1, 2014, employees contribute 5% to pension.
- **Bargaining Team:** Mike Arntz aided by POLC Labor Rep. Frank Klik.

Clawson Command

- **New five-year agreement** expires June 30, 2018.
- **Wages:**
 - 4% effective July 1, 2013.
 - 3.5% effective July 1, 2014.
 - 3% effective July 1, 2015.
 - Wage re-opener effective July 1, 2016.
 - Wage re-opener effective July 1, 2017.
- * Employees in this group voluntarily took concessions on raises and fringe benefits they were scheduled to have in their previous contract. City officials appreciated those concessions and were able to compensate them accordingly in this agreement.
- **Fringe Benefits:** Employees receive annual stipend of \$1,500 for singles or \$3,000 for two people or families that they can apply to HSA. Shift premium reinstated to 50 cents per hour for afternoon shift and \$1 per hour for midnights. Holiday pay is increased from six to nine holidays paid at double time if worked. There are still three holidays paid at

time and a half if worked.

- **Health Care:** Effective Jan. 1, 2014 hard caps are adopted. BCBS SB3000 HSA with a \$1,500 deductible for singles and \$3,000 deductible for two people and families.
- **Bargaining Team:** Dave Scott, Kellie Bauss and Scott Sarvello aided by POLC Labor Rep. Frank Klik.

Clay Township Dispatch

- **New three-year agreement** expires June 30, 2016.
- **Wages:**
 - 2% effective July 1, 2013.
 - 1.5% effective July 1, 2014.
 - 1.5% effective July 1, 2015.
- **Fringe Benefits:** Establish shift premium for 6 p.m. to 6 a.m. shift of 50 cents per hour. Vacation time accrual changes according to years of employment as follows:
 - One year: From 64 hours to 56 hours
 - Two years: From 104 hours to 112 hours
 - Five years: From 144 hours to 168 hours
 - 10 years: From 192 hours to 196 hours
 Sick leave increases from 60 to 96 hours per year. Funeral leave is expanded to include family of spouse and pallbearers of other bargaining unit members can be excused from 12-hour shift. Personal time cannot be used on local special event days.
- **Health Care:** Health insurance to be re-negotiated at the end of 2013.
- **Retirement:** Retirees can purchase dental coverage through Employer.
- **Bargaining Team:** Patrick Pokorny aided by POLC Labor Rep. Frank Klik.

City of Grand Haven Public Safety Command

- **New four-year agreement** expires June 30, 2017.
- **Wages:**
 - 2% effective July 1, 2013.
 - 2.5% effective July 1, 2014.
 - 2.5% effective July 1, 2015.
 - 2.5% effective July 1, 2016.
- **Fringe Benefits:** Part-time employee definition changed from work less than 80 hours per pay period to an average of 30 hours per week or less than 130 hours per month. The promotional eligibility list may be extended an additional six months for 12 months total upon mutual agreement of Director of Public Safety and Union.
- **Health Care:** Eligible employees who participate in the Employer's health insurance shall be required to contribute the following monthly premium co-pays or whatever percent the non-union group is paying for the Buy-Up and Core plans, whichever is less: Core plan: Change from 10% to 20% of

monthly premium.

Buy-Up Plan: Change from 16% to 20% of monthly premium. Employer shall make one-time contribution to the HCSP account of each employee in the amount of \$2,000 for employees on payroll as of July 1, 2013.

- **Retirement:** Pension multiplier changes from 3% for all years of service prior to July 1, 2013 to 2.5% for years of service after July 1, 2013. Retirees' participation in insurance shall cease when the retiree reaches age 65 and is eligible for Medicare from any source. Retiree dental insurance changes from being paid 80% by Employer and 20% by retiree to 75% paid by Employer and 25% paid by retiree. Part-time employees are not enrolled in MERS, and if they become full-time they shall receive no service credit for any period of part-time employment.
- **Bargaining Team:** Sgt. Clint Holt aided by POLC Labor Rep. Will Keizer.

Gratiot County GELC

- **New two-year agreement** expires Sept. 30, 2015.
- **Wages:**
 - 1% effective Oct. 1, 2013.
 - 1% effective Oct. 1, 2014.
- **Health Care:** Employer will offer two health insurance plans. Employees only pay cost which exceeds hard cap. Change in plan resulted in lower cost to employees. New hires no longer pay 20% of insurance premium.
- **Bargaining Team:** Amanda LeBaron, Terri Ball, Nancy Gee and Chanda Shook aided by POLC Labor Rep. Mike Woronko.

Holly Command Officers

- **New three-year agreement** expires June 30, 2016.
- **Wages:**
 - .5% off schedule, lump sum payment effective Sept. 1, 2013.
 - .5% off schedule, lump sum payment effective Jan. 1, 2014.
- Wage re-opener effective July 1, 2014.
- Wage re-opener effective July 1, 2015.
- * This is the first contract for the Holly Sergeants. Previously, they were included with the patrol officer contract.
- **Health Care:** Employees changed from Blue Cross PPO to Total Health Care PPN Select to better meet P.A. 152 hard cap numbers. Health insurance re-opener July 1, 2014 and July 1, 2015.
- **Bargaining Team:** Craig Simpson and Julie Bemus aided by POLC Labor Rep. Duane Smith.

Novi Patrol and Detectives

- **New three-year agreement** expires June 30, 2016.
- **Wages:**
 - 1.5% effective July 1, 2013.
 - 1.8% effective Aug. 1, 2014. (Stipend only. Not added to base wage.)
 - 1.5% effective July 1, 2015.
- **Fringe Benefits:** Liability insurance increased to \$1 million. Property room can be manned by non-sworn personnel. Shift premium increased from 30 cents to 50 cents per hour.
- **Health Care:** Orthodontic coverage increased to \$1,500 maximum for dependents.
- **Retirement:** Retirees can purchase dental coverage through Employer.
- **Bargaining Team:** Kevin Heaney and Jason Meier aided by POLC Labor Rep. Frank Klik.

Roosevelt Park Police Officers

- **New five-year agreement** expires Nov. 30, 2018.
- **Wages:**
 - 2% effective Dec. 1, 2013.
 - 2% effective Dec. 1, 2014.
 - 2% effective Dec. 1, 2015.
 - 2% effective Dec. 1, 2016.
 - 2% effective Dec. 1, 2017.
- **Fringe Benefits:** Parties agreed to a reduction in the comp time usage cap from 240 hours to 200 hours.
- **Health Care:** Employees pay for any premium cost exceeding the hard cap.
- **Retirement:** Employer agrees to allow employees to purchase up to five years of generic time in accordance to MERS rules.
- **Bargaining Team:** Rob Sypien and Ron Burns aided by POLC Labor Rep. Mike Woronko.

Saline Police Non-Supervisory

- **New three-year agreement** expires June 30, 2016.
- **Wages:**
 - 0% effective July 1, 2013.
 - 2% effective July 1, 2014.
 - 2% effective July 1, 2015.
- **Fringe Benefits:** Freeze longevity bonuses for this contract period only.
- **Manning & Safety:** Require a 70% or above on the oral interview to continue forward in the promotional process.
- **Health Care:** Employer will go to P.A. 152 to determine employee's premium sharing cost. Employer and Union will explore health care options every year.
- **Retirement:** Employee's contribution to pension will go from zero to 3% of payroll.
- **Bargaining Team:** David Ringe, Don Terry, Terry Seames and Stephen Maag aided by POLC Labor Rep. Duane Smith.

Saline Police Supervisory

- **New three-year agreement** expires June 30, 2016.
- **Wages:**
 - 0% effective July 1, 2013.
 - 2% effective July 1, 2014.
 - 2% effective July 1, 2015.
- **Fringe Benefits:** Freeze longevity bonuses for this contract period only.
- **Health Care:** Employer will go to P.A. 152 to determine employee's premium sharing cost. Employer and Union will explore health care options every year.
- **Retirement:** Employee's contribution to pension will go from zero to 3% of payroll.
- **Bargaining Team:** Jay Basso aided by POLC Labor Rep. Duane Smith.

— As reported by the POLC Legal Staff

OFFICER RETURNED TO WORK

A Keego Harbor Police Officer, who was laid off from his post, was returned to work and made whole, following a POLC unfair labor practice (ULP) award.

The Union originally brought the ULP charges against the City for threats, discrimination and retaliation against the Officer for his Union activity. The incidents began in August 2009 with the Police Chief ordering the Officer not to record overtime on his timesheets and threatening he would be charged with fraud for doing so.

During an investigatory interview of the Officer in October 2009, the Chief turned off his tape recorder and began threatening the Officer for his Union activity, a conversation which the Officer secretly recorded. The Officer was suspended five days following the interview and the POLC filed a grievance contesting the discipline. In December 2009, during another meeting, the Chief threatened the five-day suspension would stay on the Officer's record because he filed the grievance. The POLC filed an ULP in January 2010 challenging the threats and suspension as illegal.

In February 2010, the Chief sent a memo restricting the Officer, who is also a lawyer, from practicing law and required him to disclose detailed information on pending cases. The POLC filed another grievance on his behalf. The Chief accused the Officer of failing to comply and sought to terminate the Officer's employment, telling the City Manager the Officer failed to follow orders. The City Manager did not terminate the Officer, so the Chief gave him a 30-day suspension in April 2010.

The POLC amended the ULP to include discrimination for the Officer's union activity. Less than two weeks later, the City passed a resolution forbidding any employee from working as an attorney. The Officer was the only employee who held a law license so it only applied to him. Another grievance was filed contesting this order.

On May 14, 2010, the Chief suspended the Officer indefinitely when an acquaintance of the Officer stole one of his badges and flashed it at several businesses. The Officer was absolved of any wrongdoing and the suspect was charged with impersonating an officer, however, the Chief did not revoke the indefinite suspension. The Officer was later notified he would be laid off effective July 1, 2010 for economic reasons.

The POLC amended its ULP to include all of the aforementioned retaliation, including the termination, for union activity. During the hearing, the Chief admitted he attempted to have the FBI investigate the Officer.

The Administrative Law Judge (ALJ) sustained the charges almost in their entirety and recommended the Officer be made whole and returned to work for the City's illegal retaliation. He also harshly criticized the Chief and accused him of committing perjury on the witness stand. The ALJ's decision must be adopted by MERC before the order can be implemented. ♥

**Law Enforcement
Education Program (LEEP®)**
667 E. Big Beaver Road, Suite 205
Troy, MI 48083

PRSR STD
U.S. POSTAGE
PAID
Traverse City, MI
Permit No. 29

Address Service Requested



GILDA'S RUN A HUGE SUCCESS

Over \$21,000 was raised for Gilda's Club Grand Rapids through the 2013 LEEP and POLC-sponsored Gilda's Run, a motorcycle ride through Ottawa and Kent counties benefiting Gilda's Club Grand Rapids. Gilda's Club supporters (above) take part in the 13th annual ride, which had the highest attendance ever at 120 riders. Gilda's Club offers free emotional and social support to adults and children with cancer and their family and friends. Special guests were former POLC Executive Committee members Rick Hetherington and Ed Hillyer, who is a current POLC Labor Representative. ❤️

