

IMPORTANT INFORMATION

PLEASE POST

IT IS OUR UNDERSTANDING THAT THE DEPARTMENT IS CIRCULATING A FORM THAT ASKS POLICE OFFICERS TO AGREE TO A DEDUCTION IN THEIR HOURS OF PAY FOR EACH OF THE NEXT TWENTY PAY PERIODS, PRESUMABLY SEEKING ADVANCE APPROVAL FOR DEDUCTING 4 HOURS FROM EACH OF THE NEXT 20 PAYCHECKS TO COVER THE TOTAL OF 80 HOURS OF FURLOUGH FOR FISCAL YEAR 2009. (SUCH ADVANCE APPROVAL IS REQUIRED UNDER MARYLAND'S WAGE LAWS IF AN EMPLOYER SEEKS NOT TO PAY EMPLOYEES FOR HOURS ALREADY WORKED.) THE FOP IS WRITING A LETTER TO THE DEPARTMENT, AND TO THE COUNTY, MAKING CLEAR THAT ALL ASPECTS OF IMPLEMENTING ANY FURLOUGH PLAN ARE MANDATORY SUBJECTS OF BARGAINING, AND THAT THE DEPARTMENT AND THE COUNTY MAY NOT LAWFULLY SEEK INDIVIDUAL AGREEMENTS. OUR LETTER ALSO WILL INDICATE THAT ANY OFFICER SIGNING THE FORM IS NOT WAIVING HIS OR HER RIGHTS TO CONTEST THE FURLOUGH PLAN OR TO RECEIVE BACK PAY IF THE FURLOUGH PLAN IS EVENTUALLY RULED INVALID.

AS YOU ARE AWARE, FOP LODGE 89 HAS FILED A LAWSUIT THAT IS BEING HEARD IN FEDERAL COURT. IF THE COURT DISAGREES WITH OUR ASSERTION AND EACH OFFICER LOSES 80 HOURS OF PAY THIS YEAR, SIGNING THE FORM WILL ALLOW YOU TO SCHEDULE THAT LOSS OF PAY AT 4 HOURS PER PAY PERIOD FOR 20 PAY PERIODS. IF THE FORM IS NOT SIGNED, AND THE 80 HOURS IS EVENTUALLY TAKEN FROM YOUR PAY, IT LIKELY WILL BE TAKEN AT 8 HOURS PER PAY PERIOD FOR 10 PAY PERIODS.

IN EITHER EVENT, THE FOP'S LAWSUIT AGAINST THE COUNTY CONTINUES, AND WE ARE SEEKING TO INVALIDATE THE FURLOUGH PLAN. IF SUCCESSFUL, EACH OFFICER WOULD RECEIVE HIS OR PAY FOR THESE HOURS, NO MATTER WHEN DEDUCTED. IF NOT SUCCESSFUL, EACH OFFICER REMAINS AT RISK OF LOSING 80 HOURS OF PAY DURING THE CURRENT FISCAL YEAR. (THE COUNTY HAS JUST ASKED THE FEDERAL COURT TO DISMISS THE LAWSUIT; OUR RESPONSE IS DUE IN THE MIDDLE OF THIS MONTH.)

SENDER// ISMAEL "VINCE" CANALES, PRESIDENT, FOP LODGE 89