

**MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF RAPID CITY  
AND THE FRATERNAL ORDER OF POLICE, SOUTH DAKOTA LODGE #2A,  
RETROACTIVELY PROVIDING HOLIDAY PAY FOR NEW EMPLOYEES.**

This Memorandum of Understanding is made and entered into between the City of Rapid City, a municipal corporation of the State of South Dakota, and the Fraternal Order of Police, South Dakota Lodge #2A.

WHEREAS, the Fraternal Order of Police, South Dakota Lodge #2A (the "FOP"), is the designated bargaining unit for the employees of the Rapid City Police Department with the exception of the command staff, non-sworn part time employees, temporary employees and all salaried non-sworn positions; and

WHEREAS, the parties entered into a collective bargaining agreement covering the period from January 1<sup>st</sup>, 2014 through December 31<sup>st</sup> 2016; and

WHEREAS, even though that agreement is no longer in effect, the parties have agreed to open discussions on the contract for the limited purpose of discussing a retroactive change allowing employees hired between June 6, 2016 and December 31, 2016 to be paid for any holidays that occurred during the first 90 days of their employment; and

WHEREAS, currently, new employees do not receive holiday pay during their first 90 days of employment; and

WHEREAS, on June 6, 2016 Council approved a change to the City's Non-Union Guide, which allowed new non-union non-exempt employees to receive holiday pay within the first 90 days of employment; and

WHEREAS, in order to keep parity between union and non-union employees, changes to both 2016 union contracts and contracts in effect after 2016 are being brought forward to implement a comparable change; and

WHEREAS, a separate MOU is being simultaneously brought forward to affect this change going forward; and

WHEREAS, this change would allow any FOP member employees hired between June 6, 2016 and December 31, 2016 to be retroactively paid for any holidays that occurred during their first 90 days of employment; and

WHEREAS, approximately 12 employees would be affected by this change.

NOW THEREFORE, the parties hereby agree to retroactively amend the 2014-2016 collective bargaining agreement as follows:

1. Section 18.07 of the 2014-2016 collective bargaining agreement shall be amended to read as follows:

18.07. In order to be eligible to receive holiday pay, an employee must ~~meet the following criteria:~~

~~A. The employee must have completed ninety (90) calendar days of employment;~~

~~B. The employee must~~ be in active employment.

2. Any FOP members hired between June 6, 2016 and December 31, 2016 shall be retroactively paid for any recognized holidays that fell within their first 90 days of employment for which they have not already received holiday pay; and

3. This MOU applies to all members of the bargaining unit.

4. All other terms and conditions of the 2014-2016 collective bargaining agreement remain unchanged.

CITY OF RAPID CITY

\_\_\_\_\_  
Steve Allender, Mayor

ATTEST:

\_\_\_\_\_  
Pauline Sumption, Finance Officer

FRATERNAL ORDER OF POLICE  
SOUTH DAKOTA BARGAINING UNIT  
#2A

\_\_\_\_\_  
BY: \_\_\_\_\_  
President