

Guidelines for 'Shift Bidding by Seniority' for the Latent Fingerprint Examiner Class Series

PURPOSE

To outline general procedures for Latent Fingerprint Examiners (LFEs) during the twice annual shift bidding by seniority process in the Operations Support Services Division (OSSD) of the Bureau of Administration (BOA) within the San Jose Police Department (SJPD).

SHIFT BIDDING – GENERAL

Shifts shall be bid and awarded twice each year to qualified personnel based on unit seniority. The distribution of shifts shall be based upon the existing number of LFE's able to bid, and upon division needs. Central Identification Unit (CIU) personnel are qualified to bid for a shift if they meet the following conditions:

1. Must be a full duty worker by shift change. For those classified as a modified worker (personnel with any type of work restriction, including overtime restrictions), still in training, or on a leave of absence, the Administrative Unit must receive notice and/or medical clearance, if applicable, three (3) business days before the shift packets are distributed. Once the packets are distributed, the Administrative Unit must be notified immediately of any changes to an employee's full duty work status that occurs before the time of the actual bid.
2. Personnel who do not intend to take a leave of four (4) or more months during the six (6) months of shift change.
3. Personnel still on a leave of absence at shift change, (that is not medically related), who have a scheduled return date of two (2) months or less.
4. Modified workers may be required to bid for specific shifts that have been predetermined outside of the normal bidding process. In these cases only, those that have worker's compensation restrictions shall have shift preference over those that do not.

SHIFT BIDDING - PROTOCOL

The Central Identification Unit shall post shifts, an established updated seniority list, and bidding times no later than two (2) weeks before the actual shift bid. Extenuating circumstances may prevent this from occurring. In these cases, the information shall be distributed as soon as is practical.

The bidding process shall be conducted by pen and paper. Personnel shall be assigned at least a fifteen (15) minute bidding period for shift choice, and vacation bid, based on seniority. The LFE with the most unit seniority shall start the bidding process. If an employee does not bid during the specified period, the employee shall make their selection based on available shifts when they do bid, or they shall receive the last shift available. One LFE shall be tasked with accepting absentee written, predetermined by Unit majority; however, the LFE tasked with collecting absentee bids shall not be responsible for lost or misrouted written bid requests.

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ADMINISTRATIVE ASSIGNMENTS

Management shall initiate administrative shift assignments (voluntary or involuntary), as necessary, to effectively manage CIU personnel. In instances of involuntary re-assignments due to staffing concerns, the administrative assignment shall be made on the LFE series classification and reverse seniority. The employee who has been involuntarily re-assigned shall retain any previously approved vacation and compensatory time off.

If an employee has bid for a shift, and then is unable to work the shift due to an unscheduled leave or modified work conditions for two (2) months or more, the employee may be administratively assigned for the remainder of the shift.

SHIFT BIDDING – LATENT FINGERPRINT EXAMINERS I (Trainee)

LFE I will be administratively assigned during the LFE Bid until the end of their probationary period. During the LFE bid there will be positions allocated on Day Shift and Swing Shift assigned to the LFE I Trainee(s). These allocated positions will be determined by the number of LFE I Trainees being administratively assigned, and divided equally between both shifts (Days & Swings). When there is not an even divide, Day shift will receive the additional position. At the time of the LFE bid, the final bid positions remaining on both shifts will be administratively assigned to the LFE I Trainee(s).

Seniority is determined by the date the employee entered the unit. If two (2) or more employees enter the unit at the same time, seniority will be determined by hiring test ranking. If more than 80 hours of paid or unpaid leave is taken while a PDS I is serving their probationary period, this may extend the LFE I's probation, and may change their seniority date.

SHIFT BIDDING – LATENT FINGERPRINT EXAMINERS (LFEs)

Qualified LFEs assigned to CIU shall bid for shifts twice each year based on Departmental Seniority (refer to A 8.30 – Seniority in the OSSD Guidelines). LFEs who have completed probation as a LFE I are qualified to bid for a shift with the following exception:

1. Any LFE who has a planned shift absence of eight (8) weeks or more after the shift change (including planned retirements) will not be allowed to bid for a shift.
 - a. For each LFE not bidding, a position may be removed and staffing adjusted as appropriate.
 - b. Upon the return of a LFE, the removed position will be reinstated and a one-time bid may occur.

For any LFE's unplanned absence that occurs after shift change:

- a. LFEs may adjust their shift(s) to cover the absence.

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- b. Upon the return of a LFE, they may be reinstated to the shift originally bid.

The shifts may rebid if staffing assignments change after the shift bid, and prior to shift change.

If staffing assignments change after shift change:

- a. If due to a vacancy, it will be covered with shift adjustments and/or overtime until any promotion occurs.
- b. If due to a reassignment, a one-time bid may occur.

SENIORITY


Establishing Department seniority for purposes of shift bidding is separate from citywide seniority, which is defined in the Memorandum of Agreement (MOA) between the City of San José and the Municipal Employees' Federation (MEF). For shift bidding seniority and other Department seniority issues the following guidelines shall be adhered to:

1. Positions in these classes are flexibly staffed and Seniority shall be defined as time in the unit. (Refer San Jose City Class Specification for Latent Fingerprint Examiner I/II/III.) Part-time employment is NOT a separate classification and will not have a separate seniority established.
2. An employee shall not accrue seniority if he/she moves to a different unit/department. Upon returning to CIU, the employee's seniority will be re-calculated from their previous seniority date adding in the time they spent in another unit/department.
3. Non-probationary employee resigning shall not accrue seniority and, upon returning to CIU, the employee's seniority will be re-calculated from their previous seniority date adding in the time they spent separated from service.
4. No loss of seniority for unpaid leaves up to four (4) months in duration for medical leave (with verification) or for reasons that qualify under FMLA. This applies to each episode. With the previously stated exception, one (1) day of seniority shall be lost for each ten (10) hours of unpaid absences (lost time, suspension, and reduced workweek).
5. Existing permanent employees, transferring from another department/division, shall be given the highest seniority in their academy class. In cases where there are two (2) City employees hired at the same time, the one (1) with the most City seniority shall be granted the highest seniority of the class.
6. In the event there are two or more individuals who have the exact same seniority, the following methodology shall be used:
 - a. Test scores from the practical exam will be used to determine seniority. The LFE with the lowest of the test scores will be the least senior on the list and following appropriately in successive order to the LFE with the highest test score will be the senior on the established list.

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- b. The last four (4) digits of the social security numbers will be totaled together. With the sum of that total, the lowest number will be the least senior on the list and following appropriately in successive order to the highest number being the most senior on the established list.
- 7. Permanent part-time benefited employees accrue seniority at half the rate of full-time employees.
- 8. Part-time employees without benefits (per diem) do not accrue seniority by hours worked. The seniority of those transferring back to a benefited position will be determined by re-calculating from their previous seniority date, adding in the time they spent in another unit/department.

Approved:



Mark Bustillos, Deputy Chief of Police

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Date