

EMPLOYMENT CONTRACTS & SEPARATION AGREEMENTS FOR CHIEFS

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POLICE CHIEF EMPLOYMENT CONTRACT

- Cite legal authority for contract
- Bargaining unit of 1 if no clear statutory basis



DUTIES

- List all areas Chief wants to control
- Do not simply attach job description



HOURS OF WORK

- ◆ “...that amount of time and energy which is reasonably necessary for the Chief to faithfully perform the duties of Chief of Police ...”
- ◆ “...allowed to take compensatory time off as he or she shall deem appropriate during said normal office hours at such time which the Chief reasonably determines will adversely impact Department operations least.”



INDEMNIFICATION

- ◆ *Professional Liability*
- ◆ *Disability*
 - ◆ Beyond Workers' Comp
- ◆ Injured on Duty (Workers' Comp)



DUES AND SUBSCRIPTIONS

- ◆ Non-controversial
- ◆ Assures budgeted amount



USE OF PERSONAL AUTOMOBILE

- ◆ In event needed, sets mileage rate, etc.



PROFESSIONAL DEVELOPMENT

- ◆ Conference attendance
- ◆ Related expenses
- ◆ Not charged to vacation
- ◆ Assures budgeted amount



DEATH DURING TERM OF EMPLOYMENT

- 💧 Vacation probably assured by statute
- 💧 “...including, but not limited to, payment for any unused leave days. “



DISCIPLINE OR DISCHARGE

- ◆ Just cause
- ◆ Civil Service or Arbitration
- ◆ Court appeal
- ◆ Reinstatement with all pay and benefits
- ◆ Attorney fees



COMPENSATION

- ◆ Base salary
- ◆ Education incentive
- ◆ “me too” clause – same benefits and pay increases as union or others
- ◆ Annual escalator clause
- ◆ Use of vehicle (possible retirement credit?)
 - ◆ Not taxed



NO REDUCTION OF BENEFITS

- “...except to the extent that such reduction is evenly applied across-the-board for all employees of the City/Town. “



LENGTH OF CONTRACT

- ◆ “Evergreen clause”



EMPLOYMENT SEPARATION AGREEMENTS

“The high cost of leaving”



TYPICAL PROVISIONS

- ◆ Resignation
- ◆ Future contacts/Employment References
- ◆ Payments
 - ◆ Vacation
 - ◆ Personal Days
 - ◆ Holidays
 - ◆ Sick Leave
- ◆ Severance Payment



MORE PROVISIONS

- ◆ Get your money before leaving
- ◆ No Derogatory Remarks
- ◆ Mutual Releases of all claims
 - ◆ Known or later discovered
 - ◆ Older worker gets up to 21 days to consider
 - ◆ Minimum of 7 days
 - ◆ Can't preclude some statutory claims
 - ◆ discrimination, etc.



STILL MORE PROVISIONS

- ◆ Indemnification
 - ◆ Following separation
 - ◆ Paid to assist if not in employment contract
- ◆ Consulted legal counsel
- ◆ No admission of liability or wrongdoing
- ◆ Confidentiality
 - ◆ Accountant, spouse, etc.



SAMPLES ON AELE WEBSITE

WWW.AELE.ORG



QUESTIONS?

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