



## *The Denver Police Protective Association*



2105 DECATUR STREET  
DENVER COLORADO 80211  
(303) 433-8247 FAX (303) 477-3166

December 17, 2020

VIA ELECTRONIC TRANSMISSION AND FIRST CLASS MAIL

Barb Archer, Deputy Chief of Police  
Denver Police Department  
1331 Cherokee Street  
Denver, CO 80204-2720

**RE: Vacation Time/Article 9  
Step 1 Grievance**

Dear Chief Archer:

Please accept this letter as the initiation of the Grievance and Arbitration Procedure as outlined in Article 30 of the Collective Bargaining Agreement of the parties for the years 2018-2020.

### **STATEMENT OF GRIEVANCE AND FACTUAL BASIS**

Most recently, a 2013 vacation time audit conducted by Human Resources was brought to the attention of the DPPA. It is our understanding that as a result of this audit, officers hired prior to 1996, who were forced to take vacation immediately upon graduation from the Academy, are required to pay it back upon separation or retirement from the Department.

Not at their own choosing, pre-1996 officers were forced to take vacation even though they had not yet accrued any time. The Department paid them for this forced vacation but did not tell them it was expected to be paid back.

We are now advised Human Resources is notifying these affected officers that upon their separation or retirement, this forced vacation will be recouped by the Department and is to be paid back by the officer and at the rate of pay of the officer upon retirement. We also understand this expected return of vacation cannot be paid back by the affected officers prior to separation or retirement.

Barb Archer, Deputy Chief of Police  
December 17, 2020  
Page 2

**COLLECTIVE BARGAINING SECTIONS ALLEGEDLY VIOLATED**

The DPPA respectfully asserts that the decision of the Denver Police Department to require Officer Lieutenant Dave Fisher, Officer Del Creason, and those similarly situated, to pay back this forced vacation time and at their rate of pay at the time of separation or retirement is a violation of the Collective Bargaining Agreement and Fair Labor Standards Act.

**REMEDY SOUGHT**

The DPPA respectfully requests those affected pre-1996 officers be accounted for as whole at the time of retirement for the forced vacation, or alternatively, any forced vacation time to be paid back to the Department be collected at their then-rate of pay of the officer at the time the vacation was taken, and not the rate at the time of retirement or separation.

Thank you in advance for your attention to this matter. Should you have any questions, please do not hesitate to call.

Very truly yours,

DENVER POLICE PROTECTIVE ASSOCIATION



Nick Rogers, President

cc: Paul Pazen, Chief of Police