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**CITY OF MINNEAPOLIS**

**and**

**POLICE OFFICERS' FEDERATION  
OF MINNEAPOLIS**

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**MEMORANDUM OF AGREEMENT**  
**Commander Rank and Related Matters**

The City of Minneapolis (Employer) and the Police Officers' Federation of Minneapolis (Federation) are parties to Labor Agreement that is presently in effect.

During the negotiations to the successor Labor Agreement, the parties reached an agreement regarding the creation of a new rank, Commander to replace the current rank of Captain. The terms of that agreement are set forth below.

1. **Creation of New Job Classification.** The Federation agrees that the Employer may take and it will not contest or challenge the following actions by the Employer:
  - a. City Council action pursuant to Minneapolis Code of Ordinances, Title 2, Chapter 20, Article XII, Section 20.1010 (2003) to establish the appointed (not in the classified service) position of Commander, provided such action specifies that candidates for the position of Commander shall be selected from sworn MPD employees who: already have attained (meaning passed probation) an equal or higher ranking title; have been promoted (regardless of whether they have passed probation) to the rank of lieutenant; or are eligible to be considered for promotion (including those eligible to take the examination) to the rank of lieutenant.
  - b. Having an employee appointed to the rank of Commander serve at the pleasure of the Chief of Police subject to the same conditions as Inspectors, Deputy Chief or Assistant Chief.
  - c. The establishment of the job duties of a Commander may include some, all or more of the duties presently performed by the rank of Captain.

- d. The abolishment of all Captain positions.
- e. Treating the Commander as an “exempt position” under the FLSA.
- f. Excluding Commanders from representation by the Federation under the Labor Agreement between the Employer and Federation, meaning that the Employer may establish the compensation, benefits and other terms and conditions of employment for Commanders. The Federation will not represent Commanders in any disciplinary proceedings where the conduct in question was demonstrated while the employee was employed as a “Commander”.

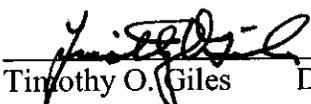
**2. Impact on Employees Currently Serving in the Rank of Captain.**

- a. On December 7, 2012, the effective date of the City Council action creating the Commander rank, all employees who have attained the rank of Captain may express interest in and shall be considered for appointment to the rank of Commander. Captains on leave or already serving in an appointed position shall be eligible for consideration to appointment as a Commander at such time as they would have returned to the rank of Captain. A Captain returning from leave or being removed from an appointed position shall have no right to displace a Commander.
- b. Any present Captain who is not appointed to Commander, or who is appointed to Commander but subsequently removed from the rank of Commander, shall return to the rank of Lieutenant pursuant to the terms of the Labor Agreement. However, unless demoted from the rank of Lieutenant for just cause, such personnel shall, for the duration of their career with the Minneapolis Police Department, continue to be paid at an hourly rate equal to 109.27% of the hourly rate for a Top Step Lieutenant, including such adjustments thereto as may be made from time to time.

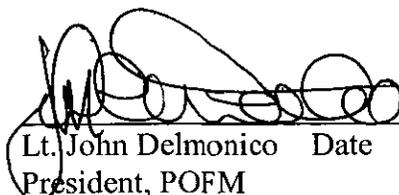
**3. Amendment of Labor Agreement.** Automatically, and without further negotiation or action by the parties, on the effective date of the City Council action referenced in subparagraph 1.a., above, the Labor Agreement shall be restated in its entirety in the form attached hereto as Appendix A.

**NOW THEREFORE**, the Parties have caused this *Memorandum of Agreement* to be executed by their duly authorized representative whose signatures appear below.

**FOR THE EMPLOYER:**

 4/30/13  
 \_\_\_\_\_  
 Timothy O. Giles Date  
 Director, Employee Services

**FOR THE FEDERATION:**

 4/30/13  
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 Lt. John Delmonico Date  
 President, POFM