

**MEMORANDUM OF AGREEMENT
BETWEEN TEAMSTERS LOCAL 760
CITY OF YAKIMA
REPRESENTING THE YAKIMA CORRECTIONS SERGEANTS UNIT**

This Memorandum of Agreement (MOA) is made and entered into by and between Teamsters Local 760 (hereinafter referred to as the Union) representing the City of Yakima Corrections Sergeants Unit (hereinafter referred to as the Sergeant) and the City of Yakima (hereinafter referred to as the Employer).

The purpose of this MOU is to modify current contract language in Appendix A to conform to the new Washington State Criminal Justice Training Commission Physical Ability Tests that was implemented January 1, 2021. All other articles shall remain unchanged.

Union and Employer agree to amend Appendix A to read as follows:

**APPENDIX A
PERSONAL PHYSICAL FITNESS STANDARDS AND TESTING**

A. PURPOSE

The purpose of the personal physical fitness standards and testing program is to promote physical fitness of Corrections Sergeants within the Yakima Police Department, and to specify the scheduling, conduct and administration of semi-annual physical fitness tests.

B. PARTICIPATION

Enrollment and participation in the physical fitness testing program shall be optional at the election of the employee. Current bargaining unit employees who elect not to enroll and participate in the program shall not be eligible for the monetary incentive described below.

Current employees may elect annually each January to enroll, participate and test under the Program. Upon passing the applicable testing standards the employee shall receive the monetary fitness incentive described below.

The Employer will not discriminate against any employee for exercising any option to enroll and participate, or not to enroll or participate, in the program.

C. PHYSICAL FITNESS ABILITY TEST DESCRIPTION

The physical fitness ability test shall be comprised of the same elements as the physical fitness ability test administered by the Washington State Criminal Justice Training Center for its entry level corrections academy recruits. The Employer will ensure that each semi-annual test is current and consistent with testing utilized by the Washington State Criminal Justice Training Center.

D. ADMINISTRATION OF THE PHYSICAL FITNESS TESTING

The physical fitness ability testing will be conducted twice each year, in April and October. Employees wishing to participate in the Fitness Testing shall notify the Chief Examiner by 5:00pm on January 31st of each year of his/her desire to test. Participating employees will be notified at least thirty (30) days in advance of the specific testing date, time and location. The Employer may select months other than those specified above, provided the two (2) annual testing dates are at least six (6) months apart, and shall provide participating employees at least thirty (30) days advance notice of the date, time and location of the test.

All participating employees must make themselves available on the scheduled test dates. Officers shall be on on-duty status during the examination (testing) process, but shall receive no overtime or extra compensation for the time spent taking the examination. Employees who are ill or injured on the date of any scheduled test may request an alternate test date, by providing medical documentation of their condition. A request for an alternate test date must be made sufficiently in advance of the test date, so the Employer can fairly and fully consider and schedule any requested alternate test date. Untimely requests will not be considered. The Chief Examiner shall make the final decision regarding the granting of an alternate test date.

Employees who have an emergent or extraordinary schedule conflict with the announced test date may request an alternate date. The reason(s) for the request must be presented to the Chief Examiner in writing at least five (5) days before the test date. The Chief Examiner shall make the final decision regarding the granting of an alternate test date.

Testing will be administered by members of the Command Staff from the Yakima Police Department and proctored by the Chief Examiner or his/her designee.

E. TESTING RESULTS

Those employees who elect to enroll and participate in the program, and who have achieved a passing score on both semi-annual tests within the same year, shall be entitled to receive the fitness incentive pay described in the contract. If such employees do not achieve passing score on either semi-annual test, such employee shall not receive, and shall not be eligible to receive, any fitness incentive pay for that period.

FITNESS TEST BENCHMARKS-FITNESS INCENTIVE PAY MINIMUM TEST REQUIREMENTS: Eligibility to receive fitness incentive pay, requires participants to pass all three of the following test components: push- ups, sit-ups and squat thrusts.

Each participating employee who passes both semi-annual physical fitness tests within the same year shall be entitled to receive fitness incentive pay, which will be paid annually, in an amount specified in the contract.

PHYSICAL ABILITY TEST STANDARDS

The Yakima Police Department's Corrections Sergeants Physical Ability Test (PAT) shall utilize the same elements as the test administered by the Washington State Criminal Justice Training Commission for entry level corrections academy recruits. At each semi-annual test, the CJTC scoring system that is current at the time of the test will be utilized, and a pass in all three events must be

achieved to be eligible for the incentive pay.

The PAT is comprised of three tests, following the CJTC Protocol below.

- Push-ups
- Sit-ups
- Squat thrusts

****All participants should have an opportunity to warm-up (5-10 minutes); this may be self-directed or led by test personnel. There shall be a rest period of up to three (3) minutes in between the push-ups and sit-ups. There shall be a rest period up to five (5) minutes between the sit-ups and the squat thrusts.****

Protocol

The test is conducted in sequence as, #1 Push-up, #2 Sit-up, #3Squat thrusts.

Push-up

Measures the muscular strength/endurance of the upper body, particularly the shoulders, chest, and triceps (back of upper arm) used in high intensity defensive tactics training and application. This is a critical component of the proper use of force involving pushing, grabbing, and breaking one's fall to the ground, as well as getting back up off the ground.

The push-up is conducted with the participant starting in the up position. A rater lies facing the participant with a four-inch cube placed under the participant's chest. The count begins when the participant's arms are bent in a 90-degree bend at the elbow measured from the outside of the arm, upper arms are horizontal to the mat and finishes when the participant returns to the up position with the elbows fully extended. A correct pushup is performed when the participant's back is flat (NO arch or bow), the feet are together (one foot can be placed on the heel of the other or up to 1 foot apart), and the hands are shoulder width apart. Rest can only be done in the up position. The participant must complete a minimum of fifteen (15) push-ups in ninety (90) seconds to pass.

Sit-up

Measures the muscular strength, endurance, and flexibility of the torso muscles of the abdomen. The torso muscles are some of the most used muscles in the body. They bend and twist the torso and generate power in many of the control tactics taught at the academy, as well as performing other activities that involve the use of force. These muscles are also important for maintaining good posture and minimizing lower back problems. Please note: The participant must complete a minimum of twelve (12) sit-ups in ninety (90) seconds to pass.

The sit-up is conducted with the participant lying on their back with knees bent to a 90-degree angle and the heels of their feet on the perimeter of a padded floor mat. A Spotter straddles the participant's feet holding the knees tightly, and a Counter kneels behind the participant with a hand placed beneath the participant's head.

The participant has a choice of two positions for their hands on the head:

1. Position 1 is with the hands behind the head and the fingers laced. The fingers **MUST** stay laced behind the head for the repetition to count.
2. Position 2 is the hands are cupped over the ears alongside the head. Again, the hands **MUST** stay cupped over the ears for the repetition to count.

One full repetition starts with the back on the mat. The participant then comes forward all the way to touch their knees with their elbow. Then come back down to the mat so that their head touches the counter's hand. Rest can only be done in the up position.

1.5 Squat Thrusts

Stand tall with your feet shoulder-width apart and your arms at your sides. Push hips back and bend your knees, squat down, and place hands on the floor in front of you, shoulder width apart. Keeping your hands in place, back flat, and core engaged, kick your feet back to a plank position: arms and body straight, hands in line with and slightly wider than your shoulders. Reverse the sequence to return to the starting position. The participant will have three (3) minutes to complete a minimum of twenty-five (25) squat thrusts to pass.

Scoring

Scoring of the P.A.T. will be in accordance with established CJTC scoring matrix/guidelines that are current at time of testing. In order to pass the P.A.T. through the CJTC, the participant must receive a pass from all three events.

This MOU is executed by the parties this 27th day of May, 2021.



Bob Harrison
City Manager



Leonard J. Crouch 5.24.21
Teamsters Representative

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RESOLUTION NO: R-2021-102

ORIGINAL