

Memorandum of Agreement

WHEREAS, this Memorandum of Agreement is made and entered into by and among the City of Philadelphia ("City") and the Fraternal Order of Police, Lodge 5 ("FOP");

WHEREAS, the FOP represents certain uniformed personnel at the Philadelphia Police Department ("PPD");

WHEREAS, the City and FOP are parties to a series of agreements and interest arbitration awards that collectively comprise the collective bargaining agreement ("CBA");

WHEREAS, section 22-310 of the City's Public Employees Retirement Code ("Pension Code") provides for a Deferred Retirement Option Program ("DROP"), which permits an eligible City employee to irrevocably identify a date, no more than four (4) years in the future, by which the employee will separate from City service in order to immediately retire;

WHEREAS, the Pension Code permits a one (1)-year extension of the DROP period for eligible employees in the event that the Mayor declares that there are extraordinary circumstances that threaten the public health, safety, and welfare;

WHEREAS, the parties recognize that, due to the gun violence epidemic and significant actual and projected staff shortages, the PPD has a significant need for certain uniformed ranks to perform or support patrol and investigative operations;

WHEREAS, the parties further acknowledge and agree that the purpose of any DROP Extension is to ensure that there are sufficient uniformed personnel to perform or support these operations, and it is critical that any members who elect to extend their DROP period are available and actually perform their duties, with or without a reasonable accommodation, during the period of the DROP Extension;

WHEREAS, in previous DROP extensions, employees who became ill or were injured during the period of a DROP Extension and exhausted their sick and vacation leave banks were required to submit a request for an extended leave of absence, which would be considered by a committee comprised of one (1) representative each of the PPD, the FOP, and the Office of Labor ("OLR") (the "Leave of Absence Committee"), and the Committee's decisions were not subject to the grievance and arbitration process;

WHEREAS, on or about July 21, 2023, the Mayor issued a Declaration of Extraordinary Circumstances authorizing the retention of certain employees represented by the FOP for one (1) year past their original DROP date (the "DROP Extension");

NOW THEREFORE, in order to avoid litigation, the parties agree as follows:

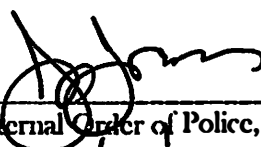
1. The City will offer FOP members who satisfy the conditions of paragraph two (2) the opportunity to enroll in the DROP Extension.
2. In order to be eligible to enroll in the DROP Extension, members must:


- a. presently hold the rank of Police Officer, Police Corporal, Police Detective, Police Sergeant, and Police Lieutenant;
- b. be scheduled to separate service upon expiration of their four (4)-year DROP period no earlier than July 30, 2023;
- c. sign up for the DROP Extension between July 30, 2023 and August 21, 2023 (the "Election Period");
 - i. If the member is scheduled to separate from service before August 21, 2023, they must sign up for the DROP Extension no later than the date they are due to separate from service.
- d. be on PPD's payroll during the Election Period; and
 - i. The parties agree that members who are discharged before or during the Election Period, and who are subsequently reinstated after the Election Period, with or without a make whole remedy, are not eligible to retroactively extend their DROP date.
- c. and not otherwise be ineligible as specified in paragraph three (3).

3. FOP members are ineligible to participate in the DROP Extension if the member has been on restricted duty, limited duty, or paid or unpaid leave of any kind since at least May 22, 2023, unless the member has an expected return to work date of no later than August 14, 2023, and actually returns to work by their expected return to work date.

4. The parties agree that the Leave of Absence Committee will meet and/or confer within ten (10) business days of receipt of a request for an extended leave of absence and render its decision within no more than three (3) business days of the meeting or conference. If the Leave of Absence Committee does not confer or render a decision within the specified time frames, the request will be deemed denied, unless otherwise mandated by law, and the member will be notified of the denial. The determination will not be subject to the grievance or arbitration provisions of the collective bargaining agreement.

WHEREFORE, FOP and the City, intending to be legally bound by this Agreement, enter into this Agreement this 27th day of July 2023, as evidenced by their signatures or the signatures of their representatives below.


 Fraternal Order of Police, Lodge 5
 Date: 7/27/23


 Philadelphia Police Department
 Date: 7/27/23



Office of Labor Relations
Date: