

Case Number: 97080087
Date of Violation: 7/10/97
Date Received: 8/11/97
Date to D/C:

How Received: Not Specified
Type of Complaint: Station
Date Back from D/C: 9/5/97

Complainant(s):

	<u>BADGE</u>	<u>VIOLATION</u>	<u>RR</u>	<u>OMS</u>	<u>DISPOSITION</u>	<u>ASSIGNMENT</u>
1	93012	Improper Procedure - Other SSR Entry	137		Sustained	District 6

**DENVER POLICE DEPARTMENT
INTER-DEPARTMENT
CORRESPONDENCE**

REVIEWED BY		
	INITIAL	DATE
CAPT.	SMA	9-9-97
LT.	DZ	9/5/97

TO: G.R. Whitman, Captain, Commander District Six
FROM: Michael H. Battista, Lieutenant District Six
DATE: August 22, 1997
SUBJECT: IAB Complaint #97080087
Officer John Witkowski #93012

COMPLAINT

On August 11, 1997, the Denver Police Protective Association demanded of Chief Michaud that action be taken against Officer John Witkowski for failure to comply with Section 4.4 of the Collective Bargaining Agreement. Officer Witkowski has failed to pay the correct fair share payment amount for the month of July 1997.

INVESTIGATION

This complaint was received via a letter from the Denver Police Protective Association and was investigated by Lt. Dilley. On 8/11/97, the Denver Police Protective Association notified Chief Michaud that Officer Witkowski was past due in paying his "fair share" amount for July. This was considered his FIRST violation

Officer John Witkowski #93012

On 8/22/97 Officer Witkowski was advised pursuant to Internal Investigations and completed a statement. Officer Witkowski stated that he paid the amount owed on 7/18/97 as evidenced by a receipt and has enrolled in the Direct Deposit program for future payments.

CONCLUSION

I conclude that Officer Witkowski was delinquent in paying his "fair share" amount to the Denver Police Protective Association. I further conclude that Officer Witkowski has made the payment and is now current in relation to his "fair share."

FINDINGS

I find that Officer Witkowski, in relation to violation of:

RR-137 Collective Bargaining Fair Share Fee

The City and County of Denver Charter Section C5.82 establishes collective bargaining for all members of the classified service of the police Department and authorizes the negotiation of a fair share fee to be paid to the bargaining representative. As long as the Collective Bargaining Agreement is in force, all members of the classified service who are not dues paying members of the Denver Police Protective Association, (DPPA), are required, as a condition of employment, to pay the designated fair share fee to the DPPA in accordance with the policy of the DPPA and Article 4.5 of the Collective Bargaining Agreement. Failure to pay the designated fair share fee to the Association will be grounds for disciplinary action, including termination.

SUSTAINED.

Respectfully Submitted,

Mike Battista 8/20/97

Michael H. Battista,
Lieutenant, District Six

I have reviewed Lt. Battista's summary of this complaint and concur/disagree with his findings.

CAPT. G. R. WHITMAN 8/20/97

Captain G. R. Whitman, Commander
District Six

08 26 97

Date

ESR BARRY

Recommended Penalty

I have been apprised of the findings and recommendations in this investigation.

I DISAGREE
[Signature] 9/30/97

Officer Signature

Date

8.29.97

Concur:

T. Cuthrell

Division Chief T. Cuthrell, Patrol Division

Date

9/4/97