

# Annuitants

## 1049.1 PURPOSE AND SCOPE

The San Francisco Bay Area Rapid Transit (BART) Police Department Annuitant Program has been established to supplement and assist regular sworn officers in their duties. It provides professional, sworn "per diem" police officers who can augment regular staffing levels.

## 1049.2 POLICY

It is the Policy of the BART Police Department to maintain established staffing levels. Due to ongoing vacancies the Department is at times faced with staffing shortages. Annuitants will be utilized to mitigate these shortages to perform work providing security for District operations as set forth in the Annuitant job duties.

## 1049.3 SELECTION AND APPOINTMENT OF ANNUITANTS

The BART Police Department shall endeavor to appoint only those retired sworn peace officers who meet the high ethical, moral and professional standards set forth by this department.

### SELECTION PROCEDURE:

All applicants shall be required to meet and pass the same pre-employment procedures as regular police officers before appointment.

Retired annuitants must be sworn officers and qualify for post-retirement employment and meet the minimum qualifications of the Police Officer job description.

Priority will be given to retirees who were previous members of the BART Police Department.

### APPOINTMENT:

Applicants who are selected for appointment as a BART Police Department Annuitant shall be sworn in by the Chief of Police and take a loyalty oath to observe and obey all of the laws of the land and to carry out the duties to the best of their abilities.

### AT WILL EMPLOYEES:

Retired annuitants will be "at-will" and can be removed from employment by the BART Police Department at any time.

## 1049.4 COMPENSATION OF ANNUITANTS

All Annuitant appointees are considered "at will" employees and will be paid at the hourly rate of Step 5 Police Officer classification as established by the Memorandum of Understanding between the District and the BART Police Officers' Association.

Annuitants will be compensated only for the number of hours they actually work, and are not subject to a minimum number of paid hours for call-outs, court appearances, etc.

No other pay provisions will apply to appointed employees not required by state or federal law.

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#### **1049.5 DUTIES OF ANNUITANTS**

Annuitant Police Officers may perform work duties, such as providing security of District employees. This includes:

- a) Employees in the vicinity of the San Francisco Bay Area Rapid Transit (BART) District headquarters building located at 2150 Webster Street in Oakland.
- b) BART work crews being deployed to areas, not on BART property for the safety of those employees (i.e. crews on an arial trackway where vehicles are parked near the BART right of way).
- c) Prisoner transports and hospital guards.
- d) Any other assignments for the Department as mutually agreed to by the Police Department and the BART Police Officers Association and BART Police Managers Association.

#### **1049.6 POLICY COMPLIANCE**

Annuitants shall be required to adhere to all departmental policies and procedures. All policies and procedures will be made available to each Annuitant, and they shall remain thoroughly familiar with them.

Whenever a rule, regulation, or guideline in this manual refers to a sworn regular fulltime officer, it shall also apply to an annuitant officer unless by its nature it is inapplicable.

#### **1049.7 STANDARDS AND TRAINING FOR ANNUITANTS**

Annuitants will be subject to the same employment standards and ongoing training as sworn department members. These include standards and training set forth by statute, department policy, and the California Commission on Peace Officer Standards and Training (POST).

##### FIELD TRAINING:

Annuitant officers must adhere to the policies and requirements of the Field Training Officer Program Policy. Retired Annuitant Officers who have not completed a Field Training Program per CA POST Standards shall be required to successfully complete the Field Training Program, consisting of a minimum of twelve (12) weeks. The training period for a lateral officer may be modified depending on the trainee's demonstrated performance and level of experience, but shall consist of a minimum of ten (10) weeks, unless determined otherwise by the Deputy Chief of Police overseeing the Field Training Program.

Annuitant officers who have successfully completed a CA POST approved Field Training program will be provided an abbreviated training program commensurate with their duties and responsibilities as a Retired Annuitant Officer

#### **1049.8 ANNUITANT COORDINATOR**

The Chief of Police shall delegate the responsibility for administering the Annuitant Program to an Annuitant Coordinator.

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The Annuitant Coordinator shall have the responsibility of, but not limited to:

- (a) Assignment of Annuitants
- (b) Conducting Annuitant meetings
- (c) Establishing and maintaining an Annuitant call-out roster
- (d) Monitoring individual Annuitant performance
- (e) Monitoring the overall Annuitant Program
- (f) Liaising with other department units and other agency Coordinators

#### **1049.9 SUPERVISION OF ANNUITANT OFFICERS**

The primary supervision of Annuitant Police Officers will be the Annuitant Coordinator. The coordinator is responsible for:

- a) Completing Annuitant timecards and monitoring their hours throughout the calendar and fiscal year, to ensure the program does not exceed the current operating budget.
- b) Scheduling Annuitant assignments
- c) Working with the Personnel and Training Unit to ensure compliance with training mandates of POST, BART, and policy.
- d) Performance Reviews / evaluations

The day to day supervision of annuitants will be the responsibility of the patrol sergeants, and zone commanders.

#### **1049.10 ANNUITANT ASSIGNMENTS**

The Annuitant Coordinator, or their designee, will assign all Annuitants to duties. Typically, Annuitants will be assigned based upon their availability and suitability to the particular assignment. The Annuitant coordinator will endeavor to assign each Annuitant to an equitable number of hours throughout the fiscal year; however, the Department recognizes that this may not always be feasible due to availability, being out of compliance with training, etc.

In addition, the Annuitant coordinator will endeavor to assign Annuitants in a manner that is consistent with expectations set forth by the Chief of Police, and in accordance with his/her meeting and conferring with the BART Police Officers' Association and the BART Police Managers' Association.

#### **1049.11 IDENTIFICATION OF ANNUITANTS**

Annuitants will be issued a uniform badge and a Department identification card. The uniform badge shall be the same as that worn by a regular sworn officer. The identification card will be the standard identification card with the exception that "ANNUITANT" will be indicated on the card.

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#### **1049.12 UNIFORMS AND EQUIPMENT**

Annuitants will be subject to the same uniform regulation and appearance standards of the BART Police Department. Annuitant Officers will be provided two complete sets of uniforms, a cold weather jacket and the appropriate police related equipment at the expense of the Department.

#### **1049.13 RETENTION OF ANNUITANTS**

All Annuitants are employed for up to one year on a temporary basis, concurrent with the fiscal year which currently runs July 1st through June 30th.

Each year, on or about the first of March, the Annuitant Coordinator will review the needs of the program as well as the performance of each Annuitant, and evaluate whether they will be re-hired for an additional year. This evaluation will be based upon factors to include, but are not limited to:

- Overall individual performance;
- Skills and abilities of the Annuitant;
- Needs of the Department;
- Availability of Annuitant to work scheduled hours;
- Current per diem budget; and
- Any other relevant factors.

The Annuitant Coordinator will then submit a memorandum with their recommendations to the Chief of Police no later than March 30.

#### **1049.14 EMERGENCY CALL OUT FOR ANNUITANT PERSONNEL**

The Annuitant coordinator shall develop a plan outlining an emergency call-out procedure for retired annuitants.