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2 IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
3 THIRD JUDICIAL DISTRICT AT ANCHORAGE

4 ANCHORAGE POLICE DEPARTMENT)
5 EMPLOYEES ASSOCIATION,)

6 Plaintiffs,)

7 v.)

8 MUNICIPALITY OF ANCHORAGE,)

9 Defendant.)

Case No. 3AN-94-7144 Civil

AFFIDAVIT OF
LAREN J. ZAGER

10 STATE OF ALASKA)
11) ss
12 THIRD JUDICIAL DISTRICT)

13 Laren J. Zager, being first duly sworn, deposes and
14 states as follows:

15 1. I am currently the Commander of Staff Services at
16 the Anchorage Police Department ("APD"), and have been in this
17 position for over two years. As Commander of Staff Services, I
18 am the officer responsible for personnel and labor relations
19 activity for APD. I have been with the Anchorage Police
20 Department for ten years. Before that, I served two years as a
21 patrol officer with the Baltimore Police Department. With APD, I
22 have been a patrol officer for two years, an administrative
23 assistant to the Chief of Police for approximately three years, a
24 patrol sergeant for approximately two years, and a patrol
25 lieutenant for one year, before assuming my current duties.
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2. As Commander of Staff Services, I was tasked with evaluating the current staffing and scheduling of patrol. Based on my review, APD concluded that it should change from a four/tens schedule to a five-eights schedule for its Uniformed Field Service officers. In years past, APD could afford to use a four/tens schedule because there were more personnel available to be assigned to each shift. With increased demands on APD and limited personnel available to meet those demands, this is no longer the case. Changing to a five/eights schedule directly and functionally increases per-day staffing by 25% and reduces potential overtime expenses and other premium pay costs by an estimated \$600,000 per year. The overall cost savings, taking into account added costs, such as meal allowance, home car expense, dry cleaning expenses and end-of-shift overtime, will be approximately \$400,000 plus.

3. The basis for the increased staffing and reduction in overtime conclusion lies in a better utilization of APD's existing personnel and having those personnel available for five (5) work days per week rather than only four (4). Under the four/tens schedule, there are three shifts: 11:00 p.m. to 9:00 a.m., 7:00 a.m. to 5:00 p.m., and 3:00 p.m. to 1:00 a.m.. Each shift overlaps the other by two hours, for a total of six hours of overlap per day. Thus, MOA pays for thirty (30) hours of work for each twenty-four (24) hour day.

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4. Some overlap is necessary and desirable as one shift goes out on duty and another shift comes off duty. APD's experience, however, is that the current system does not result in full productivity of all personnel. This is primarily because two (2) hours for each shift is not needed for shift turnover and APD has two shifts on duty at times (7:00 a.m. to 9:00 a.m. and 3:00 p.m. to 5:00 p.m.) when there is relatively low demand for our services.

5. Under the five/eights schedule, there will be four shifts: 11:00 p.m. to 7:00 a.m., 6:00 a.m. to 2:00 p.m., 1:00 p.m. to 9:00 p.m., and 6:00 p.m. to 2:00 a.m. The 6:00 p.m. to 2:00 a.m. shift has been created by taking personnel from the previously established three shifts.

6. The advantages of the five/eights schedule allow APD to reduce overlap from a total of six hours for all three shifts to a total of two hours per day, which is sufficient time for shifts to come in and get out to their assigned areas. The overlap is between 6:00 a.m. and 7:00 a.m. and 1:00 p.m. to 2:00 p.m. In addition, the fourth shift works when law enforcement demand is highest on APD -- the evening and early morning hours. This results in allowing APD to put more personnel on duty when they are needed.

7. Another way of explaining the advantage of the five/eights schedule over the current four/tens schedule is to examine the number of personnel available each day for work under each shift. APD does not expect that all personnel assigned to

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work a given shift will report for duty. On any given day and shift, personnel will be absent due to illness, training, annual leave, and days off. Assuming that the same number of personnel are available each day and assuming absences for any of the various reasons other than days off as listed above are the same, the following equation reveals the increased staffing per shift of the five/eights schedule.

If there are 40 officers on a shift on a four/tens schedule, approximately 23 officers are available any given day for work (i.e., 40 officers per shift times four (4) work days per week, divided by seven (7) days per week equals 22.857, rounded to 23 officers). Conversely, if there are only 35 officers on a shift on a five/eights schedule, 25 of these officers are available on any given work day (i.e., 35 officers per shift times five (5) work days per week, divided by seven (7) days per week equals 25).

8. As the foregoing explanations demonstrate, moving to a five/eights schedule makes more officers available per work day than does a four/tens schedule. It also explains why APD simply cannot create a fourth shift on the current four/tens schedule. The four/tens schedule with three (3) shifts results in so few officers available per work day per shift that there is currently insufficient personnel available to cover all duties. Thus, APD cannot under the four/tens schedule further reduce shift personnel manpower.

9. APD's decision to move to a five/eights schedule permits APD to increase officer availability per shift each day seven (7) days a week using the same number of officers. This

allows for better allocation of officers when and where they are needed, better response times, and reduced overtime.

10. On July 18, 1994, I contacted Rob Huen, President of Anchorage Police Department Employees Association ("APDEA"), to notify him that there were serious discussions within the Department's Administration regarding changing patrol from a four/tens to a five/eights schedule. I explained that while no final decision had been made, implementation of the change was likely to occur as early as the September 1 changeover, if the concept was approved.

11. On July 28, 1994, MOA announced during a press conference the change UFS patrol's schedule from four/tens to five/eights. see attached article from the Anchorage Daily News.

12. Departmental notice regarding the days off and shift preference for the September cycle period was given to employees on July 29, 1994. On August 1, 1994, the new five/eights schedule was posted. Employees were given until August 10, 1994, to submit letters of interest regarding which eight-hour shift they wished to work, and which two-day period they wished to have off. On August 15, 1994, employees were notified of their assigned eight-hour shift and days off assignment to be effective September 1, 1994. This allowed each employee more than two (2) weeks to make his/her personal plans.

13. There are one hundred and seventy (170) APD employees affected by the scheduling change to five/eights.

14. Delay in the implementation of the five/eights schedule will cause significant hardship on APD. First, an estimated cost savings of \$2,000.00 a day in overtime and other premiums will be lost. Second, administratively APD would be required to rebid and reassign shifts, which in practice requires a minimum of two weeks, plus time to allow employees to make their personal plans. If the shift change is stopped, APD will have twenty-four (24) hours, or less, to change back to a four/tens schedule. Third, morale within APD would be severely affected and confusion would reign. Officers have had one month to prepare personally for the schedule change. Delayed implementation would cause officers to have to again adjust their personal lives with effectively no notice. Fourth, public safety would be negatively affected. A five/eights schedule will put more officers on the streets. More officers on the street, particularly during the fall, a seasonally high crime period, will keep MOA and its citizens safer.

15. As a practical matter, many UFS officers frequently work a five-day work week even under the four/tens schedule. As noted above, due to illness, training, etc., officers are routinely required to work overtime, including working a shift on the fifth day of the work week.

16. Based upon my own experience and my review of past administrative actions taken by APD, I am aware of instances in which a particular position has been changed from a four/tens to a five/eights schedule. For example, when I became an

1 administrative assistant to the Chief of Police, I was on a
2 four/tens schedule. Subsequently, it was determined that the work
3 schedule should change to five/eights. I am unaware of the APDEA
4 grieving any such changes in the past.

5 DATED at Anchorage, Alaska this 30th day of August,
6 1994.

7 
8 Laren J. Zager

9 SUBSCRIBED AND SWORN to before me this 30 day of
10 August, 1994.

11 
12 Notary Public for Alaska
13 My Commission expires:

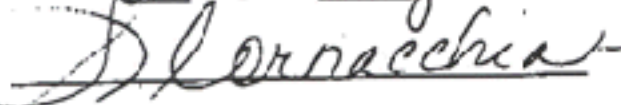
14 My Commission Expires:
15 August 7, 1998

16 CERTIFICATE OF SERVICE

17 I hereby certify that I caused
18 a true and correct copy of the
19 foregoing document to be served
20 by mail upon:

21 Will Aitchison
22 P.O. Box 83068
23 Portland, Oregon 97283-0068

24 on the 30th day of Aug., 1994.

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