

BASIC UNION INFORMATION

DE-DEPUTIZATION

If you are being de-deputized, the Union will not be given advance notice, so you must contact your Union representative when it occurs. It is not unlawful to be de-deputized without a Union representative present.

The contract permits you to file a grievance to dispute your de-deputization. The process is entirely separate from disputing any charge regarding misconduct.

Section 11.8 of the contract allows the Union to challenge the propriety of the de-deputization, but the challenge is limited. The Union must show that it is UNJUSTIFIED for the Sheriff to de-deputize you while the process of investigating charges of misconduct (or prosecuting such charges) is ongoing. If the challenge is successful, the Sheriff will be required to re-deputize you unless or until criminal charges are ultimately filed.

The contract permits the Union to arrange for an expedited hearing before a neutral arbitrator. These hearings must conclude within 30 days of the de-deputization. So it is ESSENTIAL that if you wish to protest your de-deputization, the Union be notified immediately. Arbitrators are not immediately accessible or available for this process. It takes time to schedule such hearings so you must act quickly if you want to grieve your de-deputization. If you wait, you may effectively waive your right to challenge.

The focus of the hearing is whether there is justification to suspend your police powers and authority. The issue is NOT whether re-location of your work assignment is causing a longer or more complicated and expensive commute or whether changing your work hours is causing issues with child care arrangements. While these hardships and out-of-pocket costs are frustrating, the only issue the contract empowers the Arbitrator to resolve regarding de-deputization is whether you should be stripped of your police powers.