

**Memorandum of Understanding  
To the Agreement by and between  
City of Kirkland and  
Public Safety Employees Union #519  
Kirkland Police Lieutenants Union**

**Exercising on Duty**

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This Memorandum of Understanding (MOU) is entered into to document the mutual agreement between the City of Kirkland, Washington, hereinafter referred to as the "Employer," and the Public Safety Employees Union #519, hereinafter referred to as the "Union." This MOU supplements and modifies the parties' 2023 – 2025 Collective Bargaining Agreement (CBA).

One goal of the Employer is to encourage good physical fitness and mental well-being. In furtherance of this goal, the Employer will continue a pilot program for exercising on duty, commencing when the 2023-2025 CBA becomes effective and lasting for the duration of the contract. This pilot is not intended to be the employee's primary means of physical fitness.

During the pilot program, employees may be allowed up to three (3) hours per work week to exercise on duty at the Kirkland Justice Center or Kirkland City Hall workout facility. Employees may completely change into workout clothes but should be able to respond to an emergency call within minutes if they are exercising on duty. This means they have their work clothes and equipment readily available and do not need to shower before returning to work. The changing out of uniform, working out and changing back into uniform must not take longer than one (1) hour. In order to allow for immediate response, employees are required to carry their radio and their phone while working out on duty. Working out on duty shall not be authorized for the last hour of any employee's shift. If an employee chooses to work out to begin their shift, they must first ensure that nothing pressing needs to be addressed and must notify their supervisor. In no event will employees be allowed to take more than one (1) hour for exercise time on any workday.

Prior to working out on duty, employees shall consider the level of staffing, workload, ability to respond to a call if needed, and any other condition that might affect the delivery of police services. A log must be kept of all employees that work out on-duty. Any employee who works out on duty during the pilot must participate in the physical fitness incentive test(s). Failure to participate in either of the scheduled PFAT opportunities will lead to suspension of one's ability to participate in working out on duty until the employee participates in an upcoming PFAT opportunity. Employees may not grieve the denial or suspension of working out on duty privilege by a supervisor.

The parties agree that nothing contained in this MOU creates a past practice and that the MOU is not precedent setting in any way. At the conclusion of the pilot program, the parties will meet to discuss what was learned.

This MOU may be executed in counterparts and, when signed by all parties, shall be binding upon the parties. Transmission of this MOU by facsimile machine or email showing the original signature of a party shall be considered an original signature and shall be binding upon the signatory party.

This MOU is effective immediately upon the later of signature by all representatives or the effective date of the parties' 2023-2025 CBA, and the parties acknowledge and agree to the terms and conditions set forth in this MOU as evidenced by the signature of the applicable parties below.


**City of Kirkland**

**Public Safety Employees Union #519  
Kirkland Police Lieutenants Union**

By:  8/24/23  
Kurt Triplett Date  
City Manager

By:  Aug 23, 2023  
Dustin Frederick (Aug 23, 2023 15:39 PDT) Dustin Frederick Date

**Approved as Negotiated:**

  
Truc Dever (Aug 23, 2023 15:31 PDT)  
Human Resources Director

**Approved as to Form:**

  
Darcey Eilers (Aug 23, 2023 15:21 PDT)  
City Attorney












# PSEU Exercising On-duty MOU 8.23.23 Final

Final Audit Report

2023-08-23

Created:	2023-08-23
By:	Kris Carlson (kcarlson@kirklandwa.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAA2KfccCUhjk4Yj6BITkLPHFb_YkRPchC

## "PSEU Exercising On-duty MOU 8.23.23 Final" History

-  Document created by Kris Carlson (kcarlson@kirklandwa.gov)  
2023-08-23 - 10:19:34 PM GMT- IP address: 76.191.73.2
-  Document emailed to Darcey Eilers (deilers@kirklandwa.gov) for approval  
2023-08-23 - 10:20:43 PM GMT
-  Email viewed by Darcey Eilers (deilers@kirklandwa.gov)  
2023-08-23 - 10:21:07 PM GMT- IP address: 76.191.73.2
-  Document approved by Darcey Eilers (deilers@kirklandwa.gov)  
Approval Date: 2023-08-23 - 10:21:57 PM GMT - Time Source: server- IP address: 76.191.73.2
-  Document emailed to Truc Dever (tdever@kirklandwa.gov) for signature  
2023-08-23 - 10:21:59 PM GMT
-  Email viewed by Truc Dever (tdever@kirklandwa.gov)  
2023-08-23 - 10:31:08 PM GMT- IP address: 66.235.16.238
-  Document e-signed by Truc Dever (tdever@kirklandwa.gov)  
Signature Date: 2023-08-23 - 10:31:17 PM GMT - Time Source: server- IP address: 66.235.16.238
-  Document emailed to Dustin Frederick (dustin@local519.org) for signature  
2023-08-23 - 10:31:18 PM GMT
-  Email viewed by Dustin Frederick (dustin@local519.org)  
2023-08-23 - 10:38:43 PM GMT- IP address: 73.181.251.103
-  Document e-signed by Dustin Frederick (dustin@local519.org)  
Signature Date: 2023-08-23 - 10:39:12 PM GMT - Time Source: server- IP address: 73.181.251.103
-  Agreement completed.  
2023-08-23 - 10:39:12 PM GMT