

MCOPA Talking Points

Detail Officers vs. Flagmen

The MCOPA recognizes the public interest in this issue and in particular, the possible cost savings to the tax payer.

Police Chiefs do not normally work pay details and our concern is to ensure public safety in each of our communities throughout the Commonwealth.

We have worked closely with the DOT and labor representatives to understand the proposed regulations and to find consensus whenever possible. We are disappointed that the DOT has chosen a path of “rush to judgment” when they admit that they have not fully explored the many legitimate questions that have been presented.

1. While the state has publically stated that they hope to save millions of dollars by using flagmen, they are unable to provide any savings estimate based on the states prevailing wage of \$37.50 an hour. The “prevailing wage” is higher than many police departments. Clearly, this is not the actual rate that will be paid to flagmen and will only result in additional profit to the contractors.
2. The proposed regulations state that the “Final Authority” in a Construction Zone is the “Authorized Representative”. This is an unacceptable situation to our members. In essence, they are saying that police supervisors do not have authority over their own employees and that even in emergency situations, police supervisors, including Chiefs, do not have authority to direct civilians that are directing traffic to alter their methods during emergencies.

3. The Regulations state that the “Awarding Authority” will provide the local law enforcement agency with contact numbers on a daily basis. It is impractical to have a person that is not even on the job site, responsible for public safety and to further expect police supervisors to attempt to locate the responsible party during an emergency to instruct their employees to follow the directions of police supervisors.
4. If a contractor shuts down a street with flaggers, that traffic is then diverted to the local streets where the responsibility then falls onto the local community. According to the regulations, the community must then bear the cost of and additional officers.
5. Every community is facing a fiscal crisis in their community. It is common practice that police departments that have officers assigned to pay details will not fill all vacancies on their day shifts knowing that they have additional officers available in the event of an emergency. This represents a substantial savings to the community without jeopardizing public safety.
6. A common misconception of the public is that if the officers were to be replaced with flaggers, these officers would then be available to patrol their communities. This is not true, the officers would be sent home as they are paid by the contractor, not the Municipality.
7. This will have a negative impact on police recruitment and retainment of Police officers. Many communities intentionally negotiate lower hourly wages for officers and then increase the detail rate to offset a towns pay. It is not practical to think that a community will now go back and raise an officer’s weekly rate.