

Springs settles class-action police lawsuit for \$5.25 million

Officers weren't getting paid for overtime work

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Colorado Springs agreed Thursday to pay \$5.25 million to settle a federal class-action lawsuit filed by city police officers who claimed they were working extra hours for years without getting paid.

"We feel the lawsuit has achieved its objective of correcting policy and making fair payment for off-the-clock work these officers performed," said Scott Johnson, the attorney representing five officers who filed the lawsuit in April.

Though officers Alexander Trujillo, David Henrichsen, Gilbert Lucero, Alan Roman and Colby Doolittle were the only plaintiffs, the lawsuit covers about 500 to 700 officers who worked between 2001 and 2007.

The lawsuit sought \$35 million in compensation, but the officers wanted policy changes more than money, Johnson said. He added that such a payout would've been "devastating to the city," and that nobody wanted that.

The biggest change, according to Johnson, is that sergeants will no longer be classified as salaried employees.

"Colorado Springs was the last major department in the state to classify sergeants as exempt," Johnson said.

Deputy Chief Ron Gibson agreed that the department's research showed many departments across the nation don't classify sergeants as exempt employees.

"The bottom line is that the department is committed to paying employees appropriately," Gibson said. "These people are doing work for the organization and have a right to be paid for that work."

The settlement outlines 12 policy changes for the department, including paying officers for time needed to don police uniforms or gear, allowing them to return to the station 20 minutes before their shift ends to "complete work tasks" and pays them to clean their leather boots, tactical gear and guns.

Federal law requires compensation for time spent "donning and doffing" protective gear, the lawsuit states.

Before the lawsuit was filed, officers were required to show up an half hour before their shift started to dress in their uniform and gear, such as bulletproof vests, and clean their equipment, Johnson said.

"It doesn't take much time, but it accumulates as work for the city," Gibson said.

The policy changes won't amount to less time spent on the streets, Gibson said, and it's too early to estimate how much extra in overtime it could cost the city.

"We might have to make adjustments and some paperwork might have to hold to ensure we're obeying" the Fair Labor Standards Act, Gibson said.

After attorney's fees and costs associated with the lawsuit, an estimated 500 to 700 officers will be paid in three installments over the next three years.

Johnson said police Chief Richard Myers and new City Manager Penelope Culbreth-Graft mediated well and that Myers made the policy changes a priority.

"They settled because it's fair," Johnson said. "It's the right thing to do for the city and its officers."