

ASSOCIATION OF BUILDING, MECHANICAL AND ELECTRICAL INSPECTORS

November 3, 2011

Via E-Mail

Gina Donnelly
Office of Employee Relations
City of San Jose
200 East Santa Clara St.
San Jose, Ca. 95113

Re: Draft Proposed Ballot Measure

Dear Gina,

This letter serves to confirm that ABMEI is in receipt of your letter dated October 31, 2011 regarding the draft proposed ballot measure. However, ABMEI disagrees with your assessment of the actions of our negotiating team and subsequent conclusion that ABMEI “waives its right to meet and confer over the proposed ballot measure.” ABMEI does not waive our right to meet and confer over the draft proposed ballot measure, nor do we waive our right to mediation.

Our negotiating team has remained in constant contact with your office regarding the draft proposed ballot measure as well as meeting with you and your staff on multiple occasions along with other Coalition members in an effort to bargain in good faith. In addition, it is the Coalition’s understanding that the City of San Jose agreed to table discussion on the draft proposed ballot measure.

Your letter dated August 9, 2011, a written response to ABMEI information request letter dated July 29, 2011, implied that the City of San Jose has no intention of negotiating concurrently regarding the Retirement issues and the draft proposed ballot measure.

As you know, we have also met several times with you and your staff to discuss the Retirement issues and, along with other Coalition members, have presented your office with a proposal that, along with a proposal for new hires, would save the City of San Jose a substantial amount.

ABMEI reiterates its desire to meet and confer and believes that your letter dated October 31, 2011 is a premature attempt to declare impasse and enter mediation. The negotiating team is confident that significant progress can still be made on the draft proposed ballot measure as well as the unresolved retirement issues and remains available to meet with you and your staff in order to avoid taxpayers a costly special election.

Sincerely,

Tom Brim - President
ABMEI

