

SENT VIA EMAIL

September 23, 2011

Dan Rodriguez
Business Agent
International Brotherhood of Electrical Workers, Local No. 332 (IBEW)
2125 Canoas Garden Avenue, Suite 100
San Jose, CA 95124

RE: Proposed Ballot Measure

Dear Dan:

On June 3, 2011, and on five occasions since then (June 8, 2011, June 22, 2011, July 6, 2011, July 19, 2011, and September 9, 2011), the City has advised IBEW of its intention to place a retirement-related measure on the ballot, and has sought IBEW input. To date, IBEW has declined to meet and confer on this ballot measure.

The retirement reforms contemplated by the Council are designed to address a critical financial problem which, if not addressed in time for the coming fiscal year, will result in devastating cuts to public services and loss of jobs. For that reason, the Council has determined that the retirement measure will be considered by the voters at a special election in early March 2012. Based on state and local election laws, the measure must be finalized and submitted approximately 90 days before the election. This will require that meet and confer be completed by the end of October and any impasse procedures requested be completed in November. This is an immutable deadline given the urgency of the measure and the planned special election timelines.

The City has a duty to provide notice of an intention to place a matter on the ballot that falls within the scope of bargaining, and provide the opportunity for you to meet and confer. Whether you chose to avail yourselves of that opportunity is entirely your choice, however, by failing to meet and confer on the measure, you are waiving your opportunity to do so.

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If you have any questions or concerns regarding this information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Gina Donnelly". The signature is fluid and cursive, with a long, sweeping tail that extends to the right.

Gina Donnelly
Deputy Director of Employee Relations

c: Alex Gurza, Deputy City Manager
Frank Crusco, IBEW