

SENT VIA EMAIL

September 30, 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: Revised Draft Proposed Ballot Measure

Dear Dan:

We are in receipt of your letter dated September 27, 2011, in response to the letter we sent you on September 23, 2011. We appreciate the response and wanted to inform you that the City is in disagreement with some of the statements in your letter.

Of specific concern is the following statement:

“On July 25th I responded to the July 19th letter with a PDF attachment stating that I would be happy to discuss the Ballot Proposal Measure but I thought we were going to discuss the retirement issues separately. I stated that after we resolve those major issues we could discuss the Ballot Proposal in its entirety.”

We want to clarify, that your letter of July 25th, states the following:

“...Once we resolve some of the meet, confer and retirement issues and clarify the legality of making arbitrary changes, we would be happy to discuss a ballot proposal measure with you. For now I think we should stick with discussing the retirement issues.”

Although your prior letter indicates an interest in postponing the discussions on the proposed ballot measure, we are glad to hear that IBEW is interested in meeting with us

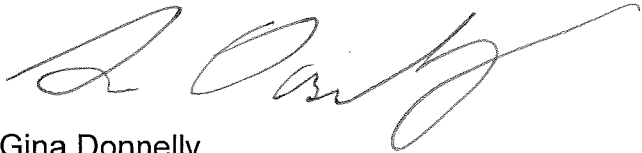
regarding the draft proposed ballot measure. As such, we propose to meet with you on Wednesday, October 5, 2011, from 11:00 a.m. to 12:00 p.m. at the Office of Employee Relations. The City would appreciate receiving confirmation or some alternative dates as soon as possible.

Additionally, the City requests that you provide your availability through October 31, 2011. Given the short time we have left, the City proposes to meet at least two times per week for the month of October and we thank you in advance for your cooperation and flexibility.

In your letter you also request a copy of the proposed changes to the proposed ballot measure. As you know, we provided you a copy of the revised draft proposed ballot measure on September 12, 2011.

We look forward to meeting with you on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Gina Donnelly", written in a cursive style.

Gina Donnelly
Deputy Director of Employee Relations

c: Frank Crusco, IBEW

Enclosure

International
Electrical



Brotherhood
Workers

AFL-CIO

Local Union No. 332

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July 25, 2011



Deputy Director of Employee Relations
Gina Donnelly
Officer of the City Manager
200 East Santa Clara Street
San Jose, CA 95113-1905

Dear Gina,

We received your letter dated July 19, 2011 regarding the draft proposed ballot measure. I am somewhat confused about responding to a memo as if it were some kind of a proposal. I was under the impression we would be discussing the retirement issues with you in a different venue. Once we resolve some of the meet, confer and retirement issues and clarify the legality of making arbitrary changes, we would be happy to discuss a ballot proposal measure with you. For now I think we should stick with discussing the retirement issues.

Thank you,

Dan Rodriguez
Business Representative
IBEW Local 332

DR:jamc/opeiu#29/afl-cio