

SENT VIA EMAIL

May 1, 2012

Nancy Ostrowski
Senior Business Representative
IFPTE, Local 21
4 N. Second Street, Suite 430
San Jose, CA 95113


John Mukhar
President
AEA, IFPTE Local 21
c/o ESD
700 Los Esteros Road
San Jose, CA 95134

RE: Last, Best, and Final Offer

Dear Nancy and John:

We are in receipt of your email, which is enclosed, advising the City of your intentions to request fact finding. The legislative changes regarding this additional step in the impasse procedures did not become effective until January 1, 2012, well after the parties reached impasse, pursuant to the executed framework, on October 31, 2011, and the conclusion of the initial mediation on November 17, 2011. In addition, regulations adopted by the Public Employment Relations Board (PERB) which, if applicable to negotiations/mediations concluded prior to 2012 – which they are not – require that requests for fact finding be filed not more than 45 days following the appointment of a mediator. Here, the request for fact finding appears to be approximately six (6) months after the State's appointment of a mediator.

Sincerely,



Gina Donnelly
Deputy Director of Employee Relations

c: Alex Gurza, Deputy City Manager

Enclosure

Donnelly, Gina

From: Nancy Ostrowski [nostrowski@ifpte21.org]
Sent: Monday, April 30, 2012 5:44 PM
To: Donnelly, Gina; Gurza, Alex
Cc: Mukhar, John; Butcher, Dianna; 'cplatten@wmpirlaw.com'; Michelle Hatfield
Subject: FW: Last, Best and Final Offer AEA
Importance: High
Attachments: AEA LBF Dated 04.16.12.pdf

Please be advised that AEA/IFPTE Local 21 requests submission of the City declared impasse on this issue to a fact finding panel pursuant to Government Code, Section 3505.4.

Nancy Jane Ostrowski
Senior Representative
IFPTE Local 21 - South Bay Office
408.291.2200
Fax 408.291.2203

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From: Rodriguez, Aracely [mailto:Aracely.Rodriguez@sanjoseca.gov]
Sent: Monday, April 16, 2012 5:56 PM
To: Nancy Ostrowski; Mukhar, John
Cc: Schembri, Jennifer; Donnelly, Gina; Gurza, Alex; Rodriguez, Aracely
Subject: Last, Best and Final Offer

Hi Nancy and John –

Please see attached.

Thanks,
Aracely

Aracely Rodriguez
Senior Executive Analyst
City of San José
City Manager's Office of Employee Relations
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San José, CA 95113-1905
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