

SENT VIA EMAIL

September 10, 2012

Jim Unland, President
San Jose Police Officers' Association
1151 North Fourth Street
San Jose, CA 95112

RE: Sick Leave Payout

Dear Jim:

As you recall, the City and the San Jose Police Officers' Association (POA) reached an agreement for a successor Memorandum of Agreement in June 2011 that included a side letter to negotiate over the sick leave payout benefit. Since September 2011, the City and the POA have engaged in discussions about sick leave payout, including exchanging correspondence on this issue as well as offering respective proposals related to sick leave payout. Unfortunately, despite the City and POA's best efforts, we have not been able to come to an agreement to address sick leave payout.

In an effort to come to an agreement on this matter, please find enclosed a proposal on sick leave payout similar to what the City agreed to with other bargaining units. In brief, the attached City proposal eliminates sick leave payout for those employees hired on or after September 30, 2012, while maintaining the benefit for employees hired on or before September 29, 2012, subject to negotiations on a successor agreement in 2013. We hope that the enclosed proposal is acceptable to the POA.

Please let us know on or before September 24, 2012, whether the POA will accept the enclosed proposal on sick leave payout.

Sincerely,



Alex Gurza
Deputy City Manager

c: Gregg McLean Adam, Carroll, Burdick & McDonough LLP
Jennifer Schembri, Assistant to the City Manager

Enclosure

CITY PROPOSAL – SICK LEAVE PAYOUT

Any employee hired on or after September 30, 2012, shall not be eligible for any Sick Leave Payout.

Sick Leave Payout for employees hired on or prior to September 29, 2012, shall remain status quo as provided for in the Memorandum of Agreement with the San Jose Police Officers' Association (POA). Sick Leave Payout for employees hired on or prior to September 29, 2012, shall be subject to negotiations on a successor agreement in 2013.