

February 9, 2009

Michelle Irwin
President Benicia Dispatchers' Association

**RE: SIDE LETTER #2 TO MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF BENICIA AND THE BENICIA DISPATCHERS'
ASSOCIATION FOR THE PERIOD 7/1/06 – 6/30/10**

Dear Michelle:

Consistent with our discussions, this letter is to confirm and memorialize the agreements between the City and the Benicia Dispatchers' Association (BDA) regarding vacation accrual upon hire, sick leave eligibility and accrual, uniform allowance, and eligibility for solo graveyard shift differential.

Specific provisions of the current Memorandum of Understanding between the City and the BDA will be amended as outlined below:

12.7 Vacation Accrual Upon Hire

In order to recruit qualified lateral dispatch candidates, the Police Chief may approve a new lateral dispatcher to begin accruing at a higher vacation level commensurate with their years of comparable public safety dispatching experience. These years of experience will carry forward, and will be considered for eligibility for advancement in vacation accrual levels in Benicia. This section applies to employees hired after January 1, 2008 and will not be applied retroactively.

The enhanced accrual level will be negotiated between the Police Chief and employee, based upon the total number of years experience the employee has working as a Public Safety Dispatcher. The accrual rate at hire shall be at the one to three year level; at the point the employee successfully completes probation, the accrual rate shall be adjusted to reflect the enhanced accrual level, up to the twenty year level, retroactive to the date of hire. In accordance with Benicia Police Department's Core Values, unless extenuating circumstances arise, vacation leave

use is strongly discouraged until the employee has successfully completed the training program.

Public Safety Dispatching experience shall only be recognized for the purposes of establishing a vacation accrual, and will not be used to calculate any other benefits (such as seniority.)

13.4 Sick Leave – Eligibility and Accrual

The Police Chief may allow Public Safety Dispatchers hired after January 1, 2008 who meet the eligibility threshold for higher vacation accrual as set forth in Section 12.7 to use sick leave in advance of accrual during the first year of employment, up to the maximum first year accrual level of ninety-six (96) hours. Should the employee be terminated or leave the City prior to the completion of one year of employment, any sick leave used beyond that which would have been accrued based on months of service will taken out of accrued vacation, compensatory time off, or final wages. The accrual rate for sick leave remains at eight (8) hours per month.

The language of Section 19 will be amended as follows:

Section 19 Uniform Allowance

The City agrees to provide a monthly uniform allowance to the employees to cover the cost of purchasing, maintaining and cleaning their uniforms. Effective 7/1/05, said allowance is to be as follows: Public Safety Dispatchers, Public Safety Dispatch Supervisors, CSO's, and Animal Control Officers will receive \$70.00 per month. Effective July 1, 2007, uniform allowance will increase to \$75.00 per month. Effective July 1, 2008, uniform allowance will also be provided to Records Clerks. Such uniform allowance will not be reduced as a result of job-share or reduced schedule arrangements under City Policy #14. Uniform allowance will be paid annually in November and will be included in the same paycheck that contains Sick Leave Incentive pay where applicable. Employees who leave City employment any time prior to November shall have \$75 deducted from their final City paycheck for each month prior to November in which he/she was not a City employee. While uniform allowance is advanced and paid to all BDA members listed above on an annual basis, it is reported to PERS on a monthly basis, as it is earned.

Section 21.1 of the MOU will be amended to incorporate the following new language:

Section 21.1 Solo Graveyard Shift

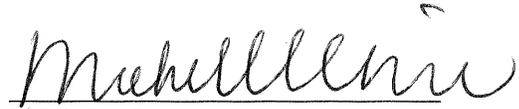
Employees must work a minimum of four (4) hours of their assigned shift on graveyard to be eligible to receive Solo Graveyard Shift pay.

All other terms and conditions set forth in the MOU remain unchanged.

By signature below, the parties confirm agreement on the preceding provisions.

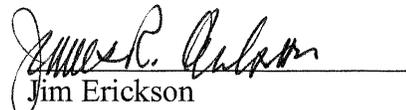
Dated: 2/11/09

BENICIA DISPATCH ASSOCIATION



Michelle Irwin
President

CITY OF BENICIA



Jim Erickson
City Manager

Approved as to form:



CITY ATTORNEY