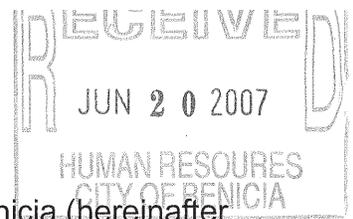


SIDE LETTER OF AGREEMENT



This Side Letter of Agreement is entered into by and between the City of Benicia (hereinafter "City" and the Benicia Firefighters Association, IAFF Local 1186, (hereinafter "BFA").

RECITALS

1. Whereas, the Memorandum of Understanding (MOU) between the parties for the period of July 1, 2005 through June 30, 2010 provided for a twelve month "pilot program" during which a 48/96 work schedule was used and evaluated, and
2. Whereas, the MOU required the parties to meet beginning in April 2007 for the purpose of determining if the 48/96 schedule should be continued, and
3. Whereas, the parties met on April 2, 2007 and May 23, 2007 for the purpose of discussing continuation of the 48/96 schedule and identified no significant concerns or problems associated with the 48/96 schedule, and
4. Whereas, the membership of BFA has overwhelmingly voted to continue the 48/96 schedule,

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. The 48/96 work schedule shall continue as the schedule for fire suppression employees in the City of Benicia.
2. The provisions of the 48/96 Implementation Summary Sheet executed by the parties on or about June 30, 2006 are attached, shall continue in effect and are incorporated herein by reference.
3. This Side Letter of Agreement shall be treated as an amendment to the MOU.

Dated: 21 JUNE 2007

For the City:

Ken Hanley
Ken Hanley, Fire Chief

For the BFA:

Todd Matthews
Todd Matthews, BFA President

Diane O'Connell
Diane O'Connell, HR Manager

Stephen Booth
Stephen Booth, IAFF 1186 Consultant

48-96 Implementation Summary Sheet

The BFA and the City of Benicia Fire Administration per MOU 2005-2009 have agreed to a trial period of 1 year for a new work schedule consisting of 48 hours on and 96 hours off. This summary sheet is for both parties to have an understanding and common knowledge of terminology and expectations. It is understood that this summary sheet will not be able to address all concerns and that as we work through this process adjustments may occur.

However, it is further understood that all parties will work together in a positive, cooperative and professional manner in resolving issues that are identified throughout the trial period. Concerns, problems, questions, etc. regarding the new shift should be directed to or through the Fire Chief or the BFA President.

The new schedule will start on July 1, 2006. B shift will be on duty.

The schedule is currently the same as Vallejo FD's 48-96 A-B-C Platoon rotation.

One shift will be a 24-hour period 08:00 to 08:00

Sick calls are considered per shift. The employee must call in for each 24 hour shift with sick leave notification.

The workweek from 08:00 Sunday to 08:00 Sunday has not changed.

The 24-hour work schedule has not changed as outlined in the M.O.U. Section 21.2.

The Administration has proposed two modifications to the 24-hour work schedule.

1. To formalize a Holiday Routine to consist of:
 - A. Recognized holidays for such routine, Easter, Thanksgiving and Christmas.
 - B. Daily work to be completed: Station cleaning/maintenance, vehicle checks/maintenance, incident responses. (per M.O.U. Section 21.2).

2. When Captains/company officer feel one or more employees need a rest period during the 08:00 to 17:00 work period a Chief Officer is notified. This is for consistency among shifts/officers and would be no different as current practice. The belief is this would be the exception and not the norm for rest periods during this work period. Crews are reminded, as is the expected practice now, that they are responsible for maintaining their own rest, fitness and readiness during scheduled duty times.

FLSA period changes, it will now be a 24 day cycle. This means some minor changes to payroll. Details to follow later.

Overtime filling of shifts. The current document has been changed to accommodate the new schedule. When filling O.T. needs, it will be on a per shift basis. Each 24 hour period or fraction thereof will be treated individually. See revised O.T. Policy attached.

Per the M.O.U. the maximum number of hours worked is now 96 consecutive hours. This could be by any combination of factors from voluntary to involuntary (ordered in).

Per the M.O.U. for a platoon scheduled to work Christmas Eve and Christmas Day there will be a shift change, the platoon working 12-23 will switch with the platoon on 12-24, and the platoon that should work 12-24 will work the 12-23 shift.

Per M.O.U. Section 11.5 regarding minimum vacation leave, taking a minimum of three shifts following a four day off period. To keep with the intent of this section it will be modified to taking a minimum of two (2) shifts following a four day off period. This scheduling is usually done during December picks.

Ken Hanley
Ken Hanley, Fire Chief

6/30/06
Date

Todd Matthews
Todd Matthews, President
Benicia Firefighters Association

6/30/06
Date

48-96 summary