

SANTA CLARA
CALIFORNIA



City Manager's Office

February 26, 2004

Mr. Gary Niblock
President
Santa Clara City Firefighters
IAFF, Local 1171
P. O. Box 1185
Santa Clara, CA 95052


Re: Letter of Understanding - Shift Trades and Vacation

Dear Mr. Niblock:

The Union and the City have agreed that Fire Administration will maintain its past and current practice of being flexible regarding shift trades, as is set forth in the attachment herein. The parties agree that they will discuss, and if they reach agreement, implement, revisions to the Vacation Policy (FCD 211) and the Shift Trade Policy (FCD 203) in a Labor-Management Committee. However, the Union will not be held to any deadline that requires it to agree to revisions to either policy. The parties agree that there will be no changes in the practice of shift trades and vacation, and that Fire Administration will not unilaterally change the current practice of shift trades and vacation.

If the foregoing meets with your approval, please indicate your acceptance and approval by signing below.

Sincerely,


Jennifer Sparacino
City Manager

JS/sli
Attachment



Gary Niblock, President, IAFF, Local 1171

Date: Feb. 26, 2004



Santa Clara City Fire Fighters

Shift Trades – FCD 203

Vacation – FCD 211

Side Letter

Shift Trades

The following are elements of FCD 203 (Date: 5/1/92, Revised: 2/5/02) found listed on the FCD document under Policy and Procedure that are in compliance with current Fire Department practice:

203.1 Policy

- Item 1
- Items 3 through 6.

203.2 Procedure

- Item 1
- Item 6 – 7
- Item 8 (a) and (c)

The following are elements of FCD 203 found in the FCD document that are NOT in compliance with current Fire Department practice. As per our discussions during the negotiations meeting held on February 18, 2004 it is the Union's belief that both the Union and the Fire Department are in agreement re current practice.

Further, it was agreed that the Union will not be held to any date or deadline that requires the Union to address revisions in either policy (vacation or shift trades). The Union's agreement to these issues is that there is **no change in the practice** of shift trades and vacation, and that Fire Administration will not unilaterally change the current practice of shift trades and vacation. The Union does agree to address, with Fire Administration through the Labor/Management process, possible future modifications of the shift trade and vacation policy and practice and implement said modifications through agreement of both parties.

Fire Administration has a past and current practice of being flexible in regards to granting shift trades and will continue to maintain the practice.

203.1 Policy

- Item 2. There is no five shift trade per year limit. Shift trades, either full 24-hour shift trades or partial shift trades, are not counted.



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203.2 Procedure

Item 2. Electronic forms have in some cases eliminated the requirement to “sign the form.”

Item 3. See Item 2 as it pertains to Company Officers. (This in no way releases the Company Officer from the responsibility to approve the shift trade.)

Item 4. There is no time limit (“four days before shift requested”) for submission of a shift trade.

Item 5. The early relief requisite is not practiced. However, as per our discussions short term “emergency” shift trades should include the notification of the duty battalion chief.

Item 8 (b). This item is incomplete and inaccurate and does not address current practice related to shift trades with paramedics.

Item 8 (d). This item is obsolete and shift trades are not denied if more than one Acting Captain is working in a first alarm structure response area.

Vacation

FCD 211 – Vacation (Date: 10-08-97)

No element of vacation selection policy and procedure will in any way be unilaterally changed by Fire Administration. Only changes agreed to by both the Union and Fire Administration will be admitted into policy.