

SIDE LETTER

RE: Drug and Alcohol Policy

Dear President Matthews:

I am writing to you to confirm the City's position communicated to you during our recent negotiations regarding the administration of the City's Drug and Alcohol Policy.

First, the "other employee" referred to in Section V.A.1.B. of the Policy cannot be a non-supervisory employee in the District Council 33 bargaining unit.

Second, with regard to the possibility of discipline referred to in Section IX, it is not the City's intent to change the manner in which departments currently impose discipline for drug and alcohol offenses.

Third, the City will interpret the term accident "resulting in property damage of more than \$500.00" in Section III.A.1. as an accident that requires towing of the vehicle. The totality of the circumstances will be considered in making the decision to send an employee for post-accident testing.

Fourth, the City agrees that random testing under the policy will not begin for six (6) months following ratification of the collective bargaining agreement. Following that six month waiting period, the City will implement random testing in accordance with this paragraph.

- During the remainder of the first year of the Agreement, the City will randomly test up to sixty (60) District Council 33 employees to be selected as follows: four (4) Correction Officers per month for a total of twenty-four (24) Correction Officers, two (2) employees assigned to the airport per month for a total of twelve (12) airport employees, four (4) employees per month from the rest of the District Council 33 bargaining unit.
- During the second year of the Agreement, the City will randomly test one hundred twenty (120) District Council 33 employees to be selected as follows: four (4) Correction Officers per month for a total of forty-eight (48) Correction Officers, two (2) employees assigned to the airport per month for a total of twenty-four (24) airport employees, four (4) employees per month from the rest of the District Council 33 bargaining unit.
- During the third year of the Agreement, the City will randomly test two hundred forty (240) District Council 33 employees to be selected as follows: eight (8) Correction Officers per month for a total of ninety-six (96) Correction Officers, four (4) employees assigned to the airport per month for a total of forty-eight (48) airport employees, eight (8) employees per month from the rest of the District Council 33 bargaining unit.
- Commencing July 1, 2007, the City will subject all covered safety-sensitive employees to random drug and alcohol testing in accordance with the applicable provisions of the Drug and Alcohol Policy.

Finally, the City will endeavor to conduct DAEPP training for supervisors and Union representative as expeditiously as possible. All union representatives will have the opportunity to receive such training within a reasonable period of time following ratification of the Collective Bargaining Agreement. Many supervisors, including District Council 33 members, already have been trained in connection with the City's drug testing policy for holders of commercial drivers' licenses and will not require additional training. A committee shall be established, consisting of three members appointed by the union and three members appointed by the City, to monitor implementation of the Drug and Alcohol Policy.

Sincerely,

A handwritten signature in black ink, appearing to read "William B. Grab". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

William B. Grab
Director of Labor Relations