

**CITY OF SAN JOSE/ASSOCIATION OF ENGINEERS AND ARCHITECTS (UNIT 41/42)
2009 TENTATIVE AGREEMENT**

1. TERM AND GENERAL WAGE INCREASES

Term: July 1, 2009 – June 30, 2010

Wages: Maintain current salaries in effect as of June 30, 2009

2. RETIREE HEALTHCARE AGREEMENT

The agreement between the City and the Association of Engineers and Architects (Units 41/42 and 43), regarding retiree healthcare dated March 4, 2009, shall be modified as follows:

3.1.5 Healthcare Cost Mitigation.

3.1.5.1 Notwithstanding any other provision of this Agreement, the parties agree to commence meeting and conferring between January 1, ~~2010~~2011, and January 19, ~~2010~~2011, on retiree healthcare benefits for future employees and a medical reimbursement program for future retirees.

3.1.5.2 The parties intend to engage in the foregoing negotiations in a coalition bargaining process with all other interested represented bargaining units, if any. However, negotiations between the City and Employee Organization shall commence no later than January 19, ~~2010~~2011 with or without participation of any other bargaining unit. The City and Employee Organization shall negotiate in good faith in an effort to reach a mutual agreement.

3.1.5.3 If no agreement is reached, the parties will follow the impasse procedures set forth in the City of San Jose's Employer-Employee Relations Resolution (#39367) and the Meyers-Milias-Brown Act. The parties understand that this means that, notwithstanding any other provision of this agreement, the City will have the right to unilaterally implement in the event that no agreement is reached at the conclusion of negotiations and mandatory impasse procedures. The City agrees that a unilateral implementation of retiree healthcare benefits for future employees shall not be effective before July 1, ~~2010~~2011.

All other provisions of the Agreement dated March 4, 2009 will remain in effect and unchanged. Upon ratification of the AEA membership and approval of this Agreement by the City Council, the parties agree to incorporate the revised retiree healthcare agreement into the 2009-2010 AEA Memorandum of Agreement (Unit 41 and 42).

3. BENEFITS

All existing contractual benefits in the AEA Memorandum of Agreement (Unit 41/42) will remain in effect for the term of this agreement.

