



DATE: 11/26/13

TO: Ray Espinosa

FAX: 636-4010

C/O: _____

FROM: Henry Soria

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SENT BY EMAIL, FAX AND US MAIL

November 26, 2013

Ray Espinosa
County Administrative Officer
County of San Benito
481 Fourth Street
Hollister, CA 95023

Dania Torres Wong
Chief Negotiator
c/o Georgia Cochran
Interim Human Resources Director
County of San Benito
481 4th Street, 1st Floor
Hollister, CA 95023

Dear Mr. Espinosa and Ms. Wong:

**RE: DEMAND TO MEET AND CONFER
UNION COUNTER PROPOSAL**

Dear Mr. Espinosa and Ms. Wong:

As you know, the County of San Benito (County) and the Service Employees International Union, Local 521 and its San Benito County Employees Association Chapter (Union) are parties to a Memorandum of Understanding (MOU). The County and the Union have, on several occasions, met and conferred over the provisions of a successor MOU. To this date, the County and the Union have not reached agreement over the terms and provisions of a successor MOU. On or about October 8, 2013, Ms. Wong, on behalf of the County's Negotiation Team, provided the Union a written declaration of impasse.

It is the Union's position that a valid impasse has not been reached nor maintained at any time throughout the meet and confer process. Additionally, the County has, in MOU Articles 37 and 39, clearly and unambiguously waived its right to unilaterally impose any change to any matter within the scope of representation covered in the MOU. Nonetheless, the Union sincerely desires to meet and confer with the County regarding the terms and provisions of a successor Agreement.

Irrespective of the fact that the parties are not now nor previously were at any valid impasse in the meet and confer process, the Union hereby provides the County with the attached counter proposal that would, incorrectly assuming the County's declared impasse were, theoretically, valid, break the "impasse" declared by the County in each issue area identified by the County's Chief



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Negotiator in the written declaration of impasse dated October 8, 2013 as an "Issue in Dispute." Therefore, the Union hereby respectfully demands to meet and confer with the County over the terms and provisions of a successor MOU incorporating terms and provisions formulated, agreed upon and executed in writing by the parties through the meet and confer process.

Please contact me by email at henry.soria@seiu521.org to schedule dates for bargaining.

I look forward to working with you.

In Unity,

Henry Soria
Internal Organizer
Service Employees International Union, Local 521

cc: Chapter Executive Board
Chapter Negotiating Team
Debbie Narvaez, Region Director
Georgia Cochran, Interim Director of Human Resources

**Service Employees International Union, Local 521 and its
San Benito County Employees Association Chapter
Counter Proposal Submitted
November 26, 2013 to the
County of San Benito
Regarding Each Issue Identified as an "Issue in Dispute" by the County**

1. County Issue: Term
The Union conceptually counter proposes:
 - a. A reopener at 1.5 years to negotiate with the County if the new payroll system affects wages and hours; and
 - b. Reopener sooner than three years to determine if it is still the case going forward that the County is not able to confer increases due to current financial shortfalls.

2. County Issue: Salary
The Union conceptually counter proposes no salary increases for term of the 15 month contract.

3. County Issue: Pension
The Union conceptually counter proposes employees in the unit will pay their employee share of pension.

4. County Issue: Active Medical Contribution
The Union supports the fiscal sustainability of the program through modification. Therefore, the Union conceptually counter proposes:
 - 1) Cost sharing by employees; and
 - 2) The County will not continue to pay almost 100% of medical costs

5. County Issue: Retiree Medical
The Union conceptually counter proposes to modify the program to ensure fiscal sustainability.

6. County Issue: Step Range
The Union conceptually counter proposes to hold down salary costs.

7. County Issue: Overtime
The Union conceptually proposes language that is clear.