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ACLU

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MOU REVISIONS

Section 4(A) (para 8) – Except in cases of emergency, the City/Department shall give reasonable written notice to the Association of any proposed change in ~~general orders or other~~ matters within the scope of representation as specified in Government Code Section 3504.5. The Association shall be provided with the opportunity to meet and confer with regard to any such proposed change should it desire to do so ex 320

Section 5 (para 16). Grievances or disputes regarding the application or interpretation of this Agreement or relating to working conditions arising out of this Agreement, or relating to General Orders 3.08, 3.15, 11.01, 11.03, 11.05, 11.06 and 11.10, including the arbitrability thereof, shall be settled in conformity with the following procedure. Except, however, actions taken by the City that are necessary to ensure compliance with federal, state or local laws, ordinances or regulations, or that are mandated by the terms of a consent decree, **or that are fundamental managerial or policy decisions** shall not be grievable hereunder. After notice of such intended action by the City, the Association may however, offer in writing its view on compliance and possible alternative solutions, within ten (10) days to the Chief of Police who shall respond in writing to the Association within ten (10) business days. In addition, in the event the City acts on a matter it has reasonably determined to be mandated by or necessary to ensure compliance with a consent decree or with federal, state, or local laws, ordinances or regulations, **or that are fundamental managerial or policy decisions**, that action shall not be grievable hereunder. In the event a grievance is filed relating to such actions, arbitrability shall be determined by a court of competent jurisdiction.