

ANCHORAGE POLICE DEPARTMENT EMPLOYEES ASSOCIATION

4501 South Bragaw Street

Anchorage, Alaska 99507-1599

July 20, 1999

Re: Settlement of the 4/10 Grievance

Dear Mayor Mystrom:

As you know, an arbitrator concluded that the Municipality violated the APDEA's contract when it changed patrol officers from 4/10 shifts to 5/8 shifts. The issue of the appropriate remedy was submitted to the arbitrator on July 1, 1999. Estimates are that the arbitrator's remedy may involve damages at least in the range of \$4.0 million.

Since the change from 4/10's was first contemplated by the Municipality in July, 1994, the APDEA has sought alternatives to litigation of the matter. The APDEA presented the Municipality with various alternative shifts that the APDEA believed would meet the Municipality's needs. The APDEA also proposed submitting the matter to arbitration before the shift change was implemented on September 1, 1994, an approach that, if accepted by the Municipality, would have produced an arbitrator's decision before any back pay liability accrued.

Now, with the Municipality facing curtailed revenues, it becomes all the more imperative to explore alternatives to finally resolve the 4/10 dispute. Through your tenure in office, you have commented on many occasions about the APDEA's civil consciousness and fiscal responsibility. Those are traits in which the APDEA takes pride, and those are the traits that prompt this letter.

The APDEA is proposing the following settlement of the grievance. Adversely impacted employees would receive four hours of compensation at straight time for each workweek on which the employee worked the fifth day of a 5/8 schedule. Under this proposal, the only individuals to receive cash compensation for the four hours would be those who have retired since the grievance was filed. All other employees would receive compensatory time off in lieu of any cash compensation. The compensatory time off would be non-cashable except on an employee's termination of service, and could only be used by employees consistent with the reasonable operating needs of the Anchorage Police Department. Individuals eligible for the remedy would be patrol employees who, at any time between September 1, 1994 and September 1, 1998, worked a 5/8 shift.

Once the arbitrator's award is issued, any settlement of the grievance will be unfeasible, for at that point the rights of APDEA members will have vested and it will be impossible for the APDEA to compromise those rights. For this reason, this confidential offer of settlement is time sensitive.

For several months, the APDEA has been suggesting to the Municipality that this sort of primarily non-economic settlement of the grievance should be considered. To date, we have received no formal response to these settlement overtures. It is only because of the Municipality's financial condition and a desire to bring closure to this very contentious issue that the APDEA is taking this extraordinary step of communicating with you directly concerning the resolution of the grievance.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink that reads "Rob Heun". The signature is written in a cursive, flowing style.

Rob Heun

President

Anchorage Police Department Employee Association