

RESOLUTION NUMBER R- 299186

ADOPTED ON MAY 10 2004

RESOLUTION TO AMEND THE MEMORANDUM OF UNDERSTANDING BETWEEN THE SAN DIEGO MUNICIPAL EMPLOYEES' ASSOCIATION AND THE CITY OF SAN DIEGO REGARDING DENTAL AND EYE CARE COVERAGE UNDER THE CITY'S FLEXIBLE BENEFITS PLAN

WHEREAS, since 1985, one of the provisions in the Memorandum of Understanding [MOU] between the San Diego Municipal Employees' Association [MEA] and the City of San Diego [City] provides that an employee in one of MEA's bargaining units may only enroll in MEA's dental and eye care plans for such coverage under the City's Flexible Benefits Plan; and

WHEREAS, certain employees in MEA's bargaining units have recently challenged this provision before the Public Employment Relations Board and in Federal Court; and

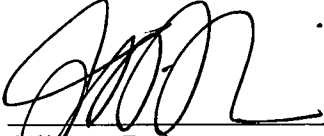
WHEREAS, the City and MEA have agreed to amend this provision to enable any employee in one of MEA's bargaining units to enroll in MEA's dental and eye care plans regardless of whether the employee is a member of MEA, an agency fee payer, or a non-union employee; and

WHEREAS, on March 9, 2004, the City Council in Closed Session approved of this amendment of the MOU;

BE IT RESOLVED, that Article 28, Flexible Benefits Plan of the Memorandum of Understanding between the San Diego Municipal Employees' Association and the City of San Diego for the term of July 1, 2002, through June 30, 2005, is hereby amended to provide that any employee in one of MEA's bargaining units may enroll in MEA's dental and eye care plans

offered under the City's Flexible Benefits Plan, regardless of whether the employee is a member of MEA, an agency fee payer or a non-union employee.

APPROVED: CASEY GWINN, City Attorney

By   
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Deputy City Attorney

JQD:cw  
04/12/04  
Or.Dept: Labor Relations  
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