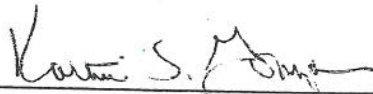


SECOND SIDE LETTER AMENDMENT TO THE
MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITY OF SANTA ANA AND
THE SANTA ANA FIRE MANAGEMENT ASSOCIATION
FOR FISCAL YEARS 2004-08

Effective November 1, 2006, the City of Santa Ana (CITY) and the Santa Ana Fire Management Association (FMA) agree that they have met and conferred and agree to amend and clarify Article VIII of the Memorandum of Understanding between the City and FMA for Fiscal years 2004-08 as follows:

- 8.2 Shift Replacement/Special Assignment Pay for Fire Battalion Chiefs. Off duty employees in the class of Fire Battalion Chief who are assigned by the Fire Chief to a twenty-four (24) hour work shift will receive straight time pay in 12 hour increments (i.e. from one (1) to 12 hours worked equals 12 hours pay and 13 to 24 hours worked equals 24 hours pay). The purpose of this pay is compensation for replacing another Battalion Chief who is on sick leave, vacation, bereavement leave, or other approved absence. Additionally, this compensation will be received when an off-duty Battalion Chief is directed *by the Fire Chief* to respond to an emergency situation ~~by the Fire Chief~~, *to serve on special assignment, or to act as a training officer*. This practice shall conform to the following guidelines:
- A. Special Shift Replacement Pay will be calculated by multiplying either 12 or 24 hours times the hourly rate of pay for Fire Battalion Chief, "E" step, based on a 24-hour shift schedule and assuming pay additives of 7.5%, regardless of the salary step of the affected employees.
 - B. Shift exchanges between two employees of the class of Fire Battalion Chief will not qualify for Special Shift Replacement Pay under these provisions.
 - C. Under no circumstances will Special Shift Replacement Pay be construed as "overtime pay," as defined under the Fair Labor Standards Act.



Kathie S. Gonzalez
Assistant Director - Personnel Services
City of Santa Ana

Dated: 12/4/06



Steve W. Critchfield
Deputy Fire Chief
Fire Management Association

Dated: 12/4/06