

**SUPPLEMENTAL AGREEMENT
BETWEEN
THE CITY OF VALLEJO
AND
THE VALLEJO POLICE OFFICERS' ASSOCIATION**

This supplemental agreement is between the City of Vallejo, hereinafter "City" and the Vallejo Police Officers' Association, hereinafter "Association" for purposes of modifying the labor agreement between the parties for the period July 1, 2000 through June 30, 2005.

The purpose of this supplemental labor agreement is to set forth an administrative appeal procedure for written reprimands in accordance with Government Code Section 3304 (b) and to proscribe the length of time that notices of disciplinary action remain in an employee's personnel file.

Section 1 Administrative Appeal Procedure of Written Reprimands

1. An employee who has received a written reprimand may request an administrative appeal. To appeal a written reprimand, an employee shall notify the Office of the Chief of Police. Such notification shall be in writing and filed within ten (10) regularly scheduled working days of the date of the written reprimand.
2. Upon receipt of such notice, the Police Chief shall designate a neutral third party, which may be a Police Captain or other Police Department management official to hear the appeal. In the event the employee objects to the designation made by the Police Chief, the Human Resources Director will serve as the designated third party neutral.
3. The neutral third party designated to hear the appeal shall schedule a hearing within ten (10) working days of the date of the notice of appeal to the Police Chief. The parties may agree to waive this timeline by mutual agreement.
4. The appeal hearing before the neutral third party shall be informal. Formal rules of evidence shall not apply. The informal hearing shall be limited to providing the appellant with the opportunity to present a record of the circumstances surrounding the imposition of the written reprimand and the opportunity to convince the City to reverse its course of action.
5. The neutral third-party shall have the authority to reverse, modify or sustain the written reprimand. The decision of the neutral third-party shall be in writing, and shall be served on the appellant and City within twenty (20) regularly scheduled workdays from the close of the informal hearing.
6. The decision of the neutral third-party shall be final and binding. The decision is not subject to any further administrative review, nor is it subject to the provisions of Section 30 of the labor agreement.

Nothing contained in this section shall limit any rights of a safety employee under Government Code Section 3300-3311.

Section 2 Removal of Disciplinary Action from Employee's Personnel File

Disciplinary actions shall be removed from an employee's personnel file according to the following schedule:

1. Written Reprimands - Sustained or unappealed written reprimands shall be removed from the employee's personnel file two years from the date of issue, unless such written reprimand is used as part of a progressive disciplinary action taken within the two year period. In such case, the written reprimand shall be subjected to the schedule in subsection 2 below.
2. Suspensions, Fines or Demotions - Sustained or unappealed suspensions, fines or demotions shall be removed from the employee's personnel file five years from the date of issue or in the case of a sustained (or modified) appeal of such action by the Civil Service Commission, five years from the date of the decision of by the Civil Service Commission, unless such disciplinary action is used as part of a progressive disciplinary action taken within the five year period.

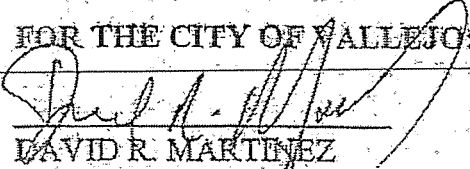
For purposes of this Section, the employee's personnel file shall mean those records normally maintained by the Police Department.

Section 3 Respener

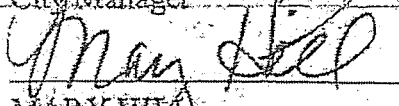
This supplemental agreement may be reopened by request of the VPOA one year from the date of its ratification by the Vallejo City Council. Such request shall be in writing, directed to the City's Human Resources Director.

The remainder of the labor agreement is unchanged.

FOR THE CITY OF VALLEJO:



DAVID R. MARTINEZ
City Manager

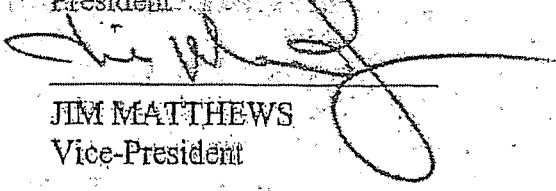


MARY HILL
Assistant City Manager/
Interim Director of Human Resources

FOR THE VPOA:



STEVE GORDON
President



JIM MATTHEWS
Vice-President

Attest:



ALLISON VILLARANTE
City Clerk

Date: 1-28-03

ALLISON VILLARANTE
City Clerk

Date