

**“Reopener”
of
2003-2007
Collective Bargaining Agreement
Between
The City of New York
and
The Uniformed Fire Officers Association**

MEMORANDUM OF UNDERSTANDING made this 3 day of July, 2008, (“2003-2007 UFOA Reopener MOU”) by and between the undersigned Uniformed Fire Officers Association (the “Union”); and the City of New York (the “City”).

WITNESSETH

WHEREAS, the undersigned parties entered into a collective bargaining agreement on March 10, 2006, known as the 2003-2007 Uniformed Fire Officers Association Memorandum of Understanding (“2003-2007 UFOA MOU”), and an agreement successor to the Agreement terminating on December 31, 2002, to cover the employees represented by the Union (“Employees”);

WHEREAS, the UFOA MOU for the period of January 1, 2003 to March 19, 2007 included a provision concerning the parties’ intentions in the event that another uniform collective bargaining unit had an adjustment made to their salary schedule that was greater than the negotiated increases during the term of this Agreement;

WHEREAS, on May 22, 2008, a Public Arbitration Panel issued an award;

WHEREAS, pursuant to the terms of the side letter, the parties have reopened the 2003-2007 Agreement for the purposes of discussing that issue;

NOW, THEREFORE, it is jointly agreed as follows:

Section 1. Term

The term of this 2003-2007 UFO Reopener MOU shall cover the period from March 20, 2005 through March 19, 2007.

Section 2. Continuation of Terms

The terms of the 2003-2007 Collective Bargaining Agreement shall be continued, except as modified pursuant to this 2005-2007 UFOA Reopener MOU.

Section 3. Adjustment to Basic Maximum Salary

a. Effective March 19, 2007, the basic maximum salary for a Lieutenant shall be \$83,833; the basic maximum salary for a Captain shall be \$96,229; the basic maximum salary for a Battalion Chief shall be \$125,300; the basic maximum salary for a Deputy Chief (except those Deputy Chiefs designated as Deputy Assistant Chief of Department, and Assistant Chief of Department, and Chief in Charge) shall be \$138,882; the basic maximum salary for a Medical Officer shall be \$108,985; the basic maximum salary for a Supervising Fire Marshal I shall be \$91,680; and, the basic maximum salary for a Supervising Fire Marshal II shall be \$120,927.

b. The parties agree that this reopener has an economic impact on the period covering from March 20, 2007 to March 19, 2011. The parties agree to negotiate over the effects of the reopener on the successor agreement through the final steps of the bargaining process.

Section 4. Paid Holidays

Effective July 1, 2008, there shall be one (1) fewer paid holidays for all covered Employees.

Section 5. Annuity Fund

Effective July 1, 2008, the per annum Annuity Fund contributions shall be reduced by \$298.00 for all titles.

Section 6. Retroactivity

In the event that any payment is not paid on the date due under this 2003-2007 UFOA Reopener MOU, such payment when made shall be paid retroactive to such date due.

Section 7. Conditions of Payment

The adjustments to basic maximum salary pursuant to Section 3 of this 2003-2007 UFOA Reopener MOU shall be payable as soon as practicable upon ratification.

Section 8. Incorporation of Certain Provisions

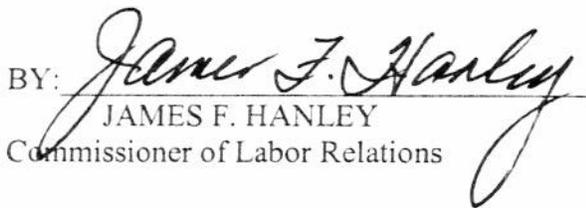
The terms of this 2003-2007 UFOA Reopener MOU shall be deemed incorporated into the 2003-2007 Unit Agreement as if they had been originally contained therein.

Section 9. Savings Clause

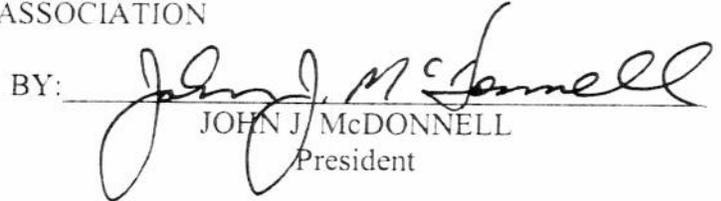
In the event that any provision of this MOU is found to be invalid by a court of law, administrative body, or other tribunal having jurisdiction, such invalidity shall not impair the validity and enforceability of the remaining provisions of this 2003-2007 UFO Reopener MOU. The parties shall meet to endeavor to renegotiate any such invalid provision so that the invalidity is overcome.

WHEREFORE, we have hereunto set our hands and seals this 3 day of July, 2008.

FOR THE CITY OF NEW YORK

BY: 
JAMES F. HANLEY
Commissioner of Labor Relations

FOR THE UNIFORMED FIRE OFFICERS
ASSOCIATION

BY: 
JOHN J. McDONNELL
President



THE CITY OF NEW YORK
OFFICE OF LABOR RELATIONS
40 Rector Street, New York, NY 10006-1705
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JAMES F. HANLEY

Commissioner

MARGARET M. CONNOR

First Deputy Commissioner

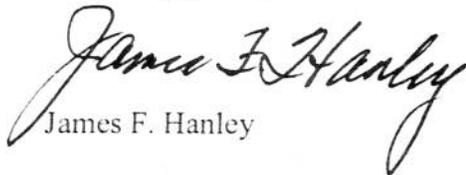
John J. McDonnell
President
Uniformed Fire Officers Association
225 Broadway, Suite 401
New York, New York 10007

Dear Mr. McDonnell:

This is to confirm the parties' mutual understanding and agreement with respect to Section 3. b. of the 2003-2007 UFOA Reopener Agreement.

The City is unaware at this time of any economic impact for the period covering March 20, 2007 through March 19, 2011 that would have an adverse impact on the UFOA.

Very truly yours,


James F. Hanley