

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF WEST PALM BEACH AND
THE PALM BEACH COUNTY POLICE BENEVOLENT ASSOCIATION
ESTABLISHING A PROCEDURE FOR THE SELECTION OF ARBITRATORS
AND, THEREBY, MODIFYING ARTICLE 35, SECTION 2.A. and 2.C. OF THE PARTIES'
COLLECTIVE BARGAINING AGREEMENT**

THE CITY OF WEST PALM BEACH, FLORIDA (hereinafter referred to as "City") and the PALM BEACH COUNTY POLICE BENEVOLENT ASSOCIATION (hereinafter referred to as "Association") (collectively, "Parties") hereby agree to the following Memorandum of Understanding ("MOU"):

1. Article 35, Section 2 A. and 2.C. of the Parties' Collective Bargaining Agreement shall be modified to provide a procedure for the Parties' selection of arbitrators to resolve grievances.

2. Article 35, Section 2.A. shall be modified in its entirety as follows:

If the grievance is not resolved at Step 4 of the Grievance Procedure, the Association may, within five (5) calendar days, submit a request for arbitration to the Employee Relations Manager. The Association or the City may request to take the grievance to arbitration.

3. Article 35, Section 2.C. shall be modified in its entirety to now state as follows:

The party requesting arbitration shall, after timely submission under Section 2.A., timely submit the grievance in writing to the Federal Mediation and Conciliation Service ("FMCS"), with a copy to the non-requesting party, and request a list of nine (9) arbitrators from which one (1) shall be selected by alternate striking. A coin toss shall determine which party strikes first under this procedure, after which time the party striking second at the outset hereunder shall strike first and, thereafter, the Parties shall alternate first strikes.



The City and the Association agree, further:

4. That this MOU shall be effective from its execution until the ratification of any successor Collective Bargaining Agreement; and,

5. That the Parties have full legal authority to enter into this MOU; and

6. That this MOU represents the entire agreement as to the modifications set forth herein.

IN WITNESS THEREOF, the Parties have caused this Memorandum of Understanding to be signed by their duly authorized representatives on this 14TH day of November, 2008.

City of West Palm Beach 
Police Benevolent Association 

Memorandum of Understanding
Police Benevolent Association and the City of West Palm Beach
Modifying Article 35, Section 2.A. and 2.C.
November 13, 2008
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FOR THE CITY

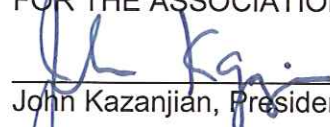


Edward Mitchell, City Administrator

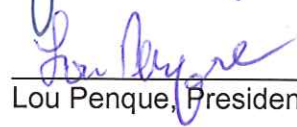


Rich Samolewicz, Employee Relations Mgr.

FOR THE ASSOCIATION



John Kazanjian, President



Lou Penque, President WPB PBA

Office of the City Attorney
Approved as to form
And legal sufficiency
By: JP
Date: 11/13/08