



SACRAMENTO
SAN RAFAEL

Jason H Jasmine
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July 9, 2024

VIA ELECTRONIC MAIL

Tim Edwards
Peter Boctor
CAL FIRE Local 2881

Re: Ending of \$260 Monthly Payment

Dear Tim and Peter

As you know, CalHR is taking the position that the \$260 monthly payment for enrollment in state sponsored health benefit plans ended ("Sunset") at the end of June. This benefit was negotiated in the last MOU in section 11.1.7.

However, the language that the State relies upon for its claim that the benefit sunsets, appears in other parts of the MOU where that same language does not sunset those provisions of the MOU. We believe that the language of the MOU as well as the clear intent of the parties support the position that this benefit continues unless and until it is negotiated away. General principles of labor law and the interpretation of collective bargaining agreements stand for the fact that most terms and conditions of employment continue upon expiration of the agreement unless they are clearly and unequivocally sunset, or are precluded by law from continuing absent a new agreement.

We have reached out to CalHR to ask that they hold all timelines in abeyance while we negotiate this matter going forward as part of a successor MOU. We will insist that any resolution be retroactive to July 1st. We will continue to work with the state to attempt to resolve this issue, but if we are unable to do so, we will explore utilizing all potential legal options to challenge the unilateral discontinuation of this benefit.

Sincerely,

MESSING ADAM & JASMINE LLP

Gary M. Messing
Jason H. Jasmine

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