



Lodge #49 – Aurora Police Department Date: May 30, 2007

Members,

Most of you have received your fair share notice via certified mail and have heard that the APA is talking about FOP members being terminated if they do not pay their fair share amount. There are two issues that they were obviously not clear about that several of our members have concerns with.

First, the fair share for the 2005 contract (which was negotiated in 2004) was agreed upon on September 7, 2006. On that date, the FOP signed an agreement with the APA indicating fair share for the 2005 contract was \$12.48 per month. This amount should have been paid starting June 15, 2005 and ending May 1, 2006. Obviously, the agreement was reached long after the final payment was due, so when FOP members were billed later that year, the full amount was due.

Since the FOP came to an agreement with the APA for the 2005 contract only, the FOP will no longer support further contesting or grievance of that amount. The APA has indicated that a number of FOP members have not paid that fair share amount and are planning on going to the City to assist them in collecting. The FOP would encourage and recommend that all members owing for that specific contract period pay their fair share.

Secondly, what do you do with the fair share notice that you just received and are you at risk of job jeopardy if you do not pay it immediately. That notice is for the 2006 contract that was negotiated in 2005. There are federal laws and rules regarding the fair share process. The first thing that the APA must do is give fair share notice within a reasonable amount of time. The FOP is researching the reasonableness of the APA giving notice 17 months after the calendar year they are billing for. In theory, this should have been worked out prior to June of last year, our final payment for that period due this month, and the first payment for the first year of the 2007/2008 contract due June 1, 2007.

Federal law and case law protect our rights. Additionally, there is substantial case law that requires the City to protect our rights. Fair Share is a process and the APA just started it by sending notification via certified mail. The FOP attorneys have assured us that nobody is in any type of job jeopardy during this process and to even insinuate that is completely without merit. Our hope is that the APA will work with us on a timelier basis to ensure that this process is completed quickly. The FOP has not taken the position that

the amount they want to charge is unreasonable. However, we do have questions as to how the amount was determined and how the charges apply to us.

In response to the certified letters, the FOP attorneys are preparing a letter indicating that the FOP is going to contest the fair share amount. If you wish to have your name added to that letter, contact any board member and tell them prior to Monday, June 4, 2007. Our goal is to have that letter out on that date to ensure that it is well within the rules of this process.

If you have further questions, please contact any board member.

Board of Directors
Fraternal Order of Police - Lodge 49