

Kozak, Rebecca

From: Charles Garcia <cgarcia@iafflocal55.com>
Sent: Monday, December 07, 2009 5:48 PM
To: Simon, Gerald; Hom, Donna
Subject: [REDACTED]
Attachments: California Code Of Civil Procedure Section 338.doc

Chief,
Here is the code we talked about earlier today. We believe that the City can only go back 3 years. I misspoke about the 4 years. Let me know as soon as possible what the city s attorneys opinion is.

Thank you

Chuck Garcia, President
Oakland Firefighters Local 55
(C) 510-928-7849

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California Code Of Civil Procedure

Section 338

Within three years:

(d) An action for relief on the ground of fraud or mistake. The cause of action in that case is not deemed to have accrued until the discovery, by the aggrieved party, of the facts constituting the fraud or mistake.

Kozak, Rebecca

From: Charles Garcia <cgarcia@iafflocal55.com>
Sent: Friday, December 11, 2009 4:44 PM
To: Simon, Gerald
Subject: RE: Station One

Chief,

We have a problem. The vacancy report shows we are 2 over in the Capt. rank. We talked yesterday and I said make sure we have the openings so we won't have to revert him later. And I understand we may have a past practice that a person cannot get promoted based on openings that will happen after the list has died.

Please call me as soon as possible to discuss.

Respectfully

Chuck Garcia, President
Oakland Firefighters Local 55
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-----Original Message-----

From: Simon, Gerald [<mailto:GSimon@oaklandnet.com>]

Sent: Fri 12/11/2009 2:20 PM

To: Song-Hill, Annabel@DIR; Ray, Jenny; Torres, Joe; Ready, Jim; Weir, John; Weir, John; Drayton, Melinda; Lipp, Robert

Cc: Charles Garcia; Glenn, Kenneth@DIR

Subject: RE: Station One

Hello Annie,

Although I have other events on these days I could make these dates work. December the 22nd is OK, as is the 23rd after 2:00 pm, January the 5th and the 11th work so far.

Thanks for all of your work on this.

Gerald A. Simon

Fire Chief, City of Oakland

From: Song-Hill, Annabel@DIR [mailto:ASong-Hill@dir.ca.gov]
Sent: Friday, December 11, 2009 8:09 AM
To: Ray, Jenny; Torres, Joe; Ready, Jim; Weir, John; Weir, John;
Drayton, Melinda; Lipp, Robert
Cc: Simon, Gerald; Charles Garcia; Glenn, Kenneth@DIR
Subject: RE: Station One

Dear Leadership at Station One,

Dec. 10 and 11 did not work for some. Luckily, our schedule clears up around the holidays. We have the following dates to offer:

Dec. 22, 23, 28, 29, Jan 5, 11 and 14th. Let's try to confirm a date soon.

Thanks,

Ken and Annie

annie song-hill
presiding conciliatorState Mediation and Conciliation Service
1515 Clay Street #2206

Oakland, CA 94612
Phone and Fax: 415-479-0117
Mobile: 415-516-5810

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From: Song-Hill, Annabel@DIR
Sent: Monday, December 07, 2009 3:32 PM
To: 'jray@oaklandnet.com'; 'jtorres@oaklandnet.com';
'jready@oaklandnet.com'; 'jweir@oaklandnet.com'; Weir, John; Drayton,
Melinda; Lipp, Robert
Cc: 'Simon, Gerald'; 'Charles Garcia'; Glenn, Kenneth@DIR
Subject: RE: Station One

Dear All,

I am sorry that it has taken me a while to get back into the swing of things. As some of you know, [REDACTED]

Next steps:

1. I talked to Lydia Baca, Federal Mediation and Conciliation Service Commissioner, who agreed to do the generations training. Ms Baca is a renowned trainer and has presented at state and national

conferences on labor relations. She will be contacting Chief Simon shortly to set up the training.

2. By this email, Ken and I would like to schedule a meeting of the leadership addressed in this email. This meeting would engage the leadership at Station One in developing a common strategy to address the issues among the 3 shifts. We have the following dates to offer: Thursday Dec. 10 and Friday Dec. 11.

3. The individual relationship issues will be addressed as soon as the parties are available.

annie song-hill
presiding conciliatorState Mediation and Conciliation Service
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From: Annabel Song-Hill
Sent: Monday, November 16, 2009 10:19 AM
To: jray@oaklandnet.com; mdraton@oaklandnet.com; ripp@oaklandnnet.com; jtorres@oaklandnet.com; jready@oaklandnet.com; jweir@oaklandnet.com
Cc: Simon, Gerald; Charles Garcia; Kenneth Glenn
Subject: mediation

Dear All,

As you know, we said that we would provide recommendations to the shifts the week of November 8th. We started the feedback process and got some excellent input from Chief Simon, Lt. Chuck Garcia, President of IAFF local 155, and the members of shift B .who participated in the initial interviews.

We want to incorporate this feedback so that is why briefings with the shifts are delayed. We would like to meet with the shifts beginning tomorrow, Tuesday Nov. 17th. Both Ken and I have commitments during the day, and are trying to coordinate our schedules to find a time on Tuesday, Wednesday and Thursday when we can meet with the A, B, and C shifts. We will let you know our schedule as soon as possible.

Thank you so much for your cooperation and patience in this matter.

annie song-hill
presiding conciliatorState Mediation and Conciliation Service
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Kozak, Rebecca

From: Charles Garcia <cgarcia@iafflocal55.com>
Sent: Monday, December 29, 2008 6:33 PM
To: Williams, James A (Deputy Chief); Simon, Gerald
Subject: BATTALION CHIEF ISSUE

Importance: High

Chief Simon,

Happy New Year , I have been asked a number of time's, is Chief Simon going to promote Lt's, Capt's and interview for the BC vacancy. Right now we have 11 Lt's vacancies, 2 Capt. vacancies and now the 1 BC vacancy. While these questions were being asked we realized that the 360 day LDA assignment will end on January 7,2009. The Civil Service rules indicates that BC [REDACTED] will need to go back to the Captain position and then the list will have an opportunity to interview for that 1 position. But others are being told that BC [REDACTED] will get the job automatically.

Chief please give me something I can tell the concerned members and your opinion on the BC position.

Respectfully

Chuck Garcia, President
Oakland Firefighters Local 55
(C) 510-928-7849

Kozak, Rebecca

From: Charles Garcia <cgarcia@iafflocal55.com>
Sent: Thursday, July 30, 2009 9:25 PM
To: Simon, Gerald
Subject: Re: B.C LDA'S

Thanks for coming by Chief

Sent from Chuck Garcia's iPhone

On Jul 30, 2009, at 5:15 PM, "Simon, Gerald" <GSimon@oaklandnet.com> wrote:

Hey Chuck,
I'll come see you [REDACTED]. Thanks.G

Gerald A. Simon
Interim Fire Chief - Oakland, CA

From: Charles Garcia [mailto:cgarcia@iafflocal55.com]
Sent: Thursday, July 30, 2009 1:40 PM
To: Simon, Gerald
Cc: Williams, James A (Deputy Chief); Edwards, James D
Subject: B.C LDA'S
Importance: High

CHIEF SIMON,

It has been brought to my attention that the 2 LDA Battalion Chiefs will be removed from their assignments as of August 3rd. Also Melinda was told by Deputy Chief Williams that the department cannot use LDA's because there are no vacancies. I disagree ! B.C [REDACTED] B.C [REDACTED] B.C [REDACTED] are still off with no return date. I think the B.C rank will be working an Unsafe amount of hours without using the LDA's. I also do not see any evidence that shows that these members are deficient in thier duties.

Please call me so we can discuss this time sensitive issue.

Respectfully

Chuck Garcia, President
Oakland Firefighters Local 55
(C) 510-928-7849

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From: Charles Garcia <cgarcia@iafflocal55.com>
To: Simon, Gerald
Cc: Peyton, Tyehimba; Williams, James A (Deputy Chief)
Sent: Tue Jun 16 14:24:39 2009
Subject: BATT.2 C

Chief Simon,
[REDACTED] as you know has been on the route and we have been dealing with the whole unequal hour balancing act. DC Williams is going to put [REDACTED] on a 40hour week this week and a 32 hour week next week

to make sure by years end she will be equal to the other BC's.

I respectfully request that [REDACTED] is assigned to Batt 2 C until the regular BC returns or retires if time allows. It makes more sence to fill the vacancies that the route positions.

Respectfully

Chuck Garcia, President
Oakland Firefighters Local 55
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Kozak, Rebecca

From: Charles Garcia <cgarcia@iafflocal55.com>
Sent: Thursday, March 12, 2009 7:37 PM
To: Carol Stevens; Linda Todd; Simon, Gerald
Cc: Hom, Donna; Christopher Platten; Kozak, Rebecca
Subject: RE: Conference Call re: Oakland Negotiations

That works for me!

Chuck Garcia, President
Oakland Firefighters Local 55
(C) 510-928-7849

-----Original Message-----

From: Carol Stevens [<mailto:cstevens@bwsllaw.com>]
Sent: Thu 3/12/2009 5:08 PM
To: Linda Todd; Charles Garcia; Gerald Simon
Cc: Donna Hom; Christopher Platten; Rebecca Kozak
Subject: Re: Conference Call re: Oakland Negotiations

Linda,
Chief Simon and I are ready to participate in the conference call at 2 PM on March 13, 2009. Donna Hom may participate.

Please call this number:

[REDACTED]
Participant Passcode [REDACTED]

On 3/12/09 8:30 AM, "Linda Todd" <ltodd@wmprrlaw.com> wrote:

> Thanks Carol, because Chief Simon's e-mail came back to me saying his inbox
> was full.

>

>

> Linda M. Todd, Legal Assistant
> Wylie, McBride, Platten & Renner
> (408) 979-2920 ext. 209
> ltodd@wmprrlaw.com

>

>

> From: Carol Stevens [<mailto:cstevens@bwsllaw.com>]
> Sent: Thursday, March 12, 2009 8:28 AM
> To: Linda Todd; Chuck Garcia; Gerald Simon
> Cc: Donna Hom; Christopher Platten; Rebecca Kozak
> Subject: Re: Conference Call re: Oakland Negotiations

>

> Could we have the conference call on March 13? I could do any time between 2
> PM and 4 PM. I'm adding Rebecca to this message with the hope that she will
> check Chief Simon's calendar.

>

>

> On 3/12/09 8:24 AM, "Linda Todd" <ltodd@wmprrlaw.com> wrote:

> Hello all,
 >
 > Chris is available for a telephone conference on the following dates/times:
 >
 > Friday, March 13th 2:00 5:00
 > Monday, March 16th anytime
 > Tuesday, March 17th 2:00 5:00
 > Thursday, March 19th 1:00 5:00
 >
 > Please advise of your availability for each day so that I can schedule the
 > call for a date/time convenient for all. I will provide an AT&T dial-in
 > number for the call.
 >
 > Thank you and enjoy your day!
 >
 >
 > Linda M. Todd, Legal Assistant
 > Wylie, McBride, Platten & Renner
 > (408) 979-2920 ext. 209
 > ltodd@wmpirlaw.com
 >
 >
 > From: Christopher Platten
 > Sent: Thursday, March 05, 2009 4:05 PM
 > To: Carol Stevens; Chuck Garcia
 > Cc: Gerald Simon; Donna Hom; Linda Todd
 > Subject: RE: Oakland Local 55 Cancel March 11, 2009
 >
 > Great. Coordinate through Ms. Todd.
 >
 >
 >
 > From: Carol Stevens [<mailto:cstevens@bwsllaw.com>]
 > <<mailto:cstevens@bwsllaw.com%5d>>
 > Sent: Thursday, March 05, 2009 4:05 PM
 > To: Christopher Platten; Chuck Garcia
 > Cc: Gerald Simon; Donna Hom; Linda Todd
 > Subject: Re: Oakland Local 55 Cancel March 11, 2009
 >
 > I agree with you. I'll talk to Chief Simon about a day and time.
 >
 >
 > On 3/5/09 3:53 PM, "Christopher Platten" <cplatten@wmpirlaw.com> wrote:
 > Carol:
 >
 > I accept your representation about the status of matters, however, given the
 > complexity of the situation and out of a healthy respect for the relationship,
 > I suggest a conference call between you, Chief Simon, me, Chuck and perhaps
 > Bruce would be in order.
 >
 > I think that we want to remain as coordinated as possible.
 >
 > Maybe we could due a conference call tomorrow, or early next week. Ms. Todd
 > could make the arrangements.
 >
 >
 >
 >
 > From: Carol Stevens [<mailto:cstevens@bwsllaw.com>]
 > <<mailto:cstevens@bwsllaw.com%5d>> <<mailto:cstevens@bwsllaw.com%5d>>
 > Sent: Thursday, March 05, 2009 3:49 PM

> To: Christopher Platten; Christopher Platten; Chuck Garcia
> Cc: Gerald Simon; Donna Hom
> Subject: Oakland Local 55 Cancel March 11, 2009
>
> I'm sorry, but we must cancel the session on March 11. You may remember that
> we had scheduled this date just in case we received complete
> financial/economic direction from the City Council meeting. We did have an
> excellent meeting with the City Council, but the financial situation is so
> dire that a solution could not be developed in one meeting.
>
> We are scheduled to meet with the City Council again on March 17, and we will
> be providing the Council with more information and options. Because of these
> extraordinarily difficult economic times, I don't believe we will have
> definitive economic proposals during March.
>
> We have other sessions scheduled after March 17, but if you would like to
> schedule a conference call to share information, Chief Simon and I could set
> that up with you.
>
>
>
>
>
>