

*Keith Waldman\**  
*Steven R. Cohen\*\**  
*Carol H. Alling*  
*Michael C. Damm\**

*VIA FAX AND FIRST CLASS MAIL*

December 21, 2007

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Re: County of Atlantic -and- FOP Lodge 34  
(Grievance: Time Clock Issue)  
PERC Docket No. AR-2007-869  
▶ **Confirmation of Terms of Settlement of Hebert Time Clock Grievance**  
Our File No. 5204

Dear Mr. Bernstein:


Please let this letter serve to more formally memorialize the resolution of the grievance giving rise to the arbitration in this matter. The terms of the agreement listed below have been taken almost verbatim from the emails between Warden Merline and me as to which you were copied and include Warden Merline's revisions. The terms are:

1. The County agrees to immediately rescind the discipline against George Hebert regarding the time clock incident on February 24, 2007;
2. The County agrees to purchase two atomic clocks, brand and model to be agreed upon, to be installed: (a) where the existing clock is in Center Control and (b) in the Operations Unit;
3. The County agrees to manually synchronize all time-keeping clocks, including the swipe clock on a weekly basis. This will be done by the operations sergeant on Saturday mornings. The operations sergeant will maintain a log which will be kept in his office and held open for FOP Lodge # 34's inspection and verification;
4. The parties agree to equally split Arbitrator Parker's cancellation fee for the December 20, 2007 hearing date;
5. The parties agree that the arbitrator retains jurisdiction to assure implementation; and
6. Upon the County's final implementation of the settlement, FOP Lodge #34 will withdraw the grievance as moot.

Eric M. Bernstein, Esq.  
Eric M Bernstein & Associates, LLC  
December 21, 2007  
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By copy of this letter, I am including Warden Merline in the finalization of the terms of the agreement in this matter. I ask that you kindly confirm, in writing, the County's unqualified acceptance of the above and that you have received authorization from the County to formally state the County's acceptance. I look forward to hearing from you.

Very truly yours,  
SELIKOFF & COHEN, P.A.

BY:   
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KW:kaz

c: Gary Merline, Div. Dir., Atlantic Co. Dept. of Public Safety  
George Hebert, Pres., FOP Lodge #34