

APPENDIX M

SIDE LETTER OF AGREEMENT*

23.9 AND 23.8 D.

THE PARTIES AGREE THAT FOR FY 2009 – 2010 AND FOR FY 2010-2011 ONLY, THE MERIT BONUS POOL CREATED IN FY 2005/2006 AND FY 2006/2007 (\$762,300) WILL BE ADDED TO THE MONIES AVAILABLE FOR THE BUDGET SHORTFALL MITIGATION BONUS. IN EACH YEAR THE TOTAL AVAILABLE POOL CREATED PER PROVISION 23.8 PLUS THE \$762,300 WILL BE DISTRIBUTED PURSUANT TO PROVISION 23.8 D.

THIS AGREEMENT ENDS AFTER THE BUDGET SHORTFALL MITIGATION BONUS IS PAID FOR FY 2010 – 2011 AND THE PREVIOUS CONTRACT LANGUAGE IS REINSTATED.

***This side letter is for historical purposes in order to ensure clarity in the allocation of the funds referenced herein, because the parties agree that the substance of this side letter has been superseded by other provision(s) of the CBA.**