

To All Employees:

As most of you know, the Chronicle is in the process of implementing the Special Reduction in Force Program provided for in the Guild contract. Recently, some persons have expressed confusion about how this program works. Specifically, some are questioning whether employees who opted for a voluntary termination may reconsider that decision for 45 days. The short answer is, no, and the 45 days only refers to a statutory period for considering the waiver of an age discrimination claim under federal law. A fuller explanation of the reduction in force program is provided below.

Pursuant to the Special Reduction in Force Program, the Chronicle may reduce the force by up to 120 employees working in Guild covered jobs through voluntary terminations and/or involuntary terminations. The first part of the program provides for a 30-day period during which employees may apply for voluntary termination and to receive a termination incentive payment. The period to apply ran from August 1 through August 31, 2005.

The application form submitted by employees who desired to be part of the voluntary reduction in force makes clear that employees submitting it were asking to voluntarily terminate their employment and to receive a separation agreement and general release to sign. The relevant part of the form states:

- "a) I am voluntarily requesting that my employment be terminated.
- b) I may change my mind and withdraw my request to terminate my employment anytime prior to 5:00 P.M. August 31, 2005, the last day of the voluntary incentive program application period.
- c) I understand that a condition for participation in the voluntary termination incentive program is my signing a separation agreement and general release.
- c) I understand the Chronicle has the right to accept or reject my request.
- b) My position may still be eliminated even if I do not volunteer for the program or if I withdraw my request before August 31, 2005, and I may be subject to termination as part of the reduction in force set forth in Article VII, Section 1, (3) of the collective bargaining agreement."

After the voluntary termination application period and the right to rescind had closed, Chronicle managers began to inform some employees that their application had been accepted. Nowhere does the form state that employees will be granted 45 days to reconsider their decision to participate after the Chronicle had notified the employee of the acceptance of the employee's application. The only relevancy that a 45-day period has to this process is in connection with the separation agreement and general release that employees who voluntarily terminate are being asked to sign. An employee 40 years or older who is asked to waive claims of age discrimination in connection with an