

**SIDE LETTER AGREEMENT**

Between

The City of San Jose

And

The Municipal Employees' Federation, AFSCME, Local 101 (MEF)

The City of San Jose ("City") and the Municipal Employees' Federation, AFSCME, Local 101 ("MEF") acknowledge that the MEF Memorandum of Agreement ("MOA") has the following language:

**ARTICLE 8 SHIFT BIDDING**

8.1 The work unit may determine the method for assigning shifts, subject to approval by the Department Director or designee and advance notice to the Union, pursuant to Section 6.7. Absent any existing method for shift bidding, seniority in class shall be used to assign shifts subject to:

1. operational needs,
2. the Department Director's, or designee's, right to deny a shift assignment based upon the need to provide quality service to the public, or
3. the need to assign employees based on special skills.

The City and MEF hereby agree that the attached "Guidelines for 'Shift Selection per Longevity' for Senior Airport Operations Specialists" ("Guidelines") shall be the method for assigning shifts for employees in the classifications of Senior Airport Operations Specialist I/II/III (3514/3516/3518). The parties understand that the attached Guidelines provides that Airport Management retains the ability to administratively assign employees at any time for operational need, and that this pilot program that may be discontinued and returned to a rotating schedule at the discretion of Management.

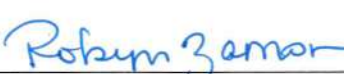
This agreement and attached Guidelines shall not supersede any other section of the MEF MOA, including Article 5 entitled "Management Rights."

This agreement shall become effective when signed by all the parties.

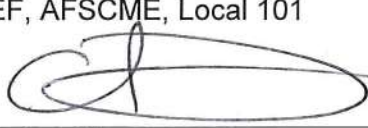
**FOR THE CITY:**

**FOR THE UNION:**

 10/27/16  
 \_\_\_\_\_  
 Jennifer Schembri Date  
 Director of Employee Relations

 10/27/16  
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 Robyn Zamora Date  
 President  
 MEF, AFSCME, Local 101

 12/6/16  
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 John Aitken Date  
 Assistant Director of Aviation

 10.27.16  
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 Charles Allen Date  
 Business Agent  
 AFSCME, Local 101

Enclosure

## Guidelines for 'Shift Selection per Longevity' for Senior Airport Operations Specialists 4.0.8

### PURPOSE

To outline general procedures for the Senior Airport Operations Specialist classification during the twice annual shift selection per longevity process.

### AUTHORITIES

Authority over staff scheduling; including processes and parameters of the Shift Selection per Longevity, resides with the Deputy Director of Operations.

### POLICY

1. All fully trained Senior Airport Operations Specialists will bid based on seniority in the classification.
  - (a) If there are two or more individuals who have the same number of hours in the classification, Total City Wide hours will determine seniority.
  - (b) In the event there are two or more individuals who have the same number of Total City Wide hours, the recommended methodology will be followed:
    - i. The sum total of the last four (4) digits of the employee's social security numbers will determine seniority, with the lowest sum being the least senior and the highest sum total being the most senior
    - ii. In the event the sum total of the last four (4) digits of the employee's social security number should result in a tie, a random draw shall be conducted consisting **only** of the employees with total tie. With the first drawn being the most senior of the secondary tie and the subsequent draw or draws continuing until all placements on the list are filled in the same manner.
2. Senior Airport Operations Specialists may not spend more than two (2) consecutive rotations on the same shift, meaning Day Shift, Swing Shift, and Graveyard Shift.
  - (a) For example, an employee who has been on the Day Shift for two (2) consecutive rotations is ineligible to bid for the Day Shift on the third consecutive rotation.
3. All trainees will be administratively assigned on varying shifts until the completion of training. After training, these employees will be administratively



## **Guidelines for 'Shift Selection per Longevity' for Senior Airport Operations Specialists**

**4.0.8**

assigned to shifts based on operational need or training requirements as determined by the Department.

4. An employee may be administratively assigned to a shift for reasons including, but not limited to, operational needs or an employee being on extended intermittent or continuous leave resulting from a worker's compensation claim, work restrictions provided by the employee's medical provider, and/or FMLA leave.
5. Employees on extended leave during the time of bid will be administratively assigned upon return until the next shift bid.
6. In the event an existing shift becomes vacant for any reason, there will be no rebids.
7. On or about the first Monday in May and the first Monday in November, the Scheduling Supervisor will supply all Senior Airport Operations Specialists with three (3) items in preparation for shift selection:
  - (a) A copy of these guidelines describing the process that will be followed for the shift bid;
  - (b) A blank schedule showing all available shifts; and
  - (c) A seniority list of Senior Airport Operations Specialists as determined by Section 1 above.

Each Senior Airport Operations Specialist will rank the preferred shift as "1," the second preferred shift as "2," and so on. All selections will be returned to the Supervisor by 1600 on Friday of the same week. Selections may be submitted by hand or email, but it is the responsibility of the Senior Airport Operations Specialist to have their selections received by the deadline.

8. Bidding will occur in May to be effective the first pay period of July, and in November to be effective the first pay period in January.
9. If a senior does not submit a bid, they will be administratively assigned after all bids have been considered.
10. Only one shift bid may be submitted per employee.
11. For the purpose of the Guidelines for 'Shift Selection per Longevity' for Senior Airport Operations Specialists, a "shift trade" shall be defined as an employee trading the entirety of their six (6) month long, ongoing, regularly scheduled work shift with another employee at any point in time before or after the shift bidding process has been conducted. There will be no shift trades allowed.

**Guidelines for 'Shift Selection per Longevity' for Senior Airport Operations Specialists 4.0.8**


- 12. Airport Management retains the ability to administratively assign employees at any time for operational need.
- 13. This is a pilot program that may be cancelled at any time. To discontinue the program and return to a rotating schedule is solely the decision of Management.

**RESPONSIBILITIES**

Supervisor: Prepare relevant documents and notify the Senior Airport Operations Specialist Group of the shift selection time frame.

Workgroup/Classification: Submit completed shift bid form to the Scheduling Supervisor within the specified time frame.

Approved:

  
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Deputy Director of Aviation, Airport Operations

12/5/16  
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Date