

SIDE LETTER AGREEMENT

BETWEEN

THE CITY OF SAN JOSE,

THE MUNICIPAL EMPLOYEES' FEDERATION, AFSCME, LOCAL 101 (MEF)

AND

THE CONFIDENTIAL EMPLOYEES' ORGANIZATION, AFSCME, LOCAL 101 (CEO)

2017 Flood Hours for Part-Time Employees

The City, MEF, and CEO acknowledge that there are four (4) benefit levels for part-time employees represented by both MEF and CEO, and that each part-time employee benefit level has a corresponding maximum hours limit for any employee in that benefit level, as outlined in the following table from Article 7.8.1 of the MEF Memorandum of Agreement:

- 7.8.1 The Department Director or designee, subject to regulation and control by the City Manager or designee, shall determine the number of hours of work per work day and work week for part-time employees. The normal work schedule for part-time employees shall be consistent with the position's designated benefit category as follows:

PT Employee Benefit Level	Work Schedule/Paid Hours
75%	30-34 hours per week or 1560-1768 per year
62.50%	25-29 hours per week or 1300-1508 per year
50%	20-24 hours per week or 1040-1248 per year
Part-Time Non-Benefited Employees	Less than 20 hours per week or less than 1040 per year

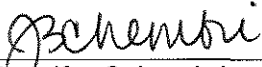
The City, MEF, and CEO also acknowledge that flooding occurred within the City of San Jose in calendar year 2017, which required the City to declare a local emergency. At that time, many MEF and CEO-represented part-time employees across multiple City departments were required to fulfill their obligation, under California Government Code, to serve as disaster service workers.

In recognition of the unique circumstances listed above, the City, MEF, and CEO agree that the hours worked by any part-time employee represented by MEF and CEO attributed to the 2017 flooding shall not count against the maximum hours limit for any part-time employee benefit level for payroll calendar year 2017, including but not limited

to those hours worked by part-time employees in the Department of Parks, Recreation & Neighborhood Services (PRNS), Department of Transportation (DOT), and Department of Planning, Building & Code Enforcement (PBCE) in the enclosed lists. The parties agree that this Agreement to exempt the hours worked by part-time employees represented by MEF and CEO attributed to the flood from the maximum hours limits is a one-time exemption given the unique circumstances of the flood. The parties also agree that this Agreement shall not serve as a precedent for future agreements regarding maximum hours limits for part-time employees nor shall it be construed or implied to obligate the parties to enter into any similar agreements in the future.

This Agreement shall become effective when signed by all parties below.

FOR THE CITY:



Jennifer Schembri
Director of Employee Relations

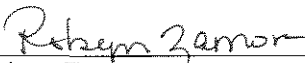
8/7/17
Date



Marco Mercado
Assistant to the City Manager, OER

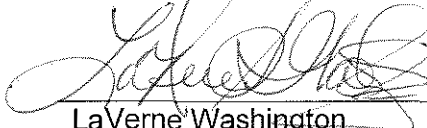
8/4/17
Date

FOR THE UNIONS:



Robyn Zamora
President, MEF

7/31/17
Date



LaVerne Washington
President, CEO

7/31/17
Date



Charles Allen
Business Agent, AFSCME, Local 101

7-31-17
Date

Enclosure