

**CITY OF SAN JOSE  
 CONTRACT NEGOTIATIONS 2018**

**AFSCME MEF PROPOSAL –  
 PART-TIME EMPLOYEES – “OPPORTUNITY TO WORK”**

7.8 Part-time Employees

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

7.8.1.1 If a part-time employee is scheduled and reports to work for a shift which is then cancelled, the employee shall, at the City’s discretion, either work a minimum of two (2) hours or be credited with two (2) hours work at the employee’s straight time pay rate. If the employee is notified prior to the start of the shift that the shift is canceled, the employee is not entitled to the two (2)-hour minimum.

7.8.1.2 ~~For~~ *New hire non-benefited part-time employees shall be guaranteed a minimum of ten (10) hours per workweek;* the following shall be the prorated hour limits for the payroll calendar year and month in which the employee is hired:

January 1st- April 30th	May 1st- Aug. 30th	Sept. 1st-Dec. 31st
1040	700	350



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*7.8.1.3 Before hiring additional employees or subcontractors, including hiring through the use of temporary services or staffing agencies, the City shall offer additional hours of work to existing employees who have the skills and experience to perform the work, and shall use a transparent and nondiscriminatory process to distribute the hours of work among those existing employees. This section shall not be construed to require the City to offer an employee work hours if the City would be required to compensate the employee at time-and-a-half.*

7.8.2 Part-time Employee Benefits Eligibility

7.8.2.1 Eligible part-time employees will receive benefits as specified in the appropriate sections of this MOA.

7.8.2.2 *Excepting the guaranteed minimum hours in 7.8.1.2, the scheduled hours pursuant to 7.8.1, may be reduced by a budgetary change to a position, subject to Budget Office approval, or through applicable due process.*

7.8.2.3 As used in this Agreement, the term "indefinitely assigned" shall mean an assignment to a regularly scheduled part-time position without limitation of any kind as to duration. Nothing herein contained, however, shall be construed to limit the right of the Department Director or the City Manager or designee, as contained in Section 7.8 of this Agreement, to determine the days of the week and hours of each day when any such part-time non-benefited employee shall be required to work, or whether such part-time non-benefited employee shall work at all.

7.8.2.4 In the event Section 7.8.2.3 is invoked as to whether an employee shall be required to work at all, at the employee's written request to the Office of Employee Relations, they shall be provided a reason for its action in writing. The action and the reason given for the action shall not be subject to the grievance procedures of this agreement.

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- 7.8.2.5 To the extent possible and with the exception of any shift changes, when a non-benefited part-time employee has worked six (6) consecutive days, the employee, in so much as possible, shall be provided with one (1) scheduled day off. Nothing herein contained, however, shall limit the right of the Department Director or designee to determine the days of the week and hours of each day when any such part-time non-benefited employee shall be required to work, or whether such part-time non-benefited employee shall work at all.