

**CITY OF SAN JOSE
CONTRACT NEGOTIATIONS 2018**

AFSCME MEF PROPOSAL – SHIFT BIDDING

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.

8.2 A shift vacancy which occurs outside the normal bidding process may be filled by an administrative placement.

8.3 Communications Employees' Shift Assignments. Employees shall have the right on at least an annual basis to bid for shift assignments based upon seniority in class within department, subject to the right of the Department Director, or designee, to deny such bid based upon the need to provide quality service to the public. The denial of a bid for a shift assignment shall not be subject to the grievance procedure.

8.3.1 Shift trades shall be permitted. Shift trades shall be defined as trading an ongoing shift that was awarded based on seniority with another employee on a long-term basis. The denial of a shift trade shall not be subject to the grievance procedure.

8.4 Denial of Shift Bid. Any employee eligible to request a shift assignment whose request for assignment is denied, shall be entitled to a written explanation of the denial from the Department Director or his/her designee. Such request shall be made in writing within five working days following the denial. A written explanation shall be given to the employee within five (5) working days following receipt of the request.

8.4.1 For Police Department personnel, in the event the matter is not resolved by the Chief of Police or his/her designee, the employee may within five (5) working days of receipt of the decision submit a written request for review to the City Manager or his/her designee. The request must include the reason or reasons why the employee is not satisfied with the decision previously

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rendered. A written decision shall be given to the employee within ten (10) working days following receipt of the request. The decision of the City Manager or his/her designee shall be final and binding.

8.5 *Shift Bid Policies. The City and the Union acknowledge that the following departments and classifications have approved shift bidding policies:*

- *Airport Department – Airport Operations Specialists series*
- *Fire Department – Public Safety Dispatcher series*
- *Police Department – Community Service Officers*
- *Police Department – Latent Fingerprint Examiner series*
- *Police Department – Police Data Specialists series*
- *Police Department – Public Safety Dispatcher series*
- *Public Works Department – Animal Service Officers*

The City shall provide the Union a copy of the shift bid policy for these job classifications in their respective departments. In the event a policy for these, or other job classifications (in any department), is added, modified, amended, or revoked, the City shall provide that shift bid policy to the Union at least ten (10) working days prior to implementation of the policy. Upon the completion of a shift bid, the Union shall be provided a list of the employees having bid for a shift, denied the opportunity to bid for a shift, and administratively assigned to a shift, no later than five (5) working days after the bid is completed. The list shall include the name, department, job classification, and what shift the employee was awarded or was administratively assigned to within the department.