

# SIDE LETTER AGREEMENT

BETWEEN  
THE CITY OF SAN JOSE  
AND  
THE ASSOCIATION OF ENGINEERS AND ARCHITECTS (AEA), IFPTE, LOCAL 21,  
THE CITY ASSOCIATION OF MANAGEMENT PERSONNEL (CAMP), IFPTE, LOCAL 21

## LUNAR NEW YEAR

The City and AEA and CAMP agree that the following will become effective as soon as practicable once this can be implemented for all City employees:

Lunar New Year shall be observed in accordance with the State of California's holiday schedule and New Year's Eve Day shall no longer be a City-observed holiday. The following changes will also be implemented at the time the holiday change is implemented:

### ARTICLE 8 LEAVES

8.5 Executive Leave Executive leave is a benefit provided in recognition of the hours in excess of forty (40) hours per week, which may be necessary but are not directly compensated on an hourly basis. Each full-time employee shall be entitled to an additional eight (8) hours of executive leave hours which is granted in recognition that City employees may wish to observe a personal holiday that is not observed by the City. Executive leave is awarded as hours/days off, up to a maximum of forty-eight (4048) hours/~~five-six (56)~~ days during a payroll calendar year. Executive Leave is not an accrued benefit and unused leave does not carry over from year to year.

The Management Performance Program (MPP) provides that the Department Director or designee may approve up to forty (40) additional hours of executive leave for employees who receive a performance appraisal of commendable or outstanding.

8.5.1 ~~Effective the first pay period of payroll calendar year 2022, w~~When an employee is hired or promoted into a position eligible for executive leave, the leave will be prorated during the first year dependent upon the hire date.

Start Date in Position	Hours of Executive Leave
January 1 – February 28 (February 29 on a Leap Year)	408 hours
March 1 – April 30	3240 hours
May 1 – June 30	2432 hours
July 1 – August 31	4624 hours
September 1 – October 31	816 hours
November 1 – End of Payroll Calendar Year	08 hours

8.5.1.1 ~~Effective the first pay period of payroll calendar year 2022, a~~An employee who is promoted or demoted into an AEA/CAMP-represented classification will have the number of Executive Leave hours they receive upon promotion or demotion reduced on an hour-for-hour basis based on their usage of Personal Leave and/or Executive Leave within the same payroll calendar year.

8.5.2 ~~Effective the first pay period of payroll calendar year 2022, a~~An employee on a reduced work week schedule will receive executive leave as indicated in the chart below, even if the actual hours worked exceed that amount.

Scheduled Work Hours per Week	Benefit Level	Hours of Executive Leave
35-39.9 hours per week	100%	480 hours
30-34.9 hours per week	75%	360 hours
25-29.9 hours per week	62.5%	2530 hours
20-24.9 hours per week	50%	2024 hours
Less than 20 hours per week	Unbenefited	None

This agreement is considered part of the tentative agreement for a successor MOA between the parties. This agreement shall become effective only as part of the overall tentative agreement for a successor MOA, when signed by all parties below, ratified by MEF and approved by the City Council.

**FOR THE CITY:**

J Schembri 8/15/2023  
 Jennifer Schembri Date  
 Director of Employee Relations  
 Director of Human Resources

Elsa Cordova 8/15/2023  
 Elsa Cordova Date  
 Assistant to the City Manager, OER

**FOR THE UNION:**

Elizabeth Kamy 08/15/23  
 Elizabeth Kamy Date  
 Business Representative  
 IFPTE, Local 21

Florin Lapustea 8/15/2023  
 Florin Lapustea Date  
 President, AEA

Julie Jennings 8/15/2023  
 Julie Jennings Date  
 President, CAMP