#### SIDE LETTER AGREEMENT

BETWEEN
THE CITY OF SAN JOSE
AND
THE MUNICIPAL EMPLOYEES' FEDERATION (MEF), AFSCME, LOCAL 101

## LIBRARY HOLIDAY SCHEDULE PILOT PROGRAM

The City and MEF agree that the language below shall be in effect through the term of the successor Memorandum of Agreement (MOA). At the conclusion of the term of the successor MOA, the language below shall sunset and revert to the previous language, absent mutual agreement between the City and MEF.

## **ARTICLE 10 LEAVES**

10.1.4.1 Full-time employees in the Library Department, and who are regularly scheduled to work Tuesday through Saturday.

When a City holiday, as described in Section 10.1, observed by the Library falls on a Monday, full-time employees who are scheduled to work Tuesday through Saturday shall:

- Observe the holiday (i.e. not be required to report to work) on the Tuesday immediately following the Monday holiday. Section 10.1.4 shall not apply to employees covered by Section 10.1.4.1 and they will not receive compensatory time for the Monday holiday, but shall code holiday leave on the Tuesday immediately following the Monday holiday for the number of regularly scheduled hours which the employee works during their assigned work day.
- Employees covered by Section 10.1.4.1 will not be able to code holiday leave any other day of the week and shall only code holiday leave on the Tuesday immediately following the Monday holiday.

In the event an employee covered by Section 10.1.4.1 is required to work by the Department on the Tuesday immediately following a Monday holiday, the employee shall be compensated pursuant to Section 10.1.3. shall be compensated for City-observed holidays in accordance with Articles 10.1.3 and 10.1.4. When a holiday falls on a full-time employee's regular day off, the employee may request a temporary change to their schedule during the same FLSA work week to allow the employee to observe the holiday on one of their

City of San José August 15, 2023 Page 1 of 2

### SIDE LETTER AGREEMENT

# BETWEEN THE CITY OF SAN JOSE AND

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

## LIBRARY HOLIDAY SCHEDULE PILOT PROGRAM

regularly scheduled workdays in-lieu of their regular day off. The Library Department has the discretion to approve or deny such requests based on the operational needs of the Department.

10.1.11 Library Holiday Schedule. Because not all locations may be open seven (7) days per week and because days and hours of operation may be impacted year-to-year due to changes to the budget, the Library shall not be subject to Article 10.1.2.1. Due to the scheduling needs of the public library, the above listed holidays may be observed on a day other than the date designated by the City. A calendar listing the dates of holiday observance for the library shall be provided to library employees in a timely manner, but at a minimum by October 31st for the upcoming calendar year. If the Library intends to observe a holiday on a different day than the City, the Library shall endeavor to notify staff at least six (6) months in advance of the City-observed holiday. There may be times when the Library will have to revise this schedule after it is initially published, and the Library shall endeavor to make these adjustments as early as possible, and shall inform staff of the update to the Library holiday schedule. Library employees regularly scheduled for a Tuesday through Saturday work week shall work Monday through Friday when December 25th and January 1st fall on a Saturday.

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:		FOR THE UNION:	
Bchemtri	8/15/2023		- 4/15/23
Vennifer Schembri	Date	John Tucker	Date
Director of Employee R	elations	Business Agent, AFSCME	
Director of Human Res	ources		
goncentar	8/15/2023	CindyHarlin	8/15/2023
Elsa Cordova	Date	Cindy Harlin	Date
Assistant to the City Manager OFP		President MFF	