

# SIDE LETTER AGREEMENT

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

## LUNAR NEW YEAR

The City and MEF 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 10 LEAVES

10.2.14 **Personal Leave.** Each full-time employee shall be entitled to a total of ~~twenty-fourthirty-two~~ (2432) hours per payroll calendar year, eight (8) hours of which is granted in recognition that City employees may wish to observe a personal holiday that is not observed by the City. Such leave may be scheduled in fifteen minute increments, at any time, subject to approval of the supervisor. Personal leave does not accrue. Any such leave not taken by the date of separation for employees separating during the year, or by the end of the last pay period in the calendar year for other employees, shall not be paid out nor carried over to subsequent years. Under no circumstances, such as promotion, transfer, and/or rehire, shall an employee receive more than ~~2432~~ 32 hours of Personal Leave in any given calendar year.

10.2.14.1 Full-time employees hired on or after July 1<sup>st</sup> shall be entitled to only ~~twelve-sixteen~~ (4216) hours of personal leave in the first payroll calendar year in which they were hired.

10.2.14.2 Each benefited part-time employee shall be entitled to annual personal leave of ~~twelve-sixteen~~ (4216) hours per year except that, in the first payroll calendar year of employment, employees hired before July 1<sup>st</sup> will get ~~twelve-sixteen~~ (4216) hours of annual personal leave and employees hired on or after July 1<sup>st</sup> will get ~~six-eight~~ (68) hours of annual personal leave.

10.2.14.3 ~~Effective the first pay period of payroll calendar year 2022,~~ an employee on a reduced work week schedule will receive Personal 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 Personal Leave
35 – 39.9 hours per week	100%	<del>24-32</del> hours
30 – 34.9 hours per week	75%	<del>18-24</del> hours
25 – 29.9 hours per week	62.5%	<del>15-20</del> hours
20 – 24.9 hours per week	50%	<del>12-16</del> hours
Less than 20 hours per week	Unbenefited	None

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**LUNAR NEW YEAR**


10.2.14.4 ~~Effective the first pay period of payroll calendar year 2022,~~  
An employee who is promoted or demoted into an MEF-  
represented classification will have the number of Personal  
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.


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.

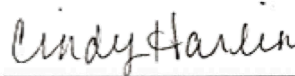
**FOR THE CITY:**

**FOR THE UNION:**

  
\_\_\_\_\_  
Jennifer Schembri Date  
Director of Employee Relations  
Director of Human Resources

  
\_\_\_\_\_  
John Tucker Date  
Business Representative  
AFSCME, Local 101

  
\_\_\_\_\_  
Elsa Cordova Date  
Assistant to the City Manager, OER

  
\_\_\_\_\_  
Cindy Harlin Date  
President, MEF