

SIDE LETTER AGREEMENT

BETWEEN
THE CITY OF SAN JOSE
AND
THE ASSOCIATION OF LEGAL PROFESSIONALS (ALP)

LUNAR NEW YEAR

The City and ALP 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 29 EXECUTIVE LEAVE

- 29.1** Employees will receive ~~forty-eight (4048)~~ hours of executive leave per payroll calendar year with supervisor approval. Forty (40) additional hours may be available, upon City Attorney approval, for recognition of outstanding performance as part of the Management Performance Program. Executive leave that is not used by the end of the payroll calendar year does not accrue or carry over to the following year.
- 29.2** ~~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)	40 48 hours
March 1 – April 30	32 40 hours
May 1 – June 30	24 32 hours
July 1 – August 31	16 24 hours
September 1 – October 31	8 16 hours
November 1 – End of Payroll Calendar Year	0 8 hours

- 29.3** ~~A~~Effective the first pay period of payroll calendar year 2022, 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%	40 48 hours
30-34.9 hours per week	75%	30 36 hours
25-29.9 hours per week	62.5%	25 30 hours
20-24.9 hours per week	50%	20 24 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

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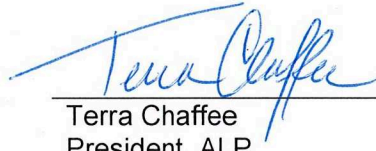
a successor MOA, when signed by all parties below, ratified by ALP and approved by the City Council.

FOR THE CITY:

FOR THE UNION:



Jennifer Schembri 06/13/23
Director of Human Resources Date
Director of Employee Relations



Terra Chaffee 6/13/23
President, ALP Date