

**2018 CITY OF SAN JOSE – IAFF MOA NEGOTIATIONS  
TENTATIVE AGREEMENT**

**CITY COUNTERPROPOSAL TO IAFF – VACATION LEAVE**

City Proposed Language:

**ARTICLE 25 VACATIONS**

25.4 Vacation Leave. Any and all leaves granted pursuant to this Article shall be granted at such time or times as will not reduce the number of employees below that which is reasonably necessary for the efficient conduct of the public business of such department, except no employee who is authorized to take a leave for vacation purposes shall be required to commence such leave at a time other than the beginning of a work week or the beginning of a cycle of twenty four (24) hour shifts, unless the employee elects or consents to commence such leave at another and different time. Subject to the above provisions, preference of vacation leave timing in any calendar year shall be given in order of seniority. ~~For purposes of this section "seniority" shall be determined by the relative length of time served by each employee in the classification in which the employee is employed in a department of the City Government, and by the length of time during which such employee has worked on any shift if more than one (1) shift is worked by employees in such classification.~~

25.4.1 For purposes of this section with regard to annual vacation selection at the start of the year, "seniority" shall be determined by the relative length of time served in the department by each employee, regardless of time served in the classification in which the employee is employed in a department of the City.

25.4.2 For purposes of this section with regard to ongoing vacation selection throughout the year and any other vacation polices not included in 25.4.1, "seniority" shall be determined by the relative length of time served by each employee in the classification in which the employee is employed in a department of the City.

\* *This agreement is considered tentative and shall not be considered final or binding until a final agreement on all terms has been reached and both ratified by union members and approved by the City Council.*

**FOR THE CITY:**

**FOR THE UNION:**

  
\_\_\_\_\_  
Jennifer Schembri  
Director of Employee Relations

5/30/18  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Sean Kaldor  
President, IAFF

5/30/18  
\_\_\_\_\_  
Date