

SIDE LETTER AGREEMENT

BETWEEN

THE CITY OF SAN JOSE

AND

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

HIRING INCENTIVE AND REFERRAL BONUS PILOT PROGRAMS

The City and MEF agree to implement the following Hiring Incentive and Referral Bonus Pilot Programs:

- (a) **Hiring Incentive Pilot Program** – Employees hired on or after the first pay period after this agreement has been signed by all parties below and approved by City Council shall be eligible to receive a hiring incentive through the program outlined below. The Hiring Incentive shall be paid based on the classification that the new employee is initially hired into.

The lump sum non-pensionable Hiring Incentive will be paid as follows:

Public Safety Communications Specialist FT	
Timing	Hiring Incentive
Upon Hire	\$1,500.00
Passing Probation as a Public Safety Communications Specialist	\$1,500.00
Total	\$3,000.00

Public Safety Radio Dispatcher FT	
Timing	Hiring Incentive
Upon entering the Public Safety Radio Dispatcher Trainee classification	\$2,000.00
Upon entering the Public Safety Radio Dispatcher classification	\$2,000.00
Upon passing probation as a Public Safety Radio Dispatcher	\$2,000.00
Total	\$6,000.00

The payment of the one-time, non-pensionable lump sum hiring incentive to new full-time Public Safety Communications Specialist and new full-time Public Safety Radio Dispatcher hires is contingent on the employee being continuously employed in the full-time Public Safety Communications Specialist and full-time Public Safety Radio Dispatcher classifications through their one (1) year anniversary of passing probation.

If an employee receives any portion or all of the one-time, non-pensionable lump sum hiring incentive, and separates from City employment or accepts another position within the City that is not within the Dispatcher class series prior to their one (1) year anniversary of passing probation in the above classifications, the employee forfeits the one-time, non-pensionable lump sum hiring incentive and, to the extent permitted by law, will be required to reimburse the City for the entire amount of the hiring incentive they have received. The employee may sign an agreement to deduct the bonus amount from his or her final paycheck of wages, subject to applicable laws. In the absence of such agreement, the City shall deduct the hiring incentive amount from the employee's sick leave payout, if applicable, and the employee's vacation leave payout. If the employee's leave amounts are not adequate to cover the entire amount of the hiring incentive,

the City shall pursue reimbursement of the bonus through any other lawful means, including the collection process.

Referral Bonus Pilot Program – Employees in classifications that are represented by MEF shall be eligible for a referral bonus under the MEF Referral Bonus Pilot Program. Employees must be currently employed in an MEF-represented position at the time of payment to receive the Referral Bonus.

Effective the first pay period after this agreement has been signed by all parties below and approved by City Council, current MEF-represented employees will receive a one-time, non-pensionable lump sum Referral Bonus of \$1,500 for referring a new full-time Public Safety Communication Specialist (8515) or full-time Public Safety Radio Dispatcher (8514) hires. The Referral Bonus shall be paid once the new employee passes probation in the above classifications.

An individual who is newly hired shall be allowed to disclose a maximum of one (1) referral. The applicant must provide the referrer’s name on his or her application prior to submitting the application for consideration and certify that the referrer referred and/or assisted in recruiting them, and that the applicant will not receive any portion of the Referral Bonus provided to them.

Employees involved in the recruiting and/or hiring of new full-time Public Safety Communication Specialists or full-time Public Safety Radio Dispatchers are not eligible to receive the Referral Bonus.

The Referral Bonus shall be in lieu of the existing Citywide referral bonus of \$500 per referral. Further, the City and MEF agree that this will suspend the current referral program in place whereby employees are awarded up to 40 hours of compensatory time for referring new hires and up to 60 hours for lateral or direct entry hires, until the expiration of this agreement.

This side letter agreement shall become effective on the first pay period after this agreement has been signed by all parties below and approved by the City Council and will expire on June 30, 2021.

For Employer:
City of San Jose

For Union:
MEF

Jennifer Schembri
Director of Employee Relations
Director of Human Resources
Date

Steven Solorio
President, MEF
Date

Carol McEwan
Business Agent, AFSCME Local 101
Date