

Side Letter Agreement

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

POSITION REALLOCATION REQUEST PROCESS

The parties agree that San Jose Municipal Code 3.04.540 provides that the Director of Human Resources may establish procedures for allowing an individual employee to request reallocation of his/her position, if it is determined by the Director of Human Resources that providing a means for individual employees' job classifications to be reviewed and changed, if appropriate, is beneficial to the quality of the City of San Jose's employment systems. The City further maintains its position that the Director of Human Resources has the authority to determine if a Reallocation Program should be in place at any given time.

The Position Reallocation Process Pilot Program was effective from August 1, 2018 – April 30, 2019.

Going forward, the parties agree that reallocation requests received and approved by the Department Director, but not the Human Resources Department, during the time period above will be reviewed.

Beginning January 1, 2020, the Director of Human Resources will review any reallocation requests on a case by case provided that such request is made directly by the Department Director or MEF, is based on extenuating circumstances, and is supported by the Department Director. Any such requests should be made prior to the submission of the Position Reallocation Request Form.

The Director of Human Resources will analyze relevant job information, and approve or deny the request to review the reallocation request. If the review request is approved, the Department may then submit the Position Reallocation Request Form to Human Resources for processing. Approval to review a position reallocation request does not guarantee approval of the request itself. If a position reallocation request is denied, there will be no right to appeal and the Director of Human Resources' decision shall be final.

This process shall be effective through June 30, 2020, after which time it will be re-evaluated by the Director of Human Resources, who will meet with the affected interested unions prior to a decision being made.

The parties agree that this Agreement shall not serve as precedent for future agreements and this Agreement shall not be construed or implied to obligate the parties to enter into any similar agreements in the future.

This Side Letter Agreement shall become effective when signed by all of the persons designated below.

For Employer:
City of San Jose



Date 1/30/2020
Jennifer Schembri
Director of Employee Relations
Director of Human Resources

For Union:
MEF



Date 1/30/20
Steven Solorio
President, MEF



Date 1/30/20
Brian Dane
AFSCME Local 101 Business Agent