

SIDE LETTER AGREEMENT

BETWEEN
THE CITY OF SAN JOSE
AND
THE MUNICIPAL EMPLOYEES' FEDERATION, AFSCME, LOCAL NO. 101 (MEF),
THE ASSOCIATION OF ENGINEERS AND ARCHITECTS, IFPTE, LOCAL 21 (AEA),
THE ASSOCIATION OF MAINTENANCE SUPERVISORY PERSONNEL, IFPTE, LOCAL 21 (AMSP),
AND
THE CITY ASSOCIATION OF MANAGEMENT PERSONNEL (CAMP)

City-Paid Parental Leave Pilot Program

The City of San Jose (City) and the Municipal Employees' Federation (MEF), the Association of Engineers and Architects (AEA), the Association of Maintenance Supervisory Personnel (AMSP), and the City Association of Management Personnel (CAMP) agree on the following implementation of the City-Paid Parental Leave Pilot Program:

- For eligible births, adoptions, or foster care placements that occur during the term of the Pilot Program, full-time employees will receive a maximum total of forty (40) hours of continuous paid time off, and shall be eligible to use up to a maximum total of one-hundred and twenty (120) hours of their available sick leave for City-Paid Parental Leave reasons.
- An employee shall only be eligible for one instance of City-Paid Parental Leave per unique birth, adoption, or foster care placement, regardless of whether a twelve (12) month rolling period would cross multiple payroll calendar years.
 - **Example:** An employee experiences a birth, adoption, or foster care placement on September 23, 2021.

The employee will be eligible for a maximum total of forty (40) hours of continuous paid time off and will be eligible to use a maximum total of one-hundred and twenty (120) hours of their accrued sick leave balances.

If the employee has used a portion or all of their City-Paid Parental Leave prior to the end of Payroll Calendar Year 2021, the portion that was used shall not be refreshed and shall not be available for use in Payroll Calendar Year 2022, as the employee is eligible for a maximum total of forty (40) hours of continuous paid time off per unique birth, and shall be eligible to use up to a maximum total of one-hundred and twenty (120) hours of their available sick leave for City-Paid Parental Leave reasons per unique birth.

- In situations of one birth with multiple children (e.g. twins), or where multiple children are adopted or are placed in the foster care of an employee at the same time, this shall be treated as one event.
- An employee shall be eligible for a maximum of one instance of City-Paid Parental Leave per payroll calendar year.
 - **Example:** An employee who experienced a qualifying event in January 2022, and a second qualifying event in October 2022.

In this situation, the employee would be eligible for a maximum of 40 hours of continuous paid time off and will be eligible to use a maximum of 120 hours of their accrued sick leave balances for their January 2022 qualifying event.


The employee would need to wait until Payroll Calendar Year 2023 in order to receive their City-Paid Parental Leave for their October 2022 qualifying event, and would only be eligible to receive this benefit if they had not returned to work prior to its usage.

FOR THE CITY:

 11/5/2021
Date
Jennifer Schembri
Director of Human Resources
Director of Employee Relations

FOR THE UNIONS:

 11/5/21
Date
John Tucker
Business Agent
MEF, AFSCME, Local 101

 11/4/2021
Date
Elizabeth Kariya
Business Representative
IFPTE, Local 21