

SIDE LETTER AGREEMENT

BETWEEN
THE CITY OF SAN JOSE
AND
THE INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL NO. 3 (OE#3)

MAINTENANCE WORKER SERIES SPECIAL WAGE ADJUSTMENT AND CHANGES TO THE CITY'S LIVING WAGE

Effective the first full pay period after this agreement is signed by all parties below and approved by the City Council in open session, employees in the classifications listed below shall receive the following pensionable wage increase:

Classification	Pensionable Increase
Maintenance Assistant FT/PT (3108/3109)	3.60%
Maintenance Worker I FT/PT (3113/3112)	14.60%
Maintenance Worker II (3114)	14.30%
Senior Maintenance Worker (3115)	9.15%

This will result in an increase to the top and bottom of the salary range of employees in the classifications noted above. The City and OE#3 agree to defer discussions related to the results of a classification review for the Maintenance Worker Series in the Sewer Division in the Department of Transportation until negotiations over a successor Memorandum of Agreement (MOA) occur in 2024.

Further, effective Fiscal Year 2022-2023, the City and OE#3 agree that Council Policy 3-3 Living Wage Policy will no longer apply to employees represented by OE#3. Thus, the parties agree that:

- Eligible employees in OE#3-represented classifications shall continue to receive the appropriate Fiscal Year 2021-2022 living wage rate until such time that they reach a salary step that exceeds the living wage.
- Employees represented by OE#3 who were otherwise eligible for living wage increases under the Living Wage Policy prior to this agreement, will only be eligible for negotiated wage increases agreed to between the City and OE#3 going forward (e.g., for Fiscal Year 2022-2023 and beyond).

Example:

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11
Maintenance Assistant (PT Unbenefited)	\$22.19	\$22.73	\$23.30	\$23.90	\$24.48	\$25.08	\$25.69	\$26.31	\$26.97	\$27.61	\$28.30

- Part-time unbenefited employees in Steps 1 – 6 of the Maintenance Assistant classification currently earn the unbenefited living wage of \$25.31 per hour. Upon approval of this Agreement, eligible employees will continue to earn the unbenefited living wage of \$25.31. Per Article 5.1.1.2 of the 2021-2024 OE#3 MOA, OE#3-represented classifications will receive a 3.00% general wage increase effective the first full pay period in Fiscal Year 2022-2023. As such, the unbenefited living wage for OE#3-represented classifications will increase by 3.00%, from \$25.31 to \$26.04, and any OE#3-represented part-time unbenefited employee who is in a salary step below that rate will receive \$26.04 per hour until they reach a salary step that is greater than the Fiscal Year 2021-2022 living wage rate.

- The City will continue to review classifications on an as needed basis for the purpose of addressing any compaction issues that have resulted from the living wage.

This Side Letter will resolve the agreement reached on October 21, 2021, to meet and confer over the results of a classification review by July 2022 for the Maintenance Worker Series and the Maintenance Worker Series in the Sewer Division, and shall become effective on the first full pay period after this agreement has been signed by all parties below and approved by the City Council in open session.

FOR THE CITY:

FOR THE UNION:



Jennifer Schembri Date
Director of Employee Relations
Director of Human Resources



Jeremy Cabaccang Date
Business Representative, OE#3



Elsa Cordova Date
Assistant to the City Manager
Office of Employee Relations