

2023 CITY OF SAN JOSÉ – MEF NEGOTIATIONS  
TENTATIVE AGREEMENT

CITY PROPOSAL TO MEF – HOUSEKEEPING FOR BEREAVEMENT LEAVE

City Proposed Language:

ARTICLE 10 LEAVES

10.5 Bereavement Leave. Employees shall be entitled to use bereavement leave for up to five (5) days due to the death of a qualifying relative. The days of bereavement leave need not be consecutive. Each full-time or benefited part-time employee shall be granted bereavement leave with full pay for up to forty (40) work hours to attend to the customary obligations arising from the death of any of the following relatives of such employee or employee's spouse or employee's domestic partner. Due to the employee's regular work schedule, if the five (5) day entitlement exceeds forty hours, employees may supplement the remaining time off using their accrued leave balances, including, but not limited to, sick leave. All leave must be used within ~~thirty (30) calendar days~~ three (3) months following the death of an eligible person. Under extreme circumstances, the ~~thirty (30) day~~3-month requirement may be waived by the Director of Employee Relations. The decision of the Director of Employee Relations shall be final, with no process for further appeal. Bereavement leave compensation shall be granted to eligible part-time employees on the same basis and subject to the same restrictions, conditions and limitations as apply to such leave with pay and such compensation for full-time employees; provided, however, that each eligible part-time employee shall be entitled to bereavement leave with pay for a number of hours based on the number of hours per week such part-time employee is indefinitely assigned to work in the employee's regularly scheduled part-time position.

Such number of hours shall be in accordance with the following hours per week scheduling:

Regularly Scheduled Hours Per Week	Hours of Bereavement Leave with Pay
30-34 Hours	Up to 30 Hours
25-29 Hours	Up to 25 Hours
20-24 Hours	Up to 20 Hours

a.	Parents/Step-parents
b.	Spouse
c.	Child/Step-child (including miscarriage or stillbirth)
d.	Brother/Sister/Step-brother/Step-sister/Half-brother and Half-sister
e.	Grandparents/Step-grandparents
f.	Great grandparents/Step-great grandparents
g.	Grandchildren
h.	Sister-in-law/Brother-in-law/Daughter-in-law/Son-in-law
i.	Domestic partner



**2023 CITY OF SAN JOSÉ – MEF NEGOTIATIONS  
TENTATIVE AGREEMENT**

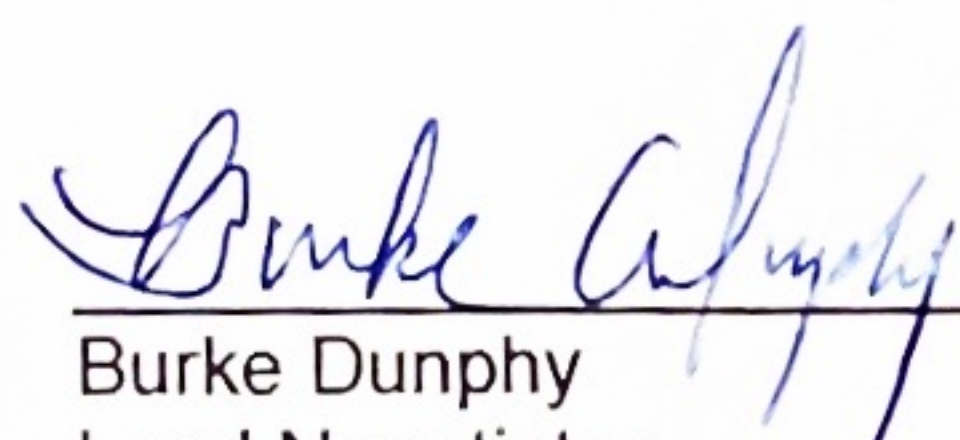
---

Each unbenefited part-time employee shall be granted unpaid bereavement leave for five (5) days and may use their accrued leave balances, including, but not limited to sick leave.

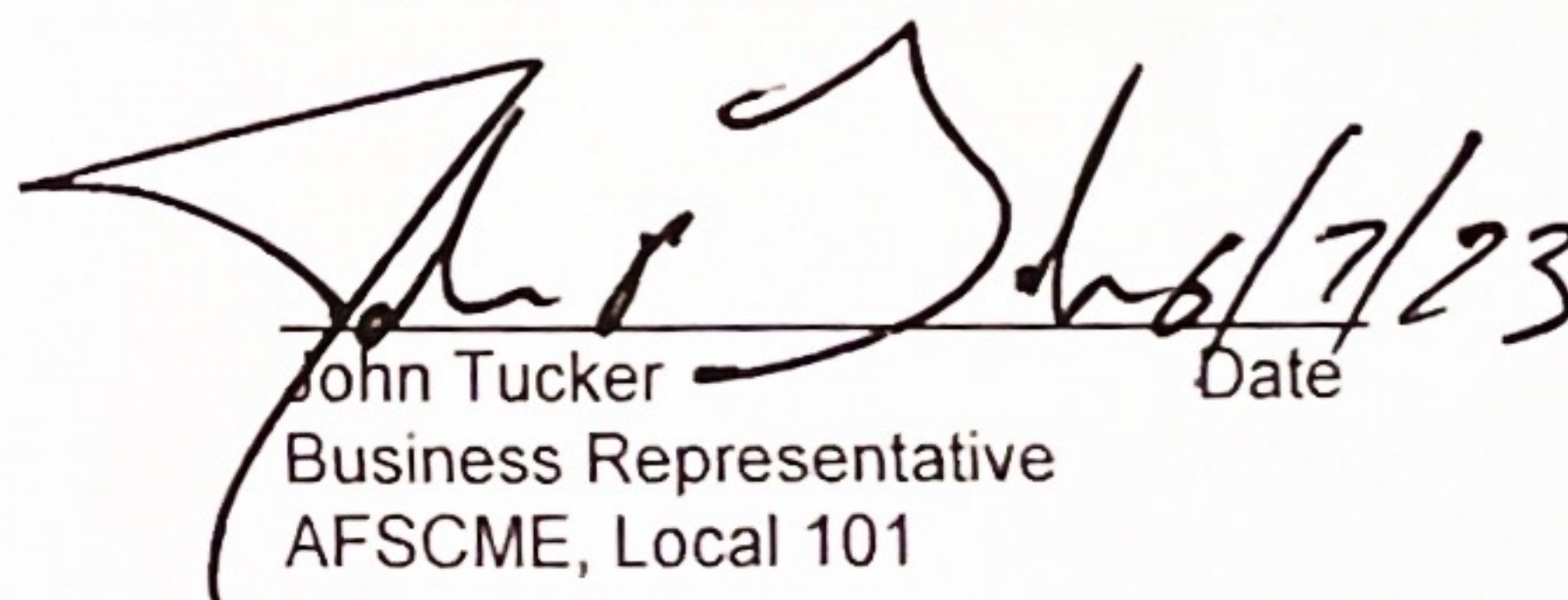
- 1.1.1      10.5.1      A domestic partner, as referenced in Section 10.5, must be the domestic partner registered with the Department of Human Resources.
- 1.1.2      10.5.2      Anything herein above to the contrary notwithstanding, no such employee shall be granted-entitled to compensation for bereavement leave in the event of the death of any of the above relatives, if such employee is not scheduled to work when such bereavement leave is required.

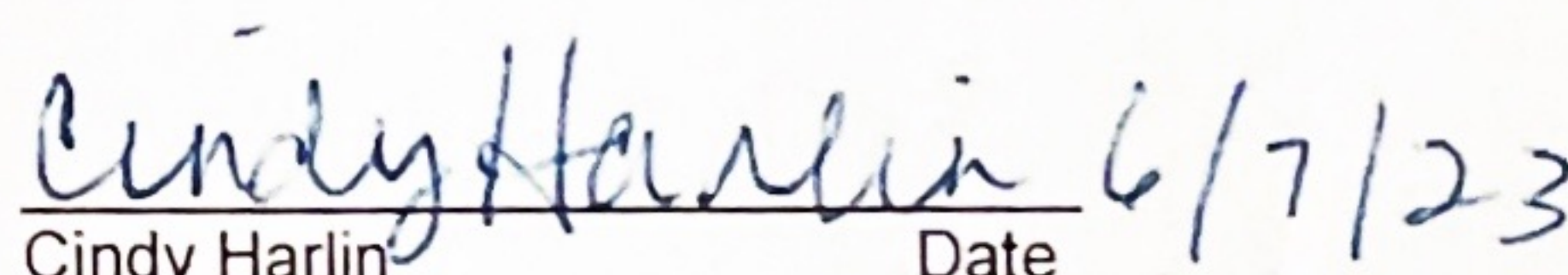
*\*This agreement is considered tentative and shall not be considered final or binding until a final agreement on all terms has been reached and both ratified by union members and approved by City Council.*

**FOR THE CITY:**

  
Burke Dunphy      6/7/23  
Lead Negotiator      Date  
City of San José

**FOR THE UNION:**

  
John Tucker      6/7/23  
Business Representative      Date  
AFSCME, Local 101

  
Cindy Harlin      6/7/23  
President      Date  
MEF, AFSCME, Local 101