

SIDE LETTER AGREEMENT #2

BETWEEN

SERVICE EMPLOYEES INTERNATIONAL UNION (SEIU LOCAL 521)

AND

THE CITY OF HANFORD

for the July 1, 2022 to June 30, 2025 MOU

The City of Hanford (“City”) and the Service Employees International Unit (“SEIU Local 521”) hereby enter into this Side Agreement to amend the Memorandum of Understanding (“MOU”) between the City and SEIU Local 521. This Side Agreement to the MOU amends Section 2.2 “Standard Work Period” III; Section 2.3 “Overtime” II (B); Section 2.5 “Holidays” I, II (B); Section 2.9 “Bereavement Leave” and 2.32 “Shift Differential Pay.”

“2.2 Standard Work Period

III. Communications Dispatcher Schedule

Communication Dispatcher and Communications Dispatch Supervisor shall work an alternative work schedule, hereinafter referred to as the 3/12 plus 8 plan. The plan shall have two (2) work weeks per pay period, a 36 hour work week consisting of three (3) twelve (12) hour shifts and a 44 hour work week consisting of three twelve (12) hour shifts and one eight (8) hour shift, ~~equaling 160 hours during each 28 day work period~~ or a 32 hour work week consisting of two (2) twelve (12) hour shifts and one eight (8) hour shift and a 48 hour work week consisting of four (4) twelve (12) hours shifts ~~equaling 160 hours during each 28 day work period.~~

The standard shift for employees working the 3/12 plus 8 plan shall be:

Day Shift: 6:00 a.m. to 6:00 p.m.

Night Shift: 6:00 p.m. to 6:00 a.m.”

“2.3 Overtime

- B. Communications Dispatchers assigned to work the alternative work schedule, hereinafter referred to as the 3/12 plus 8 plan, shall receive overtime for time worked in excess of:
- i. one duty shift of twelve (12) hours and/or three twelve (12) hour shifts in a thirty-six (36) hour week; or

- ii. three twelve (12) hour shifts and one eight (8) hour shift in a forty-four (44) hour week at time and one-half (T 1/2) their base hourly rate or time and one-half (T 1/2) compensatory time off, at the discretion of the Department Head  
OR
- iii. Two twelve (12) hours shifts and one eight (8) hour shift in a thirty-two (32) hour week;  
or
- iv. Four twelve (12) hour shifts in a forty-eight (48) hour week at time and one-half (T ½) their base hourly rate or time and one-half (T ½) compensatory time off, at the discretion of the Department Head.”

“2.5 Holidays

I. Regular Holidays for Pay Purposes

The following holidays are recognized as municipal holidays for pay purposes and all regular and probationary employees shall have these days off, and shall receive eight (8) hours holiday pay per holiday, except as otherwise provided:

- 1) New Year’s Day, January 1
- 2) Martin Luther King Day, the third Monday ~~of~~ in January
- 3) Washington’s Birthday, the third Monday in February
- 4) Memorial Day, the last Monday in May
- 5) Independence Day, July 4
- 6) Labor Day, the first Monday in September
- 7) Veterans Day, November 11
- 8) Thanksgiving Day, the fourth Thursday in November
- 9) The day after Thanksgiving, the fourth Friday in November
- 10) Christmas Eve, December 24
- 11) Christmas Day, December 25
- 12) New Year’s Eve, December 31
- 13) Every day appointed by the President of the United States or Governor of California for public feast, Thanksgiving, or holiday and as approved by the City Council.

Employees assigned to work a 4/10 schedule may utilize compensatory or vacation hours to supplement holiday hours.

~~Employees~~ Regular and probationary employees shall be credited with no more than two (2) floating holidays (16 hours total) to be taken no later than December 15th of each calendar year, at the employee's discretion, subject to staffing needs and with the approval of the department. New employees hired on or after the pay-period containing July 1st shall only receive one (1) floating holiday (8 hours total) to be taken no later than December 15th at the employee’s discretion, subject to staffing needs and with the approval of the department. The floating holidays shall be capped at eight (8) hours each and can be taken in two (2) hour increments. Floating holidays do not roll over from calendar year to the next and has no cash value.

When a holiday falls on a Saturday, the preceding Friday shall be deemed the holiday in lieu of the day named. When a holiday falls on Sunday, the following Monday shall be deemed to be the holiday in-lieu of the day named.

When Christmas Eve and /or New Year's Eve falls on a Sunday, the following Monday shall be deemed to be the holiday and the Christmas Day and or New Year's Day holiday will be observed on Tuesday.

Any employee who is absent from work on the day before and/or the day after a holiday shall forfeit the holiday pay unless the absence is taken as approved leave with prior notice. ~~An absence taken as sick leave will be approved only by verification by the supervisor who may require a medical note verifying inability of the employee to work.~~ An unscheduled absence taken as sick leave must be accompanied by a medical note identifying the employee's inability to work.

When an observed holiday falls within the standard work week, employees assigned to the Refuse Division shall work an additional day as scheduled by the supervisor to make up for the missed collection routes. Refuse division employees shall not be required to work holidays unless Kings Waste and Recycling Authority (KWRA) is open for business.

Employees assigned to work on a holiday shall be paid for the holiday plus straight time or overtime at the rate of time and one-half (T 1/2) their base hourly rate or time and one-half (T 1/2) compensatory time off at the discretion of the employee for hours worked. Straight time or overtime will depend on the employee's work history for that week (use of vacation or sick leave unless stated otherwise in Section 2.3 Overtime).

## ~~H. Holiday in-Lieu Time~~

~~Public Works employees assigned to work on a holiday shall be paid overtime at the rate of time and one-half (T 1/2) their base hourly rate or time and one-half (T 1/2) compensatory time off at the discretion of the employee for hours worked.~~

### ~~Public Works Employees~~

#### ~~Refuse Division:~~

~~Due to the health and safety of the citizens of Hanford, the responsibilities of the Refuse Division necessitate the regular pick up of solid waste. Employees assigned to an automated collection (4-10), or traditional (5-8) schedule will not be required to work on recognized holidays as defined below unless the landfill is open.~~

~~Refuse workers assigned to automated collection (4-day work week, 10-hour work day) shall observe the paid holidays of New Years, Martin Luther King Day, Washington's Birthday (President's Day), Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving, Christmas and two floating holidays. Refuse employees assigned to automated collection will receive 10 hours per holiday. When a holiday falls on a Friday or Saturday, one day will be added to the employee's compensatory time off bank. When a holiday falls on a Sunday, the following Monday shall be deemed to be~~

~~the holiday in lieu of the day named. When a holiday is observed on any day of the standard work week (M-TH), employees shall work on Friday of that week to make up for the missed day of refuse service. Refuse workers assigned to work on a holiday or an additional day outside of the standard work week shall be paid overtime at the rate of time and one-half (T 1/2) their base hourly rate or time and one-half (T 1/2) compensatory time off at the discretion of the employee for hours worked.~~

~~Refuse workers not assigned to automated collection (5 day work week) shall observe the paid holidays of New Years, Martin Luther King Day, Washington's Birthday (President's Day), Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving, Christmas and two floating holidays. Employees shall work the day after Thanksgiving and will receive holiday pay in addition to the hours worked that day at time and one-half (T 1/2). Refuse employees not assigned to automated collection will receive 8 hours per holiday. When a holiday falls on a Saturday, the previous Friday shall be deemed to be the holiday in lieu of the day named. When a holiday falls on a Sunday, the following Monday shall be deemed to be the holiday in lieu of the day named. When a holiday is observed on any day of the standard work week (M-F), employees shall work on Saturday of that week to make up for the missed day of refuse service. Refuse workers assigned to work on a holiday or an additional day outside of the standard work week shall be paid overtime at the rate of time and one-half (T 1/2) their base hourly rate or time and one-half (T 1/2) compensatory time off at the discretion of the employee for hours worked.~~

~~Wastewater Treatment Plant Operators scheduled off Saturday, Sunday, Monday, or Tuesday prior to going on call, shall observe the paid holidays of New Years, Martin Luther King Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving, the day after Thanksgiving, Christmas and two floating holidays. Prior to going on call, operators shall be paid when a holiday falls on the proceeding scheduled days off (8 hours) at the rate of their base hourly rate or compensatory time off at the discretion of the employee for the observed holiday.~~

~~Any employee who is absent from work on the day before and/or the day after a holiday or make up day for Refuse service pick up shall forfeit the holiday pay unless the absence is taken as approved leave with prior notice. An absence taken as sick leave will be approved only by verification by the supervisor who may require a medical note verifying inability of the employee to work.~~

## “2.9 Bereavement Leave

Each regular employee shall be allowed to use bereavement leave not to exceed one full work week in the event of death in the employee's family. For the purpose of this section only, the employee's family shall mean the spouse, parent, child, brother, sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, grandparent, [grandchild](#), or a close relative residing in the household of the employee. Bereavement leave dates shall be discussed with the Department Head [and does not need to be consecutive. There is no limit to the number of times bereavement leave can be taken as long as it is for an employee's](#)

family member as described above. Bereavement leave shall be completed within three (3) months of the date of the death of a covered family member. Upon request and within thirty (30) days of the first day of leave, the employee shall provide documentation of the death of a covered family member. Documentation shall include but is not limited to: a death certificate, a published obituary, memorial service announcement or program, etc. In the event that an agreement regarding leave cannot be reached, the employee will resolve the requested leave usage with Human Resources.”

“2.32 Shift Differential Pay

Employees shall receive an additional five percent (5%) above their base hourly rate for the entire shift if fifty-one percent (51%) or more of the employee's assigned shift falls between the hours of 6:00 p.m., and 8:00a.m. The employee’s assignment does not have to be in their current job classification. If not a regular shift assignment in their current job classification the employee’s supervisor shall email the Payroll Division on or before the date timesheets are due advising that the employee shall receive shift differential for a specific date(s).”

“2.36 ~~State Disability Insurance~~ Short and Long Term Disability

~~State disability insurance is provided, to all employees within this unit at the employee's cost. State disability insurance payments may be available to employees who cannot work due to sickness or injury not job related. State disability payments shall be integrated with sick leave balances. To the extent that accumulated sick leave or vacation leave is available, the employee will continue to receive a regular payroll check. State disability insurance payments received by the employee from the State shall be turned in to the City upon receipt by the employee. When such checks are received by the City, that portion of the sick leave or vacation leave used, equivalent to the dollars received from the State, shall be reimbursed to the employee's balances. At such time that the employee no longer has balances to reimburse, the employee is no longer required to submit the State disability payment to the City.~~

Effective January 1, 2023, employees shall be enrolled in a Short-Term Disability (STD) and Long-Term Disability (LTD) plan through a private vendor (not California State Disability Insurance). Both Short and Long Term Disability Insurance is provided to all employees within this unit at the employee's cost.

Payments may be available to employees who cannot work due to sickness or non-work-related injury. An employee’s full salary will continue by using accrued leave (vacation, sick and/or other accrued and available leave). Payments received by the employee from the private vendor shall be turned into the City’s Human Resources office upon receipt by

the employee. When such checks are received by the City, the employee's sick leave balance shall be reimbursed, equivalent to the dollars received. At such time that the employee no longer has adequate leave balances available to use to maintain their income, the employee is no longer required to submit their disability payments to the City.

Except as amended herein, each and every term and condition of the MOU shall remain in full force and effect, and this Side Letter Agreement shall be incorporated into the MOU as adopted.

Agreed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

For the City:

---

Mario Cifuentez  
City Manager

For the SEIU:

---

Jose Sigala  
SEIU Representative