

SIDE LETTER AGREEMENT #4

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 2.5 “Holidays.”

“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).

2024 Holiday Closure

In 2024, City offices (where possible) will be closed to the public the week after Christmas providing three additional days of holiday time off to all employees assigned to SEIU. Nothing shall prevent a Department Head from requiring employees to work on a holiday. If any employee is required to work during this period when their office is closed or is not permitted to have the time off in their department due to the nature of their position, these employees shall be compensated for hours worked as outlined in the preceding paragraph or as outlined in Section 2.3 Overtime. No additional holiday in-lieu hours will be provided."

~~II. 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.~~

The language noted above supersedes the Holiday language located in a previous Side Letter Agreement. 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 _____, 2024.

For the City:

Mario Cifuentez
City Manager

For the SEIU:

Jose Sigala
SEIU Representative