

CITY OF HAYWARD

and

THE HAYWARD POLICE MANAGEMENT UNIT

SIDE LETTER OF AGREEMENT

In recognition of the City's anticipated revenue shortfall for FY 2021 resulting from the COVID-19 pandemic, the City proposes the institution of a furlough program in FY 2021 for all HPMU members in order to aid the City's ability to maintain routine and necessary services while attempting to minimize negative fiscal impacts for employees.

Furlough Obligation

Between July 1, 2020 and June 30, 2021, all full-time employees must meet a furlough obligation of eighty (80) furlough hours. Part-time employees who regularly work twenty (20) or more hours per week will be required to take a pro-rated number of furlough hours based on their regular scheduled hours.

Furlough Days

An employee will be allowed to meet their furlough obligation through days off of their choosing, provided the requests for days off are approved in advance by the employee's supervisor. Supervisors will be encouraged to approve the use of such requests unless operational necessity precludes approval.

Furlough hours shall not be taken in increments of less than 8 hours or one-shift.

An employee must submit their request for the use of floating furlough days no later than May, 1, 2021. Absent such a timely request, the employee's supervisor can unilaterally schedule the furlough hours to be taken by the employee.

In the event of a dispute regarding the approval of furlough hours, their supervisor shall forward the reason for denial to the City Manager for review, whose decision shall be final.

Furlough Payback

In order to mitigate the financial impact of the Furlough Program on employees, employees may elect to spread the payback of the furlough obligation over 26 pay periods in FY 2021. Employees must make this election on or before June 1, 2020.

Employees who elect to have the furlough obligation spread over FY 2021 shall have 3.077 hours of paid time deducted from each full-time employees' paycheck beginning the pay period including July 1, 2020 and ending with the pay period including June 30, 2021.

Any employee who leaves City employment prior to completely reimbursing the City for the furlough hours taken will have any remaining prorated balance of owed furlough payback hours deducted from their final paycheck.

Exceptions to Furlough Obligation

Any new employees or employees returning from an unpaid status will have a furlough obligation based on the number of pay periods remaining in FY 2021.

Any employee paid under Workers' Compensation will not be expected to participate in the Furlough Program until they have returned to work. At that time, a determination will be made to calculate the employee's furlough obligation based on the number of pay periods remaining in the furlough payback period.

Furlough Impacts

Vacation accrual caps will not be enforced through calendar year 2021. Employees must reduce their vacation leave balances to the vacation leave cap prior to the end of the final pay period in calendar year 2021. Employees who are above their vacation accrual cap in the pay period including December 31, 2021 shall forfeit any hours in excess of the cap. If an employee separates from City service, any vacation leave hours in excess of their cap shall be forfeited.

Grievance Procedure

This agreement shall not be subject to the dispute resolution procedure contained in the Memorandum of Understanding between the City and HPMU.

The parties acknowledge that the furlough is a concession voluntarily made by the employees represented by the Union. This agreement shall expire at the end of the pay period including December 31, 2021.

For the City:



Kelly McAdoo, City Manager



Maria A. Hurtado, Assistant City
Manager/ Interim Director of Human
Resources

Dated

6/23/2020

For HPMU:



Bryan Matthews, Police Captain



William Deplitch, Police Captain

Dated

6/17/2020