

**Side Letter to the Current Memorandum of Understanding
Between the**

City of South San Francisco

and the

South San Francisco Police Association

WHEREAS, the City of South San Francisco ("City") has been informed by CalPERS that certain elements of compensation related to shift holiday pay that the City has been reporting as PERS compensation are ineligible for inclusion because not specifically described in the Memorandum of Understanding ("MOU") between the City and the South San Francisco Police Association ("Association"); and,

WHEREAS, the City has consistently reported all elements of compensation related to shift holiday pay to CalPERS as reportable PERS compensation; and

WHEREAS, the parties to the MOU at all times intended that that all elements of compensation related to shift holiday pay be reported as eligible PERS compensation; and

WHEREAS, the parties to the MOU desire to amend their existing MOU to reflect the intention of the parties related to shift holiday pay; and

IT IS HEREBY AGREED THAT, effective July 1, 2011, the existing MOU between the parties shall be amended to reflect this intention, as follows:

(for sworn employees):

14.1 Holidays Worked - Employees, who by the nature of their assignment, are unable to observe City holidays, shall be compensated for authorized holidays as 8 hours of straight time ~~overtime~~ shift holiday pay for the holiday and straight time for the hours worked. Other special compensation based on a percentage of base hourly rate will be calculated based on the regular rate of pay plus shift holiday pay in those pay periods where there is a recognized City holiday.

Current language (for civilian personnel)

17.4 Employees Working on a Holiday - An employee who is assigned and does work on a day observed as a City holiday, in addition to the compensation provided above, shall receive additional ~~overtime compensation~~ shift holiday pay at the employee's actual hourly rate of pay for the first 8 hours worked on an observed full-day holiday and for the first 4 hours worked on an observed half-day holiday. Other special compensation based on a percentage of base hourly rate will be calculated based on the regular rate of pay plus shift holiday pay in those pay periods where there is a recognized City holiday.

17.2 - Discretionary Holiday - Each regular employee shall be eligible for one 8-hour holiday in addition to the holidays observed by the City. An employee's discretionary holiday may be taken at the option of the employee and as approved by the Chief of Police. An employee must take the discretionary holiday each calendar year before the payperiod prior to the last payperiod of the calendar year. An employee who has not used the discretionary holiday by that pay period shall forfeit the holiday. An employee whose work schedule prohibited the use of the discretionary holiday by the pay period prior to the last payperiod of a calendar year may receive payment for the holiday with the approval of the Chief of Police. Other special compensation based on a percentage of base hourly rate will be calculated based on the regular rate of pay plus discretionary holiday pay in the pay period where a discretionary holiday is paid.

Tony Powell SSFPA VICE PRESIDENT
 Name, Title
 SSF Police Association

10/03/2011
 Date

John Mung SSFPA SECRETARY
 Name, Title
 SSF Police Association

10/04/2011
 Date

Kathy E. Mount
 Name, Title
 Human Resources Director

10-31-11
 Date

Barry M. Nagel
 Name, Title
 City Manager

12-15-11
 Date

Approved as to form
 Date: 11/1/11
 By: [Signature]
 City Attorney