

## LETTER OF UNDERSTANDING

on

### VACATION ACCRUALS

April 1, 2019

The purpose of this letter of understanding is to memorialize a settlement agreement between the City of Alameda and the Alameda Fire Chiefs Association (AFCA) regarding Section 17, (Vacation) of the agreement between the City and AFCA. This settlement shall resolve all existing disputes between the parties on these issues.

This agreement shall be effective April 1, 2019.

The parties agree there is a difference in interpretation between the parties on the definition of the number of hours in a working day in section 17.2 of the memorandum of understanding (MOU) between the City and AFCA.

The MOU states:

#### **17.2 Vacation Benefits**

Every employee who on the most recent anniversary date of his or her employment shall have been in the service of the City for a period of one (1) year or more and shall have been in a pay status a minimum of 1800 straight time hours (forty (40) hour workweek) or 2500 straight-time hours (fifty six (56) hour workweek) within the twelve (12) month period immediately preceding such anniversary date, shall be entitled to a vacation as follows:

##### **Forty (40) Hour Workweek Employees**

Ten (10) working days' vacation with pay if he or she shall have been in the service of the City for a period of one (1) year or more but less than five (5) years prior to such anniversary date....

Thirty (30) working days' vacation with pay if he or she shall have been in the service of the City for a period of twenty three (23) years or more prior to such anniversary date.

AFCA asserts that Section 17.2 provides a specific number of days of vacation at specific years of service milestones and Section 10.1 of the MOU allows for AFCA Office Chiefs to have the option to work a four (4) day 9.5 hour work schedule.

When the City provides hours to members leave banks at 8 hours, based on a 40 hour workweek, members are not able to use their entire allotment of vacation days. For example: 8 hr. x 30 vacation day allotment = 240 hours of vacation leave bank allotment per year. 9.5 hr. are currently charged against the leave bank for each vacation day off, x 30 days = 285 hours. As a

result, AFCA contends the City should provide 9.5 hours of vacation leave hours for each vacation day provided for in section 17.2.

The City disagrees with AFCA's interpretation of the MOU.

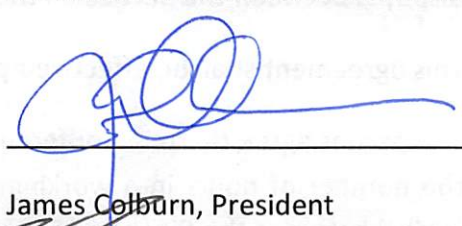
In order to resolve the issues, the parties have agreed that the City will implement the AFCA interpretation for the remainder of the term of the AFCA MOU. When the MOU expires this agreement will expire. Any other changes will need to be negotiated.

For the City of Alameda



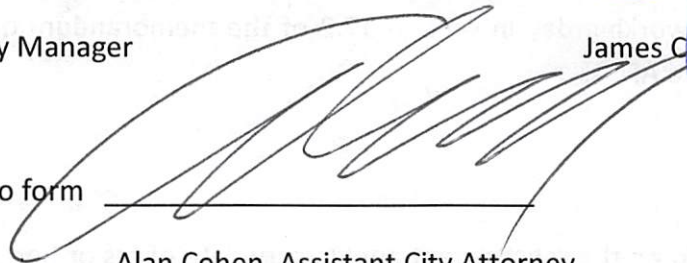
Eric Levitt, City Manager

For Alameda Fire Chiefs Association



James Colburn, President

Approved as to form



Alan Cohen, Assistant City Attorney