

**AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND
SAN DIEGO MUNICIPAL EMPLOYEES ASSOCIATION TO AMEND ARTICLE 21
OF THE MEMORANDUM OF UNDERSTANDING RELATED TO REGISTRATION PAY**

Pursuant to the provisions of the Meyers-Milius-Brown Act (MMBA) and Council Policy 300-06, this Agreement is entered into between the City of San Diego (City) and the San Diego Municipal Employees Association (MEA) to amend the Memorandum of Understanding (MOU) approved by San Diego Resolution R-314970 dated June 12, 2023. The City and MEA are collectively referred to as the "Parties."

Under Article 21(D), titled "Registration Pay," employees in designated classifications are eligible for additional pay (add-on pay) upon providing valid documentation of a license, registration, certification, or in-training status (or waiver) issued by an authorized regulatory body of the State of California. Historically, the City required employees to submit proof of valid registration or licensure, and, in some cases, to sign a departmental form waiving retroactive payment for late submissions. MEA raised concerns about the City's implementation of this form, citing the absence of the meet and confer process required under the MMBA.

To resolve this dispute, the City and MEA met and conferred in good faith and reached an agreement to provide retroactive payments to eligible employees who experienced gaps in add-on pay during the claim period, spanning December 1, 2020 to May 31, 2025. These payments will be administered through either settlement agreements or administrative corrections, as applicable. Additionally, the City has committed to implementing programming adjustments to help reduce errors and processing delays, as well as administrative improvements to ensure that eligible employees receive guidance on how to establish and maintain eligibility for add-on pay.

The Parties also agreed to amend Article 21(D), outlining clear procedures to establish and maintain eligibility for add-on pay. These procedures include the timely submission of the required form and valid proof of registration or licensure to prevent loss of add-on pay moving forward.

The Parties further agree to the following:

1. The Parties have satisfied all obligations under the MMBA, Council Policy 300-06, and other applicable law and regulations to meet and confer in good faith on the subject of this Agreement.
2. Article 21, sections D(8) and D(9) will be amended as follows:

~~8. — Licensure and Certification Verification. To be eligible for the registration, certification, and infrastructure premium pays provided in section D, an employee must submit evidence that they possess a current, valid registration or certification issued by the State of California in the discipline or disciplines for which registration or certification pay is available, or, where applicable, by the National Association of Corrosion Engineers. There is no difference between the terms "registered" and "licensed" for purposes of section D; the terms are interchangeable.~~

~~9-8. Eligibility for Multiple Registration or Certification Pays.~~

~~In the event that an~~ Employees is eligible for more than one registration or special license pay available under this section, ~~they will be~~ **are eligible to receive** for the additional pay associated with **for** each, ~~subject up~~ **subject up** to a maximum cumulative pay of 31%. ~~, except those~~ **However**, employees who are eligible for additional pay for extra

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licenses under subsections D(2) and D(7), above, ~~whose~~ have a maximum cumulative pay ~~will be~~ of 41%.

9. Verification of Eligibility for Initial and Renewed Add-on Pays.

a. Add-on Pay Request Form with Proof of Registration, License, Certification or In-Training/Waiver Status to Establish Initial Eligibility.

When an employee at the time of hire into a qualifying position presents their Department Payroll Specialist with evidence of their eligibility for available add-on pay(s) as described in this article, the Department Payroll Specialist will provide the employee with the add-on pay request form. Details regarding acceptable evidence are outlined below.

During their employment, when an employee initially achieves the registration, license, certification or in-training or waiver status covered under this Section D, the employee must submit an add-on pay request using the form provided by their Department for approval by their Department Appointing Authority and processing by their Department Payroll Specialist. In support of the request, an employee must submit evidence that they possess a current and valid registration, license, certification or in-training/waiver status issued by the State of California such as the Board of Professional Engineers, Land Surveyors, and Geologists (BPELSG); Architects Board; or California Landscape Architects Technical Committee (LATC), in the relevant discipline(s) for which add-on pay is available. Where applicable, registration or licensure from the National Association of Radio & Telecom Engineers (NARTE) or the National Association of Corrosion Engineers (NACE) also qualify. Acceptable proof includes an actual registration/license card issued by the respective agency or registration/license information obtained from the License Search function in the California Department of Consumer Affairs (DCA) website - <https://search.dca.ca.gov/advanced>.

b. Add-on Pay Request Form with Proof of Renewal, Where Applicable.

Once an employee has established their initial eligibility for the add-on pay(s) covered in this Section D, the employee must submit proof of renewal if their license, registration, or certification has an expiration date. An employee's continued eligibility for the add-on pay depends upon proof of a timely renewal. To avoid an interruption in their receipt of add-on pay(s) under Section D, an employee must submit proof of timely renewal for the applicable registration, license or certification, along with a completed add-on pay request form, to their Department Payroll Specialist, as outlined in subsection D(9)(a).

c. Any gap in payment of add-on pay(s) which results solely from an employee's own failure to make a timely submittal to their Department Payroll Specialist will not be remedied by a retroactive payment unless the employee establishes that their non-compliance resulted from extraordinary circumstances as determined by the Department Appointing Authority, such as Long-Term Disability, Family and Medical Leave, Workers' Compensation, Special Leave Without Pay, Parental Leave, and Bereavement Leave. However, if a gap in

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payment of add-on pay(s) occurs at the time of an employee's hiring into a qualifying position or thereafter when submitting proof of initial eligibility or a timely renewal, due to the City's failure to provide the required form or thereafter in processing an employee's timely and valid submittals, the City will take administrative action to correct the missed payment(s) to assure that the employee incurs no loss of pay owed under this Article.

d. Add-on Pay Expiration Courtesy Reminders

The City will send email reminders 60 days and 30 days prior to the expiration date of the add-on pay(s). These email reminders are provided solely as a courtesy for employees to renew their license, registration, or certification, as well as submit a new add-on pay request form. While the non-receipt of an email reminder is not subject to the grievance process, it will be relevant to the administration of Article 21(D)(9).

- e. When an employee is hired, transferred or promoted into a job classification eligible for add-on pay under Article 21(D), the employee will acknowledge receipt of a copy of Article 21(D) providing guidance on how to establish and maintain eligibility, including a copy of the Add-On Pay Request Form. The employee's written acknowledgment will be filed in their permanent personnel file. While the City's failure to obtain or file this acknowledgment is not subject to the grievance process, it will be relevant to the administration of Article 21(D)(9).

3. This Agreement is not binding on the Parties unless it is approved by a two-thirds vote of the City Council, in accordance with Charter section 11.2.

This Agreement is executed by the following authorized representatives of the Parties:

For MEA

By: Michael J. for AMS
Ann M. Smith
Lead Negotiator

Date: April 28 2025

By: Michael Jucchet
Michael Zucchet
General Manager

Date: April 28 2025

For the City of San Diego

By: [Signature]
Timothy Davis
Lead Negotiator

Date: May 16, 2025

By: [Signature]
Jonnabelle Domingo
Supervising Human Resources Officer

Date: May 14, 2025

By: [Signature]
Abegaile Serafico
Senior Human Resources Officer

Date: May 15, 2025

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Approved as to form this 16th day of May, 2025.

HEATHER FERBERT, City Attorney

By: 

Miguel Merrell
Deputy City Attorney