

**SIDE LETTER AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND AMERICAN FEDERATION OF
STATE, COUNTY, AND MUNICIPAL EMPLOYEES, LOCAL 127 TO AMEND ARTICLE 24 OF THE
MEMORANDUM OF UNDERSTANDING RELATED TO HOLIDAY PAY FOR THE GOLF OPERATIONS
DIVISION IN THE PARKS AND RECREATION DEPARTMENT**

Pursuant to the provisions of the Meyers-Milias-Brown Act (MMBA) and Council Policy 300-06, this Side Letter Agreement (Agreement) is entered into between the City of San Diego (City) and the American Federation of State, County, and Municipal Employees, Local 127 (Local 127) to amend Article 24 of the Memorandum of Understanding (MOU) between the City and Local 127 that was approved by San Diego Resolution R-313570 (June 11, 2021). The City and Local 127 are collectively referred to as the "Parties."

Article 24, section A(1)(a) of the MOU lists the City's fixed holidays and provides, "If January 1, March 31, July 4, November 11, or December 25 falls upon a Sunday, the Monday following is the City-observed holiday. If any of the dates listed in this section fall on a Saturday, the preceding Friday is the City-observed holiday."

Golf course facilities are open year-round. Employees who are scheduled to work on a fixed holiday that occurs on the weekend receive holiday pay for only the City-observed holiday. This creates a situation where employees in the Golf Operations Division of the Parks and Recreation Department who work on any holiday weekend feel undervalued for their service resulting in morale problems and creates difficulty in finding staff willing to cover any shifts on any holiday weekend.

Therefore, the Parties agree as follows:

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. The Parties agree to amend Article 24 of the MOU by adding a new section E as follows:

"E. Holiday Pay for Golf Operations Division Employees.

- a. **Employees who are scheduled to work on a fixed holiday that occurs on either a Saturday or Sunday will receive holiday compensation for the fixed holiday and not the City-observed holiday.**
- b. **The following are examples of holiday pay procedures:**
 - i. **Employees who are scheduled to work on both the City-observed holiday and the fixed holiday will receive holiday pay on the fixed holiday and not on the City-observed holiday.**
 - ii. **Employees who are scheduled to work on the City-observed holiday and have a scheduled day off on the fixed holiday will receive holiday pay on the City-observed holiday.**
 - iii. **Employees who have a scheduled day off on the City-observed holiday and are scheduled to work on the fixed holiday will receive holiday pay on the fixed holiday.**

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- iv. Employees who have a scheduled day off on both the City-observed holiday and the fixed holiday will receive holiday pay on the fixed holiday. Employees are only entitled to receive holiday compensation for only one day, not both days, per holiday weekend.
3. Unless expressly covered in this Agreement, all wages, hours, and other terms and conditions of employment presently enjoyed by Local 127-represented employees, whether stated in an MOU, Personnel Regulation, Administrative Regulation or in any other enforceable document, remain in full force and effect.
4. This Agreement is not binding on the Parties until it is approved by a two-thirds vote of the City Council, in accordance with San Diego Charter section 11.2.

This Agreement is executed by the following authorized representatives of each party:

For AFSCME Local 127

By: 

Tim Douglass
President

Date: 9-13-2022

By: 

Andres Alva Cardenas
Business Representative

Date: 9/13/22

For the City of San Diego

By: 

Tim Davis
Lead Negotiator

Date: November 23, 2022

By: 

Andrew Field
Parks and Recreation Director

Date: 11/22/22

By: 

Johnabelle Domingo
Supervising Human Resources Officer

Date: November 22, 2022

By: 

Manuel Quintero
Senior Human Resources Officer


Date: 11/21/2022

Approved as to form this 23rd day of November, 20 22.

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MARA W. ELLIOTT, City Attorney

By: 
Miguel Merrell
Deputy City Attorney