



CITY OF REDDING
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P.O. Box 496071, REDDING, CA 96049-6071

November 3, 2016
P-100-050-050

Matthew Oliphant, President
International Association of Fire Fighters (IAFF), Local 1934
PO Box 991188
Redding, CA 96099

Subject: Side Letter of Agreement to Memorandum of Understanding between City of Redding and IAFF regarding Holiday Premium Pay Reportable to CalPERS

Dear Matthew:

The purpose of this letter is to confirm the understanding reached between the City of Redding and International Association of Fire Fighters (IAFF), Local 1934 regarding the calculation of regular rate of pay and holiday premium pay. The City proposes the following language change to the Memorandum of Understanding (MOU) between the City and IAFF, Article 9: Hours and Overtime, Section 9.4 (a) and (b) to clarify the calculation of regular rate of pay, and Article 17: Holidays, Sections 17.1, 17.2 and 17.4 to clarify the conditions for payment of holiday premium pay. The proposed revisions are indicated in strikeout and underlining below.

Article 9: Hours and Overtime

9.4 (a) Regular Rate of Pay. Items included in determining the regular rate of pay for purposes of calculating overtime, retirement and other regular pay calculations (i.e. holiday pay) shall include the pay rate as established in the pay range by the employee's classification, education incentive pay and Hazmat incentive pay, as applicable to each individual employee covered under this MOU.

9.4 (b) Overtime. Overtime compensation shall be paid at a rate equivalent to one and one-half (1½) times the regular rate of pay. However, employees (excluding Full Time Limited Term (Apprentice Firefighter) may choose to accumulate Compensatory Time Off (CTO), at the one and one-half rate, up to the limit as established in the Fair Labor Standards Act for public safety employees. Such accumulated CTO may not be carried over from one calendar year to another, except as follows: an employee's accumulated CTO balance as of the last pay period ending in November will be paid to the employee the week following the first payday in December. CTO earned in December will be carried into the next calendar year.

Employees may not accrue CTO due to out of city emergency/fire assignments such as strike teams, OES responses, and Overhead Assignments. Additionally, members covering for personnel participating in these assignments outside the City would also not be allowed to accrue CTO for those coverages.



Article 17: Holidays

17.1 *Effective December 31, 2006, Regular, Full Time Limited Term (Apprentice Firefighter) and probationary employees who are regularly scheduled to work a forty (40) hour workweek, except as otherwise provided herein, shall be entitled to have the following holidays off with pay:*

	<i>Holidays for employee working other than a 24 hour shift (8, 9 or 10 hours as applicable to their regular weekly work schedule) :</i>	<i>Holidays for 24 hour Shift Personnel</i>
A	<i>January 1st</i>	<i>X</i>
B	<i>The third Monday in January, known as Martin Luther King, Jr. Day</i>	<i>X</i>
C	<i>Lincoln Day</i>	<i>N/A</i>
D	<i>The third Monday in February, known as President's Day</i>	<i>X</i>
E	<i>The last Monday in May, known as Memorial Day</i>	<i>X</i>
F	<i>July 4th</i>	<i>X</i>
G	<i>First Monday in September, known as Labor Day</i>	<i>X</i>
H	<i>Employee's Birthday</i>	<i>N/A</i>
I	<i>The second Monday in October, known as Columbus Day</i>	<i>N/A</i>
J	<i>November 11th, known as Veteran's Day</i>	<i>N/A</i>
K	<i>Thanksgiving</i>	<i>X</i>
L	<i>Friday after Thanksgiving</i>	<i>X</i>
M	<i>December 24th, the last half of the normal workshift before Christmas</i>	<i>X</i>
N	<i>December 25th</i>	<i>X</i>

If any of the foregoing holidays falls on a Sunday, the Monday following shall be observed as the holiday, except by those employees who are regularly scheduled to work on Sunday other than on an overtime basis. Employees who are regularly scheduled to work on Sundays shall observe such holidays on Sunday. If any of the foregoing holidays falls on a Saturday, the preceding Friday shall be observed as the holiday, except by those employees who are regularly scheduled to work on Saturday other than on an overtime basis. Employees who are regularly scheduled to work on Saturdays shall observe such holidays on Saturday. If any of the foregoing holidays fall on any day from Monday through Friday, inclusive, and that day is a regularly scheduled non-workday for an employee, such employee shall be entitled to receive another workday off with pay, to be scheduled in the same manner as vacation days are normally scheduled. Notwithstanding the foregoing an employee may observe their birthday holiday on their birthday or anytime during the pay period in which the birthday occurs, or the holiday may be deferred and scheduled as vacations are normally scheduled. When an employee works on their birthday, the employee shall receive pay at the regular rate of pay. Birthday holiday pay is not considered reportable compensation and will not be reported to CalPERS.

The holidays known as Lincoln Day, Columbus Day, and Veterans Day shall be scheduled by employees and their supervisors in the same manner as vacations are normally scheduled. Employees who work alternative work schedules commonly known as 4/10's or 9/80's and/or 4/5/9's will be entitled to holiday pay for eight (8), nine (9) or ten (10) hours, as applicable to their regular weekly work schedule.

17.2 *Notwithstanding the foregoing, employees may be scheduled to work on holidays, in which event any such employee will, in addition to their ~~holiday pay~~ regular earnings, be compensated ~~therefore~~ at a rate of one and one-half (1 1/2) times their regular rate of pay ~~the overtime rate of pay~~ for all time worked on such days.*

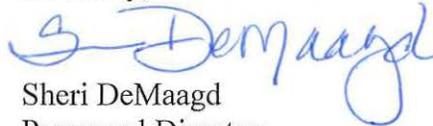
17.3 *If an employee is in a non-pay status on both workdays immediately adjacent to the holiday they shall not receive pay for the holiday.*

17.4 *Effective December 31, 2006, in lieu of the provisions of 17.1, and 17.2, and 17.3, regular and probationary Full Time Limited Term (Apprentice Firefighter) twenty-four (24) hour shift employees shall receive fifteen point two (15.2) hours of holiday compensation at the regular rate of pay, maximum of 152 hours per year, on those holidays as designated in 17.1, payable in the pay period in which the holiday falls.*

The City has a long standing practice of adding education incentive pay and Hazmat incentive pay to the base pay rate when calculating holiday premium pay and reporting that amount to California Public Employees Retirement System (CalPERS) as special compensation. The California Code of Regulations (CCR) requires that the written labor agreement contain the conditions for payment of the item of special compensation. The above language clarifications meet the requirements of special compensation in accordance with CalPERS and the CCR.

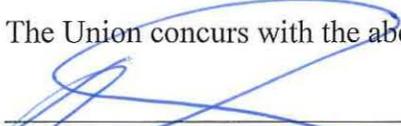
If this is consistent with your understanding, please sign and date the enclosed copies of this letter, return one to me, and keep the other copy for your records.

Sincerely,



Sheri DeMaagd
Personnel Director

The Union concurs with the above:



Matthew Oliphant, IAFF President

11-30-16

Date

c: City Council
Kurt Starman, City Manager