



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Jennifer Schembri

**SUBJECT: STIPEND FOR EMPLOYEES
WORKING FROM HOME DUE
TO THE COVID-19 PANDEMIC**

DATE: October 23, 2020

Approved

Date

10/23/20

SUPPLEMENTAL

REASON FOR SUPPLEMENTAL

This supplemental memo is being issued to attach a copy of the side letter agreements entered into with the following bargaining units:

- Association of Building, Mechanical, and Electrical Inspectors (ABMEI);
- Association of Engineers and Architects (AEA);
- Association of Legal Professionals (ALP);
- Association of Maintenance Supervisor Personnel (AMSP);
- City Association of Management Personnel (CAMP);
- International Association of Firefighters, Local 230 (IAFF);
- International Brotherhood of Electrical Workers (IBEW);
- Municipal Employees' Federation (MEF);
- International Union of Operating Engineers, Local #3 (OE#3);
- San Jose Police Officers' Association (POA); and
- International Union of Operating Engineers, Local #3 Peace Officers Park Rangers Association (POPRA).

/s/

JENNIFER SCHEMBRI
Director of Employee Relations
Director of Human Resources

For questions, please contact Allison Suggs, Assistant Director of the Office of Employee Relations, at (408) 535-8157.

Attachments:

- A. Side Letter with Federated Bargaining Units
- B. Side Letter with POA
- C. Side Letter with IAFF

SIDE LETTER AGREEMENT

BETWEEN

THE CITY OF SAN JOSE

AND


THE ASSOCIATION OF BUILDING, MECHANICAL AND ELECTRICAL INSPECTORS (ABMEI)
 THE ASSOCIATION OF ENGINEERS AND ARCHITECTS, IFPTE LOCAL 21 (AEA)
 THE ASSOCIATION OF LEGAL PROFESSIONALS (ALP)
 THE ASSOCIATION OF MAINTENANCE SUPERVISORY PERSONNEL, IFPTE LOCAL 21 (AMSP)
 THE CITY ASSOCIATION OF MANAGEMENT PERSONNEL, IFPTE LOCAL 21 (CAMP)
 THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL NO. 332 (IBEW)
 THE MUNICIPAL EMPLOYEES' FEDERATION, AFSCME LOCAL NO. 101 (MEF)
 THE INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL NO. 3 (OE#3)
 PEACE OFFICER PARK RANGER ASSOCIATION (POPRA)

Work from Home Stipend

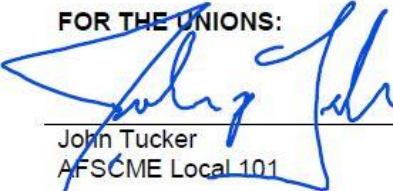
Upon Council approval on or about October 27, 2020, the attached Work from Home Stipend Guidelines will be effective. The Guidelines provide \$200 to each eligible employee who has continuously been required beginning on or after March 17, 2020 and through November 6, 2020, to work from home as a result of COVID-19.

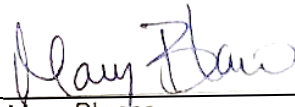
This Side Letter Agreement is to memorialize the agreement to the guidelines. This Side Letter Agreement shall be effective when signed by all parties below.


FOR THE CITY:

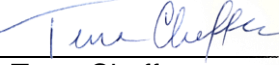

 _____ 10/22/2020
 Jennifer Schembri Date
 Director of Employee Relations

FOR THE UNIONS:


 _____ 10/16/20
 John Tucker Date
 AFSCME Local 101


 _____ 10/17/2020
 Mary Blanco Date
 OE#3/POPRA


 _____ 10/16/2020
 Steven Solorio Date
 President, MEF


 _____ 10/9/2020
 Terra Chaffee Date
 ALP

Side Letter Agreement – Work from Home Stipend

October 2, 2020


Page 2 of 2



10/9/2020

Matt Mason
IFPTE Local 21 (AEA,
AMSP, CAMP)

Date



10-8-2020

Frank Crusco
Chief Steward, IBEW

Date



10/08/2020

Mary Reed
President, ABMEI

Date

Work from Home – Stipend Guidelines

PURPOSE

The purpose of these guidelines is to document the allowance of a one-time taxable \$200 stipend for City employees who are working from home specifically due to COVID-19 to be paid on November 6, 2020 (pay day for pay period 23).

POLICY

A. Overview

Since March 17, 2020, a number of City employees who ordinarily work in a City facility have been working from home due to the closure of several facilities as a result of COVID-19. While the City has an existing [Flexible Workplace Program](#) that specifies employees working from home will be responsible for any expenses associated with their home office, the City recognizes that the program was originally conceived as voluntary despite being modified to give the City the ability to require employees to work from home in the event of an emergency.

These guidelines document the allowance of a one-time taxable \$200 stipend for City employees who are working from home specifically due to COVID-19. The stipend is intended to defray the cost of incidental expenses associated with working from home. It is not intended to cover the expense of replicating an employee's normal office equipment and supplies in a home office environment, nor is the stipend intended to serve as a direct reimbursement for any and all expenses and employee claims to have incurred. Employees are expected to utilize existing equipment and office supplies whenever it is practicable to do so.

Costs for the stipend will be absorbed within each department's personal services budget.

B. Eligibility

This stipend is authorized for employees who have worked from home continuously, either fully or partially, beginning on or after March 17, 2020 and through November 6, 2020.

C. Equipment and Supplies Provided by the City

During this time, the City has and will continue to make a variety of equipment and supplies available to employees through the City, provided the equipment is required to perform the employees assigned functions and would ordinarily be accessible or provided to the employee in the normal office setting.

Examples of equipment and supplies an employee may obtain from their department include, but are not limited to, the following:

- Desk chairs
- Monitors
- Keyboards
- Mice

Work from Home – Stipend Guidelines

- Peripherals
- Pens
- Notepads
- Envelopes

Employees in need of such equipment or supplies should notify their department and arrange a time to pick them up. Departments may establish their own requirements for tracking supplies employees take home. Equipment must be “checked out” using the [Equipment Checkout Form](#).

Employees are encouraged to minimize their printing needs and to only print items that are necessary to be printed. Employees may access their regular work location to handle large print/ mailing jobs. Employees should coordinate with the Department prior to going to the worksite.

Employees who require specialized ergonomic equipment, such as a sit/stand workstation, are to follow the normal procedure of contacting [Workers’ Compensation](#) regarding such purchases. Employees who have sit/stand workstations that are portable and not attached to their workstation may take these from the worksite using the equipment checkout form above.

Employees who do not have a suitable laptop or desktop computer, and/or need other specific IT equipment are to notify their departments who will coordinate with the Information Technology Department.

D. Sample Expenses the Stipend is Intended to Cover

The stipend is intended to defray incidental expenses associated with working from home. Examples include, but are not limited to, the following:

- Stamps
- Toner cartridges for those who print from home on occasion
- Enhanced internet capabilities
- Additional telephone or cellular phone expenses
- Other incidental supplies, such as pens or notepads that are not able to be obtained from the department

STIPEND PROCEDURES

Department	<ol style="list-style-type: none">1. Complete the attached spreadsheet listing the name and employee identification number of each employee who has continuously worked from home, either fully or partially, beginning on or after March 17, 2020 and through November 6, 2020.2. Submit list to the Office of Employee Relations by October 23, 2020.
Office of Employee Relations	<ol style="list-style-type: none">3. Consolidate reports from departments into one upload file and transmit the upload file to Payroll for processing by October 30, 2020.

Work from Home – Stipend Guidelines

Payroll	4. Process upload file for the November 6, 2020 pay day (pay period 23).
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Approved:

/s/ Jennifer Schembri
Director of Employee Relations and
Human Resources

October 2, 2020
Date

/s/ Jennifer Maguire
Assistant City Manager

October 2, 2020
Date

SIDE LETTER AGREEMENT

BETWEEN

THE CITY OF SAN JOSE

AND


SAN JOSE POLICE OFFICERS' ASSOCIATION (POA)

Work from Home Stipend

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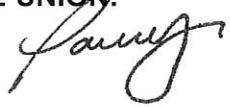
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FOR THE CITY:

 10/22/2020

Jennifer Schembri Date
Director of Employee Relations

FOR THE UNION:

 10-20-20

Paul Kelly Date
San Jose Police Officers' Association

Work from Home – Stipend Guidelines

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Costs for the stipend will be absorbed within each department's personal services budget.

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Work from Home – Stipend Guidelines

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Work from Home – Stipend Guidelines

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Approved:

/s/ Jennifer Schembri
Director of Employee Relations and
Human Resources

October 2, 2020
Date

/s/ Jennifer Maguire
Assistant City Manager

October 2, 2020
Date

SIDE LETTER AGREEMENT

BETWEEN

THE CITY OF SAN JOSE

AND

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 230

Work from Home Stipend

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FOR THE CITY:



10/22/2020

Jennifer Schembri
Director of Employee Relations

Date

FOR THE UNION:



10/22/20

Matt Tuttle
International Association of Fire Fighters, Local 230

Date

Work from Home – Stipend Guidelines

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