

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE APPROVING THE TERMS OF AN AGREEMENT BETWEEN THE CITY OF SAN JOSE AND ASSOCIATION OF MANAGEMENT SUPERVISORY PERSONNEL, IFPTE, LOCAL 21 (AMSP) RELATING TO A PAY INCREASE AND AMENDING THE PAY PLAN**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN JOSE:

1. That the terms of a Side Letter Agreement between the City of San José and the Association of Management Supervisory Personnel, IFPTE, Local 21 (AMSP) to provide employees in the Electrical Maintenance Superintendent (3156) classification with an approximate 8.00% pensionable base pay increase consistent with the Side Letter Agreement that has been signed by all parties has been approved by the City Council.
  
2. That the City of San José Pay Plan is amended as follows:
  - a. Amend the City of San José Pay Plan to increase the annual pensionable salary range of the classification of Electrical Maintenance Superintendent (3156) to \$134,617.60 – \$163,966.40, effective June 25, 2023.
  
3. The terms of the Side Letter Agreements are set forth in the Memorandum to the Mayor and City Council dated May 30, 2023 from Jennifer Schembri, Director of Employee Relations and Director of Human Resources, and attached hereto as Attachment A and incorporated in this Resolution.

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NVF:SH  
5/31/23

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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MATT MAHAN  
Mayor

ATTEST:

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TONI J. TABER, CMC  
City Clerk



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Jennifer Schembri

**SUBJECT:** SEE BELOW

**DATE:** May 30, 2023

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Approved

Date

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**SUBJECT: AMENDMENT TO PAY PLAN AND TERMS OF SIDE LETTER AGREEMENT BETWEEN THE CITY OF SAN JOSÉ AND THE ASSOCIATION OF MAINTENANCE SUPERVISORY PERSONNEL, IFPTE, LOCAL 21 (AMSP)**

## **RECOMMENDATION**

Adopt a resolution to:

- A. Approve the terms of Side Letter Agreement between the City and the Association of Management Supervisory Personnel, IFPTE, Local 21 (AMSP) to provide a pensionable base pay increase to the following classification consistent with the Side Letter Agreement that has been signed by all parties, effective June 25, 2023:
  - a. Provide employees in the Electrical Maintenance Superintendent (3156) classification with an approximate 8.00% pensionable base pay increase consistent with the Side Letter Agreement that has been signed by all parties.
- B. Amend the City of San José Pay Plan to increase the annual pensionable salary ranges for the following classification effective June 25, 2023:
  - a. Electrical Maintenance Superintendent (3156) increased to \$134,617.60 - \$163,966.40.

## **SUMMARY AND OUTCOME**

Adoption of the resolution will approve the terms of the Side Letter Agreement between the City and the Association of Management Supervisory Personnel, IFPTE, Local 21 (AMSP) to allow for a pensionable pay increase for the Electrical Maintenance Superintendent (3156) classification.

May 30, 2023

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The City of San José Pay Plan will be amended to change the salary range for the classification noted above in accordance with the terms of the Side Letter Agreement and recommendation.

## **BACKGROUND**

Per the terms of an agreement between the City and the International Brotherhood of Electrical Workers, Local 332 (IBEW) that was approved by the City Council in open session on June 28, 2022, the City agreed to provide employees in the Electrician, Industrial Electrician, and Instrument Control Technician series with a special on-going 5% pensionable base wage increase effective August 7, 2022. This resulted in an increase to the top and bottom of the salary range for employees in those classifications.

The City later became aware that the Electrical Maintenance Superintendent classification, a single position classification within the City that is represented by AMSP, experienced salary compaction with the IBEW represented classifications referenced above without further adjustment. On May 19, 2023, the City and AMSP agreed to the terms of a Side Letter Agreement that would provide the salary adjustment provided in the table below. (**Attachment A**). The agreed upon increase will maintain an acceptable salary differential between successive classifications and, based on the current organizational structure, will not require adjustments to any additional classifications.

<b>Classification</b>	<b>Pensionable Increase</b>
Electrical Maintenance Superintendent	8.00%

<b>Classification</b>	<b>Current Pensionable Salary Range (Annual)</b>	<b>New Pensionable Salary Range Effective June 25, 2023 (Annual)</b>
Electrical Maintenance Superintendent	\$124,654.40 - \$151,819.20	\$134,617.60 - \$163,966.40

In addition to the pensionable rates of pay set forth above, per Article 10.1 of the AMSP MOA, incumbents in the classification listed above currently receive a 5.00% ongoing non-pensionable compensation increase.

Because salary compaction has existed since August 7, 2022, the parties have agreed to provide the sole incumbent in the Electrical Maintenance Superintendent, who began occupying the position prior to August 7, 2022, with a one-time non-pensionable lump sum payment in the amount of \$10,278.40 which represents a retroactive payment to August 7, 2022, when the salary compaction issue was created. This payment shall be made in the first full pay period after approval of this memorandum by the City Council.

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### **ANALYSIS**

The following is a summary of the key provisions contained in the Side Letter Agreements:

<b>Electrical Maintenance Superintendent (3156)</b>	Effective June 25, 2023, employees in the Electrical Maintenance Superintendent (3156) will receive a pensionable base pay increase of approximately 8.00%. This will result in both the top and bottom step of the pay range being increased by approximately 8.00%.
<b>One-Time Non-Pensionable Lump Sum Payment</b>	Effective the first full pay period after approval by the City Council in open session, the incumbent in the Electrical Maintenance Superintendent (3156) classification will receive a one-time non-pensionable lump sum payment of \$10,278.40.

It is recommended that the City Council adopt the Administration's recommendation outlined in this memorandum which provide the salary increase listed above.

### **EVALUATION AND FOLLOW-UP**

No further follow-up with the City Council related to this action is anticipated at this time.

### **COST SUMMARY/IMPLICATIONS**

The estimated additional ongoing costs associated with the AMSP Side Letter Agreement related to the Electrical Maintenance Superintendent classification is approximately \$17,000 in the General Fund. There will also be a one-time cost in 2022-2023 of \$10,278.40. It is anticipated that the one-time cost of the lump sum payment in 2022-2023 will be absorbed within the department's existing budget. It is also anticipated that the ongoing costs in 2023-2024 will be absorbed, to the extent possible, within the department's existing budget, and will be factored into the development of the 2024-2025 Base Budget.

### **COORDINATION**

This memorandum was coordinated with the City Manager's Budget Office and the City Attorney's Office.

### **PUBLIC OUTREACH**

This memorandum will be posted on the City's Council Agenda website for the June 20, 2023, City Council meeting.

HONORABLE MAYOR AND CITY COUNCIL

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### **COMMISSION RECOMMENDATION AND INPUT**

No commission recommendation or input is associated with this action.

### **CEQA**

Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment.

### **PUBLIC SUBSIDY REPORTING**

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.

  
JENNIFER SCHEMBRI  
Director of Employee Relations  
Director of Human Resources

The principal author of this memorandum was Carolyn Gibson, Senior Executive Analyst in Employee Relations. For questions, please contact Jennifer Schembri, Director of the Office of Employee Relations and Director of Human Resources, at (408) 535-8150.

### **ATTACHMENTS**

Attachment A – Side Letter Agreement with AMSP titled Base Pay Increase – Electrical Maintenance Superintendent

**SIDE LETTER AGREEMENT**

BETWEEN  
 THE CITY OF SAN JOSE  
 AND  
 THE ASSOCIATION OF MAINTENANCE SUPERVISORY PERSONNEL, IFPTE, LOCAL 21  
 (AMSP)

**BASE PAY INCREASE – ELECTRICAL MAINTENANCE SUPERINTENDENT**

Due to special salary adjustments that were made in August 2022, a salary compaction issue occurred with the Electrical Maintenance Superintendent classification. To correct this salary compaction issue, effective the first full pay period after this agreement is signed by all parties below and approved by City Council, the classification listed below and the current incumbent in this classification will receive the following special pensionable base pay increase. This will result in an 8% increase to the top and bottom of the salary range for the classification.

Classification	Pensionable Increase
Electrical Maintenance Superintendent (3156)	8.00%

In addition, the single employee occupying the classification noted above will receive a one-time lump sum payment in the amount of \$10,278.40 which represents a retroactive payment to August 2022 when the salary compaction issue was created. This payment will also be made the first full pay period after this agreement is signed by all parties below and approved by the City Council.

This side letter agreement shall become effective on the first full pay period after this agreement has been signed by all parties below and approved by the City Council in open session.

**For Employer:**  
**City of San Jose**

 5/19/2023  
 \_\_\_\_\_  
 Jennifer Schembri Date  
 Director of Employee Relations  
 Director of Human Resources

**For Union:**  
**AMSP**

 5/19/23  
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 Jesse Perez Date  
 President, AMSP

 05/19/23  
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 Liz Kamya Date  
 Business Representative, IFPTE