

**TEAMSTERS UNITS 2 & 12  
SIDE LETTER**

**(CTE / HOLIDAY CTE)**

The County and Teamsters mutually agree to modify the existing MOU language related to CTE and utilize the Human Resources Rules and Regulations Holiday CTE language. CTE will revert back to the 120 hour cap of hours. Any hours accrued over 120 will be paid at the OT rate and there will be no cash out of any CTE until separation from County employment. Holiday CTE will have no cap and will cash out the full balance annually in the pay periods which include January 1<sup>st</sup> and July 1<sup>st</sup>.

Current Units 2 & 12 MOU Language will be modified as follows:

Unit 2 MOU Language:

**H. UNIT 2 SPECIFIC RULES AND REGULATIONS**

**Working Hour, Work Week and Overtime**

5. If in the judgment of a department head, work beyond the normal workweek provided in this Resolution is required, he/she shall authorize such overtime to be compensated for in pay or equivalent time off at the rate of time and one-half. Overtime compensation will be paid to the nearest quarter-hour. Amounts of up to eight (8) minutes may be rounded down, but amounts over eight (8) minutes must be rounded up. Employees may accumulate up to one hundred-twenty (120) hours of Compensatory Time Earned (CTE). Overtime earned that would increase an employee's CTE balance beyond 120 hours must be paid. Either paid overtime or CTE must be approved in advance by the Department Head or designee. Employees will be permitted to use accrued CTE as requested, provided it is requested with adequate advance notice and does not unduly disrupt department operations. (Requiring the use of overtime to replace an employee utilizing CTE is not considered unduly disruptive to a department's operations.) ~~Compensatory time off must be taken within seven (7) bi-weekly pay periods. If an employee is unable to take compensatory time off within seven (7) bi-weekly pay periods due to workload in the Department, the employee shall be paid at a rate of time and one-half their regular rate of pay.~~ Employees may request and be paid overtime services at the rate of time and one-half upon approval of the department head and provided funds for such overtime payment have been appropriated in the departmental budget. Such overtime compensation shall be separately itemized on the biweekly payroll. Department heads shall request advance approval for payment of overtime in excess of the overtime contained in the line item appropriation of the departmental budget and such approval shall be in writing from the County Executive Officer. Copies of prior authorization for overtime payment shall be provided to the Auditor-Controller's Office and Human Resources. The

County Executive Officer shall have authority to monitor the overall use of overtime in the County.

6. Compensatory time earned should be used for approved time off prior to using earned vacation time. Department heads shall deny use of vacation hours to cover approved time off whenever the affected employee has an unused comp time balance to substitute for all or part of the approved time off. The exception would be if the employee was nearing their maximum vacation accumulation. Employees in Unit 2 within three (3) pay periods of reaching vacation cap shall be given the flexibility to use either vacation or compensatory time.
  - a. ~~Employees represented by Bargaining Units 2 shall be entitled to accumulate compensatory time up to a maximum of 120 hours.~~

Unit 12 MOU Language:

#### H. UNIT 12 SPECIFIC RULES AND REGULATIONS

##### Working Hour, Work Week and Overtime

5. If in the judgment of a department head, work beyond the normal workweek provided in this Resolution is required, he/she shall authorize such overtime to be compensated for in pay or equivalent time off at the rate of time and one-half. Overtime compensation will be paid to the nearest quarter-hour. Amounts of up to eight (8) minutes may be rounded down, but amounts over eight (8) minutes must be rounded up. Employees may accumulate up to one hundred-twenty (120) hours of Compensatory Time Earned (CTE). Overtime earned that would increase an employee's CTE balance beyond 120 hours must be paid. Either paid overtime or Compensatory Time Earned (CTE) must be approved in advance by the Department Head or designee. Employees will be permitted to use accrued CTE as requested, provided it is requested with adequate advance notice and does not unduly disrupt department operations. (Requiring the use of overtime to replace an employee utilizing CTE is not considered unduly disruptive to a department's operations.) ~~Compensating time off will be paid quarterly at the overtime rate of time and one-half the employee's regular rate of pay including area differential but no other special paye. Quarterly pay-outs will be made in the pay periods which include the following dates: January 1st, April 1st, July 1st and October 1st.~~ Employees may request and be paid overtime services at the rate of time and one-half upon approval of the department head and provided funds for such overtime payment have been appropriated in the departmental budget. Such overtime compensation shall be separately itemized on the biweekly payroll. Department heads shall request advance approval for payment of overtime in excess of the overtime contained in the line item appropriation of the departmental budget and such approval shall be in writing from the County Executive Officer. Copies of prior authorization for overtime payment shall be provided to the

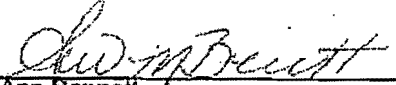
Auditor-Controller's Office and Human Resources. The County Executive Officer shall have authority to monitor the overall use of overtime in the County.

The County and Teamsters mutually agree to use the existing Human Resources Rules and Regulations Holiday CTE language as in Section 2.D.5 as follows:

5. Sheriff Department employees shall have the equivalent time off as Holiday CTE if they are required to work a holiday. Any unused Holiday CTE will be paid annually on January 1st and July 1st.

MCLES, Units 2 & 12

By

  
Ann Bennett  
Teamsters Representative

Date: Oct. 20, 2017

County of Merced

By

  
Marci Barrera  
Director of Human Resources

Date: 10/20/17