

**SIDE LETTER OF AGREEMENT
between the City of Imperial Beach
and Service Employees International Union (SEIU) Local 221**

WHEREAS, Employer-Employee Relations for the City of Imperial Beach (hereinafter, “City”) are governed by California Government Code section 3500 through 3511, known as the Meyers-Milias-Brown Act (“MMBA”); and

WHEREAS, the Service Employees International Union, Local 221 (“SEIU”) is the exclusive bargaining agent and representative of the City’s Miscellaneous Classified Service; and

WHEREAS, the City and SEIU entered into a Memorandum of Understanding (“MOU”) effective July 1, 2021 through June 30, 2023; and

WHEREAS, the parties met and conferred in good faith regarding providing designated building inspection staffs with a safety shoe allowance; and

WHEREAS, the parties agree to Article 15 to extend the safety shoe benefit to Building/Housing Inspectors and Code Compliance Officers and desire to amend the current MOU;

WHEREAS, this agreement shall serve as a Side Letter Agreement to the MOU for July 1, 2021 through June 30, 2023.

NOW THEREFORE, the City and SEIU mutually agree as follows:

- 1) The following language will be added to MOU Article 15.0 “Uniforms:”

Per California Senate Bill No. 296 (SB 296), each local jurisdiction with code enforcement officer(s) must evaluate the safety hazards and risks applicable to their code enforcement officer(s). Upon evaluation and implementation of SB 296, the City recognizes that employees in these categories may enter construction zones while performing their job duties which could result in a safety hazard. Therefore, the City of Imperial Beach has decided to include the building inspection and code compliance divisions in the safety shoes benefit to ensure that protective equipment is available to them.

Article 15.0 Uniforms

Public Works Employees:

1. The CITY will provide and maintain all uniforms that are required by the CITY for Public Works designated employees. The CITY shall issue to all designated Public Work employees five (5) work uniform t-shirts, after July 1st each year.
2. The CITY will provide designated Public Works employees an amount not to exceed \$175.00 per employee per fiscal year for safety shoes. Employees may purchase more than one pair of safety shoes each fiscal year, as needed, within the annual \$175.00 maximum.

3. The City will report to CalPERS the “monetary value” of no greater than \$230 per fiscal year per employee for the purchase, rental and/or maintenance of uniforms for designated full-time public works employees.

Lifeguard Employees:

4. The CITY shall issue all lifeguards the uniforms described in the Lifeguard Policy Manual. Lifeguards shall be responsible for cleaning and maintenance of uniforms. The CITY shall make available for lifeguard use the following: sun screen, pocket mask (CPR), extra thick rubber gloves, wet suits for winter guards, and jacket. Issued uniform items will be replaced annually if necessary due to normal wear and tear. Old uniform items must be returned prior to being replaced. Lifeguards are responsible and must replace any issued uniform item that is stolen, lost, torn or damaged due to misuse. Expected life of a jacket is three seasons. If jacket is lost, stolen, or abused the lifeguard must purchase a new one. All employees must return all uniforms to the City upon separation from City service.
5. CITY shall reimburse all lifeguards upon meeting the minimum hours worked per the Lifeguard Orientation Manual one (1) pair safety sunglasses not to exceed \$90.00 per year per employee.
6. All lifeguards shall adhere to a standard of personal grooming and appearance. Such standards shall be developed in consultation with lifeguard personnel and the UNION.
7. The City will report to CalPERS the “monetary value” of no greater than \$590 per fiscal year per employee for the purchase, rental and/or maintenance of uniforms for designated full-time public works employees.

Fire Inspector Employees:

8. For new full-time fire inspector employees, the City will purchase three (3) pairs of pants, (3) shirts and one (1) jacket and provide the uniforms to the new employees on the first day of employment. Fire inspectors shall be responsible for cleaning and maintenance of the uniforms. If the uniform is lost, stolen or abused, the fire inspector shall purchase a new one. Existing full-time employees will receive a uniform allowance in the amount of \$250.00 per fiscal year paid on a bi-weekly basis, approximately \$9.61 per pay period for the purchase, rental, and/or maintenance of uniforms.
9. The City will report to CalPERS the “monetary value” of no greater than \$250 per fiscal year per employee for the purchase, rental and/or maintenance of uniforms for designated full-time public works employees.
10. The City will provide designated code compliance and building inspection employees an amount not to exceed \$175.00 per employee per year for safety shoes. Employees may purchase more than one pair of safety shoes each fiscal year, as needed, within the annual \$175.00 maximum.

All Employees:

11. Uniform allowance as defined by the California Public Employees' Retirement System (CalPERS) is a form of "compensation" for "classic" CalPERS members for CalPERS purposes only. As such, any uniform allowance or the value of uniforms for the purchase, rental and/or maintenance provided by the CITY to designated employees will be reported to CalPERS as part of the employee's annual gross income for purposes of computing the employee's and City's CalPERS contribution. This excludes items that are for personal health and safety related. Under PEPRA, a uniform allowance or the value of uniforms is not considered pensionable compensation for "new members" of CalPERS.

12. EMPLOYEES must return all uniforms and protective gear prior to terminating employment with the CITY.

Executed in Imperial Beach, California by:

SEIU:

Crystal Irving, President
SEIU Local 221

DATE

City of Imperial Beach:

Nadia Moreno, Human Resources Analyst
City of Imperial Beach

DATE

Andy Hall, City Manager
City of Imperial Beach

DATE