

**SIDE LETTER AGREEMENT
ALTERNATE WORK SCHEDULES**

PURPOSE

The purpose of this agreement is to describe the conditions and requirements where Probation Corrections Officers will be assigned to an alternate work schedule that will consist of a 4/10 work schedule and/or a 7/12 work schedule (defined below), in the JDACS and Secured Youth Treatment Facilities (SYTFS). The alternate work schedule (AWS) will begin in or around January 2023 and will be implemented on a six (6) month trial basis.

The parties agree to the interpretation included in this side letter agreement.

The department agrees that this schedule change could benefit the department and the Probation Corrections Officers working in the JDACS and SYTFS. The Chief Probation Officer, or designee, has the sole authority to determine which units/facilities will receive the AWS. Because of its unknown impact upon overtime costs, scheduling and other operational and morale issues, it is necessary to designate procedures and conditions for the implementation and continuation of the 4/10 and 7/12 work schedule, also identified as the AWS.

During the first three (3) months of implementation of the AWS within the JDACS and SYTFS, the impact of the work schedule will be evaluated periodically by the involved Probation Division Directors and Deputy Chief(s). This evaluation may include, but is not limited to, the impact on employees' morale, satisfaction with the program, overtime costs, leave usage, impact on operations, minimum staffing requirements, and administrative costs. The parties, by mutual agreement, may discontinue the AWS.

After the six (6) month trial basis of the implementation of the AWS, the Chief Probation Officer, or designee, has the authority to retain the AWS or return to the 5/8-hour work schedules that were in place prior to this agreement. If the Chief Probation Officer, or designee, discontinues the AWS's, the Chief Probation Officer, or designee, shall give employees a minimum of one (1) pay period notice prior to return to the 5/8 work schedules.

Conditions for the AWS:

1. Work Schedule:

- a. A 4/10 work schedule is a schedule in which employees work within a one week work period: four 10-hour days within one week.
- b. A 7/12 work schedule is a schedule in which employees work within a two-week period: four 12-hour days within one week and three 12-hour days during the other week for a total of 84 hours within that two-week period.

2. Work Period:

- a. 4/10 work schedule: For employees assigned to a 4/10 schedule, the work period for purposes of overtime shall be the same work period as defined in paragraph (e) of the Overtime Article.
- b. 7/12 work schedule: For employees assigned to a 7/12 schedule, the work period for purposes of overtime shall commence at 12:01 a.m. Saturday and ends at 12:00 a.m. (midnight) the Friday of the second week.

3. Overtime:

- a. 4/10 work schedule: Employees assigned to a 4/10 schedule will receive overtime compensation for all hours worked in excess of 40 hours per week.


- b. 7/12 work schedule: Employees assigned to a 7/12 schedule will receive overtime compensation for all hours worked in excess of 84 hours per two-week period. The union agrees that the 84 hours constitute straight time hours and not overtime hours, subject to County Counsel agreement that such employees are eligible for the 7(k) exemption.

4. Other Terms

- a. Former Probation Night Correction Officer's (PNCO) must forfeit their 3rd shift only work schedule.
- b. If an employee is out sick or on approved leave for a scheduled shift, the employee will be required to use their own leave balances to cover their entire scheduled shift.
- c. Employees who attend training must either report to work for the remaining hours of their shift or request the time off, if available.
- d. AWS schedules will be assigned through the seniority scheduling process.

APPROVAL

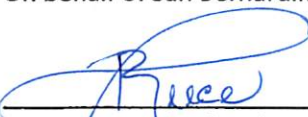
On behalf of the Specialized Peace Officer Unit



Grant Ward, President
Sheriff's Employees Benefits Associations

11-28-2022
Date

On behalf of San Bernardino County



Tracy Reece, Chief Probation Officer
Probation Department

11-28-22
Date



Leonardo Gonzalez, Deputy Director/Labor Chief
Human Resources

11/29/2022
Date