

**SIDE LETTER AGREEMENT  
DISTRICT ATTORNEY COMMANDING INVESTIGATOR  
TEMPORARY TOP STEP AND ADMINISTRATIVE LEAVE  
SAFETY MANAGEMENT AND SUPERVISORY UNIT**

**Section 1 – Temporary Top Step**

Effective the pay period following Board approval of this side letter agreement, the County shall establish a new temporary top step "A" that is approximately 1.00% above top step of the District Attorney Commanding Investigator range, except the no POST range. This step shall be limited to employees in the Unit who will not be eligible for the Longevity Differential during the term of the MOU and who as of the date of Board approval of the side letter agreement are 1) in the District Attorney Commanding Investigator classification, 2) at current top step, and 3) are "patrol certified". "Patrol certified" is defined as an employee having successfully completed the FTO Program and one year on patrol. Temporary step "A" shall be limited to only those employees who met the eligibility criteria and were advanced to the temporary top step the pay period following Board approval of the side letter agreement. Further, temporary step "A" shall be eliminated once those employees separate from the Unit, or the classification, or begin to receive the longevity differential.

**Section 2 – Administrative Leave**

- (a) Effective pay period 1 of each year, an employee in a regular position in the classification of Sheriff's Lieutenant and District Attorney Commanding Investigator will be provided with eighty (80) hours of Administrative Leave time for the employee's use. Employees entering the class covered by this Section (i.e., Sheriff's Lieutenant and District Attorney Commanding Investigator) after the beginning of pay period 1 shall be credited with Administrative Leave prorated on a monthly basis, based upon the annual rate of eighty (80) hours (i.e., 6.67 hours per month, or any portion thereof). Such Administrative Leave may be cashed out at the employee's then current base rate of pay in increments of one (1) hour one (1) time during the calendar year to the extent that the hours would have accrued at a rate of 6.67 hours per month minus any hours used up to that time. Any Administrative Leave accrual balances in effect at the end of the last pay period paid in the calendar year will automatically be paid at the employee's then current base rate of pay. Employees may designate that cash outs of Administrative Leave be allocated to the County's Section 457 Deferred Compensation Plan, consistent with the requirements and restrictions of such Plan. Upon termination of employment, unused Administrative Leave will be paid at the current rate of pay only by the amount of hours that would have been accrued at a rate of 6.67 hours per month that exceeds the total number of hours previously used and cashed out. Administrative Leave may be used on the same basis and under the same conditions as vacation leave.
- (b) Effective pay period 1 of each year, employees in regular positions in the classifications of Sheriff's Sergeant and District Attorney Supervising Investigator, will be provided with forty (40) hours of Administrative Leave time for the employee's use. Employees entering any of these classes after the beginning of pay period 1 shall be credited with Administrative Leave prorated on a monthly basis, based upon the annual rate of forty (40) hours (i.e., 3.33 hours per month, or any portion thereof). Such Administrative Leave may be cashed out at the employee's then current base rate of pay in increments of one (1) hour one (1) time during the calendar year to the extent that the hours would have accrued at a rate of 3.33 hours per month minus any hours used up to that time. Any Administrative Leave accrual balances in effect at the end of the last pay period paid in the calendar year will automatically be paid at the employee's then current base rate of pay. Employees may designate that cash outs of Administrative Leave be allocated to the County's Section 457 Deferred Compensation Plan, consistent with the requirements and restrictions of such Plan. Upon termination of employment or upon leaving the group of classes covered by this Section (Sheriff's Sergeant and District Attorney Supervising Investigator), unused Administrative Leave will be paid at the current rate of pay only by the amount of hours that would have been accrued at a rate of 3.33 hours per month that exceeds the total number of hours previously used and cashed out. Administrative Leave may be used on the same basis and under the same conditions as vacation leave.

(c) Any Administrative Leave accumulated and unused in calendar year 1995 and calendar year 1996 shall be placed in a separate bank for the employee's later use as time off. In the event an employee leaves County service with a balance in that bank, that balance will be cashed out at the then current rate.

Dated: 11-4-2020



County of San Bernardino



Sheriff's Employees' Benefit Association