

SIDE LETTER OF AGREEMENT - *STANDBY REQUIREMENTS (Revised)*  
Between the City of San Clemente and the San Clemente City Employees' Association

Standby duty requires the employee so assigned to be reachable by City cell phone and to be on-scene within the prescribed time.

If an employee is on sick leave for any portion of Standby, except for a doctor's appointment for a spouse or dependent or for an employee's routine doctor, dentist or optometrist exam or appointment, the employee will not receive Standby pay and will not be eligible to respond to any call for service. It is the responsibility of the supervisor to find a replacement staff member to serve the Standby period if an employee calls in or has to leave work because of illness. Under such circumstances and after exhausting all options, a supervisor may, at his or her sole discretion, require any other qualified employee to fill the emergency Standby shift.

WORK UNITS COVERED

Public Works Maintenance Division  
Coastal Animal Services Authority (CASA) Animal Control Officers  
Public Works Utilities Division

ASSIGNMENT

Assignment time-periods are at the sole discretion of the supervisor or manager and may change as long as written notice is provided to the affected group fourteen (14) calendar days before the effective date of the change. A change in any time-period is appealable and cannot be grieved. Current Standby assignments are as follows:

Maintenance Division	1 or 2-week rotation
CASA	Daily
Utilities Division	1 or 2-week rotation

Standby personnel are required to document both the time the callout was received and the time they arrive to the reported location. If an employee on Standby is unable to respond to the reported location within forty-five (45) minutes from the time they received the callout, they must document both the time they arrived on-site and the time they notified a management class supervisor of the delay.

CELL PHONE

Any employee on Standby will be issued an agency-provided on-call phone for use during the Standby assignment. It is the responsibility of the employee to ensure the phone is operational.

RESPONSE TIME

Any employee on Standby must be on-scene within forty-five (45) minutes of acknowledging the initial call.

Being on-scene is defined as:

Being in the required agency vehicle if applicable, with all of the standard tools and equipment onboard (a list of standard tools and equipment shall be provided by a supervisor or manager), properly dressed in the agency uniform, and at the location of the incident being responded to.

It is the responsibility of the Standby employee to check the agency Standby vehicle prior to taking it home to ensure all of the standard tools and equipment on the provided list are in or on the vehicle and properly stored.

An employee who is unable to be on-scene within the prescribed time must contact the immediate management class supervisor (with the agency providing the list of contact numbers) no less than fifteen (15) minutes before the forty-five (45) minute mark to explain what has caused or is causing the delay. If an unknown circumstance arises that occurs after the fifteen (15) minute window, the employee shall immediately notify the supervisor of the cause for the delay.

**EXCEPTIONS:**

**Utility Water Customer Service and System Repair Crew** can troubleshoot remotely for up to 15 minutes. If the problem cannot be resolved in 15 minutes from the initial callout, an employee on Standby is expected to respond to the reported location immediately. The employee may elect to not troubleshoot and respond immediately.

**Utility Water Systems Operations Crew** can troubleshoot remotely for up to fifteen (15) minutes. If the problem cannot be resolved in fifteen (15) minutes from the initial callout, an employee on Standby is expected to respond to the reported location immediately. The employee may elect to not troubleshoot and respond immediately.

Operational system changes not related to failures are not considered “callouts” and can be resolved using the SCADA laptops remotely. Accordingly, these tasks may extend beyond the fifteen (15) minute troubleshooting timeframe. As such, the time accrued to resolve these operational system changes will be reflected in fifteen (15) minutes increments on the applicable timesheet. The employee may elect to not troubleshoot and respond immediately.

All callouts related to high/low reservoir levels, intrusion alarms, power outages, water quality concerns and earthquakes require immediate response to the reported location. In these instances, the employee may not elect to troubleshoot and must respond immediately.

For all instances requiring on-site response, Standby personnel are expected to be at the reported location within forty-five (45) minutes of the time the callout was received.

**Utility Electricians**, when a call is received from other standby personnel, the Electrical Standby person shall answer the call and determine if the problem can be solved with the use of the SCADA laptop first. If the call requires the electrical standby person to drive to the site where the issue has occurred, the electrician on standby shall respond to the site within forty-five (45) minutes of the time the callout was received.

**Utility WRP Operations Crew** can troubleshoot remotely for up to fifteen (15) minutes. If the problem cannot be resolved in the fifteen (15) minutes from the initial callout, an employee on standby is expected to respond to the reported location immediately. Standby personnel are expected to be at the WRP within forty-five (45) minutes of the time the callout was received. The employee may elect to not troubleshoot and respond immediately.

**CASA Animal Control Officers** can decide if he/she needs to drive to the incident site or if the situation can be addressed over the phone. If, in the judgment of the ACO, the call requires the employee to be onsite, he/she must be on-scene within forty-five (45) minutes of the initial call.

### USE OF AGENCY AUTOMOBILE

Unless authorized otherwise in writing by a supervisor or manager, an employee must take an agency automobile home while on Standby. The employee may use the automobile for personal use if no other personal automobile is available for use by the employee. The agency automobile may only be used to attend a personal activity or event that would allow the employee to respond on-scene within the prescribed time as noted above. In no event shall the employee transport anyone else in the agency automobile. Conditions of Standby policy supersedes any other policy regarding the use of an agency automobile for personal use.

The following Utilities Divisions **are required** to take home a City vehicle for standby:

- Water - Customer Service and System Repair Crew
- Mechanical Maintenance Crew

The following Utilities Divisions **are not required (it is optional)** to take home a City vehicle for standby:

- Water - System Operations Crew
- Electricians
- Collections
- WRP Operations Crew

The Maintenance Divisions **are not required (it is optional)** to take home a City vehicle for standby.

### STAFFING

As long as a sufficient number of employees remain on Standby, as determined by management, no employee will be required to participate in the Standby program. If there are not a sufficient number of Standby personnel who volunteer to be placed on Standby, management, at its sole discretion, can require employees to be placed on the Standby rotation.

### COMPENSATION

The compensation will begin the first full pay-period of September 2015.

Employees on Standby shall receive compensation as follows:

CASA

\$30 weekdays (M-F) and \$60 per day for Saturdays, Sundays and city-recognized holidays

Maintenance Division

\$35 weekdays (M-F) and \$60 per day for Saturdays, Sundays and city-recognized holidays

Utilities Division

\$45 weekdays (M-F) and \$75 per day for Saturdays, Sundays and city-recognized holidays

An employee on Standby on his/her "dark Friday" will not be expected to respond to a call until after the end of the regular shift for the work unit's personnel that day. The starting time of the Standby shift for these days will be posted by management.

### TRADES OR REPLACEMENT FOR STANDBY ASSIGNMENT

Any employee who wishes to trade or seek a replacement for an assigned Standby assignment must obtain written acceptance of the assignment from the employee filling in for the shift. It is the responsibility of the employee originally assigned the Standby to provide the supervisor or manager with the written acceptance of the trade from the other employee prior to the Standby period beginning. The notification must include the date or dates that have been traded or taken. The forwarding of an email or text message to the supervisor or manager is sufficient to document the acceptance of a change, and the

supervisor or manager shall acknowledge receipt of the communication via a written response (e.g., "OK", "Got it", etc.)

If the employee on Standby has an emergency and cannot fulfill their Standby responsibilities, it is the employee's responsibility to notify their management class supervisor immediately by phone or email, so that adequate coverage can be maintained. The employee will not receive Standby pay and depending on the circumstances, may be required to submit justification/documentation of said emergency.

DISCIPLINARY ACTION

Based on individual circumstances, failure to comply with one or more of the provisions noted above or any Personnel Rule or other policy or procedure of the agency may lead to discipline, up to and including discharge.

TERM

The terms and conditions of this Side Letter of Agreement are effective upon signature and execution of both parties and shall remain in effect until June 30, 2020.

RE-OPENER

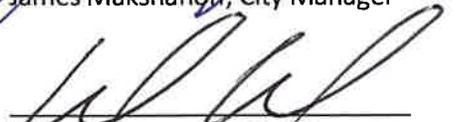
If both parties are mutually agreeable, the terms and conditions of this Side Letter of Agreement can be re-opened for discussion and/or modification.

Executed this 1st day of September, 2015.

City of San Clemente



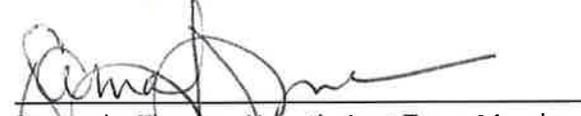
Mayor

  
James Makshanoff, City Manager  
Erik Sund, Assistant City Manager  
Sam Penrod, HR Manager

San Clemente City Employees' Association



Matt Squires, President

  
Ian Burton, Vice President  
Dan Lowrie, Negotiations Team Member  
Samantha Thomas, Negotiations Team Member  
Llesena Ontiveras, Chief Negotiator