

LETTER OF AGREEMENT
BETWEEN
CITY OF SANTA MONICA
AND
PUBLIC ATTORNEYS LEGAL SUPPORT STAFF UNION

Representatives of the City of Santa Monica (City) and the Public Attorneys Legal Support Staff Union (PALSSU) have reached an understanding as to the impacts of the City's restructuring and budget reduction process approved by City Council on May 5, 2020, in response to the COVID-19 public health crisis, which has resulted in a reduction in force affecting employees represented by PALSSU.

This Letter of Agreement shall operate to amend the current Memorandum of Understanding between the parties (Contract No. 10744 (CCS)) that presently is in full force and effect, as follows:

1. Lay-off Severance Package

In addition to the accrued leave cash outs to which employees separated from City employment are legally or contractually entitled as of the date of their separation, the City will provide a severance package to each PALSSU employee being separated from the City due to layoff because the employee's position has been eliminated as a result of the City reorganization described above. The severance package will include:

- a. A lump sum payment of \$16,000; provided, however, that if the City agrees to a severance payment for laid off employees of more than an average of \$16,000 per separated employee (or agrees to provide any such laid off employee with an additional item of value that causes his/her severance package to exceed an average value of \$16,000) with any of the following bargaining units: ATA, IBT, FEMA, Local 1109, MEA, MTA, PAU, POA, SMART-TD, or STA, then the City shall provide such PALSSU employees with the same severance amount and/or item of value as agreed to with the other bargaining units; and
2. Sick leave cash-out per section 3.09 of the Memorandum of Understanding between the City and PALSSU, Contract No. 10744 (CCS), that the employee would have been eligible to receive had the separation from City service occurred after July 1, 2020.

PALSSU represented employees subject to lay off shall be separated from City service effective July 9, 2020. Separated employees shall have until July 17th to return all City property to the City.

In consideration for the foregoing benefits, each laid off PALSSU employee shall execute a severance agreement and general release and waiver of all claims against the City, as specified in Attachment A.

3. Position Reinstatement

Notwithstanding the provisions of City Charter section 1109 and Santa Monica Municipal Code section 2.04.380, the parties agree as follows:

- a. If at any time between the execution of this Agreement and July 6, 2022, the City reinstates the same position or creates a position with substantially similar job duties to the position from which an employee was laid off, as provided in City Charter section 1109 and Santa

Monica Municipal Code section 2.08.380, then the person(s) laid off from that position will be offered the position, in reverse order in which the layoffs occurred in a particular Department, as soon as practicable following position establishment. If all persons who were laid off from an eligible position have been offered and decline to accept the reinstated or created position, the City may recruit for the position through the City's regular hiring policies and procedures. If the reinstated or created position is included in the Fiscal Year 2022-2023 budget as adopted by Council, it will be deemed to be established for purposes of this provision. If an employee declines reinstatement, the employee shall be removed from the re-employment list.

- b. Re-instatement eligibility for PALSSU represented members shall be non-precedential and limited only to those positions eliminated due to the City restructure as approved by Council on May 5, 2020.
- 4. PALSSU represented employees eligible for the \$500 payment pursuant to the Coalition Retirement Agreement shall be paid such payment if the date of the employee's separation from City employment is effective after July 1, 2020, consistent with the provisions of the Coalition Retirement Agreement.
- 5. Recommendation Letters

The supervisor of each employee who is subject to layoff will provide a recommendation letter.

- 6. The terms of the Letter of Agreement only apply to the reduction in force resulting from Council action on May 5, 2020.

IN WITNESS WHEREOF, the parties hereto have caused this Letter of Agreement to be executed this _____ day of 8/11/2020, 2020.

CITY OF SANTA MONICA

ATTEST:

a municipal corporation

DocuSigned by:

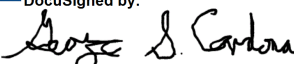
 DENISE ANDERSON-WARREN
 City Clerk

DocuSigned by:

 By: _____
 LANE DILG
 Interim City Manager

APPROVED AS TO FORM: PUBLIC ATTORNEYS LEGAL SUPPORT STAFF UNION

DocuSigned by:



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GEORGE CARDONA
Interim City Attorney

DocuSigned by:



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BY: BRADLEY MICHAUD

Attachments:

- A. Severance Agreement and General Release and Waiver