

**Side Letter of Agreement
between
County of Santa Clara
&
Deputy Sheriff's Association**

The County of Santa Clara ("County") and the Deputy Sheriff's Association of Santa Clara County ("DSA") agree to the following measures to incentivize lateral hires from other law enforcement agencies into classifications represented by the DSA:

I. Personal Leave Bank:

- a. An employee hired by the Santa Clara County Sheriff's Office ("Sheriff's Office") under the "lateral hire bonus" program as a peace officer pursuant to either California Penal Code Section 830.1(a) or 830.1(c) shall be credited with 152 hours of paid personal leave on their date of hire. Such leave may be used by the employee for any lawful purpose he/she desires, provided that such leave shall be requested in writing and the employee shall receive prior written approval from the appointing authority, or his/her designee, prior to taking the personal leave.
- b. The personal leave bank of 152 hours shall be separate and distinct from the employee's STO bank accrual. There shall be no cash value assigned to the 152 personal leave hours. The 152 personal leave hours shall be used for authorized paid time off only. The personal leave bank shall expire on the last day on the 52nd pay period after the employee's date of hire. Any unused personal leave hours shall be eliminated. The employee shall not be allowed to cash out any unused personal leave hours.

II. Seniority Conversion:

- a. An employee hired by the Sheriff's Office under the "lateral hire bonus" program as a peace officer pursuant to either California Penal Code Section 830.1(a) or 830.1(c) shall be credited with a seniority conversion. The seniority conversion shall be based on the days of accrued service in a paid status as peace officer in the agency in which the employee was formerly employed immediately prior to being hired by the Sheriff's Office under the "lateral hire bonus" program. The seniority conversion shall be calculated at a ratio of 2:1. For example, if an employee hired under the "lateral hire bonus" program has 2,610 days [or ten (10) years] of accrued service in a paid status as peace officer pursuant to either California Penal Code Section 830.1(a) or 830.1(c) in their former law enforcement agency, that employee shall be credited with a seniority conversion of 1,305 days [or five (5) years] for use while employed with the Sheriff's Office.
- b. The seniority conversion shall be used for Sheriff's Office purposes only, such as for shift bidding or vacation bidding within the Sheriff's Office. Under no circumstances will the seniority conversion be used for any other purposes,

including but not limited to lay off/bumping rights, salary step increases, CalPERS service credit or retiree medical coverage vesting requirements.

III. Referral Bonus:

- a. Any current sworn employee of the Sheriff's Office who refers an employee, hired under the "lateral hire bonus" program as a peace officer pursuant to either California Penal Code Section 830.1(a) or 830.1(c), shall be paid a one-time, non-PERSable, lump-sum payment of \$5,000. The Referral Bonus shall be subject to all required payroll deductions and withholdings and shall be paid in compliance with the California Public Employees' Pension Reform Act (PEPRA) of 2013. An employee must be in an Active employment status to receive payment. The funding for the Referral Bonus shall be administered by the County and the Referral Bonus may be terminated at the County's sole discretion for any reason, including but not limited to, funding being exhausted.
- b. In order for the current employee to be eligible for the Referral Bonus, the current employee must: 1) identify the referred employee hired under the "lateral hire bonus" program by name on a form provided by the Sheriff's Office no later than thirty (30) calendar days after the date the referred employee is hired by the Sheriff's Office; and 2) the referred employee hired under the "lateral hire bonus" program must successfully complete the Sheriff's Office's Field Training Officer ("FTO") program prescribed for that referred employee.
- c. Any Sheriff's Office employee providing either background investigation services or recruitment services is ineligible to receive a Referral Bonus unless an exception is authorized in writing by the Sheriff of Santa Clara County.

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All other terms and conditions of the MOU between the County and DSA, effective from September 7, 2020 through September 14, 2025, are still in effect. This side letter of agreement shall expire on September 14, 2025 or upon exhaustion of the one-time funding appropriated for the "lateral hire bonus" program.

Date: _____

County of Santa Clara

DSA

DocuSigned by:
U/S Ken Binder 1/23/2024
AA6C408DAD08444...

DocuSigned by:
Marcus Barbour 1/19/2024
8E959F871F82431...

DocuSigned by:
Mitchell Buellbach 1/23/2024
313F8C8925CF4D7...

DocuSigned by:
Kyle Haynes 1/20/2024
3D03E298A5D84A4...

Approved as to Form and Legality:

DocuSigned by:
Michael J. Leon Guerrero 1/31/2024
870C10D1C8D2408...
Office of the County Counsel Date

County of Santa Clara:

DocuSigned by:
James R. Williams 1/31/2024
74FCE0CB79FA478...
James R. Williams Date
County Executive

DocuSigned by:
Tony LoPresti 1/31/2024
CBB7207010D449D...
Tony LoPresti Date
County Counsel