

To the Memorandum of Understanding  
Between the City of Pittsburg and Pittsburg Police Officers' Association  
July 1, 2022 – June 30, 2025

This will confirm an understanding reached between the City of Pittsburg and Pittsburg Police Officers' Association.

8.6 Vacation Buyback

- (a) Employees may receive vacation pay in lieu of paid time off, subject to the following limitations. Buyback shall only be made at the request of the employee, the recommendation of the Chief of Police, and upon the approval of the City Manager. Approvals will be granted if it is determined that "buyback" will result in increased cost-effectiveness and efficiency to the City as determined by the City Manager.

Employees may elect to sell back a maximum of eighty (80) hours of vacation per calendar year. Employees desiring to sell back vacation must file an irrevocable election identifying the number of Vacation Leave hours they will sell back in November (November 1-21) of the tax year preceding the sell back. The election will apply only to Vacation Leave hours accrued in the following tax year and available at the time of cash out. Employees may elect that the pay-out occur in either the last paycheck in September or the first paycheck in December. Employees who do not pre-designate a sell back amount by the annual deadline will be deemed to have waived the right to sell back any Vacation Leave in the following tax year and will not be eligible to sell back Vacation Leave in that year. Vacation hours bought back shall be paid at the employee's normal hourly rate of pay at the time of the buyback, excluding any enhancements such as out of class pay. Upon the recommendation of the Chief of Police, the City Manager may authorize buyback in excess of the eighty (80) hour limit in urgent and/or emergency situations.

Effective July 1, 2014 the total City-wide allocation for the buyback program will be \$160,000 per fiscal year. The City shall establish an annual window period for the receipt of vacation buyback requests (November 1 – 21). At the conclusion of the window period, the City will tabulate the total dollar value of the buyback requests. If the total dollar value is less than or equal to \$160,000 employee will receive, upon the City Manager's approval, payment as noted above. If the total dollar value of the requests exceeds \$160,000, requested hours will be pro-rated and employees paid accordingly. Should this occur, employee will be credited with vacation hours in excess of those hours determined eligible for the buyback program.

Effective July 1, 2007 the City shall establish a separate twenty thousand dollars (\$20,000) per fiscal year vacation buyback program for all police safety members (including those not represented by the Association). The purpose of this separate account is for those safety members whose qualifying requested

vacation buyback was not paid through the City-wide allocation. The City-wide program and the separate police safety members program shall have the same annual window period.

To the extent permitted by law, and so long as there is no negative impact on the Plan's qualified status, individual employees may elect to have payout of Vacation leave deposited directly into the City's Deferred Compensation Plan. If the employee does not so elect or if the funds cannot lawfully be deposited into the employee's Deferred Compensation account (e.g. if they would exceed the maximum contribution), the payout will be included in the employee's paycheck for the applicable pay period.

If a POA represented employee's requested and recommended vacation buyback is denied and such denial results in the employee's vacation bank being over his/her accrual cap, then the City shall transfer such hours into the employee's vacation reserve bank. If such transfer results in the employee's vacation bank being at or below the vacation accrual cap then the employee will continue to accrue vacation.

If a POA represented employee's scheduled vacation is cancelled by the City after the vacation buyback program's annual window period and such cancellation results in the employee's vacation bank being over his/her accrual cap, then the City shall transfer such hours into the employee's vacation reserve bank. If such transfer results in the employee's vacation bank being at or below the vacation accrual cap then the employee will continue to accrue vacation.

- (b) The prior-year pre-election requirement set forth in subdivision (a) will be effective for vacation payouts occurring in Calendar Year 2022 and later. For 2021 only, employees will be permitted to file two elections: (1) the first for payout of vacation in December of 2021 and (2) the second for payout of vacation in Calendar Year 2022.

FOR PPOA

DocuSigned by:

By Ryan Davis  
96846251C90B4F5...  
Ryan Davis  
President

DocuSigned by:

By Kyle Baker  
0A717F57FA6B4EF...  
Kyle Baker  
Vice President

FOR CITY OF PITTSBURG

DocuSigned by:

By Jennifer Brizel  
97B1DB9B8B524B3...  
Jennifer Brizel  
Director of Human Resources