

**TENTATIVE SIDE LETTER OF AGREEMENT**

between

**CITY OF HAYWARD**

and

**HAYWARD POLICE MANAGEMENT UNIT**

Representatives of the City of Hayward (the "City") and the Hayward Police Management Unit ("HPMU") met and conferred in good faith on the City's anticipated revenue shortfall for FY 2021 resulting from the COVID-19 pandemic and reached a Side Letter Agreement (the "Original Agreement"), dated June 23, 2020 through which the City instituted an unpaid furlough leave program (the "Furlough Program") for FY 2021 for all HPMU members in order to aid the City's ability to maintain routine and necessary services while attempting to minimize negative fiscal impacts for employees.

In the summer of 2021, the Parties met and conferred in good faith to discuss amending the repayment provisions of the Original Agreement considering updated data regarding the City's revenues. As a result of these discussions, the Parties have agreed to amend the Original Agreement as set forth below.

If there is any conflict in language between this Agreement, the Original Agreement, and the Memorandum of Understanding, the provisions in this Agreement will supersede.

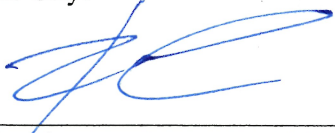
NOW THEREFORE, the City and HPMU agree as follows:

- 1) Employees who have either (i) not utilized eighty (80) furlough hours or (ii) paid back eighty (80) furlough hours pursuant to the "Furlough Payback" option will not be required to take any additional furlough hours under the Furlough Program.
- 2) The City agrees to provide a single, one-time lump sum payment to members of HPMU equal to the value of furlough hours actually used or "paid back" under this Agreement, calculated using the employees' pay rate as of the date(s) on which the furlough leave was taken.

This payment shall be processed and paid as a separate paycheck within three weeks following ratification and Council approval of this Agreement. To be eligible for such payment, employees must be on City payroll during the pay period the one-time payment is processed.

- 3) All other provisions of the Original Agreement shall remain in full force and effect.

For the City:

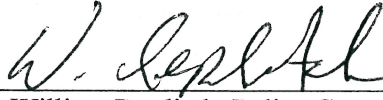


Dustin Claussen, Director of Finance/  
Interim Director of Human Resources

For HPMU:



Bryan Matthews, Police Captain

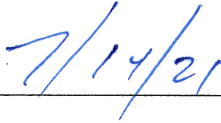


William Deplitch, Police Captain



Ken Forkus, Police Captain

Dated



Dated

