

**Letter of Understanding between International Federation of Professional & Technical
Engineers Local 21 ("Local 21") and the City of Oakland ("Oakland")**

This represents an agreement between Local 21 and the City of Oakland related to telecommuting. The City has an Administrative Instruction 594 Employee Telecommute Program Policy ("AI 594"). The parties intend to modify AI 594 in the following ways understanding it applies Citywide and the City will need to address the matter with other labor groups in the City. Pending formal amendment of AI 594, the provisions of this LOU will apply to Local 21 represented classifications. This LOU is intended to supplement AI 594.

1. A supervisor or Department will have up to thirty (30) calendar days from receipt of a complete telecommute application to respond to said request. Supervisors may request an extension of this timeframe.

2. An employee may apply to participate in the Telecommuting Program. Departments shall approve or deny the telecommuting request within thirty (30) calendar days of the employee's application. Denial of telecommuting requires a written justification of how the employee's request does not meet with the policy guidelines. If the telecommuting request is not responded to by the department within thirty (30) calendar days, the request shall be forwarded to the Human Resources Director or designee-for consideration. In the event of a dispute regarding requests for telecommuting, the Department Director (or designee), impacted employee, and Union shall meet with the Human Resources Director or designee within thirty (30) calendar days from the day the telecommuting request was forwarded to Human Resource Director to attempt to reach an agreement. Telecommuting arrangements will not be denied or ended for an arbitrary or capricious reason. The decision of the Human Resources Director or designee is final.

3. Employees may not remotely perform their City job from outside of the State of California. Working remotely from out-of-state creates tax and other potential liabilities and operational impacts, including limiting the ability of an employee to timely respond to a requirement to report for on-site work. There may be limited circumstances where an employee may receive approval to work remotely from out-of- state for a brief, defined period of time; however, such remote out-of-state telecommuting requires approval by both the employee's Department Head or designee and the City's Human Resources Director or designee, and the request must be supported by compelling business reasons, an explanation of limited family health circumstances, or other critical need. Any employee currently working remotely from out-of-state must return to performing all remote work from within the State of California within ninety (90) days of ratification and adoption of this agreement.

This LOU becomes effective following Council adoption of the successor Memorandum of Understanding. The provisions of this LOU is not subject to the grievance procedure of the MOU. This LOU shall expire with the adoption of the above changes into the AI 594 or June 30, 2025 whichever occurs first.

For IFPTE Local 21:

For City of Oakland:



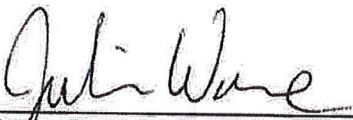
Jesse Kadjo, Chief Spokesperson



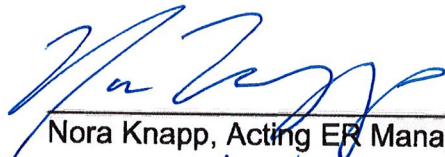
Mark Love, Interim Human Resources Director

Date: 09/15/23

Date: 09/27/23



Julian Ware, President



Nora Knapp, Acting ER Manager

Date: 9/15/23

Date: 9/26/2023