BAAQMD (Air District) and the Employees Association (EA)

Tentative Agreement

Side Letter Regarding MOU Sec 8.04 Performance Evaluations

It is the intent of the Air District to retain an expert third party to review the current employee performance evaluation program. The Air District intends to begin this process, including the selection of the contractor, during the next fiscal year.

Although the Air District would like to begin and conclude this process in a timely manner, it is unknown when any resulting findings and recommendations of the study may be forthcoming. And, similarly, it is unknown what the correspondence of the receipt of the recommendations and any related renegotiation of the MOU might occur.

In order to ensure that the parties have sufficient time to consider any recommendations, and negotiate any proposed changes to the provisions of the MOU as a result of such recommendations, it is agreed that the contract shall be reopened for this section only within sixty (60) of the receipt of the final version of the report.

If the MOU reopener provision described above is exercised, the parties may also discuss, in conjunction with the implementation of a reliable and equitable performance evaluation program, advancement of staff through classification below supervisor based on duties and performance as reflective of merit. Good faith efforts will be taken by the Air District to identify other class series which may be appropriate for ‘sliding classifications’.

If the reopener is not exercised, discussions with regard to salary and classification advancement may occur only during regularly scheduled MOU successor negotiations except by mutual agreement of the parties.

By signing below, the parties agree to recommend approval of this tentative agreement.

For the Air District/Date

For the Employee Association/Date