FIRST AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF FULLERTON AND THE FULLERTON MANAGEMENT ASSOCIATION FOR THE PERIOD JULY 1, 2011 TO JUNE 30, 2014

This First Amendment to the Agreement Between the City of Fullerton and the Fullerton Management Association, for the Period July 1, 2011 to June 30, 2014, dated December 12, 2011 (hereinafter referred to as the "First Amendment") is made and entered into by the City of Fullerton (hereinafter referred to as the "City"), and the Fullerton Management Association (hereinafter referred to as the "Association") and is intended to supplement the provisions of the Agreement.

This First Amendment adds one additional provision to the aforementioned Agreement as specified below. No other changes, deletions or additions are agreed to herein.

ARTICLE 8: INCREMENT PAY is hereby amended to include the following subsection:

E. Deputy Director Assignment Pay

An employee shall receive, in addition to regular pay, Deputy Director Assignment Pay equal to 10% of his/her base hourly rate for any pay period during which he/she is assigned to deputy director duties and responsibilities in addition to duties and responsibilities of his/her regular classification subject to the following:

- City has the unilateral right to assign an employee to the duties of a deputy director and to remove him/her from that position without cause or right of appeal.
- 2. Determination of an employee's eligibility for a deputy director assignment shall be at the discretion of the Department Head and shall be based on employee performance, demonstrated readiness, and workload.
- 3. Deputy director assignments may be rotated among similarly eligible employees within a department at the discretion of the Department Head.
- 4. Any and all deputy director assignments must be approved in advance by the City Manager.
- 5. Only one employee per department may be assigned as a deputy director at any one time, except that, at the recommendation of the Department Head and approval by the City Manager, up to two employees may be assigned as a deputy director if two departments are consolidated to one.

- 6. City reserves the right to make no deputy director assignments within a department.
- 7. City reserves the right to make no deputy director assignments within the City.
- 8. An employee receiving deputy director assignment pay shall not be eligible for Acting Pay provided for in City Personnel Rules, Resolution 8485, Section 8 (B) (3).

The effective date of this provision shall be May 26, 2012.

DATED: May 15, 2012

FOR THE FULLERTON MANAGEMENT

ASSOCIATION

FOR THE CITY OF FULLERTON

David Schickling

President

Gretchen R. Beatty

Director of Human Resources