

## APPENDIX D-7

### SIDE LETTER OF AGREEMENT

#### Provision of Information

1. Pursuant to Article 7.9 and upon written request of the Union, the Union shall be provided employee lists and other Public Records<sup>1</sup> disclosable under the California Public Records Act and/or other information disclosable under HEERA (other information).
2. Subject to the cost limits in paragraph 3 of this Side Letter, Teamsters Local 2010 will not be charged for providing Public Records and/or other information disclosable under HEERA.
3. Where the Public Records or other information requested are so substantial that the direct costs of producing the document would exceed \$75, the union shall be responsible for all direct costs of production over that amount.
4. When calculating the direct cost of production, the cost of duplication will be assessed at the rate of \$0.20 per page for documents up to 8½ x 14 in size, irrespective of whether they are provided in hard or electronic format<sup>2</sup>.
5. When calculating the direct costs of production, the estimate shall not include the cost of locating, retrieving, or inspecting records.
6. When the request is for Public Records or other information held electronically, the requestor shall pay, in addition to the direct costs of production in paragraph 3, the costs of producing the requested electronic Public Records or other information if
  - i. The requested Public Record or information is a report that is being requested out of sequence with otherwise regularly scheduled intervals for the production of that report.

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<sup>1</sup> As defined in California Government Code Section 6252(e) *et seq.*

<sup>2</sup> The costs of copying unusual records e.g. blueprints, or records larger than 8½ x 14 are to be calculated on a case by case basis. Where a statute establishes specific charges for specific types of records (e.g. Cal. Gov. Code 6253(b) personal information about the requestor, including employee and student records), the statutory amount shall be used in calculating the direct costs of production.

- ii. The request requires data compilation, extraction or programing.
  - iii. The requested record/information does not exist in the form as requested by the union and needs to be created, compiled, or otherwise constructed by the CSU.
- 7. Where the cost of production exceeds \$75, the CSU will provide an estimate of the time and costs necessary for its production. The estimated costs of production will be based on number of hours of work involved in producing the record at the hourly rate of the employee or employees engaged in its production. The hourly rate will include salary plus total benefit costs. Pursuant to HEERA, if there is any dispute regarding the information that can be provided and/or the cost to do so, the parties agree to meet and confer regarding the dispute.
- 8. At the time of the production of the record/information to the Union, the CSU will forward to Teamsters Local 2010 an itemized bill along with the record/information. Teamsters Local 2010 agrees to pay the bill within 45 days.
- 9. A copy of an employee's Personnel File will be provided without charge on the written request of the employee and/or union. If there is a subsequent request for a copy of the Personnel File with 12 months of the written request, the costs of production shall be paid by the requesting employee or union at the duplication rate of \$0.20 per page.