

Proposal made by IFPTE Local 21 to the City of San Jose

The provisions contained herein are individual proposals. Language not changed herein will remain unchanged. The Union reserves the right to amend, withdraw, or add to this proposal.

Proposal #4

Submitted on: 02/26/2026 @_____

ARTICLE [NEW]: Dependent Care Assistance Benefit

Section 1. Purpose

The City recognizes that employees with caregiving responsibilities face significant financial and logistical challenges that impact recruitment, retention, and workforce stability. The purpose of this Article is to establish a Dependent Care Assistance Benefit to support employees with dependent care responsibilities and to promote equitable access to caregiving support across the bargaining unit.

Section 2. Establishment of Benefit

The City shall establish and maintain a Dependent Care Assistance Benefit for eligible employees. The benefit shall provide a recurring monetary payment, subject to an annual maximum, to assist employees with qualifying dependent care expenses.

Section 3. Eligibility

- a. Eligibility for the Dependent Care Assistance Benefit shall be based solely on the employee's status and compensation as a City of San José employee.
- b. Eligibility and benefit levels shall not be determined based on household income, spousal income, or any non-City source of income.
- c. The benefit shall be available to full-time employees in paid status. Eligibility of part-time employees, if any, shall be addressed through program guidelines developed pursuant to Section 8.

Section 4. Benefit Tiers and Amounts

- a. Benefit eligibility and amounts shall be determined based on the employee's annual City compensation.
- b. Eligible employees shall receive payments according to the following tiers:

Annual City Compensation

Less than \$60,000

Bi-Weekly Benefit Amount: \$192.30

Maximum Annual Benefit: \$5,000.00

Annual City Compensation

\$60,000 – \$79,999

Bi-Weekly Benefit Amount: \$153.84

Maximum Annual Benefit: \$4,000.00

Annual City Compensation
\$80,000 – \$99,999
Bi-Weekly Benefit Amount: \$115.38
Maximum Annual Benefit: \$3,000.00

Annual City Compensation
\$100,000 and above
Bi-Weekly Benefit Amount: \$76.92
Maximum Annual Benefit: \$2,000.00

Section 5. Qualifying Dependent Care Expenses

- a. Qualifying dependent care expenses shall include, but not be limited to:
1. Childcare expenses, including licensed childcare providers, after-school programs, and childcare-related programs.
 2. Care for elderly dependents, including in-home care, adult day care, and similar services.
 3. Care for adult dependents with disabilities or medical needs.
 4. Other dependent care services reasonably related to caregiving responsibilities.
- b. A dependent shall mean an individual for whom the employee has ongoing caregiving responsibility, as defined in applicable program guidelines.

Section 6. Payment and Substantiation

- a. Benefit payments shall be made through payroll or another mutually agreed-upon method.
- b. Employees receiving the benefit shall be required to substantiate qualifying dependent care expenses within a reasonable period of time after payment.
- c. Failure to timely substantiate expenses may result in suspension or termination of future benefit payments, consistent with program guidelines.

Section 7. Tax Treatment

The Dependent Care Assistance Benefit shall be administered in compliance with applicable federal, state, and local tax laws. Any tax implications associated with the benefit shall be the responsibility of the employee.

Section 8. Administration and Program Guidelines

- a. The City and the Union shall jointly develop written program guidelines governing administration of the Dependent Care Assistance Benefit, including eligibility verification, income tier definitions, benefit amounts, documentation requirements, and timelines.
- b. Program guidelines shall not diminish or conflict with the rights established in this Article.
- c. Any material changes to the program guidelines shall be subject to meet-and-confer with the Union.