

EXHIBIT A

SIDE LETTER BETWEEN Contra Costa County and

Physicians' and Dentists' Organization of Contra Costa (PDOCC)

This Side Letter is by and between the Physicians' and Dentists' Organization of Contra Costa ("PDOCC") and the County of Contra Costa ("County") and is effective on June 1, 2015, following approval of the Board of Supervisors.

This Side Letter amends the Memorandum of Understanding (MOU) between the County and PDOCC (October 1, 2008 - October 31, 2016) as follows:

I. Add the following new paragraph H. to subsection 6.3 of the MOU:

6.3 Employee Physicians on Monthly Schedules.

H. **Emergency Department Backfill Duty Pay.** Exempt Medical Staff Physicians (VPW9) who are assigned to the Emergency Department (Org. 6383) and work in excess of their designated monthly paid hours will be paid a flat rate of \$180.00 per hour (not including differentials) for backfill duty as follows:

1. Backfill duty hours are shifts in the Emergency Department for which the Department would normally utilize the services of locum tenens physicians. Locum tenens is defined in section 2.9.D.
2. When backfill work is available, Exempt Medical Staff Physicians (VPW9) assigned to the Emergency Department (Org. 6383) will have first right of refusal regarding any available backfill work that is outside their designated monthly paid hours.
3. If backfill work is declined or no physician signs up for the available backfill work within twenty-four hours of making the work available, a locum tenens may be utilized for the backfill work.
4. Employees who receive this backfill duty pay will not receive either the Emergency Room pay described in Section 6.9 or any other differentials for the backfill hours worked. Regardless of when the backfill hours are worked during the month, the hours to which the backfill duty pay is applied will be reconciled at the end of each month- (for example, in a 168-hour month, if a physician works 8 hours of backfill duty during a day shift in the middle of the month and works a normal 8-hour weekend shift

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at the end of the month as part of the designated monthly schedule, for a total of 176 hours worked in the month, the 8 hours at the end of the month will be paid at the \$180 per hour flat rate.)

5. The County does not intend that this backfill duty pay be pension compensable, but determination of pension compensability is within the sole discretion of the Contra Costa County Employees' Retirement Association.

II. Add the following new paragraph D. to subsection 2.9 of the MOU:

2.9 Physicians and Dentists as Employees or Contractors.

D. Use of Locum Tenens. Notwithstanding section 2.9.A., physicians or dentists may be contracted by the County directly or through a third party (locum tenens) to provide services in a temporary capacity as described below. The term Locum Tenens as used in this section refers to either type of contracted provider. Psychiatrists who are contracted for pursuant to this section are still subject to the limitations of paragraph B. of section 2.9.

1. **Recruitment Mechanism:** A locum tenens may provide services for up to six (6) months when recruitment for permanent employment is being considered by the Department. To utilize this recruitment mechanism, there must be an available vacant position. During the six (6) month trial period, if the Department determines that the locum tenens is an acceptable candidate for permanent employment, employment in a permanent position may be offered at any time. If the offer is refused, the locum tenens provider's services will be ended within two (2) weeks of the date of refusal. If a locum tenens refuses the offer of employment, he/she will not be allowed to return to the County as a locum tenens for a period of twelve (12) months from the date of rejection of the offer of employment.
2. **Seasonal Need:** A locum tenens may provide services in primary care, the Emergency Department, or Short Notice Clinics during the specific peak periods described below. Under this category, individual locum tenens providers are limited to working a maximum of fifteen (15) weeks.
 - a. Winter Flu Season - the period from Monday prior to Thanksgiving through the last day in February, inclusive.
 - b. Summer Vacation Season - the period of the Monday prior to Memorial Day through the Friday following Labor Day, inclusive.

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3. **Coverage for Leaves of Absence:** The Department may use a locum tenens to cover for an employee during a leave of absence that is greater than one month of continuous absence, e.g., maternity, military, medical, workers' compensation leaves, etc. Individual locum tenens providing services under this category may work a maximum of nine (9) months.

Upon request from PDOCC, the Department will provide to PDOCC a report of locum tenens use within fourteen (14) calendar days of the request. The report will include the names of the locum tenens providers used, assignment (work type and location), and duration of work.

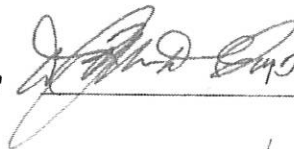
The terms of this Side Letter will be incorporated into the next MOU between the County and PDOCC. All other terms and conditions of the MOU between Contra Costa County and PDOCC (October 1, 2008 – October 31, 2016) remain unchanged by this Side Letter.

Date: 5/22/15

Contra Costa County:
(Signature / Printed Name)

 David Goldstein MD

PDOCC:
(Signature / Printed Name)

 David J. MacDonald MD