



AGENDA REPORT

TO: Edward D. Reiskin
City Administrator

FROM: Ian Appleyard
Human Resources
Management Director

SUBJECT: Amendment to Ordinance No. 12187
C.M.S. (The Salary Ordinance)
Including New Minimum Wage Rates

DATE: October 28, 2022

City Administrator Approval

Date: Nov 1, 2022

RECOMMENDATION

Staff Recommends That The City Council Adopt The Following Pieces Of Legislation:

(1) A Resolution Recommending To The Civil Service Board The Exemption Of The Classification Of Manager, Training and Organizational Development From The Operation Of Civil Service; And

(2) A Resolution Recommending To The Civil Service Board The Exemption Of The Classification Of Manager, Planning From The Operation Of Civil Service; And

(3) A Resolution Recommending To The Civil Service Board The Exemption Of The Classification Of Manager, Zoning From The Operation Of Civil Service; And

(4) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To:

(a) Add The Full-Time Classification Of Manager, Training and Organizational Development; The Full-Time Classification Of Special Activity Permit Inspector, Supervising; The Full-Time Classification Oracle Database Administrator; And

(b) Amend The Title And Representation Unit Of The Full-Time Classification Of Planner V To Manager, Planning; The Full-Time Classification of Recycling Specialist, Senior to Recycling Program Specialist III; The Title Of The Full-Time Classification Of Solid Waste/Recycling Program Supervisor to Manager, Recycling Program; And

(c) Amend The Representation Unit Of The Full-Time Classification Of Manager, Zoning; And

(d) Amend The Salary Of The Part-time Classifications Of Senior Aide And Temporary Contract Services Employee To Ensure Compliance With The City Of Oakland's Minimum Wage.

EXECUTIVE SUMMARY

Adoption of the proposed resolutions are twofold: (1) to ensure the City is able to appoint appropriate candidates to critical management positions and (2) to comply with the terms of the labor agreement between the City and the International Federation of Professional and Technical Engineers (IFPTE), Local 21. These actions are in accordance with Oakland City Charter Section 9.02(f) to seek exemption of the classifications of Manager, Training and Organizational Development, Manager, Planning, and Manager, Zoning from the operation of the competitive civil service. These "at-will" positions are budgeted in the Human Resources Management and Planning & Building Departments.

Adoption of the proposed ordinance will ensure the accuracy of the City's classification plan and Salary Schedule, and compliance with the applicable labor agreement. This ordinance includes a variety of routine actions to approve the creation of new classifications and modifications to existing classification titles that have already been approved by the Civil Service Board. Further, approval of this ordinance will ensure that pay rates for City classifications are in alignment with the City of Oakland's Minimum Wage Ordinance. The proposed items are related to classifications that are allocated in the following departments: Human Resources Management (HRM), Economic and Workforce Development (EWD), Information Technology Department (ITD), Planning & Building Department (PBD), Oakland Public Works (OPW) Department, and Human Services Department (HSD).

BACKGROUND / LEGISLATIVE HISTORY

The Salary Ordinance (Ordinance No. 12187 C.M.S.) establishes salaries as well as other terms and conditions of City employment including the classification titles and bargaining unit designation of positions. The Ordinance is amended periodically to accommodate the City's evolving classification needs. Pursuant to the Personnel Manual (Civil Service Rules), Section 3.04, components of the City's Classification Plan shall be administered and maintained by the Personnel Director with the approval of the Civil Service Board.

As applicable regulations or departmental operations change, staff in HRM consults with departments regarding classification needs. These changes require HRM to amend the Salary Ordinance to add, amend, or delete certain classifications. The proposed Salary Ordinance Amendment accompanying this report is comprised of various routine actions to update the salary schedule.

ANALYSIS AND POLICY ALTERNATIVES

As stated above, the proposed action is recommended to update the Salary Schedule of the Salary Ordinance to align it with other actions that have taken place. In cases in which union involvement was required, the appropriate notification and/or discussions occurred with the applicable unions regarding bargaining unit modifications.

New Full-time Classifications – There are three (3) classifications being proposed as amendments to the City’s Classification Plan:

(1) HRM – Manager, Training and Organizational Development: This new classification is being created to oversee and carry out training and organizational development operations for the entire City. Citywide Training has been managed in a variety of ways over the past two decades but it is evident that the City requires a more comprehensive approach through a dedicated manager position, including oversight of the implementation of an automated learning platform, to ensure that staff has more learning opportunities to expand their skills in the organization and participate in continuous learning. Further, there is an increased need for tracking and monitoring training objectives and attendance for important compliance purposes. Lastly, the role has been elevated in recent months by an emerging focus on addressing systemic racism in City policies and procedures and utilizing an equity lens to ensure more equitable practices citywide. Because this classification will not be represented by a union, it was not subject to mandatory bargaining obligations. The new classification is expected to be submitted to the Civil Service Board for consideration at its December 2022 meeting.

(2) EWD – Special Activity Permit Inspector, Supervising: A new full-time classification is being created to supervise the existing Special Activity Permit Inspectors (formerly titled Municipal Code Enforcement Officer). There is a gap in the organization at the supervisory level, and this new classification will create an opportunity for internal promotion among the existing staff. The new position will primarily be responsible for: planning, directing, and coordinating the inspection, investigation, education, and enforcement activities of regulations pertaining to special activity/business permits and operations of businesses, including but not limited to those listed in Title 5 and Chapter 9.52 of the Oakland Municipal Code (such as special events, cabaret, massage establishments, food vending outside of restaurants, and cannabis operations); taking complaints from the public and elected officials; and supervising, training, and evaluating assigned staff. IFPTE, Local 21 was notified of the proposal to create a new full-time position in August 2022. City and union representatives discussed the item at meetings in August and September, and there were no objections to the proposed new classification. The Civil Service Board approved the new Special Activity Permit Inspector, Supervising classification at its September 15, 2022 meeting.

(3) ITD – Oracle Database Administrator: A new full-time classification is being created in response to the findings from a classification study that was completed in June 2020. HRM and ITD collaborated on a new job description to encompass the full scope and authority of work that is required to administer the Oracle system database on a citywide basis. The new classification will primarily be responsible for: providing technical services and expertise in the design, production support, and maintenance of all aspects of the City’s operational enterprise resource planning (ERP) application and middleware technology stack, including the deployment of software updates, incident management, middleware management, and administration of user access and application security; and overseeing performance and availability management of the database application and middleware products, data warehousing, backups and restoration. IFPTE, Local 21 was notified of the draft classification specification in October 2021. City staff and union representatives met several times during the last year to discuss the matter. In September 2022, Local 21 received the final salary recommendation. Discussions concluded in October 2022, and there were no objections to the proposed new classification or salary rate. The

new classification is expected to be submitted to the Civil Service Board for consideration at its December 2022 meeting.

Classification Title and Representation Unit Changes – Three (3) classifications require a title change, which will ensure that the classifications accurately convey the requirements of the positions as needed by the City departments in their current configurations. Two (2) of those classifications require a change to the representation unit while one (1) classification only requires a minor adjustment to the salary rate.

(1) PBD –The title of Planner V will change to Manager, Planning and move from representation unit TW1 to UM1. This aligns the Planner and Transportation Planner series, which is part of the recent labor agreement between the City and IFPTE, Local 21. To implement this change, by way of resolution, the City Council recommends this change to the Civil Service Board. Once this is complete, the removal of the classification from the competitive civil service and seek approval for an exemption by the Civil Service Board at the December 2022 meeting. Further, discussions regarding revisions to the classification specification are expected to begin in November. City and union representatives will discuss the updated draft and work toward agreement on the necessary changes. The revised title and job description are expected to be approved by the Civil Service Board at the December 2022 meeting as part of routine classification specification revisions.

(2) OPW – The Department is in the process of revamping the existing Recycling Specialist classification series. Work has already been completed for the entry and journey level classifications (Recycling Program Specialist I & II). The advanced-journey level classification will change from Recycling Specialist, Senior to Recycling Program Specialist III to ensure a better reflection of its first-line supervisory role and recycling and solid waste programmatic responsibilities as part of operations and service delivery. The supervisor level classification will change from Solid Waste/Recycling Program Supervisor to Manager, Recycling Program to ensure a better reflection of its managerial role over the City's recycling and solid waste operations. The scope and authority of both classifications are being affected by the title changes and related classification specification revisions, which creates a need to adjust representation unit and salary for better alignment with similarly situated supervisory and management classifications within OPW and throughout the City. IFPTE, Local 21 was notified of the proposal to revise the titles and amend the representation unit and/or salary rate in January 2022. City and union representatives discussed the item at multiple meetings from January to September 2022, and there were no objections to the proposed changes to the titles and representation unit and/or salary rate. The revised titles are expected to be approved by the Civil Service Board at its December 2022 meeting as part of routine classification specification revisions.

Representation Unit Change – The Manager, Zoning will be moved from representation unit UM2 to UM1 and, accordingly, be exempted from the competitive civil service. This corresponds with the recent labor agreement between the City and IFPTE, Local 21. To implement this change, by way of resolution, the City Council recommends this change to the Civil Service Board. Once this is complete, the removal of the classification from the competitive civil service and seek approval for exemption by the Civil Service Board at the December 2022 meeting. Further, discussions regarding revisions to the classification specifications are expected to begin in November. City and union representatives will discuss the updated draft and work toward agreement on the necessary changes. The revised job description is expected to be

approved by the Civil Service Board at its December 2022 meeting as part of routine classification specification revisions

Minimum Wage Salary Adjustment – On November 4, 2014, the voters approved Oakland Measure FF which raised the minimum wage in Oakland to twelve dollars and twenty-five cents (\$12.25), effective March 2, 2015. Measure FF also included a requirement that the Oakland minimum wage be adjusted annually on the first of January in accordance with the annual Consumer Price Index (“CPI”) for urban wage earners and clerical workers for the San Francisco-Oakland-San Jose, CA metropolitan statistical area, consistent with Section 5.92 of the City of Oakland Municipal Code (“O.M.C.”). Adjustments to Oakland’s minimum wage rate are only allowed when there is an increase in the CPI. The City of Oakland’s pay structure for all positions must comply with the new wage rates as of January 1st each calendar year. The rate will increase by \$0.91 per hour for calendar year 2023, which will result in a new wage rate of \$15.97 per hour.

HRM staff conduct the annual analysis of the Salary Schedule for all City of Oakland classifications. It was determined that two classifications required an adjustment to the wage rate to be at or above the new minimum wage standard pursuant to Measure FF and the O.M.C. as of January 1, 2023. The hourly salary rate of the Senior Aide, PT classification in HSD will be increased to match this new rate, and the minimum monthly salary rate of the Temporary Contract Services Employee, PT classification will also be increased to ensure compliance.

Adoption of the proposed legislation advances the Citywide priority of responsive, trustworthy government by ensuring necessary changes to classifications and salary rates are publicly noticed and in compliance with rules and regulations. For example, the City of Oakland must take action to ensure that all salary rates are in compliance with the Minimum Wage threshold for 2023. Other changes are required as part of negotiated contract agreements with the City’s labor unions. The remainder of the actions are in response to operational needs for the affected City departments.

FISCAL IMPACT

Adoption of the proposed Salary Ordinance Amendment adding the new classifications will not automatically add the positions to the departments. The new classifications in HRM, EWD, and ITD and the classifications affected by rep unit and salary amendments will require each Department to work with the Budget Bureau to submit an Add/Delete request during FY 2022-23 and identify funding.

The slight increases in salary for the Senior Aide, PT and Temporary Contract Services Employee, PT classifications have been accounted for in the department budgets as part of the biennial adjustments for FY 2022-23.

PUBLIC OUTREACH / INTEREST

No public outreach was deemed necessary other than the required posting on the City’s website.

COORDINATION

Human Resources Management coordinated with each of the departments regarding the proposed modifications. Additionally, the City is required to notify impacted labor groups of any changes to salary and, in some instances, changes to job descriptions. In this case, notifications were sent, discussions occurred, and the parties agreed to the changes.

Public notices regarding the Civil Service Board actions to approve classification specifications are posted pursuant to the provisions of the California Brown Act and City of Oakland Sunshine Ordinance.

Additionally, the preparation of this report was coordinated with HRM, City Attorney's Office, and Finance Department Budget Bureau.

SUSTAINABLE OPPORTUNITIES

Economic: There are no economic opportunities associated with this report.

Environmental: There are no environmental opportunities associated with this report.

Race & Equity: There are no social equity opportunities associated with this report.

ACTION REQUESTED OF THE CITY COUNCIL

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(b) Amend The Title And Representation Unit Of The Full-Time Classification Of Planner V To Manager, Planning; The Full-Time Classification of Recycling Specialist, Senior to

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Recycling Program Specialist III; The Title Of The Full-Time Classification Of Solid Waste/Recycling Program Supervisor to Manager, Recycling Program; And

(c) Amend The Representation Unit Of The Full-Time Classification Of Manager, Zoning;
And

(d) Amend The Salary Of The Part-time Classifications Of Senior Aide And Temporary Contract Services Employee To Ensure Compliance With The City Of Oakland's Minimum Wage.

For questions regarding this report, please contact Ian Appleyard, Director of Human Resources Management, at (510) 238-6450.

Respectfully submitted,



IAN APPLEYARD
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Attachments (4):

- A: Exemption Resolution – Manager, Training and Organizational Development
- B: Exemption Resolution – Manager, Planning
- C: Exemption Resolution – Manager, Zoning
- D: Salary Ordinance