



AGENDA REPORT

TO: Edward D. Reiskin
City Administrator

FROM: Ian Appleyard
HRM Director

SUBJECT: Amendment to Ordinance No. 12187
C.M.S. (The Salary Ordinance) for
Various Classifications

DATE: April 5, 2021

City Administrator Approval 

Date: Apr 15, 2021

RECOMMENDATION

Staff Recommends That The City Council Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Full-time Classification Of Street and Sidewalk Construction and Maintenance Planner; To Amend The Title Of The Full-time Classification Of Tree Worker Driver to Tree Worker; To Amend The Title Of The Full-time Classification Of Manager, Contract & Employment Services to Manager, Capital Contracts; To Amend the Salary of the Full-time Classification of Inspector General and To Amend the Representation Unit from U31 to UK1; To Amend The Salary of the Full-time Classification of Chief of Fire; And To Amend The Salary Of The Part-time Classification Of Senior Aide To Ensure Compliance With The City Of Oakland's Minimum Wage.

EXECUTIVE SUMMARY

Adoption of the proposed ordinance will ensure accuracy of the City's classification plan and Salary Schedule. This ordinance includes a variety of routine actions to approve 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: Oakland Department of Transportation (DOT), Oakland Public Works (OPW) Department, Community Police Review Agency (CPRA), Oakland Fire Department (OFD), 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 from time to time 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.

City Council
May 4, 2021

As applicable regulations or departmental operations change, staff in Human Resources Management (HRM) periodically consults with departments regarding classification needs. Many such changes require HRM to initiate an amendment to 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 Classification – One classification is being proposed as an amendment to the City’s Classification Plan. DOT requested the creation of a new classification titled Street and Sidewalk Construction and Maintenance Planner to provide better coordination and planning of departmental projects. The duties include coordinating and planning resources for street and sidewalk construction and maintenance services including materials, staffing, and equipment; inputting data and monitoring and generating reports using the work management system. The International Federation of Professional and Technical Engineers (IFPTE, Local 21) was notified of the proposal to create this new classification. City and union representatives discussed the item at multiple meetings in late 2020 and early 2021. There are no objections to the proposed new classification. The Civil Service Board is expected to approve the new classification at its April 15, 2021 meeting.

Classification Title Changes – Two classifications in OPW require a title change, which will ensure that the classification accurately conveys the requirements of the position as needed by the City departments in their current configurations.

(1) The title of Tree Worker Driver is changing to Tree Worker. The position no longer requires that incumbents possess a commercial driver’s license, therefore including “Driver” in the title is inaccurate. The new title reflects the required duties and better aligns with the departmental operations. The City met with the Service International Employees Union (SEIU, Local 1021) on several occasions in late 2020 and early 2021. The union confirmed that there are no objections to updating this classification title. The revised title is expected to be approved by the Civil Service Board at the April 15, 2021 meeting as part of routine classification specification revisions.

(2) The title of Manager, Contract and Employment Services is changing to Manager, Capital Contracts. The old title is being replaced by a title that is more reflective of current trends in the industry and better aligns with the City’s organizational structure. The City met with IFPTE, Local 21 in early 2021. The union confirmed that there are no objections to modernizing this classification title. The revised title is expected to be approved by the Civil Service Board at the April 15, 2021 meeting as part of routine classification specification revisions.

Salary and Representation Unit Adjustments – The Inspector General classification requires a salary adjustment and representation unit change from U31 to UK1. A resolution (88237 CMS) was approved by the Oakland City Council on July 23, 2020 to amend the City of Oakland Charter

Section 604 that governs the Police Commission. The updated legislation modified the powers, duties, and staffing of the Oakland Police Commission and the CPRA, including creating an Office of Inspector General. The Police Commission has proposed changes to the Inspector General classification to better align it with the position's role and responsibilities as updated in the recent legislation. The classification was in representation unit U31 at Pay Grade 019. Based on the increased level of responsibility and the similarity to other department head classifications in the City (including the Executive Director of the CPRA), the recommended salary range is Pay Grade 041 in representation unit UK1, which is a 29% salary increase. The Confidential Management Employees Association (CMEA) was notified that the classification was going to be moved from unit U31 and into the unrepresented bargaining unit of UK1. The revised job description was already approved by the Civil Service Board at the January 21, 2021 meeting as part of routine classification specification revisions.

Classification Salary Adjustment – One existing classification involves a proposed salary adjustment as part of the City's Classification Plan. It is recommended to increase the Chief of Fire classification by 10% to replace a 10% administrative assignment premium pay. This premium pay is received by Sworn Fire staff but, in the case of the Fire Chief classification, it is not considered compensation for purposes of retirement calculations. The wage adjustment will align executive level compensation while not increasing compensation for the Chief of Fire. This adjustment will also be available to the newly appointed Chief. The classification is unrepresented; therefore, discussions with unions were not required.

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 ("OMC"). 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 increased by \$0.22 per hour for calendar year 2021, which resulted in a new wage rate of \$14.36 per hour.

HRM staff conduct the annual analysis of the Salary Schedule for City of Oakland classifications. It was determined that only the classification of Senior Aide, PT in HSD required an adjustment to the wage rate to be at or above the new minimum wage standard pursuant to Measure FF and the OMC as of January 1, 2021.

FISCAL IMPACT

Adoption of the proposed Salary Ordinance Amendment adding the new DOT classification will not automatically add the position to the department. DOT can work with the Budget Bureau to submit an Add/Delete or Budget Proposal request during the FY 2021-23 biennial budget planning and identify funding.

The salary increase for the CPRA's Inspector General require the department to coordinate with the Budget Bureau to identify appropriate funding in the budget as FY 20-21 ends and the new FY 21-22 begins. The increase to the Chief of Fire classification is off-set by replacing the 10% administrative assignment pay.

The classification title changes for Tree Worker and Manager, Capital Contracts in OPW are budget neutral. The slight increase in salary for the Senior Aide, PT classification has been accounted for in HSD's budget for this calendar year.

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. When necessary, Employee Relations was also involved. Representative unions were formally notified of the proposed legislation, as applicable, because many of the related actions are mandatory subjects of bargaining. Discussions took place and any objections relating to potential impacts as raised by the representative unions, as applicable, were fully vetted.

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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Classification Of Manager, Contract & Employment Services to Manager, Capital Contracts; To Amend the Salary of the Full-time Classification of Inspector General and To Amend the Representation Unit from U31 to UK1; To Amend The Salary of the Full-time Classification of Chief of Fire; And To Amend The Salary Of The Part-time Classification Of Senior Aide 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
Director, Human Resources Management

Prepared by:
Jaime Pritchett, Principal HR Analyst
Recruitment, Classification & Benefits Division

Attachments (1):

A: Salary Ordinance