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OFFICE OF THE CITY CLERK
OAKLAND

2013 FEB 14 AM 11:03

AGENDA REPORT

TO: DEANNA J. SANTANA
CITY ADMINISTRATOR

FROM: Jim Reese

SUBJECT: Amendment to Ordinance No. 12187 C.M.S. DATE: February 4, 2013

City Administrator
Approval

Date

2/11/13

COUNCIL DISTRICT: City-Wide

RECOMMENDATION

Staff Recommends that Council:

- 1) Adopt an Ordinance Amending the Salary Schedule of Ordinance No. 12187 C.M.S. ("Salary Ordinance") to Change the Bargaining Unit Designation from UMI To UM2 For the Classifications of Administrative Services Manager II; Business Analyst IV; Manager, Marketing Program; Open Government Coordinator; Project Manager II; and Manager, Zoning; and to Add the Classifications of Manager, Sustainability Program; Manager, Oracle Operations; Manager, Technology Program; Manager, Rent Adjustment Program; and Manager, Human Services
- 2) Approve a Resolution to Exempt From Civil Service the Classifications of Manager, Human Services

OUTCOME

The proposed amendment to the Salary Ordinance changes the bargaining unit designations for five classifications. The amendment memorializes changes implemented by the City's Employee Relations Office consistent with Section 13 of Resolution No. 55881 C.M.S. (the City's Employer-Employee Relations Resolution), adopted September 28, 1976. The appropriate employee organizations were notified of the proposed changes to bargaining unit designation. The proposed amendment also adds five new titles to the Salary Ordinance.

In addition to the Salary Ordinance Amendment being recommended, staff recommends that Council approve a resolution exempting from the Civil Service the classification of Manager, Human Services. Both the bargaining unit reassignments and the new classifications arose out of discussions related to two authorized side letter agreements with the International Federation of Professional and Technical Engineers, Local 21. Approval of the proposed legislation will implement the final items agreed to as part of those discussions.

If Council does not take the recommended action, implementation of the agreements reached with Local 21 will be delayed.

Item: _____
Finance & Management Committee
February 26, 2013

BACKGROUND/LEGISLATIVE HISTORY

The Department of Human Resources Management (DHRM) and the Employee Relations Department have been working to finalize agreements related to the appropriate bargaining unit designation and the Civil Service status of classifications that had been in the UMI bargaining unit. Classifications in this unit had been treated as exempt, but there was disagreement as to whether the positions should or should not remain exempt. A series of agreements were reached and actions were taken to resolve the status of the classifications. Staff brought forward a resolution (Resolution No. 83024 C.M.S. adopted October 19, 2010) which recommended to City Council the exemption from Civil Service of the thirty-seven (37) classifications in bargaining unit UMI. Those exemptions were adopted by the Civil Service Board on February 10, 2011. City management and Local 21 later came to agreement on another twenty-five (25) classifications that were moved into bargaining unit UM2 through Ordinance No. 13091 C.M.S., approved October 18, 2011. The proposed legislation accompanying this report represents the final action necessary to close out all side letters with Local 21 associated with the bargaining unit assignment and civil service status of classifications historically in bargaining unit UMI.

The City Charter, under Title IX Personnel Administration, section 902, lays out the conditions under which positions may be exempt from Civil Service. Certain offices are specifically exempted (elected officials, City Administrator, etc.), but section 902(f) provides that other positions may be exempted if recommended by City Council and approved by the Civil Service Board. The classification of Human Services Manager represents a division within Human Services and operates at a similar level of authority to other positions agreed as exempt and belonging in the UMI bargaining group. In meeting with Local 21 on the resolution of the outstanding classification of Administrative Services Manager II, it was agreed that the two positions in that classification in Human Services be reallocated to the new Human Services Manager classification and be exempt from civil service.

ANALYSIS

The actions being recommended are the result of classification reviews conducted of incumbents in the classifications of Administrative Services Manager II and Project Manager II. Because the classifications had been treated as exempt, employees hired for these titles were placed in positions with significantly different assignments. When an agreement was reached between City management and Local 21 that the classifications would be assigned to bargaining unit UM2 and would be accepted into the competitive civil service, an analysis of the assignments was required.

Administrative Services Manager II (ASM II). The definition of this classification is that of an administrative manager with broad areas of responsibility that may include budget/fiscal analysis, personnel, payroll, contract administration, agenda management or other general administrative functions. In studying the incumbents, it was evident that some of the managers were overseeing specialized programs or the positions had evolved to become focused on one administrative function such as budget/fiscal operations. Administrative generalists are

appropriately classified as ASM IIs, budget/fiscal operations managers are to be reallocated to the existing classification of Principal Financial Analyst, and three other incumbents are to be reallocated to the updated classification of Marketing Program Manager or the newly created classifications of Sustainability Program Manager and Human Services Manager.

Project Manager II. Incumbents in this classification were usually hired for one of two functions – to oversee implementation of a specialized information technology project, or a capital improvement project or projects. Going forward, the classification may continue to be used for those purposes, but will now require selective certification in the needed specialty areas. Current incumbents, however, were not selectively certified and therefore had to be evaluated for the appropriate classification assignment. Of a total of five incumbents, only one incumbent will remain classified as a Project Manager II. Two will be assigned to the new classification of Oracle Applications Manager, one will be assigned to the new Technology Program Manager, and one will be assigned to the new Rent Adjustment Program Manager classification.

In addition to the recommended position allocations in terms of classification, it was agreed that the classification of Human Services Manager be exempted from the provisions of civil service.

PUBLIC OUTREACH

No public outreach was required.

COORDINATION

Employee Relations was the lead coordinator of implementation of the side letter agreements with Local 21 regarding bargaining unit assignments and civil service status. The Department of Human Resources Management (DHRM) was responsible for conducting the classification reviews of incumbents. DHRM and ER staff met with Local 21 on several occasions to discuss the classification studies and resulting recommendations. They were provided with an opportunity to review the recommendations prior to submission to Council and indicated they had no objections to the revisions of existing classifications and the creation of the new classifications. At the time of this writing, the Civil Service Board is scheduled to review the new and revised classifications for approval at its February 21, 2013 meeting.

COST SUMMARY/IMPLICATIONS

The proposed Salary Ordinance amendment has no fiscal impact since it does not represent the addition of staffing nor a change to departments' budget allocation.

SUSTAINABLE OPPORTUNITIES

Economic – not applicable.

Environmental – not applicable.

Social Equity – not applicable.

For questions regarding this report, please contact Kip Walsh, Recruitment & Classification Manager, at (510) 238-7334.

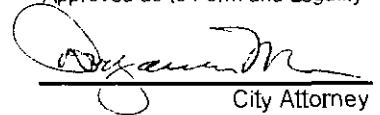
Respectfully submitted,


for JIM REESE Acting Director
Interim Director, DHRM

Prepared by:
Kip Walsh, Recruitment & Classification Manager

Attachments (2)

- 1) *Ordinance Amending the Salary Schedule of Ordinance No. 12187 C.M.S. ("Salary Ordinance") to Change the Bargaining Unit Designation from UMI To UM2 For the Classifications of Administrative Services Manager II; Business Analyst IV; Manager, Marketing Program; Open Government Coordinator; Prdject Manager II; and Manager, Zoning; and to Add the Classifications of Manager, Sustainability Program; Manager, Oracle Operations; Manager, Technology Program; Manager, Rent Adjustment Program; and Manager, Human Services*
- 2) *Resolution to Exempt From Civil Service the Classification of Manager, Human Services*


City Attorney

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2013 FEB 14 AM 11:03 **OAKLAND CITY COUNCIL**

RESOLUTION No. _____ C.M.S.

**RESOLUTION RECOMMENDING TO THE CIVIL SERVICE BOARD
THE EXEMPTION OF THE FOLLOWING CLASSIFICATION FROM
THE OPERATION OF THE CIVIL SERVICE: MANAGER, HUMAN
SERVICES**

WHEREAS, the Oakland City Charter Section 902(f) requires that the City Council recommend positions for exemption from Civil Service prior to Civil Service Board approval of such exemption; and

WHEREAS, the Human Services Manager classification is recommended for exemption from Civil Service due to its placement in the organization, lines of authority, reporting relationships within the Department of Human Services, as well as the duties, pay grade and independence of action; and

WHEREAS, the current level of City services requires these positions to be responsible for approving policies that govern one or more program areas having major impact on the attainment of the goals of the City; and

WHEREAS, incumbents in Human Services Manager positions are expected to exercise considerable discretion in carrying out the department's mission for which there is a high consequence of error; now, therefore be it

RESOLVED: the City Council of the City of Oakland hereby recommends to the Civil Service Board that the classification of Manager, Human Services be exempted from the requirements of civil service; and be it

FURTHER RESOLVED: that the Civil Service Board is hereby requested to approve such exemptions.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2013

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, GALLO, GIBSON-MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN

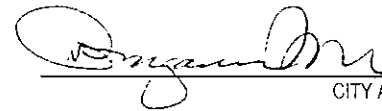
NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

FILED
 OFFICE OF THE CITY CLERK
 INTRODUCED BY COUNCIL MEMBER: _____


 CITY ATTORNEY

2013 FEB 14 AM 11:03

OAKLAND CITY COUNCIL

ORDINANCE No. _____ C.M.S.

AN ORDINANCE AMENDING THE SALARY SCHEDULE OF ORDINANCE NO. 12187 C.M.S. ("SALARY ORDINANCE") TO CHANGE THE BARGAINING UNIT DESIGNATION FROM UMI TO UM2 FOR THE CLASSIFICATIONS OF ADMINISTRATIVE SERVICES MANAGER II; BUSINESS ANALYST IV; MANAGER, MARKETING PROGRAM; OPEN GOVERNMENT COORDINATOR; PROJECT MANAGER II; AND MANAGER, ZONING; AND TO ADD THE CLASSIFICATIONS OF MANAGER, SUSTAINABILITY PROGRAM; MANAGER, ORACLE OPERATIONS; MANAGER, TECHNOLOGY PROGRAM; MANAGER, RENT ADJUSTMENT PROGRAM; AND MANAGER, HUMAN SERVICES

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. Ordinance No. 12187 C.M.S. "The Salary Ordinance" is hereby amended as set forth below. Additions are indicated by underscoring and deletions are indicated by ~~strike-through~~ type; portions of ordinances not cited or not shown in underscoring or strike-through type are not changed.

Section 2. Effective upon passage, the following classifications in Ordinance No. 12187 C.M.S. are revised and moved from the UM1 Bargaining Unit to the UM2 Bargaining Unit; the Unit ~~UM1~~ UM2.75.019 Pay Grade Table shall read as follows:

Classification Title	Class No.	Pay Range		
Administrative Services Manager II	EM100	Min	8394.91	8394.90
		Max	+0308.19	10308.20
<u>Business Analyst IV</u>	AP433	Min	8394.91	<u>8394.90</u>
Business Analyst-Supervisor		Max	+0308.19	<u>10308.20</u>
<u>Manager, Marketing Program</u>	EM190	Min	8845.06	8394.90
Manager, Marketing & Information Services		Max	+0822.78	10308.20

Section 3. Effective upon passage, the following classification in Ordinance No. 12187 C.M.S. is moved from the UM1 Bargaining Unit to the UM2 Bargaining Unit; the Unit ~~UM1~~ UM2.75.012 Pay Grade Table to read as follows:

Classification Title	Class No.	Pay Steps	
Open Government Coordinator	SC246	1	5965.67
		2	6280.44
		3	6610.27
		4	6959.26
		5	7324.67

Section 4. Effective upon passage, the following classification in Ordinance No. 12187 C.M.S. is moved from the UM1 Bargaining Unit to the UM2 Bargaining Unit; the Unit UM1-UM2.75.022 Pay Grade Table to read as follows:

Classification Title	Class No.	Pay Range
Project Manager II	EM211	Min 9718.34 Max 11932.71

Section 5. Effective upon passage, the following classification in Ordinance No. 12187 C.M.S. is moved from the UM1 Bargaining Unit to the UM2 Bargaining Unit; the Unit UM1-UM2.75.021 Pay Grade Table to read as follows:

Classification Title	Class No.	Pay Range
Manager, Zoning	EM208	Min 9255.75 Max 11364.74

Section 6. Effective upon passage, the following classifications are added to Ordinance No. 12187 C.M.S. in the Unit UM2.75.019 Pay Grade Table to read as follows:

Classification Title	Class No.	Pay Steps
<u>Manager, Sustainability Program</u>	<u>xxx</u>	<u>Min 8394.90</u> <u>Max 10308.20</u>

Section 6. Effective upon passage, the following classifications are added to Ordinance No. 12187 C.M.S. in the Unit UM2.75.022 Pay Grade Table to read as follows:

Classification Title	Class No.	Pay Range
<u>Manager, Oracle Applications</u>	<u>EM255</u>	<u>Min 9718.34</u> <u>Max 11932.71</u>
<u>Manager, Rent Adjustment Program</u>	<u>EM256</u>	<u>Min 9718.34</u> <u>Max 11932.71</u>
<u>Manager, Technology Program</u>	<u>EM257</u>	<u>Min 9718.34</u> <u>Max 11932.71</u>

Section 7. Effective upon passage, the following classifications are added to Ordinance No. 12187 C.M.S. in the Unit UM1.75.021 Pay Grade Table to read as follows:

Classification Title	Class No.	Pay Steps
<u>Manager, Human Services</u>	<u>EM254</u>	<u>Min</u> <u>9255.75</u> <u>Max</u> <u>11364.74</u>

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2013

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

DATE OF ATTESTATION: _____

AN ORDINANCE AMENDING THE SALARY SCHEDULE OF ORDINANCE NO. 12187 C.M.S. ("SALARY ORDINANCE") TO CHANGE THE BARGAINING UNIT DESIGNATION FROM UM1 TO UM2 FOR THE CLASSIFICATIONS OF ADMINISTRATIVE SERVICES MANAGER II; MANAGER, MARKETING PROGRAM; OPEN GOVERNMENT COORDINATOR; PROJECT MANAGER II; AND MANAGER, ZONING; AND TO ADD THE CLASSIFICATIONS OF BUSINESS ANALYST IV; MANAGER, SUSTAINABILITY PROGRAM; MANAGER, ORACLE OPERATIONS; MANAGER, TECHNOLOGY PROGRAM; MANAGER, RENT ADJUSTMENT PROGRAM; AND MANAGER, HUMAN SERVICES

DIGEST

Ordinance Amending the Salary Schedule of Ordinance No. 12187 C.M.S. ("Salary Ordinance") to Change the Bargaining Unit Designation from UMI To UM2 For the Classifications of Administrative Services Manager II; Manager, Marketing Program; Open Government Coordinator; Project Manager II; and Manager, Zoning; and to Add the Classifications of Business Analyst IV; Manager, Sustainability Program; Manager, Oracle Operations; Manager, Technology Program; Manager, Rent Adjustment Program; and Manager, Human Services
