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OFFICE OF THE CITY CLERK
OAKLAND

2012 APR 18 PM 2:43

AGENDA REPORT

TO: DEANNA J. SANTANA
CITY ADMINISTRATOR

FROM: ANDREA R. GOURDINE
DHRM DIRECTOR

SUBJECT: Amendment to Ordinance No. 12187 C.M.S. DATE: April 2, 2012

City Administrator
Approval

Date

4-17-12

COUNCIL DISTRICT: City-Wide

RECOMMENDATION

Staff recommends that the City Council approve an Ordinance amending the salary schedule of Ordinance No. 12187 C.M.S. ("Salary Ordinance") to add the Permanent Part Time (PPT) and Part Time (PT) designations for the classification of Recreation Specialist III.

OUTCOME

The proposed Salary Ordinance amendment is presented as a means to ensure the continuation of popular arts, dance, and other specialized programs offered by the Office of Parks and Recreation (OPR) and to make it possible to offer other specialized revenue-generating classes throughout the City. The proposed amendment also serves to resolve ten (10) existing part time work assignments that are out of compliance with the City's Civil Service Rules for Temporary Contract Service Employees. Adoption of the amendment would create greater flexibility in assigning part time work when appropriate.

If City Council chooses not to take the recommended action, specialized programs in drawing, sculpture, jewelry-making, and painting at Studio One, and classes in ballet and Afro-Haitian Dance at Redwood Heights Recreation Center and Montclair Recreation Center may be at risk. If OPR is unable to find instructors with the appropriately high level of expertise who are willing to take assignments at a lower classification level, the revenue from the classes may not continue to be available to support a broad array of programming at the sites. Without the appropriate classification, the current instructors would have to be released and it may not be possible to offer the specialized programs at the same level of instruction.

BACKGROUND/LEGISLATIVE HISTORY

The use of temporary employees is allowed under Civil Service Rule 5 (Certification and Appointment) in recognition that standard Civil Service employment practices can be cumbersome when a time-sensitive assignment arises or existing resources do not fit a specific need. The categories of temporary appointments allowed under the Rules include: Provisional Appointments, Limited Duration Appointments, Temporary Contract Service Employees, Exempt Limited Duration Employees, Temporary Agency Assignments, and Grant-Funded

Limited Duration Appointments. The proposed Salary Ordinance amendment is related to resolution of several non-Rules-compliant Temporary Contract Service Employee (TCSE) assignments.

Civil Service Rule 5.06(b) states that the category of TCSE may be used for “a maximum of 960 hours per fiscal year for one (1) of two (2) types of assignments. Employees may be assigned to a division or a project on a regular basis up to the maximum 960 hours; or, assignments may be on an occasional or short-term (less than 30 days) basis. These assignments usually require specialized skills such as performance arts, short-term project management and transcription services. This classification may not be used for ongoing or repetitive use.”

Non-compliance with the Rules governing TCSEs is usually related to the time limits associated with the category. For TCSEs, although the Rule makes reference to the category being used for a maximum of 960 hours per fiscal year, it also states, “This classification may not be used for ongoing or repetitive use.” For the purpose of this report, all TCSEs whose assignments extend across more than one fiscal year and for longer than 12 months are being categorized as assignments that are “ongoing or repetitive.”

In recent months, the Department of Human Resources Management (DHRM) has been actively engaged in working with City departments to eliminate non-Rules-compliant temporary assignments. Since September 2011, the total number of non-compliant TCSE assignments has decreased from sixty-nine (69) to thirty-eight (38). The number of TCSE assignments overall (both compliant and non-compliant) has dropped from one hundred and four (104) to fifty-five (55) citywide. Under the leadership of the administration and DHRM, and along with increasing concerns expressed by the City’s miscellaneous unions, those efforts have been accelerated since the beginning of the year. Presentation of this Salary Ordinance amendment is one of many efforts in process to eliminate non-compliant temporary assignments.

The classification of Recreation Specialist III was approved for inclusion in the City’s classification plan and adopted by the Civil Service Board on November 10, 2010. Since that time DHRM staff has brought the ordinance amendment to the Rules & Legislation Committee for scheduling, but staff were asked to provide additional information to Council on the City’s classification plan. An informational report regarding the City’s classification plan is being presented separately to the Finance & Management Committee.

ANALYSIS

There are currently fifty-five (55) TCSE assignments in the City, of which, thirty-eight (38) are out of compliance with the Civil Service Rules. The Salary Ordinance amendment being proposed would resolve ten (10) of the non-compliant assignments by providing the appropriate part time classification to which the work could be assigned. The remainder of non-compliant assignments require different solutions, but are anticipated to be resolved in the coming months.

Recreation Specialist III. One of the original reasons for creating the TCSE classification several years ago was to provide a mechanism through which the Office of Parks & Recreation could offer specialized classes taught by highly qualified instructors on a temporary basis. The

requirement in the Rules that the assignment be for no more than 960 hours and not be repetitive has become problematic for those assignments, however, since a number of the instructors have continued to offer their specialized classes for several years in programs like ballet and other specialized dance forms, martial arts, drawing or painting, etc. The creation of the Recreation Specialist III classification is meant to address the need for specialized instruction.

The City's classification plan includes Recreation Specialist I, Recreation Specialist II, and with the addition of the classification being proposed for addition, Recreation Specialist III. The Recreation Specialist series provides the Office of Parks and Recreation the ability to hire recreation program instructors who possess the appropriate education level and years of experience in their field to offer highly specialized programs. Classes offered by Recreation Specialist IIIs would exclusively be revenue-generating classes in the recreation centers they serve.

COST SUMMARY/IMPLICATIONS

The addition of the classification of Recreation Specialist III to the City's classification plan and to the Salary Ordinance will serve to provide appropriate titles for part time work already being performed and budgeted. The proposed Salary Ordinance amendment does not represent the addition of staffing or reflect planning for any other specific purpose other than to correct non-compliance with Civil Service Rules for existing part time assignments.

SUSTAINABLE OPPORTUNITIES

No economic, environmental or social equity opportunities have been identified.

For questions regarding this report, please contact Kip Walsh, Recruitment & Classification Manager, at kwash@oaklandnet.com.

Respectfully submitted,



ANDREA R. GOURDINE
Director, Dept. of Human Resources Management

Prepared by:
Kip Walsh, Recruitment & Classification Manager

Ordinance: An Ordinance Amending the Salary Schedule of Ordinance No. 12187 C.M.S. ("Salary Ordinance") to Add the Permanent Part Time and Temporary Part Time Designations for the Classification of Recreation Specialist III

Item: _____
Finance & Management Committee
April 24, 2012

FILED
INTRODUCED BY THE CLERK
OAKLAND

Tracy Chin
CITY ATTORNEY

2012 APR 18 PM 2:43

OAKLAND CITY COUNCIL

ORDINANCE No. _____ C.M.S.

AN ORDINANCE AMENDING THE SALARY SCHEDULE OF ORDINANCE NO. 12187 C.M.S. ("SALARY ORDINANCE") TO ADD THE PERMANENT PART TIME AND TEMPORARY PART TIME DESIGNATIONS FOR THE CLASSIFICATION OF RECREATION SPECIALIST HI

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 classification title is added in Ordinance No. 12187 C.M.S. in the Unit SC1.80.043 Pay Grade Table to read as follows:

Classification Title	Class No.	Pay Steps
<u>Recreation Specialist III, PPT</u>	<u>PP161 - PPT</u>	1 <u>24.96</u>
		2 <u>26.28</u>
		3 <u>27.66</u>
		4 <u>29.11</u>
		5 <u>30.64</u>

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Section 3. Effective upon passage, the following classification title is added in Ordinance No. 12187 C.M.S. in the Unit SI1.80.058 Pay Grade Table to read as follows:

<u>Classification Title</u>	<u>Class No.</u>	<u>Pay Steps</u>	
<u>Recreation Specialist III, PT</u>	<u>PP162 - PT</u>	1	<u>24.96</u>
		2	<u>26.28</u>
		3	<u>27.66</u>
		4	<u>29.11</u>
		5	<u>30.64</u>

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2012

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and PRESIDENT REID

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

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

DATE OF ATTESTATION _____

TC

AN ORDINANCE AMENDING THE SALARY SCHEDULE OF ORDINANCE NO. 12187 C.M.S. ("SALARY ORDINANCE") TO ADD THE CLASSIFICATION OF RECREATION SPECIALIST III AND TO INCLUDE PERMANENT PART TIME (PPT) AND PART TIME (PT) DESIGNATIONS FOR THE CLASSIFICATION

DIGEST

An Ordinance Amending the Salary Schedule of Ordinance No. 12187 C.M.S. ("Salary Ordinance") to Add the Classification of Recreation Specialist III and to Include Permanent Part Time (PPT) And Temporary Part Time (PT) Designations For The Classification

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