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OFFICE OF THE CITY CLERK
OAKLAND

2014 JAN -3 AM 10: 27

AGENDA REPORT

TO: DEANNA J SANTANA
CITY ADMINISTRATOR

FROM: Katano Kasaine

SUBJECT: Salary Ordinance Amendment and
Exemption from Civil Service

DATE: December 30, 2013

City Administrator
Approval

Date

1/3/13

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 Add the Classification of Employee Relations Director; and
- 2) Approve a Resolution to Exempt From Civil Service the Classification of Employee Relations Director

OUTCOME

The proposed amendment to the Salary Schedule of Ordinance No 12187 C M S ("Salary Ordinance") is recommended to specifically define the areas of responsibility of the Employee Relations Director position and recognize the placement of the classification and its role in the Office of the City Administrator The position is responsible for directing and coordinating major projects in employee relations including labor contract negotiations and disciplinary issues, the position also serves as the City's Employee Relations Officer as designated by the City Administrator

At its December 19, 2013 meeting, the Civil Service Board approved the addition of the title and the classification specification to the City's classification plan Staff recommends that the classification of Employee Relations Director be exempted from the provisions of Civil Service If the exemption resolution is approved as presented, staff will present the recommendation to the Civil Service Board for final approval of exemption at its next meeting

BACKGROUND/LEGISLATIVE HISTORY

The Salary Ordinance establishes salaries and other terms and conditions of City employment including the classification titles of positions It is amended from time to time to accommodate the City's evolving classification needs Pursuant to the Personnel Manual (Civil Service Rules, March 14, 2013), Section 302(b), classification specifications are prepared, maintained and amended by the Personnel Director with the approval of the Civil Service Board The

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classification specification for Employee Relations Director was reviewed and approved by the Civil Service Board at its December 19, 2013 meeting

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 Employee Relations Director is a confidential management employee as described in the Employer Employee Relations Resolution (Reso No 55881 C M S) An incumbent is required to utilize a high degree of independence in carrying out the City's goals and objectives, the scope of responsibilities are broad and complex, the incumbents must deal with the most challenging, sensitive and confidential matters, and represent management in complex labor negotiations and related activities. Exempting the classification from the provisions of civil service is recommended

ANALYSIS

The proposed amendment to the Salary Ordinance is recommended to specifically define the areas of responsibility of the position and recognize the placement of the classification and its role in the Office of the City Administrator. The position is responsible for directing and coordinating major employee relations projects including labor contract negotiations and disciplinary issues. The position also serves as the City's Employee Relations Officer as designated by the City Administrator. The classification of Employee Relations Director is recommended to be exempt from the provisions of Civil Service due to its role in the organization and its key responsibilities in complex labor negotiations and related activities.

PUBLIC OUTREACH

The proposal to add the classification of Employee Relations Director to the City's classification plan was posted publicly in conformance with the Sunshine Ordinance and Brown Act prior to the Civil Service Board's review of the item.

COORDINATION

The Department of Human Resources Management (DHRM) coordinated with the City Administrator's office to develop the classification specification and salary recommendation. Following the Council action proposed in this report, DHRM will present the recommendation to exempt the classifications of Employee Relations Director from the provisions of civil service to the Civil Service Board for approval.

COST SUMMARY/IMPLICATIONS

A budgeted position exists in the Office of the City Administrator, adding the classification of Employee Relations Director serves to create an appropriate title for the budgeted position. The proposed Salary Ordinance Amendment and resolution have no fiscal impact.

SUSTAINABLE OPPORTUNITIES

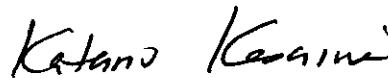
Economic There are no economic opportunities associated with this report.

Environmental There are no environmental opportunities associated with this report.

Social Equity There are no social equity opportunities associated with this report.

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

Respectfully submitted,



KATANO KASAINÉ
City Treasurer/Acting Director, DHRM

Prepared by
Kip Walsh, Recruitment & Classification Manager

Attachments

- 1) Ordinance Amending the Salary Schedule of Ordinance No. 12187 C M S ("Salary Ordinance") to Add the Classification of Employee Relations Director
- 2) Resolution to Exempt From Civil Service the Classification of Employee Relations Director

FILED
INTRODUCED BY COUNCIL MEMBER _____
OAKLAND CITY CLERK

DRAFT

CITY ATTORNEY

2014 JAN -3 AM 10: 27 **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 CLASSIFICATION EMPLOYEE RELATIONS DIRECTOR**

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 is added to Ordinance No 12187 C M S in the Unit UK1 75 046 Pay Grade Table to read as follows

Classification Title	Class No.	Pay Range	
<u>Employee Relations Director</u>	<u>EM258</u>	Min	<u>10328 86</u>
		Max	<u>15493 29</u>

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2014

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 ADD THE CLASSIFICATION OF EMPLOYEE RELATIONS DIRECTOR**

DIGEST

Ordinance Amending the Salary Schedule of Ordinance No 12187 C M S ("Salary Ordinance") to Add the Classification of Employee Relations Director

DRAFT

City Attorney

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OAKLAND

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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: EMPLOYEE RELATIONS
DIRECTOR**

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 Employee Relations Director classification is a confidential management position responsible for labor negotiations and related activities, directing and coordinating major projects in employee relations including labor contract negotiations and complex matters of employee discipline and may serve as the City's Employee Relations Officer as designated by the City Administrator, and

WHEREAS, the Employee Relations Director is required to utilize a high degree of independence in carrying out the City Administrator's, City Council and Civil Service Board goals and objectives, the scope of responsibilities are broad and complex, the individuals in this position must deal with the most challenging, sensitive and confidential matters, and represents management in difficult and complex labor negotiations, and

WHEREAS, the classification is a "Management Employee" within the meaning set out in Section 1b of Resolution No 55881 C M S , the City of Oakland Employer-Employee Relations Resolution and incumbents are expected to exercise considerable discretion in carrying out the City's mission for which there is a high consequence of error, and

WHEREAS, the Employee Relations Director classification is recommended for exemption from Civil Service due to its placement in the organization, lines of authority, and reporting relationships, now, therefore be it

RESOLVED the City Council of the City of Oakland hereby recommends to the Civil Service Board that the classification of Employee Relations Director be exempted from the requirements of civil service, and be it

FURTHER RESOLVED that the Civil Service Board is hereby requested to approve such exemption

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2014

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