



CITY OF OAKLAND

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OFFICE OF THE CITY CLERK
OAKLAND

2014 SEP 18 PM 1:12

AGENDA REPORT

TO: HENRY L. GARDNER
CITY ADMINISTRATOR

FROM: Renée Mayne

SUBJECT: Information and Status Report on
Temporary Part Time Employees

DATE: September 18, 2014

City Administrator		Date	9/16/14
Approval			

COUNCIL DISTRICT: City-Wide

RECOMMENDATION

Staff recommends that the City Council accept this information and status report regarding the request to adopt a resolution directing staff to develop a hiring program and structure that recognize and prioritizes temporary part-time workers for full-time positions where possible.

BACKGROUND/LEGISLATIVE HISTORY

The current Memorandum of Understanding between the City of Oakland and Service Employees International Union (SEIU) Local 1021 for Temporary Part-Time Employees (July 1, 2013-June 30, 2015) contains an agreement to establish a Temporary Part-Time Working Committee (*Attachment A*). The purpose of this labor management committee is to review and analyze available temporary part-time city workforce information, and to recommend a hiring program and structure that recognizes and prioritizes temporary part-time workers for full-time positions where possible.

SEIU represents approximately 1,400 (one thousand four hundred) active temporary part-time employees in the City of Oakland, who each work an average of approximately 464 (four hundred sixty-four) hours annually. Some of these employees have worked for the city for multiple years in a temporary part-time status. The intent of the city and union agreement is to limit the city's reliance on temporary part-time employees, and to define the pathway for eligible temporary part-time employees to achieve permanent employment status within the current city regulations and policies. This can be achieved under the existing City Charter and Civil Service Rules.

The committee is composed of an equal number of labor and management representatives. The city has representatives from a range of departments, including Public Works, Parks and Recreation, Library, Police Department, Budget Office, Human Resources Management, and Employee Relations. The city and union agreed they would invite subject matter experts to the

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meetings as needed. The committee agreed to attempt to reach consensus on its recommendations to the City Administrator within a reasonable timeline.

ANALYSIS

The Temporary Part-Time Working Committee is reviewing and analyzing the hiring and recruiting of temporary part-time employees. The Committee has also reviewed data that showed the classification of temporary part-time employees and where they work in the city.

The committee has met twice and established ground rules and agreed to meet on the following dates: September 19, October 10, October 31, November 21, and December 12, 2014. The parties are currently reviewing relevant employment data.

The Committee's duties include but are not limited to:

- 1) Investigate and analyze the current hiring and recruiting of temporary employees.
- 2) Identify where Temporary Part-Time employees by classification are located.
- 3) Investigate and analyze the current use(s) of Temporary Part-Time employees.
- 4) Develop a report based on the committees' finding.
- 5) Recommend on a system that permanently reduces the usage of Temporary Part-Time employee throughout the City and re-defines how Temporary Part-Time employees will be utilized.
- 6) Analyze how Temporary Part-Time employees are coded and linked to budgeted positions.
- 7) Recommend maximum percentage of Temporary Part-Time employees in each classification.
- 8) Will track the recruitment for vacancies so that current Temporary Part-Time employees can be invited to take a restricted test for the creation of a "priority eligible lists"
- 9) Recommend monitoring systems that oversee the transition, through testing, of long-term Temporary Part-Time employees into permanent classified positions.

PUBLIC OUTREACH/INTEREST

No public outreach was required.

COORDINATION

The city and union are working diligently and in good faith to fulfill the terms of the agreement as outlined in Attachment A. The city and union concur that this should be completed prior to the commencement of successor negotiations, which are expected to begin no later than March 2015. Further, SEIU has recently proposed that discussions with the city occur regarding the feasibility

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of merging the two SEIU MOUs through joint negotiations, bringing the workforce currently labeled as "TPTs" into the Full Time – Part Time agreement, possibly by a supplemental agreement.

At the September 19, 2014 committee meeting, the city and union will establish a more frequent meeting schedule and set milestones for fulfilling the intention of the attached agreement. The Council will receive quarterly reports on the progress reached to fulfill the intent of the parties as shown in the contract language for this committee (*Attachment A*). It is expected the Council will receive reports in December 2014 and March 2015, with the final recommendation to be forwarded to the City Administrator no later than March 2015.

COST SUMMARY/IMPLICATIONS

The city's 1,400 employees who serve in temporary part-time positions do not receive the same level of benefits as permanent employees. They do receive sick leave and 3.75% deferred compensation from the City to match the 3.75% employee contribution in lieu of the retirement benefits, but they do not receive vacation leave, or CalPERS health and CalPERS retirement benefits. Conversion of temporary part-time employees to full-time permanent status would result in fewer employees to provide the needed services currently provided by temporary part-time employees. Using the adopted 2014-2015 budgeted salary cost of \$14,872,477, there are currently 385.85 full time equivalent (FTE) positions, of which \$11,964,872 for 279.43 FTEs are represented by SEIU. Staff is analyzing the budgeted resources in the context of departmental operational needs and will report back on the potential financial impacts.

The city and union concur that it is implausible the city would not need to employ any temporary part-time employees for seasonal, intermittent, casual, project, or temporary interim replacement work.

SUSTAINABLE OPPORTUNITIES

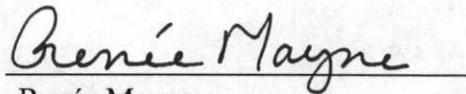
Economic: There are no economic opportunities associated with this report.

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

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

For questions regarding this report, please contact Renée Mayne, Director of Employee Relations, at (510) 238-6466.

Respectfully submitted,



Renée Mayne
Director of Employee Relations

Attachment A – Temporary Part-Time Working Committee Agreement

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MEMORANDUM OF UNDERSTANDING

Between

CITY OF OAKLAND

AND

**SERVICE EMPLOYEES INTERNATIONAL UNION,
LOCAL NO. 1021
(SEIU)**

PART-TIME UNIT



July 1, 2013 through June 30, 2015

APPENDIX C

TEMPORARY PART-TIME WORKING COMMITTEE

The City and the Union shall establish a Temporary Part-Time working committee. It is the intent of both parties to limit the improper use of Temporary Part-Time (TPT) employees and define the pathway for Temporary Part-Time employees to achieve permanent status and the security of tenure. This goal can be achieved under the existing Charter and Civil Service Rules.

The committee shall meet within thirty (30) days of ratification of this MOU and shall meet for six (6) months. The committee shall decide the frequency of the meetings. Parties may mutually agree to extend the committee. The committee shall consist of an equal number of representatives, no more than six (6) from management, and the Union. The City may have representatives from the Department of Human Resources Management (DHRM), Budget, Office and Park and Recreation (OPR), Oakland Public Library (OPL), Public Works (PWA) and other relevant departments in the City. Parties may call upon "subject matter experts" as need arises. The committee shall endeavor to reach consensus on any recommendations it makes to the City Administrator.

The Committee's duties shall include but are not limited to:

- 1) Investigate and analyze the current hiring and recruiting of temporary employees.
- 2) Identify where Temporary Part-Time employees by classification are located.
- 3) Investigate and analyze the current use(s) of Temporary Part-Time employees.
- 4) Develop a report based on the committees' finding
- 5) Recommend on a system that permanently reduces the usage of Temporary Part-Time employee throughout the City and re-defines how Temporary Part-Time employees will be utilized.
- 6) Analyze how Temporary Part-Time employees are coded and linked to budgeted positions.
- 7) Recommend maximum percentage of Temporary Part-Time employees in each classification.
- 8) Will track the recruitment for vacancies so that current temporary part time employees can be invited to take a restricted test for the creation of a "priority eligible lists"
- 9) Recommend monitoring systems that oversee the transition, through testing, of long-term TPT employees into permanent classified positions.

If the parties do not reach agreement, the parties are free to submit recommendations to the City Administrator.