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OAKLAND

2016 JUN 17 AM 9:10

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Renée Mayne
Director of Employee
Relations

SUBJECT: Allocation of \$1,000,000 (One Million)
To Convert SEIU 1021 Temporary
Part-Time Employees To Permanent
Employees

DATE: June 10, 2016

City Administrator Approval

Date:

RECOMMENDATION

Staff Recommends The City Council Accept an Informational Report On The Allocation of one million dollars (\$1,000,000) To Convert Work Performed By Temporary Part-Time Employees To Permanent Employees As Prescribed In the Tentative Agreement With the City of Oakland And SEIU 1021 For Fiscal Year 2015-2017 For the Following Classifications – Pool Manager PT, Recreation Attendant 1 PT, Recreation Specialist III, PT, Van Driver PT, Park Attendant PT, Library Aide PT, Library Assistant PT, Parking Control Technician PT

EXECUTIVE SUMMARY/BACKGROUND

As part of the 2015 successor negotiations between the City and SEIU 1021 (SEIU), both parties agreed to convene a labor management committee (the "Committee") to recommend to the City Administrator a set of temporary part-time (TPT) positions that could be converted into permanent classified positions – either full-time positions (FT) or permanent part-time (PPT). (**Attachment A**). As part of the Fiscal Year (FY) 2015-2017 Adopted Policy Budget, the City Council allocated one million dollars (\$1,000,000) to be used for position conversions (**Attachment B – second line item**).

As part of the agreement reached during successor negotiations, the Committee, consisting of representatives from SEIU and the City, was formed after the Memorandum of Understanding (MOU) was ratified by City Council. As noted in the agreement, the priority of the Committee was to first review the following classifications:

Pool Manager PT
Recreation Attendant I PT
Recreation Specialist III PT
Van Driver PT

Park Attendant PT
Library Aide PT
Library Assistant PT
Parking Control Technician PT

Item: _____
Finance Committee
June 28, 2016

Between the Winter of 2015 and April of 2016, this Committee met on several occasions, reviewed the priority classifications noted in the agreement and mutually agreed to a set of positions for conversion that achieved both a limited impact to department operations and fit within the funds allocated by the City Council. As a result, the Committee outlined a set of selected positions in the Police, Library, Parks and Recreation and Public Works Departments as part of a TPT conversion agreement and forwarded it to the City Administrator for approval (**Attachment A**). Upon receipt, the City Administrator reviewed and authorized the final TPT conversion agreement for implementation (**Attachment C**). On May 19, 2016, the City Council requested staff to provide an Informational Report on the status of the TPT conversion. This Report is in response to this request.

ANALYSIS

The following is a summary of the positions that the City and SEIU mutually agreed to convert through restricted recruitments (**Table 1**). It should be noted that while the conversion of TPT positions into FT or PPT positions will result in the net loss of TPT assignments, to the extent operationally possible, TPT incumbents will not be displaced by the conversions. Instead, employees will be assigned to other vacancies and the loss of TPT part-time assignments will be absorbed by the departments through natural attrition.

Table 1: SEIU Conversion Agreement

SEIU TPT Conversion Agreement – April 26, 2016		
Dept.	Delete	Add
Police	6.46 FTE Parking Control Technician, PT (14 positions)	6.8 FTE Parking Control Technician, PPT (8 positions)
Library	1.75 FTE Library Assistant, PT 2.4 FTE Library Aide, PT	2.0 PPT Library Assistant (@ 80%) 1.0 FT Library Assistant 5.0 PPT Library Aides
Parks & Recreation	2.0 FTE Van Driver, PT (5 positions)	2.00 Van Driver, FT
Public Works	4.0 FTE Park Attendant, PT (8 positions)	1.0 FTE Park Attendant, PPT (1 position) 3.0 FTE Gardner II (3 positions)

Oakland Police Department (OPD) – The department will add 6.8 full-time equivalent (FTE) Parking Control Technicians as PPTs. This will create no operational impact, but the department will lose six (6) TPT workers. The department will still retain fourteen (14) TPT workers to maintain flex hours to cover holidays and unanticipated days off. The recruitment for these positions will be restricted to TPT Parking Control Technicians.

Oakland Public Library (OPL) – The department will add 2.0 PPT Library Assistants, 1.0 FT Library Assistant, and 5.0 PPT Library Aide positions. This conversion will create no operational

impact and the libraries will maintain current work hours. For the Library Assistant positions, the recruitment will be restricted to the incumbents who held the following classifications prior to July 1, 2015 including: Library Aide, FT; Library Aide PPT, Library Aide TPT, and Library Assistant TPT. For the Library Aide position, the recruitment will be restricted to Library Aide TPT incumbents who were hired prior to July 1, 2015.

Oakland Parks and Recreation (OPR) – The department will add 2.00 FT Van Drivers. The department will maintain the current service level, but will lose three (3) TPT workers. The recruitment will be restricted to Van Driver TPT and other Parks and Recreation TPT employees.

Oakland Public Works (OPW) - The department will add 1.0 FTE Park Attendant, and 3.0 FTE Gardner II positions. The department will maintain the current service levels, but will lose four (4) TPT workers. The recruitment will be restricted to Park Attendant TPT employees

The last page in **Attachment C** outlines the estimated timeline for various recruitment milestones for each conversion (position open/close, interviews, appointment, etc.) as of April 26, 2016. As an update, the position of Library Assistant posted from May 9, 2016 through May 27, 2016, and the Human Resources Management Department (HRM) is expecting the appointments for this position to conclude by the end of August 2016. As to the remainder of the positions, the recruitments will be conducted between now and October 2016, and HRM expects to have appointments by November 2016.

FISCAL IMPACT

The FY 2015-2017 Adopted Budget appropriated \$22.6 million for outstanding labor contract negotiations. Of this amount, \$4.77 million (\$2.15 million in FY 2015-2016 and \$2.62 million in FY 2016-2017) was allocated for SEIU 1021's compensation package over the term of the MOU. As noted earlier in this report, total cost associated with this conversion is \$1 million. Please refer to **Attachment D** for detail regarding the fiscal impact for each Department within the \$1.0 million allocation.

INTERNAL CITY OUTREACH / INTEREST

The final TPT conversion agreement requires that job announcements are posted for three (3) weeks and that flyers are created for each classification and distributed throughout hiring department's internal network. In addition, as the agreement requires, the Human Resources Department has and will continue to provide workshops to interested applicants to provide assistance in setting up an applicant profile, accessing the City's online application system and to provide an overview of the testing process and suggestions on how to best prepare. HRM conducted outreach and held a workshop for the Library Assistant position. There are seventy-three (73) internal applicants who will be participating in the written exam later this month. HRM is particularly committed to this part of the process and wants to actively support TPT employees to participate in the competitive process for civil service positions.

COORDINATION

Several City departments were consulted in the preparation of this report, including, but not limited to: City Administrator's Office, Oakland Public Library, Oakland Public Works, Oakland Police Department, Oakland Parks and Recreation, and the Controller's Office.

SUSTAINABLE OPPORTUNITIES

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

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

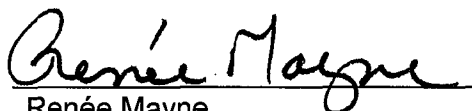
Social Equity: The implementation of the TPT conversion agreement works to increase equity amongst employees by converting temporary positions into permanent positions. This creates an increase in total compensation, benefits, and job stability, thereby creating a healthier work force.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends the City Council Accept an Informational Report On The Allocation of \$1,000,000 (One Million) To Convert Work Performed By Temporary Part-Time Employees To Permanent Employees As Prescribed In the Tentative Agreement With the City of Oakland And SEIU 1021 For Fiscal Year 2015-2017 For the Following Classifications – Pool Manager PT, Recreation Attendant I PT, Recreation Specialist III, PT, Van Driver PT, Park Attendant PT, Library Aide PT, Library Assistant PT, Parking Control Technician PT.

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

Respectfully submitted,



Renée Mayne
Employee Relations Director

Prepared by:
Stephen Roundfield
Principal Employee Relations Analyst
CAO/Employee Relations Department

Attachments (4):

- A: City/SEIU TPT Conversion Agreement
- B: FY 2015-2017 Adopted Policy Budget – Summary of Significant Adopted Budget Changes and Revenue Enhancements, second line item
- C: Final SEIU/City TPT Conversion Agreement, April 26, 2016
- D: City/SEIU TPT Fiscal Detail

**CITY OF OAKLAND AND SEIU 1021
LABOR NEGOTIATIONS 2015**

TENTATIVE AGREEMENT

Temporary Part Time Employment (TPT)

The City may hire temporary part time employees for work that is:

1. Seasonal or of a sporadic nature (e.g. seasonal is work fluctuating or restricted according to the season or time of the year; sporadic is work occurring at irregular intervals).
2. Designed to complete a special project or program that has a beginning and ending date which calls for the employee to work no more than 960 hours in a fiscal year.
3. To augment permanent staff (e.g. weekend/holiday coverage, animal care), accommodate scheduling requirements, and/or other operational needs, where such augmentation cannot be accomplished by hiring additional permanent staff.
4. Of a nature that requires limited hours per day or per week because of the nature of the service to be provided, including but not limited to: on call/backfill coverage, after school programming, lifeguarding, refereeing, officiating, crossing guards, cadets, specialized program instructors, and classroom support.

If the City is unable to appropriately staff due to the terms contained in Nos. 1-4 above, and experiences urgent operational issues, such as the pending closure of a program, the City and Union shall meet within two (2) business days to discuss staffing alternatives. The parties agree that the City shall not hire temporary part time employees for the sole purpose of denying benefits.

Restricted Hiring of Temporary Part Time Employees

For the twelve (12) months following the full ratification departments will use the temporary part time employees on payroll within their departments. If there are insufficient temporary part time employees within the department, as determined by the department head, including a pool for on-call work, the hiring of additional temporary part time employees must be expressly requested in writing by the department head for approval from the City Administrator's Office for the hiring of temporary part time employees.

This provision sunsets on the last day of the 12th month following the ratification of this full agreement. Full ratification means the approval of the labor agreement by the Union and City Council.

Current Temporary Part Time Employees (TPT)

Notwithstanding Nos. 1-4 above, the City and Union agree that current temporary part time employees on City payroll as of the ratification of this agreement, may work in ongoing recurring work that is outside of the terms of Nos. 1-4 above. The parties agree the City will continue to employ temporary part time employees on payroll as of the ratification of this agreement, as determined by the City. The parties also agree that the classifications held by temporary part time employees who engage in ongoing recurring work may be converted to permanent part time or permanent full time classifications as funds permit, and as described in Section 14.7.

Temporary Part Time Employment (TPT) Conversion

The City may convert temporary part time (TPT) positions to permanent classified positions as funds

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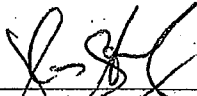
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permit. Effective forty-five (45) days after the execution of this MOU, a labor management committee will convene to identify and recommend to the City Administrator those temporary part time positions that could be converted to permanent classified positions. The goal of the committee is to select positions for conversion that will have a limited impact to department operations. The committee will consist of six (6) representatives from SEIU and six (6) representatives from the City. The committee will present a report to the City Administrator no later than December 31, 2015. The recommendations contained in the report will be reviewed and considered by the City Administrator's Office. This committee expires on June 30, 2017.

In the Fiscal Year 2015-2017 Adopted Budget, the City of Oakland allocated \$1,000,000 (one million) to convert work performed by temporary part-time employees to permanent positions. The priority of the committee will be to first review the following classifications:


- Pool Manager, PT
- Recreation Attendant I, PT
- Recreation Specialists III, PT
- Van Driver, PT
- Park Attendant, PT
- Library Aide, PT
- Library Assistant, PT
- Parking Control Technician, PT

For SEIU:

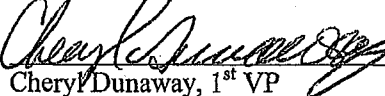


John Stead-Mendez, Chief Spokesperson

Date: August 7, 2015




Al Marshall, President - Oakland Chapter




Cheryl Dunaway, 1st VP

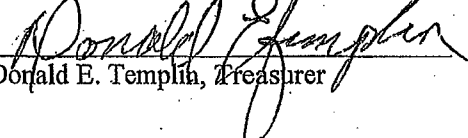
Tim Glasper, 2nd VP



Michael Pandolfo, VP for TPT

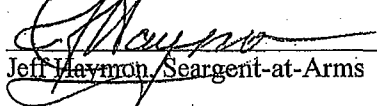


Marcus Brown, VP for TPT



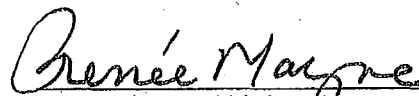
Donald E. Temple, Treasurer

Myra Abdul Ali, Recording Secretary



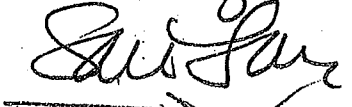
Jeff Haymon, Sergeant-at-Arms

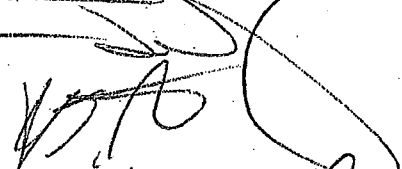
For City:



Renée Mayne, Chief Spokesperson

Date: August 7, 2015





John M. Fair - OPD

FINANCIAL SUMMARIES

SUMMARY OF SIGNIFICANT ADOPTED BUDGET CHANGES AND REVENUE ENHANCEMENTS

FY 2015-17

(\$ in millions)

GENERAL PURPOSE FUND (GPF)	FTE	FY 2015-17 One-Time Incr / (Reduce)	FY 2015-16 On-Going Incr / (Reduce)	FY 2016-17 On-Going Incr / (Reduce)
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Significant Expenditure Changes (cont'd)

NON-DEPARTMENTAL (cont'd)

Increase subsidy to the Human Services Department (Head Start, Senior Aides, etc.)	\$5.09		
Exempt Part-Time Position Conversion		\$0.30	\$0.70
Graffiti Evidence Collection & Enforcement Program	\$0.10		
Lake Merritt Maintenance (transfer to LLAD Fund 2310)		\$0.40	\$0.40
Library System Support (transfer to Measure Q Fund 2241)	\$1.00		
Wildfire Prevention (transfer to WPAD Fund 2321)	\$0.50		
Increase transfer to Kids First! Fund (1780)		\$1.06	\$1.48
Pay-Off negative fund balance in Kaiser Convention Center Fund (1730) using one-time funding to eliminate on-going repayment	\$1.76		
Eliminate on-going repayment of negative fund balance in Kaiser Convention Center Fund (1730)		(\$0.58)	(\$0.58)
Pay-Off negative fund balance in Contract Administration Fee Fund (1791) using one-time funding to eliminate on-going repayment	\$1.21		
Eliminate on-going repayment of negative fund balance in Contract Administration Fee Fund (1791)		(\$0.58)	(\$0.58)
Pay down negative fund balance in Facilities Fund (4400) using one-time to reduce on-going repayment	\$4.00		
Reduce on-going repayment of negative fund balance in Facilities Fund (4400)		(\$0.55)	(\$0.58)
Reduce GPF Internal Service Fund contribution to Facilities Fund (4400) based on Fund 4400 reductions		(\$0.27)	(\$0.24)
Adjust overhead recovery (increase in non-GPF positions)		(\$1.03)	(\$0.72)
Additional set-aside for 7.5% Emergency Reserve	\$2.29		

CAPITAL IMPROVEMENT PROGRAM

ADA Improvements - Woodminster	\$1.00		
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**SEIU MOU IMPLEMENTATION
TPT CONVERSION PROJECT
City Proposal – April 26, 2016**

1. Timeline: April – November 2016

See attached estimated recruitment timelines chart.

2. Classifications: Parking Control Technician, PPT; Library Assistant, PPT and FT; Library Aide, PPT; Van Driver, FT; Park Attendant, PPT

3. Restricted Recruitments: the City will conduct recruitments for each classification, restricted to the following groups:


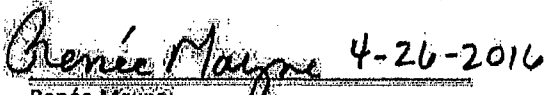

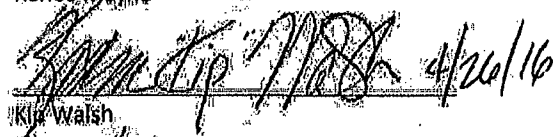
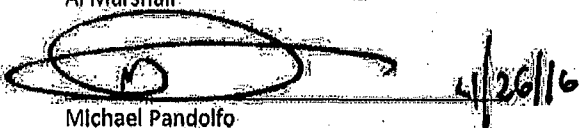


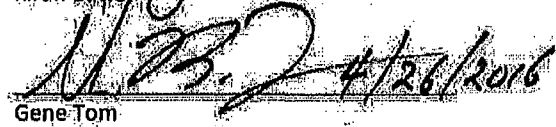

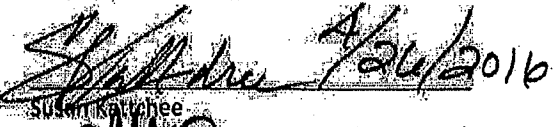
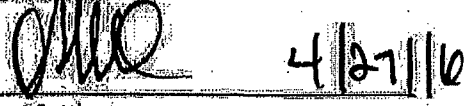


- a. Parking Control Technician, PPT – recruitment restricted to Parking Control Technician, TPT
- b. Library Assistant, PPT and FT – recruitment restricted to Incumbents of the following classifications prior to July 1, 2015 including: Library Aide, FT; Library Aide, PPT; Library Aide, TPT; and Library Assistant, TPT
- c. Library Aide, PPT – recruitment restricted to incumbents of the Library Aide, TPT classification prior to July 1, 2015
- d. Van Driver, FT – recruitment restricted to Van Driver, TPT and other Parks & Recreation TPTs
- e. Park Attendant, PPT – recruitment restricted to Park Attendant, TPT

4. Outreach: Job announcements posted for three (3) weeks (instead of required ten days); flyers created for each classification and distributed throughout hiring department's internal network.

5. Application Support: While the job announcement is posted, HRM will provide workshops in City computer labs or at branch libraries to interested applicants to both provide assistance to applicants with setting up an applicant profile and accessing the City's online application system and to provide an overview of the testing process and suggestions for how best to prepare.

**SEIU MOU IMPLEMENTATION
TPT CONVERSION PROJECT
City Proposal – April 26, 2016**

6. Displacement by Conversions: The conversion of part time assignments into permanent full time or permanent part time assignments will result in the net loss of temporary part time (TPT) assignments/positions. To the extent operationally possible, TPT incumbents will not be displaced by the conversions, instead, employees will be assigned to other vacancies and the loss of part time assignments/positions will be absorbed by the departments through natural attrition.

SEIU LOCAL 1021	DATE	CITY	DATE
 Steve Pitocchi	4/26/16	 Renee Mayne	4-26-2016
 Al Marshall	4/26/16	 Kira Walsh	4/26/16
 Michael Pandolfo	4/26/16	 Kiran Bawa	4/26/2016
 Belinda Calvin	4/26/2016	 Gene Tom	4/26/2016
 Stephanie Hamilton	4/26/16	 Susanna Satphee	4/26/2016
		 Kiona Suttle	4/27/16
		 Spruce Metzger	4/26/2016
		 Adama Willson	4/27/16

TPT CONVERSION PROJECT
 Estimated Recruitment Timelines (revised) - APRIL 26, 2016

TENTATIVE DATES										
Title	Department	# of Positions	Applicants	Post Open	Post Close	Test Type	Test Date	Eligible List	Dept Interview	Appointments
Parking Control Technician, PPT	Police	8	Parking Control Technician, PT	5/23/2016	6/13/2016	Written	7/5/2016	7/15/2016	7/29/2016	8/31/2016
Library Assistant	Library	1	Library Aide; Library Aide, PT; Library Aide, PPT; and Library Assistant, PT	5/2/2016	5/20/2016	Written	6/17/2016	7/1/2016	7/22/2016	8/26/2016
Library Assistant, PPT	Library	2	Library Aide; Library Aide, PT; Library Aide, PPT; and Library Assistant, PT	5/2/2016	5/20/2016	Written	6/17/2016	7/1/2016	7/22/2016	8/26/2016
Library Aide, PPT	Library	5	Library Aide, PT	5/9/2016	5/27/2016	Written	7/1/2016	7/15/2016	8/5/2016	9/2/2016
Van Driver	Parks & Rec	2	Van Driver, PT	8/22/2016	9/12/2016	Performance	10/3/2016	10/17/2016	10/31/2016	11/11/2016
Park Attendant, PPT	Public Works	1	Park Attendant, PT; Recreation PTs	6/13/2016	7/1/2016	Performance	7/29/2016	8/12/2016	9/8/2016	9/30/2016
Gardener II	Public Works	3	Park Attendant, PT - eligible list established 1/12/16; new positions filled from list	n/a	n/a	n/a	n/a	n/a	TBD	TBD

SEIU TPT Conversion

Agreement - April 26, 2016			FY 2015-16 *	FY 2016-17	
Department	Delete	Add	Fiscal Impact		Operational Impact
Police	6.46 FTE Parking Control Technician, PT (14 positions)	6.8 FTE Parking Control Technician, PPT (8 positions)	\$36,215	\$162,661	None, retain same service hours; Loss of 6 staff; Retain 14 TPTs for flex hours to cover holidays/unanticipated days off
Library	1.75 FTE Library Assistant, PT 2.4 FTE Library Aide, PT	2.0 PPT Library Assistant (@ 80%); and 1.0 FT Library Assistant 5.0 PPT Library Aides	\$88,884	\$373,609	Conversion maintains current work hours.
Parks & Recreation	2.0 FTE Van Driver, PT (5 positions)	2.00 Van Driver, FT	\$9,372	\$41,847	Retains the current service level; loss of 3 temporary workers.
Public Works	4.0 FTE Park Attendant, PT (8 positions)	1.0 FTE Park Attendant, PPT (1 position) 3.0 FTE Gardner II (3 positions)	\$39,477	\$176,953	Retain current service level; loss of 4 temporary workers.
Contingency for possible variance in actual hired step			\$13,291	\$57,691	
Sub-total			\$187,239	\$812,760	
Two-Year Total			\$1,000,000		

* Conversion is effective April 1, 2016