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2010 OCT -7 PM 2:53

CITY OF OAKLAND
AGENDA REPORT

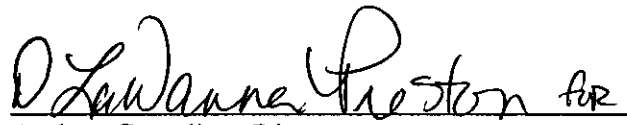
TO: Office of the City Administrator
ATTN: Dan Lindheim
FROM: Department of Human Resources Management
DATE: October 12, 2010

RE: **Supplemental Report to the Proposed Resolution Recommending to the Civil Service Board that Certain Management Classifications Be Exempted from Civil Service**

SUMMARY

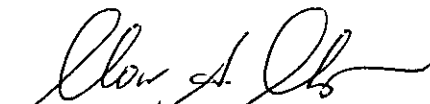
This supplemental report provides revised attachments to the report and proposed resolution recommending to the Civil Service Board that certain management classifications be exempted from civil service. *Attachment A* should have with it the attached side letter agreement between the City and the International Federation of Professional and Technical Engineers, Local 21 (*Attachment C*) regarding the mutual agreement of which classifications to include in bargaining unit UM1 and to recommend for exemption. Also, the attached job specification for the classification of *Public Works Operations Manager* has been reviewed and updated since the original packet was submitted; the attached version should be included since it is the more current (*Attachment D*).

Respectfully submitted,


Andrea Gourdine, Director
Department of Human Resources Management

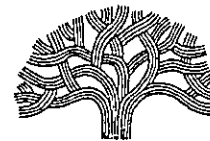
Prepared by:
Kip Walsh, Interim Human Resources Manager
DHRM, Recruitment and Classification

APPROVED AND FORWARDED TO THE
FINANCE AND MANAGEMENT COMMITTEE:


Office of the City Administrator

Item: _____
Finance and Management Committee
October 12, 2010

Attachment C



CITY OF OAKLAND

150 FRANK H. OGAWA PLAZA 3RD FLOOR OAKLAND, CALIFORNIA 94612-2021

DEPARTMENT OF HUMAN RESOURCES
MANAGEMENT
Employee Relations

(510) 238-3112
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June 18, 2010

Agreement between the City of Oakland and the International Federation of Professional and Technical Engineers Local 21

Background

Appendix J of the Local 21 MOU (Side Letter Regarding Civil Service Status of UM1”) is a side letter agreement detailing the process to resolve disputes between the City and the Union regarding unit designation of classifications currently in the UM1 and UM2 bargaining units. The First Level 1 Primary Review of the process requires both parties to exercise their best efforts to reach agreement on which classifications currently in the UM1 bargaining unit should be reallocated to the UM2 bargaining unit. Upon completion of the First Level 1 the City may proceed to seek Civil Service exemption of any classifications or positions the parties agree are to remain in the UM1 bargaining unit. The classifications that the parties agree should be subject to the merit system will be placed in the UM2 bargaining unit. The Second Level 2 of the process requires the parties to submit to mediation the classifications where the bargaining unit allocation remain in dispute, using the State Mediation and Conciliation Services (SMCS). This agreement codifies the agreements reached prior to starting Level 2-Mediation.

Agreements

After several meetings the parties have agreed the following classifications are appropriately assigned to the UM1 bargaining unit:

Classifications in UM1

- 1) Cable TV Station Manager
- 2) City Auditor, Assistant
- 3) Curator of Art, Chief
- 4) Curator of Education, Chief
- 5) Curator of History, Chief
- 6) Curator of Natural Science, Chief
- 7) Deputy Director, Econ Dev & Employ
- 8) Deputy Director, Housing
- 9) Deputy Director, Program Planning & Development
- 10) Deputy Director, Building Official
- 11) Deputy Director, City Planning
- 12) Fire Division Manager
- 13) Manager, Affirmative Action
- 14) Manager, Agency Administrator
- 15) Manager, Building Services

Attachment C

- 16) Manager Capital Improvement Program
- 17) Manager, Claims & Risk
- 18) Manager, Contract & Employment Services
- 19) Manager, Electrical Services
- 20) Manager, of Emergency Services
- 21) Manager, Environmental Services
- 22) Manager, Equipment Services
- 23) Manager, Information Systems
- 24) Manager, Legal Administrative Services
- 25) Manager, Museum Operations
- 26) Manager, Museum Services
- 27) Manager, Park Services
- 28) Manager, Parks & Recreation Zone
- 29) Manager, Planning & Building Operations
- 30) Manager, Recreation Services
- 31) Manager, Revenue
- 32) Manager, Senior Services
- 33) Manager Treasury
- 34) Manager, Youth Services
- 35) Project Manager III
- 36) Public Works Operations Manager
- 37) Special Assistant to the Mayor

All classifications listed above shall be referred to the Civil Service Board for exemption from the competitive civil service, if the exemption has not previously been authorized. The Union agrees not to assert civil service status nor challenge the exemption of these classifications from the competitive civil service.

The parties met and agreed the following classifications shall be assigned to the UM2 bargaining unit:

Classifications in UM2

- 1) Assistant to Recreation Service Manager
- 2) Chief Conservator
- 3) City, Architect, Assistant
- 4) Comm Rest Emergency Planning Coordinator
- 5) Computer Operations Supervisor
- 6) Development/Redevelopment Program Manager
- 7) Emergency Services Manager, Assistant
- 8) Civil Engineer, Principal
- 9) Environmental Program Supervisor
- 10) Financial Analyst, PPT
- 11) Financial Analyst, Principal
- 12) Librarian, Administrative
- 13) Library Automation Supervisor
- 14) Museum Public Program Supervisor
- 15) Open Government Coordinator
- 16) Parking supervisor

- Attachment C
- 17) Production control Supervisor
 - 18) Recreation General supervisor
 - 19) Recycling Supervisor
 - 20) Solid Waste/Recycling Program Supervisor
 - 21) Spatial Data Administrator
 - 22) Support Services Administrator
 - 23) Volunteer Program Coordinator, Supervising

The classifications listed above shall be part of the competitive civil service and governed by the Civil Service Rules. Employees whose classifications are reallocated to the UM2 bargaining unit shall be granted seniority based on their cumulative service in that classification, subject to any other provisions in the Civil Service Rules. In recognition of the fact that all classifications within the UM2 bargaining unit are governed by the Civil Service Rules, including Rule 9.01 and 9.02, the City and Union agree that section 14.9 of the MOU shall apply to all represented employees in the UM2 bargaining unit.

The parties met and determined they could **not reach an agreement** on the appropriate bargaining unit designation for the following classifications:

Classifications we did not reach agreement on

- 1) Administrative Assistant to the Mayor
- 2) Administrative Service Manager II
- 3) Assistant to the Director
- 4) Assistant to the Director, PPT
- 5) City Clerk, Assistant
- 6) City Council Office Administrator
- 7) Citywide Records Manager
- 8) Community Housing Service Manager
- 9) Data Administrator
- 10) Executive Assistant to Agency Director
- 11) Executive Assistant to Assistant City Attorney
- 12) Executive Assistant
- 13) Legal Communications Officer
- 14) Legislative Service Coordinator
- 15) Community Assistance Program Manager
- 16) Comprehensive Planning Manager
- 17) Crime Laboratory Manager
- 18) Cultural Arts Manager
- 19) Grants Manager
- 20) Housing Development Manager
- 21) Inspection Service Manager
- 22) Neighborhood Development Manager
- 23) Real Estate Service Manager
- 24) Zoning Manager
- 25) Performance Audit Manager
- 26) Project Manager, II
- 27) Police Program & Performance Auditor

Attachment C

- 28) Administrative Secretary
- 29) Rehabilitation Services Manager
- 30) Administrative Secretary (need to do research)

The second Level-Mediation process is the next step in the process to resolve disputes; therefore, the City will contact Annie Song-Hill to facilitate the mediation process for all classes for which they disagree on the appropriate bargaining unit designation

Name/date	Organization
<u><i>[Signature]</i> 6/18/10</u>	<u>Local 21</u>
<u><i>Cherie Cooper</i> 6/18/10</u>	<u>IFPTE, Local 21</u>
<u><i>Lauren Preston</i> 6/18/10</u>	<u>City of Oakland</u>
<u><i>Andi Davis</i> 6/18/2010</u>	<u>City of Oakland</u>



PUBLIC WORKS OPERATIONS MANAGER

Class Code: MA137 FTE Exempt

DEFINITION

Under general administrative direction in the Public Works Agency uses operational decision making in the direction and coordination of work; plans, organizes, manages and directs the review and implementation of the City's major projects in construction, reconstruction, repairs and maintenance of streets, driveways, median strips, curbs, bridges, storm drains and sanitary sewer systems; develops and administers capital improvement projects and budgets; and supervises subordinate supervisors; and performs related duties as assigned.

DISTINGUISHING CHARACTERISTICS

The Public Works Operations Manager is a management level classification with responsibility for the administration of complex projects. This position is exempt from the regulations of the Civil Service Board. The duties performed involve the exercise of considerable discretion and latitude of judgment in the formulation and development of policies and procedures. This classification is distinguished from the Assistant Director of Public Works Agency, which is a division head.

The incumbent receives general administrative direction from an Assistant Director of Public Works Agency and exercises general direction over professional, technical and clerical staff.

EXAMPLES OF DUTIES - *Duties may include, but are not limited to the following:*

Assist in developing and implementing policies, methods, and procedures for departments and divisions; organize, plan, and schedule activities for diverse and complex sections within each division.

Manage a Work Management Program; set performance goals and production standards for planned and preventative maintenance programs; develop strategies and coordinate responses to emergencies and disasters.

Prepare and present staff reports to the City Council, Mayor, City Administrator, committees, and the community; attend community meetings and make commitments to resolve problems on behalf of the agency.

Evaluate alternate courses of action for street maintenance projects as a part of the

Public Works Operations Manager

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Maintenance Management Program.

Develop and administer projects; develop bid proposals and manage the preparation of contract specifications for asphalt resurfacing, pavement surface treatment services, equipment rental, and the procurement of construction materials and supplies.

Work with the Director of Public Works in preparing recommendations for ordinances and resolutions.

Respond to complaints from the public and other agencies; provide quality teamwork and customer service to internal and external clients.

Select, train, and supervise a large staff; establish performance goals and conduct performance evaluations; develop and administer employee safety training programs.

Develop, administer, and monitor operating and capital budgets; prepare and maintain records and reports; write letters; prepare cost estimates.

Operate a motor vehicle in the performance of assigned duties.

KNOWLEDGE AND ABILITIES

Knowledge of materials, records, equipment and current practices used in the maintenance, repair and improvement of streets, drains, and related structures.

Knowledge of principles of project management and supervision.

Knowledge of principles of personnel management, training and evaluation.

Knowledge of plans review, including analysis of labor and materials cost.

Knowledge of budget development and administration.

Knowledge of public contact and community relations.

Ability to prepare or review plans and specifications.

Ability to direct the response to emergency and disaster situations.

Ability to estimate project costs.

Ability to supervise, train and evaluate staff.

Ability to maintain and prepare reports.

Ability to interface effectively with other departments, the public and other agencies.

Public Works Operations Manager

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Ability to evaluate proposed projects, or alternative solutions to a maintenance or construction problem.

Ability to establish and maintain effective work relationships with those contacted in the performance of required duties.

MINIMUM QUALIFICATIONS

The following qualifications are guidelines, as the appointing authority has broad discretion in filling positions in this classification.

Education:

A Bachelor's degree from an accredited college or university in business or public administration or a related field. Certifications from professional organizations may be considered.

Experience:

Five years of experience comparable to Public Works Supervisor II in the City of Oakland

LICENSE OR CERTIFICATE

Individuals who are appointed to this position will be required to maintain a valid California Driver's License throughout the tenure of employment OR demonstrate the ability to travel to various locations in a timely manner as required in the performance of duties.

DEPT. OF HUMAN RESOURCES MANAGEMENT USE ONLY

Established: 10/27/1995 CSB Resolution #: 44346 Salary Ordinance #:
Exempted: Y N Exemption Resolution #:

Revision Date: n/a CSB Resolution #:
Re-titled Date: n/a CSB Resolution #: Salary Ordinance #:

(Previous title(s): n/a)

