

CITY OF OAKLAND

AGENDA REPORT

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OFFICE OF THE CITY CLERK
OAKLAND

2008 JUN 26 PM 4: 28

TO: Office of the City Administrator
ATTN: Deborah A. Edgerly
FROM: Finance and Management Agency
DATE: July 1, 2008

RE: **Supplemental Report on A Resolution Approving the Addition of Rule 5.03 - Continuous Testing With Rule Of The List for Entry Level Classifications to the Personnel Manual of the Civil Service Board in accordance Municipal Code 2.08.030 (Ordinance No. 8979 C.M.S.).**

SUMMARY

At the June 17, 2008, City Council Meeting, Council requested supplemental information regarding the addition of Rule 5.03 – Continuous Testing with Rule of the List for Entry Level Classifications to the Personnel Manual. The Council inquired about the financial and resource impacts of the ‘Rule of the List Continuous Testing’ program. This supplemental report describes the purpose of the “rule of the list” for designated entry-level classifications, safeguards against “favoritism” and the financial benefits of “rule of the list”.

FISCAL IMPACT

There are no fiscal impact issues.

KEY ISSUES AND IMPACTS

Principal Objectives of ‘Rule of List Continuous Testing’

- Enhanced recruitment and selection of highly qualified candidates – The ‘Rule of List Continuous Testing’ program allows for the shortest possible time lapse between job vacancy, candidate application, testing and referral for hiring. Currently, and especially for hard to fill jobs, the long period from application to hiring results in the loss of many excellent candidates who find other work in the interim.
- Merit based - Under the current system the test date can be more important than the test score. Under the ‘Rule of 4’ candidates taking tests at an earlier date must be considered before candidates with higher scores who take the test at a later date. This means that many candidates, who take tests at a later date and receive higher test scores, must wait on earlier test takers before they can be referred. The ‘Rule of List Continuous Testing’ allows all successful candidates to be considered, including information about their test score, without consideration of the date of the test.

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- Improved public service – The current continuous testing program is methodical, rigorous and slow. The consequence is that many vacancies must be filled by either temporary employees, who may not do well enough in later testing to become permanent, or are left unfilled to the detriment of the public. Either circumstance is potentially disruptive and can be more costly than the proposed program.
- Best practices – a survey of several major public employers in the Bay Area (Attachment A of June 17, 2008 report) indicates that the majority use a rule of the list continuous testing program to fill high volume, hard to fill entry level classification needs with excellent results and without favoritism. The cities contacted view the rule of the list as being more merit oriented than the use of continuous testing using discrete, sequential lists.

The adoption of Rule 5.03 to the Personnel Manual will enable the City to better recruit and fill entry-level positions. Recruitments for these classifications typically attract a high volume of applicants, have high examination administration costs and occur on an artificially intermittent basis. It is critical to fill these vacancies in a timely manner because incumbents in these classifications are typically front-line employees providing direct services to the public.

Further, hiring the best-qualified candidates into entry-level classifications is critical because it enables the City to continue to promote employees to higher classifications. For instance, incumbents in the Public Service Representative classification may feed into a number of higher administrative and supervisory classifications.

When conducting continuous testing, there are two ways to manage the resulting eligible list. One way is to exhaust the list before creating a new one. This is how the City currently creates eligible lists. For entry-level classifications, these examinations tend to be at intervals greater than two years and may result in an eligible list with over 150 candidates. Typically, the highest-qualified candidates are either hired by the City or competing jurisdictions after the first six months.

Additionally, by exhausting an eligible list, the hiring departments must consider all candidates, no matter how minimally qualified for the position, before a new recruitment process can be initiated. The average examination process takes approximately 90 days to conduct, not including the administrative process of requisition approval, examination planning and departmental interviews.

The other way to manage an eligible list when conducting continuous testing, and the way the City is recommending, is to merge candidate names by score into an eligible list and continually certify the entire list to the department. By providing the “rule of the list” to departments, hiring managers are able to consider highly-qualified candidates on an ongoing basis and do not have to wait for the intermittent recruitment. This process also gives the City the competitive advantage by ushering highly-qualified candidates to hiring interviews quickly.

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Safeguards against “favoritism”

The City of Oakland’s civil service system ensures candidates meet qualifications for job classifications based on valid processes that are both fair and objective. A candidate participating in the ‘Rule of List Continuous Testing’ process will be examined and measured competitively against job-related criteria, resulting in a scored and ranked eligible list. Hiring managers will be provided the final score of candidates and any supplemental application material.

While the concern for favoritism is valid, many regional cities and counties allow for “rule of the list” because the exposure is negligible. The merit system ensures that applicants participate in a valid process and are qualified for the position. Under the current system of certifying ranks, hiring managers can interview the top ranks, reject all candidates and request additional ranks until they find the best suited candidate. Both the current certification rule and the “rule of the list” have the potential to be corrupted. However, even if a hiring manager employs favoritism, the applicant would still have to participate in a competitive test and demonstrate that he/she possesses the necessary knowledge, skills and abilities to perform the job.

Financial benefits of ‘Rule of List Continuous Testing’

When the City conducts recruitments for entry-level classifications with large candidate pools, there are affiliated costs that would not be incurred with continuous testing. These recruitments, occurring every 2-3 years, require the City to rent large facilities (e.g., Scottish Rite Center, the Marriot, etc.) and related equipment, hire consultants and proctors, and dedicate a significant amount staff and resources.

Use of ‘Rule of the List Continuous Testing’ will permit on-going testing of smaller pools of candidates. These smaller pools can be testing using available city facilities and require less staff resources. There may be initial costs in creating or purchasing an examination for ongoing testing but that would be offset by the benefits of reducing the other costs. While large-scale examinations will still be conducted for high-demand classifications (e.g., Fire Fighter and Public Works Maintenance Worker), there will be a reduction because of smaller candidate pools.

Because many vacancies in the designated classes are filled with temporary employees pending examination, there are also costs associated with temporary hiring, and the occasional displacement of the temporary employees necessitating multiple rounds of job training, as well as service disruptions. These costs are curtailed or eliminated by use of the ‘Rule of List Continuous Testing’ program. Finally, some of these classes are revenue generating or impact revenue transactions (Parking Control Technician, Account Clerk). Vacancies in such classes create a potential loss of revenue to the City. The ‘Rule of List Continuous Testing’ reduces the time lapse of vacancies and loss of revenue.

SUSTAINABLE OPPORTUNITIES

No sustainable opportunities have been identified.

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DISABILITY AND SENIOR CITIZEN ACCESS

There are no Americans with Disabilities Act (ADA) or senior citizen access issues contained in this report.

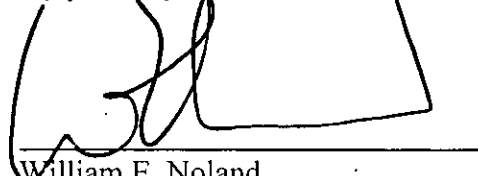
RECOMMENDATION AND RATIONALE

Staff recommends that Council approve the addition of Rule 5.03 - Continuous Testing with Rule of the List for Entry Level Classifications. The addition of this Rule will enable the City to efficiently meet future staffing demands for entry-level positions.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,

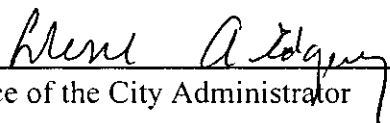


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APPROVED AND FORWARDED TO THE
CITY COUNCIL:


Office of the City Administrator

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