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2014 DEC -4 PM 2:16

AGENDA REPORT

**TO: HENRY L. GARDNER
INTERIM CITY ADMINISTRATOR**

FROM: Renée Mayne

**SUBJECT: Information and Status Report on
Temporary Part Time Employees**

DATE: November 24, 2014

City Administrator
Approval

Date

11/24/14

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 recognizes and prioritizes temporary part-time workers for full-time positions where possible.

BACKGROUND/LEGISLATIVE HISTORY

On September 16, 2014, staff provided the Finance and Management Committee with the first status report on the current Temporary Part-Time (TPT) Working Committee that was established based on the 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), which 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. The City and SEIU agreed to strive to reach consensus on its recommendations to the City Administrator by March 2015.

ANALYSIS

To achieve the stated goals of the committee pursuant to the labor agreement, the committee received an informational presentation from each City department that employs a significant portion of the City's temporary part-time workforce. Each department provided the following:

- Temporary part-time classifications employed in the department;
- Location within the department temporary part-time employees work,
- How temporary part-time employees are being utilized, i.e. the work they are performing;
- The link between department budgeted full time equivalent (FTE) positions and how

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- many temporary part-time employees are employed; and
- The source of funding for temporary part-time employees in that department.

The presentations were made by each department head or their designees, on the following dates:

October 24, 2014	Public Works, Police Department, and Human Services Agency
October 31, 2014	Library
November 14, 2014	Parks and Recreation, and Budget

The next committee meetings are scheduled for January 9, 2015, January 23, 2015, and February 6, 2015. The committee's remaining tasks to accomplish include, but are not limited to:

1. Developing a report to the City Administrator based on the committees' finding;
2. Recommending a system that permanently reduces the usage of temporary part-time employees throughout the City and re-define how temporary part-time employees will be utilized
3. Recommending a maximum percentage of temporary part-time employees in each classification;
4. Tracking 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"; and
5. Recommending 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 SEIU Local 1021 are working diligently and in good faith to fulfill the terms of the agreement as outlined in Attachment A. The City and SEIU concur that this should be completed prior to the commencement of successor negotiations, which are expected to begin no later than March 2015.

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. It is expected the Council will receive another report in 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) non-sworn 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 SEIU concur that it is implausible the City of Oakland would not need to employ any temporary part-time employees for seasonal, intermittent, casual, project, or temporary interim replacement work.

SUSTAINABLE OPPORTUNITIES

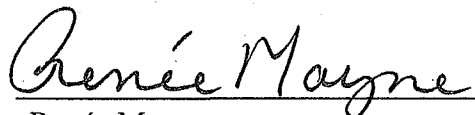
Economic: There are no economic opportunities associated with this report.

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,

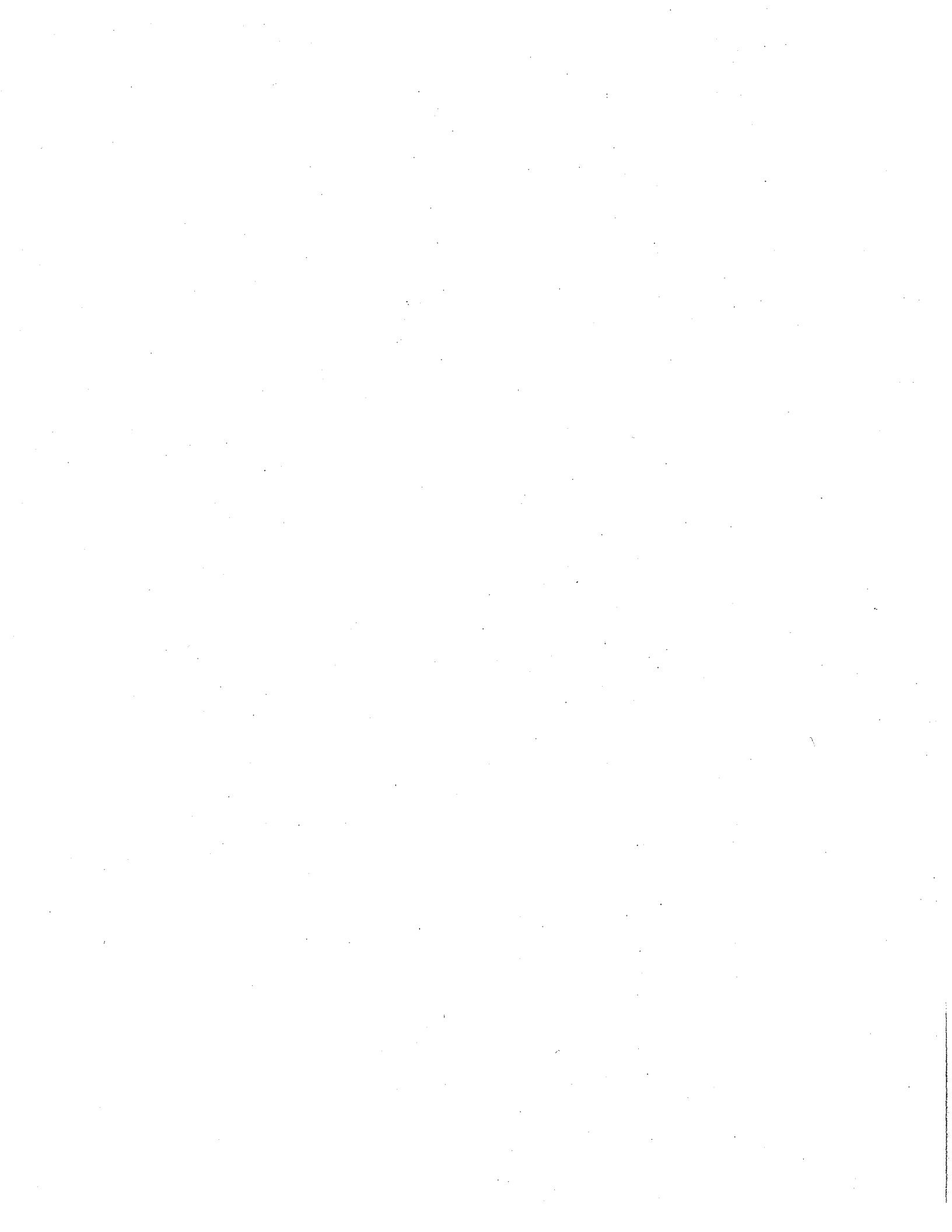


Renée Mayne
Director of Employee Relations

Prepared by: Sonia Lara
Principal Employee Relations Analyst

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

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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.