

CITY OF OAKLAND
AGENDA REPORT

2007 JAN 09 PM 5:54

TO: Office of the City Administrator
ATTN: Deborah A. Edgerly
FROM: Finance and Management Agency
DATE: January 9, 2007

RE: **A Report on the Classification and Recruitment Efforts for the Oakland Police Department Crime Lab**

SUMMARY

At the December 12, 2006, Finance and Management Committee meeting, the Committee requested staff prepare a report of the facts surrounding the recruitment of staff to provide latent fingerprint analysis in the Oakland Police Department Crime Lab. This report provides information regarding the Office of Personnel Resource Management's (OPRM) recruitment efforts to satisfy the following personnel needs for the Oakland Police Department (OPD) Crime Lab:

1. Creation of the Latent Print Examiner position
2. Recruitment for Assistant Criminalist and Criminalist II personnel

Currently, the Criminalist classification series is used for DNA, firearm and fingerprint analysis. A detailed chronology of the efforts to address the complex issues of these recruitments is included as Attachment A to this report. This report also includes a description of OPRM's Classification and Recruitment processes as well as options that can be used to satisfy the Crime Lab's fingerprint analysis staffing needs.

FISCAL IMPACT

This is an informational report. Fiscal impacts have not been included.

BACKGROUND

Within the past year, OPD initiated efforts to 1) create a Latent Print Examiner Classification family with three different levels, and 2) recruit for the existing Assistant Criminalist Classification which contains latent print examination duties. It is noteworthy that in 1988 the Police Department requested that the Latent Print Examiner classification be abolished and the duties be assigned to a newly created Assistant Criminalist classification. This change created the Criminalist series: Assistant Criminalist, Criminalist II and Criminalist III.

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At the September 26, 2006 Finance and Management Committee meeting, staff presented an *Informational Report on the Current Number of Authorized Vacancies*¹. The report noted 7.5 Full Time Equivalent (FTE) vacancies in the Criminalist series at the Oakland Police Department (OPD). As indicated in the vacancy report presentation, Office of Personnel Resource Management (OPRM) periodically reviews all classifications with five or more vacant FTE positions to determine impact and assign priorities accordingly. Staff indicated during the presentation that the Criminalist series was in an open recruitment process at that time.

KEY ISSUES AND IMPACTS

This section provides the current status of OPD's recruitment efforts for the Latent Print Examiner, Assistant Criminalist and Criminalist II classifications; OPRM's Classification and Recruitment processes; and options available to temporarily fill vacancies.

Latent Print Examiner

OPRM has collaboratively worked with OPD over the past year to develop proper specification language to re-create the Latent Print Examiner (LPE) classification that includes three levels: LPE I, II and III. Currently, the re-creation of the classification series of "Latent Print Examiner" has not been approved by the Civil Service Board, nor established in the baseline for the Position Control/Brass system. Therefore, it would not be included in the vacancy count submitted in the noted September 26, 2006 Report, as it does not exist as an authorized budgeted position.

Whenever the re-creation of a classification is undertaken, City of Oakland Civil Service Rules dictate:

- A classification study be conducted in order to create a new classification
- The local unions must be given the opportunity to review and discuss the specifications to determine impact on represented members and uniting issues
- Civil Service Board must approve the classification specification

Due to the urgency identified by the emerging Criminalist vacancy situation, OPRM requested that OPD initiate a requisition to create an eligible list to fill this as yet un-codified classification. This action allows OPRM staff to commence the recruitment process immediately and advertise the LPE position, with the qualification that it is subject to and pending Civil Service Board and City Council approval.

¹ Page 4 of the report and "Attachment A" indicate the dates the Police Agency requested OPRM start the recruitments to fill the 7.5 FTE vacant positions were: Criminalist II- 8/1/06 and Assistant Criminalist- 6/26/06.

Assistant Criminalist and Criminalist II

An eligibility list for Assistant Criminalist was generated on November 21, 2006. This classification includes latent print examination duties. The Criminalist II candidates have been invited to an oral examination board on January 10, 2007.

In the FY 2005-06 Third Quarter Revenue and Expenditure Report, staff submitted supplemental funding requests to Council that included three (3) Criminalist positions to analyze sexual assault kits and maximize analysis of DNA evidence. Recruitment for these positions began in June 2006. On September 21, 2006 the Director of OPRM approved requests for provisional appointments to fill one (1) Assistant Criminalist and two (2) Criminalist II vacancies, effective September 23, 2006. OPRM also conducted selective certifications (2FTE) for Assistant Criminalist, with a special certification (Firearms) during this timeframe.

OPRM'S Classification and Recruitment Processes

Three Classification and Recruitment staff analysts are responsible for conducting all classification studies, salary surveys, job analyses and validation of requisitions for placement of fulltime, Exempt Limited Duty Employees (ELDE), Temporary Contract Service Employees (TCSE) and Limited Duration Appointments (LDA) for the entire City of Oakland organization. This constitutes an extremely high volume of work for this small unit, resulting in a three to five month turnaround period for a comprehensive classification study like the creation of a new classification series. Once a study is completed, the Recruitment staff unit typically undertakes the actual recruitment and exam process to fill positions.

Options Available to Temporarily Fill Vacancies

Historically, positions that perform fingerprint analysis have been grant funded. In the past, OPD employed Exempt Limited Duration Employees (ELDEs) to perform these services due to the uncertainty of grant funding sources.

Pursuant to Civil Service Rules, prior to the creation of the eligible list and pending the recruitment for the Assistant Criminalist, OPD has temporary options it could utilize to satisfy the Crime Lab's fingerprint analysis needs.

- Temporarily hire qualified individuals as ELDEs.
- Request a provisional appointment to the classification.

- Appoint from existing classification of Assistant Criminalist (a classification that includes latent fingerprint analysis in its job duties). The eligible list for the Assistant Criminalist classification was certified on November 21, 2006.

The OPD Crime Lab elected to utilize the Contra Costa County Sheriff to process fingerprints during the time period while the recruitment effort was underway.

PROGRAM

Staff continues to work with each City Agency to further define programmatic goals and objectives in advance of staffing needs.

SUSTAINABLE OPPORTUNITIES

Economic: No economic opportunities have been identified.

Environmental: There are no environmental opportunities contained in this report.

Social Equity: OPRM continues to emphasize Oakland residents as the first choice for employment, but opens opportunities to all qualified candidates. Employment opportunities are shared with community organizations and other local outreach as a matter of practice.

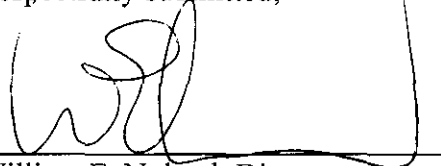
DISABILITY AND SENIOR CITIZEN ACCESS

The City provides handicap accessible facilities for all examinations and engages in an accommodation process for candidates who have disabilities and/or require accommodation.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council accept this report.

Respectfully submitted,

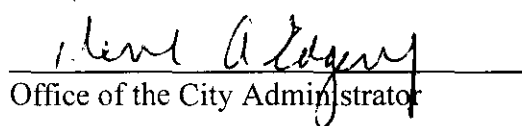


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APPROVED AND FORWARDED TO THE
FINANCE AND MANAGEMENT COMMITTEE:



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Chronology of events re: Latent Print Examiner Position:

Communication between OPRM and OPD to establish the new Latent Print Examiner series:

November 2005: The Police Department met informally with OPRM to re-establish the Latent Print Examiner (LPE) class, to include two levels: LPE I and LPE II. Noting that the City Council has expressly advised that new classifications will be subject to great scrutiny, OPRM discussed in detail the department's reasons for the request. Primarily, the Crime Lab Manager cited the need to align the roles and responsibilities of OPD's Latent Print Examination positions with the industry definition of duties which equate to a lower compensation level.

January 2006: OPRM provided OPD with the template forms to request the classification study to re-create the Latent Print Examiner Classifications. Concurrently, OPRM moved forward with the study, without requiring the completion of the forms, in an attempt to expedite this emerging need.

January 2006 - April 2006: OPRM researched 20 police agencies for each of the two Latent Print Examiner levels. Staff collected and analyzed the data to determine key points of comparison for duties, certification and minimum qualifications. Staff established the draft salary and minimum qualifications based upon the market research.

April 2006: OPRM Classification staff and Employee Relations staff prepared to meet with both Local 790 and Local 21 regarding the classification studies. Issues regarding the appropriate bargaining unit arose and the duties were further refined with the Crime Lab Manager in order to clarify the proper bargaining unit alignment.

May 2006 – July 2006: The Crime Lab Manager was informed that the market survey results led to a lower salary point than the department anticipated. After further discussions via phone and e-mail, a meeting was held on July 12, 2006 to address among other things the job duties issue that would determine the proper unit designation and salary point.

July 12, 2006: The Crime Lab Manager advised OPRM staff that there was a new plan and need to create three levels of Latent Print Examiner (LPE) rather than the two under development.

July 28, 2006: OPRM staff received the initial version of the Crime Lab Manager's third Latent Print Examiner (LPE III) Classification at a supervisory level. The OPRM Staff began to re-work the entire job specification series to align as a three level series, thus delaying the process.

September 2006: OPRM forwarded the draft job specifications for Latent Print Examiner Classification family to OPD. Over the next few weeks, OPRM and OPD refined the job specifications. OPRM was contacted by the Crime Lab Manager for a status and was advised of the interactions with union regarding this action.

October 2, 2006: OPRM finalizes Latent Print Examiner job specifications.

October 6, 2006: OPRM staff provided the specification drafts to Local 790 and Local 21 for comment. Local 790 had no response, allowing the process to move forward. Local 21 had extensive issues which were all addressed over the next few weeks.

November 28, 2006: An agreement was reached with Local 21.

December 21, 2006: The Latent Print Examiner specification was scheduled to go to the Civil Service Board for the December meeting. However, the Civil Service Board cancelled its December meeting due to lack of a quorum.

Chronology of events for recruitment of the Assistant Criminalist and Criminalist II

The following chronicles the communication between OPRM and OPD to recruit for the existing Assistant Criminalist Position in accordance with the approved amendment to the FY 2005-06 Third Quarter Revenue & Expenditure Report supplemental funding request. While the recruitment was for the classification and duties of Assistant Criminalist, the department chose only to hire in a selective certification in DNA and not fingerprint or firearms.

June 26, 2006: OPRM received the Personnel Requisition for the Assistant Criminalist recruitment and examination.

July 6, 2006: The Assistant Criminalist recruitment and examination was assigned to an OPRM Analyst. The analyst sent the Crime Lab Manager the announcement and supplemental questionnaire used for the prior exam for this classification in 2001.

July 13, 2006: The analyst received a message from the Crime Lab Manager, who advised that she had found and would provide the prior exam materials and other details of the previous exam.

July 19, 2006: The analyst followed up with the Crime Lab Manager to request the referenced materials and was informed they would be provided the next day. The Crime Lab Manager was also advised that OPRM required approval of the draft announcement and supplemental questionnaire no later than July 21, 2006, in order to open the recruitment/exam by July 31, 2006. Announcement signed off by Crime Lab Supervisor after review.

July 27, 2006: OPRM bought the ad space and placed the ad to announce the Assistant Criminalist (w/ DNA certification) recruitment.

July 28, 2006: The Crime Lab Manager pulled the Assistant Criminalist (DNA certification) recruitment and provided a new requisition to open recruitment for Criminalist II.

August 1, 2006: The requisition for Criminalist II was received.

August 7, 2006: OPRM moved forward with opening recruitment for the general category Assistant Criminalist positions; then extended it for two weeks beyond initial close due to lack of candidates. Announcement closed on September 8, 2006.

September 11 - 14, 2006: OPRM reviewed Assistant Criminalist submissions and determines qualification to move forward in the recruitment process.

September 15 - 28, 2006: Supplemental screening by subject matter experts of qualified candidates conducted.

September 25 – November 17, 2006: Criminalist II opened; then extended due to lack of qualified applicants.

September 29 - October 13, 2006: OPRM coordinates with oral panelists for Assistant Criminalist interviews to be conducted on October 30 and 31 of 35 candidates. Notices mailed to candidates inviting them to interviews.

October 30 - 31, 2006: Interviews conducted by OPRM for Assistant Criminalist.

November 1 - 21, 2006: OPRM scores Assistant Criminalist results; determines overall exam weighting; completes data entry; validates results and generates candidates' letters notifying them of the results of the examination process. An eligible list was generated on November 21, 2006 and forwarded to OPD Personnel for interview and selection.

November 22 – December 11, 2006: OPRM and OPD screened the Supplemental Questionnaire Applications for Criminalist II.

December 12, 2006: OPRM generated candidate letters inviting them to the oral board for Criminalist II, to be conducted on January 10, 2007.