



AGENDA REPORT

TO: Edward D. Reiskin
City Administrator

FROM: Ian Appleyard
HRM Director

SUBJECT: Salary Ordinance Amendment to Ordinance No. 12187 C.M.S. for Various Classifications And Exemption Resolution for Deputy Director of Workplace & Employment Standards

DATE: October 12, 2020

City Administrator Approval 

Date: Oct 26, 2020

RECOMMENDATION

Staff Recommends That The City Council Adopt The Following Pieces of Legislation

(1) A Resolution Recommending To The Civil Service Board The Exemption Of The Classification Of Deputy Director of Workplace & Employment Standards From The Operation Of Civil Service; And

(2) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. (“Salary Ordinance”) To Add The Full-time Classification Of Deputy Director Of Workplace & Employment Standards; To Add The Full-time Classification Of School Traffic Safety Supervisor; To Add The Full-time Classification Of Animal Care Services Supervisor; To Amend The Salary Of The Full-time Classification Of Police Property Supervisor; And To Amend The Title Of The Full-time, Permanent Part-time And Part-time Equivalent Classifications Of Veterinary Technician To Registered Veterinary Technician.

EXECUTIVE SUMMARY

Adoption of the proposed resolution and ordinance will ensure accuracy of the City’s classification plan and Salary Schedule. This ordinance includes a variety of routine actions to approve creation of new classifications and modifications to existing classification titles and pay structures that have already been approved by the Civil Service Board and City Council. The proposed resolution and ordinance are related to classifications that are allocated in the following departments: Department of Workplace & Employment Standards, Oakland Police Department, and Oakland Animal Services Department.

BACKGROUND / LEGISLATIVE HISTORY

The Salary Ordinance (Ordinance No. 12187 C.M.S.) establishes salaries as well as other terms and conditions of City employment including the classification titles and bargaining unit designation of positions. The Ordinance is amended from time to time to accommodate the City's evolving classification needs. Pursuant to the Personnel Manual (Civil Service Rules), Section 3.04, components of the City's Classification Plan shall be administered and maintained by the Personnel Director with the approval of the Civil Service Board.

As applicable regulations or departmental operations change, staff in Human Resources Management (HRM) periodically consults with departments regarding classification needs. Many such changes require HRM to initiate an amendment to the Salary Ordinance to add, amend or delete certain classifications. The proposed Salary Ordinance Amendment accompanying this report is comprised of various routine actions to update the salary schedule

ANALYSIS AND POLICY ALTERNATIVES

As stated above, the proposed actions are recommended to ensure that the new Deputy Director of Workplace & Employment Standards is properly exempted from the competitive civil service and update the Salary Schedule of the Salary Ordinance to align it with other actions that have taken place. In cases in which union involvement was required, the appropriate notification and/or discussions occurred with the applicable unions regarding bargaining unit modifications.

New Classifications – Three new classifications are being proposed as amendments to the City's Classification Plan:

(1) The full-time classification of Deputy Director of Workplace & Employment Standards is being created to support the recently established Department of Workplace & Employment Standards (DWES). This new management level position will support the department director in carrying out the important objectives of this new department. The proposed duties of the new classification are as follows: oversees, plans, and directs the daily operations of the DWES with responsibility for enforcing City of Oakland labor ordinances, resolutions, programs, and policies, including but not limited to the Minimum Wage and Sick Leave Ordinance (Oakland Municipal Code Chapter 5.92) and the Hotel Minimum Wage and Working Conditions Ordinance (Oakland Municipal Code Chapter 5.93); assists with utilizing a strategic enforcement model for coordinating community outreach efforts to educate workers and employers, providing advocacy and assistance to workers, receiving and processing complaints, investigating compliance, and enforcing remedies of violations related to workplace and employment standards; ensures participation among the local business community and compliance with applicable standards and regulations; assists the Director of Workforce & Employment Standards in directing the work of staff in contract administration, contract compliance and administration, ensuring compliance with all relevant policies and procedures; trains, evaluates, and supervises assigned staff; and performs related duties as assigned. The classification is unrepresented; therefore, discussions with unions were not required. This item is tentatively scheduled for the Civil Service Board meeting on November 19, 2020.

(2) The full-time classification of School Traffic Safety Supervisor is being created. A new classification should be established to more fully capture the breadth and depth of work assigned to the position that oversees dozens of Crossing Guards and administers related school safety programs. The proposed duties of the new classification are as follows: plans, schedules, trains, assigns, and reviews the work of Oakland schools Crossing Guard staff in the Traffic Section; manages all aspects of the Oakland Schools Crossing Guard Program and the Oakland Schools Safety Patrol Program in support of the Oakland Unified School District (OUSD); works with school officials, OUSD Representatives, OPD's Traffic Section Oakland Department of Transportation and Oakland Public Works Department staff, and the general public to resolve traffic and pedestrian safety issues near schools sites; assigns, trains, and supervises Crossing Guard staff; and performs related duties as assigned. The International Federation of Professional & Technical Engineers (IFPTE, Local 21) was notified of the proposal to create this new classification in their bargaining unit. Several meetings took place in 2020 to discuss the new classification. The proposed description was modified by mutual agreement during the course of those discussions. Once the meetings had concluded, Local 21 responded with an email stating there were no objections to the proposal. This item was approved by the Civil Service Board at its meeting on August 20, 2020.

(3) The full-time classification of Animal Care Services Supervisor is being created to fill a void in supervision of the Animal Care Attendants (ACAs) that has existed for several years; a variety of classifications have overseen the ACAs but none of them proved to be the most suitable fit. This will ensure that an appropriate supervisory level exists in the organization's structure to supervise the ACAs and carry out other important work at the Animal Shelter. The proposed duties of the new classification are as follows: plans, directs, and coordinates the activities of the ACAs at the Oakland Animal Shelter in accordance with State and local codes, laws, and ordinances, including animal care, licensing, vaccination, maintenance, and cleaning of facility and equipment; assists in the development and implementation of programs on responsible animal care and ownership; supervises, trains, and evaluates assigned staff; and performs related duties as assigned. Local 21 was notified of the proposal to create this new classification in their bargaining unit. One meeting took place in 2020 to discuss the new classification, and they responded with an email stating there were no objections to the proposal. This item was approved by the Civil Service Board at its meeting on September 17, 2020.

Classification Salary Adjustment – One classification involves a proposed salary adjustment as part of the City's Classification Plan. It was determined that the Police Property Supervisor classification is comparable to other supervisory positions at OPD, including Police Records Supervisor. These two supervisory positions are similarly situated in the organization and possess comparable scope of authority, responsibility, and consequence of error. Therefore, the recommendation was to compensate the Police Property Supervisor classification at the same hourly rate as Police Records Supervisor. Local 21 was notified of the proposed salary modification, and the potential impacts were discussed at a meeting in 2020. The union confirmed via email that there are no objections to the proposed salary adjustment.

Classification Title Adjustment – The Veterinary Technician requires a title change to Registered Veterinary Technician; this will affect the full-time, permanent part-time and part-time equivalent classifications. Adding the term "Registered" to the classification title more clearly

identifies the need to be licensed as a Registered Veterinary Technician (RVT). This is useful when comparing Oakland's positions to positions at other organizations. The corrected title should also help attract more applicants as vacancies occur. The Service Employees International Union (SEIU, Local 1021) was notified of the proposed classification specification revisions and title change. City staff and union representatives discussed the potential impacts at several meetings in late 2019. The union confirmed via email that there are no objections to the proposed title change. The revised title was already approved by the Civil Service Board at the January 16, 2020 meeting as part of routine classification specification revisions.

FISCAL IMPACT

Adoption of the proposed Salary Ordinance Amendment adding three new classifications will not automatically add the positions to departments. The departments can work with the Budget Bureau to submit an Add/Delete request during FY 2020-2021 and identify funding.

The classification salary adjustment for the Police Property Supervisor position is not automatically included as part of the FY 2020-2021 budget. The department can work with the Budget Bureau to identify funding.

PUBLIC OUTREACH / INTEREST

No public outreach was deemed necessary other than the required posting on the City's website.

COORDINATION

Human Resources Management coordinated with impacted departments regarding the proposed modifications. Affected unions were provided notice, given an opportunity to discuss the proposed changes, and had their input incorporated, when possible.

Public notices regarding the Civil Service Board actions to approve classification specifications are posted pursuant to the provisions of the California Brown Act and City of Oakland Sunshine Ordinance.

Additionally, the preparation of this report was coordinated with HRM, City Attorney's Office, and Finance Department Budget Bureau.

SUSTAINABLE OPPORTUNITIES

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

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

Race & Equity: There are no social equity opportunities associated with this report.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt The Following Pieces of Legislation
(1) A Resolution Recommending To The Civil Service Board The Exemption Of The
Classification Of Deputy Director of Workplace & Employment Standards From The Operation
Of Civil Service; And

(2) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary
Ordinance") To Add The Full-time Classification Of Deputy Director Of Workplace &
Employment Standards; To Add The Full-time Classification Of School Traffic Safety
Supervisor; To Add The Full-time Classification Of Animal Care Services Supervisor; To Amend
The Salary Of The Full-time Classification Of Police Property Supervisor; And To Amend The
Title Of The Full-time, Permanent Part-time And Part-time Equivalent Classifications Of
Veterinary Technician To Registered Veterinary Technician.

For questions regarding this report, please contact Ian Appleyard, Director of Human Resources
Management, at (510) 238-6450.

Respectfully submitted,



IAN APPLE YARD

Director, Human Resources Management

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Recruitment, Classification & Benefits Division

Attachments (2):

A: *Resolution Recommending Exemption*

B: *Salary Ordinance Amendment*