

**CITY OF OAKLAND** FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
**AGENDA REPORT**

2011 SEP 15 PM 1:09

**TO:** Office of the City Administrator  
**ATTN:** Deanna J. Santana  
**FROM:** Department of Human Resources Management  
**DATE:** September 27, 2011  
**RE:** An Ordinance Amending the Salary Schedule of Ordinance No. 12187 C.M.S. ("Salary Ordinance") to Change the Bargaining Unit Designation From U31 to UK2 for the Classifications of Budget Director; Controller; City Attorney, Assistant; Human Resources Manager; and to Change the Bargaining Unit Designation From UM1 to UK2 for the Classifications of Affirmative Action Manager; Risk Manager; Revenue & Tax Administrator; and Treasury Manager

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### **SUMMARY**

Staff has prepared an ordinance amending the Salary Schedule of Ordinance No. 12187 C.M.S. ("the Salary Ordinance"). The proposed amendment to the Salary Ordinance changes the bargaining unit designations for eight (8) classifications. The amendment memorializes recent changes implemented by the City's Employee Relations Officer (the City Administrator) consistent with Section 13 of Resolution No. 55881 C.M.S. (the City's Employer-Employee Relations Resolution), adopted September 28, 1976. The appropriate employee organizations were notified of the proposed changes to bargaining unit designation on May 3, 2011.

### **FISCAL IMPACT**

Amending the Salary Ordinance, in and of itself, has no fiscal impact (i.e. is not a budget action). The changes to the Salary Ordinance being proposed serve only to update and revise the Salary Ordinance document to be consistent with changes implemented by the City's Employee Relations Officer.

### **BACKGROUND**

The proposed Salary Ordinance amendment memorializes recent changes implemented by the City's Employee Relations Officer (the City Administrator) consistent with Section 13 of Resolution No. 55881 C.M.S. (the City's Employer-Employee Relations Resolution), adopted September 28, 1976. The appropriate employee organizations were notified of the proposed changes to bargaining unit designation on May 3, 2011.

### **KEY ISSUES AND IMPACTS**

The unrepresented unit of UK2 – Senior Management Employees was developed for senior management level positions in various offices where the roles require that incumbents make policy recommendations on a Citywide basis, are responsible for managing highly confidential information, and are responsible for managing employees in some or all of the represented employee groups. This group includes the titles of

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Budget Director; Controller; City Attorney, Assistant; Human Resources Manager; Affirmative Action Manager; Risk Manager; Revenue & Tax Administrator; and Treasury Manager. Also included in this bargaining group is the addition of the new classification of Deputy City Attorney V - Labor & Employment to the Salary Ordinance, recommended under separate cover on the agenda for the September 27, 2011 Finance & Management Committee. The classifications of City Attorney, Assistant; and Deputy City Attorney V - Labor & Employment will be in a sub-group of UK2 for employees in the Office of the City Attorney.

The employees in this group are limited to the terms and conditions of employment for unrepresented employees as specified in Ordinance No. 12903 C.M.S. passed on November 18, 2008. Those terms and conditions are consistent with and do not exceed those provided to the City's miscellaneous represented employees. The employee groups that formerly represented these classifications were notified on May 3, 2011 of the City's intent to remove them from the U31 or UM1 bargaining units represented by the City Management Employees Association (CMEA) and International Federation of Professional and Technical Engineers (IFPTE) Local 21, respectively.

A few of the classification titles in the proposed ordinance are being revised as part of updating the classification system and modifying the naming convention for manager classifications.

#### **SUSTAINABLE OPPORTUNITIES**

No economic, environmental or social equity opportunities have been identified.

#### **DISABILITY AND SENIOR CITIZEN ACCESS**

There are no direct disability or senior citizen access issues associated with this report.

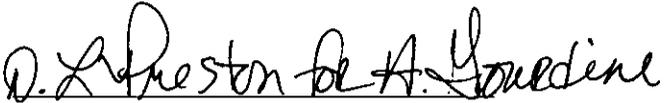
#### **RECOMMENDATION(S) AND RATIONALE**

Staff recommends that Council accept this report and approve the accompanying Ordinance.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff requests that the City Council approve an Ordinance amending the Salary Schedule of Ordinance No. 12187 C.M.S. ("Salary Ordinance") to change the bargaining unit designation from U31 to UK2 for the classifications of Budget Director; Controller; City Attorney, Assistant; Human Resources Manager; and to change the bargaining unit designation from UM1 to UK2 for the Classifications of Affirmative Action Manager; Risk Manager; Revenue & Tax Administrator; and Treasury Manager.

Respectfully submitted,



Andrea R. Gourdine, Director  
Department of Human Resources Management

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

APPROVED AND FORWARDED TO THE  
FINANCE & MANAGEMENT COMMITTEE

  
OFFICE OF THE CITY ADMINISTRATOR

*Tracy Christ*

CITY ATTORNEY

FILED  
OFFICE OF THE CLERK  
OFFICE OF THE COUNCIL MEMBER

2011 SEP 15 PM 1:09

**OAKLAND CITY COUNCIL**

ORDINANCE NO. \_\_\_\_\_ C.M.S.

AN ORDINANCE AMENDING THE SALARY SCHEDULE OF ORDINANCE NO. 12187 C.M.S. ("SALARY ORDINANCE") TO CHANGE THE BARGAINING UNIT DESIGNATION FROM U31 TO UK2 FOR THE CLASSIFICATIONS OF BUDGET DIRECTOR; CONTROLLER; CITY ATTORNEY, ASSISTANT; HUMAN RESOURCES MANAGER; AND TO CHANGE THE BARGAINING UNIT DESIGNATION FROM UM1 TO UK2 FOR THE CLASSIFICATIONS OF AFFIRMATIVE ACTION MANAGER; RISK MANAGER; REVENUE & TAX ADMINISTRATOR; AND TREASURY MANAGER

**THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:**

Section 1. Ordinance No. 12187 C.M.S. "The Salary Ordinance" is hereby amended as set forth below. Additions are indicated by underscoring and deletions are indicated by ~~strike-through~~ type; portions of ordinances not cited or not shown in underscoring or strike-through type are not changed.

Section 2. Effective upon passage, the following classifications in Ordinance No. 12187 C.M.S. are moved from the U31 Bargaining Unit to the UK2 Bargaining Unit; the Unit U31 UK2.75.026 Pay Grade Table to read as follows:

Classification Title	Class No.	Pay Range
Budget Director	EM172	Min. 11813.69 Max. 14504.36
Controller	MA113	Min. 11813.69 Max. 14504.36

Section 3. Effective upon passage, the following classification in Ordinance No. 12187 C.M.S. is moved from the U31 Bargaining Unit to the UK2 Bargaining Unit; the Unit ~~U31~~ UK2.75.028 Pay Grade Table to read as follows:

Classification Title	Class No.	Pay Range
City Attorney, Assistant	EM124	Min. 13024.84 Max. 15990.57

Section 4. Effective upon passage, the following classification in Ordinance No. 12187 C.M.S. is moved from the U31 Bargaining Unit to the UK2 Bargaining Unit; the Unit U31-UK2.75.023 Pay Grade Table to read as follows:

Classification Title	Class No.	Pay Range
<del>Manager, Human Resources</del> <u>Human Resources Manager</u>	EM186	Min. 10205.94 Max. 12529.87

Section 5. Effective upon passage, the following classifications in Ordinance No. 12187 C.M.S. are moved from the UM1 Bargaining Unit to the UK2 Bargaining Unit; the Unit UM1-UK2.75.022 Pay Grade Table to read as follows:

Classification Title	Class No.	Pay Range
<del>Manager, Affirmative Action</del> <u>Affirmative Action Manager</u>	EM170	Min. 9718.34 Max. 11932.71
<del>Manager, Claims &amp; Risk</del> <u>Risk Manager</u>	EM209	Min. 9718.34 Max. 11932.71

Section 6. Effective upon passage, the following classifications in Ordinance No. 12187 C.M.S. are moved from the UM1 Bargaining Unit to the UK2 Bargaining Unit; the Unit UM1-UK2.75.026 Pay Grade Table to read as follows:

Classification Title	Class No.	Pay Range
Revenue & Tax Administrator	EM204	Min. 11813.69 Max. 14504.36
Treasury Manager	EM206	Min. 11813.69 Max. 14504.36

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2011

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and  
PRESIDENT REID

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_

LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

DATE OF ATTESTATION \_\_\_\_\_