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OAKLAND

2015 FEB 27 AM 10:41

AGENDA REPORT

TO: JOHN A. FLORES
INTERIM CITY ADMINISTRATOR

FROM: Anil Comelo

SUBJECT: Amendment to Ordinance No. 12187 C.M.S. **DATE:** March 2, 2015
Employee & Labor Relations Analyst, Senior

City Administrator
Approval

Date

2/27/15

COUNCIL DISTRICT: City-Wide

RECOMMENDATION

Staff recommends that City Council adopt:

- 1) An Ordinance Amending the Salary Schedule of Ordinance No. 12187 C.M.S. ("Salary Ordinance") to Create the Classification and Salary of Employee and Labor Relations Analyst, Senior
- 2) A Resolution Recommending to the Civil Service Board the Exemption of the Following Classification From the Operation of Civil Service: Employee and Labor Relations Analyst, Senior

OUTCOME

The Salary Ordinance amendment is proposed to create a position in the Employee Relations Department (ERD) to serve as an analytical level asset to the successful operation of the Employee Relations function by performing specialized and complex professional employee and labor relations duties, including planning for and participating in collective bargaining with all City labor unions, and providing analysis, critical thinking, consultation, training, and coaching to City departments.

Should the City Council not take the recommended action, the Employee Relations Department will remain unable to properly attend to high priority City projects such as labor contract negotiations, grievance resolutions and disciplinary matters.

BACKGROUND/LEGISLATIVE HISTORY

The Salary Ordinance (Ordinance No. 12187 C.M.S.) establishes salaries and other terms and conditions of City employment including the classification titles of positions. It is amended from time to time to accommodate the City's evolving classification needs. Pursuant to the Personnel Manual (Civil Service Rules, June 9, 2011), Section 302(b), classification specifications are prepared, maintained and amended by the Personnel Director with the approval of the Civil Service Board. After City Council approval, staff from the Human Resources Management Department (HRM) will present the classification specification and civil service exemption

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recommendation for Employee and Labor Relations Analyst, Senior to the Civil Service Board for final approval.

ANALYSIS

Based upon a classification review at the request of the Employee Relations Department, HRM created a new job description for the proposed Employee and Labor Relations Analyst, Senior classification. It was determined that a new classification specification was needed to ensure that the City has a classification that adequately captures the duties required to fulfill its need for performance of specialized and complex professional employee and labor relations duties, including planning for and participating in collective bargaining with all City labor unions, and providing analysis, critical thinking, consultation, training, and coaching to City departments. Establishing this official classification specification ensures that the necessary minimum qualifications and essential functions of the position are included in the job announcements for immediate and future vacancies. Consistent with the City's Employer Employee Relations Ordinance No.55881 C.M.S. and the Meyers Milias Brown Act, and due to the sensitive and confidential nature of the assigned duties and the inherent opportunity for conflicts of interest with employee unions, the classification of Employee and Labor Relations Analyst, Senior is recommended to be exempt from civil service and unrepresented.

A position by the title of Human Resource Analyst, Senior is currently budgeted in the Employee Relations Department. If the new classification is approved, it would be substituted for the existing position title as classified. Because the existing position is in a classification represented by the International Federation of Professional and Technical Engineers, Local 21, the City notified the union of the proposed new classification on February 9, 2015, and offered them an opportunity to meet to discuss the proposal. Staff from Employee Relations had discussions with the union's representatives – the union has no objection to the proposed action.

PUBLIC OUTREACH

The proposal to add the classification of Employee and Labor Relations Analyst, Senior was posted publicly in conformance with the Sunshine Ordinance and Brown Act prior to the Civil Service Board's review of the items.

COORDINATION

HRM coordinated the creation of the classification specification of Employee and Labor Relations Analyst, Senior with staff from the Employee Relations Department. The classification specification and civil service exemption for the position will be presented to the Civil Service Board for approval at its March 19, 2014, meeting. Public notices regarding the Salary Ordinance amendment by City Council and Civil Service Board action to except the classification from the competitive civil service and approve the classification specification are posted pursuant to the provisions of the California Brown Act and City of Oakland Sunshine Ordinance.

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COST SUMMARY/IMPLICATIONS

Adding the classifications of Employee and Labor Relations Analyst, Senior has no fiscal impact since it does not represent the addition of staffing nor a change to departments' budget allocation. The new title will be used to reclassify positions already budgeted.

SUSTAINABLE OPPORTUNITIES

Economic – No direct economic opportunities have been identified.

Environmental – No direct environmental opportunities have been identified.

Social Equity – No direct social equity opportunities have been identified.

For questions regarding this report, please contact Kip Walsh, Recruitment & Classification Manager, at (510) 238-7334.

Respectfully submitted,



Anil Comelo, Director
Human Resources Management

Prepared by:
Eric Williams – Human Resources Analyst

Reviewed by:
Kip Walsh, HR Manager for Recruitment & Classification

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OAKLAND

OAKLAND CITY COUNCIL


City Attorney

2015 JAN 29 PM 12:52 **RESOLUTION No. _____ C.M.S.**

RESOLUTION RECOMMENDING TO THE CIVIL SERVICE BOARD THE EXEMPTION OF THE FOLLOWING CLASSIFICATION FROM THE OPERATION OF CIVIL SERVICE: EMPLOYEE AND LABOR RELATIONS ANALYST, SENIOR

WHEREAS, the Oakland City Charter Section 902(f) requires that City Council recommend positions for exemption from Civil Service prior to Civil Service Board approval of such exemption; and

WHEREAS, the Employee and Labor Relations Analyst, Senior classification is an advanced journey level classification in the field of employee and labor relations, possessing advanced credentials, functioning as consultants to department heads, the City Administrator, and professional and management staff, incumbents of the classification train personnel and other staff on employee relations, disciplinary processes, civil service rules, and other related City policies; and

WHEREAS, Employee and Labor Relations Analysts, Senior are required to utilize a high degree of independence in carrying out the City Administrator's, City Council and Civil Service Board goals and objectives; the scope of responsibilities are broad and complex, the individuals in this class must deal with challenging, sensitive and confidential matters; and assists management in difficult and complex labor negotiations; and

WHEREAS, the Employee and Labor Relations Analyst, Senior classification is recommended for exemption from Civil Service due to its placement in the organization, lines of authority, and reporting relationships within Employee Relations Department; now, therefore be it

RESOLVED: The City Council of the City of Oakland hereby recommends to the Civil Service Board that the classification of Employee Relations Analyst, Senior be exempted from the requirements of civil services; and be it

FURTHER RESOLVED: That the Civil Service Board is hereby requested to approve such exemption.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GUILLEN, KALB, KAPLAN, REID, CAMPBELL WASHINGTON and PRESIDENT MCELHANEY

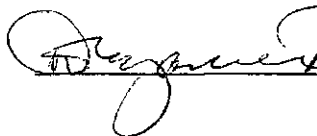
NOES -

ABSENT -

ABSTENTION -

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

INTRODUCED BY COUNCIL MEMBER _____
OFFICE OF THE CITY CLERK
OAKLAND


CITY ATTORNEY

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OAKLAND CITY COUNCIL

ORDINANCE No. _____ C.M.S.

ORDINANCE AMENDING THE SALARY SCHEDULE OF ORDINANCE NO. 12187 C.M.S. ("SALARY ORDINANCE") TO CREATE THE CLASSIFICATION OF EMPLOYEE AND LABOR RELATIONS ANALYST, SENIOR

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 classification is created in Ordinance No. 12187 C.M.S. in the Unit UP1.75.012 Pay Grade Table to read as follows:

| Classification Title | Class No. | Salary Step |
|--|-----------|----------------|
| <u>Emp & Labor Relations Analyst, Senior</u> | MA158 | Step 1 6145.83 |
| | | Step 2 6470.11 |
| | | Step 3 6809.90 |
| | | Step 4 7169.43 |
| | | Step 5 7545.88 |

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2014

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, GALLO, GUILLEN, CAMPBELL WASHINGTON, KALB, KAPLAN, REID, and PRESIDENT MCELHANEY

NOES-

ABSENT-

ABSTENTION-

ATTEST. _____

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

DATE OF ATTESTATION: _____

**AN ORDINANCE AMENDING THE SALARY SCHEDULE OF ORDINANCE NO. 12187 C.M.S.
("SALARY ORDINANCE") TO CREATE THE CLASSIFICATION OF EMPLOYEE AND LABOR
RELATIONS ANALYST, SENIOR**

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DIGEST

Ordinance Amending The Salary Schedule Of Ordinance No 12187 C M S ("Salary Ordinance") To Create The
Classification Of Employee and Labor Relations Analyst, Senior
