



FILED
OFFICE OF THE CITY CLERK
OAKLAND

2016 JUN -2 PM 2:25

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Anil Comelo
HRM Director

SUBJECT: Amendment to Ordinance No. 12187
C.M.S. (The Salary Ordinance)

DATE: May 23, 2016

City Administrator Approval

Date:

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Recommending To The Civil Service Board The Exemption Of The Classification Of Police Communications Manager From The Operation Of Civil Service.

EXECUTIVE SUMMARY

Approval of the proposed resolution is related to the newly negotiated Memorandum of Understanding (MOU) for the International Federation of Professional and Technical Engineer (IFPTE, Local 21) and will ensure accuracy of the City's classification plan and Salary Schedule.

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.

During contract negotiations with IFPTE Local 21 in mid-to-late 2015, the parties agreed to provide an equity increase for all classifications in dispatch classifications including the manager of the communications dispatch operations. In the Police Department, the dispatch function was managed by an incumbent of the exempt Police Services Manager I classification. Since the pay increase agreed to in the negotiation was intended for only one position in the general classification of Police Services Manager I, a brand new classification had to be created to ensure that the intent of the parties was honored. Pursuant to that objective, the new classification of Police Communications Manager was created and adopted by the City Council on December 28, 2015, (Ordinance No. 13342 C.M.S.). The Police Department intended to preserve the at-will status of the position, which requires that the position be formally exempted by recommendation of City Council and approval of the Civil Service Board, as required for individual position exemptions under Charter section 902(f).

Item: _____
Finance & Management Committee
June 14, 2016

At its July 20, 2016, meeting, staff from the Human Resources Management Department (HRM) will present the classification of Police Communications Manager to the Civil Service Board for final approval. Further, staff will request that the Board approve the recommendation to exempt the classification from civil service.

ANALYSIS AND POLICY ALTERNATIVES

As stated above, the proposed action is recommended to ensure that the Salary Schedule of the Salary Ordinance is aligned with other actions that were previously negotiated. The new classification was added and the salary ordinance amendment adding the classification has already been approved. Prior to its presentation to City Council, the representative union, the International Federation of Professional and Technical Engineers, Local 21, was notified of the proposed action. HRM staff met with the union to discuss both a job description and the exemption recommendation for the new classification; the union expressed no objections. Following Council action and approval, staff will present the classification specification and civil service exemption to the Civil Service Board for its review and approval.

The Police Communications Manager position is responsible for management of the operations of the Oakland Police Department's Dispatch Division of 83 positions, which involves critical elements of public safety. The individual in this classification must deal with challenging, sensitive, and confidential matters and oversees the completion and resolution of sensitive and complex investigations and complaints. The incumbent is expected to exercise considerable discretion in carrying out the City's mission for which there is a high consequence of error.

Due to its role related to public safety, placement in the organization, lines of authority, reporting relationships within the department, as well as the duties, pay grade and independence of action, the classification of Police Communications Manager, staff recommends the classification for exemption from civil service.

FISCAL IMPACT

There is no fiscal impact related to this action.

PUBLIC OUTREACH / INTEREST

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

COORDINATION

Prior to its presentation to City Council, Local 21 was notified of the proposed action. HRM staff met with the union to discuss both a job description and the exemption recommendation for the new classification; the union expressed no objections. HRM coordinated the development of the classification specification of Police Communications Manager with staff from the Oakland Police Department. When necessary, Employee Relations was also involved. The classification

specification and the recommendation for exemption will be presented to the Civil Service Board at its June 16, 2016 meeting.

Public notices regarding the 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

Additionally, the preparation of this report was coordinated with HRM, Controller's Bureau, and the City Administrator's Office, and was reviewed by the City Attorney's Office.

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 are no social equity opportunities associated with this report.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends that the City Council Adopt a Resolution Recommending to the Civil Service Board the Exemption of the Classification of Police Communications Manager From the Operation of Civil Service.

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

Respectfully submitted,



ANIL COMELO

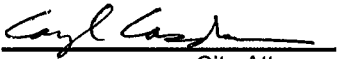
Director, Human Resources Management

Reviewed by: Kip Walsh
Human Resources Manager
Recruitment & Classification Division

Prepared by: Jaime Pritchett
Principal Human Resource Analyst

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL


City Attorney

2016 JUN -2 ~~PM 2:25~~ RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION RECOMMENDING TO THE CIVIL SERVICE BOARD THE EXEMPTION OF THE CLASSIFICATION OF POLICE COMMUNICATIONS MANAGER FROM THE OPERATION OF CIVIL SERVICE

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 Police Communications Manager is recommended for exemption from Civil Service due to its placement in the organization, lines of authority, reporting relationships within the department, as well as the duties, pay grade and independence of action; and

WHEREAS, the Police Communications Manager is a division manager with overall responsibility for operations of the Oakland Police Department's Dispatch Division, which involves critical elements of public safety; and the individual in this classification must deal with challenging, sensitive and confidential matters and oversee the completion and resolution of sensitive and complex investigations and complaints; and

WHEREAS, the incumbent in the Police Communications Manager position is expected to exercise considerable discretion in carrying out the City's mission for which there is a high consequence of error; now, therefore be it

RESOLVED, the City Council of the City of Oakland hereby recommends to the Civil Service Board that the classification of Police Communications Manager be exempted from the requirements of civil service; 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, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, AND PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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