



CIVIL SERVICE BOARD MEETING AGENDA

Date: April 21, 2016

OPEN SESSION 5:30 p.m.

City Hall, One Frank H. Ogawa Plaza, Hearing Room 1

BOARD MEMBERS: Chair, Andrea Gourdine; Vice Chair, David Jones; Alex Drexel; Lauren Baranco; Yvonne Hudson-Harmon; Christopher Johnson; Jeffrey Levin

STAFF TO THE BOARD: Anil Comelo, HRM Director/Secretary to the Board
Michelle Meyers, Deputy City Attorney
Kip Walsh, Human Resources Manager/Staff to the Board
Sean Flaherty, HR Technician/Staff to the Board

OPEN SESSION AGENDA

ROLL CALL

1) OPEN FORUM

2) CONSENT CALENDAR:

ACTION

- a) Approval of Employee Requests for Leave of Absence
 - Senior Emergency Services Coordinator, A. Chimonyo (OFD-2016-LA02)
 - Recreation Center Director, M. Sanchez (OPR-2016-LA01)
- b) Ratification of Provisional Appointments
 - Assistant Engineer II, Office (PBD-2016-PA01)
 - Grants Coordinator (OPD-2016-PA01)
 - Home Management Counselor III (HCD-2016-PA04)
 - Police Records Specialist (OPD-2016-PA03)
- c) Approval of Revised Classification Specifications
 - Benefits Analyst
 - Human Resources Analyst
 - Airport Duty Manager (formerly Airport Operations Supervisor, Airside) Port of Oakland

3) OLD BUSINESS:

- a) Approval of Meeting Minutes of March 17, 2016 Civil Service Board Meeting Minutes

ACTION

- b) Determination of Schedule of Outstanding Board Items ACTION
- a. No New Items to Schedule
- c) Informational Report on the Status of Temporary Assignments for Temporary Contract Service Employees (TCSEs) and Exempt Limited Duration Employees (ELDEs) Including a Report of the Names, Hire Dates, and Departments of all ELDEs and TCSEs in Accordance with the Memorandum of Understanding Between the City and Local 21 INFORMATION
- d) Discussion of Revisions to the Personnel Manual of the Port of Oakland for Review of Alignment with the Personnel Manual of the Civil Service Board and Compliance with Ordinance No. 13120 CMS Governing the Relationship of the Port's Personnel Management Program with the City of Oakland Civil Service ACTION

4) NEW BUSINESS:

- a) Quarterly Classification Report per Section 3.04(f) of the Personnel Manual of the Civil Service Board ("Civil Service Rules") Providing the status of All Classification Studies and Classification Specification Revisions Currently Under Review INFORMATION

ADJOURNMENT:

NOTE: The Civil Service Board meets on the 3rd Thursday of each month. The next meeting is scheduled to be held on Thursday, May 19, 2016. All materials related to agenda items must be submitted by Thursday May 12, 2016. For any materials over 100 pages, please also submit an electronic copy of all materials.

Submit items via email or U.S. Mail to:

City of Oakland - Civil Service Board
150 Frank H. Ogawa Plaza, 2nd floor
Oakland, CA 94612
civilservice@oaklandnet.com



This meeting is wheelchair accessible. To request materials in alternative formats, or to request an ASL interpreter or assistive listening device, please call the Civil Service Board staff at (510) 238-3112 or TDD (510) 238-3254 at least three working days before the meeting. Please refrain from wearing scented products to this meeting as a courtesy to attendees with chemical sensitivities.



MEMORANDUM

DATE: April 21, 2016

TO: The Honorable Civil Service Board

FROM: Kip Walsh, HR Manager, Recruitment & Classification / Staff to the Board

THROUGH: Anil Comelo, Director HRM / Secretary to the Board

SUBJECT: Request Authorization for Employee Requests for Leave of Absence

DHRM is in receipt of two (2) Unpaid Leave of Absence requests pursuant to Personnel Manual Section 8.07 Miscellaneous Leaves of Absence.

CSR 8.07 c 3 Urgent or important personal business

Chimonyo, Cynthia	Emergency Planning Coordinator, Senior	OFD	OFD-2016-LA02	CSR 8.07 c 3 Personal Business
Sanchez, Marcelina	Recreation Center Director	OPR	OPR-2016-LA01	CSR 8.07 c 3 Personal Business

RECOMMENDATION:

Staff recommends that the Civil Service Board approve the requested Leaves of Absence.

Print Form



Unpaid Leave of Absence

Leave Type:

- FCL - Family Care Extended
- FDN - Family Death (no pay)
- MNP - Military Leave (no pay)
- SLV - Sick Leave (no pay)
- ANP - Miscellaneous (no pay)
- Maternity Leave (no pay)

Employee's Name Cynthia Clemente

Employee's ID 2627

Today's Date 3-30-16

Department/Division Care Dept. EMS/D

Employee Job Title Sr. EMS Planning coord

Request: 28
No. of Days or Hours

Days Hours From April 4-16 To April 29-16
Select Days or Hours

Unpaid Leave Taken This Year? Yes No (if yes, what type of leave: Medical - SLV)
(Write appropriate code)

Comparison of Different Leave Types					
Leave Type	Maximum Duration	Keep Accrued Seniority?	Accrue Seniority?	Keep Health Benefits?	Other
FCL	4 mos*	Yes	No	Depends*	Comb. of paid & unpaid leave
FDN	5 days	Yes	No	Yes	Family death leave (paid) exhausted
MNP	1 year	Yes	Yes	For 5 mos*	For military training and service
SLV	1 year	Yes	No	No*	Sick leave (paid) exhausted
ANP	1 year	Yes	No	No*	Miscellaneous leave (no pay)
P	1 year	No	No	No*	Maternity Leave

*** Additional Information**

Employees on ANP, MNP, SLV or Maternity leave may continue to participate in a City group health plan under COBRA at their own cost.

Family Care Extended Leave allows employees to use a combination of paid and unpaid leave. Employees using paid leave keep their health benefits, while employees on unpaid leave for this category are entitled to extend their coverage under COBRA at their own cost. If the leave is unpaid maternity, an employee may take up to a maximum of 5 months leave.

Cynthia Clemente
Employee's Signature Date 3-30-16

Civil Service Board Approval Date

Maria Rosa Reed
Department Head Approval Date 3-30-16

City Manager Approval Date

Note: Civil Service Board approval is required for leave of 5 days or more for classified employees. City Manager approval is required for leave of 5 days or more for exempt employees.



Print Form

Unpaid Leave of Absence

Leave Type:

- FCL - Family Care Extended
- FDN - Family Death (no pay)
- MNP - Military Leave (no pay)
- SLV - Sick Leave (no pay)
- ANP - Miscellaneous (no pay)
- Maternity Leave (no pay)

Employee's Name Marcelina Sanchez Employee's ID 2804 Today's Date 2/25/16
2/24/16

Department/Division OPR Employee Job Title Center Director

Request: Days Hours From 2/26/16 To 4/25/16
No. of Days or Hours Select Days or Hours

Unpaid Leave Taken This Year? Yes No If yes, what type of leave P- Maternity leave
(Write appropriate code)

Comparison of Different Leave Types					
Leave Type	Maximum Duration	Keep Accrued Seniority?	Accrue Seniority?	Keep Health Benefits?	Other
FCL	4 mos*	Yes	No	Depends*	Comb. of paid & unpaid leave
FDN	5 days	Yes	No	Yes	Family death leave (paid) exhausted
MNP	1 year	Yes	Yes	For 5 mos*	For military training and service
SLV	1 year	Yes	No	No*	Sick leave (paid) exhausted
ANP	1 year	Yes	No	No*	Miscellaneous leave (no pay)
P	1 year	No	No	No*	Maternity Leave

* Additional Information

Employees on ANP, MNP, SLV or Maternity leave may continue to participate in a City group health plan under COBRA at their own cost.

Family Care Extended Leave allows employees to use a combination of paid and unpaid leave. Employees using paid leave keep their health benefits, while employees on unpaid leave for this category are entitled to extend their coverage under COBRA at their own cost. If the leave is unpaid maternity, an employee may take up to a maximum of 5 months leave.

Marcelina Sanchez
 Employee's Signature Date 2-25-16

 Civil Service Board Approval Date

[Signature]
 Department Head Approval Date 3/10/16

 City Manager Approval Date

Note: Civil Service Board approval is required for leave of 5 days or more for classified employees. City Manager approval is required for leave of 5 days or more for exempt employees.

Distribution: Original to DHRM Admin, Copy to HRIS Operations, Dept., and Employee



CITY OF OAKLAND

MEMORANDUM

DATE: April 21, 2016

TO: The Honorable Civil Service Board **FROM:** Mary Ann Gonzales
HR Analyst

THROUGH: Anil Comelo, HRMD Director
Secretary to the Board

THROUGH: Kip Walsh, Recruitment & Classification Manager

SUBJECT: Request for Provisional Appointment in Classification of Assistant Engineer II, Office
To be Ratified at Civil Service Board Meeting of April 21, 2016

Attached is a request from the Planning & Building Department to make a provisional appointment to an Assistant Engineer II, Office vacancy. The basis for this request is detailed in the attached Provisional Appointment Form as supporting documentation.

An Assistant Engineer II, Office performs duties related to plan checking private development infrastructure permits, preparing engineering memorandums for private development review and assisting Engineering Services Supervisor and City Engineer with various development related reviews.

The current vacancy is located in the Planning and Building Department. The minimum qualifications for an Assistant Engineer II, Office include a Bachelor's Degree in Civil Engineering from an accredited college or university and two (2) years civil engineering experience. A Master's degree in civil engineering may be substituted for one year of experience. In addition, possession of a valid Engineer-in-Training certificate is required.

The selected candidate meets the minimum qualifications of the Assistant Engineer II, Office classification with a Bachelor's Degree in Civil Engineering and over 10 years of engineering experience. In addition, she possesses a valid Engineer-in-Training certificate. Recruitment and Classification is in the process of administering a Civil Service Examination to permanently fill this vacancy within 120 days. The recruitment was posted and closed on February 19, 2016. It is anticipated that an examination will be administered by the end of March, 2016.

The Department of Human Resources Management recommends that the Civil Service Board ratify the provisional appointment for this Assistant Engineer II, Office position in the Planning & Building Department beginning on February 29, 2016 and ending on or before June 27, 2016.

**OAKLAND CIVIL SERVICE BOARD
PROVISIONAL APPOINTMENT REQUEST**

SCHEDULED MEETING DATE FOR CONSIDERATION: March 17, 2016

AREA REQUESTED

POSITION: Assistant Engineer II, Office
DEPARTMENT: Planning & Building
APPOINTMENT DURATION: 120 days maximum

STATUS OF RECRUITMENT AND EXAMINATION PROCESS

DATE ELIGIBLE LIST EXPIRED OR WAS EXHAUSTED: No current eligibility list.
DATE PERSONNEL REQUISITION RECEIVED: 2/9/16
CURRENT STATUS OF EXAMINATION: Job announcement to has been posted 2/1/16 – 2/19/16
Oral Interview/Examination is to take place in late March.

JUSTIFICATION:

Reason Needed:

This provisional appointment is needed to fill (1) current vacancy. The requisition requesting the provisional appointment was approved. A provisional appointment will allow the work to be performed while an eligibility list is being developed. The Assistant Engineer II is required to utilize appropriate plan checking private development infrastructure permits and assisting Engineering Services Supervisor and City Engineer with various development related reviews.

Other Alternatives Explored and Eliminated:

IMPACT IF REQUESTS ARE NOT APPROVED (i.e., services, fiscal, other):

The negative impact of not having this vacancy filled while an eligibility list is established will cause services to be rendered in a timely manner, deadlines will not be achieved for a number of various development / permits related reviews.

Attachments:

Recruitment and Classification Staff Recommendation, including following pertinent information:

- Summary of Application Qualifications ✓
- Current Residency Status: *Not an Oakland Resident*
- Current Employment Status: Not a City of Oakland employee

CITY OF OAKLAND

Interoffice Memo



HUMAN RESOURCES MANAGEMENT DEPARTMENT
Anil Comelo, Director

DATE: April 21, 2016
TO: The Honorable Civil Service Board
ATTN: Anil Comelo, Director
Human Resources Management Department
THROUGH: Kip Walsh, Human Resources Manager
FROM: Montrice Goodman, Senior Human Resource Analyst
SUBJECT: Request for Provisional Appointment in Classification of Grants Coordinator to be ratified at Civil Service Board Meeting of 4/21/16

Attached is a request from the Oakland Police Department to make a provisional appointment to a Grants Coordinator vacancy. The basis for this request is detailed in the attached Provisional Appointment Form as supporting documentation.

A Grants Coordinator is primarily responsible for identification and communication of outside grant opportunities and key requirements to agencies and/or departments; development and maintenance of a Citywide grants and donations tracking system; coordination with agencies/departments regarding grant application; awards and spending; preparation of accounting, statistical, and narrative reports on grant donations; preparation and delivery of presentations to management and the City Council; and perform related duties as assigned. The minimum qualifications for Grants Coordinator are: Bachelor's degree from an accredited college or university in accounting, public administration, business administration, or a related field and four years of professional government or non-profit experience in a fiscal-related field. At least two years of experience should be coordinating grant activities and/or programs including grant applications, management and fiscal reporting.

The selected candidate meets the minimum qualifications of a Grants Coordinator. Their experience includes a Bachelor's degree in economics and eight years of experience in coordinating grant programs and identifying and securing fund development opportunities.

Recruitment and Classification is in the process of administering a Civil Service Examination to permanently fill this vacancy within 120 days. The job announcement opened March 7, 2016

I recommend the selected candidate for provisional appointment to this Grants Coordinator vacancy in the Oakland Police Department.

**OAKLAND CIVIL SERVICE BOARD
PROVISIONAL APPOINTMENT REQUEST**

SCHEDULED MEETING DATE FOR CONSIDERATION: 4/21/16

AREA REQUESTED

POSITION: Grants Coordinator

DEPARTMENT: Oakland Police Department

APPOINTMENT DURATION: 120 days maximum

STATUS OF RECRUITMENT AND EXAMINATION PROCESS

DATE ELIGIBLE LIST EXPIRED OR WAS EXHAUSTED: 8/16/16 (Citywide Class)

DATE PERSONNEL REQUISITION RECEIVED: 3/25/16

CURRENT STATUS OF EXAMINATION: In progress

JUSTIFICATION:

Reason Needed:

This provisional appointment is needed to fill 1 current vacancy. The requisition requesting a provisional appointment was approved on 4/11/16. A provisional appointment will allow the work to be performed while an eligibility list is being developed.

Other Alternatives Explored and Eliminated:

IMPACT IF REQUESTS ARE NOT APPROVED (i.e., services, fiscal, other):

The vacancy requires identification of outside grant opportunities which is essential for the department. A provisional appointment will reduce the demands placed on current staff.

Attachments:

Revised Class Specification, if applicable

Recruitment and Classification Staff Recommendation, including following pertinent information:

- Summary of Application Qualifications ✓
- Current Residency Status: Non-Oakland Resident
- Current Employment Status: Not a current City of Oakland employee



CITY OF OAKLAND

MEMORANDUM

DATE: April 21, 2016

TO: The Honorable Civil Service Board **FROM:** Mary Ann Gonzales
HR Analyst

THROUGH: Anil Comelo, HRMD Director
Secretary to the Board

THROUGH: Kip Walsh, Recruitment & Classification Manager

SUBJECT: Request for Provisional Appointment in Classification of Home Management Counselor III
To be Ratified at Civil Service Board Meeting of April 21, 2016

Attached is a request from the Housing & Community Development Department to make a provisional appointment to a Home Management Counselor III vacancy. The basis for this request is detailed in the attached Provisional Appointment Form as supporting documentation.

A Home Management Counselor III performs duties related to servicing and collection activities and managing the City's Housing loans portfolio for the Loan Servicing of the Residential Lending Services unit.

The minimum qualifications for a Home Management Counselor III include:

Education: Bachelor's Degree from an accredited college or university in public or business administration, social sciences, mortgage lending, finance, real estate, or related fields OR an associate Arts degree plus two additional years of experience can be substituted for a Bachelor's degree.

Experience: Two (2) years of progressively responsible experience in mortgage lending, real estate, or related field.

The selected candidate meets the minimum qualifications of the Home Management Counselor III classification with a Master's Degree in public administration and two years of real estate experience. Recruitment and Classification is in the process of administering a Civil Service Examination to permanently fill this vacancy within 120 days. The recruitment posted on March 28, 2016.

The Department of Human Resources Management recommends that the Civil Service Board ratify the provisional appointment for this Home Management Counselor III position in the Housing & Community Development Department beginning on March 28, 2016 and ending on or before July 25, 2016.

**OAKLAND CIVIL SERVICE BOARD
PROVISIONAL APPOINTMENT REQUEST**

SCHEDULED MEETING DATE FOR CONSIDERATION: April 21, 2016

AREA REQUESTED

POSITION: Home Management Counselor III

DEPARTMENT: Housing & Community Development

APPOINTMENT DURATION: 120 days maximum

STATUS OF RECRUITMENT AND EXAMINATION PROCESS

DATE ELIGIBLE LIST EXPIRED OR WAS EXHAUSTED: No current eligibility list.

DATE PERSONNEL REQUISITION RECEIVED: 3/11/16

CURRENT STATUS OF EXAMINATION: Job announcement is scheduled to post on March 28, 2016.

JUSTIFICATION:

Reason Needed:

This provisional appointment is needed to fill (1) current vacancy. The requisition requesting the provisional appointment was approved. A provisional appointment will allow the work to be performed while an eligibility list is being developed. The Home Management Counselor III is required to provide resources needed to continue with the active collection and counseling function of the Residential Lending Services union.

Other Alternatives Explored and Eliminated:

IMPACT IF REQUESTS ARE NOT APPROVED (i.e., services, fiscal, other):

The negative impact of not having this vacancy filled while an eligibility list established will cause services to be rendered in a timely manner, deadlines will not be achieved for a number of various active collection and housing programs.

Attachments:

Recruitment and Classification Staff Recommendation, including following pertinent information:

- Summary of Application Qualifications ✓
- Current Residency Status: *Not an Oakland Resident*
- Current Employment Status: Not a City of Oakland employee

CITY OF OAKLAND

Interoffice Memo



HUMAN RESOURCES MANAGEMENT DEPARTMENT
Anil Comelo, Director

DATE: April 21, 2016
TO: The Honorable Civil Service Board
ATTN: Anil Comelo, Director
Department of Human Resources Management
THROUGH: Kip Walsh, Human Resources Manager
FROM: Montrice Goodman, Senior Human Resource Analyst
SUBJECT: Request for Provisional Appointment in Classification of Police Records Specialist to be ratified at Civil Service Board Meeting of 4/21/16

Attached is a request from the Oakland Police Department to make a provisional appointment to a Police Records Specialist vacancy. The basis for this request is detailed in the attached Provisional Appointment Form as supporting documentation.

A Police Records Specialist is primarily responsible for transactions involving warrants, records, subpoenas and other litigation-related requests; maintain complex internal automated record systems, and access and update state and federal criminal history data systems; act as cashier for department; and assist callers and visitors by supplying information or directing request. The minimum qualifications for Police Records Specialist are: equivalent to completion of the twelfth grade and one year of full-time work experience comparable to Office Assistant II or Administrative Assistant I in the City of Oakland or equivalent experience.

The selected candidate meets the minimum qualifications of a Police Records Specialist. Their experience includes college courses towards a Bachelor of Arts degree and two years as an Administrative Assistant with 3 months as a temporary Police Records Specialist.

Recruitment and Classification is in the process of administering a Civil Service Examination to permanently fill this vacancy within 120 days. The job announcement opened March 7, 2016.

I recommend the selected candidate for provisional appointment to this Police Records Specialist vacancy in the Oakland Police Department.

**OAKLAND CIVIL SERVICE BOARD
PROVISIONAL APPOINTMENT REQUEST**

SCHEDULED MEETING DATE FOR CONSIDERATION: 4/21/16

AREA REQUESTED

POSITION: Police Records Specialist
DEPARTMENT: Oakland Police Department
APPOINTMENT DURATION: 120 days maximum

STATUS OF RECRUITMENT AND EXAMINATION PROCESS

DATE ELIGIBLE LIST EXPIRED OR WAS EXHAUSTED: 5/9/15
DATE PERSONNEL REQUISITION RECEIVED: 2/24/16
CURRENT STATUS OF EXAMINATION: In progress

JUSTIFICATION:

Reason Needed:

This provisional appointment is needed to fill 2 current vacancies. The requisition requesting a provisional appointment was approved on 4/11/16. A provisional appointment will allow the work to be performed while an eligibility list is being developed.

Other Alternatives Explored and Eliminated:

IMPACT IF REQUESTS ARE NOT APPROVED (i.e., services, fiscal, other):

Currently the Department has four vacant positions and needs assistance with inputting information into the automated criminal history data system that is critical to the operational functions of the Records Division. The provisional appointment will reduce demands placed on the permanent staff.

Attachments:

Revised Class Specification, if applicable

Recruitment and Classification Staff Recommendation, including following pertinent information:

- Summary of Application Qualifications ✓
- Current Residency Status: Oakland Resident
- Current Employment Status Not a current City of Oakland employee

CITY OF OAKLAND

Interoffice Memo



HUMAN RESOURCES MANAGEMENT DEPARTMENT
Anil Comelo, Director

DATE: April 21, 2016
TO: The Honorable Civil Service Board
ATTN: Anil Comelo, Director
Human Resources Management Department
THROUGH: Kip Walsh, Human Resources Manager
FROM: Montrice Goodman, Senior Human Resource Analyst
SUBJECT: Request for Provisional Appointment in Classification of Police Records Specialist to be ratified at Civil Service Board Meeting of 4/21/16

Attached is a request from the Oakland Police Department to make a provisional appointment to a Police Records Specialist vacancy. The basis for this request is detailed in the attached Provisional Appointment Form as supporting documentation.

A Police Records Specialist is primarily responsible for transactions involving warrants, records, subpoenas and other litigation-related requests; maintain complex internal automated record systems, and access and update state and federal criminal history data systems; act as cashier for department; and assist callers and visitors by supplying information or directing request. The minimum qualifications for Police Records Specialist are: equivalent to completion of the twelfth grade and one year of full-time work experience comparable to Office Assistant II or Administrative Assistant I in the City of Oakland or equivalent experience.

The selected candidate meets the minimum qualifications of a Police Records Specialist. Their experience includes an Associate's degree and a Basic Police Academy Certificate and seven years customer service & data entry as well as one year as a police officer.

Recruitment and Classification is in the process of administering a Civil Service Examination to permanently fill this vacancy within 120 days. The job announcement opened March 7, 2016

I recommend the selected candidate for provisional appointment to this Police Records Specialist vacancy in the Oakland Police Department.

**OAKLAND CIVIL SERVICE BOARD
PROVISIONAL APPOINTMENT REQUEST**

SCHEDULED MEETING DATE FOR CONSIDERATION: 4/21/16

AREA REQUESTED

POSITION: Police Records Specialist
DEPARTMENT: Oakland Police Department
APPOINTMENT DURATION: 120 days maximum

STATUS OF RECRUITMENT AND EXAMINATION PROCESS

DATE ELIGIBLE LIST EXPIRED OR WAS EXHAUSTED: 5/9/15
DATE PERSONNEL REQUISITION RECEIVED: 2/24/16
CURRENT STATUS OF EXAMINATION: In progress

JUSTIFICATION:

Reason Needed:

This provisional appointment is needed to fill 2 current vacancies. The requisition requesting a provisional appointment was approved on 4/11/16. A provisional appointment will allow the work to be performed while an eligibility list is being developed.

Other Alternatives Explored and Eliminated:

IMPACT IF REQUESTS ARE NOT APPROVED (i.e., services, fiscal, other):

Currently the Department has four vacant positions and needs assistance with inputting information into the automated criminal history data system that is critical to the operational functions of the Records Division. The provisional appointment will reduce demands placed on the permanent staff.

Attachments:

Revised Class Specification, if applicable

Recruitment and Classification Staff Recommendation, including following pertinent information:

- Summary of Application Qualifications ✓
- Current Residency Status: Non-Oakland Resident
- Current Employment Status: Not a current City of Oakland employee



MEMORANDUM

DATE: April 21, 2016

TO: The Honorable Civil Service Board **FROM:** Jaime Pritchett
Principal Human Resource Analyst

THROUGH: Kip Walsh, Human Resources Manager, Recruitment & Classification

THROUGH: Anil Comelo, Director of Human Resources Management
Secretary to the Board

SUBJECT: Approval of Classification Specifications for Human Resource Analyst and
Benefits Analyst

Based upon a classification review at the request of the Human Resources Management Department, staff has proposed revision of the **Human Resource Analyst** and **Benefits Analyst** classification specifications. The Human Resource Analyst classification specification was established in July 1995 and revised in October 2013. The Benefits Analyst classification specification was established in February 1997 and has not been revised since creation.

A few modifications have been proposed to the Human Resource Analyst classification specification:

- Typos have been corrected.
- The Experience requirement is being reduced from three to two years, which aligns with the spirit of the City's Flexible Staffing policy.
- This classification is already eligible for Flexible Staffing but the language was never formally added to the actual classification specification.

A variety of modifications have been proposed to the Benefits Analyst classification:

- New language has been added to align it with the current classification specification template.
- The Examples of Duties and Knowledge and Abilities sections have been overhauled and expanded to better characterize the work and required knowledge and skills.
- Refinements have been made to the Definition and Distinguishing Characteristics sections.
- The Experience section has been modified; it now requires two years of experience instead of three, which describes in detail the kind of experience that is qualifying.
- A desirable certification has been added.

There is one vacancy in each classification. Recruitment and selection processes will be initiated in the near future to fill the positions.

The International Federation of Professional and Technical Engineers (IFPTE, Local 21) was notified of the proposed revisions to the classification specifications. City staff and union representatives met on April 5, 2016, and agreed to minor modifications during that meeting. The union followed up with their members following that meeting to ensure that all potential concerns had been addressed and sent email confirmation on April 7, 2016, that there are no objections to the proposed revisions.

Additionally, no determination has been rendered yet regarding the “common class” status of the Human Resources Analyst and Benefits Analyst series. The “Common Class” Project is getting underway and an update will be available in Spring 2016.

Staff recommends that the Civil Service Board approve the classification specifications for Human Resource Analyst and Benefits Analyst as amended.

Attachments: Revised classification specifications for Human Resource Analyst and Benefits Analyst



BENEFITS ANALYST

Class Code: AP111

Civil Service Classified

DEFINITION

Under general supervision in the ~~Office of Personnel~~ Human Resources Management Department, investigates, analyzes and studies procedures, policies and content of the employee benefits program; advises and counsels employees, surviving spouses or domestic partners on available benefit plans/and programs and enrollment procedures; informs and enrolls employees in benefit plans and programs; ~~researches and resolves individual employee problems and complex administrative issues~~ concerning benefits; serves as a technical expert to departmental staff regarding the content and administration of benefits; initiates, compiles, calculates, and processes adjustments and manual payments; prepares reports and audits for the City's benefits options; and performs related duties as assigned.

DISTINGUISHING CHARACTERISTICS

This position is the journey level administrative staff in the Benefits series. This position performs a wide ~~variety of administrative assignments~~ range of complex and analytical assignments. Responsibilities include providing technical consultation to staff and management on benefits-related issues; researching and analyzing problems, analyzing data, and preparing reports and recommendations. At this level, the incumbent typically works independently and exercises judgment and initiative. Incumbents are knowledgeable of the operating procedures and policies of the work unit. It is distinguished from the Benefits Representative, which performs routine technical duties within established guidelines and procedures.

~~This position incumbent~~ receives direction from management level personnel. ~~It~~ and may provide lead direction or supervision to Benefits Representatives and clerical support staff.

EXAMPLES OF DUTIES - *Duties may include, but are not limited to the following:*

Serves as technical consultant to management and benefits staff regarding the content and administration of the benefits programs;

~~a~~ Analyzes, ~~researches~~ and resolves routine to complex problems involving benefit accounts, eligibility, enrollment, premiums, data and system issues;

~~r~~ Reviews benefits publications and related sources of information to remain informed of legislative changes, new policies, rules and regulations; prepares comprehensive reports and offers recommendations to management.

Analyzes and assesses new programs and packages to determine the feasibility and implications of introduction and implementation; analyzes and assesses current programs; recommends improvements and modifications to the current benefits options offered.

Compiles and analyzes data and financial records in conformance with, or in response to, reporting and auditing requirements;

Gather and analyze benefit data for labor negotiations, contract renewal, and budgeting purposes.

Assist in the planning, development, coordination, and maintenance of various benefit programs and system changes/implementation, including development of technical procedures and requirements relating to benefit programs and systems.

Assist in reviewing, developing, modifying, and implementing procedures to improve service delivery.

Prepares responses to benefit surveys; develops and produces employee benefit information reports;

Prepares and update Administrative Instructions (AI's) and bulletins for staff and employees regarding benefit programs.

Reconcile monthly benefit premium statements to ensure coverage and premium amounts are accurate.

Track, monitor, and maintain ongoing coverage for city employees and eligible dependents in city-sponsored plans; verify and approve coverage changes for enrollees.; and

Process and submit enrollment and eligibility files to benefit vendors to ensure appropriate coverage is in place.

Participates in providing information and advice to employees, surviving spouses, and domestic partners on available benefit plans/programs and enrollment procedures of benefit options and enrolling employees in plans and programs.

Develop training programs for technical and non-technical personnel; conduct training sessions; prepare materials including presentations, handouts, and technical manuals.

QUALIFICATIONS KNOWLEDGE AND ABILITIES

Knowledge and Abilities of:

- Federal, state, and local laws and regulations which govern the provision of employee benefits, such as COBRA, HIPAA, ACA and relevant IRS codes.
- Principles and practices of employee benefits administration applicable to a public agency in California.
- Employee benefit programs including retirement, health and dental, vision, disability, deferred compensation, life insurance and worker compensation.
- Benefit contract administration;
- Benefit claims investigation procedures; data collection and analysis; report preparation.
- English language syntax, spelling and grammar.
- Report format, content, and preparation.
- Training principles and techniques.
- Personal computer operations, and personnel financial/payroll software applications, and human resources information systems.

Ability to:

- Communicate effectively in both oral and written form.
- Prepare clear, concise, and accurate reports.
- Read, analyze, evaluate, and summarize written materials and statistical data; collect, analyze and interpret a wide variety of benefit-related information and data; perform

statistical analyses.

- ~~Establish and maintain effective working relationships~~ Work collaboratively with management, staff, employees, benefit carriers and plan administrators; maintain confidentiality of employee records and benefit utilization.
- Organize and execute work plans in a timely manner; ~~compile data, perform statistical analyses, and prepare clear and concise reports.~~
- Review and interpret legislation, regulations, guidelines and procedures related to benefits administration; develop and implement modifications to program content and administration; research and resolve problems involving benefit claims.
- Function effectively in stressful and difficult situations.
- Develop and deliver training sessions and materials.
- Prepare technical manuals.
- Utilize personal computers including word processing, database and spreadsheet applications.
- Establish and maintain effective working relationships with those contacted in the course of the assigned duties.

~~Experience and Education~~ **MINIMUM QUALIFICATIONS**

~~Any combination of experience and education that demonstrates possession of the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:~~

Any combination of education and experience that is equivalent to the following minimum qualifications is acceptable:

Education:

A Bachelor's degree from an accredited college or university in business administration, public administration, or closely related field.

Experience:

~~Three~~Two years of ~~increasingly~~ progressively responsible experience in employee benefits administration which includes researching and resolving complex employee benefit issues; compiling and analyzing benefit data; and assisting with the planning and coordination of benefit programs and systems.

LICENSE OR CERTIFICATE

~~None required.~~ Successful incumbents in this position are expected to operate automotive vehicles in the performance of assigned duties. Due to the nature of the assignment and the hours worked, public transportation may not be a cost effective or efficient method for traveling to the various locations required. Individuals who are appointed to this position will be required to maintain a valid California Driver's License throughout the tenure of employment OR demonstrate the ability to travel to various locations in a timely manner as required in the performance of duties.

Designation as a Certified Employee Benefit Specialist (CEBS) is highly desirable.

OTHER REQUIREMENTS

None required.

DEPT. OF HUMAN RESOURCES MANAGEMENT USE ONLY		
Established: 02/271997 /	CSB Resolution #: 44365	Salary Ordinance #:
Exempted: Y <input type="checkbox"/> N <input type="checkbox"/>	Exemption Resolution #:	
Revision Date: / /	CSB Resolution #:	
Re-titled Date: / /	CSB Resolution #:	Salary Ordinance #:
(Previous title(s):)		



HUMAN RESOURCE ANALYST

AP203 FT	Civil Service Classified
AP204 FT (CONF)	Civil Service Classified
AP367 PPT	Civil Service Classified
AP201 PT	Exempt (902d)

DEFINITION

Under general supervision in the Department of Human Resources Management, uses a full range of professional level skills to perform journey level human resources duties in the administration of recruitment and examination, classification and compensation, employee relations, employee training and organizational development programs; and performs related duties as assigned.

DISTINGUISHING CHARACTERISTICS

Human Resource Analyst is the journey level in the professional Human Resource Analyst series. This position performs a wide variety of assignments from routine to complex difficulty. It is distinguished from the Assistant Human Resource Analyst by a greater degree of responsibility, independence and latitude of judgment. This position is distinguished from the Senior Human Resource Analyst which performs special assignments and is the specialist or lead level in this series.

~~The incumbent r~~Receives general supervision from a Principal Human Resource Analyst; or senior level human resources staff ~~and .-m~~May provide lead and technical direction to clerical and technical employees.

EXAMPLES OF DUTIES - *Duties may include, but are not limited to the following:*

Act as subject matter expert in one or more disciplines of human resources and provide focus and direction to department in order to achieve City objectives related to the City's vision and priorities.

Develop recruitment plans; prepare examination announcements, employment advertising and other recruitment materials; attend job fairs and other events to publicize City job opportunities.

Develop, coordinate and administer the examination process, including conducting job analyses, designing and developing job related selection procedures, evaluating employment applications, developing examination schedules, and administering and evaluating oral, written, physical ability and performance tests; and other assessment instruments.

Perform statistical analysis of examination results.

Conduct research into operational problems; prepare reports and analyses and make recommendations; confer with Human Resources staff and other City representatives to resolve issues.

Provide information and advice to employment applicants and the general public concerning employment opportunities and examination procedures.

Provide information concerning personnel policies, procedures, wage rates and provisions of labor contracts to departmental personnel, employees, and the public.

Read understand and apply City Charter, Administrative Instructions, Memoranda of Understanding, Salary Ordinance, Personnel Manual (Civil Service Rules), Federal, State, and local laws, and reference materials related to recruitment, testing, and classification to clarify content and inform the requesting party.

Conduct classification studies including job analysis and job audits; review position description questionnaires and make recommendations based on analysis of results.

Discuss revision of classification specifications and creation of new classification specifications with departmental representatives and meet and confer with employee organizations as required in order to keep the classification plan current.

Gather, tabulate, and analyze salary and other survey data required in order to maintain or revise the compensation plan; make studies of internal class relationships for compensation purposes.

Respond to internal and external compensation and classification survey requests; prepare amendments to the Salary Ordinance; assist in analyzing salary and benefit data and preparing related reports.

Evaluate examination or classification protests and appeals and prepare responses in order to defend department actions; may help prepare staff's position in appeals in order to assist human resources in presenting findings at Civil Service Board meetings or other assigned committees.

Conduct preparatory research on contract and bargaining matters for labor negotiations, including surveying prevailing wages, benefits and working conditions, and analyzing labor proposals.

Provide classification expertise in the conduct of labor negotiations.

Develop, modify, evaluate and conduct training programs for City employees, including English language skills, conflict resolution, sexual harassment, interpersonal communications and other specialized mandated and user specific programs.

Utilize computer software applications and electronic devices to support and conduct recruitment and selection, compensation, labor relations, classifications and employee development activities.

Develop brochures and training materials.

Facilitate and conduct orientations for new employees.

Evaluate programs offered by training consultants.

Coordinate, develop and disseminate training schedule and calendar.

Assign, direct and evaluate the work of clerical and technical staff.

Cultivate, foster, and maintain positive working relationships with managers, supervisors, employees.

KNOWLEDGE AND ABILITIES

Knowledge of:

- Principles and practices of public personnel administration, including recruitment, selection, classification, compensation, employee training, organizational development and labor relations.
- Federal and State laws and regulations pertaining to human resources.
- Job analysis, recruitment sources and techniques, test validation requirements, test assessment techniques, classification techniques and methods of salary administration,
- Principles and practices of statistical research and presentation methods.
- Principles of organization and management.
- Computer systems and software applications.
- Legal and professional standards and procedures for the development, administration and validation of assessment instruments.
- Principles and practices of supervision.
- Report format, content and preparation.

Ability to:

- Communicate effectively orally and in written form.
- Prepare and present clear, concise and accurate reports orally and in writing.
- Read, analyze, evaluate and summarize written materials and statistical data; apply statistical formulas; collect, analyze and interpret a wide variety of employment related information and data.
- Establish and maintain effective working relationships with staff, managers, employees, labor representatives, employees of other agencies and the general public.
- Establish and execute comprehensive work plans in a timely and competent manner.
- Interpret and apply regulations, policies, and guidelines.
- Function effectively in stressful and difficult situations.
- Utilize computer systems and related software programs.
- Supervise clerical and technical level employees.

MINIMUM QUALIFICATIONS

Any combination of education and experience that is equivalent to the following minimum qualifications is acceptable.

Education:

A Bachelor's degree from an accredited college or university in public or business administration, human resource management, industrial organizational psychology, or a closely related field.

Experience:

Two (2) years of progressively responsible professional experience in public human resources or personnel administration at the Assistant Human Resource Analyst level in one or more of the following areas: recruitment, selection and employment testing; position

classification and compensation administration, employee development and training, employee and labor relations, or other closely related human resources functional areas.

LICENSE OR CERTIFICATE

Individuals who are appointed to this position will be required to maintain a valid California Driver's License throughout the tenure of employment.

OTHER REQUIREMENTS

Must be willing to work irregular days and hours, as needed.

FLEXIBLE STAFFING

Incumbents in the Human Resource Analyst, Assistant classification are eligible to promote to the Human Resource Analyst classification in accordance with established City policy related to flexible staffing.

DEPT. OF HUMAN RESOURCES MANAGEMENT USE ONLY			
Established:	6/8/1995	CSB Resolution #:	44337
Exempted:	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	Exemption Resolution #:	
Revision Date:	10/17/2013	CSB Resolution #:	44662
Re-titled Date:	/ /	CSB Resolution #:	
(Previous title(s):)			

To: City of Oakland Civil Service Board

From: Christopher Boucher, Director of Human Resources, Port of Oakland 

Date: April 8, 2016

Subject: Approval of Title Change and Amendments to the Following Classification Specification:
Airport Operations Supervisor, Airside

Creating, amending and editing classification specifications is critical as the Port endeavors to ensure the organization is positioned to operate efficiently and effectively. In an effort to continuously assess and refine the Port's organizational structure to meet strategic goals and objectives, the Airport Operations Supervisor, Airside classification specification was amended to better align Aviation Division's federal regulatory requirements. This classification plays a critical role in maintaining the safety and security of the airfield at the Oakland International Airport ("OAK"). The most significant components of this classification's role are the inspection of runways, taxiways, and related Airport Air Operations Areas ("AOA") to ensure the general aviation and commercial airfields are compliant with Federal Aviation Administration (FAA) regulations. This classification has a direct impact on OAK's ability to meet FAA Part 139, Section 139.303 and the requirements cited in the Airport Certification Manual / Airport Security Program. Compliance with FAA Part 139, Section 139.303 directly impacts OAK's ability to operate as certified airport. As part of amending the classification specification, the title of the position was changed to Airport Duty Manager to accurately reflect the position's level of responsibility within the organization, and consistent with airport industry nomenclature.

For background information, the job description changes resulted from collaboration between the Port and International Brotherhood of Electrical Workers ("IBEW") Local 1245, and the changes were mutually agreed upon.

Based on staff review given the nature of the scope of duties for the Airport Operations Supervisor, Airside classification, it is anticipated that the Airport Duty Manager classification will not be part of the common classification analysis.

The Port recommends that the Civil Service Board approve the proposed amendments to the Airport Operations Supervisor, Airside classification specification and title change to Airport Duty Manager.

Attachments: Airport Operations Supervisor, Airside Class Specification (Edits)
Airport Operations Supervisor, Airside Class Specification (Clean)

AIRPORT DUTY MANAGER

A. CLASS DEFINITION

Under direction, the incumbent supervises and coordinates the activities of an assigned shift of subordinate personnel engaged in airside operational, safety and security functions on a 24 hour basis. Incumbent enforces all applicable federal, state, and local safety and security rules, regulations, and procedures and represents airport management after normal working hours. Performs related work as assigned.

DISTINGUISHING CHARACTERISTICS

The Airport Duty Manager is distinguished from the Airport Operations Superintendent classification in that the former is responsible for supervising the work of round the clock crews of Airport Operations Specialists in the enforcement of local, state and federal rules and regulations, whereas the latter is responsible for a variety of functions requiring specialized knowledge or higher level management of a function.

B. TYPICAL TASKS/DUTIES (any one position may not include all the duties listed, nor do the examples cover all the duties which may be performed. Incumbent may perform other related duties at the equivalent level.)

1. Supervises and coordinates response to various security programs including patrol functions, door/gate alarms, hijack, bomb threat, ID badging and vehicle permit requirements.
2. Supervises, develops schedules, and directs the work of Airport Operations Specialists, I, II assigned to the Airport Operations Center (AOC).
3. Inspects or assigns staff to assist with the inspection of runways, taxiways, and related Airport Air Operations Areas (AOA) for proper maintenance and safety conditions; opens and closes runways and taxiways; ensures that wildlife management functions are carried out.
4. Inspects or assigns staff to assist with the inspection of terminal and landside areas of the airport for maintenance and safety conditions and ensures tenants meet contractual obligations.
5. Directs staff in duties related to duties in aviation security.
6. Ensures that the facility continually operates under certification requirements or applicable federal, state, and local regulations; reviews reports of Airport Operations Specialists.
7. Coordinates with employees of the Port and contractors on maintenance and other issues affecting the operations of the facility.
8. Participates in selection; trains, directs work, assigns shifts, responds to employee complaints and grievances; evaluates the performance of subordinates and discusses results with employees.
9. Supervises airside activities of commercial aircraft operations; assuring that aircraft parking, gate assignments, engine run-ups, noise abatement procedures, and vehicle traffic flow are monitored and initiates corrective action; supervises and coordinates removal of disabled aircraft from runways and taxiways.

10. Issues Notices to Airmen (NOTAMS); keeps airport personnel informed daily of special issues pertaining to the operations of the airport.
11. Serves as "Manager on Duty" with the tenant airlines and other airport facility users; assists and cooperates with airport users in resolving problems.
12. Acts as the airport's primary representative in all emergencies until relieved by higher authority.
13. Develops, prepares recommendations and implements operational procedures relative to airport operations, including, aviation security, aircraft ground operations, facility maintenance and the conduct of airside operations;
14. Inspects, monitors and provides training to tenants and subordinates on the use of the Airport's Surface Movement guidance and Control System (SMGCS).
15. Provides training to tenants and employees and evaluates their ability to effectively operate on the movement and non-movement areas of the Airport.
16. Inspects plans and ensures construction activities are compliant with safety and security requirements.
17. Cooperates with outside agencies in establishing procedures for arrival and departure of dignitaries and officials of other agencies.
18. Coordinates the notification of appropriate supporting agencies such as the fire and law enforcement, Federal Aviation Administration, and Transportation Safety Administration.
19. Prepares reports and correspondence.
20. Operates communication equipment, fire alarm reporting equipment and the security access system.
21. May provide information to media regarding airport incidents or events.
22. Performs other related duties as assigned.

C. KNOWLEDGE, SKILLS AND ABILITIES

To perform the typical tasks and duties of the position successfully, the knowledge, skills and/or abilities listed below are required.

Knowledge of:

- Federal, state, and local rules and regulations pertaining to airport operations, aviation security and airport certification requirements.
- Agencies such as Federal Bureau of Investigation, Oakland Fire Department, Oakland Police Department, Federal Aviation Administration, Transportation Security Administration and Alameda County Sheriff's Department.
- Geographical locations, such as runways/taxiways, inaccessible terrain, and airport buildings and/or facilities.

- Airport runway/taxiway systems, marking criteria, aircraft movement/non-movement areas, and airport facility and operational safety standards.
- Aircraft rescue and fire fighting (ARFF) equipment and their applicability to airport emergency operations.

Ability to:

- Communicate effectively both orally and in writing to prepare and produce reports, memoranda, and letters informing airport personnel of daily airport operations; conduct staff meetings and use a two-way radio effectively.
- Identify, research and resolve a wide range of work related problems such as employee second level grievances and tenant and public complaints.
- Organize time, personnel, and equipment to achieve objectives such as security measures.
- Supervise and direct subordinate staff; including assigning and monitoring work, training personnel in job duties and responsibilities, conducting formal performance evaluations, and administering disciplinary action.
- Interpret and enforce operational policies, practices and procedures, and maintain departmental and state safety standards.
- Develop and implement goals, objectives, policies, and procedures, work standards and internal controls.
- Read, interpret, and understand departmental policies and procedures and federal, state, and local regulations.
- Operate a personal computer and appropriate software.
- Exercise sound independent judgment within general policy guidelines.
- Establish and maintain effective working relationships with those contacted in the performance of duties and to work as a team.
- Work under deadlines and coordinate several concurrent assignments.
- Work with minimum supervision.
- Analyze complex administrative and program information, evaluate alternative solutions and recommend or adopt effective courses of action.

D. PHYSICAL DEMANDS

The physical demands described here are representative of those that must be met by an employee to successfully perform this job.

While performing the duties of this job, the employee is required to stand, walk, run, stoop, kneel, crawl, climb or balance; use hands to manipulate a keyboard, radio-telephone and multi-button telephone sets in the office; carry or move objects; employ eye, hand and foot coordination to operate an emergency motor vehicle in conformance with Port policies and the State Vehicle Code.

E. WORK ENVIRONMENT

The work environment described here is representative of those an employee encounters while performing this job.

The employee works in-doors in an air-conditioned office, with a mixture of natural, incandescent and fluorescent light. Typical noise levels are muted by acoustic ceilings, carpet and sound-deadening wall panels. The employee frequently works out doors in a variety of weather conditions.

F. EDUCATION AND EXPERIENCE

This position requires a combination of education and experience reflecting possession of the required knowledge, skills, and abilities. A typical combination would include an Associate's degree in Aviation Management or related field **plus** four years of experience in aviation operations of which 2 years is preferred to be supervisory level experience.

G. OTHER CHARACTERISTICS

1. This Airport specific classification requires each incumbent to complete and pass a Transportation Security Administration/Federal Aviation Administration (TSA/FAA) 10-year employment history verification, which will include fingerprinting and a Criminal History Records Check (CHRC) prior to being considered for this position. In addition, the incumbent in this position will be required to complete and pass a U.S. Customs Airport Security Program Check (19CFR122.182). This status must be maintained for the duration of employment at the Airport. This status must be maintained for the duration of employment at the airport.
2. Must possess a California Class C Driver's License at the time of and for the duration of appointment.
3. Must be willing to perform shift work on a 24 hour basis including weekends and holidays.
4. Must be willing to wear a uniform and to work under adverse or hazardous conditions.

CLASS CODE:	10020
STANDARD HOURS-DAY/WEEK:	8.0/Day-40.0/Week
CS STATUS:	Classified
FLSA:	Non-exempt
Classification Created:	September 1, 1953 (924)
Title Changed to Airport Operations Supervisor:	July 21, 1981 (2390)
Job Specifications revised:	October 8, 1986 June 7, 1988 October 18, 1988
Job Specifications changed and Classification retitled to Airport Operations Supervisor, Airside:	January 17, 1998 (3417)
Job Specifications revised:	March 13, 2001
Job Spec revised and CSB approved:	August 20, 2015

AIRPORT OPERATIONS SUPERVISOR, AIRSIDE DUTY MANAGER

A. CLASS DEFINITION

Under direction, the incumbent supervises and coordinates the activities of an assigned shift of subordinate personnel engaged in airside operational, safety and security functions on a 24 hour basis. Incumbent enforces all applicable federal, state, and local safety and security rules, regulations, and procedures and represents airport management after normal working hours. Performs related work as assigned.

DISTINGUISHING CHARACTERISTICS

The Airport ~~Operations Supervisor~~Duty Manager is distinguished from the Airport Operations Superintendent classification in that the former is responsible for supervising the work of round the clock crews of Airport Operations Specialists in the enforcement of local, state and federal rules and regulations, whereas the latter is responsible for a variety of functions requiring specialized knowledge or higher level management of a function.

B. TYPICAL TASKS/DUTIES (any one position may not include all the duties listed, nor do the examples cover all the duties which may be performed. Incumbent may perform other related duties at the equivalent level.)

1. Supervises and coordinates response to various security programs including patrol functions, door/gate alarms, hijack, bomb threat, ID badging and vehicle permit requirements.

2. Supervises, develops schedules, and directs the work of Airport Operations Specialists, I, II assigned to the Airport Operations Center (AOC).

~~2-3.~~ Inspects or assigns staff to assist with the inspection of runways, taxiways, and related Airport Air Operations Areas (AOA) for proper maintenance and safety conditions; opens and closes runways and taxiways; ensures that wildlife management functions are carried out.

4. Inspects or assigns staff to assist with the inspection of terminal and landside areas of the airport for maintenance and safety conditions and ensures tenants meet contractual obligations.

5. Directs staff in duties related to duties in aviation security.

~~3-6.~~ Ensures that the facility continually operates under certification requirements or applicable federal, state, and local regulations; reviews reports of Airport Operations Specialists.

7. Coordinates with employees of the Port and contractors on maintenance and other issues affecting the operations of the facility.

~~4-8.~~ Participates in selection; trains, directs work, assigns shifts, responds to employee complaints and grievances; evaluates the performance of subordinates and discusses results with employees.

~~5-9.~~ Supervises airside activities of commercial aircraft operations; assuring that aircraft parking, gate assignments, engine run-ups, noise abatement procedures, and vehicle traffic flow are

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monitored and initiates corrective action; supervises and coordinates removal of disabled aircraft from runways and taxiways.

~~6-10.~~ Issues Notices to Airmen (NOTAMS); keeps airport personnel informed daily of special issues pertaining to the operations of the airport.

~~7-11.~~ Serves as "Manager on Duty" with the tenant airlines and other airport facility users ~~during weekends, nights, and holidays~~; assists and cooperates with airport users in resolving problems.

~~8-12.~~ Acts as the airport's primary representative in all emergencies until relieved by higher authority.

~~9-13.~~ Develops, ~~and~~, prepares recommendations and implements ~~of~~ operational procedures relative to airport operations, including, aviation security, aircraft ground operations, facility maintenance and the conduct of airside operations;

~~10-14.~~ Inspects, monitors and provides training to tenants and subordinates on the use of the Airport's Surface Movement guidance and Control System (SMGCS).

15. Provides training to tenants and employees and evaluates their ability to effectively operate on the movement and non-movement areas of the Airport.

16. Inspects plans and ensures construction activities are compliant with safety and security requirements.

~~14-17.~~ Cooperates with outside agencies in establishing procedures for arrival and departure of dignitaries and officials of other agencies.

~~12-18.~~ Coordinates the notification of appropriate supporting agencies such as the ~~Oakland Fire Department, Oakland Police Department~~ fire and law enforcement, Federal Aviation Agency ~~Administration, Transportation Safety Administration, Alameda County Sheriff's Department and the Federal Bureau of Investigation.~~

~~13-19.~~ Prepares reports and correspondence.

~~14-20.~~ Operates communication equipment, fire alarm reporting equipment and the security access system.

21. May provide information to media regarding airport incidents or events.

~~15-22.~~ Performs other related duties as assigned.

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C. KNOWLEDGE, SKILLS AND ABILITIES

To perform the typical tasks and duties of the position successfully, the knowledge, skills and/or abilities listed below are required.

Knowledge of:

- Federal, state, and local rules and regulations pertaining to airport operations, aviation security and airport certification requirements.

- Agencies such as Federal Bureau of Investigation, Oakland Fire Department, Oakland Police Department, Federal Aviation Administration, Transportation Security Administration and Alameda County Sheriff's Department.
- Geographical locations, such as runways/taxiways, inaccessible terrain, and airport buildings and/or facilities.
- Airport runway/taxiway systems, marking criteria, aircraft movement/non-movement areas, and airport facility and operational safety standards.
- Aircraft rescue and fire fighting (ARFF) equipment and their applicability to airport emergency operations.

Ability to:

- Communicate effectively both orally and in writing to prepare and produce reports, memoranda, and letters informing airport personnel of daily airport operations; conduct staff meetings and use a two-way radio effectively.
- Identify, research and resolve a wide range of work related problems such as employee second level grievances and tenant and public complaints.
- Organize time, personnel, and equipment to achieve objectives such as security measures.
- Supervise and direct subordinate staff; including assigning and monitoring work, training personnel in job duties and responsibilities, conducting formal performance evaluations, and administering disciplinary action.
- Interpret and enforce operational policies, practices and procedures, and maintain departmental and state safety standards.
- Develop and implement goals, objectives, policies, and procedures, work standards and internal controls.
- Read, interpret, and understand departmental policies and procedures and federal, state, and local regulations.
- Operate a personal computer and appropriate software.
- Exercise sound independent judgment within general policy guidelines.
- Establish and maintain effective working relationships with those contacted in the performance of duties and to work as a team.
- Work under deadlines and coordinate several concurrent assignments.
- Work with minimum supervision.
- Analyze complex administrative and program information, evaluate alternative solutions and recommend or adopt effective courses of action.

D. PHYSICAL DEMANDS

The physical demands described here are representative of those that must be met by an employee to successfully perform this job.

While performing the duties of this job, the employee is required to stand, walk, run, stoop, kneel, crawl, climb or balance; use hands to manipulate a keyboard, radio-telephone and multi-button telephone sets in the office; carry or move objects; employ eye, hand and foot coordination to operate an emergency motor vehicle in conformance with Port policies and the State Vehicle Code.

E. WORK ENVIRONMENT

The work environment described here is representative of those an employee encounters while performing this job.

The employee works in-doors in an air-conditioned office, with a mixture of natural, incandescent and fluorescent light. Typical noise levels are muted by acoustic ceilings, carpet and sound-deadening wall panels. The employee frequently works out doors in a variety of weather conditions.

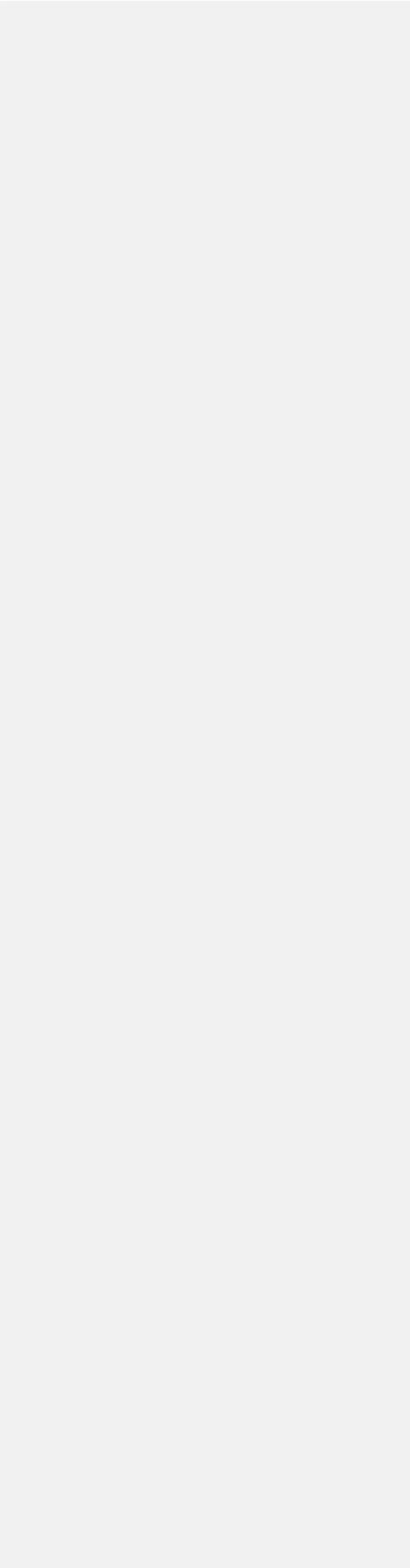
F. EDUCATION AND EXPERIENCE

This position requires a combination of education and experience reflecting possession of the required knowledge, skills, and abilities. A typical combination would include an Associate's degree in Aviation Management or related field **plus** four years of experience in aviation operations of which 2 years is preferred to be supervisory level experience.

G. OTHER CHARACTERISTICS

1. This Airport specific classification requires each incumbent to complete and pass a Transportation Security Administration/Federal Aviation Administration (TSA/FAA) 10-year employment history verification, which will include fingerprinting and a Criminal History Records Check (CHRC) prior to being considered for this position. In addition, the incumbent in this position will be required to complete and pass a U.S. Customs Airport Security Program Check (19CFR122.182). This status must be maintained for the duration of employment at the Airport. This status must be maintained for the duration of employment at the airport.
2. Must possess a California Class C Driver's License at the time of and for the duration of appointment.
3. Must be willing to perform shift work on a 24 hour basis including weekends and holidays.
4. Must be willing to wear a uniform and to work under adverse or hazardous conditions.

CLASS CODE:	10020
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CS STATUS:	Classified
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Job Specifications changed and Classification retitled to Airport Operations Supervisor, Airside:	January 17, 1998 (3417)
Job Specifications revised:	March 13, 2001
Job Spec revised and CSB approved:	August 20, 2015





CIVIL SERVICE BOARD MEETING MINUTES

Date: March 17, 2016

OPEN SESSION 5:30 p.m.

City Hall, One Frank H. Ogawa Plaza, Hearing Room 1

BOARD MEMBERS: Chair, Andrea Gourdine; Vice Chair, David Jones; Alex Drexel; Lauren Baranco; Yvonne Hudson; Christopher Johnson; Jeffrey Levin

STAFF TO THE BOARD: Anil Comelo, HRM Director/Secretary to the Board
Michelle Meyers, Deputy City Attorney
Kip Walsh, Human Resources Manager/Staff to the Board
Sean Flaherty, HR Technician/Staff to the Board

OPEN SESSION AGENDA

ROLL CALL

1) OPEN FORUM

2) CONSENT CALENDAR:

ACTION

- a) Approval of Employee Requests for Leave of Absence
 - Firefighter, A. Beck (OFD-2016-LA01)
 - Civil Engineer, N. Cartagena (OPW-2016-LA02)
 - Public Service Representative, D. Schubert (OCA-2016-LA01)
- b) Ratification of Provisional Appointments
 - Program Analyst II (OPW-2016-PA01)
- c) Approval of Revised Classification Specifications
 - Manager, Cultural Affairs (formerly Manager, Cultural Arts)
 - Neighborhood Services Coordinator
 - Process Coordinator III

44803 A motion was made by Chairperson Gourdine and seconded by Vice Chairperson Jones to approve the items on the Consent Calendar. The item was passed by consensus.

3) OLD BUSINESS:

- a) Approval of Meeting Minutes of January 21, 2016 Civil Service Board Meeting Minutes ACTION

44804 A motion was made by Board Member Drexel and seconded by Board Member Baranco to approve the minutes for the January 21, 2016 Civil Service Board Meeting as amended. The item was passed by consensus.

- b) Determination of Schedule of Outstanding Board Items ACTION
- a. No New Items to Schedule
- c) Informational Report on the Status of Temporary Assignments for Temporary Contract Service Employees (TCSEs) and Exempt Limited Duration Employees (ELDEs) Including a Report of the Names, Hire Dates, and Departments of all ELDEs and TCSEs in Accordance with the Memorandum of Understanding Between the City and Local 21 INFORMATION

Received and filed.

- d) Discussion of Revisions to the Personnel Manual of the Port of Oakland for Review of Alignment with the Personnel Manual of the Civil Service Board and Compliance with Ordinance No. 13120 CMS Governing the Relationship of the Port's Personnel Management Program with the City of Oakland Civil Service ACTION

The Board continued the item until the next Civil Service Board Meeting.

- e) Presentation of a Project Plan for Review of City and Port Classifications within the Context of a Classification Plan for the City of Oakland ACTION

The Board continued the item until the next Civil Service Board Meeting.

4) NEW BUSINESS:

- a) Discussion of Civil Service Board Meeting Date Schedule ACTION

The item was withdrawn.

- b) Approval of Revised and New Classification Specifications ACTION
- Planner III
 - Planner III – Historic Preservation
 - Planner IV

44805 The Street Sweeper Planner III, Planner III – Historic Preservation and Planner IV Classification Specifications were approved following a motion by Board Member Drexel and seconded by Vice Chairperson Jones. The items were passed by consensus.

- Street Sweeper Operator

ACTION

44806 SEIU 1021 Chapter President Al Marshall addressed the Board regarding the Street Sweeper Operator item. The Street Sweeper Operator Classification Specification was approved following a motion by Board Member Drexel and seconded by Vice Chairperson Jones. The item was passed by consensus as represented without amendment.

- c) 3.04 (e) Appeal of Classification Study Results (A. James)
- Employee currently classified as Police Records Specialist, appealing denial of request to be reclassified.

ACTION

The Board continued the item until the next Civil Service Board Meeting.

ADJOURNMENT:

NOTE: The Civil Service Board meets on the 3rd Thursday of each month. The next meeting is scheduled to be held on Thursday, May 19, 2016. All materials related to agenda items must be submitted by Thursday May 12, 2016. For any materials over 100 pages, please also submit an electronic copy of all materials.

Submit items via email or U.S. Mail to:

City of Oakland - Civil Service Board
150 Frank H. Ogawa Plaza, 2nd floor
Oakland, CA 94612
civilservice@oaklandnet.com



This meeting is wheelchair accessible. To request materials in alternative formats, or to request an ASL interpreter or assistive listening device, please call the Civil Service Board staff at (510) 238-3112 or TDD (510) 238-3254 at least three working days before the meeting. Please refrain from wearing scented products to this meeting as a courtesy to attendees with chemical sensitivities.

**CIVIL SERVICE BOARD
APPEALS & HEARINGS CALENDAR
PENDING LIST – April 21, 2016**

1. FOR SCHEDULING

Case Number	Classification	Dept.	Action Pending	Date Received	Notes
OPD-2016-AP01	Police Records Specialist (James)	OPD	3.04 (e) Appeal Regarding Changes in Classification	Jan. 13, 2016	Request to schedule to 5/19/16 CSB

2. REFERRED TO OUTSIDE HEARING OFFICER

Case Number	Classification	Dept.	Action Pending	Referral Date	Notes
OFD-2015-AP01	Captain of Fire (Gascie)	OFD	4.19 Appeal of Examination Results	July 16, 2015	Pending briefs due on April 21, 2016
OPR-2014-AP01	Gardener Crew Leader (Gold)	Parks & Recreation	6.05 Appeal of Probationary Removal/Demotion	Dec 18, 2014	Pending briefs due on April 18, 2016
EWD-2015-AP01	Urban Economic Analyst III (Ralston)	EWD/ONI	10.03 Appeal of Discipline	Aug 20, 2015	Hearing dates scheduled for Mar. 8&9, 2016

3. UNDER REVIEW

Case Number	Classification	Dept.	Action Pending	Date Received	Notes
Port-2015-AP02	Maritime Service Coordinator	Port	10.03 - Appeal of Disciplinary Action	April 2, 2015	Referred to Port
OPD-2015-AP03	Complaint Investigator II (Uribe)	OPD	6.05 Appeal of Probationary Removal/Demotion	Oct 26, 2015	Referred to Outside Counsel
OFD-2016-AP01	Firefighter (Keefer)	Fire	6.05 Appeal of Probationary Removal/Demotion	Jan. 25, 2016	Referred to City Attorney
OFD-2016-AP02	Firefighter (Hung)	Fire	6.05 Appeal of Probationary Removal/Demotion	Jan. 21, 2016	Referred to City Attorney

**CIVIL SERVICE BOARD
APPEALS & HEARINGS CALENDAR
PENDING LIST – April 21, 2016**

4. CLOSED

Case Number	Classification	Dept.	Action Pending	Date Received	Notes
OPW-2015-AP01	Heavy Equipment Service Worker (Lemi)	Public Works	6.05 Appeal of Probationary Removal/Demotion	July 16, 2015	Settlement Reached



CITY OF OAKLAND

STAFF REPORT

DATE: April 21, 2016

TO: THE HONORABLE CIVIL SERVICE BOARD

FROM: Kip Walsh, HR Manager, Recruitment & Classification

THROUGH: Anil Comelo, Secretary to the Board

SUBJECT: TEMPORARY EMPLOYEES – Informational Report on the Status of Temporary Assignments for Temporary Contract Service Employees (TCSEs) and Exempt Limited Duration Employees (ELDEs) Including a Report of the Names, Hire Dates, and Departments of All ELDEs and TCSEs in Accordance with the Memorandum of Understanding Between the City And Local 21

SUMMARY

Staff has prepared this report to provide the Civil Service Board with an update on compliance with the Civil Service Rules related to temporary employees since the last report of March 17, 2016. This report focuses on temporary employees in the categories of Exempt Limited Duration Employees (ELDEs) and Temporary Contract Service Employees (TCSEs), who are currently employed in the City of Oakland.

As of March 7, 2016 there are a total of eighty two (82) employees in the TCSE (34), Annuitant (29), and ELDE (19) categories. Eight (8) assignments were closed and eleven (11) new assignments were added.

Reports showing all of the temporary assignments discussed in this report are included in a list (*Attachment A*) and a chart of trends (*Attachment B*) attached to this narrative report to provide a snapshot of the overall changes month to month.

BACKGROUND

The use of temporary employees is allowed under Civil Service Rule 5 (Certification and Appointment) in recognition that standard Civil Service employment practices can be cumbersome when a time-sensitive assignment arises or existing resources do not fit a specific need. Pursuant to the Civil Service Rules, Section 5.06 governing temporary assignments, ELDE assignments may not exceed one year and TCSE assignments may not be “ongoing or repetitive.”

STATUS OF CURRENT ASSIGNMENTS

1. There are a total of four (4) temporary appointments showing as out of compliance with Section 5.06. Four (4) TCSE assignments are for ongoing part time work for which an appropriate part time classification had not existed and Human Resources Management (HRM) created part time classifications through a Salary Ordinance Amendment, but the four (4) remaining assignments have not been converted. The

- conversions had been discussed with staff in the departments at several points throughout the process, but obstacles remain.
- For the assignments in the City Administrator's Animal Services Department, the non-compliant assignments are part-time veterinarians. The department has recently asked HRM to re-evaluate the salary rate for the Veterinarian classification because the pay for the veterinarians currently working as TCSEs has out-paced the Veterinarian salary rate. HRM will conduct a salary study and make recommendations at a later time.
 - Similar concerns have been raised regarding the assignments in the Fire Department and changes in administrations and personnel staffing have resulted in new analysis of the positions and the appropriate assignment of them. HRM is therefore working with the department to identify an approach to addressing the department's concerns.

While HRM staff again review the assignments in Animal Services and the Fire Department, it may take several months to identify solutions and implement them. Staff will continue to provide the Board with updates of progress on these outstanding items.

2. The ELDE in Human Services showing as out of compliance is for an assignment that ended. The department reports that the employee is no longer working, but the record has not been updated in Oracle.

RECOMMENDATION

Staff recommends that the Civil Service Board accept the monthly report on temporary assignments for Temporary Contract Service Employees (TCSEs) and Exempt Limited Duration Employees (ELDEs).

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

Attachments:

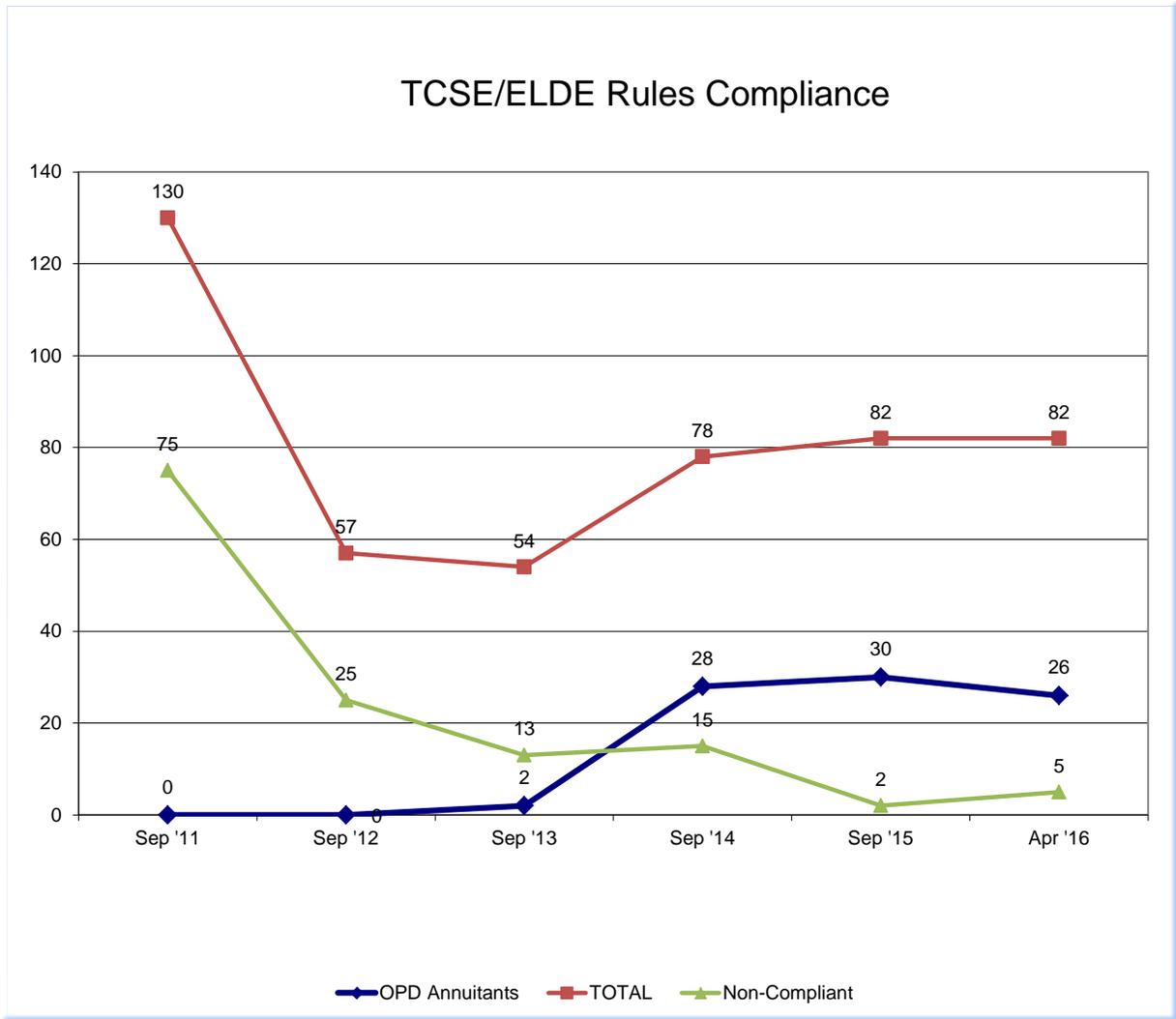
- A. TCSE/ELDE Report: For Payroll Reporting Period ending April 14, 2016
- B. TCSE/ELDE Compliance Trend Chart: As of April 14, 2016

**CIVIL SERVICE BOARD
APRIL 2016 MONTHLY REPORT OF TCSE/ELDE ASSIGNMENTS**

DEPT	LAST_NAME	FIRST_NAME	ORG	JOB_DATE	TYPE	NOTES	STATUS
CLOSED THIS PERIOD (8)							
HOUSING	Dillard	Ellen	89979 - Commercial Lending	2/16/2015	ELDE	Temporary assignment pending approved budget for permanent position.	CLOSED
PLANNING & BUILDING	Brown	Shaneice	84412 - Admin: Building Inspection	6/23/2014	TCSE	termination paperwork not yet processed in payroll.	CLOSED
PLANNING & BUILDING	Elsworth	Elen	84421 - Engineering: Permit Center	2/28/2015	ELDE	Temporary assignment to Brooklyn Basin project.	CLOSED
PLANNING & BUILDING	Johnson	Samuel	84421 - Engineering: Permit Center	11/23/2014	TCSE	Temporary assignment supporting City Clerk's records management program.	CLOSED
POLICE	Hart	Rutherford	106610 - Background & Recruiting	9/23/2013	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	CLOSED
POLICE	Hung	Nguyen	106610 - Background & Recruiting	1/30/2016	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	CLOSED
PUBLIC WORKS	Corso		30112 - Human Resources	9/22/2014	Annuitant	Temporary backfill for LOA.	CLOSED
PUBLIC WORKS	Oqbamichael	Lettebhran	30244 - Sanitary Sewer Design	6/23/2014	Annuitant	Permanent assignment pending Add/Delete following budget action.	CLOSED
NEW THIS PERIOD (11)							
CITY ADMINISTRATOR	Moses	Stephen	02331 - Employee Relations	04/11/2016	ELDE	Temporary support of labor relations backlog	NEW
ECON & WORKFORCE	Rodriguez	Sophia	85221 - Project Implementation: Staffing	03/28/2016	TCSE	Project intern/support - temporary	NEW
FIRE	Kaplan	Joshua	20711 - Emergency Services Program Unit	03/12/2016	TCSE	CORE PT instructor; PT class in development	NEW
HUMAN RESOURCES	Rogosin	Peter	05211 - Employment and Classification Unit	04/04/2016	ELDE	Temporary analyst support to address recruitment backlog.	NEW
HUMAN SERVICES	Jones Sr.	Arlington	78231 - HS Classroom & Seasonal	02/29/2016	TCSE	Food Service Worker PT - pending formal update of Oracle with new PT class.	NEW
HUMAN SERVICES	Okoh	Raelene	78231 - HS Classroom & Seasonal	03/17/2016	TCSE	Head Start program temporary support	NEW
HUMAN SERVICES	Smith	Tarub	78231 - HS Classroom & Seasonal	02/29/2016	TCSE	Food Service Worker PT - pending formal update of Oracle with new PT class.	NEW
PLANNING & BUILDING	Chaney-Williamson	Sylvia	84229 - Zoning	02/29/2016	Annuitant	Temporary support of planning compliance backlog	NEW
POLICE	Byer	Judy	106610 - Background & Recruiting	03/12/2016	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	NEW
POLICE	Lau	Peter	106610 - Background & Recruiting	10/10/2015	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	NEW
POLICE	Nguyen	Hung	106610 - Background & Recruiting	01/30/2016	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	NEW
COMPLIANT (75)							
CITY ADMINISTRATOR	Berens	Matthew	02611 - Contract Compliance Unit	8-Jun-15	ELDE	Assisting with Measure FF (Minimum Wage) compliance	COMPLIANT
CITY ADMINISTRATOR	Dotson	Troy	02621 - Employment Services Unit	17-Aug-15	ELDE	Assisting with Measure FF (Minimum Wage) compliance	COMPLIANT
CITY ADMINISTRATOR	Hollenbeck	Joy	02491 - Oakland Animal Services	14-Sep-15	TCSE	Part time veterinarian; pending compensation review.	COMPLIANT
CITY ADMINISTRATOR	Rozycki	Ari	02491 - Oakland Animal Services	18-Feb-15	TCSE	Part time veterinarian; pending compensation review.	COMPLIANT
CITY ADMINISTRATOR	Zuercher	Eric	02491 - Oakland Animal Services	26-Oct-15	ELDE	Temporary operational support	COMPLIANT
CITY ADMINISTRATOR	San Miguel	Ronald	02611 - Contract Compliance Unit	1-Jun-15	ELDE	Temporary assignment supporting the Disparity Study	COMPLIANT
CITY ADMINISTRATOR	Sylvester	Barbara	02311 - Equal Opportunity Programs	25-Jan-16	TCSE	Temporary support of high volume work.	COMPLIANT
CITY AUDITOR	Carnes	Mark	07111 - City Auditor Unit	7-Dec-15	TCSE	Temporary support of high volume work.	COMPLIANT
CITY AUDITOR	Pringle	Kimberly	07111 - City Auditor Unit	16-Feb-16	TCSE	Temporary support of high volume work.	COMPLIANT
CITY COUNCIL (DISTRICT 1)	Chafe	Zoe	00111 - District One Unit	22-Dec-15	TCSE	Providing support to Councilmember on highly specialized project.	COMPLIANT
FINANCE	Collins	Maya	08222 - General Ledger	21-Dec-15	ELDE	Supporting Oracle upgrade project.	COMPLIANT
HOUSING	Conde	Ahmed	89919 - Admin: Housing & Community Development	27-Apr-15	ELDE	Temporary Assignment supporting the City's Mandatory Seismic Retrofit Program	COMPLIANT
HOUSING	Piper	Susan	89919 - Admin: Housing & Community Development	16-Mar-15	TCSE	Temporary Assignment supporting the City's Mandatory Seismic Retrofit Program	COMPLIANT
HUMAN SERVICES	Bryant	Shawn	78231 - Head Start Program	24-Oct-15	TCSE	Temporary role of Program Analyst II until list can be generated.	COMPLIANT
HUMAN SERVICES	Dupree	Kathryn	78235 - HS Central Office Administration	16-Jun-14	Annuitant	Temporary assignment to backfill for employee leave.	COMPLIANT
HUMAN SERVICES	Hoover-Alexander	Kathryn	78411 - Community Housing Services	8-Sep-15	TCSE	City of Oakland and Housing Consortium of the East Bay	COMPLIANT
HUMAN SERVICES	Norris	Tabia	78251 - Youth Services	21-Sep-15	TCSE	Pending approval of PT classification.	COMPLIANT
HUMAN SERVICES	Pragasa	Romulo	78241 - Year Round Lunch Program Unit	30-Jun-15	TCSE	Transport and deliver summer food to service sites.	COMPLIANT
HUMAN SERVICES	Rice	Erica	78311 - Policy & Planning	4-Jan-16	ELDE	Temporary assignment due to short term funding for program support.	COMPLIANT
HUMAN SERVICES	Smith	Anita	78231 - HS Classroom & Seasonal	19-Jan-16	TCSE	Providing training for CLASS requirements.	COMPLIANT
HUMAN SERVICES	Solomon	Kennedy	78311 - Policy & Planning	17-Feb-15	ELDE	Temporary assignment to Blight Abatement outreach project.	COMPLIANT
HUMAN SERVICES	Steward	Myisha	78411 - Community Housing Services	30-Nov-15	TCSE	Pending HR/dept determination of appropriate class for assignment.	COMPLIANT
HUMAN SERVICES	Walcott	Diana	78231 - HS Classroom & Seasonal	21-Sep-15	ELDE	attendance tracking and monitoring system to maintain OHS and CSPP contract compliance.	COMPLIANT
INFORMATION TECHNOLOGY	Astrera	Erwin	46261 - Server Maintenance and Support	3-Aug-15	ELDE	Temporary support for completion of the Microsoft 365 Project.	COMPLIANT
INFORMATION TECHNOLOGY	Moulton Sr.	Kofi	46461 - Project Coordination	29-Jul-15	TCSE	Temporary operational support	COMPLIANT
INFORMATION TECHNOLOGY	Salisbury	Janet	46411 - Administration	12-Oct-15	TCSE	Temporary role as Project Manager II until list can be generated.	COMPLIANT
INFORMATION TECHNOLOGY	Treglown	Donna	46321 - Systems & Database Administration	10-Feb-16	TCSE	Temporary operational support	COMPLIANT
PLANNING & BUILDING	Anderson	Elizabeth	84412 - Admin: Building Inspection	5-Jan-15	TCSE	Temporary assignment supporting City Clerk's records management program.	COMPLIANT
PLANNING & BUILDING	Block	LaVonce	84421 - Engineering: Permit Center	16-Mar-15	TCSE	Serving as temporary administrative support	COMPLIANT
PLANNING & BUILDING	Dumford	Kevin	8454 - Inspections:Commercial Building	17-Aug-15	ELDE	Pending recruitment	COMPLIANT
PLANNING & BUILDING	Guy	Ethan	84454 - Inspections: Neighborhood Preservation	17-Aug-15	ELDE	Assist with development of Proactive Rental Inspection Policy program	COMPLIANT
PLANNING & BUILDING	Silva Rodriguez	Adoracion	84412 - Admin: Building Inspection	27-Apr-15	TCSE	Serving as temporary administrative support	COMPLIANT
PLANNING & BUILDING	Smart	Gloria	84421 - Engineering: Permit Center	16-Mar-15	TCSE	Serving as temporary administrative support	COMPLIANT
POLICE	Donovan	Daniel	101120 - Internal Affairs	2-Jan-13	Annuitant	Per MOU Agreement; Annuitant supporting OPD Internal Affairs.	COMPLIANT

**CIVIL SERVICE BOARD
APRIL 2016 MONTHLY REPORT OF TCSE/ELDE ASSIGNMENTS**

DEPT	LAST_NAME	FIRST_NAME	ORG	JOB_DATE	TYPE	NOTES	STATUS
POLICE	St. Claire	Michelle	101120 - Internal Affairs	30-Jan-16	TCSE	Per MOU Agreement; Annuitant supporting OPD Internal Affairs.	NEW
POLICE	Causapin	Nicole	102322 - Targeted Inforcement Task Force	27-Oct-15	TCSE	Until recruitment to fill two currently vacant PET positions is completed	COMPLIANT
POLICE	Lloyd	Jessica	102322 - Targeted Inforcement Task Force	24-Aug-15	TCSE	Until recruitment to fill two currently vacant PET positions is completed	COMPLIANT
POLICE	Green	Doretha	103310 - Communications Unit	2-Feb-15	Annuitant	Retired Dispatcher providing coverage pending permanent appointments.	COMPLIANT
POLICE	Grieve	Irma	103310 - Communications Unit	13-Feb-15	Annuitant	Retired Dispatcher providing coverage pending permanent appointments.	COMPLIANT
POLICE	Hill	Barbara	103310 - Communications Unit	2-Feb-15	Annuitant	Retired Dispatcher providing coverage pending permanent appointments.	COMPLIANT
POLICE	Knight	Drew	103310 - Communications Unit	22-Apr-15	TCSE	Retired Dispatcher providing coverage pending permanent appointments.	COMPLIANT
POLICE	Smith	Phylliss	103310 - Communications Unit	20-Jul-15	TCSE	Retired Dispatcher providing coverage pending permanent appointments.	COMPLIANT
POLICE	Chey	Tae	106610 - Background & Recruiting	23-Sep-13	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Christmas	Ernest	106610 - Background & Recruiting	23-Sep-13	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Fisher	James	106610 - Background & Recruiting	12-Oct-13	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Flynn	Dana	106610 - Background & Recruiting	12-Oct-13	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Hassna	Jeffrey	106610 - Background & Recruiting	23-Sep-13	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Hicks	Mark	106610 - Background & Recruiting	23-Sep-13	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Johnson	Carmen	106610 - Background & Recruiting	18-Jan-14	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Johnson	Steven	106610 - Background & Recruiting	18-Jan-14	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Juarez	Edward	106610 - Background & Recruiting	28-Feb-15	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Leaks	Delores	106610 - Background & Recruiting	23-Sep-13	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Lighten	Ronald	106610 - Background & Recruiting	23-Sep-13	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Mestas	Alfred	106610 - Background & Recruiting	23-Sep-13	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Parker	Norma	106610 - Background & Recruiting	17-Mar-14	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Pressnell	Edward	106610 - Background & Recruiting	23-Sep-13	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Quintero	Joseph	106610 - Background & Recruiting	12-Oct-13	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Taylor	Mayumi	106610 - Background & Recruiting	23-Sep-13	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Thurston	Steven	106610 - Background & Recruiting	30-Jan-16	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	NEW
POLICE	Vaughn	John	106610 - Background & Recruiting	23-Sep-13	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Yelder	Ronald	106610 - Background & Recruiting	30-Jan-16	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	NEW
PUBLIC WORKS	Barz	Sara	30275 - IPPD Plans and Programming	3-Aug-15	ELDE	Support to oversee administration of grant programs for outreach and evaluation of car sharing program	COMPLIANT
PUBLIC WORKS	Blackston	Christina	30274 - IPPD Plans and Programming	2-Aug-15	ELDE	Support to oversee administration of grant programs for outreach and evaluation of car sharing program	COMPLIANT
PUBLIC WORKS	Fine	Sarah	30275 - IPPD Plans and Programming	16-Feb-16	ELDE	Temporary operational support	NEW
WORKFORCE DEVELOPMENT	Lang	Janice	85221 - Project Implementation:Staffing	30-Aug-15	TCSE	Temporary assignment to cover incumbent who is on FMLA	COMPLIANT
WORKFORCE DEVELOPMENT	Zaremba	Kristen	85521 - Cultural Arts/PA	14-Sep-15	ELDE	ELDE pending recruitment for Manager, Cultural Arts and permanent appointment	COMPLIANT
NON-COMPLIANT (5)							
CITY ADMINISTRATOR	Kisamov	Bela	02491 - Oakland Animal Services	27-Aug-14	TCSE	Part time veterinarian; pending compensation review.	NON-COMPLIANT
CITY ADMINISTRATOR	Singer	Carl	02491 - Oakland Animal Services	3-Feb-01	TCSE	Part time veterinarian; pending compensation review.	NON-COMPLIANT
FIRE	Hutchens	Gail	20711 - Emergency Services Program Unit	15-Mar-06	TCSE	Department has concerns about the pay rate. Pending further review by HRM Class/Comp	NON-COMPLIANT
FIRE	Kelly	Michael	20815 - U.S.A.R	24-Jan-05	Annuitant	USAR Cache Mgr - highly specialized intermittent assignment.	NON-COMPLIANT
HUMAN SERVICES	Ruhland	Lisa	78235 - HS Central Office Administration	5-Mar-15	ELDE	Temporary assignment pending recruitment for permanent position.	NON-COMPLIANT



To: The Honorable Civil Service Board of the City of Oakland

From: Christopher Boucher, Port Director of Human Resources

Through: Anil Comelo, Secretary to the Civil Service Board

Date: **December 8, 2015**

Subject: Report to the Civil Service Board on the Status of Revisions to the Personnel Rules and Procedures of the Port of Oakland

Introduction:

On December 3, 2015, Port Human Resources staff presented the revised draft of the Personnel Rules and Procedures of the Port of Oakland to the Board of Port Commissioners (Attachment One). This draft of the Port personnel rules represents the culmination of the Port's efforts to harmonize its personnel rules with the City of Oakland's Personnel Manual, and integrate changes proposed by its labor representatives.

Background:

Port and City Human Resources staff agreed to work together on a proposed draft of Port personnel rules that used the City's Personnel Manual as a baseline document with amendments to meet the Port's operational needs. On April 17, 2014, the CSB concurred with Port and City Human Resources staff on a revised draft of Port personnel rules to be shared with its labor representatives. Port staff then presented this draft to the Board of Port Commission on September 11, 2014, got direction to meet and confer with the Port's four labor unions: SEIU 1021, IFPTE-Local 21, IBEW-Local 1245, and WCE.

On September 18, 2014, Port staff began meeting and conferring with its unions over the revised rules and concluded the process on September 30, 2015 after sending the attached draft to all unions to inform them of the next steps. During the meet and confer process, union representatives provided feedback and proposed changes to the rules. Port staff considered labor's feedback and accepted changes after vetting them through the Port Attorney's Office. Port staff strove to keep this process as transparent as possible by sharing any proposed changes from one union with all other labor representatives, in case those changes merited further discussion.

In summary, during the meet and confer process, the union representatives sought to clarify further the relationship of the Port with the City and the Civil Service Board ("CSB") in the Port personnel rules, as follows:

- The Port Commission was not the only appointing authority at the City
- Classifications created by the Port would require CSB approval
- The Port Executive Director has authority to initiate class studies for Port classifications
- Port employees may also review their exam results (similar to current provision for City employees)
- Applicable provisions in a Memorandum of Understanding between the Port and labor union would supersede Port personnel rules
- Port initiated layoffs may impact City employees in common classes
- City's Personnel Director will notify the Port HR Director of a reinstatement in case the Personnel Director accepts an employee's appeal who has been separated due to absence without leave under rule 9.08 (Separation due to Absence Without Leave)

A more detailed summary table of all the changes made to the rules as a result of the meet and confer process with each union's feedback is attached to this report for the Board's review (Attachment Two).

Next Steps:

Port staff will present the changes to the Personnel Rules and Procedures of the Port of Oakland at the December 17, 2015 CSB meeting. If the CSB approves the attached draft of the rules, Port staff will present it to the Board of Port Commissioners for approval and promulgation by Ordinance at its regularly scheduled meeting on January 28, 2016.

Changes proposed to the rules proposed by the unions appear in bold or strikethrough text.

Port Rule/Section	IBEW Local 1245	IFPTE Local 21	SEIU Local 1021	WCE	Unions' Position
<p>Rule 1 – Definition (e) – Appointing Authority (pg.3)</p>			<p>For positions in the Port department, any Port official or group of Port officials having authority by legislation or Charter or the Bylaws of the Board of Port Commissioners, or having lawfully delegated authority, to make appointments to or cause a removal from any position in the Port department.</p>		<p>SEIU proposed language to clarify that the Port was not the only appointing authority at the City of Oakland.</p>
<p>Rule 1 – Definition (r)– Competitive Civil Service (pg. 4)</p>			<p>All positions now existing or hereafter created under the Port Department and approved by the Civil Service Board, but not including those positions specifically exempted from the competitive civil service pursuant to Article VII, Section 714 and/or Article IX, Section 902 of the Charter or otherwise exempted by the Civil Service Board.</p>		<p>SEIU proposed language to clarify that the creation of Port positions requires CSB approval.</p>
<p>Rule 2.02 - Duties of the Civil Service Board (pg. 9 & 10)</p>		<p>(b) Review and approve amendments to the Personnel Rules and Procedures of the Port proposed by the City Administrator, Executive Director or the Board of Port Commissioners, except those that are administrative in nature, subject to and in accordance with OMC 2.08;</p> <p>(c) Study, investigate and research into such areas and matters as the City Administrator, or the Council through the City Administrator, the Board of Port Commissioners, or the Executive Director through the Board of Port Commissioners, may request,</p>			<p>IFPTE proposed the removal of the City Administrator because the City Administrator does not propose changes to Port Rules.</p>

Port Rule/Section	IBEW Local 1245	IFTPTE Local 21	SEIU Local 1021	WCE	Unions' Position
		<p>or as it may deem advisable; (h) Perform such other duties and functions as the City Administrator or Executive Director may from time to time request.</p>			
<p>Rule 2.04 – General Appeal Procedures (pg. 11)</p>			<p>Except as provided elsewhere in these Rules, appeals shall be filed with the Secretary to the Civil Service Board. The appeal shall be scheduled for the next regularly scheduled meeting of the Civil Service Board and may be continued by the Civil Service Board. At the meeting, the appointing authority, employee and/or affected union shall have an opportunity to present their positions, either orally or in writing. The Port’s Executive Director or his/her designee shall also have an opportunity to be heard by the Civil Service Board who shall issue a final decision regarding the dispute.</p>		<p>SEIU proposed adding Civil Service to this section to clarify that the “Board” is referring to the Civil Service Board and not the Board of Port Commissioners.</p>
<p>Rule 3.04(c) - Creation of New Classes (pg. 13)</p>			<p>[First Paragraph, Second sentence]: “In the event that the affected union agrees with the proposed amendments, the amended class specification shall be effective upon approval by the Executive Director or his/her designee, subject to the following: first, ratification on a consent calendar at the next regularly scheduled meeting of the Civil Service Board; second, adoption on a consent calendar at the next</p>		<p>Port and SEIU reached an agreement that “ratification” was not the right term for class specification amendments at the Port; since the CSB approves amendments to classifications and the Board of Port Commissioners adopt the modified classification. The Port and SEIU also agreed to adopt the same language</p>

Port Rule/Section	IBEW Local 1245	IFTPTE Local 21	SEIU Local 1021	WCE	Unions' Position
			regularly scheduled meeting of the Board of Port Commissioners.”		to clarify the process for approval of changes to job descriptions.
Rule 3.04(d) - Classification Studies (pg. 14)			Section 3.04(d) Classification Studies: The Port’s Executive Director or his/her designee and/or the Personnel Director may initiate and conduct classification studies of any Port positions in the competitive civil service when he/she deems such study necessary, and shall recommend a change in classification where the facts warrant such action.		SEIU proposed to add “ Port ” to this provision to clarify that the Port Executive Director could initiate and conduct studies only for Port positions.
Rule 4.18 – Notice and Review of Results of Examinations (pg. 21)				A candidate who is a current Port or City employee may, upon request, inspect her/his own examination papers and the grading thereof during the first 30 days after the Port’s Executive Director or his/her designee has established the eligible list.	WCE proposed to add “ Port or ” to the first sentence in the second paragraph to allow for candidates that are also Port employees to request and review their examination results.
Rule 5.01 – Power of Appointment and Types of Appointments (pg. 24)			All appointments to Port positions in the competitive civil service shall be made by the Executive Director or his/her designee under and in conformity with the provisions of the City Charter and these Rules and the Bylaws of the Board of Port Commissioners, by appointment from an eligible list, reinstatement, re-employment, transfer, reassignment, or temporary appointment.		SEIU proposed to add “ Port ” to clarify that the Port’s Executive Director has jurisdiction only on Port positions.

Port Rule/Section	IBEW Local 1245	IFPTE Local 21	SEIU Local 1021	WCE	Unions' Position
<p>Rule 8.01 - Vacation Leave, Authority. (pg. 35)</p>	<p>8.01(b)(iv) Exclusions - Employees whose leaves of absence and vacations are otherwise provided for by the terms of any applicable Port/Union MOU provision, Port ordinance or Port resolution adopted by the Board of Port Commissioners.</p>				<p>IBEW proposed the modified language to clarify that employees are exempt from Rules if applicable MOU terms exist.</p>
<p>Rule 8.01(e)(vi) – Rate at Which Vacation Leave Shall Accrue... (pg. 37)</p>		<p>Should read “a” four day work week vs. “the” four day work week</p>			<p>IFPTE proposed this change because currently no four day work week plan exists.</p>
<p>Rule 8.01(f) – Deferred Vacation (pg. 37)</p>		<p>Each employee who is entitled to defer up to one year’s vacation accrual ten or more working days’ vacation in any calendar year may, with the approval of her/his department head, defer such vacation to the succeeding calendar year.</p>			<p>IFPTE proposed to harmonize this section with what currently exists in Port MOUs and Port policy for automatic carryover of one year’s vacation accrual.</p>
<p>Rule 8.02 – Sick Leave General. (pg. 38)</p>	<p>Each full-time Port employee, other than those whose sick leave is governed by the Charter or the terms of any applicable Port/Union MOU provision, shall be entitled to take sick leave, with full pay, in case of her/his illness or disability, or serious illness within her/his immediate family, in accordance with the provisions contained in Section 8.02 (a) through 8.02 (k) of this rule.</p>				<p>IBEW proposed to place back “Charter”, add “terms of any applicable” and “provision” to clarify that employees are excluded from the Rules only when applicable MOU terms exist.</p>
<p>Rule 8.02(h) – Verification of Illness (pg. 40)</p>		<p>A department head may require of any employee under her/his jurisdiction, who has been on sick leave for one or more working days, a doctor’s certificate or other authoritative verification, certifying that the illness was bona fide. He/she also may require that the employee be examined by the City selected occupational Physician for the</p>			<p>IFPTE proposed to add “selected occupational” in place of City Physician because currently such position does not exist and it is not defined in the Definitions section of the rules. City Physician was replaced</p>

Port Rule/Section	IBEW Local 1245	IFPTE Local 21	SEIU Local 1021	WCE	Unions' Position
		purpose of determining whether he/she is, in fact, fit for duty and able to return to her/his regular duties; the employee concerned shall be considered on an appropriate leave status until the City Physician releases her/him for duty.			with City selected occupational physician throughout Rule 8.
Rule 8.03 – Maternity Leave (pg. 41)		The Executive Director or his/her designee may grant parental maternity leave, with or without pay, to any employee under her/his jurisdiction as is consistent with the			IFPTE proposed to insert a gender neutral term instead of the gender specific term in this provision.
Rule 8.06(c)(iv) - Limitation Upon Leaves of Absence Without Pay (pg. 45)		To permit the Port employee to settle domestic problems who is a victim of domestic violence and/or a victim of sexual assault to take time off to seek medical attention, to obtain services from a domestic violence program or psychological counseling or to participate in safety planning.			IFPTE proposed to replace the term “domestic problems” with the language in the law on domestic violence protections.
Rule 9.01 - Layoffs. (pg. 47)	Port initiated layoffs shall be on a Citywide basis within each class subject to a reduction in force; provided, however, that an incumbent who was selectively certified to a position in accordance with Section 5.03 may not be displaced by another employee lacking the skills required for the selective certification to the position.				IBEW proposed to add “Port initiated” and “City-wide” in this provision to clarify that the Port can initiate layoffs that can affect the City. IBEW was concerned that eliminating “City-wide” may eliminate employees’ right to “bump” over to the City in case of a layoff.
Rule 9.03 – Reinstatement List. (pg. 49)	Permanent Port employees who are laid off or revert to a former class will have their names kept on a reinstatement list for three (3) years from the date of layoff. Names shall be placed on the reinstatement list ranked by seniority on a Port-wide basis for Port initiated				IBEW proposed to add “for Port initiated layoffs” to clarify that any reinstatement list will be ranked on a Port-wide basis by Port seniority when opportunities for reinstatement arise at the

Port Rule/Section	IBEW Local 1245	IFTPTE Local 21	SEIU Local 1021	WCE	Unions' Position
	<p>layoffs, from highest to lowest seniority. The reinstatement list will be used by the Executive Director or his/her designee when a vacancy arises in the same or lower class.</p>				<p>Port for employees who have been laid off from the Port.</p>
<p>Rule 9.07– Medical Separation. (pg. 50)</p>	<p>The Port may medically separate an employee when the Port, through the interactive process as required by the Americans With Disability Act (ADA), has determined that it cannot reasonably accommodate the employee and the employee is not eligible for a disability retirement under CalPERS.</p>				<p>IBEW proposed to add “as required by the Americans With Disability Act (ADA)” to clarify that the Port would adhere to the law while engaging in the interactive process with employees.</p>
<p>Rule 9.08 - Separation Due to Absence Without Leave (pg. 51)</p>				<p>.....the City’s Personnel Director may order such Port employee reinstated. The City’s Personnel Director will notify the Port of the reinstatement, and upon notification the Port shall reinstate the employee.</p>	<p>WCE proposed to add this language to clarify the process of reinstatement under this section.</p>

Additional changes proposed by WCE were the following:

1. Remove the word “Port” in front of “Executive Director” throughout the rules because the correct title is Executive Director and defined in the Personnel Rules as a position appointed by the Board of Port Commissioners.
2. Replace the word “termination” with “separation” throughout the rules as termination is not defined in the Personnel Rules.

September 15, 2014 (Port)

~~PERSONNEL MANUAL RULES AND PROCEDURES
Civil Service Board
City of Oakland, California
Adopted: March 14, 2013
OF THE
PORT OF OAKLAND
(Established by Port Ordinance No. _____)~~

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INTRODUCTION

This Personnel Manual sets forth Personnel Rules of the Civil Service Board (hereafter “Rules”) which generally describe the employment relationship between the City of Oakland and its employees. These Rules apply to all City and Port of Oakland employees. Consistent with Section 900 (“Personnel Policy”) of the City of Oakland Charter (“Charter”), there is in the City of Oakland a comprehensive personnel system based on merit; and pursuant to Charter Section 706 (21), the Board of Port Commissioners employs and appoints officers, employees and agents of the Port Department and prescribes and fixes their duties, authority and compensation; therefore, consistent with such authority, the operational functions described in these Personnel Rules are hereby delegated by the City Administrator to the Executive Director of the Port of Oakland (“Port”) to facilitate the efficient and economical performance of those functions. Pursuant to the City Charter, the Municipal Code and the City of Oakland Personnel Manual of the Civil Service Board, the City Administrator shall be responsible for the administration of the City’s comprehensive personnel system.

These Personnel Rules and Procedures (hereinafter “Rules”), as adopted by the Board of Port Commissioners, (hereinafter “Rules”) generally describe the employment relationship between the Port of Oakland, acting by and through its Board of Port Commissioners, and its classified employees. The Oakland Municipal Code, Section 2.08.050 (Port Department), describes the authority of the Board of Port Commissioners to establish personnel rules and procedures and provides in pertinent part that:

Subject to the approval of the Civil Service Board, the Board of Port Commissioners is authorized to establish personnel rules and procedures to provide for the administration of such rules for employees of the Port Department. Any such rules and procedures shall be consistent with and subordinate to: (1) the City Charter, (2) this chapter, and (3) rules adopted by the Civil Service Board (Personnel Manual) (collectively, “City Civil Service Rules”). In the event of any conflict between the Port personnel rules and procedures and the City Civil Service Rules, the City Civil [Service] Rules shall control.

These Personnel Rules and Procedures apply to all Port of Oakland (“Port”) employees in the competitive civil service, except where otherwise indicated in these Rules, or where an applicable Memorandum of Understanding (“MOU”) specifically conflicts with a Rule, in which case the MOU provision shall govern. The competitive civil service consists of all employees who are not in positions exempted by action of the Civil Service Board or exempted by section pursuant to Article VII, Section 714 and/or Article IX, Section 902 of the City of Oakland Charter as it may be amended.

These Rules were established to conform with and be complementary to the City Charter. In cases of conflict between a Rule and the City Charter, the Charter shall prevail.

No person shall be discriminated against in any aspect of employment, including but not limited to, recruitment, examination, hiring, promotion ~~and~~or discipline, on the basis of race, color, religion/religious creed, marital status, national origin/ancestry, sex, gender,

gender identity, [gender expression](#), pregnancy, sexual orientation, physical or mental disability, medical condition, [genetic information](#), AIDS/HIV status, military or veteran status, age, citizenship or on any other status protected by federal, state or local law.

The ~~City's~~Port's labor relations policies are governed by the Meyers-Milias-Brown Act (MMBA), Government Code section 3500 et seq. ~~The City has enacted~~[By Ordinance No. 1688](#) (“[An Ordinance Establishing Rules and Regulations for the Administration of Port of Oakland Employer-Employee Relations Resolutions which specify the City's local](#)”; “[EERO](#)”), ~~the Port adopted rules, rights and obligations regarding labor relations. Under the City's and regulations governing~~ Employer-Employee Relations ~~Resolutions (EERR)~~, [Under the Port's EERO](#), and the MMBA, the ~~City~~Port recognizes certain employee organizations as the exclusive representative [of certain Port employees](#) for purposes of labor relations. For represented employees, the ~~City~~Port meets and confers with employee labor representatives regarding wages, hours and others terms and conditions of employment, and provides advance notice of certain matters as specified by the ~~Employer Employee Relations Resolutions~~.[EERO](#). Whenever any amendments to these Rules fall within the scope of bargaining under the MMBA, ~~EERR~~[EERO](#) or other applicable laws, they shall be subject to meet and confer.

RULE 1 - DEFINITIONS

Section 1.01 – Glossary of Terms.

The words and terms described in this section, to the extent that they are used in these Rules and elsewhere in documents relating to Civil Service processes, unless the context otherwise requires, shall have the following meanings:

- (a) Absence – an absence occurs when there is an incumbent, and that individual is expected to be off the job for a period of 120 days or less.
- (b) Actual Time in Class – paid service in a class plus unpaid leaves of absence of thirty (30) consecutive days or less. Unpaid leaves of absence of greater than thirty (30) consecutive days shall not be counted as actual time in class unless required by law or memorandum of understanding. For the purpose of Section 9.02(b), disciplinary suspensions shall not be counted as actual time in class.
~~[Added 05/12/2011 CSB]~~
- (c) Allocation – the official determination of the class in which a position in the competitive civil service shall be deemed to exist and the assignment of such position to the appropriate class in the competitive civil service.
- (d) Applicant – a person who has filed an application for examination.
- (e) Appointing Authority – ~~for positions in the Port department,~~ any Port official or group of Port officials having authority by legislation or Charter; or the Bylaws of the Board of Port Commissioners, or having lawfully delegated authority, to make appointments to or cause a removal from any position in a ~~specified~~the Port department, ~~division or office of the City government.~~
- (f) Appointment – the designation of a person by ~~due authority~~the Appointing Authority to become an employee in a position, and her/his induction into employment in such position.
- ~~(g) Board – the Civil Service Board of the City of Oakland.~~
- ~~(g) Board of Port Commissioners – A body composed of seven members appointed by the City Council upon nomination by the Mayor that which is vested with the exclusive control and management of the Port Department (Charter, Article VII, and Section 701).~~
- ~~(h) Civil Service Board – A body constituted and appointed as provided in Article VI of the Charter and responsible for the general supervision of the City's personnel system (Charter, Article IX, Section 901).~~
- ~~(h)(i) Candidate – a person participating in a selection process.~~
- ~~(i)(j) Certification – the ~~Personnel Director's~~ transmittal by the Port's Executive Director or his/her designee to a hiring department of names of available candidates for employment from a list of eligibles in the manner prescribed in these Rules.~~
- ~~(j)(k) Charter – the Charter of the City of Oakland.~~

- ~~(k)~~(l) Class or Class of Positions – a position or group of positions for which a common descriptive job title may be used, as defined by similar education, experience, knowledge, duties, qualifications and compensation schedule.
- ~~(l)~~(m) Class Title – the designation given to a class, to each position allocated to such class and to the incumbent occupying any such position. Its meaning is set forth in the corresponding class specification.
- ~~(m)~~(n) Classification Plan – an orderly arrangement of titles and descriptions of separate and distinct classes in the competitive civil service.
- ~~(n)~~(o) Clear and Convincing Evidence – proof that is so clear, explicit and unequivocal as to leave no substantial doubt in a reasonable mind.
- ~~(o)~~(p) Compensation – the salary and wages earned by or paid to any employee in remuneration for services in any position, but does not include allowances for expenses authorized and incurred as incident to employment.
- ~~(p)~~(q) Compensation Plan – a series of schedules of salaries and wages established for the several classes of positions in the classification plan, and the method of administration; otherwise referred to as the Port of Oakland Budget and Staffing Plan.
- ~~(q)~~(r) Competitive Civil Service – all positions ~~now~~ existing or hereafter created under any of the City departments, boards or commissions enumerated by the City Charter, Port Department and approved by the Civil Service Board, but not including those positions specifically exempted from the competitive civil service by section pursuant to Article VII, Section 714 and/or Article IX, Section 902 of the Charter or otherwise exempted by the Civil Service Board.
- ~~(r)~~(s) Competitive Examination – an examination, either assembled or unassembled, in which one (1) or more candidates are in competition, either with each other or against a standard established by the Personnel Port's Director of Human Resources as the minimum acceptable which candidates must possess in order to competently perform the duties of a position.
- ~~(s)~~(t) Conclusion of Appointment – the involuntary separation of a non-permanent and non-probationary employee for any reason authorized by these rules other than discharge, removal or layoff.
- ~~(t)~~(u) Day – a day shall be a calendar day unless otherwise specified. A working day shall be any day that the CityPort is regularly open for business.
- ~~(u)~~(v) Demotion – a change of an employee in the CityPort service from a position of one (1) class to a position of another class for which a lower schedule of pay is prescribed.
- ~~(v)~~(w) Discharge – separation from employment as a disciplinary measure or for failure to maintain requirements of minimum qualifications.
- ~~(w)~~(x) Domestic Partner – a person who has registered for a Certification of Domestic Partnership and who is in a committed relationship with a CityPort

employee, in which two (2) cohabiting, unrelated people over the age of 18, share common responsibility for the necessities of life and have resided together for at least six (6) months prior to registering for a Certificate of Domestic Partnership.

~~(x)~~(y) Eligible – a person whose name is recorded on an eligible list or reinstatement list.

~~(y)~~(z) Eligible List – any of the lists of names of persons who have been found qualified through suitable examination for employment in a specific class of position in the competitive civil service arranged in rank order.

~~(z)~~(aa) Employee – a person legally occupying a position in the CityPort service in accordance with applicable rules and procedures of the CityPort and shall include ~~officers as provided~~ those Port positions referenced in or designated pursuant to section 400 of the Charter, Article VII, Sections 706 and 714 and in Article IX, Section 902(c).

~~(aa)~~(bb) Examination – all the tests of fitness, taken together, that are applied to determine the eligibility of applicants for positions of any class in the competitive civil service.

- i. Assembled Examination – an examination in which applicants are called together in one (1) or more designated places to compete in tests according to procedures established and controlled by the PersonnelPort's Director of Human Resources.
- ii. Unassembled Examination – an examination in which applicants are subject only to general controls as to the manner in which required material is submitted to the examining staff for review and rating, and usually not involving the calling of applicants together.

~~(cc)~~ Executive Director: a classification that which is exempt from the City's Personnel System (Charter, Article VII, Section 714) and that which is employed and appointed by the Board of Port Commissioners (Charter, Article VII, Section 706(21)) to efficiently and economically carry out such Board's functions.

~~(bb)~~ ~~(dd)~~ Final Earned Rating – the final percentage attained by a candidate in an examination -as computed in accordance with section 4.10.

~~(ee)~~ ~~(ee)~~ Layoff – the separation of an employee from her/his position in a class without fault on her/his part because of lack of work or funds. ~~[Amended 5/12/2011-CSB]~~

~~(dd)~~ ~~(ff)~~ New Position – a position created through the authorized addition of a position not previously existing.

~~(ee)~~ ~~(gg)~~ Part-time Employee – a person occupying a position CityPort service under one (1) of the following conditions:

- ~~i.~~ Classified – employee working in a classified position on a permanent basis, working less than the normal hours of the normal work week for ~~that~~the Port department.
- ~~ii.~~ ii Exempt – employee working in an exempt position on a part-time basis.
- ~~iii.~~ (hh) Permanent Employee – an employee who has satisfactorily completed a probation period and whose regular appointment has been approved by the appointing authority.
- ~~iv.~~ (ii) Position – an individual employment in a particular class.
- ~~v.~~ i Limited Duration - a position created for a specific purpose or due to an urgent need of limited duration.
- ~~vi.~~ ii Exempt - a position not included in the competitive civil service by reason of the Charter or exemption by the Civil Service Board.
- ~~vii.~~~~iii.~~ Permanent - a position in the competitive civil service, which has required or which is intended to require, the services of an incumbent without interruption for a period of more than 120 calendar days.
- ~~viii.~~~~iv.~~ Temporary - a position in the competitive civil service which has required, or is intended to require, the services of an incumbent for a period not to exceed 120 calendar days, except as otherwise provided in these Rules.
- ~~ix.~~ (jj) Promotion – the change of an employee in the competitive civil service from a position of one (1) class to a position of another class, for which a higher maximum base rate of pay is provided in the compensation plan and which involves increased or more complex duties.
- ~~x.~~ (kk) Promotional List – a list of names of persons arranged in order of ratings/scores, as provided by these Rules, who have been found qualified for promotion to a higher position or positions.
- ~~xi.~~ (ll) Reassignment – The voluntary or involuntary assignment of any employee from one position to another position in the same or similar class under the jurisdiction of a single appointing authority.
- ~~xii.~~ (mm) Reassignment to Accommodate a Disability – reasonable accommodation of an employee with a disability through assignment to a vacant, funded position pursuant to section 5.10 of these Rules.
- ~~xiii.~~ (nn) Reclassification – the reassignment or change in allocation of an individual position on the basis of significant changes in the kind or difficulty of duties and responsibilities of such position.
- ~~xiv.~~ (oo) Redesignation – the designation of the incumbent in a position without affecting her/his status in the position in the event of a title change.

~~xxv.~~ (pp) Re-employment – the re-employment of a permanent employee who has resigned in good standing to a position in the same or similar class from which he/she resigned, within an allowable time period as provided by section 5.11 of these Rules.

~~xxvi.~~ (qq) Reinstatement – the process of returning a person to her/his class from a reinstatement list after that person was laid off from her/his class. ~~[Added 5/12/2011 CSB]~~

(rr) Reinstatement List – an eligible list of names of persons, arranged in the order as provided by Rule 9, who have been laid off from a position in the competitive civil service, and who are entitled to have their names certified to appointing authorities under the provisions of Rule 9. ~~[Amended 5/12/2011 CSB]~~

~~xxvii.~~ (ss) Release – separation due to failure to complete probation.

~~xxviii.~~ Removal – separation due to failure to complete probation.

~~xxix.~~ (tt) Resignation – the voluntary separation of an employee from employment.

~~xxx.~~ (uu) Restricted Examination – an examination limited to specific full-time or part-time CityPort employees who meet the minimum qualifications of the class to be examined.

~~xxxi.~~ (vv) Selection Process – the process of evaluating applicants for the competitive civil service. The selection process includes recruitment, application, screening, examination, certification, interview, appointment and the probationary process.

~~xxxii.~~ (ww) Separation – the cessation of a person’s employment from CityPort service, including but not limited to resignation, medical separation, retirement, conclusion of appointment, ~~removal~~release, and discharge.

~~xxxiii.~~ (xx) Series – a subdivision of a group in the classification plan, being a collection of classes in one occupational group having similar duties but usually at different pay schedules.

~~xxxiv.~~ (yy) Shall and May – “shall” is mandatory and “may” is permissive.

~~xxxv.~~ (zz) Suspension – the temporary separation of an employee from her/his position with loss of pay and as a disciplinary measure. ~~[Amended 5/12/2011 CSB]~~

~~xxxvi.~~ (aaa) Temporary Vacancy – a vacancy where there is an incumbent, but that individual is expected to be off for more than 120 days.

~~xxxvii.~~ (bbb) Test – one part of an examination.

~~xxxviii.~~ -(ccc) Transfer – the transfer of a classified employee from a position under the jurisdiction of one appointing authority to a position under another appointing authority. Transfers are with the consent of the employee and the approval of the PersonnelPort’s Director of Human Resources and the consent of the appointing authorities concerned, provided the positions are in the same or similar class.

| ~~xxx.~~ (ddd) Weight – the numerical value given to each part of an examination designating the relative worth and used in computing a final score or rating.

| ~~xxx.~~ (eee) Y-rated Salary – when an employee is reallocated to a classification with a lower base rate of pay, the salary of an employee is fixed at the rate the employee was earning at the time of the reallocation until the salary rate for the position to which the employee is reallocated reaches or exceeds the level of salary that the employee is receiving.

DRAFT

RULE 2 - ORGANIZATION, RULES AND PROCEDURES

Section 2.01 – Duties of ~~City Administrator and Personnel~~ the ~~Port's~~ Executive Director.

The ~~City Administrator~~ ~~Port's~~ Executive Director shall be responsible for the ~~management of Port administration of the Port's~~ personnel system in accordance with Charter sections 706(21) and -901., Oakland Municipal Code Section 2.08.050, these rules and applicable Port Ordinances, the Bylaws of the Board of Port Commissioners, Resolutions and Administrative policies. The ~~City Administrator shall appoint a Personnel~~ ~~Port's~~ Executive Director ~~who~~ shall have the following duties, ~~subject and, at his/her discretion, may delegate them~~ to the ~~direction~~ ~~Port's~~ Director of the ~~City Administrator~~ ~~Human Resources~~:

- (a) Direct the efficient operation of ~~the Personnel Department of the City;~~ Port personnel;
- (b) Prepare and maintain the Port Personnel Manual Rules and Procedures, with proposed modifications thereto subject to the approval of the Civil Service Board;
- (c) Prepare, maintain and, subject to Civil Service Board approval, amend the position classification plan, including detailed classification descriptions;
- (d) Administer the selection process for positions ~~in~~ at the ~~competitive civil service~~ Port of Oakland and maintain eligible lists of qualified candidates;
- ~~(e) Act as Secretary to the Civil Service Board; and~~
- ~~(f)~~(e) Perform other duties as the ~~City Administrator~~ Board of Port Commissioners may assign.

Section 2.02 – ~~Civil Service Board~~ Duties of the Civil Service Board. The functions and duties of the Civil Service Board are as follows:

- (a) Enforce, through general supervision of the personnel system, the provisions of these rules;
- (b) Review and approve amendments to the Personnel Manual Rules and Procedures of the Port proposed by the ~~City Administrator, Executive Director or the Board of Port Commissioners,~~ except those that are administrative in nature, subject to and in accordance with OMC 2.08;
- (c) Study, investigate and research into such areas and matters as the City Administrator, or the Council through the ~~City Administrator, or the Board of Port Commissioners, or the Executive Director through~~ the Board of Port Commissioners, may request, or as it may deem advisable;
- (d) Make reports and recommendations in writing thereon and formulate policy recommendations or recommended changes to the Personnel Manual Rules and Procedures of the Port for the better realization of the objectives of the personnel system as set forth in the Charter,
- (e) Approve exemption of positions from the competitive civil service;

- (f) Perform the appellate duties and functions set forth in these Rules;
- (g) The Civil Service Board, or its designated representative, may, upon its own initiative, make such inquiries and investigations as it may deem to be warranted regarding the administration and effect of the provisions of the City Charter as related to matters of personnel management, and of the rules adopted in accordance therewith, and make such recommendations therewith, and make such recommendations to the appropriate authorities as in its judgment may be warranted; and
- (h) Perform such other duties and functions as the ~~City Administrator~~ or Executive Director may from time to time request.

~~Section 2.03—Civil Service Board Composition. The Board shall consist of seven (7) members who will be appointed pursuant to section 601 of the Charter, and who shall serve without compensation. Members shall be appointed for a term of four (4) years, said terms to commence upon the date of appointment. An appointment to fill a vacancy shall be for the unexpired term only. [OMC 2.08.030]~~

~~Section 2.04—Vacancy and Removal on Civil Service Board. A vacancy on the Board will exist whenever a member dies, resigns, or is removed, or whenever an appointee fails to be confirmed by the Council. A member may be removed pursuant to section 601 of the Charter. Cause for removal shall include: conviction of a felony, misconduct, incompetence, inattention to or inability to perform duties, and unexcused absence from meetings. [OMC 2.08.030]~~

~~Section 2.05—Officers, Meetings of Civil Board. Each year at its first regular meeting in July, the Board shall elect a chairperson and vice chairperson from among its members. The Board shall meet at least once each month in City Hall, at an established time suitable for its purpose. Such meetings shall be designated regular meetings. Meetings called by the Mayor or City Administrator, and meetings scheduled for a time or place other than for regular meetings shall be designated special meetings. Written notice of special meetings shall be given to the Board members, the Council, the City Administrator, the Board of Port Commissioners, and the press at least forty-eight (48) hours before the meeting is scheduled to convene. [OMC 2.08.030]~~

~~Meetings of the Board shall be open and shall provide opportunity for public comment on any agenda item and in open forum. The Board shall have authority to meet in closed session pursuant to the Brown Act and the City's Sunshine Ordinance and lawful notice of closed session shall be given.~~

~~Section 2.06—Civil Service Board Procedures. The~~ Section 2.03 – Civil Service Board Procedures. The Civil Service Board shall, in consultation with the City Administrator and with the approval of the Council, establish procedures for the conduct of its meetings and hearings. Assuming at least a quorum of the Board is present, a majority vote of those members present is required for the adoption of any procedural or appellate motion. A quorum shall consist of four (4) members of the Board. The Civil Service Board shall

make its reports, findings and recommendations in writing unless otherwise requested. All reports, findings and recommendations shall be submitted to the City Administrator. The City Administrator shall forward such reports, findings and recommendations to the Council, [the Executive Director](#), or the Board of Port Commissioners, as appropriate.
~~{OMC 2.08.030}~~

~~Section 2.0704~~ – General Appeal Procedure. Except as provided elsewhere in these Rules, appeals shall be filed with the Secretary to the [Civil Service](#) Board. The appeal shall be scheduled for the next regularly scheduled meeting of the [Civil Service](#) Board and may be continued by the [Civil Service](#) Board. At the meeting, the appointing authority, employee and/or affected union shall have an opportunity to present their positions, either orally or in writing. The ~~Personnel~~[Port's Executive](#) Director or ~~his~~[her/his](#) designee shall also have an opportunity to be heard by the [Civil Service](#) Board. ~~The Board who~~ shall issue a final decision regarding the dispute.

~~Section 2.08 – City Attorney Duties. The City Attorney shall provide staff counsel to the Board, including in disciplinary appeal hearings, subject to applicable due process and ethical obligations.~~

~~Section 2.09~~Section 2.05 – Staffing for Civil Service Board. The City Administrator shall provide the [Civil Service](#) Board with assistance from City employees under her/his jurisdiction.

~~Section 2.1006~~ – Port Department. The Board of Port Commissioners is hereby authorized to establish personnel rules and procedures consistent with [Ordinance 8979](#) and [Oakland Municipal Code -Section 2.08.050](#) and the Charter and to provide for the administration of such rules for employees of the Port Department. ~~Until the Board of Port Commissioners adopts such personnel rules and procedures, the rules of the Board, insofar as they are consistent with OMC 2.08.050, shall remain in effect with respect to Port employees.~~

RULE 3 - CLASSIFICATION OF POSITIONS

Section 3.01 – Competitive Civil Service. All positions in the [CityPort](#) shall be in the competitive civil service except those positions designated in ~~section~~[Article VII, Section 714 and Article IX, Section 902](#) of the City Charter or otherwise exempted by the [Civil Service](#) Board. All positions in the competitive civil service shall be under the jurisdiction of the [Civil Service](#) Board. No appointment to positions within the competitive civil service shall be made except in accordance with ~~these~~[the Port Personnel Rules and Procedures](#).

Section 3.02 - Definition of Classification Plan.

- (a) Classification of Positions: All positions in the competitive civil service shall be grouped into classes, and each class shall include those positions sufficiently similar in respect to their duties, functions, and responsibilities so that similar positions may be assigned similar titles and embraced within the same class specifications, so that similar requirements as to training, experience, knowledge, skill, and ability, and same rates of pay are applicable. The purpose of such classification is to provide uniform standards, uniform pay scales and an orderly means of regulating the status of incumbents. The classification plan fixes titles of positions to their proper classes so that all positions with the same titles may be in the same class. The classification plan shall identify job series and feeder classes, where applicable.
- (b) Preparation and Amendment of Classification Plan: The classification plan [for the Port Department](#), including class specifications, shall be prepared, maintained and, subject to [Civil Service](#) Board approval, amended by the [PersonnelPort's Executive](#) Director [or his/her designee](#).
- (c) Purpose and Effect of Class Specifications: Each class specification describes the main characteristics and qualification requirements of positions in the class and gives examples of specific duties which employees holding such positions may properly be required to perform. Class specifications provide a basis for determining the relationship among classes, including the series to which a classification belongs, where applicable. The class specification is descriptive and explanatory, but not restrictive. The listing of particular examples of duties does not preclude the assignment of other tasks of related kind or character or skills.
- (d) Performance of Higher Level Duties: When an employee is assigned to perform duties of a higher class for training purposes, the [PersonnelPort's Executive](#) Director [or his/her designee](#) must be informed and such training is subject to her/his approval as to the individual working out of classification. The basis for approval shall be that benefit accrues to both the employee and the [CityPort](#) as a result of this training. Such training shall not be of more than six (6) months' duration.
- (e) Application of Specifications to Positions: In determining the class to which a position should be allocated, the specification of each class shall be considered in

its entirety and in relation to the specification of other classes in the classification plan; and the position shall be related to other positions of its kind in the CityPort service.

- (f) Statement of Minimum Qualifications: The statement of qualifications in a class specification is intended to be used in determining the admissibility of applicants to competitive examinations, and as an aid in the preparation of such examinations. The minimum qualifications may also be used in determining the relationship between positions in one class and positions in other classes. The Personnel~~Port's~~ Executive Director or his/her designee, after consultation with the appointing ~~authorities~~authority, shall determine desired combinations of training and experience as minimum qualifications for the respective classes and, subject to Civil Service Board approval, these minimum qualifications shall become part of the class specification.

Section 3.03 - Title of Positions. The class title of a position shall be used to designate such position in all budgets, payrolls, the Port's Staffing Plan, and other official records in connection with all personnel transactions. No employee shall be appointed, employed or paid under any title or position other than that to which he/she was appointed, except in cases of acting pay.

Section 3.04 - Administration and Maintenance of the Classification Plan.

- (a) Responsibilities of the Personnel Director and the Civil Service Board: The Civil Service Board shall oversee and the Personnel Director shall administer and maintain the classification plan.
- (b) Creation of New Classifications: New classifications in the competitive Civil Service shall be subject to meet and confer to the extent required by law and shall become effective upon approval by the Civil Service Board ~~as is consistent with Oakland Municipal Code Section 2.08.050 and City Charter Section 706(21) and ratification by the Board of Port Commissioners~~. In recommending the establishment of a new classification, the Personnel~~Executive~~ Director or his/her designee shall submit to the Civil Service Board a class title and specification for such classification. The date of the Civil Service Board's and the Board of Port Commissioners' action shall be included on new class specifications.
- (c) Amendments to Class Specifications: Amendments to existing class specifications that fall within the mandatory scope of bargaining shall be subject to meet and confer. In the event that the affected union agrees with the proposed amendments, the amended class specification shall be effective upon approval ~~of~~by the Personnel~~Executive~~ Director or his/her designee, subject to the following: first ratification subject to ratification on a consent calendar at the next regularly scheduled meetings of the Board~~Civil Service Board~~; second, adoption on a consent calendar at and the next regularly scheduled meeting of the Board of Port Commissioners.

In the event that the CityPort and affected union do not come to agreement on the proposed amendments, the amendments shall be calendared for approval at the

next regularly scheduled meeting of the Civil Service Board. The union and the Executive Director or his/her designee shall have the opportunity to be heard by the Civil Service Board at such meeting before the proposed amendment is effective. It will also be subject to adoption by the Board of Port Commissioners.

The date of the Civil Service Board's and the Board of Port Commissioners' action shall be included on amended class specifications.

- (d) Classification Studies: The Port's Executive Director or his/her designee and/or the Personnel Director may initiate and conduct classification studies of any Port positions in the competitive civil service when he/she deems such study necessary, and shall recommend a change in classification where the facts warrant such action.

~~An appointing authority may submit to the Personnel Director requests for classification studies of positions within her/his jurisdiction.~~

An employee who contends that he/she is working outside of her/his classification or who contends that her/his position has been improperly classified may submit to the ~~Personnel~~Port's Executive Director or his/her designee a request for a classification study. The ~~Personnel~~Port's Executive Director or his/her designee shall review such ~~requests~~request and take further action as he/she deems appropriate, subject to appeal to the Civil Service Board as provided in section 3.04(e) of these Rules.

- (e) Appeal to Civil Service Board regarding Changes in Classification: In the event the ~~Personnel~~Port's Executive Director or his/her designee has made a decision regarding a change to an employee's classification or regarding an employee's request for review of her/his classification, and the affected employee does not agree with this decision, the employee or affected union shall have an opportunity to be heard by the Civil Service Board before the ~~Personnel~~Executive Director's decision becomes effective. The employee shall file an appeal with the Secretary to the Civil Service Board within fifteen (15) working days of notice of the ~~Personnel~~Executive Director's decision. A letter sent to the affected employee's address of record via regular and certified mail, or hand delivered to the affected employee, shall constitute notification. At the hearing, the appointing authority, employee and/or affected union shall have an opportunity to present their positions, either orally or in writing. The ~~Personnel~~Executive Director or her/his designee shall also have an opportunity to be heard by the Civil Service Board. The Civil Service Board shall issue a final and binding decision regarding the classification issue in dispute.

- (f) Quarterly Updates: For both employee and employer initiated classification studies, the ~~Personnel~~Port's Executive Director or his/her designee shall provide quarterly updates to the Civil Service Board, the Board of Port Commissioners and the affected employee. For any classification studies pending for more than one (1) year, the update shall be accompanied by an explanation for the delay. An employee may request an update on her/his employee request for classification study at any time.

Section 3.05 – Treatment of Incumbents as a Result of Reclassification of Positions. In the event of a classification study, incumbents may be upgraded, downgraded or unchanged. Should an incumbent be upgraded or downgraded, the following shall occur:

- (a) Upgrading of Position: When a position is reclassified to a class of higher grade, the incumbent may be assigned to the class of higher grade without examination providing he/she has performed the duties of the class for one year prior to the inception of the classification study. ~~The department head~~The Executive Director or his/her designee must attest to the fact that the employee has performed these duties for a period of one year. No classification study shall be performed if the incumbent has served less than one year in the position.

When a class study is initiated by an employee, ~~an appointing authority~~the Port's Executive Director or his/her designee or the City's Personnel Director_ and leads to placement in a higher grade classification, for purposes of determining seniority, the effective date of reclassification shall be the date on which the completed Position Description Questionnaire form is received by ~~Personnel~~the Port's Human Resources Department.

When a class study involving multiple positions is initiated by ~~an appointing authority~~the Port's Executive Director or his/her designee or the Personnel Director_ and leads to placement in a higher grade classification for any incumbent, for purposes of determining seniority, the effective date of reclassification shall be the date on which the earliest completed Position Description Questionnaire form is received by ~~Personnel~~the Port's Human Resources Department.

- (b) Downgrading of Position: When a position is reclassified to a class of lower grade, the incumbent may be assigned to the position of a lower grade at no loss in salary at the time of the downgrading. The salary shall be "Y-rated" until such time as it becomes equivalent to the salary paid the classification. The employee shall be placed on the laid-off list of her/his former class and shall have priority re-employment rights to the classification from which he/she was downgraded for a period of two (2) years from the date of the Civil Service Board's action changing the classification.
- (c) Redesignation: When a position is retitled to a class of the same grade, the incumbent shall be redesignated to the new classification without loss in status.
- (d) Notification: When a position is reclassified to a class of a lower or higher grade, the incumbent, her/his appointing authority, and the affected union (when applicable), shall be notified in writing at least two (2) calendar weeks in advance of the reallocation. A letter sent to the affected employee's address of record via regular and certified mail, or hand delivered to the affected employee, shall constitute notification.

Section 3.06 – Conditions for Accepting an Exempt Classification into the Competitive Civil Service. In the event that classifications, which were previously exempted from the

competitive civil service, are to be included in the competitive civil service, the following procedure shall be followed:

- (a) The PersonnelPort's Executive Director or his/her designee shall review the classification to determine that its organizational structure, job design, and compensation meet the standards established for other City classifications at the Port consistent with City's Personnel System . If these standards are met, the classification shall be placed in the competitive civil service in the same manner as any new classification.
- (b) In the event a position in such a classification has an incumbent, and the incumbent meets the minimum requirements for the classification, has lawfully served for at least one year in the position performing the same or similar duties, and has standard or above performance ratings, the PersonnelPort's Executive Director or his/her designee shall grant the incumbent permanent status in the competitive civil service— and shall notify the incumbent of such decision.
- (c) Should a position be occupied by an incumbent whose service is less than one year and/or does not possess the minimum qualifications, such employee shall be declared a provisional employee and may continue in that status for a period not to exceed 120 days from date of such declaration. The position shall then be treated as being vacant and open to competitive examination. Upon appointment of a candidate from an eligible list, the classification shall be deemed classified.

RULE 4 - APPLICATIONS, RECRUITMENT, EXAMINATIONS, SELECTION, AND ELIGIBLE LISTS

Section 4.01 – Recruitment. The [CityPort](#) shall utilize the broadest feasible recruitment methods for attracting Oakland residents and other qualified and diverse applicants. Recruitments may be open, promotional or may be restricted to [CityPort](#) employees, depending on the [City'sPort's](#) needs. The [CityPort](#) will give reasonable notice to all of its employees concerning the [City'sPort's](#) employment opportunities. Announcements of recruitments for positions shall be posted on the [Port's website and on the City's Personnel website](#) weekly and supplied to all department heads, who shall post and/or distribute such notices.

Section 4.02 – Applicants for Selection Process. All applicants for positions in the competitive civil service will be required to participate in a competitive selection process, which shall be based on merit and fitness as ascertained by practical competitive examination and by records of achievement. The [CityPort](#) will make [City of Oakland Port](#) application forms available to all prospective applicants. [In compliance with Labor Government Code Section 432.9\(a\), and unless mandated by law, such application shall not ask an applicant for employment to disclose, orally or in writing, information concerning the conviction history of the applicant until the Port has determined that the applicant meets the minimum qualifications as stated in the notice issued for the position.](#) Once submitted to the [CityPort](#), applications shall not be returned. Applicants must submit applications on or before the filing deadline stated in the job announcement. An applicant's failure to provide complete and accurate information on all application materials may be grounds for immediate disqualification in the application process, and may result in dismissal from employment.

Section 4.03 – Names of Applicants Withheld. Names of applicants shall not be made public prior to examination, except by permission of the [PersonnelPort's Executive Director](#) [or his/her designee](#).

Section 4.04 – Background Checks. As part of the selection process, applicants shall, upon request, be required to supply references, and may be required to submit to a thorough background check by the [CityPort](#). Applicants may be required to submit to testing for illegal drug use, where permitted by law.

Section 4.05 – Eligibility to Compete In Competitive Examination Process. Except as provided in section 4.06, the competitive examination process shall be open to all applicants who meet the minimum qualifications, and any standards or requirements of state or federal law.

Section 4.06 – Basis for Rejection of Applications. The [PersonnelPort's Executive Director](#) [or his/her designee](#) may refuse to examine and/or certify an applicant who is found to lack any of the requirements established for the position for which application is made, for any violation of these Rules, or for the following reasons:

- (a) [ApplicantsApplicant is](#) not currently employed by [City the Port](#):

- i. The applicant's past employment record is of such a nature that would indicate unsuitability for public employment including incompetence, misconduct, or unsatisfactory service;

(b) All applicants:

- i. The applicant has practiced, or attempted to practice, any deception or fraud in her/his application, or in demonstrating her/his eligibility or in securing her/his appointment.
- ii. The applicant has been convicted of an offense which excludes the applicant from eligibility for the position based on applicable law or which in the judgment of the [PersonnelPort's Executive Director, or his/her designee](#) renders the applicant unsuitable for the position. The [Personnel Director](#) shall take into consideration the following:
 - (1) Whether or not the conviction is job related to the position the applicant is seeking.
 - (2) The nature of the job he/she is applying for and the seriousness of the crime committed.
 - (3) The time elapsed since conviction and the applicant's demonstrated behavior pattern during that time.
- iii. The applicant has made a false statement or has omitted material facts on the application.
- iv. The applicant is a current user of illegal drugs as defined by state law.

If the applicant's name is placed on the eligible list before the [PersonnelPort's Executive Director or his/her designee](#) becomes aware of any false statements made on the application, the applicant's name shall be stricken from the eligible list. If, after the applicant has been appointed to a position, such false statement is discovered, it shall be considered cause for discharge.

Section 4.07 – Announcement of Selection Process to Fill Vacancy. Notice of a selection process for employment shall be given at least ten (10) working days in advance of the last date for filing applications. The announcement of the selection process shall list the minimum education, experience, and license requirements for application, and any other information as is necessary to adequately inform prospective applicants about the selection process. The minimum rating and/or score for which eligibility for the position may be achieved will be established by the [PersonnelPort's Executive Director or his/her designee](#), in keeping with the provisions of section 4.10 of these Rules.

Section 4.08 – Type and Scope of Competitive Examination. Examinations may be assembled or unassembled, in part or in their entirety.

All examinations shall be designed for the purpose of determining the qualifications of applicants for positions, and shall be practical and shall fairly test the fitness of the persons examined, and shall take into consideration elements or requirements of education, experience, knowledge and skill, aptitude, character, personality, physical

fitness and any other element or requirements pertinent to the job and the specifications, as determined by the [Personnel Port's Executive Director or his/her designee](#).

Section 4.09 – Administration of Examinations. Each examination shall be conducted by the [Personnel Port's Executive Director or by his/her/his designee](#). Due diligence shall be used to ensure fairness, prevent collusion and/or fraud in the examination process, and to comply with these Rules.

Dates for any examinations may be postponed or canceled by the [Personnel Port's Executive Director or his/her designee](#). The [Personnel Port's Executive Director or his/her designee](#) may order a new recruitment and examination process in the event that the examination generates an insufficient number of eligible candidates to certify the number of candidates specified under the certification rule.

Section 4.10 – Ratings of Results of Examinations. The [Personnel Port's Executive Director or his/her designee](#) shall use generally accepted examination methods in rating and/or scoring the results of examinations and in determining the relative standings of the candidates.

Candidates shall be required to attain a score of not less than 70% on each part of the examination. In all examinations the 70% used, representing the minimum passing score, need not be the arithmetic 70% of the total possible score, but may be an adjusted score based on a consideration of the difficulty of the test, the quality of the competition, and the needs of the competitive civil service. Any such adjusted score shall be established before the identification of the candidates' examination papers.

The final earned rating and/or score of each person competing in any examination shall be determined by the weighted average of the earned ratings and/or scores on all parts of the examination, according to the weights for each part established by the [Personnel Port's Executive Director or his/her designee](#); the weights of each portion of the exam shall be provided to applicants in advance of the conduct of the examination.

Section 4.11 – Oakland Residents Preference in Examinations. A City of Oakland resident who competes in an examination process for a position in the competitive civil service shall be given an additional five (5) points on her/his final examination score, provided that he/she initially scores a passing score on the examination and has been a City resident for a minimum of one (1) year as of the date of the establishment of the eligible list for that examination. ~~This preference shall not apply to recruitments for sworn members of the Police and Fire Departments.~~ The applicants must submit satisfactory written proof of residency as determined by the [Personnel Port's Executive Director or his/her designee](#).

Section 4.12 – Veterans' Preference in Examinations. A qualifying veteran who competes in an examination for a position in the competitive civil service shall be given an additional five (5) points on her/his final examination score, provided that he/she initially scores a passing grade on the examination. For the purposes of this Rule, a "veteran" means any person who has served full time for 181 days or more in the armed forces in time of war; or in time of peace in a campaign or expedition or service in which a medal

has been authorized by the government of the United States, who has been discharged or released under conditions other than dishonorable, but does not include any person who served only in auxiliary or reserve components of the armed forces.

Section 4.13 – Disabled Veterans’ Preference in Examinations. “Disabled Veteran” means a veteran who was disabled as a result of such service. Proof of such disability shall be deemed conclusive if it is of record in the United States Veterans Administration. Such veterans who become eligible for certification from eligible lists by attaining the passing mark established for the examination shall be allowed additional credits amounting to 7.5 points on open examinations. Dates of military service shall be defined as those established in section 4.12 of these Rules.

Section 4.14 – Veterans’ Preference Entitlement Exhausted Upon Acquiring Permanent Appointment. The exercise of the preferences in section 4.12 and section 4.13 shall be exhausted upon one (1) permanent appointment from an eligible list and the completion of the required probationary period. The application of any other veterans’ credits on any other examination shall be automatically cancelled.

Section 4.15 – Seniority Credit for Permanent Employees. Seniority credit shall be given on the final examination score for permanent employees who compete in examinations so long as the employee’s overall rating is at least “fully effective” or equivalent in the most recent performance appraisal leading up to the date of the examination. In addition, an employee shall have maintained a record clear of any disciplinary action (excluding reprimands) for a period of one year prior to the date of examination. To receive this credit, employees must be in permanent status at the time of application and examination, on an approved leave of absence, or on a reinstatement list. Credit shall be calculated as of the date of the job announcement as follows:

- (a) An employee who has completed ten (10) or more full years of [Port and/or](#) City service and who successfully competes in an examination shall receive up to an additional five (5) points added to her/his final examination score.
- (b) An employee who has completed fewer than ten (10) years of [Port and/or](#) City service shall receive an additional number of points, less than the five (5) points cited in sub-section (a) above and prorated in accordance with her/his number of completed years of [Port and/or](#) City service, added to her/his final score.

Current [CityPort](#) employees who qualify for an examination shall be permitted to take such examination during working hours, if the examination is scheduled during working hours and the employee provides three (3) working days notice to her/his immediate supervisor. If the announcement of examination does not permit three (3) [working](#) days notice, the employee shall notice her/his supervisor within 24 hours of being notified of the examination.

Section 4.16 – Eligibility for Promotional Examination. At the discretion of the [PersonnelPort’s Executive](#) Director [or his/her designees](#), promotional examinations may be administered to candidates who meet the minimum qualifications or occupy

appropriate classifications designated by the classification plan. Only employees who are eligible to receive credit pursuant to 4.15 may compete in a promotional examination.

Section 4.17 – Eligibility for Restricted Examination. The ~~Personnel~~ Port's Executive Director or his/her designee may order an examination limited to specific full-time and part time ~~City employees~~ Port employees who meet the minimum qualifications of the class to be examined.

Section 4.18 – Notice and Review of Results of Examinations. All persons competing in any examination shall be given notice of their final score/rating and rank, or their failure to attain a place upon the eligible list.

A candidate who is a current Port or City employee may, upon request, inspect her/his own examination papers and the grading thereof during the first 30 days after the ~~Personnel~~ Port's Executive Director or his/her designee has established the eligible list. ~~Candidates who are not current employees do not have a right to inspect their examination papers.~~

Section 4.19 – Appeal of Examination Results. Applicants may appeal the results of an examination or any of its parts to the Civil Service Board. Such appeal may be sustained only upon a clear and convincing showing that:

- (a) A mechanical and/or electronic error or error not involving judgment or discretion was made in grading, scoring, or computing, or
- (b) An examination rating and/or score was the result of fraud or bias on the part of an examiner or rater.

Test content is not subject to appeal.

Any appeal must be filed with the ~~Personnel~~ Port's Executive Director or his/her designee -no later than thirty (30) days after the establishment of the eligible list resulting from the examination. The ~~Personnel Director's~~ Port's Executive Director or his/her designee's decision on the appeal may be appealed to the Civil Service Board within thirty (30) days. In the event the ~~Personnel~~ Port's Executive Director or his/her designee does not act upon the appeal within thirty (30) days, the appellant shall have an additional thirty (30) days to appeal the matter directly to the Civil Service Board. The decision of the Civil Service Board shall be final. No person previously appointed shall be displaced as a result of any correction ordered by the ~~Personnel~~ Port's Executive Director or his/her designee or the Civil Service Board.

Section 4.20 – The Establishment of Eligible Lists. The ~~Personnel~~ Port's Executive Director or his/her designee shall provide for an eligible list, from which vacancies shall be filled, for a period of probation before employment is permanent, and for promotion on the basis of merit, experience and record. ~~(Char. Sec. 900)~~

Each eligible list shall consist of the names of all persons who have shown by examination that they possess the qualifications which entitle them to be considered for appointment or promotion to any position in the class for which such list is established.

Eligible lists shall be made public after the list has been established by the Personnel Port's Executive Director or his/her designee.

From the reports of the scoring and/or rating of the examination process, the Personnel Port's Executive Director or his/her designee shall prepare or cause to be prepared an eligible list showing the names of candidates who have obtained ratings and/or scores equal to or greater than the minimum required in each stage of the examination process, whose final earned rating is 70 or more, and who have been accepted as meeting all other requirements for eligibility, arranged in order of their relative ratings or scores. The Personnel Port's Executive Director or his/her designee may determine the total number of persons who shall constitute the list of eligibles.

Eligible lists shall become effective upon approval by the Personnel Port's Executive Director or his/her designee. There shall be two (2) kinds of eligible lists resulting from examinations: (1) Open eligible lists, which result from open examinations and which shall expire one year from that date of approval; and (2) ~~restricted~~ or promotional lists, which result from closed restricted or promotional examinations and which shall expire two (2) years from that date. The Personnel Port's Executive Director or his/her designee shall have the authority to extend the duration of an eligible list or to cancel such list prior to expiration. However, no list shall be extended for a period exceeding four (4) years from date of initial approval. When there is more than one eligible list for a particular class, the two (2) lists may be combined and the names of eligibles may be entered on the combined list at the discretion of the Personnel Port's Executive Director or his/her designee. A name occurring on a combined list shall be removed on the date on which the original list would expire. In the event that there are insufficient names to certify to the appointing authority or no eligible list exists, the Personnel Port's Executive Director or his/her designee may designate alternative lists including, to include a transfer or eligible list for comparable classes.

Section 4.21 – Declined Offer of Appointment. An eligible who is notified that he/she is being offered an appointment is required to respond to the Appointing Authority Executive Director or his/her designee within five (5) working days of the date of notification. The Appointing Authority Executive Director may extend the time response period. An eligible who has failed to respond within the time limits shall be considered to have declined the offer of appointment.

After being offered an appointment, an eligible may decline appointment without losing her/his eligibility for future appointment by providing in writing reasonable grounds for declining an offer within the time periods set forth above.

Section 4.22 – Removal of Names from Eligible Lists. Names of eligibles will be removed from any eligible list for any causes as set forth in section 4.06, and may be removed for any of the following:

- (a) The eligible has been appointed through certification from any such list to fill a vacancy in any department, except as provided by section 5.06;

- (b) The eligible has declined a formal offer of appointment and has failed to respond to the ~~appointing authority~~Executive Director or his/her designee in accordance with section 4.21 of these Rules;
- (c) The eligible has waived a hiring interview three (3) times for a permanent position in any given class;
- (d) The eligible has failed to respond to her/his communication regarding availability for employment; or
- (e) The eligible does not possess or has failed to maintain the qualifications required by law and the terms of the position announcement.

Section 4.23 – Restoration of Names to Eligible Lists. Names removed from any eligible lists may be restored to the list, for just cause, upon a request made in writing to the ~~Personnel~~Port's Executive Director- or his/her designee . The ~~Personnel Director's~~Port's Executive Director or his/her designee decision may be appealed to the Civil Service Board.

RULE 5 - CERTIFICATION AND APPOINTMENT

Section 5.01 – Power of Appointment and Types of Appointments. All appointments to ~~Port~~ positions in the competitive civil service shall be made by the ~~respective appointing authorities~~Executive Director or his/her designee under and in conformity with the provisions of the City Charter and these Rules and the Bylaws of the Board of Port Commissioners, by appointment from an eligible list, reinstatement, re-employment, transfer, reassignment, or temporary appointment (see guidelines in appendix A).

There are three (3) types of vacancies in the ~~City~~Port service to be filled by appointments: permanent vacancies, temporary vacancies, and absences. Permanent vacancies shall be filled by: appointment from an eligible list, reinstatement, re-employment, transfer or reassignment. Temporary appointments shall be made in accordance with section 5.06 of these Rules.

Except as specifically provided in these Rules or in applicable MOUs, temporary appointments shall be at will and shall not attain permanent status.

Section 5.02 – Procedure for Certification to Fill Vacancies in the Competitive Civil Service. Whenever a vacancy is to be filled other than by transfer, reassignment (including reassignment to accommodate a disability), demotion or re-employment, the ~~appointing authority~~Port's Executive Director or his/her designee shall request the certification of names to the class of position for which the vacancy exists. Upon receipt of this request, the ~~Personnel~~Port's Director of Human Resources shall certify eligibles for the appropriate class in the following order: (1) reinstatement list; (2) promotional or restricted list; (3) open list.

In case of certification from a reinstatement list, the ~~Personnel~~ Port's Executive Director or his/her designee shall certify the names in rank order on the list, in accordance with section 9.03 of these rules.

Except in the case of a reinstatement list, the ~~Personnel~~Port's Executive Director or his/her designee shall certify, whenever possible, the top four (4) ranks on the eligible list for the vacancy, with an additional two (2) ranks for each additional vacancy. The appointing authority shall interview all available and willing certified eligibles. If the appointing authority does not select for appointment any of the certified eligibles, he/she may request additional ranks as set forth above.

As provided in section 4.20, if no appropriate eligible list exists, then the ~~Personnel~~ Port's Director of Human Resources may certify from such other eligible lists, as he/she deems most appropriate.

Section 5.03 – Selective Certification. The ~~Personnel~~ Port's Executive Director or his/her designee shall certify the highest ranking eligibles willing to accept employment. However, the ~~appointing authority or Personnel~~Executive Director or his/her designee may require additional and special qualifications and experience for the position. ~~The~~ appointing authorityThe Executive Director or his/her designee must provide a statement of valid reasons for such additional and special qualifications and experience, ~~subject to~~

~~approval by the Personnel Director. Upon approval by the Personnel Director,~~ notice of these special qualifications shall be a term of the job announcement. The ~~Personnel~~Executive Director ~~or his/her designee~~ shall certify the highest ranking eligibles who possess the necessary qualifications for selective certification in accordance with section 5.02 of these Rules. The ~~Personnel Director's~~ decision to conduct a selective certification recruitment may be appealed to the Civil Service Board within 10 working days of the posting of the job announcement.

Section 5.04 – Limit on Certifications. No person shall be certified from an eligible list more than four (4) times for the same or a similar position, except at the request of an appointing authority, provided that certification for a temporary appointment shall not be counted as one of such certifications.

Section 5.05 – Certification to Position in Lower Class. Any person on an eligible list may, with the approval of the ~~Personnel~~Port's Executive Director ~~or his/her designee~~, be certified to a class of position lower than that for which he/she was examined, provided such position is one having similar duties and responsibilities and provided further, that no eligible list exists for the lower class. Acceptance of such position shall not result in removal from the original eligible list.

Section 5.06 – Temporary Appointments.

- (a) Provisional Appointments: ~~A Department Head, with the approval of the Personnel~~The Executive Director ~~or his/her designee~~, subject to ~~the~~ratification of the Civil Service Board ~~and the Board of Port Commissioners~~, may make provisional appointments, in the absence of an eligible list, for any position in which a vacancy may occur. No such provisional appointment shall continue after regular appointment from an eligible list, nor, in any event, shall such appointments continue for more than 120 calendar days. Provisional appointees may not be placed in permanent employment without successfully competing in a selection process.

In cases where the ~~appointing authority~~Executive Director ~~or his/her designee~~ desires to fill a vacancy by provisional appointment, candidates must be eligible to compete in the examination for that vacancy.

- (b) Limited Duration Appointments: Whenever ~~a department~~the Port requires assistance because of a special project, employees' absence due to sick or other leave or vacation relief, or a temporary increase in the workload, appointments of a limited duration may be made from an appropriate eligible list for the duration of such work. The acceptance or rejection by an eligible of this type of appointment shall not affect her/his standing on the eligible list.

The request and certification shall specifically state the date beyond which such appointment shall not extend, insofar as is known; and on such date, the employment of the person shall cease, unless sooner terminated. Appointments of over a year are construed as being of a permanent nature, and as such, the rules affecting permanent appointments will apply.

- (c) Temporary Contract Service Employees: The [Personnel Port's Executive Director or his/her designee](#) may appoint an employee to the temporary contract service employee classification for a maximum of 960 hours per fiscal year for one of two (2) types of assignments. Employees may be assigned to a division or a project on a regular basis up to the maximum 960 hours; or, assignments may be on an occasional or short-term (less than 30 days) basis. These assignments usually require specialized skills such as performance arts, short-term project management and transcription services. This classification may not be used for ongoing or repetitive use. Temporary contract service employees may not be placed in permanent employment without successfully competing in an examination process.
- (d) Exempt Limited Duration Employees: The [Personnel Port's Executive Director or his/her designee](#) may appoint an employee to the exempt limited duration employee classification to meet the [City'sPort's](#) need to fill positions with: (1) limited funding cycles of one year or less; (2) special projects that are longer than 6 months in duration, yet still short-term; or, (3) positions where the duties and responsibilities have not been fully defined. Exempt limited duration appointments may not exceed one year.
- Regular appointment employees who accept exempt limited duration appointments will continue to receive the same fringe benefits they received in their regular appointment. Exempt limited duration employees do not accrue seniority. Exempt limited duration employees may not be placed in permanent employment without successfully competing in a selection process.
- (e) Temporary Agency Assignments: The [Personnel Port's Executive Director or his/her designee](#) may contract with temporary agencies to provide temporary services in the event of an emergency, a special project or under unusual circumstances when help is needed immediately and for short duration. If temporary personnel are required for more than 30 days, it is preferable to make a provisional or limited duration appointment. Temporary agency assignments may not exceed 120 days. Temporary agency employees are not [CityPort](#) employees and are not eligible for retirement, health or other fringe benefits.
- (f) Grant Funded Limited Duration Appointments: The [Personnel Port's Executive Director or his/her designee](#) may appoint grant funded limited duration employees to meet the [City'sPort's](#) need to fill classified positions that are funded by grants lasting up to three (3) years. Grant funded limited duration appointments shall come from an appropriate eligible list, and shall not exceed three (3) years. The acceptance or rejection by an eligible of this type of appointment shall not affect her/his standing on the eligible list.

Upon completion of a probationary period, grant funded limited duration appointments shall attain permanent status with the following exception: in the event of a layoff or the conclusion of the grant, a grant funded limited duration employee shall have no right of appointment to any classified position.

Section 5.07 – Reassignment of Employees. ~~An appointing authority~~The Executive Director or his/her designee may at any time assign any employee under her/his jurisdiction from one position to another position under her/his jurisdiction in the same class. The ~~appointing authority~~Executive Director or his/her designee may also, ~~with the approval of the Personnel Director,~~ reassign an employee in a position in the competitive civil service to a position of a similar class under his/her/his jurisdiction for which the maximum base rate of pay is the same.

Section 5.08 – Transfer of Employees. The transfer of a classified Port employee from a position under the jurisdiction of ~~one appointing authority~~the Executive Director or his/her designee to a position under the jurisdiction of another appointing authority may be made with the consent of the employee and the approval of the Personnel Director and the consent of the appointing authorities concerned, provided the positions are in the same or similar class.

Section 5.09 – Transfer List. Any permanent classified Port employee may request a transfer ~~from one department~~ to another in department in her/his current classification, provided the employee meets the qualifications for the position. A transfer list may be maintained and employees may, upon written application to the ~~Personnel~~Port's Executive Director or his/her designee, have their names made available to department heads for consideration of appointment to vacancies for which they would be eligible as defined by these Rules. Names of employees may also be placed on the transfer list upon request of the ~~department head concerned~~Executive Director or his/her designee, with notice to the employee. Vacancies may, with the consent of the ~~department head~~Executive Director or his/her designee, be filled from the transfer list.

Section 5.10 – Reassignment to Accommodate a Disability. When an employee who has a disability is unable to perform the essential functions of her/his job, with or without reasonable accommodation, the ~~appointing authority~~Executive Director or his/her designee, shall, where required by law, reassign the employee to a vacant, funded position for which the employee meets the minimum qualifications, and is able to perform the essential functions of the job, with or without reasonable accommodation. Such reassignments shall have priority over any individuals on existing eligible lists.

Section 5.11 – Re-employment After Resignation. Any permanent employee who has resigned from service in good standing shall, upon her/his written request, be considered for re-employment to a position in the same or similar class in the competitive civil service, within two (2) years of the date of such separation. A longer period of time from separation date to re-employment may be approved by the ~~Personnel~~Port's Executive Director and appointing authority or his/her designee, for highly qualified former employees and for positions where recruitment is difficult.

Such re-employment shall be made without additional examination, and must have the approval of the ~~appointing authority and the Personnel~~Port's Executive Director or his/her designee. Re-employment as herein defined, may take precedence over eligible lists; but in no way shall it be made mandatory for ~~any appointing authority~~the Executive Director or his/her designee to re-employ former employees. Appointment shall

otherwise be made in the manner as for original employment as defined in other sections of these Rules.

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RULE 6 - PROBATIONARY PERIOD

Section 6.01 – Probationary Period. Every person appointed or promoted to a permanent position in the competitive civil service after certification from an eligible list, shall serve a period of probation while occupying such position, which shall be considered a part of the test of fitness. Former employees who are re-employed under the provisions of these rules shall be required to serve a period of probation of six (6) months from the date of re-employment.

The probationary period shall be an essential part of the selection process, and shall be utilized for the most effective adjustment of a new employee and for the removal or demotion of any probationary employee whose performance does not meet the required standard of performance.

Section 6.02 – Duration of Probationary Period. For entrance appointments, the duration of such probationary period shall be for a period of twelve (12) consecutive months of active service, ~~with the exception of the rank of Police Officer whose probationary period shall be for eighteen (18) months.~~ The probationary period for persons appointed on a promotional basis shall be six (6) months.

An employee accepting a regular entrance appointment who has served on a limited duration appointment in the same class immediately prior to her/his regular appointment shall have that period of time counted as part of her/his probationary period. Rights and privileges shall accrue from the beginning date of limited duration appointment and shall be considered the original appointment date. ~~(C.S. Res. 38851)~~

Section 6.03 – Interruption of Probationary Period. If an employee is laid off during the probationary period and subsequently reappointed to the same class, he/she shall be given credit for the portion of the probationary period previously completed.

If an employee is transferred during her/his probationary period from a position under the jurisdiction of ~~one appointing authority~~ the Executive Director or his/her designee to a position under the jurisdiction of another appointing authority, the second appointing authority shall grant credit for the portion of the probationary period previously completed.

Section 6.04 – Performance Rating During Probationary Period. ~~Department heads~~ The Executive Director or his/her designee shall file an approved report of performance at the end of the third and fifth months of employment for each employee serving a six-month probationary period. For probationary employees who have been required to serve a twelve-month probationary period, the ~~department head~~ Executive Director or his/her designee shall file with the ~~Personnel Port's~~ Director of Human Resources a report of performance for each employee at the end of the third, fifth, eighth, and eleventh months of employment. This section does not preclude the filing of additional reports at any other time during the employment of any individual.

Upon a favorable report, the appointment of the employee shall be deemed to be permanent at the expiration of the probationary period. In the event of an unfavorable

report, the ~~appointing authority~~ Executive Director or his/her designee shall notify the ~~Personnel Port's~~ Director of Human Resources and the employee, at least five (5) working days in advance, that he/she will be removed from the position no later than the final date of the probationary period.

Section 6.05 – Removal or Demotion of Employee During The Probationary Period. At any time during the probationary period (entrance appointment to a classified position – one (1) year; ~~police officer—18 months~~; entrance and restricted entrance appointment to a higher or equal classification – one (1) year; or a promotional appointment – six (6) months) an employee may be removed from her/his current position by the ~~appointing authority~~ Executive Director or his/her designee provided that:

- (a) Upon removal by the ~~appointing authority~~ Executive Director or his/her designee, such probationer's name shall be removed from the eligible list from which he/she was certified, and he/she shall be considered permanently separated from that position without right of appeal to the Civil Service Board except as set forth in section 6.06.
- (b) If the employee has served ~~in~~ at the Port or the City in another position in the competitive civil service, the employee shall be notified in writing by the ~~Personnel Port's~~ Department of Human Resources within five (5) working days of removal that he/she may be reinstated to the prior classification from which promotion was made. The employee has five (5) working days from date of notification to respond in writing, stating her/his wish to be so reinstated.
- (c) Reinstatement to the former classification will be based on the circumstances of the removal from the most recent appointment during the probationary period and the employee's work record as determined by the ~~appointing authority~~ Executive Director or his/her designee.
- (d) If reinstatement is effected by the ~~appointing authority~~ Executive Director or his/her designee, the employee shall be appointed to a vacant position in the former classification. If none is immediately available, it shall be the responsibility of the ~~appointing authority~~ Executive Director or his/her designee to provide such a vacancy as expeditiously as possible without violating the rules of any applicable ~~Memorandum of Understanding~~ Port/Union MOU, or ~~these~~ Port Personnel Manual Rules and Procedures concerning layoffs and without the necessity of creating an additional position.

Section 6.06 – Limited Rights of an Employee During Probationary Period. The right of an employee to appeal to the Civil Service Board because of her/his permanent separation from her/his position during ~~the~~ his/her probationary period shall be limited to the following:

- (a) Failure of the ~~appointing authority~~ Executive Director or his/her designee to comply with section 6.04 of these Rules;
- (b) Failure of the ~~appointing authority~~ Executive Director or his/her designee to comply with section 6.05 of these Rules;

- (c) Discrimination against an employee during such probationary period on the basis of race, color, religion/religious creed, marital status, national origin/ancestry, [sex](#), gender, gender identity, [gender expression](#), pregnancy, sexual orientation, physical or mental disability, medical condition, [genetic information](#), AIDS/HIV status, military or veteran status, age, citizenship or on any other status protected by federal, state or local law.

Section 6.07 – Procedure to Be Used In Appeals and Hearings Under Section 6.06.

Whenever an employee who has been permanently removed from her/his position during the probationary period desires to appeal under the provisions of section 6.06, the following order of procedure shall govern:

(a) Order of Procedure in Appeals:

- i. The appeal must be filed in the office of the [Personnel Port's Executive Director or his/her designee](#) within five (5) working days from the date that notice of removal was filed upon the affected employee. A letter sent to the affected employee's address of record via regular and certified mail, or hand delivered to the affected employee, shall constitute notification.
- ii. The appeal must be submitted in writing, and if the appellant desires to waive a public hearing, such a waiver must be in writing.
- iii. The appeal shall state the sub-section of section 6.06 of these rules upon which it is based and a statement of the facts upon which such appeal is based.
- iv. Within seven (7) working days from the filing of this appeal, the [appointing authority Executive Director or his/her designee](#) shall submit to the [Civil Service](#) Board in writing its response.
- v. At the first meeting of the [Civil Service](#) Board after the filing of the appeal and the [City's Port's](#) response, the appeal shall be received and a date for the hearing shall be set. The appeal hearing shall be held at the next meeting of the [Civil Service](#) Board, unless continued by the [Civil Service](#) Board.
- vi. Not less than five (5) working days before the date the appeal is scheduled for hearing, the [Civil Service](#) Board shall send:
 1. A written notice giving the date, time, and place of such hearing to the [appointing authority Executive Director or his/her designee](#), to the appellant or her/his attorney and/or representative, and to the [CityPort](#) Attorney;
 2. A copy of the appeal to the [appointing authority Executive Director or his/her designee](#) and the [CityPort](#) Attorney; a copy of the answer of the [appointing authority Executive Director or his/her designee](#) to the appellant or her/his attorney or representative.

- vii. Hearings on appeals may be open to the public. However, upon motion of a directly interested party, the Chairperson of the [Civil Service](#) Board may exclude from the hearing room any witnesses not at the time under examination; except that a party to the proceeding and/or her/his counsel, or other persons conducting her/his case cannot be excluded.
 - viii. The technical rules of evidence shall not apply. However, all testimony and exhibits offered must be relevant and bear upon the act of removal. Any testimony or exhibits that do not meet these criteria may be excluded. The [Civil Service](#) Board shall consider the objection of either side to the introduction of evidence.
 - ix. Hearings may be continued beyond the period originally scheduled or recessed until a future date agreeable to the [Civil Service](#) Board and the parties for good reason. Provided, however, that if such request is made by the appellant or her/his attorney of record and the [Civil Service](#) Board sustains the appeal, the [Civil Service](#) Board may rule that the appellant shall receive no pay for the period of time during which such continuance was granted.
 - x. Based on the evidence presented at the hearing, the [Civil Service](#) Board shall render its decision which may be:
 - a. to sustain the action of the appointing authority concerned;
 - b. to sustain the appeal and reinstate the appellant in accordance with subsection xi below.
 - xi. The words “probationary period” as defined in section 6.01 of these rules shall be construed to mean a period of probation consistent with the letter and spirit of these rules; if an appeal is sustained hereunder, the [Civil Service](#) Board may determine that there has been an interruption in the probationary period from the date of the cause giving rise to the appeal hereunder, to the date of the decision by the [Civil Service](#) Board, and the probationary period of the appellant may be extended by the length of such interruption.
- (b) Burden Of Proof: In any appeal under this section, the burden of proof shall be upon the appellant, and the evidence in support of the allegations made in such appeal must be clear and convincing.

RULE 7 - PERFORMANCE EVALUATIONS

Section 7.01 - Establishment of Performance Evaluation System. A system of performance evaluation is established to provide a fair, impartial, and objective means for rating and reporting the service and performance of each employee in the competitive civil service.

The performance evaluation plan, embodying significant factors and factor degrees for the various classes of positions, shall have reference to the quality and quantity of work done, and other characteristics which shall be considered in rating and reporting the ability, performance and efficiency of the respective employee and the value of the employee to the [CityPort](#) service.

The following rules and the supplemental manual of procedures and factors define the performance evaluation standards and procedures which shall be used in connection with eligibility for advancement, layoff, re-employment, promotion, demotion, dismissal from the service, or as a recommendation for reduction in pay within the salary range for the classification, and in other decisions relating to the status of employees. Such plan shall primarily be a means, whereby individual employees may regularly review their performance with their supervisors, and for ascertaining and encouraging the improvement in service by the employees, for recognizing superior performance, and in providing effective supervision of employees.

Section 7.02 – Official Copy of Employee Performance Evaluations. The system of performance evaluations, as approved by the [Civil Service](#) Board, shall be maintained in separate manual form.

The [Personnel Port's](#) Director [of Human Resources](#) shall provide ~~each appointing authority~~ [the Executive Director or his/her designee](#) with copies of the performance evaluation plan and shall prescribe the forms to be used. The performance evaluation plan in the office of the [Personnel Port's](#) Director [of Human Resources](#) shall be open for the inspection of the employees during business hours.

Section 7.03 – Participants in the Performance Evaluation Procedure. The performance evaluation for permanent employees in the competitive civil service shall be made annually by a rating supervisor and a reviewing supervisor in each organizational unit or ~~division within each~~ department [within the Port](#), as designated by the ~~appointing authority of each department~~ [Executive Director or his/her designee](#).

Each rating supervisor, designated by the ~~department head of each department~~ [Executive Director or his/her designee](#), shall be the person who is immediately responsible for the work of the employee; that is, the first person in authority who has supervisory responsibility and who either regularly oversees, reviews and checks the work of the employee or who is most closely acquainted with her/his daily performance during the period of time for which the performance evaluation is conducted. The reviewing supervisor, designated by the department head, shall be the next higher supervisor in line of authority above the rating supervisor, who has personal knowledge of the work and performance of the employee in the unit or division to which the employee is assigned.

Section 7.04 - Assistance by the ~~Personnel Port's~~ Director of Human Resources. The ~~Personnel Port's~~ Director of Human Resources shall be responsible for distributing employee performance evaluation forms, instructing the evaluating and reviewing supervisors regarding the performance evaluation procedure, recording final performance ratings for individual employees on the appropriate records, and obtaining widespread understanding among the employees of the objectives and characteristics of the performance evaluation procedures.

Section 7.05 - Open Records of Performance Evaluations. The performance evaluations of the respective employees in each department shall be open at all times to said employees for review of their own file and for the inspection by the ~~Personnel Port's~~ Director of Human Resources.

The performance evaluations of employees as maintained by the ~~Personnel Port's~~ Director of Human Resources respecting each department likewise shall be open to the respective employees for review of their own file and to the ~~appointing authority~~ Executive Director and ~~to the superior officers in the department, his/her designee.~~ Any employee shall be entitled to be informed by the ~~Personnel Port's~~ Director of Human Resources only as to the performance evaluations recorded for herself/himself and those employees who work under her/his supervision.

RULE 8 - VACATIONS AND LEAVES OF ABSENCE

Section 8.01 - Vacation Leave, Authority For. The following rules shall govern vacations and leaves of absence, in accordance with the provision of Ordinance No. 8546 C.M.S., passed by the City Council May 16, 1972:

The Board is hereby authorized to make rules and regulations governing leaves of absence and vacations for all employees in the Classified Civil Service whose leaves of absence and vacations are not otherwise provided for by ordinance or resolution of Council. Unless otherwise provided for by ordinance or resolution of Council, those employees not in the Classified Civil Service shall be allowed the rights and privileges granted to the employees in the Classified Civil Service.

(a) Purpose. The purpose of annual vacation leave is to enable each eligible employee to return to her/his duties mentally and physically refreshed. All employees in the Competitive civil service, other than those excluded in section (b), shall be entitled to earn annual vacation leave. ~~(C.S. Res. 41664—6/6/72)~~

(b) Exclusions. The provisions of this section do not apply to the following:

- i. Employees who ~~are covered~~, by Charter ~~provision~~, are excluded from the Competitive Civil Service.
- ii. Employees who work on a temporary, intermittent, or seasonal basis.
- iii. Employees who work on an exempt part-time basis.
- iv. Employees whose leaves of absence and vacations are otherwise provided for by the terms of any applicable Port/Union MOU provision, Port ordinance or Port resolution adopted by the Council/Board of Port Commissioners.

(c) Specific Inclusions

- ~~i. City employees: Persons employed on an exempt part-time basis who have worked a reasonably fixed pattern and who have worked at least 1040 hours in the preceding anniversary year.~~
- ~~ii. Port employees: Persons who are employed on an exempt part-time basis² and who have worked at least 1,730 hours in the preceding calendar year, and not less than 140 hours in any month during the year.~~
- ~~iii. Employees who work on a permanent part-time basis in a classified position and who have worked at least 50 percent or more of each normal work week during the preceding calendar year. (C.S. Res. 41934—4/24/73)~~

Vacation and sick leave credits should be determined on a pro-rated basis according to the time spent in part-time work, in relation to the normal work week for the class.

(d) Times At Which Vacation Leave Shall Be Taken.

- i. The times at which an employee shall take her/his vacation leave during the calendar year shall be determined by her/his department head, with due

regard for the wishes of the employee, and with particular regard for the operational needs of the department. If circumstances are such that a department head cannot permit an employee within her/his department to take an annual vacation leave or any part of such leave within a particular calendar year, the employee shall have the right to take the deferred vacation during the following calendar year, in addition to her/his then current vacation.

~~City employees must take vacation leave in units of not less than one day at a time.~~

~~Port employees must take vacation leave in units of not less than one week at a time, provided that under special circumstances the department head may grant a lesser unit of leave, subject to approval by the Personnel Director. (C.S. Res. 41934—4/24/73).~~

~~ii.~~ All vacations shall be computed and taken on a calendar year basis.

~~iii.~~ ii. Employees shall be allowed to take vacation according to the following schedules, with the approval of their department head. The time of which shall be determined with due regard for the employee's wishes and particular regard for department needs. Provided, however, that no employee shall take vacation leave before such leave has been earned.

- a. After her/his fifth calendar year of continuous service, 15 working days.
- b. After her/his fifteenth calendar year of continuous service, 18 working days.
- c. After her/his twentieth calendar year of continuous service, 20 working days.

(e) Rate at Which Vacation Leave Shall Accrue For Full-Time Employees.

- i. For employees during their first four (4) calendar years of service with the City or Port of Oakland, vacation leave shall accrue at the rate of ten-twelfths working days per month.
- ii. For employees who have completed four (4) calendar years of service with the City or Port of Oakland, vacation leave shall accrue at the rate of one and one quarter working days per month.
- iii. After completion of fourteen calendar years of service, leave shall accrue at the rate of one and one-half working days per month; after completion of nineteen calendar years of service, leave shall accrue at the rate of one and two-thirds working days per month.
- iv. For purposes of computing the rate of accrual of vacation leave, a break in service of less than two (2) years shall have no effect. A break in service in excess of two (2) years shall mean that the employee so re-employed

shall, for purposes of computing vacation leave, be treated as a new employee.

- v. For the purpose of computing length of service in determining eligibility for vacation at the higher accrual rate, time spent on extended military leave shall be counted as time spent in the service of the City or Port.
 - vi. An employee who works under ~~the a~~ four-day work week plan shall accrue vacation leave on the same basis as he/she would accrue vacation leave under the five-day work week schedule. All vacation time used shall be charged by the actual hours taken. ~~(C.S. Res. 42204—5/14/74)~~
- (f) Deferred Vacation. Each employee ~~who~~ is entitled to defer up to one year's vacation accrual ten or more working days vacation in any calendar year may, with the approval of her/his department head, defer such vacation to the succeeding calendar year. ~~(C.S. Res. 41799—12/12/72)~~
- (g) Effect of Leaves of Absence Without Pay Upon Vacation. ~~A~~ Port employee who is granted a leave of absence without pay for a period in excess of thirty (30) consecutive days shall not earn vacation credits for the period in excess of thirty (30) consecutive days, except as otherwise required by law or ~~memorandum~~ the terms of understanding. [Amended 5/12/2011 CSB]any applicable Port/Union MOU.
- (h) Computation of Vacation Leave upon ~~Termination Separation~~ or Extended Military Leave.
- i. Compensation for Unused Vacation for ~~Terminated Separation Port~~ Employee. ~~After six months or more of continuous service, an employee terminates or is~~ The Port shall pay a ~~terminated separated,~~ such Port employee, or her/his estate, ~~shall be paid~~ for earned vacation leave ~~that which~~ he/she has accumulated.
 - ii. Method of Payment for Unused Vacation. Upon ~~termination separation~~ of CityPort service or commencement of extended military leave, an employee shall be paid in a lump sum for such unused vacation time as he/she has accrued. Payment shall be made on the following basis: For purposes of computation it shall be assumed that there are 250 working days in a year. The employee's actual annual salary divided by 250 determines the daily workday rate multiplied by the actual number of working days of vacation due the employee at ~~termination separation~~ shall be the amount paid to the employee.
 - a. For the purpose of computing the number of working days of vacation due an employee upon ~~termination separation~~, an employee shall be allowed credit for one full day if he/she has served one-half or more of the total number of calendar days in the month in which he/she ~~terminates separates,~~ plus the credit earned before that month; but no allowance shall be granted for service of less than this amount.

iii. ~~Limitation Upon Benefits. No employee, or her/his estate, shall be paid for unused vacation in excess of forty seven working days.~~

(i) Supplemental Vacation Benefits.

- i. Sick leave credits may be accrued up to a maximum of one hundred and fifty days for sick leave use.
- ii. Employees who accrue and maintain this maximum are eligible to earn supplemental vacation based on the following scale:
 - a. Employees who accrue six (6) additional days of sick leave credit over and above the maximum during a calendar year are eligible ~~for~~ one additional day's vacation.
 - b. Employees who accrue twelve (12) additional days of sick leave credit over and above the maximum during a calendar year are eligible for two (2) additional days of vacation.
- iii. Determination of eligibility for supplemental vacation will be made at the end of each calendar year, and any sick leave credits above one hundred and fifty days will be reduced to zero at that time. Supplemental vacation shall be taken as a part of the employee's next scheduled vacation.
- iv. Employees who are or become eligible for supplemental vacation on the basis of accrual of one hundred and twenty days sick leave pursuant to section 8.01(1) as it was on June 30, 1969, shall continue to be eligible to earn supplemental vacation at that rate for a period of three (3) years from July 1, 1969; effective July 1, 1972, an employee must have accumulated one hundred and fifty days sick leave in order to be eligible for supplemental vacation under section 8.01(1) as hereby amended. ~~(C.S. Res. 40835—7/15/69)~~

(j) Section 8.02 - Sick Leave - General. Each full-time Port employee, other than those whose sick leave is governed by the Charter or the terms of any applicable Port/Union MOU provision, ~~Charter, a Port/Union MOU~~ shall be entitled to take sick leave, with full pay, in case of her/his illness or disability, or serious illness within her/his immediate family, in accordance with the provisions contained in Section 8.02 (a) through 8.02 (k) of this rule. In addition, Port employees shall be entitled to use accumulated sick leave in case of urgent personal business, in accordance with the provisions set forth in section 8.02 (1) of this rule.

(a) Purpose of Sick Leave. It is the purpose of this rule to establish provisions, which will enable the ill employee to remain off her/his job until he/she is well enough to work, and to avoid subjecting coworkers to illnesses, which might be contagious. Sick leave, under this rule, is a privilege which the employee can exercise only in the event of her/his bona fide illness or disability, or serious illness within her/his immediate family, except that Port employees only may be

allowed additional use of sick leave as outlined in section 8.02 (1) of this rule.

~~(C.S. Res. 41687 - 7/11/72)~~

(b) Rate At Which Employees Shall Earn Sick Leave.

- i. Each employee, upon completion of three (3) months of service with the [CityPort](#), shall be credited with three (3) working days of sick leave credits with pay.
- ii. When the original sick leave credit has been granted, as provided in Section (1) above, each employee shall thereafter be credited with one working day of sick leave credit with full pay for each month of service.
- iii. For the purpose of this rule, a month of service shall mean thirty calendar days.

(c) Accumulation Of Sick Leave Credits. Such sick leave with pay, as ~~provide~~provided for in Section (b) above, which is not used shall be cumulative. Sick leave credits may be accumulated, not to exceed one hundred and fifty working days. When the maximum of one hundred and fifty working days have been accumulated and a portion of it is subsequently used, it may be re-accumulated at the applicable earning rate provided in Section (b). ~~(C.S. Res. 30835 - 7/15/69)~~

(d) Disposition of Sick Leave Credits of ~~Terminated-Separated~~ Employees.

Except as hereinafter set forth, if an employee ~~terminates-separates~~ or is ~~terminated-separated~~ for any reason whatsoever, all accumulated sick leave shall be cancelled; provided, however, that such employee who returns to work with the [CityPort](#) of Oakland within one year of such ~~termination-separation~~ shall be again credited with the amount of accumulated sick leave he/she had at the time he/she ~~terminated-separated~~. An employee who is re-appointed or reinstated in this manner shall earn sick leave at the rate of one working day per month, unless her/his previous service with the [CityPort](#) of Oakland amounted to less than three (3) months of service.

If an employee with not less than ten years total [CityPort](#) of Oakland employment, uninterrupted by a single period of absence in excess of one year, ~~terminates separates~~ or is terminated for any reason, he/she shall be paid a lump sum on the basis of 33-1/2% of accumulated sick leave credit. For this purpose, a day's pay will be computed in the manner set forth in Section 8.01 (h) (2) of these rules.

~~(C.S. Res. 41374 - 7/20/71)~~

(e) Family Illness - Immediate Family Defined.

- i. Each [Port](#) employee who is otherwise eligible to take sick leave may, in the event of serious illness in her/his family, take a maximum of five (5) working days family sick leave in any calendar year. Such family sick leave shall be charged against the employee's accumulated sick leave credits.

- a. In extreme or unusual circumstances, the ~~appointing authority, with the approval of the Board, Executive Director or his/her designee, in his/her discretion and taking into consideration the operational needs of the Port,~~ may grant additional family sick leave time against earned sick leave credits and may, under extreme or unusual circumstances, authorize family sick leave for other than members of the immediate family.
- ii. The immediate family of ~~ana Port~~ employee shall include ~~wife, husband, mother, fatherspouse-, registered domestic partner, child, including biological, adoptive, stepchild, foster, legal ward child or a child of a person standing in loco parentis, who is either under the age of 18 or an adult dependent child, parent, including biological, adoptive, stepparent, foster, a legal guardian or other person who stood in as loco parentis when the employee was a child, grandparent, grandchild, sibling or parent in law, child, sister, brotherparent, siblings, grandfather, and grandmother.~~
- (f) Limitations on Sick Leave. Sick leave shall not be granted to ~~ana Port~~ employee who is absent from duty due to an injury incurred while regularly working for an employer other than the CityPort of Oakland.
- (g) Effect of Leaves of Absence Without Pay Upon Sick Leave. ~~AnA Port~~ employee who is granted a leave of absence without pay for a period in excess of thirty (30) consecutive days shall not earn sick leave credits for the period in excess of thirty (30) consecutive days, except as otherwise required by law or the terms of any applicable Port/Union MOU memorandum of understanding. ~~[Amended 5/12/2011-CSB]~~
- (h) Verification of Illness - Abuse of Sick Leave. A department head may require of any employee under her/his jurisdiction, who has been on sick leave for one or more working days, a doctor's certificate or other authoritative verification, certifying that the illness was bona fide. He/she also may require that the employee be examined by the City selected occupational Pphysician for the purpose of determining whether he/she is, in fact, well enough fit for duty and able to return to her/his regular duties. ~~The; the~~ employee concerned shall be considered on sick an appropriate leave status until the City selected occupational pPhysician releases her/him for duty.
- ~~Obvious abuses~~ Abuses of the sick leave privilege will result in suspension discipline up to and including termination discharge of from those privileges for a period of six months. Determination of abuse and the suspension of privileges will be made by the Civil Service Department and the City Physician, and any such suspension shall be by order of the Board. Further disciplinary action by the appointing authority may be taken where deemed appropriate. employment.
- (i) Required Method of Reporting Illness. In order to receive compensation for the period; in which he/she is on sick leave, the Port employee shall notify her/his immediate supervisor or a higher supervisor prior to or within one hour after the

- employee's regularly scheduled time for reporting to work. If the circumstances involved clearly are such as to make this impractical, the employee shall report her/his illness at the earliest possible time. Failure to do so is cause for denying sick leave with pay.
- (j) Compulsory Sick Leave. If, in the opinion of the ~~appointing authority~~ Executive Director or his/her designee, a Port employee is unable to perform her/his work properly due to illness, he/she may direct that the employee be examined by the ~~City Physician~~ City selected occupational physician. If the ~~City Physician~~ City selected occupational physician finds that the Port employee is physically or mentally unfit to properly perform her/his duties, the ~~appointing authority may, subject to the approval of the Board, compel such employee to take sufficient~~ may use his/her accrued sick leave of absence and/or other appropriate leave, as ~~will enable her/him to recuperate or regain her/his health so that he/she may again properly perform her/his duties~~ allowed under applicable laws (e.g., FEHA, CFRA, ADA, FMLA, Pregnancy Disability Leave Law), these rules, and the employee's Port/Union MOU, if any.
- (k) Return to Duty from Extended Sick Leave. In all instances Port employees returning to duty after extended sick leave (ten days or more), or when due to the nature ~~of~~ of the injury or illness, it is in the best interest of the City/Port service, medical clearance must be obtained from the ~~City Physician~~ City selected occupational physician prior to the Port employee's return to duty. Persons on ~~sick leave~~ may as described in Section (j) above will also be called in contacted by the ~~City Physician~~ City selected occupational physician for ~~review and evaluation of medical clearance given~~ their anticipated return to duty date. ~~(C.S. Res. 38851-6/30/64).~~
- (l) Personal Leave for Port Employees. Up to (4) days of accumulated sick leave per year may be used by Port employees for urgent personal business. These four (4) days are not accumulative. However, if not used, this time will be counted as sick leave, in which case it can be carried from year to year. Using sick leave for personal business is defined as necessary transactions that might affect an employee's economic well being, or personal welfare, and which cannot be carried out during off-duty hours. At least forty-eight (48) hours prior notice shall be given expect in case of extreme emergency. ~~(C.S. Res. 41618-7/10/72)~~
- a. ~~Section 8.03 – Maternity-Parental Leave. An appointing power~~ The Executive Director or his/her designee may grant ~~a~~ maternity leave, with or without pay, to any employee under her/his jurisdiction, ~~subject to as is consistent with~~ the following regulations:
- b. ~~No leave may be granted for a period exceeding one year.~~
- c. ~~A department head may require an Employee to take a leave of absence at as any time during her~~ CFRA, the Pregnancy for reasons of health Disability Leave Law, these rules and safety, upon recommendation of the City Physician; or for reasons of unsatisfactory work performance due to the Employee's physical condition.

~~d. Before returning to duty following a maternity leave, an employee shall present to the City Physician a statement from her own physician stating that she is physically able to return to work. (C.S. Res. 4347-7--10/11/79)employee's Port/Union MOU, if applicable.~~

Section 8.04 - Injury on Duty.

(a) Combining Benefits of Workmen's Compensation Act and Sick Leave. Subject to the California Worker's Compensation Law.:-

- i. When ~~ana~~ Port employee is disabled, whether temporarily or permanently, by injury or illness arising out of and in the course of her/his duties, he/she shall become entitled to leave of absence while so disabled, for a period not to exceed ninety (90) days, including Saturdays, Sundays, and holidays, and such leave shall not be deducted from her/his accumulated sick leave; provided, however, that such sick leave for said period of not to exceed ninety (90) days including Saturdays, Sundays, and holidays, shall not be at full pay, but shall be in such amount as, when added to her/his disability indemnity under the ~~Workmen's~~ Worker's Compensation Act of the State of California, will result in a payment equal to her/his full salary or wage; and provided further, that such leave, if interrupted by return to duty, shall in no event exceed in the aggregate ninety (90) days, including Saturdays, Sundays, and holidays, for each injury or illness.
- ii. If the specific disability continues with or without interruption for a period in excess of ninety (90) days, including Saturdays, Sundays, and holidays, such Port employee may thereafter take as much of her/his accumulated sick leave as, when added to her/his disability indemnity payments, will result in a payment to her/him of not more than her/his full salary or wage. Her/his accumulated sick leave shall be reduced in proportion to the amount of salary or wage paid in excess of the indemnity payments and shall be computed on a working-day basis.
- iii. If ~~ana~~ Port employee whose disability continues, with or without interruption, beyond ninety (90) days, including Saturdays, Sundays, and holidays, elects to receive thereafter only the disability indemnity payments provided for in the Labor Code, he/she must so advise the ~~City Attorney's office (or the Port Attorney's office if he/she is an employee of the Port of Oakland)~~ Port's Executive Director or his/her designee within seven (7) days before the first payment of salary chargeable to her/his accumulated sick leave is made. If he/she does not so elect, he/she shall receive her/his full salary to the extent of her/his accumulated sick leave, and her/his accumulated sick leave will be reduced in proportion to the amount of salary or wages paid in excess of disability indemnity. When her/his accumulated sick leave is exhausted, he/she still is entitled to receive disability indemnity as provided in the Labor Code.

~~(b) Reports to Board. When an employee has been injured in the line of duty and he/she receives compensation in accordance with the provisions of any Workmen's Compensation Act of the State of California, the appointing power shall submit reports to the Board giving the following information, (1) The date such employee was taken out of service; (2) The date such employee returned to duty, with a brief statement as to the extent of disability, if any; (3) If the employee is unable to return to duty and is awarded a permanent total disability, the date of such award, with a report of termination of appointment.~~

~~(b) Section 8.05—Leave of Absence on Disability Retirement. Every employee retired by the Board of Administration of the Oakland Municipal Employees' Retirement System because of disability, in accordance with Section 33 of the Charter and the provisions of Ordinance No. 713 C.M.S., shall be granted a leave of absence during the period of her/his disability. Such leave shall be reported to the Board, but shall not require approval by the Board. If the disability for which such employee was retired ceases to the extent that he/she is able to perform the duties of the position held by her/him when retired for disability, and he/she is otherwise qualified for employment by the City, such employee shall have the definite and absolute right to be returned to a position in the same class as that occupied by her/him at the time of her/his retirement; and he/she shall be entitled to such other privileges as are provided for in these rules.~~

Section 8.056 - Family Death Leave. Leaves of absence with pay due to a death of ~~ana~~ Port employee's immediate family is allowed, and such leave shall not be charged against vacation or sick leave to which an employee may be entitled, but shall be in addition thereto.

- (a) Eligibility for Family Death Leave. In order to be eligible for family death leave, ~~ana~~ Port employee must have worked full-time for the CityPort of Oakland for a period of time in excess of three (3) months.
- (b) Schedule of Allowances. In the event of a death within her/his immediate family, ~~ana~~ Port employee may be permitted to remain absent from duty with pay for such time as hereinafter specified:
- i. If the service is within the Bay Area, three (3) working days with pay will be allowed.
 - ii. If the service is outside the Bay Area but within 300 miles of Oakland, not to exceed four working days with pay.
 - iii. If the service is more than 300 miles but less than 600 miles from Oakland, not to exceed five working days with pay.
 - iv. If the service is more than 600 miles from Oakland, not to exceed eight working days with pay. ~~(C.S. Res. 38851—6/30/64)~~

- (c) Exceptional Cases. In special or unusual cases, the ~~department head,~~ with Executive Director or his/her designee, within his/her discretion and after taking into consideration the approval operational needs of the Board, Port, may grant a family death leave to allow ~~an~~ a Port employee to attend funeral or memorial services for someone other than those included within the definition of the immediate family under Section, 8.02 (e) (2ii) of the Sick Leave Rule. It is the intent of this provision to cover the kind of situation in which someone other than immediate kin has raised the Port employee, or due to unusual circumstances has a very close relationship with the Port employee.
- (d) Procedure for Requesting Leave. In order to qualify for Family Death Leave, the Port employee shall obtain the approval of her/his immediate supervisor or a higher supervisor prior to going on leave of absence. If the circumstances are such- as to clearly make this impracticable, he/she shall notify her/his supervisor at the earliest possible time. Failure to do so may be cause for denying leave with pay.

Section 8.067 - Miscellaneous Leaves of Absence. Miscellaneous leaves of absence other than vacation and sick leave may be granted by the ~~appointing authority, subject to Executive Director or his/her designee within his/her discretion and after taking into consideration the approval operational needs of the Board, Port,~~ unless otherwise provided. Department heads may grant leaves of absence without pay for periods not in excess of three working days; provided, however, that no Port employee shall be granted a total of more than five working days of such leave without pay in any one calendar year.

- (a) Procedure for Granting Leaves of Absence. ~~An~~ A Port employee may be granted a leave of absence only if:;
- i. The employee makes a written request to her/his department head at least five working days prior to the effective date of the request, stating her/his specific reasons for the request.
 - ii. ~~The appointing authority recommends the request and forwards it to the Board prior to the effective date of the requested leave. Leaves of absence without pay of three working days or less need only be reported to the office of the Board in writing. The other steps are necessary for this type of leave. The Executive Director or his/her designee, within his/her discretion and after taking into consideration the operational needs of the Port, approves the request.~~
- (b) Limitation Upon Leaves of Absence Without Pay. No leave of absence without pay, other than leaves to accept exempt positions in the City or Port service or classified positions in the City or Port service financed in whole or in part by Federal or tax exempt foundations, may be granted for a period in excess of one year. Leaves of absence to fill exempt positions in the CityPort service or classified positions in the CityPort service financed in whole or in part by Federal or tax exempt foundations shall be granted for the entire period during which the employee serves in such positions. ~~(C.S. Res. 39635 – 11/30/65)~~ A leave of

absence without pay of thirty (30) consecutive days or less shall not impact seniority. ~~{Amended 5/12/2011 CSB}~~

A leave of absence may be extended, upon the recommendation of the appointing authority and the approval of the Civil Service Board.

- (c) Reasons for Which Leaves of Absence without Pay May Be Granted. Leaves of absence without pay may be granted for reasons ~~that~~which, in the opinion of the ~~appointing authority~~Executive Director or his/her designee and after taking into consideration the Board operational needs of the Port, appear to be proper and in the best interest of the CityPort, such as ~~---~~:
- i. To permit the Port employee to receive additional education of such nature that will improve the employee's job performance and increase her/his worth to the CityPort.
 - ii. To permit the Port employee, because of her/his particular abilities or her/his outstanding competence, to assist another governmental jurisdiction, and which in a direct way will enhance the prestige of the CityPort of Oakland.
 - iii. To permit the Port employee to take care of urgent or most important personal business which cannot feasibly be accomplished by someone else.
 - iv. To permit the Port employee ~~to settle domestic problems~~who is a victim of domestic violence and/or a victim of sexual assault to take time off to seek medical attention, to obtain services from a domestic violence program or psychological counseling, or to participate in safety planning.
 - v. To permit the Port employee to take an exempt position in the City or Port services.
 - vi. To permit the Port employee to retain promotional and seniority rights to her/his permanent position upon accepting appointment to a classified position in the City or Port service under a program financed in whole or in part by Federal or tax exempt foundations. ~~(C.S. Res. 39653—11/30/65)~~
- (d) Leaves of AbsencesAbsence With Pay. In addition to those leaves of absence with pay ~~that~~which are provided for elsewhere in these rules, a leave of absence with pay may be granted to ~~ana~~Port employee under special circumstances ~~that~~which, in the opinion of the Executive Director or his/her designee, and after taking into consideration the operational needs of the Port, it is in the best interests of the CityPort to ~~do so~~grant such leave request. In no case shall leave with pay be granted in excess of three working days in any calendar year. ~~Requests for such leave must be considered at a regular meeting prior to the effective date of the leave.~~

Leave of absences with pay may be granted to ~~ana~~Port employee who has been selected for jury duty and from which he/she cannot be excused. Leave with pay for unexcused jury duty is not subject to the time limitation expressed above.

~~Leave~~A leave of absence with pay for jury duty may be approved by the ~~appointing authority without reference to the Board,~~Executive Director or his/her designee and will not be counted as regular leave with pay. ~~A~~A Port employee who serves on jury duty shall be paid her/his regular salary for the period of such duty but shall be required, under the provisions of the Charter, to turn over to the ~~City Treasurer~~Port's Chief Financial Officer all fees, which he/she receives as payment for such jury duty.

To be eligible for a leave of absence with pay for other than jury duty, the Port employee must have served the CityPort continuously for a period of not less than six months and her/his services must have been thoroughly satisfactory.

Section 8.078 - Return to Duty Following Leave. Every leave of absence shall be upon the condition that the Port employee taking the leave shall, subject to these rules, have the definite and absolute right, upon her/his return to her/his Port employment on the termination of her/his leave, to be reinstated to a position in the same class as that occupied by her/him at the time of the commencement of such leave, and he/she shall be entitled to such other privileges as are provided for in these rules. Any Port employee who fails to return to perform her/his regular duties by the date indicated in her/his leave, provided such leave has not been extended by ~~action to the Board~~the Executive Director or his/her designee, may be terminated.

~~A~~A Port employee whose probationary period is interrupted as a result of taking a leave of absence shall, upon return, be given credit for the portion of probationary service previously completed.

Section 8.089 – Authorization to Approve Leaves. ~~(C. S. Res. 43473—10/11/79)~~The Executive Director or his/her designee is authorized to act for the Personnel Director (as secretary to the Civil Service Board) in approving sick leaves, family death leaves, and all leaves of absence without pay.

~~Section 8.09—Authorization to Approve Leaves.~~ ~~The Personnel Director is authorized to act for the Board in approving sick leaves, family death leaves, and all leaves of absence without pay, not exceeding 30 days.~~

Section 8.0910 - Military: Leave of Absence. Military A ~~M~~military leave of absence shall be ~~grantee City employees~~granted to a Port employee in accordance with ~~the military applicable Federal (USERRA) and State (Military and Veteran's Act of the State of California, a copy such act to be found in the office of the Board.~~Code) laws and applicable Port/Union MOU, if any.

RULE 9 - SENIORITY, LAYOFF, CHANGE IN STATUS, RESIGNATIONS

Section 9.01 - Layoffs. Whenever there shall be need for a layoff, the staff shall be reduced in accordance with the procedure set forth in section 9.0203 of these rules.

~~Port initiated~~ Layoffs shall be on a Citywide ~~Port-wide~~ basis within each class subject to a reduction in force; provided, however, that an incumbent who was selectively certified to a position in accordance with Section 5.03 may not be displaced by another employee lacking the skills required for the selective certification to the position. Among Port employees possessing the requisite skills for selective certification the provisions of section 9.0203 shall apply. The criteria applied in determining the particular Port employee(s) to be moved or laid off and the order of layoff shall be those criteria as specified in section 9.02. ~~[Amended 5/12/2011 CSB]~~

~~Employees~~ Port employees who are laid off shall have their names placed on the appropriate reinstatement list ranked by seniority from highest to lowest. ~~Employees~~ Port employees on the reinstatement list shall be entitled to reappointment to positions in the same classes where such positions are to be refilled during the period of their eligibility on the reinstatement list, or to similar classes for which no reinstatement list exist, regardless of which appointing authority has the vacancy to be filled. ~~[Amended 5/12/2011 CSB]~~

Section 9.02 - Layoff Procedure. Whenever it becomes necessary to reduce a Port staff under the provisions of section 9.01 of these rules, no permanent Port employee in the affected class shall be laid off while there are employees without status in the same class. Employees without status in such class shall be separated in the following order: (1) temporary; (2) probationary. Pursuant to City Charter section 9.02(e), "no...contract for service shall result in the loss of employment or salary by any person having permanent status in the competitive service." Any alleged violation(s) of the Charter section shall be adjudicated through the grievance process of the affected Memorandum of Understanding. ~~[Amended 5/12/2011 CSB]~~

If further staff reductions are required after temporary and probationary Port employees in the affected class are separated, then the least senior permanent Port employee shall be laid off. ~~[Added 5/12/2011 CSB]~~

In conducting a layoff, the ~~appointing authority shall communicate with the Personnel Director regarding the position(s) to be reduced. The Personnel Director~~ Executive Director or his/her designee shall create a seniority list of the Port employees in the affected classes, compiled on a CityPort-wide basis, in accordance with the method described in subsections (a) and (b) below. ~~[Amended 5/12/2011 CSB]~~

~~If the incumbent in the position to be eliminated is more senior than another incumbent in the same affected class within the same department, then the least senior incumbent shall be moved to is a position in the same common class in another department, provided they have more with the City, the Executive Director or his/her designee shall forward to the Personnel Director a seniority than the least senior incumbent in list for such other departments. The same process shall apply to all employees displaced by this process.~~ ~~[Added 5/12/2011 CSB]~~ class.

If the affected class has been deemed a City/Port common class, then once this process has been exhausted within the City, if the least senior incumbent at the City has more seniority than an incumbent at the Port Department, that City incumbent shall move to the Port Department and the least senior incumbent at the Port Department shall be laid off. Conversely, once this process has been exhausted within the Port Department, if the least senior incumbent at the Port Department has more seniority than an incumbent at the City, that Port Department incumbent shall move to the City and the least senior incumbent at the City shall be laid off. ~~[Added 5/12/2011 CSB]~~

An affected Port employee shall be notified in writing by certified mail or by direct submission at least ten (10) working days prior to the date of layoff, and the notice shall contain the reason for the layoff or movement to another position. Affected departments shall be provided with copies of the notices sent to laid off Port employees. ~~[Amended 5/12/2011 CSB]~~

The method for computing seniority shall be as follows:

- (a) Seniority Credit: Credit in a class shall be granted at the rate of one point for each month of service in that class, ~~or in any class higher for sworn officers in a promotional line of progression,~~ starting from the date of hire. Seniority credit shall be adjusted for any unpaid leaves of absence in excess of thirty (30) consecutive days, except for those leaves that by law or memorandum of understanding do not count against seniority. Suspensions shall not be deducted from seniority for the purpose of this paragraph. Credit in a class that has been abolished, combined, divided, or otherwise altered shall be granted at the same rate when the Personnel Executive Director or his/her designee determines that such class was equal to or higher in level than the affected class of layoff. If the Personnel Executive Director or his/her designee determines that such a class was lower in level than the affected class, credit for service in such class shall be computed at the rate of one-half point per month. Service that is less than full time (i.e. permanent part time) shall receive seniority points on a pro-rata basis. ~~[Amended 5/12/2011 CSB]~~
- (b) Order of Layoff When Combined Scores are Equal: As between two (2) or more Port employees having the same score for seniority, the order of layoff shall be determined by giving preference for retention in the following sequences: (1) employee with greatest actual time in the class in which the layoff is being made and in classes with the same or higher maximum salary; (2) employee with greatest total time in City/Port service; (3) employee who received the highest score on the entrance examination in the class; (4) employee whose application for the position in the subject class was first received. ~~For sworn officers, item (4) shall not apply and item (3) shall be modified as follows: employees with the highest rank from an academy as a Police Officer Trainee or Firefighter Trainee.~~ ~~[Amended 5/12/2011 CSB]~~
- (c) Reversion to Former Class: City/Port employees who possess permanent status in one class and who have been appointed to a position in another class, in the event of layoff from that class, shall have the right to be reinstated to a position in their

former class. This right shall extend ~~to both~~ both to personnel with tenure in a class so affected, and to individuals serving probationary periods in such class at the time of layoff. ~~{Amended 5/12/2011 CSB}~~

To implement the above process for reversion, the Port employee in the lower class with the least seniority, as calculated in subsections (a) and (b) above, shall be laid off. ~~{Amended 5/12/2011 CSB}~~

Section 9.030304 – Reinstatement List. Permanent Port employees who are laid off or revert to a former class will have their names kept on a reinstatement list for three (3) years from the date of layoff. Names shall be placed on the reinstatement list ranked by seniority on a CitywidePort-wide basis for Port-initiated layoffs, from highest to lowest seniority. The reinstatement list will be used by the Personnel Executive Director or his/her designee when a vacancy arises in the same or lower class. The Personnel Port Executive Director ~~shall use this~~ or his/her designee shall use this list before any other type of appointment. The name of any permanent Port employee on a reinstatement list who has remained on the list for three (3) full years shall be removed from the list and that person shall lose all civil service status. The Personnel Port Executive Director or his/her designee, in her/his discretion, may extend the active period of the reinstatement list. ~~{Amended 5/12/2011 CSB}~~

Section 9.040405 – Return of Laid off Probationary Employees to Eligible Lists. Probationary Port employees who have been laid off will not have their names placed on a reinstatement list. Rather, they may have their names restored to the eligible list from which they secured appointment, in the order of their original general score on such list; provided, however,

- (a) If the eligible lists from which such persons received appointment have expired or been canceled, the probationary Port employee shall have no restoration rights;
- (b) All probationary Port employees who have been laid off and subsequently appointed to a new position in the same class shall complete their probationary period in that class. Probationary Port employees who are appointed to different class must serve the entire probationary period required in that class. If a probationary Port employee is appointed to a lower class in the same job series, then he/she will serve remaining portion of her/his probationary period.

~~{Section Amended 5/12/2011 CSB}~~

Section 9.050506 – Resignation. ~~Employees~~ Port employees are free to resign from their employment, but are encouraged to give at least two (2) weeks notice. Once a resignation becomes effective, it is irrevocable except that the Personnel Port Executive Director or his/her designee may, in her/his discretion, permit a resignation to be rescinded. The Personnel Executive Director or his/her designee may, in her/his discretion, require employees separating from CityPort employment to undergo an exit interview.

Whenever (a) an allegation is made that the resignation is due to undue pressure or threats, or (b) in the opinion of the ~~Personnel~~ Director of Human Resources resignations

within ~~any organization~~ the Port are excessive, ~~it shall be her/his duty to the Director may~~ investigate the causes of such resignations and report the same to the appointing authority Executive Director, the Board of Port Commissioners and the Civil Service Board.

Section 9.060607 - Retirement. Any person who is employed in the CityPort service who shall become eligible to retire, and whom shall be retired or pensioned under the provisions of any present or subsequent retirement laws, shall be deemed, for the purposes of these rules, to have been separated from the CityPort service in good standing.

Section 9.070708 – Medical Separation. ~~As~~ Subject to any applicable laws of the California Public Employees Retirement System (“CalPERS”), a Port employee who becomes unable to perform the essential assigned functions of her/his position due to a disability or other medical condition may be medically separated. Prior to medical separation, the CityPort will determine what accommodations, if any, will be reasonably provided to the Port employee in accordance with CityPort policy, applicable law and section 5.10 of these Rules, and may determine whether the employee may be eligible for disability retirement, if appropriate. Except by mutual consent, ~~an~~ a Port employee shall not be medically separated while on any authorized leave of absence. The Port may medically separate an employee when the Port, through the- interactive process as required by the Americans With Disability Act (ADA), has determined that it cannot reasonably accommodate the employee and the employee is not eligible for a disability retirement under CalPERS.

Proof of the Port employee’s disability is required and is subject to verification by the CityPort. When the CityPort requests a medical opinion as verification of the Port employee’s disability, the CityPort shall pay the reasonable costs of the medical examination(s) requested. If the Port employee has passed her/his probationary period, a letter sent to the affected Port employee’s address of record via regular and certified mail, or hand delivered to the affected employee, shall constitute notification. Proof of service shall accompany the notice of intent. The notice shall: (a) inform the Port employee of the action intended, the reason for the action and the effective date; and (b) inform the Port employee of the right to respond and to whom to respond within ten (10) calendar days from the date of issuance of such notice of intent, in accordance with the ~~instruction~~ instructions given by the CityPort in the written notice provided to the Port employee. After review of the Port employee’s timely response, if any, the CityPort shall notify the Port employee of any action to be taken. An effective date of separation shall be at least ten (10) calendar days after the date of issuance of the notice of intention to separate or timely receipt of the Port employee’s response, if any, whichever is later. Medical separation may be appealed to the Civil Service Board.

Section 9.080809 – Separation Due to Absence Without Leave. Absence from duty without proper authorization in excess of five (5) continuous working days shall constitute abandonment of the position and shall be reported to the Personnel Port’s Executive Director or his/her designee and recorded as an automatic resignation. The ~~appointing authority~~ Executive Director or his/her designee shall designee shall notify the

Port employee at her/his last known address by regular and certified mail and notify her/his emergency contact on the form prescribed by the PersonnelPort's Executive Director or his/her designee.

If the Port employee contacts the City's Personnel Director within 30 days of the mailing of such notice and establishes to the satisfaction of the City's Personnel Director that the absence was in fact authorized or that the absence and failure to seek or obtain authorization was due to unavoidable factors entirely beyond the control of the employee, the City's Personnel Director may order such Port employee reinstated. The City's Personnel Director will notify the Port of the reinstatement and upon notification the Port shall reinstate the employee. Should the City's Personnel Director decline to reinstate the Port employee, he/she shall notify the affected Port employee in writing of the determination and the basis for his/her determination. The Port employee may appeal the matter to the Civil Service Board within 15 days of the date such letter is mailed or otherwise delivered. The decision of the Civil Service Board shall be final and not be reconsidered.

Failure to appeal as set forth above shall result in the Port employee being separated and the cancellation of all current examination and eligibility status.

Section 9.090910 – Termination of Seniority. Class seniority shall be terminated for Port employees who voluntarily separate from the CityPort and the break in service is two years or more. [Added 5/12/2011 CSB]

RULE 10 - DISCIPLINARY ACTIONS, APPEALS AND HEARINGS

Section 10.01- Disciplinary Action. All personsPort employees holding positions in the Classified Civil Service shall be subject to suspension, fine and also removal from office or employment by the City Administrator, or, in case of persons employed in the office of the Auditor Controller or BoardExecutive Director or his/her designee, for misconduct, incompetence, or failure to perform their duties under or observe the rules and regulations of the Port department, office, or Board; but subject to the appeal of the aggrieved party to the Civil Service Board as herein provided.

Any chief official, any subordinate officer, and any superintendentThe Port Executive Director or foreman in charge of municipal workhis/her designee may temporarily suspend any subordinate then under her/his discretionPort employee for incompetencyincompetency, neglect of duty or disobedience of orders, but shall within twenty four (24) hours thereafter report the fact in writing to the City Administrator, Auditor Controller, as the case may be, and furnish a copy of the report to the subordinate suspended, upon her/his request therefore. The City Administrator, Auditor ControllerThe Executive Director or Boardhis/her designee shall thereupon, if demanded by the subordinate suspended, hear evidence for and against her/him, and shall thereupon affirm or revoke such suspension according as he/she or it finds the facts to warrant.

EmployeesPort employees in the competitive civil service may be dismisseddischarged, demoted, fined, or suspended without pay for just cause.

When ~~ana Port~~ Port employee in the competitive civil service has failed or fails to perform the duties of her/his position in a satisfactory manner, or has committed any act or acts to the prejudice of the public service, or has failed to perform any act or acts it was her/his duty to perform, or whose service rendered is below satisfactory standards, or who otherwise has become subject to disciplinary or other corrective measures, the ~~appointing authority or her/his designated department heads~~ Executive Director or his/her designee shall have the power and it shall be their duty to take action, subject to the provisions of the Charter and these rules, in one of the following ways:

- (a) To reprimand the employee and record such reprimand in her/his personnel file.
- (b) To suspend the employee without pay.
- (c) To demote the employee to a lower class of position than that currently filled by her/him.
- (d) To fine the employee.
- (e) To discharge the employee from the public service.

Section 10.02 - Procedure in Disciplinary Actions. The ~~department head~~ Port's Executive Director or his/her designee shall notify the City's Personnel Director, in the manner and form prescribed by her/him, whenever any Port employee is suspended without pay, indicating the reasons therefore and the duration of the suspension. In case of any suspension, the Port employee shall have the right of hearing or investigation by the ~~appointing authority or the~~ Executive Director or his/her designee or the Civil Service Board, in accordance with the procedures described in the Charter and these rules and/or the employee's Port/Union MOU, if applicable.

Section 10.03 - Appeal of Disciplinary Action. Permanent Port employees shall have the right to appeal from the final notice of discipline involving suspension, fine, demotion or discharge. The notice of appeal must be received by the Secretary to the Board within ten (10) working days from the date the final notice of discipline was served upon the appellant, or the right to proceed to the next appeal level under these Rules shall be forfeited and the discipline shall become final. The appeal shall address each of the reasons for the disciplinary action enumerated in the written notice and may provide any relevant additional information.

The appeal shall be submitted to the Secretary to the Board. The Civil Service Board shall decide whether it shall hear the appeal itself or whether the appeal shall be heard by an independent Hearing Officer. In cases in which the appellant has requested a public hearing, the Civil Service Board shall hear the appeal.

Section 10.040405 - Procedures for Hearings by the Civil Service Board. In the event that the Civil Service Board decides to hear the appeal itself, the following procedures shall apply:

A hearing date will be set after the appeal is initially received by the Secretary to the Civil Service Board. The request for appeal must contain the following items: (1) Cover

sheet, including appellant's name, address, and telephone number; name, title, address, telephone number of appellant's representative, if any (Representative's telephone number will suffice in the absence of appellant's number); (2) A list of available days for hearing dates; (3) An estimate of the number of hours required for case presentation.

Appellant [representatives](#) (or his/her representative) and the [CityPort](#) Attorney must provide two (2) complete hearing packets to the [Civil Service](#) Board's secretary by at least one week prior to the scheduled hearing. Appellant's failure to provide such information may, at the [Civil Service](#) Board's discretion, result in the rescheduling of the hearing. Packets must include the following items: (1) A chronology of events; (2) An agreed upon Statement of Facts; and (3) Statement of Facts in Dispute.

The [CityPort](#) Attorney shall also present to the [Civil Service](#) Board a copy of the Notice of Intent to Impose Discipline, and Notice of Discipline with accompanying materials. In the event the [CityPort](#) Attorney and the Appellant's representative are unable to meet on the above items, the Appellant's representative must submit their version of the facts at least one week prior to the hearing.

The [CityPort](#) Attorney and the Appellant's representative are required to meet at least one hour prior to the hearing to finalize exhibit packets which must include the following: (1) A list of exhibits, if any; (2) Pre-marked exhibits (if any exhibits are to be submitted). Additional exhibits may be submitted during the hearing, if they were not available to a party prior to the hearing.

No documents submitted to the [Civil Service](#) Board for consideration shall be considered public records, unless consented to by all parties or otherwise required by law.

The hearing may be continued for good reason beyond the date originally scheduled or recessed to a future date agreeable to the [Civil Service](#) Board and the parties. However, if a continuance is requested by the appellant or her/his representative, and the [Civil Service](#) Board shall later sustain the appeal, the [Civil Service](#) Board may rule that the appellant shall receive no back pay for the period of time during which such continuance was granted.

Hearings shall be closed to the public unless the appellant requests a public hearing in writing. In the event that a hearing is public, upon motion of a directly interested party, the [Civil Service](#) Board may exclude from the hearing room any witnesses not at the time under examination, except that a party to the proceeding and her/his counsel cannot be excluded.

Hearings shall be tape-recorded. Copies of the tape will be available to the appellant, if desired, for no charge. Transcripts of the taped proceedings will be available upon request at the requesting parties' expense. [Civil Service](#) Board subpoenas will be issued upon the request of either party. Subpoenas may be secured by contacting the Secretary to the [Civil Service](#) Board.

The [Civil Service](#) Board shall convene the hearing, receive evidence through testimony and documents and make findings of fact and conclusions about the discipline. Technical rules of evidence shall not apply. However, all testimony and exhibits must be relevant to the issues in contention, and the [Civil Service](#) Board may exclude any evidence which it

deems to be irrelevant. The [Civil Service](#) Board shall consider and rule on any objection by either party. Closing arguments shall be oral; provided, however that either party may elect to submit a closing brief. Briefs are to be submitted to the [Civil Service](#) Board within a time set by the [Civil Service](#) Board. Briefs submitted after the deadline shall not be considered by the [Civil Service](#) Board.

The [Civil Service](#) Board will make no assumptions of innocence or guilt. The [Civil Service](#) Board will be guided in its decision by the weight of the evidence as it appears to it at the hearing.

The [Civil Service](#) Board has the power to sustain, overrule, reduce or, consistent with due process, modify the discipline, award back pay and determine the extent of back pay to be awarded, if any, based on the circumstances, and take any other appropriate action.

The [Civil Service](#) Board's determination will be issued in writing, within thirty (30) working days of the conclusion of the hearing, unless post-hearing briefs are to be submitted, in which case the [Civil Service](#) Board's determination will be issued within thirty (30) working days of timely receipt of the post-hearing briefs. Copies of the [Civil Service](#) Board's determination shall be forwarded to the appellant and her/his representative, ~~City and to the Port's Executive Director or his/her designee and the Port Attorney's Office and the affected City department Office.~~ The [Civil Service](#) Board may request that either or both parties present proposed findings of fact and conclusions of law within ten (10) working days of the [Civil Service](#) Board's determination. The opposing party shall have the right to agree or object to the proposed findings. The [Civil Service](#) Board's decision shall be the final administrative ~~decision of the City~~ but is reviewable by writ of mandamus in accordance with applicable law.

Section 10.05 - Procedures for Hearing by a Hearing Officer. In the event that an appeal is to be heard by a Hearing Officer, the following procedures shall apply:

(a) Hearing Officer Selection and Authority.

The Hearing Officer shall be selected by the [Civil Service](#) Board in accordance with selection procedures established by the [Civil Service](#) Board which ensure that the Hearing Officer is independent, neutral and un-biased.

Hearings shall be closed to the public. The costs of the Hearing Officer shall be borne by the [CityPort](#). Hearings shall be tape-recorded. Copies of the tape will be available to the appellant, if desired, for no charge. Transcripts of the taped proceedings will be available upon request at the requesting parties' expense.

The Hearing Officer shall have the authority to convene the hearing, receive evidence through testimony and documents and to make findings of fact and conclusions about the discipline. Closing arguments shall be oral; provided, however that either party may elect to submit a closing brief following the presentation of closing arguments. Briefs are to be submitted to the Hearing Officer within twenty (20) calendar days of the close of the hearing. Briefs submitted after the deadline shall not be considered by the Hearing Officer.

The Hearing Officer shall render written findings and recommendations to the [Civil Service](#) Board within thirty (30) calendar days of the close of the hearing. If

post-hearing briefs are submitted, the recommendation shall be submitted to the [Civil Service](#) Board within thirty (30) calendar days after timely receipt of the brief(s).

The Hearing Officer shall provide the [Civil Service](#) Board the following documents, which shall constitute the official hearing record: (1) A summation page delineating the case name; issue; brief summary of the case; and her/his recommendation; (2) a complete written report documenting the findings; (3) any documentary evidence, written motions and briefs submitted; (4) the cassette tape(s) of the hearing.

(b) Civil Service Board Responsibilities.

After receiving a Hearing Officer's recommendation, the Board Secretary shall schedule the case for the next available [Civil Service](#) Board meeting. The [Civil Service](#) Board will make every effort to schedule a case within thirty (30) days of receiving the Hearing Officer's recommendation.

In reviewing a decision, the [Civil Service](#) Board shall review the hearing record and may review the recording of the hearing. The [Civil Service](#) Board may accept or reject the Hearing Officer's recommendation. The [Civil Service](#) Board has the power to sustain, overrule, reduce or, consistent with due process, modify the original discipline, award back pay and determine the extent of back pay to be awarded, if any, based on the circumstances, and take any other appropriate action.

The [Civil Service](#) Board's determination will be issued in writing, within ten (10) working days of the conclusion of the [Civil Service](#) Board's review of the Hearing Officer's recommendation. Copies of the [Civil Service](#) Board's determination and the recommendation of the Hearing Officer shall be forwarded to the appellant and her/his representative, and to the [City Executive Director or his/her designee and Port Attorney's Office](#) ~~and the affected City department.~~ The [Civil Service](#) Board's determination shall be the final administrative decision ~~of the City~~ but is reviewable by writ of mandamus in accordance with applicable law.

Section 10.0607 – Judicial Review of Final Administrative Decisions Issued by the Civil Service Board and Involving the Port of Oakland

(a) The provisions of Code of Civil Procedure (“CCP”) Section 1094.6 are hereby made applicable to all final administrative decisions (as defined by CCP Section 1094.5(a)) of the Civil Service Board which involve the Port of Oakland. Judicial review of any such administrative decision may be had only if the petition for writ of mandate is filed within ninety (90) days after the decision becomes final; provided, that pursuant to the provisions of CCP Section 1094.6(d), if the petitioner files a request for the record within ten (10) days after the date the decision becomes final, the time within which a petition may be filed shall be extended to not later than the thirtieth (30th) day following the date on which the record is either personally delivered or mailed by first class certified mail, return receipt requested, to the petitioner or his/her attorney of record, if he or she has one.

(b) As provided in CCP Section 1094.6(c), any person who requests preparation of the administrative record shall be responsible for payment of the actual costs of transcribing or otherwise preparing the record. Before commencing preparation of a transcript or other record, the officer or employee responsible for preparation shall estimate the actual total cost. Preparation of the record shall not commence until the person requesting preparation of the record has deposited the full amount of the cost estimate. If the deposit exceeds the actual cost, the difference shall be refunded. If the actual cost exceeds the estimate, the difference shall be paid when the record is delivered.

(c) The limitations period shall not be extended beyond ninety (90) days after the decision becomes final unless, pursuant to subsection (b) above, the petitioner deposits the estimated actual total cost of preparing the transcript within ten (10) days after he or she has been furnished with the written estimate of such cost.

(d) Every final administrative decision as defined in subsection (a) above shall refer to CCP Section 1094.6 and the ninety (90) day limitations period and shall include, as an attachment, a copy of this section.

RULE 11 - PROHIBITIONS AND PENALTIES

Section 11.01 - Frauds Prohibited. Under all provisions of these Rules, no person shall, by representation or action, maliciously or corruptly by himself/herself or in cooperation with any other person or persons:

- (a) Willfully and falsely mark, grade, estimate, or report upon the examination or proper standing of any person examined or certified pursuant to the City Charter or these rules pertaining to the competitive civil service, or the performance evaluation, or the service ratings of any employee, or aid in so doing, or willfully make any false representation concerning the same, or concerning any person examined;
- (b) Impersonate any other person, or permit or aid in any manner any other person to impersonate her/him in connection with any examination, appointment, or application, request for examination or other matters covered by these Rules;
- (c) Defeat, deceive, or obstruct any person in respect to her/his rights in relation to any examination, appointment in the competitive civil service or other matters covered by these Rules;
- (d) Furnish any person any special or secret information for the purpose of either improving or injuring the prospects or chances of such person in connection with any examination, appointment or other matters covered by these Rules;
- (e) Directly or indirectly give, render, pay, offer, solicit or accept money, service, or other valuable consideration for or on account of any appointment, proposed appointment, promotion, or proposed promotion to, or any advantage in, a position in the competitive civil service.
- (f) Make false accusations, falsify documents or make false representations regarding matters covered by these Rules.

Section 11.02 - Penalty. Any person violating any of the provisions of this Rule or any rule hereunder shall be deemed guilty of a misdemeanor, and for any such offense may, upon conviction thereof, be suspended, reduced in grade, or ~~dismissed-discharged~~ from the Port service.

RULE 12 - INCOMPATIBLE ACTIVITY OF CITYPORT EMPLOYEES

Section 12.01 –Incompatible Activities. Incompatible Employment. Each officer and employee shall, during her/his hours of active duty, devote her/his whole time, attention and efforts to her/his Port office or Port employment, and he/she may not be required to perform any service except for the benefit of the CityPort. No officer or employee of the CityPort may engage in any employment, activity or enterprise which has been determined to be inconsistent, incompatible or in conflict with her/his duties or with the duties, functions and responsibilities of the Port department ~~or other agency~~ in which he/she is employed.

~~The City Administrator or the City Attorney, or the Auditor, as to personnel under their respective jurisdictions, The Executive Director or his/her designee~~ shall declare the activities which will be considered inconsistent, incompatible or in conflict with, or inimical to, the duties of ~~such~~Port personnel ~~as City employees~~. In making this determination, consideration shall be given to employment, activity or enterprise which: (a) involves the use for private gain or advantage of CityPort time, facilities, equipment and/or supplies, or the badge, uniform, prestige or influence of one's CityPort office or employment; or (b) involves receipt by the officer or employee of any money or other consideration for the performance of any act required of her/him as a CityPort officer or employee; or (c) involves the performance of an act in other than her/his capacity as CityPort officer or employee, which act may later be subject directly or indirectly, to control, inspection, review, audit or enforcement by her/him or by the agency in which he/she is employed. (Charter section 1201)

EmployeesPort employees who violate section 12.01 may be subject to disciplinary action up to and including termination and, where appropriate, may be subject to prosecution under state or federal law.

Section 12.02 – Community Activities. EmployeesPort employees may participate in community or civic activities on their own time. When there is a possibility or appearance of an incompatibility between the employee's public duties and private interests, the employee must bring the situation promptly to the attention of the immediate supervisor for review and resolution. Managers and supervisors shall counsel employees as appropriate upon becoming aware of possible conflicts of interest.

RULE 13 -- PUBLIC RECORDS

Section 13.01 - Records Open to the Public. Except as provided in these rules, ~~state law the California Public Records Act, and/or the Sunshine Ordinance~~ rules and policies of the Board of Port Commissioners, the records of the ~~Department of Port's~~ Human Resources Management Department, the minutes of the meetings of the Civil Service Board, annual and special reports, the classification and compensation plans, and the official roster are ~~hereby declared to be~~ public records, and shall be open to public inspection at the ~~Department of Port's~~ Human Resources Management Department under reasonable conditions during business hours. However, the ~~Personnel Executive~~ Director shall have the authority to or his/her designee may withhold ~~information dealing with~~ employee personal personnel records and special reports, ~~which if such records and reports are protected by privacy rules and laws, or are~~ otherwise exempt from disclosure under applicable state and local laws. ~~[Amended 5/12/2011 CSB]~~

~~Material~~ To the extent permissible under the California Public Records Act and local law, material used or to be used in Port tests, confidential reports regarding applicants or eligibles, and the names and identity of special examiners who may be temporarily employed by the CityPort shall be considered confidential and not ~~open~~ subject to disclosure to members of the public.

Section 13.02 - Disposition of Records. Minutes of Civil Service Board meetings shall be considered permanent records.

SAVINGS CLAUSE

If any part of these Rules is determined to be illegal or unconstitutional, such part shall be severed from these Rules and the remaining Rules shall be given full force and effect.

APPENDIX A - GUIDELINES FOR FILLING VACANCIES

All vacancies in authorized, non-sworn, classified and exempt positions shall be filled according to the following guidelines:

1. If a permanent vacancy occurs in an exempt position:
 - a. The duties may be reallocated among existing positions; or
 - b. The position may be left open; or
 - c. The position may be filled by appointment.
2. If a temporary vacancy or absence occurs in an exempt position:
 - a. The duties of the position may be reallocated temporarily among other positions; or
 - b. The position may be left open for the duration of the temporary vacancy or absence; or
 - c. The position may be filled by assignment of a current employee on an “acting” basis in accordance with pertinent Memorandum of Understanding and administrative policy; or
 - d. The position may be filled by a Temporary Contract Service Employee or an Exempt Limited Duration Employee.
3. If a permanent vacancy occurs in a classified position, and there is no eligible list:
 - a. The position may be left open; or
 - b. The position may be filled permanently by transfer or re-employment; or
 - c. The position may be filled by provisional appointment, not to exceed 120 days. If no eligible list is posted before the 120-day period expires, additional provisional appointment(s) of different individual(s) may be made; or
 - d. The position may be filled by assignment of a current [CityPort](#) employee on an “acting” basis, in accordance with relevant Memorandum of Understanding and administrative policy, pending completion of the recruitment process; or
 - e. The position may be filled by means of a temporary agency assignment, if appropriate, for a period not to exceed 120 days, pending completion of the recruitment process.
4. If a permanent vacancy occurs in a classified position, and an eligible list exists:
 - a. The position may be left open; or
 - b. The position may be filled permanently by transfer, re-employment or appointment from an eligible list.
 - c. If an active reinstatement list of laid off employees exists at the time of filling the vacancy this list must take priority over all other lists.
5. If a temporary vacancy occurs in a classified position, and there is no eligible list:

- a. The position may be left open for the duration of the vacancy; or
 - b. The duties of the position may be temporarily reallocated among existing positions; or
 - c. The position may be filled by provisional appointment, not to exceed 120 days. If no eligible list is posted before the 120 day period expires, additional provisional appointment(s) of different individual(s) may be made; or
 - d. The position may be filled by assignment of a current [CityPort](#) employee on an “acting” basis, depending on the length of the vacancy and in accordance with relevant Memorandum of Understanding provisions and administrative policy; or
 - e. The position may be filled by means of a temporary agency assignment, if appropriate, for a period not to exceed 120 days.
6. If a temporary vacancy occurs in a classified position and an eligible list exists:
- a. The position may be left open for the duration of the vacancy; or
 - b. The duties of the position may be reallocated temporarily among existing positions; or
 - c. The position may be filled by limited duration appointment from an eligible list; or
 - d. In the event that no person on the eligible list is willing to accept a limited duration appointment: (i) the position may be filled by provisional appointment not to exceed 120 days. Additional provisional appointment(s) of different individual(s) may be required if the temporary vacancy exceeds 120 days; or (ii) the position may be filled by assignment of a current [CityPort](#) employee on an “acting” basis in accordance with relevant Memorandum of Understanding provisions and administrative policy; or (iii) the position may be filled by means of a temporary agency assignment, if appropriate, for a period not to exceed 120 days.
7. If an absence occurs in a classified position and there is no eligible list for that classification:
- ~~e.~~a. The position may be left open for the duration of the vacancy; or
 - ~~f.~~b. The duties of the position may be temporarily reallocated among existing positions; or
 - ~~g.~~c. The position may be filled by assignment of a current [CityPort](#) employee on an “acting” basis, depending on the length of the absence and in accordance with relevant Memorandum of Understanding provisions and administrative policy; or
 - ~~h.~~d. The position may be filled by means of a temporary agency assignment, if appropriate, for a period not to exceed 120 days.
8. If an absence occurs in a classified position and an eligible list exists:
- a. The position may be left open for the duration of the absence; or

- b. The duties of the position may be reallocated among existing positions; or
- c. The position may be filled by limited duration appointment from the eligible list.
- d. In the event that a limited duration appointment is not practical due to the brief nature of the absence or because no person on the list is willing to accept a limited duration assignment, the position may be filled by: (i) assignment of a current [CityPort](#) employee to the position on an “acting” basis, in accordance with relevant Memorandum of Understanding provisions and administrative policy; or (ii) the position may be filled by means of a temporary agency assignment, if appropriate, for a period not to exceed 120 days.

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APPENDIX B – COMMON CLASSES

Classifications in the classified service with positions at the City and the Port with the same class titles and class codes that were changed or modified after 1978, not following the prescribed prevailing Civil Service Rules at the time of the changes or modifications, shall be submitted to the Civil Service Board as soon after collective bargaining 2011 concludes, but no later than 90 days after collective bargaining is concluded.

As of the date of this addendum, the following classifications have been deemed as common classifications until the Port and City comply with the procedures ascribed above.

(list of the deemed classifications as listed below)

<u>PORT</u>	<u>CITY</u>
1. Account Clerk	Account Clerk II
2. Senior Account Clerk	Account Clerk III
3. Office Specialist I	Office Assistant II
4. Office Specialist II	Administrative Assistant I
5. Administrative Specialist	Administrative Assistant II
6. Carpenter	Carpenter
7. Gardener I	Gardener I
8. Gardener II	Gardener II
9. Gardener III	Gardener Crew Leader
10. Painter	Painter
11. Plumber	Plumber
12. Semiskilled Laborer	Public Works Maintenance Worker
13. Port Electrician*	Electrician*
14. Custodian	Custodian**

The Port and the City have agreed that the following two classifications are Port-specific due to the following reasons and therefore they are exempt from the above common classifications:

*The Port Electrician – due to the “high voltage” experience required by the Port.

**Custodian – due to FAA security requirements. Port custodians must be able to pass a Criminal History Records Check (CHRC), a ten-year background check, and be fingerprinted for FBI clearance in order to work in the Security Identification Display Area (SIDA) at the Oakland International Airport. Additionally, the Port and City have agreed that due to recruitment requirements, both the City and the Port agreed to conduct separate examinations to accommodate internal candidates (Port relief/990 custodians and City part-time custodians).

~~[Amended CSB June 9, 2011 to add classification of Gardener I]~~

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STAFF REPORT

DATE: April 21, 2016

TO: THE HONORABLE CIVIL SERVICE BOARD

FROM: Jaime Pritchett, Principal Human Resource Analyst

THROUGH: Kip Walsh, Human Resources Manager, Recruitment & Classification

THROUGH: Anil Comelo, Director of Human Resources Management

SUBJECT: Quarterly Update Regarding Pending Classification Studies Pursuant to Rule 3.04(f) of the Personnel Manual (Civil Service Rules)

The Personnel Manual (Civil Service Rules) section 3.04 (f) “Quarterly Updates” requires that the Personnel Director provide quarterly updates regarding outstanding Classification Studies to the Board and include an explanation of the delay for all studies that have been in progress for more than one year. The Board was last provided with a report in January 2016. This report also provides an update on classification specifications that are currently under review.

Classification Studies

Attachment A is a report of all outstanding classification studies for the quarter ending March 31, 2016. During this reporting period, three (3) studies were completed, one (1) study was canceled, and six (6) new studies were received. There are now ten (10) active classification studies involving ten (10) incumbents.

Note: The classification study for Urban Economic Analyst IV was received on February 18, 2015, and became overdue on February 18, 2016. The final findings were issued on March 4, 2016. It required a few extra weeks to complete the necessary research and finalize the outcome of the classification study. This assignment is no longer pending.

Classification Specification Review

Attachment B is a report of outstanding requests for classification specification reviews for the quarter ending March 31, 2016 showing a total of seventy-eight (78) classifications: during this reporting period there were eleven (11) classification revisions or creations completed and approved by the Civil Service Board; one (1) classification was deemed inactive and canceled, and the department will advance a new request at a later time as action is necessary; there are two (2) classifications being advanced by HRM to the Board for the April 21, 2016, meeting; an additional nine (9) are in the queue for discussion with the representative union and advancement to the Board next month; there are thirty-seven (37) classification specification reviews assigned and under review by analysts; and there are an additional eighteen (18) for which HRM has received requests that have not yet been assigned.

CIVIL SERVICE BOARD

Subject: Quarterly Classification Study Report

Date: April 21, 2016

Status	Qty
Approved by CSB or Closed During Quarter	12
Scheduled to CSB for Approval	2
Under Review for Scheduling of Meet & Confer with Representative Union	9
Assigned to Analyst for Review	37
Pending for Assignment	18
TOTAL	78

For questions regarding this report, please contact Jaime Pritchett, Principal Human Resource Analyst, at (510) 238-4735.

- Attachment A – Classification Studies (Desk Audits) as of March 31, 2016
- Attachment B – Classification Specifications under review as of March 31, 2016

**City of Oakland - Human Resources Management
Classification Studies**

ATTACHMENT A

	Department	Classification	Date Received	Date Complete	Days Elapsed	Pending 1+ yr?	Status
1	EWD	Urban Economic Analyst IV	2/18/15	3/4/16	380	Yes	Completed.
2	OPRD	Recreation Center Director	7/16/15	2/26/16	225	No	Completed.
3	Finance	Treasury Analyst III	10/16/2015	3/11/2016	147	No	Completed.
4	PWD	Traffic Sign Maker	11/12/2015			No	Preparing final findings.
5	EWD	Account Clerk III	12/3/2015	2/17/2016	n/a	No	Canceled; employee transferred to a new department.
6	EWD	Urban Economic Analyst II	12/3/2015			No	Assigned; in initial stages.
7	EWD	Urban Economic Analyst II	12/4/2015			No	Assigned; in initial stages.
8	HSD	Health & Human Services Program Planner	1/15/2016			No	Assigned; in initial stages.
9	Finance	Parking Meter Collector Supervisor	2/16/2016			No	New assignment.
10	HSD	Health & Human Services Program Planner	3/9/2016			No	New assignment.
11	City Attorney	Administrative Analyst I	3/24/2016			No	New assignment.
12	EWD	Administrative Analyst II	3/31/2016			No	New assignment.
13	PBD	Public Service Representative	3/31/2016			No	New assignment.
14	PBD	Public Service Representative	3/31/2016			No	New assignment.

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CLASS	DEPT	TITLE	REP	TYPE	NOTES
CLOSED THIS QUARTER (12)					
TC136	CAO	Cable Television Production & Operations Manager (Cable Television Operations Coordinator)	TW1	SPEC REVISION	Approved at 1/21/16 CSB Meeting
SC112	PWD	Capital Improvement Project Coordinator	UM2	SPEC REVISION	Approved at 1/21/16 CSB Meeting
AP279	PBD	Planner V	TW1	SPEC REVISION	Approved at 1/21/16 CSB Meeting
TR187	PWD	Transportation Planner, Senior	UM2	SPEC REVISION	Approved at 1/21/16 CSB Meeting
EM179	EWD	Manager, Cultural Affairs (Manager, Cultural Arts)	UM2	NEW SPEC	Approved at 3/17/16 CSB Meeting
SC190	OPD	Neighborhood Services Coordinator	TW1	SPEC REVISION	Approved at 3/17/16 CSB Meeting
SC202	PBD	Process Coordinator iii	TW1	SPEC REVISION	Approved at 3/17/16 CSB Meeting
AP274	PBD	Planner III	TW1	SPEC REVISION	Approved at 3/17/16 CSB Meeting
AP380	PBD	Planner III - Historic Preservation	TW1	SPEC REVISION	Approved at 3/17/16 CSB Meeting
AP277	PBD	Planner IV	TW1	SPEC REVISION	Approved at 3/17/16 CSB Meeting
TR181	PWD	Street Sweeper Operator	SC1	SPEC REVISION	Approved at 3/17/16 CSB Meeting
TR118	PWD	Construction & Maintenance Mechanic	SB1	SPEC REVISION	Request was canceled by department
SCHEDULED (2)					
AP111	HRM	Benefits Analyst	TW1	SPEC REVISION	Scheduled for 4/21/16 CSB Meeting
AP204	HRM	Human Resource Analyst	TA1	SPEC REVISION	Scheduled for 4/21/16 CSB Meeting
PENDING MEET & CONFER (9)					
TR203	OPD	Animal Care Attendant	SC1	SPEC REVISION	Coordinating meeting dates with Local 1021
TR164	OPD	Parking Control Technician	SC1	SPEC REVISION	Coordinating meeting dates with Local 1021
TR168	PWD	Parking Meter Repair Worker	SB1	SPEC REVISION	Met with Local 1021 on 2/___; conducting additional research; will schedule a second meeting with the union in May 2016
PS162	OPD	Police Communications Dispatcher	SC1	SPEC REVISION	Coordinating meeting dates with Local 1021
NEW	OPD	Police Communications Dispatcher, Senior	TBD	NEW SPEC	Coordinating meeting dates with Local 1021
PS163	OPD	Police Communications Operator	SC1	SPEC REVISION	Coordinating meeting dates with Local 1021
AP434	OPD	Police Program & Performance Auditor	UM2	SPEC REVISION	Meeting with Local 21 on 4/21/16
ET134	PWD	Traffic Engineering Technician, Senior	SD1	SPEC REVISION	Meeting with Local 1021 was scheduled for 2/___; schedule a second meeting with the union in May 2016
AP402	OAS	Veterinarian	UM2	SPEC REVISION	Meeting with Local 21 on 4/21/16
IN PROGRESS (37)					
AP382	PWD	ADA Projects Coordinator	TW1	SPEC REVISION	Received proposed spec revisions from department; under review prior to submission to union

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CLASS	DEPT	TITLE	REP	TYPE	NOTES
NEW	PWD	Capital Improvement Projects Coordinator, Assistant	TBD	NEW SPEC	Reviewing draft spec with applicable departments
PS107	OPD	Captain of Police	UN2	NEW SPEC	Collecting job analysis information for draft class spec
EM122	OPD	Chief of Police	UN1	NEW SPEC	Drafting new class spec
EM237	OPD	Chief of Police, Assistant	UN1	NEW SPEC	Drafting new class spec
MA109	CAO	City Administrator Analyst	U31	NEW SPEC	Preparing proposed class spec for department review
TBD	OFD	CORE Instructor, PT	TBD	NEW SPEC	Drafting new class spec
EM135	OPD	Deputy Chief of Police	UN2	NEW SPEC	Drafting new class spec
AP252	CITYWIDE	Development Specialist III	TW1	SPEC REVISION	Preparing proposed spec revisions for department review
EM103	FINANCE	Director of Finance	UK1	NEW SPEC	Drafting new class spec
NEW	PWD	Director of Transportation	TBD	NEW SPEC	Drafting new class spec
PP121	PWD	Environmental Services Intern	TW1	NEW SPEC	Exempt clarification follow-up; review of positions and incumbents is in progress
TBD	OFD	Fireboat Maintenance Worker	TBD	NEW SPEC	Drafting new class spec
PS184	OFD	Fire Fighter Paramedic	FQ1	SPEC REVISION	Finalizing proposed spec revisions with department
PS199	OFD	Fire Fighter Paramedic Trainee	US1	SPEC REVISION	Finalizing proposed spec revisions with department
PS129	OFD	Fire Fighter	FQ1	SPEC REVISION	Finalizing proposed spec revisions with department
PS132	OFD	Fire Fighter Trainee	US1	SPEC REVISION	Finalizing proposed spec revisions with department
SC159	HSD	Head Start Nutrition Coordinator	TW1	SPEC REVISION	Preparing proposed spec revisions for department review
SS129	HRM	Human Resource Clerk	TA1	SPEC REVISION	Preparing proposed spec revisions for department review
TC117	HRM	Human Resource Technician	TW1	SPEC REVISION	Preparing proposed spec revisions for department review
PS194	OPD	Lieutenant of Police	PP1	NEW SPEC	Collecting job analysis information for draft class spec
SS142	CITYWIDE	Management Intern	TA1	NEW SPEC	Exempt clarification follow-up; review of positions and incumbents is in progress

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CLASS	DEPT	TITLE	REP	TYPE	NOTES
PS161	OPD	Police Cadet	UG1	NEW SPEC	Draft developed; pending sup review & dept feedback
MA160	OPD	Police Communications Manager	UM1	NEW SPEC	Drafting new class spec
PS164	OPD	Police Communications Supervisor	UH1	SPEC REVISION	Finalizing proposed spec revisions with department
PS168	OPD	Police Officer	PP1	SPEC REVISION	Collecting job analysis information for revisions to class spec
PS170	OPD	Police Property Specialist	SC1	SPEC REVISION	Pending department feedback
EM200	FINANCE	Purchasing Manager	UM1	NEW SPEC	Drafting new class spec
PS179	OPD	Sergeant of Police	PP1	NEW SPEC	Collecting job analysis information for draft class spec
TR175	PWD	Sewer Maintenance Leader	SC1	SPEC REVISION	Finalizing proposed spec revisions with department
TR176	PWD	Sewer Maintenance Worker	SC1	SPEC REVISION	Finalizing proposed spec revisions with department
TBD	PBD	Special Activity Enforcement Officer	TBD	NEW SPEC	Reviewing draft spec
AP340	ITD	Telephone Services Specialist	IE1	SPEC REVISION	Awaiting proposed spec revisions from department
NEW	FINANCE	Treasurer, Assistant	UM2	NEW SPEC	Drafting new class spec
TR188	PWD	Tree High Climber	SC1	SPEC REVISION	Received proposed spec revisions from department; under review prior to submission to union
TR189	PWD	Tree Trimmer	SC1	SPEC REVISION	Received proposed spec revisions from department; under review prior to submission to union
TBD	OFD	US&R Warehouse Manager	TBD	NEW SPEC	Drafting new class spec
PENDING ASSIGNMENT (18)					
EM118	CITYWIDE	Assistant to the Director	UM1	SPEC REVISION	UM1/UM2 follow up; update draft spec
EM143	PBD	Building Official	TBD	NEW SPEC	Changeover in dept staff; confirm request.
EM127	CLERK	City Clerk, Assistant	UM1	SPEC REVISION	UM1/UM2 follow up; update draft spec
MA113	CAO	Controller	UK2	DRAFT/REVISE	Pending analyst assignment
EM220	PBD	Director of Building & Planning	UK1	NEW SPEC	Pending analyst assignment.
NEW	EWD	Director of Economic & Workforce Development	UK1	NEW SPEC	Draft pending CAO approval
EM154	HCDD	Director of Housing & Community Development	UK1	NEW SPEC	Draft pending CAO approval
SS120	ATTY	Exec Asst to Asst City Attorney	UM1	SPEC REVISION	UM1/UM2 follow up; update draft spec

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CLASS	DEPT	TITLE	REP	TYPE	NOTES
SS121	CAO	Executive Asst to the Assistant City Administrator	U31	SPEC REVISION	Draft pending CAO approval
SS126	CAO	Executive Asst to the City Administrator	U31	SPEC REVISION	Draft pending CAO approval
TC143	OFD	Fire Equipment Technician	SB1	SPEC REVISION	Changeover in dept staff; confirm request
PS135	OFD	Firefighter/Fireboat Engineer	FQ1	SPEC REVISION	Review of draft pending
PS137	OFD	Firefighter/Fireboat Operator	FQ1	SPEC REVISION	Under dept review for US Coastguard licensing
EM242	CAO	Inspector General	UK1	NEW SPEC	Initially approved by CSB 4/11/13; June 2013 - new revisions under discussion
EM177	CAO	Manager, Contract & Employment Services	UM1	SPEC REVISION	UM1/UM2 follow up; update draft spec
NEW	CAO	Neighborhood Services Program Manager	TBD	NEW SPEC	Pending analyst assignment
SS164	CITYWIDE	Planning Intern/Housing Intern	UG1	SPEC REVISION	Broaden existing class to include Housing or merge with/revise Student Trainee. Cleanup and clarification of intern classifications
AF034	CAO	Real Estate Collections Officer	SD1	SPEC REVISION	Changeover in dept staff; confirm request