



CIVIL SERVICE BOARD MEETING AGENDA

Date: May 18, 2017

OPEN SESSION 5:30 p.m.

City Hall, One Frank H. Ogawa Plaza, Hearing Room 2

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

STAFF TO THE BOARD: Ian Appleyard, HRM Director/Secretary to the Board
Kip Walsh, HRM Manager/Staff to the Board
Michelle Meyers, Deputy City Attorney
Tabitha Pulliam, HR Technician/Staff to the Board

CLOSED SESSION AGENDA

ROLL CALL

The Civil Service Board will now Convene in Closed Session and will Report Out any Final Decisions in Open Session Before Adjourning the Meeting pursuant to California Government Code Section 54957.6:

1) Motion to Dismiss Appeal of Probationary Release (OFD-2016-AP01)

OPEN SESSION AGENDA

2) REPORT OF ACTIONS TAKEN IN CLOSED SESSION

ADJOURNMENT

OPEN SESSION AGENDA

ROLL CALL

3) OPEN FORUM

4) CONSENT CALENDAR:

ACTION

- a) Ratification of Provisional Appointment
 - Administrative Analyst I
- b) Approval of Revised Classification Specifications
 - Animal Control Supervisor
- c) Approval of Employee Requests for Leave of Absence

5) OLD BUSINESS:

- a) Approval of April 20, 2017 Civil Service Board Meeting Minutes ACTION
- b) 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
- c) Approval of New Classification Specifications (Port): ACTION
- Legal Assistant I – Records Management
 - Workforce Development Manager

6) NEW BUSINESS:

- a) Approval of a New Classification Specification for Budget Administrator and Approval of the Exemption of the Classification from the Provisions of Civil Service Pursuant to Charter Section 902(f) ACTION
- b) Supplemental Report – Quarterly Report per Section 3.04(f) of the Personnel Manual of the Civil Service Board (“Civil Service Rules”) Providing Status of All Classification Specification Revisions Currently Under Review INFORMATION
- c) Determine the Status and the Appropriate Jurisdiction for the Appeal of a Non-Disciplinary Grievance Originally Submitted and Processed under the SEIU, Local 1021 MOU Grievance Procedures ACTION
- d) Report from the Personnel Director Providing a Review of the Process for City Employees in Common Classifications Requesting Transfer to the Port INFORMATION

7) ADJOURNMENT

NOTE: The Civil Service Board meets on the 3rd Thursday of each month. The next meeting is scheduled to be held on Thursday, June 15, 2017. All materials related to agenda items must be submitted by Thursday, June 8, 2017. 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



Do you need an ASL, Cantonese, Mandarin or Spanish interpreter or other assistance to participate? Please email civilservice@oaklandnet.com or call (510) 238-3112 or (510) 238-3254 for TDD/TTY five days in advance.

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CITY OF OAKLAND

MEMORANDUM

DATE: May 18, 2017

TO: The Honorable Civil Service Board **FROM:** Shivani Nath
Senior HR Analyst

THROUGH: Ian Appleyard, HR Director
Secretary to the Board

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

SUBJECT: Request for Provisional Appointment in Classification of Administrative Analyst I
To be Ratified at Civil Service Board Meeting of May 18, 2017

Attached is a request for a provisional appointment of Dahlia Macias to a vacant Administrative Analyst I position, housed in the Radio Shop, in the Information Technology Department. The basis for this request is detailed in the attached Provisional Appointment Form as supporting documentation.

The Administrative Analyst I will provide administrative support as needed to the Information Systems Manager I by assisting with the development of required policies and procedures, preparing and analyzing complex reports, assisting in the development of long and short term goals for the Radio Shop, and maintaining the records management systems, including equipment inventory and reconciliation of Sprint/Nextel loaner equipment mandated by FCC.

Education: Bachelor's degree from an accredited college or university in public administration, economics, accounting or a related field.

Experience: One (1) year of experience performing responsible administrative work.

The selected candidate meets the minimum qualifications for the Administrative Analyst I classification with five (5) years of responsible administrative work experience (4 years of experience in lieu of 4 year degree). Recruitment and Classification is in the process of administering a Civil Service Examination to permanently fill this vacancy within 120 days. The job announcement closed on April 21, 2017, and the exam is scheduled to be administered on May 30, 2017.

The Department of Human Resources Management recommends that the Civil Service Board ratify the provisional appointment for this Administrative Analyst I position in the Information Technology Department beginning on May 22, 2017 and ending on or before September 19, 2017.

CITY OF OAKLAND
Interoffice Memo



HUMAN RESOURCES MANAGEMENT DEPARTMENT
Ian Appleyard, Director

DATE: May 8, 2017
TO: Information Technology Department
ATTN: Cynthia Perkins, HR Point of Contact

FROM: Shivani Nath, Senior Human Resource Analyst
SUBJECT: Provisional Appointment for Administrative Analyst I

Attached is your copy of the packet of materials requesting the provisional appointment of Dahlia Macias to a vacant Administrative Analyst I position, housed in the Radio Shop in the Information Technology Department. Your request has been approved by the Personnel Director and will be forwarded to the Civil Service Board for ratification at its next regularly scheduled meeting on May 18, 2017.

Ms. Macias can begin her provisional appointment to the classification noted above effective Monday, May 22, 2017. Please be advised that if the Civil Service Board fails to ratify this provisional appointment, it will be rescinded immediately following the meeting of the decision. We anticipate that the next regularly scheduled meeting of the Civil Service Board will be May 18, 2017 at 5:30 pm. This Civil Service Board meeting will be held in Hearing Room 2 in City Hall. Please attend or send a representative that can answer questions related to this appointment.

Please advise Ms. Macias that to be considered for permanent appointment, she must submit the appropriate application materials and place high enough on the eligibility list to be scheduled for a departmental interview. As you are aware, a recruitment to permanently fill this position is in progress.

Also, please note that in keeping with the Charter, Section 903 and Civil Service Rule 5.06 (a) Provisional Appointments, provisional appointees will be removed from their provisional assignments at 120 days, whether or not an eligible list has been established. Then end date for this appointment is September 19, 2017, 120 calendar days from appointment of May 22, 2017. You will receive a notice from this office 30 days prior to the expiration of the provisional appointment.

If you have any questions or need any additional information concerning this provisional appointment, please call Shivani Nath, Senior Human Resource Analyst at (510) 238-7068.

cc: File – CSB May 18, 2017
Payroll

**OAKLAND CIVIL SERVICE BOARD
PROVISIONAL APPOINTMENT REQUEST**

SCHEDULED MEETING DATE FOR CONSIDERATION: May 18, 2017

AREA REQUESTED

POSITION: Administrative Analyst I
DEPARTMENT: Technology Services Department
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: 5/3/2017
CURRENT STATUS OF EXAMINATION: Exam scheduled for May 30, 2017.

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 Administrative Analyst I is needed to administer the database to ensure daily operations are efficiently carried out. Further Ms. Macias has been working with all of the projects from the start and has the knowledge and experience of working with all the vendors and city personnel

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 the eligibility list is being established will cause services not to be rendered in a timely manner, deadlines will not be met for a number of projects, and that will have an impact on the services provided by the Technology Services Department.

Attachments:

Recruitment and Classification Staff Recommendation, including following pertinent information:

- Summary of Application Qualifications ✓
- Current Residency Status: *Not an Oakland Resident*
- Current Employment Status: Temporary Contract Service Employee



MEMORANDUM

DATE: May 18, 2017

TO: The Honorable Civil Service Board

FROM: Jaime Pritchett
Principal Human Resource Analyst

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

THROUGH: Ian Appleyard, Director of Human Resources Management
Secretary to the Board

SUBJECT: Approval of Classification Specification for Animal Control Supervisor

Based upon a classification review at the request of Oakland Animal Services (OAS), staff has proposed the revision of the **Animal Control Supervisor** classification specification. The classification specification was initially adopted in April 1993 and has not been revised since that time.

There is one vacancy, and a recruitment process is in the initial stages. During a recent meeting with the department, it became apparent that revisions were necessary before a job posting could be finalized. The revised classification specification will be used for the upcoming job posting.

The majority of the changes are necessary to update the classification so it will be a more accurate representation of assigned duties. However, a substantive change involves increasing the required years of animal welfare organization experience from three (3) to five (5) years.

A variety of modifications have been proposed:

- The Definition section has been refined to provide greater detail about the type of activities at the Shelter.
- The Distinguishing Characteristics section has been added. It differentiates between the classifications at the Shelter and correct the supervisory structure.
- In the Examples of Duties section, several duties have been added and other duties have been amended. These changes will more accurately reflect the work that is assigned.
- The Knowledge and Abilities section has been updated to solidify computer usage and reflect radio usage. Further, the supervisor may need to perform Animal Control Officer duties in the field and/or assist Animal Control Officers with calls for service.
- The Experience section of the Minimum Qualifications section has been increased to include two (2) additional years of experience in an animal welfare organization. Lead or supervisory experience has been added as desirable.
- Other changes involve reformatting to align with the current classification specification template.

The International Federation of Professional and Technical Engineers (IFPTE, Local 21) was notified of the proposed revisions to the classification specification. Union representatives and City staff met on April 20, 2017, to discuss the proposed revisions. The union requested more

time for review. The union followed up via email on May 2, 2017 to confirm that they do not have any objections to the proposed revisions.

The Port does not operate any animal services programs. Therefore, classifications specifically designed for that program have no corresponding classification at the Port. This classification is not being considered as part of the "Common Class" Project that is currently underway.

Staff recommends that the Civil Service Board approve the classification specification for Animal Control Supervisor as amended.

Attachments: Revised classification specification for Animal Control Supervisor



ANIMAL CONTROL SUPERVISOR

Class Code: SC103

Civil Service Classified

<p>DRAFT to CSB 05/18/17</p>

DEFINITION

Under general supervision, To plans, directs, and evaluates the activities of the aAnimal eControl shelter dDivision of Oakland Animal Services in accordance with State and local codes, laws, and ordinances, including but not limited to restraint, licensing, vaccination, impoundment, care, and quarantine of animals; and to assists in developmentthe development and implementation of educational programs on responsible animal care and ownership.; and performs related duties as assigned.

DISTINGUISHING CHARACTERISTICS

This is a supervisory classification in the animal control shelterdivision. The incumbent is a working supervisor who has responsibility for daily oversight of Animal Control Officers. It is distinguished from the Animal Control and Shelter Manager, which has responsibility for responsibility for the administration of program services and daily operations for the Oakland Animal Shelter. It is further distinguished from the Animal Control Officer, which is responsible for enforcing animal control ordinances and providing care for captured animals.

The incumbent rReceives general supervision from the Animal Control and Shelter Managera Police Officer, and mMay provides lead direction supervision to Animal Control Officer II and Animal Control Officers.

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

Plan, direct, and evaluate activities of the Animal-~~Shelter~~ Control Division including licensing, impounding, placing for adoption, keeping, selling and treating animals in a humane manner.

Train and evaluate subordinate staff and assure that stray animals are humanely handled, confined, and transported to the shelter for impoundment, and that first aid is administered when necessary.

Enforce state and local animal control and care laws and ordinances; oversee and monitor criminal and administrative investigations related to animal welfare.

Develop and teach educational programs for the public regarding proper animal care and animal control.

Interface with the public and other agencies regarding animal control issues.

~~Oversee and participate in the operation of clinics for injections and the evaluation and treatment of injuries.~~

Maintain fiscal control of incoming revenue.

Promote and enforce safe work practices.

Assist in the preparation of the section budget.

Monitor a section budget, including ensuring appropriate inventory of functional field supplies and equipment.

Prepare reports of a complex or technical nature.

Maintain records regarding animal control, both in written and computerized form.

~~Perform related duties as assigned.~~

Evaluate requests for service, including complaints about the care, treatment, and control of animals; establish priorities and direct appropriate responses.

Dispatch and maintain communication with field officers via two-way radio according to Federal Communications Commission (FCC) regulations, monitor the officers' safety, and take appropriate action when problems arise.

Maintain appropriate personnel coverage for emergency situations throughout the city on a 24-hour per day.

Drive to various locations in a timely manner as required in the performance of duties.

May be called upon to perform the functions of an Animal Control Officer, including standby duty, according to operational needs.

Respond to and assist Animal Control Officers on both routine and/or complex calls for service.

KNOWLEDGE AND ABILITIES

Knowledge of:

- Physical and behavioral characteristics of ~~common~~ domesticated animals and familiarity with wildlife breeds of dogs and cats.
- Methods and practices involved in animal control and care.
- State and local codes and regulations regarding animal control and care.
- Principles and practices of management, supervision and training.
- Safety principles, practices and procedures.
- Procedures of humane animal euthanasia.
- Public speaking principles and practices.
- Public contact and community relations.
- Budget ~~preparation and control~~ development and administration monitoring and oversight.
- Basic bookkeeping/accounting.
- Investigatory processes and procedures.
- Computer systems and software applications.
- Operation of radio equipment.

Ability to:

- Plan, direct and evaluate ~~an~~ animal control program operations.

- Promote and enforce safe work practices.
- Interpret state and local codes and regulations pertaining to animal control and care.
- Handle stressful or sensitive situations with tact and diplomacy.
- Communicate effectively in both oral and written form.
- Prepare and maintain fiscal records including revenue control.
- Monitor a section budget.
- Prepare and analyze reports of a general or technical nature.
- Utilize a computer and software applications.
- Utilize radio equipment according to Federal Communications Commission (FCC) Regulations.
- Safely operate and drive Animal Control Vehicles to various locations in a timely manner as required in the performance of duties.
- Establish and maintain effective work relationships with those contacted in the performance of required duties.

MINIMUM QUALIFICATIONS

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

Education:

High school diploma or e~~Equivalent to the completion of the twelfth grade.~~

Experience:

Three–Five (5) years of progressively responsible work experience in an animal welfare organization, with at least three (3) years of experience that is comparable to an Animal Control Officer;
~~—Officer II~~ in the City of Oakland. Lead or supervisory experience is highly desirable.

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 twenty-one (21) years of age.

Must meet California Peace Officer Standards and Training based on California Penal Code 832 within the probationary period.

Must pass a thorough background investigation.

DEPT. OF HUMAN RESOURCES MANAGEMENT USE ONLY

Established: 04/22/1993 CSB Resolution #: 44208 Salary Ordinance #:
Exempted: Y N Exemption Resolution #:

Revision Date: / / CSB Resolution #:
Re-titled Date: / / CSB Resolution #: Salary Ordinance #:

(Previous title(s):)



MEMORANDUM

DATE: May 18, 2017

TO: The Honorable Civil Service Board

FROM: Tabitha Pulliam, HR Technician, Recruitment & Classification / Staff to the Board

THROUGH: Ian Appleyard, HRM Director / Secretary to the Board

SUBJECT: Request Authorization for Employee Requests for Leave of Absence

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

Employee Name	Classification	Department	Leave Duration	Category
Argueta, Jennifer	Program Analyst II	Human Services	July 20, 2017 – August 19, 2017	CSR 8.02 (e) Family Illness
Ollison, Thomas	Street Sweeper	Oakland Public Works Department	April 24, 2017 – May 5, 2017	CSR 8.07 (c)(iii) Personal Business

RECOMMENDATION:

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



Unpaid Leave of Absence

Print Form

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 Jennifer Argueta Employee's ID 16096 Today's Date 3/14/17

Department/Division Human Services Employee Job Title Program Analyst II

Request: Days Hours From 7/20/17 To 8/19/17
No. of Days or Hours Select Days or Hours

Unpaid Leave Taken This Year? Yes No If yes, what type of leave FMLA/CFRA
(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.

Jennifer Argueta
Employee's Signature Date 4/24/17

Civil Service Board Approval Date

Amr Bady
Department Head Approval Date 4/25/17

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.

DEPT OF HUMAN RESOURCES
MAY - 8:59



CIVIL SERVICE BOARD MEETING MINUTES - DRAFT

Date: April 20, 2017

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; Lauren Baranco; Alex Drexel (Absent); Yvonne Hudson-Harmon; Christopher Johnson (Arrived @ 5:37 pm); Jeffrey Levin (Arrived @ 5:40pm)

STAFF TO THE BOARD: Ian Appleyard, HRM Director/Secretary to the Board
Kip Walsh, HRM Manager/Staff to the Board
Michelle Meyers, Deputy City Attorney
Tabitha Pulliam, HR Technician/Staff to the Board

OPEN SESSION AGENDA

ROLL CALL

1) OPEN FORUM

- **Al Marshall – Labor Activist**

Note: Mr. Marshall had submitted a request to appeal to the Civil Service Board and the request had been denied by the Secretary to the Board. Chairperson Gourdine requested that a review of the appeal request submitted by Mr. Marshall be added to next Month's Meeting Agenda, May 18, 2017.

2) CONSENT CALENDAR:

- a) Ratification of Provisional Appointment
 - Urban Economic Analyst III, PPT
- b) Approval of Revised Classification Specifications
 - Tree Supervisor II
- c) Approval of Employee Requests for Leave of Absence

44846 A motion was made by Board Member Johnson and seconded by Board Member Hudson-Harmon to approve the items on the Consent Calendar. The motion passed.

Votes: Board Member Ayes: 6 - Baranco, Gourdine, Hudson-Harmon, Jones, Johnson, Levin
Board Member Noes: None
Board Member Abstentions: None
Board Members Absent: 1 – Drexel

3) OLD BUSINESS:

- a) Approval of CSB Minutes March 16, 2017 Civil Service Board Meeting Minutes

Note: Chairperson Gourdine clarified that the request for a report regarding Port transfers was requested specifically for the May or June meeting of the Civil Service Board.

44847 A motion was made by Board Member Johnson and seconded by Board Member Jones to approve the CSB Minutes for March 16, 2017 as amended. The motion passed.

Votes: Board Member Ayes: 6 - Gourdine, Hudson-Harmon, Johnson, Levin, Baranco, Jones, Johnson
Board Member Noes: None
Board Member Abstentions: None
Board Members Absent: 1 – Drexel

- b) Determination of Schedule of Outstanding Board Items
a. Motion to Dismiss Appeal of Probationary Release (OFD-2016-AP01)

At the request of the appellant's representatives, Kip Walsh, HRM Manager – Staff to the Board, requested the item be moved to closed session for the Civil Service Board meeting held on May 18, 2017.

44848 A motion was made by Board Member Jones and seconded by Board Member Levin to move the item to May 18th. The motion passed.

Votes: Board Member Ayes: 6 - Gourdine, Hudson-Harmon, Johnson, Levin, Baranco, Jones
Board Member Noes: None
Board Member Abstentions: None
Board Members Absent: 1 – Drexel

- 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

Received and filed.

4) NEW BUSINESS:

- a) Approval of New Classification Specification:
• Municipal Code Enforcement Officer.

44849 A motion was made by Board Member Jones and seconded by Board Member Hudson-Harmon to approve the new Classification Specification. The motion passed.

Votes: Board Member Ayes: 6 - Baranco, Gourdine, Hudson-Harmon, Jones, Johnson, Levin
Board Member Noes: None
Board Member Abstentions: None
Board Members Absent: 1 – Drexel

b) Approval of New Classification Specifications (Port):

- Infrastructure Services Supervisor
- Legal Assistant I – Records Management
- Workforce Development Manager

44850 A motion was made by Board Member Johnson and seconded by Board Member Levin to require an analysis of City of Oakland Classification Specifications in comparison to the three classifications submitted by the Port to determine if the Port has a unique need outside of existing City specification that requires the creation of three new Port classification specifications. The motion passed.

Votes: Board Member Ayes: 6 - Baranco, Gourdine, Hudson-Harmon, Jones, Johnson, Levin
Board Member Noes: None
Board Member Abstentions: None
Board Members Absent: 1 – Drexel

c) Report and Recommendation to Amend the Personnel Manual of the Civil Service Board (“Civil Service Rules”) to Award Veterans and Oakland Residents Preference Points for the Public Safety Trainee Candidates.

44851 A motion was made by Board Member Jones and seconded by Board Member Johnson to amend the Personnel Manual of the Civil Service Board as presented. The motion passed.

Votes: Board Member Ayes: 6 - Baranco, Gourdine, Hudson-Harmon, Jones, Johnson, Levin
Board Member Noes: None
Board Member Abstentions: None
Board Members Absent: 1 – Drexel

5) ADJOURNMENT

6:47 PM

NOTE: The Civil Service Board meets on the 3rd Thursday of each month. The next meeting is scheduled to be held on Thursday, May 18, 2017. All materials related to agenda items must be submitted by Thursday, May 11, 2017. For any materials over 100 pages, please also submit an electronic copy of all materials.

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

Agendas are available 72 hours in advance of the next meeting and may be viewed at the City Clerk’s Office, #1 Frank H. Ogawa Plaza, 1st Floor. Materials are also available on the City’s website at: <http://www2.oaklandnet.com/Government/o/HumanResources/s/CivilServiceBoard>.

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



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你需要手語, 西班牙語, 粵語或國語翻譯服務嗎? 請在會議前五個工作天電郵 civilservice@oaklandnet.com 或致電 (510) 238-3112 或 (510) 238-3254 TDD/TTY



CITY OF OAKLAND

STAFF REPORT

DATE: May 18, 2017

TO: THE HONORABLE CIVIL SERVICE BOARD

FROM: Kip Walsh, HR Manager, Staff to the Board

THROUGH: Ian Appleyard, HR Director, 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 at the April 20, 2017 meeting that referenced data as of March 24, 2017. 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 April 27, 2017 there are a total of sixty-eight (68) employees in the TCSE (14), TCSE/Annuitant (37), and ELDE (15) categories. Seven (7) assignments were closed, and two (2) new assignments were added. Of the total, seven (7) are reported as non-compliant with Rule 5.06.

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.”

HONORABLE CIVIL SERVICE BOARD

Subject: Temporary Employees

Date: May 18, 2017

Page 2

STATUS OF NONCOMPLIANT ASSIGNMENTS

Of the total sixty-eight (68) temporary assignments, we are reporting seven (7) in this period as out of compliance with Rule 5.06.

- Four (4) of the non-compliant assignments (Animal Services and the Fire Department) are for TCSE assignments where Human Resources Management (HRM) staff are working with the departments to resolve outstanding classification and compensation issues.
- One (1) TCSE assignment in Economic & Workforce Development (EWD) has continued since August 2015. The assignment was first initiated to address a temporary need for program support, understanding that there may be a need to create a permanent assignment – either full time or permanent part time; at that time the appropriate classification was not yet identified. The position will be allocated as an Urban Economic Analyst IV, PPT. HRM is now in discussion with the department regarding a recruitment to fill the position permanently.
- Two (2) assignments – one TCSE and one TCSE/Annuitant – are in the Planning & Building Department and would be more appropriately characterized as ongoing part time positions requiring assignment to an appropriate exempt part time (PT) classification. Transitioning those assignments will take place following adoption of the City's policy budget.

Staff will continue to provide the Board with updates of progress on these outstanding items.

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 As of April 27, 2017
- B. TCSE/ELDE Compliance Trend Chart: As of April 27, 2017

**CIVIL SERVICE BOARD
MAY 2017 MONTHLY REPORT OF TCSE/ELDE ASSIGNMENTS**

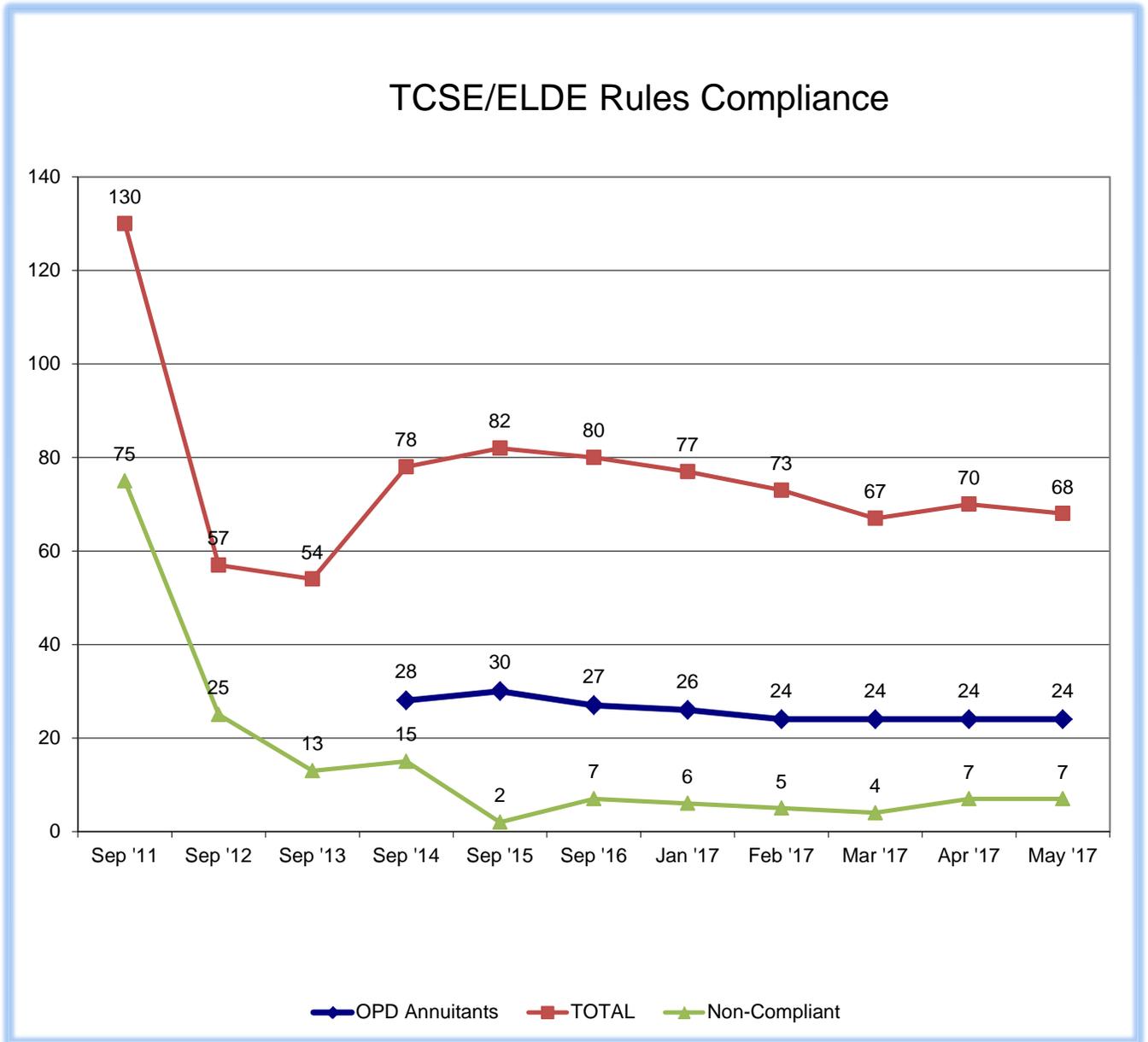
DEPT	LAST_NAME	FIRST_NAME	ORG	JOB_DATE	TYPE	NOTES	STATUS
CLOSED THIS PERIOD (7)							
CITY ADMINISTRATOR	Steinzig	Raphaelle	02111 - City Manager Administration Unit	6/27/2016	TCSE	Temporary assignment translating complex government language and processes to	SEPARATED
CITY ADMINISTRATOR	Roy	Ayushi	02111 - City Manager Administration Unit	6/27/2016	ELDE	Temporary City Communications support, project liasion and scheduling of tasks.	SEPARATED
FIRE	Rodgers	Camille	20371 - Vegetation Management Unit	5/23/2016	Annuitant	Temporary assignment under Fire Marshal and Vegetation Management Supervisor	SEPARATED
HOUSING	Laron	Caroline	89969 - Residential Rent Arbitration	8/15/2016	Annuitant	Temporary Assignment supporting the Residential Rent Arbitration Program	SEPARATED
INFORMATION TECHNOLOGY	Macias	Dalia	46461 - Project Coordination	5/9/2016	ELDE	Temporary operational support for Radio Shop	PROVISIONAL
MAYOR	Ruhland	Lisa	01111 - Mayor -Administration Unit	3/20/2017	ELDE	Temporary administrative support pending new budget	SEPARATED
POLICE	Causapin	Nicole	102310 - Criminal Investigations	6/20/2016	ELDE	Temporary assignment until recruitment to fill two currently vacant PET positions is	PERMANENT
NEW THIS PERIOD (2)							
HUMAN RESOURCES	Estevez	Richard	05211 - Human Resource Management	3/27/2017	Annuitant	Temporary assignment to support critical labor relations, classification, and recruitment needs.	COMPLIANT
POLICE	Ibrahim	Mamadou	106410 - Police Information Technology	2/27/2017	TCSE	Temporary assignment to migrate and verify new PRIME system	COMPLIANT
COMPLIANT (59)							
CITY ADMINISTRATOR	Brown	Kathleen	02491 - Oakland Animal Services	10/11/2016	TCSE	Temporary supervisory and training operational support	COMPLIANT
CITY ADMINISTRATOR	Zenoni	William	02811 - Budget Division	2/16/2017	Annuitant	Temporary operational support for preparation of the bi-annual budget.	COMPLIANT
CITY AUDITOR	Carnes	Mark	07111 - City Auditor Unit	2/11/2017	ELDE	Temporary assignment until recruitment is completed.	COMPLIANT
CITY CLERK	Abney	Michelle	03121 - City Clerk Unit	8/1/2016	Annuitant	Providing training to new staff.	COMPLIANT
CITY COUNCIL	Davenport Jr.	Kevin Mayo	00911 - Council At Large Unit	9/6/2016	TCSE	Temporary operational support	COMPLIANT
CITY COUNCIL	Lopes	Joyce	00011 - Council Administration Unit	10/4/2016	Annuitant	Project: conflict of interest code and reporting.	COMPLIANT
ECON & WORKFORCE	Muse	Angela	85311 - Workforce Development	2/13/2017	ELDE	Project: Career Pathways Trust	COMPLIANT
ECON & WORKFORCE	Saxe	Joseph	85521 - Public Art	5/2/2016	TCSE	Temporary assignment supporting Public Art - has not reached max hrs	COMPLIANT
FIRE	Hutchens	Gail	20711 - Emergency Services Program Unit	7/29/2016	TCSE	Temporary operational support as revised class spec under further review by HRM	COMPLIANT
FIRE	Diaz	Luis	20241 - Fire Communications Unit	1/14/2017	ELDE	Temporary pending creation of Fire Comm Mgr in the Salary Schedule. (in Council)	COMPLIANT
FIRE	Gainey	Maxie	20815 - US&R Division	3/27/2017	ELDE	Temporary assignment until recruitment conducted	COMPLIANT
HOUSING	Dizon	Benjamin	89939 - Municipal Lending	2/27/2017	Annuitant	Providing training to new staff.	COMPLIANT
HUMAN RESOURCES	McKinney-Linderme	Kimberley	05211 - Employment and Classification Unit	11/7/2016	Annuitant	Temporary analyst support to address recruitment backlog.	COMPLIANT
HUMAN SERVICES	Norris	Tabia	78232 - Head Start Program	1/20/2017	ELDE	Temporary operational support for Head Start Program	COMPLIANT

**CIVIL SERVICE BOARD
MAY 2017 MONTHLY REPORT OF TCSE/ELDE ASSIGNMENTS**

DEPT	LAST_NAME	FIRST_NAME	ORG	JOB_DATE	TYPE	NOTES	STATUS
HUMAN SERVICES	Shah	Mona	78311 - Policy & Planning	8/15/2016	ELDE	Temporary project and planning support	COMPLIANT
HUMAN SERVICES	Decuir	Roslynn	78241 - Year Round Lunch Program Unit	5/23/2016	TCSE	Was hired as Temporary Food Program Coordinator for USDA compliance; not working.	COMPLIANT
HUMAN SERVICES	Gilmore	Andrea	75621 - Oakland Paratransit for the Elderly and Disabled Unit	7/18/2016	ELDE	Temporary operational support during Cityspan/OPED transition	COMPLIANT
INFORMATION TECHNOLOGY	Cox	Amber	46461 - Project Coordination	11/21/2016	ELDE	Temporary operational support for Oracle upgrade project	COMPLIANT
INFORMATION TECHNOLOGY	Zhu	Krista	84111 - Admin: Planning, Building & Neighborhood Preservation	1/30/2017	ELDE	Temporary assignment assisting with implementation of the Accela platform.	COMPLIANT
MAYOR	O'Doherty	Keara	01111 - Mayor - Administration Unit	2/14/2017	ELDE	Temporary administrative support pending new budget	COMPLIANT
MAYOR	Cortes	Audrey	01111 - Mayor - Administration Unit	2/16/2017	ELDE	Backfill for Mayor's staff out on extended leave.	COMPLIANT
PARKS & RECREATION	Lewis	Theda	504320 - Malonga Casquelourd Center	10/11/2016	ELDE	Temporary oversight of SROs at the Malonga Casquelourd Center for the Arts.	COMPLIANT
PLANNING & BUILDING	Poon	Sammi	84421 - Engineering: Permit Center	2/14/2017	TCSE	Assisting with peak work demands.	COMPLIANT
PLANNING & BUILDING	Borjon	Agustin	84229 - Zoning	2/27/2017	Annuitant	Assisting with peak work demands.	COMPLIANT
PLANNING & BUILDING	McGowan	Patricia	84111 - Admin: Planning, Building & Neighborhood Preservation	8/15/2016	ELDE	Project: implementation of environmental program to preserve Oakland Army Base	COMPLIANT
POLICE	Leaks	Delores	106610 - Background & Recruiting	9/23/2013	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Flynn	Dana	106610 - Background & Recruiting	10/12/2013	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Johnson	Steven	106610 - Background & Recruiting	1/18/2014	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Lau	Peter	106610 - Background & Recruiting	10/10/2015	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Hill	Barbara	103310 - Communications Unit	2/2/2015	Annuitant	Retired Dispatcher providing intermittent emergency coverage.	COMPLIANT
POLICE	Byer	Judy	106610 - Background & Recruiting	3/12/2016	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Hicks	Mark	106610 - Background & Recruiting	9/23/2013	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Yelder	Ronald	106610 - Background & Recruiting	1/30/2016	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Juarez	Edward	106610 - Background & Recruiting	2/28/2015	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Mestas	Alfred	106610 - Background & Recruiting	9/23/2013	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Fisher	James	106610 - Background & Recruiting	10/12/2013	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Hassna	Jeffrey	106610 - Background & Recruiting	9/23/2013	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Pressnell	Edward	106610 - Background & Recruiting	9/23/2013	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Smith	Phyliss	103310 - Communications Unit	7/20/2015	Annuitant	Retired Dispatcher providing intermittent emergency coverage.	COMPLIANT
POLICE	Lighten	Ronald	106610 - Background & Recruiting	9/23/2013	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT

**CIVIL SERVICE BOARD
MAY 2017 MONTHLY REPORT OF TCSE/ELDE ASSIGNMENTS**

DEPT	LAST_NAME	FIRST_NAME	ORG	JOB_DATE	TYPE	NOTES	STATUS
POLICE	Johnson	Carmen	106610 - Background & Recruiting	1/18/2014	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Christmas	Ernest	106610 - Background & Recruiting	9/23/2013	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Quintero	Joseph	106610 - Background & Recruiting	10/12/2013	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Parker	Norma	106610 - Background & Recruiting	3/17/2014	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Chey	Tae	106610 - Background & Recruiting	9/23/2013	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Nguyen	Hung	106610 - Background & Recruiting	1/30/2016	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Taylor	Mayumi	106610 - Background & Recruiting	9/23/2013	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Thurston	Steven	106610 - Background & Recruiting	1/30/2016	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Gonzales	Jesse	106610 - Background & Recruiting	4/23/2016	Annuitant	Per MOU Agreement; Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Ibrahim	Mamadou	106410 - Police Information Technology	2/27/2017	TCSE	Temporary assignment to complete data migration into PRIME	COMPLIANT
PUBLIC ETHICS	Brown	Kelcie	65111 - Public Ethics Commission	11/7/2016	TCSE	Temporary operational support	COMPLIANT
PUBLIC WORKS	Douglas	Breanna	30131 - Public Works Call Center	2/14/2017	Annuitant	Assisting with peak work demands pending budget action.	COMPLIANT
PUBLIC WORKS	Winston	Cotys	30131 - Public Works Call Center	2/14/2017	ELDE	Assisting with peak work demands pending budget action.	COMPLIANT
PUBLIC WORKS	Hagerty	Kenneth	30541 - Equipment Services Administration	3/27/2017	Annuitant	Temporary backfill of temporarily vacated position.	COMPLIANT
PUBLIC WORKS	Hernandez	Carlos	30275 - IPPD Plans and Programming	7/18/2016	ELDE	Temporary assignment providing support to East Bay Bike Sharing Project.	COMPLIANT
PUBLIC WORKS	Jaussaud	Bruce	30541 - Equipment Services Administration	3/27/2017	Annuitant	Backfill of temporarily vacated position.	COMPLIANT
PUBLIC WORKS	Obgamichael	Letterbrhan	30121 - PWA Fiscal Services	11/7/2016	Annuitant	Temporary operational support for budget preparation.	COMPLIANT
NON-COMPLIANT (7)							
CITY ADMINISTRATOR	Hollenback	Joy	02491 - Oakland Animal Services	9/14/2015	TCSE	Part time veterinarian. Meeting w dept scheduled for last week in May.	NON-COMPLIANT





STAFF REPORT

DATE: May 18, 2017

TO: THE HONORABLE CIVIL SERVICE BOARD

FROM: Jaime Pritchett, Principal HR Analyst, Recruitment & Classification

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

THROUGH: Ian Appleyard, Director of Human Resources

SUBJECT: Informational Report Regarding the Port of Oakland's Request to Approve New Classifications titled Legal Assistant I – Records Management and Workforce Development Manager

At the April 20, 2017 Civil Service Board Meeting, the Port of Oakland proposed the creation of new classifications. Members of the Civil Service Board posed questions as to whether the Port had considered existing City of Oakland classifications for usage before proceeding with creating new classifications. The Board requested that the City's Director of Human Resources review the Port's request and provide feedback regarding the proposed new Port of Oakland classifications in the context of existing City of Oakland classification.

BACKGROUND

The Port of Oakland has maintained its own classifications for several years. In recent history, the Port took steps to submit all existing classifications to the Civil Service Board for approval and inclusion in the overall classification plan for the City.

Recently, human resources staff in both the City and the Port began a process of analyzing existing Port and City classifications to determine whether there are classifications common to both. A consultant was engaged and is working to determine whether there may be matches among City and Port classifications specifications. A group of classifications that were clearly specific to either the City or the Port have already been identified (e.g. aviation-specific classifications, Head Start program classifications, etc.), and the remaining classifications are being reviewed. The consultant will provide information related to their assessment of commonality, and the Board will determine how to proceed with that information. Other factors will be taken into consideration at that time including salary rates and exempt status.

ANALYSIS

The Port is seeking to create new classifications titled Legal Assistant I – Records Management and Workforce Development Manager. The City's Human Resources staff reviewed the proposed Port classifications through the lens of existing City of Oakland classifications and determined that in all cases, existing City classifications are not similar enough and do not reasonably encompass the duties as stated on the proposed new classification specifications.

CIVIL SERVICE BOARD

Subject: Information Report Regarding the Port's Request to Approve New Classifications

Date: May 18, 2017

Page 2

Legal Assistant I – Records Management – the three primary task areas identified in the proposed specification are general records management, Public Records Request management, and administrative support of legal work. The same work in the City is distributed across three separate classifications and two departments: Open Government Coordinator and Legal Administrative Assistant in the City Attorney's Office; and Citywide Records Manager in the City Clerk's Office. There is no single City of Oakland classification sufficiently broad to encompass this work and therefore, the proposed new classification for the Port would not be common to another classification in the classification plan.

Workforce Development Manager- The City does not presently have a similar classification. However, there is a Project Manager III in the Economic and Workforce Development Department who performs related duties for the City. The City did not have plans to change the designation of the existing position, but the classification proposed by the Port may be considered for use by the City at some later date. As it is now, the proposed new classification for the Port would not be common to another classification in the current classification plan.

Infrastructure Services Supervisor – The City requires additional time for the analysis of this proposed classification.

RECOMMENDATIONS

Staff recommends that the Civil Service Board approve the request from the Port of Oakland to establish new classifications titled Legal Assistant I – Records Management and Workforce Development Manager.

For questions regarding this report, please contact Jaime Pritchett, Principal HR Analyst, Recruitment & Classification at (510) 238-4735 or jpritchett@oaklandnet.com.



PORT OF OAKLAND

MEMO

To: City of Oakland Civil Service Board

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

Date: April 11, 2017

Subject: Approval of New Classification Specifications:
Workforce Development Manager
Infrastructure Services Supervisor
Legal Assistant I – Records Management

Creating, amending and editing classification specifications is critical as the Port endeavors to ensure the organization is adequately positioned to operate efficiently and effectively. As a driver of community and economic development for the City of Oakland and region, the Port conducts periodic assessments of the organization to ensure each division is adequately positioned to meet strategic goals and objectives. To support this effort, the Workforce Development Manager, Infrastructure Services Supervisor, and Legal Assistant I – Records Management classifications are necessary to meet our evolving needs. Each classification plays a critical role in either enhancing community development, creating efficiencies through technological solutions, or refining internal processes and procedures. The creation of these new classifications support the Port's effort to modernize our organizational structure.

Specifically, the Workforce Development Manager will create and design a comprehensive and integrated approach for directing the Port's workforce development efforts in partnership with local communities. The classification will cultivate cooperative working relationships with a broad range of public and private agencies, community based organizations, labor organizations, school districts, secondary educational institutions, trade organizations, advocacy groups, and nonprofit organizations to advance workforce development strategies and objectives of the Port to stimulate growth within the community.

The Infrastructure Services Supervisor will perform technical design and maintenance of the network and datacenter, which houses the Port's heterogeneous voice, video, data network, and cloud infrastructure, as well as managing a variety of projects, consultants, and staff.

The Legal Assistant I – Records Management position will assist the Port Attorney on a wide range of records management duties, implement Port-wide records retention and management policies, coordinate responses to public records requests, and assist in document production for litigation and subpoena services.

Our effort to create these classification specifications was done in collaboration with our partners from the International Federation of Professional and Technical Engineers ("IFPTE"), Local 21 which will represent these new classifications. IFPTE Local 21, was notified of the proposed creation of the new classifications specifications, and did not have any objections.



PORT OF OAKLAND

MEMO

The Port recommends that the Civil Service Board approve the proposed creation of the **Workforce Development Manager, Infrastructure Services Supervisor and Legal Assistant I – Records Management** classification specifications. Port staff will be available at the next Civil Service Board meeting to answer any questions or provide additional information as needed.

Attachment: Proposed Workforce Development Manager classification specification
Proposed Infrastructure Services Supervisor classification specification
Proposed Legal Assistant – Records Management classification specification

LEGAL ASSISTANT I - RECORDS MANAGEMENT

A. CLASS DEFINITION

Under general supervision of the Port Attorney or his designee, the incumbent is responsible for a wide range of duties pertaining to the management of hard copy files and electronic documents and files in the Port Attorney's office, implementation of records retention and management policies Port-wide and coordinating responses to public records requests. Performs related work as assigned.

DISTINGUISHING CHARACTERISTICS

This single incumbent classification handles a variety of specialized assignments for the department and for Port-wide needs. Assignments require considerable technical knowledge and independent judgment. Oversees and maintains the records management program and system for the Legal Department and develops new or improved methods of handling, protecting, and maintaining Legal records. This class also assists in the development and implementation of Port-wide systems, policies, and procedures for records retention, electronic communications, and public records responses, requiring ability to identify systems that meet the Port's documentation and electronic communications needs and to assist users. This class will also assist in document production for litigation and subpoenas.

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. Develops, implements and maintains the department's records management systems and procedure to identify, categorize, store, scan, retrieve, and dispose of records, including resolutions, ordinances, contracts, and policies.
2. Monitors, assists with implementing, and provides trainings on the development and maintenance of a Port-wide record retention and management program.
3. Evaluates and verifies the processing of files for storage and destruction in accordance with applicable record retention schedules and established procedures.
4. Assists attorneys and legal assistants in document production for litigation and subpoenas.
5. Develops and maintains the department's Intranet webpages; creates Adobe Acrobat "smart forms" for distribution via the Intranet; maintains Internet webpages relevant to department.
6. Trains and assists department personnel in the use of document management, time tracking software, and other software and/or program used in the Port Attorney's office; prepares end-user system documentation.
7. Coordinate Port Attorney's office technology, support, and other issues with IT Department related to the document management system.
8. Develop, implement, track compliance, and train in systems and procedures for Port responses to public records requests.
9. Coordinate with Information Technology staff to assist attorneys or other Port personnel in developing, implementing, tracking compliance, and training in electronic communications (including emails and other cloud-based communications systems) protocols; work with IT staff to identify the appropriate electronic solutions and protocol to maintain a records management program; and identify and adapt appropriate technology for document processing, storing, and tracking electronic communications

10. May provide lead direction to office support staff; provide back up, as needed.

11. Performs other related duties as required.

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:

- Principles and practices of information governance, records management, and records control systems.
- Principles of relational database development and software.
- File management practices and procedures.
- Principles of Web-specific and cloud-based software.
- Modern office methods, practices, and procedures.
- Personal computers, mobile devices, office software (including the Microsoft Office suite of products), electronic communications systems, and general understanding of latest technologies relevant to department.
- Principles and practices of effective training.
- Legal requirements pertaining to public agency obligations to retain, destroy, and disclose records.

Ability to:

- Work independently, meet deadlines, and maintain confidentiality within established guidelines.
- Collect information, analyze, and synthesize solutions to meet organizational needs; organize effective procedures of records management activities.
- Provide effective assistance in the management of a complex records management program.
- Prepare a variety of records, reports, and forms.
- Handle the storage and retrieval of information in an accurate, consistent and thorough manner; pay extreme attention to detail and enforce naming and filing conventions.
- Plan and complete projects under general supervision.
- Establish and maintain effective working relationships with those contacted in the performance of duties and work as a team.
- Direct support staff in the maintenance of records and forms.
- Communicate effectively in oral and written format.
- Effectively conduct training.

- Understand how document workflows function through different Port divisions and departments.
- Exercise tact and diplomacy, using excellent interpersonal skills.
- Establish and maintain effective working relationships with those contacted in the performance of duties.
- Provide assistance to Port Attorney staff, Port staff and members of the public in a courteous and clear manner.

D. PHYSICAL DEMANDS

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

While performing the duties pertaining to this position, the incumbent is regularly required to make use of close vision to read reports, summaries, digests, and other documents. Sit at a desk for long periods of time. Work at a personal computer and use the telephone regularly. Physical strength to lift and carry, store and retrieve boxes of records, large documents and plans weighing up to 25 pounds. Operate scanning and copying machines.

E. WORK ENVIRONMENT

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

The incumbent typically works indoors in an air-conditioned office, with a mixture of natural, incandescent and fluorescent light. Typical noise levels are muted by acoustic ceilings, carpet, and/or sound-deadening wall panels.

May involve occasional visits to warehouse type environment where Port records are stored.

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 possession of an associate's degree in public or business administration, paralegal studies, library science or archives, information technology, records management or a related field and three years' experience performing archival or records management-related work or implementation of information technology systems for the management of documents and records. Records management or information technology experience may substitute for the education on a year-for-year basis.

G. OTHER CHARACTERISTICS

1. May be required to possess a valid California Class C driver license at the time and for the duration of appointment.
2. The Port of Oakland requires each incumbent to successfully complete a Transportation Security Administration (TSA) background check, which will include a fingerprint-based Criminal History Records Check (CHRC) and a Security Threat Assessment (STA), prior to being considered for this position. This status must be maintained for employment at the Port.

CLASS CODE:

STANDARD HOURS DAY/WEEK:

CS STATUS/UNIT:

FLSA:

CLASSIFICATION CREATED: (PORT ORDINANCE)

WORKFORCE DEVELOPMENT MANAGER

A. CLASS DEFINITION

Under general direction, the Workforce Development Manager creates and designs a comprehensive and integrated approach for directing the Port's workforce development efforts in partnership with local communities; plans and organizes Social Responsibility Division efforts that support workforce/economic growth; develops cooperative working relationships with a broad range of public and private agencies, community based organizations, labor organizations, school districts, secondary educational institutions, trade organizations, advocacy groups, and non-profit organizations; advances workforce development strategies and objectives of the Port by stimulating workforce development and growth within the community; collaborates with public, private and community based partners to prepare and orient the community with Port contracting requirements; and performs related work as assigned.

DISTINGUISHING CHARACTERISTICS

This management level, single incumbent position performs varied and high level assignments with a greater degree of responsibility and independence. The incumbent assists the Director of Social Responsibility in overall policy development for workforce program planning and administration. This position is distinguished from the Director of Social Responsibility in that the latter has oversight and responsibility over divisional goals within major functional areas such as the Non-Discrimination and Small Business Utilization Policy, Alternative Project Delivery Approach, Contracting and Procurement Requirement, DBE/ACDBE Federal Program, Living Wage, Worker Retention Program, Port Internship Program, Maritime Project Labor Agreement, 360 Access (Labor Exchange) Program and other special programs and projects.

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. Develops and implements the Workforce Development program for the Port of Oakland in partnership with external stakeholders such as community based organizations, local community colleges and school districts to cultivate workforce and economic development opportunities; and creates programs in collaboration with stakeholders to prepare the community for employment, education and business opportunities services.
2. Establish goals and strategic workforce development goals and plans; partner directly with business, faculty, staff and stakeholders to implement short and long-term goals.
3. Develop and manage appropriate evaluation and reporting process to determine workforce development program success and effectiveness; and oversee the development of both community and business needs assessments to ensure alignment with business forecast and emerging skills requirements.
4. Provide leadership to workforce development internal staff and external partners such community colleges/vocational schools, local employers, workforce development agencies, government agencies, and community-based organizations in the development of workforce program services to best serve the community.
5. Develop and implement the marketing of programs and activities of Port's workforce development program; represent the Port in the community; promote the program by serving on task forces and relevant workforce development/economic development committees within the community.

6. Maintain and build relationships with business and industry, governmental agencies, community organizations and workforce development partners to ensure quality and relevance to programs.
7. Manage the program budget including developing budget proposals, justifying expenses, and monitoring expenditures.
8. Represents the Social Responsibility Division at community meetings, local and national conferences, Board meetings, committee meetings, and other forums as directed to articulate the workforce development program policies and programs, report on their status and results and discuss any proposed changes for input.
9. Performs special projects and other related duties as assigned by the Director of Social Responsibility.

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:

- Codes, statutes, laws and ordinances related to employment and workforce development in construction.
- Construction industry and the mechanics of trade unions.
- Federal, state, and local targeted business programs.
- Tactful and firm public relations and communication techniques.
- Organizational and management practices and methods, including goal setting, program development and implementation, and employee supervision.
- Personnel management, employee relations, team building and budget development.

Ability to:

- Handle public relations and communication techniques.
- Gather and synthesize information for reporting purposes.
- Develop and implement goals, objectives, policies, procedures, work standards and internal controls.
- Supervise and direct subordinate professional and support staff; interpret and enforce administrative/operational policies, practices and procedures; analyze and solve problems of a complex nature; maintain departmental standards.
- Analyze complex technical and administrative information; evaluate alternative solutions and recommend or adopt effective courses of action.
- Communicate effectively and persuasively in both oral and written format; speak in large and small group settings; prepare and analyze comprehensive reports; conduct staff meetings.

- Exercise sound independent judgment within general policy guidelines.
- Facilitate dialogue around a variety of issues with good consensus building skills.
- Write clear and concise reports.
- Use of personal computers and database software.
- Work under deadlines and coordinate several concurrent assignments.
- Establish and maintain effective working relationships with those contacted in the performance of duties and to work as a team.

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 pertaining to this position, the incumbent is regularly required to make use of close vision to read reports and other. In meetings, the incumbent employs eye contact and voice modulation and projection to convey or underscore points of information. The incumbent must have eye, hand and foot coordination to operate a 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 incumbent typically works indoors 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 incumbent may work out of 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 a bachelor's degree in business or public administration or related field **PLUS** five years of responsible administrative experience in the private or public sectors dealing with the public in the areas of workforce development or a closely related field. An equivalent combination of education and experience may be considered.

G. OTHER CHARACTERISTICS

- Must possess a valid California Class C driver license at the time and for the duration of appointment.

CLASS CODE:	
STANDARD HOURS-DAY/WEEK:	7.5/Day - 37.5/Week
CS STATUS/UNIT:	Classified/_
FLSA:	Exempt
Classification Created: (Port Ordinance)	



MEMORANDUM

DATE: May 18, 2017

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

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

THROUGH: Ian Appleyard, Director of Human Resources Management
Secretary to the Board

SUBJECT: Approval of Classification Specification for Budget Administrator (formerly titled Budget Director) and Approval of Request for Exemption of the Classification of Budget Administrator from the Provisions of Civil Service per Charter Section 902(f)

As part of the City's upcoming amendment to Municipal Code Section 2.29, the budget functions that currently operate as part of the City Administrator's Office will be moving to a consolidated Bureau of Budget in the Finance Department. Since the Budget Director position will no longer be at the department head level, it is necessary to seek formal exemption under Section 9.02(f) of the Charter to preserve the position's at-will status, as appropriate. Further, the classification is being re-titled from Budget Director to **Budget Administrator**.

The Budget Administrator (formerly titled Budget Director) position was a department head level position and, as such, it was previously exempt under Charter section 9.02(b). The City recommends preserving the at-will status of the position as the changes to the fiscal organizational structure are implemented, which requires that the position be formally exempted by recommendation of City Council and approval of the Civil Service Board, per Charter section 902(f).

The Budget Administrator is a bureau head with overall responsibility for the City's budget operations, which involves responsible and complex fiscal management, analysis, and costing. The individual in this classification must make decisions related to challenging, sensitive, and confidential financial matters on a citywide basis and plays a role in labor negotiations. The incumbent is expected to exercise considerable discretion in carrying out the City's mission for which there is a high consequence of error. Due to its role related to fiscal management, placement in the organization, lines of authority, reporting relationships within the department, as well as the duties, pay grade and independence of action, staff recommends the classification of Budget Administrator for exemption from civil service.

The exemption resolution was presented to the Finance & Management Committee meeting on April 25, 2017, and advanced to City Council for approval on May 2, 2017. City Council approved the resolution recommending exemption from civil service. (The executed resolution was not available at the time the report went to print but will be provided verbally at the Civil Service Board meeting on May 18, 2017 if the C.M.S. is available by that time.)

A salary ordinance amendment to the City's Salary Schedule of the Salary Ordinance (Ordinance No. 12187 CMS) is currently scheduled for its second reading by the City Council on May 16, 2017. In the amendment that is pending final approval by City Council, the classification title, rep unit, and pay grade are being revised in the Salary Schedule.

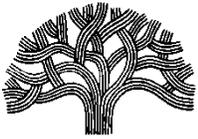
There is one filled position. The incumbent has been informed about the changes that are taking place regarding the classification title and exemption status in addition to rep unit and salary grade.

Regarding the proposed draft of the Budget Administrator classification, mandatory bargaining obligations do not apply because the position is unrepresented.

Additionally, no determination has been rendered regarding the "common class" status of this classification. The "Common Class" Project is currently underway, and more information will be available at a later date.

Staff recommends that the Civil Service Board approve the request to exempt the classification from the provisions of civil service and approve the proposed new classification specification for Budget Administrator (formerly titled Budget Director).

Attachments: Proposed new classification specification for Budget Administrator (formerly Budget Director)
City Council Resolution ____ C.M.S. recommending exemption from Civil Service



CITY OF OAKLAND

BUDGET ADMINISTRATOR

Class Code: EM172

Exempt

DEFINITION

Under administrative direction in the in a bureau of the Finance Department, plans, organizes, manages and directs centralized budget and fiscal analytical services for the City; advises City management staff on budgetary matters; trains and supervises assigned staff; and performs related duties as assigned

DISTINGUISHING CHARACTERISTICS

This is a management level classification, responsible for budgetary planning, fiscal analysis, performance measurement and long-range financial planning for the City. The incumbent oversees the development, monitoring and analysis of fiscal systems and performs duties that involve the exercise of considerable discretion and latitude of judgment in the formulation and development of policies and procedures. Pursuant to the Oakland Charter 902(f) and Oakland Municipal Code, this position is exempt from the regulations of the Civil Service Board. This classification is distinguished from the Finance Director, which is responsible for overseeing the operations of an entire department. This classification is further distinguished from the lower level Budget Administrator, Assistant, in that the incumbent of the latter is an assistant bureau head with responsibility for overseeing daily operations of Budget staff in the Bureau.

The incumbent receives administrative direction from the City Administrator or Assistant City Administrator and exercises direction over assigned management, professional supervisory, professional, technical, and clerical support staff.

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

Plan, organize, manage and direct, through subordinate supervisors, the overall activities of the Budget Bureau including City-wide budget development and monitoring, fiscal analytical services, financial planning, expenditure control, system development, revenue forecasting, and performance measurement.

Develop and direct the implementation of goals, policies, procedures, and work standards for the Budget Bureau.

Prepare and recommend long-range plans for financial management of City services and programs; develop specific proposals for action on current and future City needs.

Direct the preparation of a variety of studies and reports relating to current and long-range budgetary needs, operational efficiencies, and productivity, and develop specific proposals to meet them; review and analyze the fiscal impact on City programs; participate in bargaining and prepare costing estimates related to contract proposals.

Develop and implement financial and management systems, policies, procedures, and standards for budget preparation, examination, monitoring, and control.

Interpret and explain City policies, programs, financial strategies, and budgetary data to the City Administrator, City Council, City departments, public and private organizations, and citizen groups; solve problems related to specific citizen demands.

Recommend policy and advise the City Administrator and City Council on related issues.

Direct the selection, supervision, and work evaluation for management staff; provide for staff training and development.

Prepare, review or coordinate the preparation of reports and presentations for the City Administrator, City Council, commissions, intergovernmental agencies and citizen organizations.

Establish and maintain positive working relationships with City officials, intergovernmental agencies, and departmental staff to ensure that budget services are responsive to their diverse needs.

Coordinate the work of the Bureau with other City departments, outside agencies, and concerned citizens.

Monitor developments related to budget and financial management systems, evaluate their impact on City operations, and implement policy and procedure improvements.

Represent the City and work closely with citizen boards, commissions, public agencies, and private officials to provide technical assistance, directly or through subordinate staff.

May act for the Finance Director during periods of absence.

KNOWLEDGE AND ABILITIES

Knowledge of:

- The principles and practices of financial and budgetary systems development and administration.
- Federal, state, and local legislative processes and funding practices related to government including legal authority, joint power agreements, and cooperative arrangements.
- Administrative principles and methods, including goal setting, program and policy development and implementation, performance measurement, and employee supervision.
- The principles and practices of contract administration.
- Computer systems and applications.

Ability to:

- Manage and direct comprehensive centralized budgetary and financial planning and control systems.
- Plan, organize, direct, and coordinate a variety of fiscal and budgetary control activities to meet City needs.
- Select, motivate, and evaluate staff and provide for their training and professional development.
- Analyze complex technical and administrative budgetary problems, evaluate alternative solutions, and recommend or adopt effective courses of action.

- Assist with complex and difficult labor relations and personnel issues and make appropriate recommendations; collect and evaluate data and perform costing out of benefit and other management proposals.
- Develop and implement goals, objectives, policies, procedures, work standards, internal controls, and performance measures.
- Understand, interpret, explain, and apply relevant city, state, and federal laws and regulations.
- Direct and manage multiple and diverse priorities.
- Communicate effectively orally and in writing.
- Prepare clear and concise reports, correspondence, and other written materials.
- Exercise sound independent judgment within general policy guidelines.
- Utilize computer systems and software applications.
- Establish and maintain effective work relationships with those contacted in the performance of required duties

MINIMUM QUALIFICATIONS

The following qualifications are guidelines, as the appointing authority has broad discretion in filling positions in this classification.

Education:

Bachelor's degree from an accredited college or university in public or business administration, economics, accounting, finance or related field. A Master's degree is desirable.

Experience:

Five (5) years of progressively responsible experience in budget, analytical, and financial management in a government agency, including at least three (3) years in a supervisory or management capacity. Experience working with citizen organizations and elected officials is desirable.

LICENSE OR CERTIFICATE

An incumbent in this position is 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 an efficient method for traveling to required locations. An individual 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.

OTHER REQUIREMENTS

None required.

DEPT. OF HUMAN RESOURCES MANAGEMENT USE ONLY

Established: / / CSB Resolution #: Salary Ordinance #:
Exempted: Y N Exemption Resolution #: 9.02(f)

Revision Date: / / CSB Resolution #:
Re-titled Date: / / CSB Resolution #: Salary Ordinance #:

(Previous title(s): (Budget Director)

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

[Signature]
City Attorney

RESOLUTION No. _____ C.M.S.
Introduced by Councilmember _____

2017 APR 13 PM 3:14

RESOLUTION RECOMMENDING TO THE CIVIL SERVICE BOARD THE EXEMPTION OF THE CLASSIFICATION OF BUDGET ADMINISTRATOR FROM THE OPERATION OF CIVIL SERVICE

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

WHEREAS, the Budget Administrator is recommended for exemption from Civil Service due to its placement in the organization, lines of authority, reporting relationships within the Finance Department, as well as the position's duties, pay grade and independence of action; and

WHEREAS, the Budget Administrator is a bureau head with overall responsibility for the City's budget operations, which involves responsible and complex fiscal management, analysis, and costing; and the individual in this classification must make decisions related to challenging, sensitive, and confidential financial matters on a citywide basis; and

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

RESOLVED, the City Council of the City of Oakland hereby recommends to the Civil Service Board that the classification of Budget Administrator be exempted from the requirements of civil service; and be it

FURTHER RESOLVED, that the Civil Service Board is hereby requested to approve such exemption

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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



STAFF REPORT

DATE: April 20, 2017

TO: THE HONORABLE CIVIL SERVICE BOARD

FROM: Jaime Pritchett, Principal Human Resource Analyst

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

THROUGH: Ian Appleyard, 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 2017. 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, 2017. During this reporting period, four (4) studies were completed and four (4) new studies were received. There are now fourteen (14) active classification studies.

Classification Specification Review

Attachment B is a report of outstanding requests for classification specification reviews for the quarter ending March 31, 2017, showing a total of seventy-six (76) classifications: during this reporting period there were five (5) classification revisions or creations completed and approved by the Civil Service Board; there is one (1) classification being advanced by HRM to the Board for the April 20, 2017, meeting; an additional fifteen (15) are in the queue for discussion with the representative union and advancement to the Board in the near future; there are forty (40) classification specification reviews assigned and under review by analysts; and there are an additional fifteen (15) for which HRM has received requests that have not yet been assigned.

Status	Qty
Approved by CSB or Closed During Quarter	5
Scheduled to CSB for Approval	1
Under Review for Scheduling of Meet & Confer with Representative Union	15
Assigned to Analyst for Review	40
Pending for Assignment	15
TOTAL	76

Attachment A – Classification Studies (Desk Audits) as of March 31, 2017

Attachment B – Classification Specifications under review as of March 31, 2017



STAFF REPORT

DATE: May 18, 2017

TO: THE HONORABLE CIVIL SERVICE BOARD

FROM: Jaime Pritchett, Principal Human Resource Analyst

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

THROUGH: Ian Appleyard, Director of Human Resources Management

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

The required Quarterly Report for quarter end March 31, 2017, was supposed to be included on the agenda at the Civil Service Board meeting on April 20, 2017. Unfortunately, the report was inadvertently omitted from the agenda. The informational report is attached.

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

Attachments:

Civil Service Board Staff Report – Quarterly Report dated April 20, 2017

Attachment A – Classification Studies (Desk Audits) as of March 31, 2017

Attachment B – Classification Specifications under review as of March 31, 2017

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

	Department	Classification	Date Received	Date Complete	Days Elapsed	Pending 1+ yr?	Status
1	HSD	Health & Human Services Program Planner	3/9/2016	2/8/2017	336	No	Completed.
2	EWD	Administrative Analyst II	3/31/2016	3/10/2017	344	No	Completed.
3	PBD	Public Service Representative	3/31/2016	3/31/2017	365	No	Completed.
4	PBD	Public Service Representative	3/31/2016	3/31/2017	365	No	Completed.
5	ITD	Administrative Analyst II	4/4/2016			No	Will roll overdue on 4/4/2017; to be completed in April 2017.
6	PBD	Public Service Representative	4/25/2016			No	To be completed in April 2017.
7	LIBRARY	Library Assistant	5/4/2016			No	In progress.
8	FINANCE	Payroll Personnel Clerk II	6/15/2016			No	In progress.
9	OPW	Program Analyst I	7/28/2016			No	In progress.
10	FINANCE	Treasury Analyst II	10/3/2016			No	In progress.
11	FINANCE	City Administrator Analyst	11/4/2016			No	Assigned; in initial stages.
12	CAO	Contract Compliance Officer	11/7/2016			No	Assigned; in initial stages.
13	OPW	Administrative Assistant II	11/28/2016			No	Assigned; in initial stages.
14	EWD	Urban Economic Analyst II	12/5/2016			No	Pending assignment.
15	OPW	Administrative Assistant II	3/1/2017			No	New assignment.
16	LIBRARY	Librarian II	3/7/2017			No	New assignment.
17	CAO	Contract Compliance Officer, Senior	3/16/2017			No	New assignment.
18	CAO	Administrative Assistant II	3/28/2017			No	New assignment.

**City of Oakland - Human Resources Management
Status of Classification Specification Reviews**

CLASS	DEPT	TITLE	REP	TYPE	NOTES
CLOSED THIS QUARTER (5)					
TR133	OPW	Energy Engineer III	TF1	SPEC REVISION	Approved at 1/19/17 CSB Meeting
SS137	ATTORNEY	Legal Administrative Assistant, Supervising	TW1	SPEC REVISION	Approved at 2/16/17 CSB Meeting
TBD	OFD	US&R Logistics & Warehouse Specialist	TBD	NEW SPEC	Approved at 2/16/17 CSB Meeting
TBD	FINANCE	Budget Administrator, Assistant	U31	SPEC REVISION	Approved at 3/16/17 CSB Meeting
PS112	OPD	Criminalist II	TW1	SPEC REVISION	Approved at 3/16/17 CSB Meeting
SCHEDULED (1)					
SC230	OPW	Tree Supervisor II	UH1	SPEC REVISION	Scheduled for 4/20/17 CSB Meeting
PENDING MEET & CONFER (15)					
SC103	CAO	Animal Control Supervisor	UH1	SPEC REVISION	Meeting with Local 21 in April 2017
AP153	CAO	Contract Compliance Officer	TW1	SPEC REVISION	Meeting with Local 21 in April 2017
AP369	CAO	Contract Compliance Officer, Senior	TW1	SPEC REVISION	Meeting with Local 21 in April 2017
TBD	OFD	Fire Communications Manager	TBD	NEW SPEC	Meeting with Local 21 in April 2017
TC143	OFD	Fire Equipment Technician	SB1	SPEC REVISION	Actively meeting with Local 1021 regarding spec
PS140	OFD	Fire Marshal, Assistant (Sworn)	FQ1	SPEC REVISION	Preparing meet and confer notice for union
MA148	OFD	Fire Marshal, Assistant (Non-Sworn)	UM2	SPEC REVISION	Preparing meet and confer notice for union
TBD	CAO	Municipal Code Enforcement Officer	TBD	NEW SPEC	Meeting with Local 1021 in April 2017
PS162	OPD	Police Communications Dispatcher	SC1	SPEC REVISION	Meetings will resume with Local 1021
PS163	OPD	Police Communications Operator	SC1	SPEC REVISION	Meetings will resume with Local 1021
PS170	OPD	Police Property Specialist	SC1	SPEC REVISION	Actively meeting with Local 1021 regarding spec
TR175	OPW	Sewer Maintenance Leader	SC1	SPEC REVISION	Future Local 1021 meeting date to be determined
TR176	OPW	Sewer Maintenance Worker	SC1	SPEC REVISION	Future Local 1021 meeting date to be determined
TBD	ATTORNEY	Special Counsel - Labor and Employment	TBD	NEW SPEC	Meeting with Local 21 in April 2017
TC144	OPD	Veterinary Technician	SD1	SPEC REVISION	Actively meeting with Local 1021 regarding spec
IN PROGRESS (40)					
TR203	OPD	Animal Care Attendant	SC1	SPEC REVISION	In the queue for meeting with Local 1021
EM177	FINANCE	Budget Administrator	UK2	SPEC REVISION	Preparing exemption resolution, re-title, and revised class spec
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
MA109	CAO	City Administrator Analyst	U31	NEW SPEC	Preparing proposed class spec for department review
TBD	OFD	CORE Instructor, PT	TBD	NEW SPEC	Preparing proposed class spec for department review

**City of Oakland - Human Resources Management
Status of Classification Specification Reviews**

CLASS	DEPT	TITLE	REP	TYPE	NOTES
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
EM264	DOT	Director of Transportation	UK1	NEW SPEC	Drafting new class spec
PS129	OFD	Fire Fighter	FQ1	SPEC REVISION	Finalizing proposed spec revisions with department
PS184	OFD	Fire Fighter Paramedic	FQ1	SPEC REVISION	Finalizing proposed spec revisions with department
TR140	OPW	Gardener Crew Leader	SC1	SPEC REVISION	In initial discussion with department about assignment
TR141	OPW	Gardener I	SC1	SPEC REVISION	In initial discussion with department about assignment
TR142	OPW	Gardener II	SC1	SPEC REVISION	In initial discussion with department about assignment
PP128	HSD	Head Start Program 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
TR164	OPD	Parking Control Technician	SC1	SPEC REVISION	In the queue for meeting with Local 1021
TR168	OPW	Parking Meter Repair Worker	SB1	SPEC REVISION	Held one meeting with Local 1021; collecting additional information; will schedule a follow-up meeting when research has concluded.
AP282	PBD	Planning Investigator	SD1	SPEC REVISION	New assignment
PS161	OPD	Police Cadet	UG1	NEW SPEC	Draft developed; pending sup review & dept feedback
NEW	OPD	Police Communications Dispatcher, Senior	TBD	NEW SPEC	Finalizing proposed class spec with department
PS164	OPD	Police Communications Supervisor	UH1	SPEC REVISION	Finalizing proposed spec revisions with department

**City of Oakland - Human Resources Management
Status of Classification Specification Reviews**

CLASS	DEPT	TITLE	REP	TYPE	NOTES
PS168	OPD	Police Officer	PP1	SPEC REVISION	Collecting job analysis information for revisions to class spec
EM200	FINANCE	Purchasing Manager	UM1	NEW SPEC	Drafting new class spec
NEW	FINANCE	Revenue & Tax Administrator, Assistant	TBD	NEW SPEC	Drafting new class spec
PS179	OPD	Sergeant of Police	PP1	NEW SPEC	Collecting job analysis information for draft class spec
TBD	OPW	Sign Technician, Senior	TBD	NEW SPEC	Drafting new class spec
TBD	PBD	Special Activity Enforcement Officer	TBD	NEW SPEC	Reviewing draft spec
IS119	PBD	Specialty Combination Inspector	SD1	SPEC REVISION	Preparing proposed spec revisions for department review
IS120	PBD	Specialty Combination Inspector, Senior	SD1	SPEC REVISION	Preparing proposed spec revisions for department review
TR178	OPW	Stationary Engineer	SB1	SPEC REVISION	In initial discussion with department about assignment
TR186	OPW	Traffic Sign Maker	SC1	SPEC REVISION	Preparing proposed spec revisions for department review
NEW	FINANCE	Treasurer, Assistant	UM2	NEW SPEC	Drafting new class spec
TR188	OPW	Tree High Climber	SC1	SPEC REVISION	Received proposed spec revisions from department; under review prior to submission to union
TR189	OPW	Tree Trimmer	SC1	SPEC REVISION	Received proposed spec revisions from department; under review prior to submission to union
TBD	OFD	US&R Instructor, PT	TBD	NEW SPEC	Drafting new class spec
PENDING ASSIGNMENT (15)					
EM118	CITYWIDE	Assistant to the Director	UM1	SPEC REVISION	UM1/UM2 follow up; update draft spec
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
PP121	OPW	Environmental Services Intern	TW1	NEW SPEC	Assess classification as part of cleanup and clarification of intern classifications
SS120	ATTY	Exec Asst to Asst City Attorney	UM1	SPEC REVISION	UM1/UM2 follow up; update draft spec
SS121	CAO	Executive Asst to the Assistant City Administrator	U31	SPEC REVISION	Draft pending CAO approval

**City of Oakland - Human Resources Management
Status of Classification Specification Reviews**

CLASS	DEPT	TITLE	REP	TYPE	NOTES
SS126	CAO	Executive Asst to the City Administrator	U31	SPEC REVISION	Draft pending CAO approval
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
AP340	ITD	Telephone Services Specialist	IE1	SPEC REVISION	Awaiting proposed spec revisions from department



STAFF REPORT

DATE: May 18, 2017

TO: THE HONORABLE CIVIL SERVICE BOARD

FROM: Ian Appleyard, Director of Human Resources Management

SUBJECT: Report Regarding the Status and the Appropriate Jurisdiction for the Appeal of a Non-Disciplinary Grievance Originally Submitted and Processed under the SEIU, Local 1021 MOU Grievance Procedures

At the April 20, 2017 Civil Service Board meeting during open forum, Al Marshall, who identified himself as a labor activist, asked the Board to consider an appeal that he had submitted to the Secretary of the Board where the request for appeal was denied. The Board asked staff to review the item and bring it back with a report and recommendation regarding the status of the appeal request.

BACKGROUND

On March 24, 2017, Al Marshall filed an appeal under section 2.07 of the Personnel Manual, titled, “RE: Class Action Grievance – Construction Inspector/Senior – Step 3 response,” (*Attachment A*). Mr. Marshall was asked to clarify his appeal as the Personnel Manual requires a “specific reason for the appeal request.” The reason provided was the appeal was “amended to reflect appeal of a 3rd Step grievance.” The grievance to which the appeal document referred was about the City’s hiring practices related to certain positions in Oakland Public Works (OPW).

The Human Resources Management Department had opened a restricted competitive civil service recruitment for Construction Inspector from May 2 to 13, 2016. On May 25, 2016, an eligible list was established. The eligible list was certified to the hiring department on two occasions, May 26, 2016 and July 1, 2016. Candidates were considered and selected for the vacancies. On October 12, 2016, two candidates were informed that they were not selected. On October 19, 2016, a Class Action grievance was filed alleging violation of “MOU - Article 2, Section 2.1 Discrimination and any other rule or law that may apply.”

Since the alleged violation cited discrimination, the case was referred to the Equal Opportunity Program Division (EOPD) in the City Administrator’s Office on November 1, 2016. While the case was under review by the EOPD office, the City’s Acting Employee Relations Officer, Kip Walsh, heard the grievance at Step 3 and, on March 20, 2017, denied the grievance (attached).

The Human Resources Director conducted an analysis of Mr. Marshall’s request for appeal to the Civil Service Board, which heavily considered the applicable provisions of the Memorandum of Understanding (MOU) between the City of Oakland and the Service Employees International Union, Local 1021 (SEIU, Local 1021). On March 31, 2017, the appeal was denied by the Human Resources Director based on MOU Section 15.2.4, which states, “In the case of a grievance concerning discharge or disciplinary action against a unit member, the Union may elect to submit the grievance to the Civil Service Board, instead of to an arbitrator.” The MOU

CIVIL SERVICE BOARD

Subject: Action Item: CSB Jurisdiction in an Appeal of a Non-Disciplinary Grievance

Date: May 18, 2017

Page 2

does not provide the ability for a non-disciplinary grievance to be advanced to the Civil Service Board.

ANALYSIS

The appeal filed by Mr. Marshall stated clearly that it was an appeal of a Step 3 grievance. The grievance procedure is controlled by the MOU between the City of Oakland and SEIU, Local 1021. If there is a conflict between the MOU and the Personnel Manual, the MOU shall be the controlling document (Introduction of Personnel Manual). However, there is no conflict in this case because the original complaint was filed under the MOU. Further, no rules of the Personnel Manual were alleged to be violated and the City appropriately investigated and processed the complaint and grievance.

This appeal is a classic attempt at “venue shopping.” The original grievance alleged a violation of the MOU, Article 2.1 – Discrimination. The grievance went through the grievance process but, when it was denied at Step 3, Mr. Marshall advanced it to the Civil Service Board appeal process. This is not permitted under the MOU, which clearly states only disciplinary actions can be either submitted to the Civil Service Board or an arbitrator. While only one venue can be chosen for disciplinary actions, alleged MOU violations may only be submitted to an arbitrator since that is related to contract application and interpretation.

Another reason this appeal should not be in front of the Civil Service Board is there are no alleged violations of the competitive civil service process or the Personnel Manual. The alleged violation took place five months after the competitive civil service process concluded.

The City appropriately processed the discrimination complaint by referring it to EOPD for investigation. The Step Three response informed Mr. Marshall that the moving party had 20 working days to move the matter to arbitration.

Finally, the Board should keep in mind that Mr. Marshall is the moving party and carries the burden to make the case that this appeal is subject to the Board’s jurisdiction.

RECOMMENDATIONS

Staff recommends that the Civil Service uphold the Personnel Director’s decision regarding the status of the appeal and confirm that it has no jurisdiction over this appeal because the MOU provision governs the appellant’s rights and the Personnel Manual does not authorize non-disciplinary grievances to come before them.

For questions regarding this report, please contact Kip Walsh, HR Manager, Recruitment & Classification at (510) 238-7334 or kwalsh@oaklandnet.com

Attachments

- A. Appeal Request Form
- B. City’s response to request via email dated 3/31/17
- C. Original grievance submission
- D. Step 3 grievance response dated 3/20/17



HEARING REQUEST FORM – CIVIL SERVICE BOARD

Request must state the specific reason for the appeal request and the section or provision of the Rules under which the appeal is being submitted.

Today's Date 3/24/17

Appellant Information

Appellant Full Name Class Action

Address 250 FOP 4th Fl. Suite 4314
Last Street Address First M.I. Apartment/Unit #

City State ZIP Code

Primary Phone (510) 238 4930 Alternate Phone (510) 774 0556

E-mail Address AMARSHALL@OAKLANDNET.COM

Basis of Appeal (Please cite Civil Service Rules section.): 2.07 - General Appeal

Procedure. (Rule 2- Organization, Rules & Procedures) - Pg. 7

of CBR's. *Amended to reflect appeal of 3rd step grievance

RE: Class Action Grievance - Construction Inspector/Senior - Step 3 response.

Date of Alleged Rules Violation 10/19/16 City Department PWA

Representative Information

Representative Name AL. MARSHALL

Address 250 FOP 4 Fl Suite 4314
Street Address Apartment/Unit #

City State ZIP Code

Primary Phone (510) 238 4930 Alternate Phone (510) 774 0556

E-mail Address AMARSHALL@OAKLANDNET.COM

Representative Type: Union Attorney Other Labor Activist

I am available the following third Thursdays of the month over the next three months to present the appeal:

① April, May or June, 2017

Estimated Number of Hours to Present: 45 min. - 1 hr.

Revised 10/18/12

From: Walsh, Kip
To: [Marshall, Al](#)
Cc: [Tim Gasper](#); [Belinda](#); [Pulliam, Tabitha](#); [Appleyard, Ian](#); [Cook, Allyson E](#)
Subject: RE: Request for Civil Service Board Appeal
Date: Friday, March 31, 2017 1:59:00 PM

Al,

Please be assured that this is not a matter of a personal decision on my part. The Personnel (HR) Director is the Secretary to the Civil Service Board and my communication was made to you on his behalf.

My communication is based on the SEIU 1021 MOU governing grievances, because at the time the issue surfaced, you made a decision to grieve it under the MOU. Having exhausted steps 1-3, the grievance is at Step 4. For a grievance other than discipline, the only option for Step 4 is arbitration. Here's the specific language of the MOU – note in particular the language of the paragraph that starts, "In the case of a grievance concerning discharge or disciplinary action against a unit member..." That section clearly articulates that only disciplinary grievances may be heard by the Civil Service Board at Step 4.

15.2.4 Step 4: Civil Service Board - Arbitration

Should the grievance remain unresolved, within twenty (20) working days of the meeting described in Section 15.2.3, the Union may advance the grievance to Step 4 by notifying Employee Relations, for example, in writing via email with a copy either by fax or US Mail. If the request to advance the grievance to Step 4 is not made within twenty (20) working days, it **shall** be considered withdrawn.

In any Grievance referred to arbitration, including before the Civil Service Board, the parties shall select the arbitrator using a rotational alphabetical process of the Panel List noted below for the life of this Agreement.

1. Margie Brogan
2. Nancy Hutt
3. John Kagel
4. John LaRocco
5. Michael Rappaport
6. Robert Steinberg
7. Phillip Tamoush
8. Barry Winograd

In the event an arbitrator is unavailable for arbitration, the next name on the panel list will be selected as the arbitrator.

In the case of a grievance concerning discharge or disciplinary action against a unit member, the Union may elect to submit the grievance to the Civil Service Board, instead of to an arbitrator. The Civil Service Board may elect to use a Hearing Officer for such appeals as described in Appendix

A, Grievance Procedure. In the event that the Union elects to submit the grievance to the Civil Service Board, the filing of the written grievance in accordance with the provisions of Step 1, Section 15.2.2 above shall satisfy the requirement of the Personnel Ordinance that the unit member gave notice of intent to appeal a discharge or disciplinary action.

If arbitration is selected, it is agreed that the arbitrator's decision shall be final and binding on all parties and the arbitrator's fees shall be borne equally by the parties. The arbitrator shall have no power to add to or subtract from the provisions of this Agreement or of the Personnel Rules.

The Civil Service Board has no jurisdiction over a matter of dispute concerning the MOU.

Sincerely,
Kip

KIP WALSH | Human Resources Manager
Recruitment & Classification Division
150 Frank Ogawa Plaza, 2nd Floor
Oakland, CA 94612
(510) 238-7334
(510) 867-0742 cell

This communication constitutes an electronic communication within the meaning of the Electronic Communications Privacy Act, 18 USC 2510, and its disclosure is strictly limited to the recipient intended by the sender of this message. This communication may contain confidential and privileged material for the sole use of the intended recipient and receipt by anyone other than the intended recipient does not constitute a loss of the confidential or privileged nature of the communications. Any review or distribution by others is strictly prohibited. If you are not the intended recipient please contact the sender by return electronic mail and delete all copies of this communication.

From: Marshall, Al
Sent: Friday, March 31, 2017 12:58 PM
To: Walsh, Kip
Cc: Tim Gasper; Belinda; Pulliam, Tabitha; Appleyard, Ian; Cook, Allyson E
Subject: Re: Request for Civil Service Board Appeal

Good day Kip,

I'm sorry to hear this is the position you are taking regarding the grievance in question and given the fact that you denied it also raises a concern about conflict of interest.

It's not a surprise that you would try to block any efforts from the CSB being privy to some very important information their entitled too.

Please provide me the written documentation that supports your position and allow you sole discretion with denying my appeal rights to the CSB. I will need this information at least one week before the next CSB HEARING.

Thanks in advance!

Al. Marshall
Construction Inspector
Labor Activist
X4930

Sent from my iPhone

On Mar 31, 2017, at 12:34 PM, Walsh, Kip <KWalsh@oaklandnet.com> wrote:

Greetings, Al.

I have reviewed this item with the Personnel Director. Based on the information you have provided, I am writing to let you know that the request for appeal is denied. The issue you are trying to appeal was a grievance that was submitted and reviewed at steps 1-3. The MOU provision governing grievances allows that for matters involving discipline, the union may either submit the grievance at Step 4 to arbitration, or may submit an appeal of discipline to the Civil Service Board. Since the issues raised in this grievance do not involve discipline, the Civil Service Board has no jurisdiction to hear the matter. Accordingly, the item is not being forwarded to the Civil Service Board for consideration.

Let me know if you have any questions regarding the Board's procedures.

Thank you.

Kip

KIP WALSH | Human Resources Manager
Recruitment & Classification Division
150 Frank Ogawa Plaza, 2nd Floor
Oakland, CA 94612
(510) 238-7334
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From: Marshall, Al

Sent: Tuesday, March 28, 2017 3:39 PM
To: Pulliam, Tabitha
Cc: Walsh, Kip; Tim Gasper; Belinda
Subject: FW: Send data from MFP11219013 03/28/2017 14:16
Importance: High

Hi Tabitha,

We can agree to disagree on your position below as the document doesn't state anywhere **"a specific reason for the appeal request"** must be included but to clarify, this is an appeal of a decision made by Kip regarding a Class Action Grievance dated March 20, 2017 which I've hereby requested it to be heard by the CSB.

Hopefully this addresses your email below. If you have any question please don't hesitate to call.

Al. Marshall
Construction Inspector
Labor Activist
X4930

From: Pulliam, Tabitha
Sent: Tuesday, March 28, 2017 8:49 AM
To: Marshall, Al
Cc: Walsh, Kip
Subject: Class Action Request

Hello Al,

The City of Oakland, Human Resources Department, received your request for a hearing before the Civil Service Board. The request form states that **"a specific reason for the appeal request"** must be included. Your form states "General Appeal Procedure" but it is not sufficient as a clear and specific reason. At this point, we ask you to re-submit your request with the required information, so that we can review it and process it accordingly.

Please feel free to contact me with any questions or concerns.

My regards,

Tabitha P.
Tabitha Pulliam
Human Resources Management, Recruitment & Classification
150 Frank Ogawa Plaza, 2nd Floor
Oakland, CA 94612

Phone - 510-238-6619
Email - TPulliam@Oaklandnet.com

<http://www2.oaklandnet.com/>

Retention Period: Indefinite

Received By:

Date: CSB Meeting May 18, 2017

CITY OF OAKLAND
GRIEVANCE FORM

Immediate Supervisor
Department Head
City Manager
Civil Service Board/Arbitration

10/19/16

Employee's Name: Class - Action Classification: Construction Inspector / Senior Engineering Tech

Department: PWA Division: ROWM Phone: 238-7165

Immediate Supervisor: Fred Loeser & Kevin Kashi Classification: Const. Sup. I / Sup. Civil Engineer

Statement of Grievance See attachment;

Specific Section of MOU or Personnel Rule Violated; or Disciplinary Action MOU - Article 2 section 2.1 Discrimination and any other rule or law that may apply.

Requested Solution That both gentlemen be offered / hired in the position they have the desire to promote into and their seniority in said class be the date when the eligibility list was posted. And in addition both employees be made whole in all ways relating to any lost in pay or other.

Employee's Signature Al. Marshall - Steward Date 10/19/16

Supervisor's Response _____

Supervisor's Signature _____

Date _____

See Instructions on Back

By filing this grievance, the Union does not intend to waive, nor does it waive, any additional procedural or substantive rights or causes of action which an employee may have pursuant to any federal law, state law or other rule or regulation.

- Copy 1 - Orig.
- Copy 2 - Employee Relations
- Copy 3 - Supervisor
- Copy 4 - Employee

400-260
(1/86)



Public Works Agency • Bureau of Engineering & Construction • Right of Way Management

Sewer & Sidewalk Division • 250 Frank H. Ogawa Plaza, Suite # 4344 • Oakland, California 94612 • (510) 238-3651

October 12, 2016

Mr. Joe Watson
132 West 8th Street
Pittsburg, Cal.
94565

Re: Reassignment status into Right of Way Management

Mr. Watson,

We interviewed a number of candidates for the available positions of Field Inspector in Right of Way Management.

Three of the positions have been filled with candidates who were determined to be very well qualified. You were not selected for one of these three positions. However, there are still other positions yet to be filled. At this time, your application and interview result status is still on the list for consideration.

When the filling of the other position (s) is authorized, your status on the available list will be reevaluated, along with the other candidates to determine the best qualified for the position.

Thank you for your patience and perserverance.

Sincerely,

Fred Loeser
Supervisor, Right of Way Management

CC: Personnel File,
Yolanda Lopez

CITY OF OAKLAND



150 FRANK H. OGAWA PLAZA 2nd FLR OAKLAND, CALIFORNIA 94612-2021

HUMAN RESOURCES MANAGEMENT
Recruitment & Classification Division

(510) 238-3112
FAX (510) 238-4482
TDD (510) 839-6451

March 20, 2017

Sent Via Electronic Mail and U.S. Mail

Mr. Dana MacPherson
Service Employees International Union, Local 1021
100 Oak Street
Oakland, CA 94607

RE: Class Action Grievance – Construction Inspector/Senior - Step 3 Response

Dear Mr. MacPherson:

This communication serves as the Step 3 response to the Class Action Grievance submitted by Al Marshall on behalf of Patrick Taylor, Engineering Technician II, and Joe Watson Jr., Engineering Technician II, both of whom applied for positions in the Construction Inspector classification and were not selected. The grievance alleges that the two men, both of whom are African American, were not selected due to racial discrimination in the hiring process.

Background

Patrick Taylor was hired into City of Oakland employment as an Engineering Technician II on April 18, 2011; Joe Watson Jr. was hired into City of Oakland employment as an Engineering Technician II on November 8, 2004. Both men submitted applications for the job announcement for Construction Inspector (Restricted) that was posted May 2, 2016 – May 13, 2016. Mr. Taylor and Mr. Watson were the only employees who submitted applications. When Human Resources reviewed the applications, they were found to demonstrate that the employees met the Minimum Qualifications for the classification. Because the pool was so small, Human Resources did not assemble an examination and instead created an eligible list solely on the basis of MQs.

The eligible list for Construction Inspector (Restricted) was established May 25, 2016 and Mr. Taylor and Mr. Watson were referred on May 26, 2016 to OPW to be interviewed, in conformance with section 14.7D of the SEIU MOU which requires that candidates on Restricted eligible lists be certified to the department and considered before candidates on Open eligible lists are referred. They were interviewed on May 31, 2016 and neither was selected to be hired. OPW submitted another requisition in the classification and Mr. Taylor and Mr. Watson were referred on July 1, 2016 to OPW to be interviewed. They were interviewed on August 26, 2016 and again, neither was selected to be hired. Mr. Taylor and Mr. Watson were notified on October 12, 2016, that they were not selected. On October 19, 2016, SEIU Steward, Al Marshall, submitted the grievance. Because the grievance alleged

March 20, 2017

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racial discrimination, it was forwarded to the City's Equal Employment Opportunities Program Division (EOPD) on November 1, 2016, for follow up. That office is responsible for investigating AI 71 complaints (Administrative Instruction 71 governs the City's anti-discrimination policy). It was communicated to Mr. Marshall on November 8, 2016, that the grievance would be held in abeyance pending the outcome of the EOPD investigation. Mr. Marshall objected to holding the process in abeyance and so the City agreed to meet with the grievants to hear the specifics of the complaint.

Step 3 Meeting

On December 20, 2016 a Step 3 Meeting was held. In attendance were the grievants, Patrick Taylor and Joe Watson, Jr.; SEIU Steward, Al Marshall; SEIU Steward, Tim Glasper; and Kip Walsh, Acting ER Manager for the City.

At the meeting, the union presented its position that hiring for positions is discriminatory, "on the 4th floor," meaning hiring for positions in several workgroups in OPW, which are housed on the 4th floor of the Dalziel Building. More specifically, the union asserted that the discrimination extended to African Americans males only. Cited as examples were the recent promotions of two non-African American women from Assistant Engineer II to Civil Engineer (one on September 12, 2016 and one on October 24, 2016), another non-African American woman from Program Analyst II to Watershed Program Supervisor (February 16, 2016), a non-African American man from Environmental Specialist to Program Analyst II (October 10, 2016), a non-African American man from Assistant Engineer II to Civil Engineer (September 12, 2016), and a non-African American man from Construction Inspection Supervisor I to Construction Inspection Supervisor II (October 24, 2016). Additionally, the two Construction Inspectors who were hired were external candidates who were not African American.

The discussion in the December 20, 2016 meeting centered around assertions that Mr. Taylor and Mr. Watson, by virtue of their long tenure in the Engineering Technician II classification were the most qualified candidates for the vacancies, and therefore, the hiring process was flawed if other candidates were selected. Additionally, the grievants complained that the department's hiring process in terms of communicating with the employees was done poorly. They cited having to wait for long periods without receiving any indication of whether the department was going to appoint them or not. The union and the grievants indicated their strongly held view that internal candidates should be promoted before the City invested in external candidates and that failing to promote created greater attrition as employees look elsewhere for new opportunities.

Findings and Conclusions

The grievance asserts that in hiring non-African American external candidates to the classification of Construction Inspector, the City violated the terms of the MOU and committed acts of discrimination. In reviewing the hiring history in OPW over the past two years and in reviewing the hiring documentation related to the specific candidates selected for the Construction Inspector vacancies in 2016, I did not find evidence of discrimination. The City's EOPD office also conducted a separate, more detailed investigation into the complaint and that office has indicated that they too did not find evidence of discrimination.

Regarding the assertion that City acted inappropriately by failing to promote internal candidates, pursuant to the City of Oakland Employer-Employee Relations Ordinance (Ord. No. 55881 CMS), "It is the exclusive responsibility of the City to assign, reassign, and direct its employees, and to determine

March 20, 2017

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the means, number and kind of personnel by which the City's operations are to be conducted." In other words, the City retains the right to select the candidate that, in its sole discretion, is identified as the most suitable candidate for the available vacancy. The appointment of a specific individual to a position is not, in and of itself, a grievable concern.

However, it is concerning that internal candidates were treated in a way that did not appear to respect their tenure in terms of how the interviews and processing were conducted. The City recognizes that it is important to any candidate to be kept informed promptly of his or her standing in a hiring process. Conducting interviews in August without notifying candidates of the outcome until October does not support positive experiences for candidates.

Step 3 Decision

Based on the facts detailed above, the grievance is denied. There was no evidence found to support a claim of discrimination and there was no evidence provided to support that the City's hiring actions violated any City policy.

Appeal Rights

If the Union finds this grievance to be unresolved, the Union is hereby notified that it has twenty (20) days to advance this grievance to arbitration at Step 3.

Please feel free to contact me if you have any questions.

Sincerely,



Kip Walsh

Human Resources Manager, Recruitment & Classification

Copy: Allyson Cook, Employee Relations Manager
Al Marshall, SEIU



STAFF REPORT

DATE: May 18, 2017

TO: THE HONORABLE CIVIL SERVICE BOARD

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

THROUGH: Ian Appleyard, Director of Human Resources

SUBJECT: Informational Report Regarding the Transfer Process for City Employees in Appendix B Common Classifications Seeking Transfers to Port Positions

At the March 16, 2017 Civil Service Board Meeting, speakers during Open Forum made comments regarding a recent recruitment for the classification of Painter conducted by the Port of Oakland. Some of the speakers were City of Oakland employees who had applied and had been interviewed for the opportunity to transfer from their current positions in the Painter classification at the City to a position in the classification at the Port and were not selected. The Civil Service Board requested that the Personnel Director review the item and come back with a report that discussed the Port's process on the recent Painter recruitment as well as a review of City-Port transfers processes in general.

BACKGROUND

The classification of Painter is identified as a "Common Classification" between the City of Oakland ("the City") and the Port of Oakland ("the Port") in Appendix B of the Civil Service Rules. As such, employees in the classification may transfer between the City and the Port when vacancies arise in either organization and are authorized to be filled.

The Port of Oakland posted a "Transfer Opportunity" job announcement for the classification of Painter on both the Port's and the City's job opportunities websites on November 2, 2016 for an application period of November 2 through 16, 2016. One City employee applied to the Port's announcement and three others were on the City's transfer list for the classification. The Port interviewed all four employees and considered them for the current vacancy. None of the City employees was selected.

ANALYSIS

When the Port has a vacancy in one of the classifications designated as a Common Classification in Appendix B of the Civil Service Rules, Port human resources staff prepare a Transfer Opportunity announcement for the Port's website and they provide a copy of the flyer to City's Human Resources Department for posting on the City's website (see attached example). Employees interested in transferring are given the opportunity to send an application to the Port for consideration. The Port interviews the applicants and either makes a selection or not, depending on the experience of the applicants as demonstrated in their applications and in their performance during the interview.

CIVIL SERVICE BOARD

Subject: Information Report Regarding the Transfer Process for Common Classifications

Date: May 18, 2017

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Following the process described above, in November 2016, the Port posted a transfer opportunity for the classification of Painter. One City employee completed a Port application per the Transfer Opportunity announcement. The Port interviewed the employee. Soon thereafter, three other City employees contacted the Port and asked to be interviewed. The Port agreed to interview the additional three employees. None of the four City employees who were considered were selected by the Port to fill the current vacancy. Instead, the Port opted to post an open announcement and recruit more broadly.

The following sections of the City of Oakland Civil Service Rules govern transfers for City employees:

Section 5.08 – Transfer of Employees. The transfer of a classified employee from a position under the jurisdiction of one appointing authority 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 employee may request a transfer from one department to another 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 Director, 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, with notice to the employee. Vacancies may, with the consent of the department head, be filled from the transfer list.

Although the Rules do not require that transfer opportunities be posted and also do not require that any employee who expresses an interest in a transfer opportunity be interviewed, it has been the Port's practice to post transfer opportunities for Common Classes and to interview any City employee who applies. Below is a list of the transfer opportunities and outcomes for Port positions in the past three years.

Port Transfer Opportunity Announcement	Posted From	Posted To	Was City Employee Appointed?
Administrative Specialist	12/3/14	12/11/14	No
Painter	4/29/14	5/9/14	Selected City employee failed background.
Semi-Skilled Laborer	6/23/14	7/2/14	No
Administrative Specialist	3/9/15	3/18/15	No
Carpenter	10/2/15	10/14/15	No
Custodian	11/2/15	11/23/15	Yes (8 employees)
Semi-Skilled Laborer	9/2/15	9/16/15	Yes (2)
Semi-Skilled Laborer	4/27/16	5/9/16	Yes (1)
Administrative Specialist	4/29/16	5/12/16	Yes (1)
Gardener III	7/20/16	8/2/16	Yes (1)
Painter	11/2/16	11/16/16	No

CIVIL SERVICE BOARD

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The Port has selected City employees from transfer lists six of the eleven times the Port has considered transfer candidates. This data does not indicate that there is a distinct pattern of selecting or not selecting City employees for Port vacancies.

RECOMMENDATIONS

Staff recommends that the Civil Service Board accept this informational report regarding the transfer process between the Port and the City for common classifications.

For questions regarding this report, please contact Kip Walsh, HR Manager, Recruitment & Classification at (510) 238-7334 or kwalsh@oaklandnet.com

- Attachment: Port of Oakland Transfer Opportunity – Painter (November 2016)



CITY OF OAKLAND
invites applications for the position of:
**Port of Oakland Transfer Opportunity-
Painter**

SALARY: \$8,138.00 - \$9,756.00 Monthly

OPENING DATE: 11/02/16

CLOSING DATE: 11/16/16 05:00 PM

THE POSITION:

PORT OF OAKLAND TRANSFER OPPORTUNITY

Candidates must be currently in the classification (full-time, regular) of Painter for transfer purposes. All candidates must be past the probationary period, and in good standing at the Port of Oakland or City of Oakland. The current vacancy is Aviation Facilities.

City of Oakland employees must be on the transfer list with the City of Oakland, before submitting an application.

Link to Transfer Request Form:

<http://oaknetnews/oak/groups/hrm/documents/form/oak029915.pdf>

TO APPLY FOR THIS PORT TRANSFER OPPORTUNITY

If you are interested in this opportunity contact Frankie Johnson in the Personnel and Employee Services Department at (510) 627-1487. Application deadline is Wednesday, November 16, 2016 at 5:00 p.m.

ADVISORIES

Immigration and Reform Control Act: In compliance with the Immigration and Reform Control Act of 1986 the City of Oakland will only hire individuals who are legally authorized to work in the United States.

Exam Access Accommodation: In compliance with local, state and federal laws and regulations, the City of Oakland will employ and promote qualified individuals without regard to disability. The City is committed to making reasonable accommodations in the examination process and in the work environment. Individuals requesting reasonable accommodations in the examination process must do so no later than five working days after the final filing date for receipt of applications, otherwise it may not be possible to arrange accommodations for the selection process. Such requests should be addressed to the Department of Human Resources Management, 150 Frank H. Ogawa Plaza, 2nd Floor, Oakland, CA 94612-2019 or call (510) 238-3112 or TDD (510) 238-3254.

The City of Oakland is an EEO/ADA Employer.

<http://www2.oaklandnet.com/Government/o/HumanResources/index.htm>

150 Frank H. Ogawa Plaza - 2nd Floor
Oakland, CA 94612
(510) 238-3112

lwright@oaklandnet.com

Position # 16-TR159-11-PORTTRAN
PORT OF OAKLAND TRANSFER OPPORTUNITY-
PAINTER
TJ