Pending Board Approval

CITY OF OAKLAND

CIVIL SERVICE BOARD
SPECIAL MEETING MINUTES

Thursday, August 26, 2010

MEMBERS PRESENT: **Wendall Mitchell, Winnie Anderson, Michelle Hatchell, Dee Dee Brantley, Michael Siegel, Judith Bodenhausen, Alex Drexel**

STAFF PRESENT: **Present** – Andrea R. Gourdine, Director of Human Resources Management Secretary to the Civil Service Board
Present – Tracy Chriss, Office of the City Attorney
Present – Veronica Hodge, HR Manager of Recruitment & Classification, Staff to the Board
Present – Sonia Lara, Executive Assistant, Staff to the Board

The Civil Service Board convened at 5:37 p.m., with Wendall Mitchell presiding as Chairperson.

1. OLD BUSINESS

a) **Approval of Special Civil Service Board Meeting Minutes – July 29, 2010**

A motion was made by member Dee Dee Brantley to approve the Minutes for July 29, 2010. Michelle Hatchell seconded. The motion was passed unanimously.

b) **Civil Service Board Appeals & Hearing Calendar**

By general consent the Board agreed to be polled for dates three months out to schedule calendared hearings.

Director of Human Resources, Andrea R. Gourdine requested that the Lay-off and Involuntary Termination Appeal of Glen Wilmoth to the Civil Service Board Hearing and Appeals Calendar be calendared for the September 16, 2010 Civil Service Board Meeting.

Human Resources Manager, Veronica Hodge communicated that Sabrina Jones had withdrawn her desk audit appeal, denial of a reclassification to a Management Assistant position.

A motion was made by member Dee Dee Brantley to add the Termination Appeal of Glen Wilmoth for September 16, 2010 Civil Service Board Meeting. Michelle Hatchell seconded. The motion was passed unanimously.

2. NEW BUSINESS

a) **Ratification of Provisional Appointments**
- Parking Meter Collector
- Senior Library Assistant

A motion was made by member Dee Dee Brantley to ratify the provisional appointments. Michelle Hatchell seconded. The motion was passed unanimously.

b) **Appeal of Paralegals Classification Study**
- Paralegals
- City's

The Paralegal classification study concluded that the duties being performed were not comparable to a Claims Investigator II classification. In addition, it also concluded that the salary was consistent with the market and the duties were not materially different from that described in the class specification. The Paralegals stated that they did not want to be classified as Claims Investigators IIs.

Rather, they wanted a Paralegal class spec series created, i.e. Paralegal I, Paralegal II, etc.

A motion was made by Board member Siegel to deny the request of the Paralegals, as the Civil Service Board does not have authority to grant this new request. Board member Brantley seconded. The motion passed unanimously.

Director Gourdine described the process required to initiate the new classification study, beginning with receiving prior written acknowledgement from John Russo, City Attorney that he would a) support reorganizing the paralegal function into a series and b) work with the Budget Office to seek Council funding for any recommended new positions.

A motion was made by Board member Siegel that at he next Board meeting Director Gourdine would provide the Board with a status report regarding the City Attorney's response. Board member Brantley seconded.

c) Appeal of Director's

Mr. Fitzsimmons was not in attendance. A motion was made by member Michelle Hatchell to have staff send out a notification via certified mail to Mr. Fitzsimmons informing him that his item would be heard at the Civil Service Board Meeting of September 16, 2010. Further, if Mr. Fitzsimmons failed to appear, this matter by be decided based solely on the information provided by city staff and contained in his letter of appeal.

d) Director's Report

On August 6, 2010, we received the Port's response to the CSB's June inquiry.

1. **List of Port classes on a spread sheet that indicates whether the class has been submitted and approved by the CSB and whether the Port considers them exempt and if they have been approved by CSB as exempt classifications**

   Response: No spread sheet was received. The letter indicates that CSB approval is not required.

2. **Copies of all Port classifications**

   Response: A box of class specifications was received

3. **Copies of any and all other decisions that may bear on CSB responsibilities (arbitration awards, Port Attorney Opinions on class, examinations, hiring, reassignment, leaves of absence, etc.**

   Response: The Port maintains that we have received all such documents.

4. **Provide a response describing the analytical basis for determining that class overlap between the Port and the Cit is limited to the list of "common classes."**

   Response: Item pending discussion/decision by the Board of Port Commissioners.

A motion was made by Chairman Mitchell that Staff request a city attorney response to the Port's letter addressing the following issues:

- Can the Port create classifications without Civil Service Board approval?
- Can the Port amend class specifications without CSB approval?
- Can the Port create Port specific classes without CSB approval?
- On the presumption that the city's position differs from the Port's, what are the recommended next steps in resolving the differences?

The following individual(s) spoke:
Alfonso Loera, SEIU Port Chapter

OPEN FORUM – 3 Minutes
The following individual(s) spoke under Open Forum:
None

ADJOURNMENT
There being no further business, and upon the motion made by Chairperson Mitchell; 2nd by Dee Dee Brantley, the Civil Service Board adjourned the meeting at 7:56 p.m.