



## CIVIL SERVICE BOARD MEETING AGENDA

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**Date: July 16, 2020**

**Open Session: 5:30 p.m.**

**Location: Via Zoom**

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**BOARD MEMBERS:** Chair, Andrea Gourdine; Vice Chair, Christopher Johnson; Lauren Baranco; Yvonne Hudson-Harmon; Brooke Levin; Carmen Martinez; Beverly A. Williams

**STAFF TO THE BOARD:** Ian Appleyard, HRM Director/Secretary to the Board  
Greg Preece, HR Manager/Staff to the Board  
Vadim Sidelnikov, Deputy City Attorney  
Jessica Rutland, Human Resource Technician

Pursuant to the Governor's Executive Order N-29-20, members of the Civil Service Board as well as the Director of Human Resources and the Deputy City Attorney will join the meeting via phone/video conference and no teleconference locations are required.

### PUBLIC PARTICIPATION

The public may observe and/or participate in this meeting many ways.

#### OBSERVE:

- To observe the meeting by video conference, please click on this link: <https://us02web.zoom.us/j/81236805844?pwd=WG1XNXVWL0hqBURJUK1QQ2oxTVhVUT09> at the noticed meeting time. Instructions on how to join a meeting by video conference is available at: <https://support.zoom.us/hc/en-us/articles/201362193> - Joining-a-Meeting
- To listen to the meeting by phone, please call the numbers below at the noticed meeting time: Dial (for higher quality, dial a number based on your current location):  
US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 929 205 6099  
or +1 301 715 8592 or +1 312 626 6799

**Webinar ID: 812 3680 5844 (Note: Password "CSB715" may be required to connect.)**

If asked for a participant ID or code, press #. Instructions on how to join a meeting by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663> - Joining-a-meeting-by-phone.

#### COMMENT:

DUE TO THE SUSPENSION OF THE SUNSHINE ORDINANCE AND COUNCIL'S RULES OF PROCEDURES, ALL PUBLIC COMMENT ON ACTION ITEMS WILL BE TAKEN AT THE BEGINNING OF THE MEETING UNDER ITEM 1. COMMENT FOR ITEMS NOT ON THE AGENDA WILL BE TAKEN UNDER OPEN FORUM AT THE END OF THE MEETING.

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- To comment by Zoom video conference, click the “Raise Your Hand” button to request to speak when Public Comment is being taken on an eligible agenda item at the beginning of the meeting. You will then be unmuted, during your turn, and allowed to participate in public comment. After the allotted time, you will then be re-muted. Instructions on how to “Raise Your Hand” is available at: <https://support.zoom.us/hc/en-us/articles/205566129> - Raise-Hand-In-Webinar.
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If you have any questions, please email Greg Preece, Human Resources Manager at [GPreece@oaklandca.gov](mailto:GPreece@oaklandca.gov). – Human Resources Management Department.

## **OPEN SESSION AGENDA**

### **ROLL CALL**

#### **1) PUBLIC COMMENT:**

**COMMENT ON ALL ACTION ITEMS WILL BE TAKEN AT THIS TIME.  
COMMENTS FOR ITEMS NOT ON THE AGENDA WILL BE TAKEN DURING  
OPEN FORUM.**

- |                                                                            |                    |
|----------------------------------------------------------------------------|--------------------|
| <b>2) APPROVAL OF THE JULY 16, 2020 CIVIL SERVICE BOARD MEETING AGENDA</b> | <b>ACTION</b>      |
| <b>3) UPDATES, SECRETARY TO THE BOARD</b>                                  | <b>INFORMATION</b> |
| <b>4) CONSENT CALENDAR:</b>                                                | <b>ACTION</b>      |
| a) Approval of Provisional Appointment (0)                                 |                    |
| • There are no requests for provisional appointments.                      |                    |
| b) Approval of Employee Requests for Leave of Absence (0)                  |                    |
| • There are no requests for leaves of absence.                             |                    |
| c) Approval of Revised Classification Specifications (1)                   |                    |
| • Retirement Systems Accountant                                            |                    |

**5) OLD BUSINESS:**

- |                                                                                                                                                                                                                                                                                                                                     |             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| a) Approval of June 18, 2020 Civil Service Board Meeting Minutes                                                                                                                                                                                                                                                                    | ACTION      |
| b) Determination of Schedule of Outstanding Board Items                                                                                                                                                                                                                                                                             | INFORMATION |
| 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 ELDE's and TCSEs in Accordance with the Memorandum of Understanding Between the City and Local 21 | INFORMATION |
| d) Update on Common Class Study                                                                                                                                                                                                                                                                                                     | INFORMATION |

**6) NEW BUSINESS:**

- |                                                                                                                                                                                                        |             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| a) Approval of New Classification Specification for Director of Workplace & Employment Standards                                                                                                       | ACTION      |
| b) City Council Zero Tolerance Policy Legislation                                                                                                                                                      | INFORMATION |
| c) Quarterly Report per Section 3.04 of the Personnel Manual of the Civil Service Board ("Civil Service Rules") Providing Status of all Classification Specifications Revisions Currently Under Review | INFORMATION |
| d) Report on Board Member Terms and Holdover Status                                                                                                                                                    | INFORMATION |
| e) Election of Board Members as Chair and Vice Chair                                                                                                                                                   | ACTION      |

**7) OPEN FORUM****CLOSED SESSION AGENDA****ROLL CALL**

*The Civil Service Board will 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) Personnel Matter for Public Employee: 6.06 – Appeal of Probationary Release: PORT-2020-AP02 (D. Chall)**

Pursuant to California Government Code Section 54957 – Public Employee Discipline/Dismissal/Release *An appellant must notify the Civil Service Board in writing if she/he wishes to have a personnel matter heard in open session.*

## OPEN SESSION AGENDA

### 2) REPORT OF ACTIONS TAKEN IN CLOSED SESSION

### 3) ADJOURNMENT

NOTE: The Civil Service Board meets on the 3rd Thursday of each month. The next meeting is scheduled to be held on Thursday, August 20, 2020. All materials related to agenda items must be submitted by Thursday, August 6, 2020. 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, 2<sup>nd</sup> floor  
Oakland, CA 94612  
[civilservice@oaklandca.gov](mailto:civilservice@oaklandca.gov)



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

¿Necesita un intérprete en español, cantonés o mandarín, u otra ayuda para participar? Por favor envíe un correo electrónico [civilservice@oaklandca.gov](mailto:civilservice@oaklandca.gov) o llame al (510) 238-3112 o al (510) 238-3254 Para TDD/TTY por lo menos cinco días antes de la reunión. Gracias.

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@oaklandca.gov](mailto:civilservice@oaklandca.gov)

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CITY OF OAKLAND

## MEMORANDUM

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**DATE:** July 16, 2020

**TO:** The Honorable Civil Service Board

**FROM:** Jaime Pritchett  
Principal Human Resource Analyst

**THROUGH:** Greg Preece, Human Resources Manager, Recruitment & Classification

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

**SUBJECT:** Approval of Revised Classification Specification for Retirement Systems  
Accountant

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Based upon a classification review originally requested by an employee in the Finance Department, Human Resources Management (HRM) has proposed revisions to the **Retirement Systems Accountant** classification. The classification specification was approved in September 2000 and has not been revised since that time.

The classification study outcome suggested that revisions are necessary to the current job description. It was determined that this classification could also appropriately capture the work of the accounting position that performs specialized payroll and taxation duties. The positions carry out commensurate functions, just applied to retirement systems versus payroll and taxation systems. Both positions possess the same level of responsibility and consequence of error. Moderate revisions are necessary to ensure that the duties being performed by the two incumbents in different units are included appropriately.

Regarding the classification specification, a variety of revisions have been proposed:

- Refine the Definition and Distinguishing Characteristics sections to be more inclusive of the roles in both units.
- Add statements to the Examples of Duties that reflect payroll and taxation duties while revising other statements to apply to both positions.
- Update the Knowledge and Abilities section to include references to computer usage, supervision and training, and payroll and taxation.
- Add a Master's degree as desirable under the Education section.
- Amend the Experience section to specify that two years of previous experience in retirement systems and payroll/taxation are highly desirable since the positions carry out such specialized accounting work for the City.

The International Federation of Professional and Technical Engineers (IFPTE, Local 21) was notified of the proposed classification specification revisions on April 17, 2020. City staff and union representatives discussed the potential impacts at meetings in April, May, and June 2020. During these exchanges, the parties agreed to alternate language proposals that were submitted by both parties. In an email dated June 18, 2020, the union confirmed that there are no objections to the proposed revisions.

**CIVIL SERVICE BOARD**

Subject: Retirement Systems Accountant Classification Specification

Date: July 16, 2020

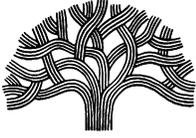
Page 2

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Additionally, the “common class” status of this classification has not been determined. The "Common Class" Project is currently underway, and more information regarding this classification will be available at a later date.

Staff recommends that the Civil Service Board approve the proposed revisions to the **Retirement Systems Accountant** classification specification.

**Attachments:** Revised draft Retirement Systems Accountant classification specification.



# RETIREMENT SYSTEMS ACCOUNTANT

Class Code: AF043 FTE Civil Service Classified

## DEFINITION

Under direction in ~~the Finance Department Retirement Systems~~, plans, organizes, and reviews the ~~financial~~ reporting of the Oakland ~~Police & Fire Retirement systems portfolios and/or the Oakland Municipal Employees Retirement System portfolio~~; implements procedures; ~~reviews and reconciles retirement payroll including retiree medical~~; analyzes and maintains the two full accounting cycles for those retirement systems ~~portfolios~~; directs the preparation of mandated ~~audit reports~~; ~~resolves complex accounting and auditing problems~~; ~~prepares financial statements and reports~~; ~~serves as liaison to other departments and retirement/payroll business partners~~; ~~assigns, trains, and supervises~~ assigned staff; and performs related duties as assigned.

## DISTINGUISHING CHARACTERISTICS

This is an advanced journey-level classification unique to ~~the Finance Department Risk and Retirement~~. The incumbent is responsible for maintaining fiscal and operational accounting records ~~systems~~ and reports for ~~two~~ retirement systems and ~~oversight responsibility for the reconciling and reviewing~~ various ~~financial reports~~, investment portfolios, and ~~active/retiree payroll~~. The incumbent is expected to use professional judgment and skill in the performance of assignments. This classification differs from ~~other those~~ in the Accounting series in that the latter perform more general governmental accounting activities in support of the day-to-day activities of the department to which incumbents are assigned.

The incumbent receives direction from the Director or ~~Assistant to Director~~ ~~other management staff~~ and exercises ~~oversight responsibilities~~ ~~general supervision~~ over assigned professional and ~~clerical-administrative~~ support staff.

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

~~Perform complex financial reporting, accounting, and auditing for the Finance Department; interpret and apply relevant federal, state, and local regulations.~~

Analyze and develop ~~accounting and payroll~~ reports ~~on the production of the accounting books~~ for the ~~Oakland Police and Fire Retirement System and the Oakland Municipal Employees City's Retirement Systems~~.

~~Consolidate financial information for use in analyzing investment decisions.~~

Analyze and reconcile the ~~City's legacy retirement system~~ Trustee's reports against the funds investment manager's portfolios.

Maintain fiscal and operational accounting records systems and reports on the ~~City's Retirement Systems~~.

Analyze daily cash requirements using financial information and cash disbursements; make a daily cash forecast to draw down cash from the investment managers.

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Ensure the accuracy of financial reports; maintain audit trails; prepare and maintain the retirement budget system software used to record domestic equity, international equity and fixed investment instruments held in the Retirement Systems portfolios.

Record and verify investments made by the fund manager with Retirement System trustees.

Extrapolate/Analyze information from the financial management system and the City's financial production system; download information for the Trustee and provide to stakeholders.

Analyze and ensure proper reporting of federal and state withholding taxes; prepare appropriate payments.

Analyze and prepare the Annual Return of Withholding Federal Income Tax for retired employees and the Employers Quarterly Federal Tax Return for active employees for reporting to the Internal Revenue Service.

Prepare documents and address inquiries pertaining to investigations by the Social Security Administration, Internal Revenue Service, California Public Employees Retirement System, and/or other agencies, including needs for hearings related to employee compensation.

Analyze and reconcile the retiree payroll and retiree medical programs.

Prepare complex financial statements, revenue reports, statistical reports, and reports for management.

Reconcile Retirement funds ~~and with~~ the City's ~~production~~ financial management system for auditing and other reporting purposes.

Maintain liaison between other departments, external auditors, retirement agencies, investment managers, and the Trustee retirement boards.

Supervise, train, and evaluate assigned staff.

## **KNOWLEDGE AND ABILITIES**

Knowledge of:

- General and governmental accounting methods, principles and practices.
- Practices and techniques of automated accounting and financial record keeping and report preparation.
- Financial software and online services.
- Retirement systems and plans.
- State and federal taxation and payroll laws.
- Oversight of investment portfolios.
- Financial markets, investment instruments, and credit rating of issuers.
- Principles and practices of supervision and training.
- Computer systems and software applications.

Ability to:

- Interpret federal and state laws and regulations pertaining to municipal investments, taxation, retirement systems, and payroll including the Fair Labor Standards Act (FLSA).
- Comply with Generally Accepted Accounting Principles (GAAP) and government

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financial reporting standards.

- Support and update payroll and retirement systems and procedures.
- Establish cooperative relationships with financial institutions and stakeholders.
- Communicate effectively in both oral and written form.
- Maintain accurate records; prepare clear, concise reports.
- Organize ~~own~~-work, set priorities, and meet critical deadlines.
- Exercise sound independent judgment within general policy guidelines.
- Supervise, train, and evaluate staff.
- Utilize computer systems and software applications including payroll applications, online portals, and platforms for external agencies.
- Establish and maintain effective working relationships with those contacted in the performance of required duties.

**MINIMUM QUALIFICATIONS**

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

**Education:**

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

**Experience:**

Four (4) years of ~~responsible~~ professional governmental accounting experience. Two (2) years of specialized experience interpreting and applying employment and retirement laws, guidelines, and regulations is highly desirable. ~~Experience in oversight of retirement portfolio management is highly desirable.~~

**LICENSE OR CERTIFICATE**

None required.

**OTHER REQUIREMENTS**

None required.

**DEPT. OF HUMAN RESOURCES MANAGEMENT USE ONLY**

Established: 09/14/2000	CSB Resolution #: 44411	Salary Ordinance #:
Exempted: Y <input type="checkbox"/> N <input type="checkbox"/>	Exemption Resolution #:	
Revision Date: / /	CSB Resolution #:	
Re-titled Date: / /	CSB Resolution #:	Salary Ordinance #:
(Previous title(s): )		



## CIVIL SERVICE BOARD SPECIAL MEETING MINUTES (DRAFT)

Date: June 18, 2020

**SPECIAL MEETING OPEN SESSION 4:00 p.m.**

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

**BOARD MEMBERS:** Chair, Andrea Gourdine; Vice Chair, Christopher Johnson; Lauren Baranco; Yvonne Hudson-Harmon; Brooke Levin; Carmen Martinez; Beverly A. Williams

**STAFF TO THE BOARD:** Ian Appleyard, HRM Director/Secretary to the Board  
Greg Preece, HR Manager/Staff to the Board  
Vadim Sidelnikov, Deputy City Attorney  
Jessica Rutland, Human Resource Technician

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US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 929 205 6099  
or +1 301 715 8592 or +1 312 626 6799 **Webinar ID: 869 9756 5459**  
If asked for a participant ID or code, press #. Instructions on how to join a meeting by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663> - Joining-a-meeting-by-phone.

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If you have any questions, please email Greg Preece, Human Resources Manager at [GPreece@oaklandca.gov](mailto:GPreece@oaklandca.gov). – Human Resources Management Department.

## **SPECIAL MEETING - OPEN SESSION AGENDA**

### **ROLL CALL**

#### **1) PUBLIC COMMENT:**

**COMMENT ON ALL ACTION ITEMS WILL BE TAKEN AT THIS TIME.  
COMMENTS FOR ITEMS NOT ON THE AGENDA WILL BE TAKEN DURING  
OPEN FORUM.**

#### **2) APPROVAL OF THE JUNE 18, 2020 CIVIL SERVICE BOARD ACTION \*SPECIAL\* MEETING AGENDA**

**44980 A motion was made by Vice Chair Johnson and seconded by Board Member Hudson-Harmon to approve the June 18, 2020 Civil Service Board Special Meeting Agenda. The motion passed.**

**Votes:** Board Member Ayes: 6 – Gourdine, Johnson, Baranco, Hudson-Harmon, Levin, Martinez.

Board Member Noes: None  
Board Member Abstentions: None  
Board Members Absent: Williams (Technical Difficulty during this item)

#### **3) UPDATES, SECRETARY TO THE BOARD INFORMATION**

#### **4) CONSENT CALENDAR: ACTION**

##### a) Approval of Provisional Appointment

- Housing Development Coordinator II (1)

- Technical Communications Specialist (1)
- b) Approval of Employee Requests for Leave of Absence
- Economic & Workforce Development Department (1)
  - Oakland Public Library Department (1)
- e) ~~Approval of Revised Classification Specifications~~
- ~~Fire Department Personnel Officer~~

**44981 A motion was made by Board Member Levin and seconded by Vice Chair Johnson to approve the Consent Calendar: Provisional Appointments and Employee Requests for Leave of Absence. Item 4c - Revised Classification Specifications was removed from the Consent Calendar for further discussion. The motion passed unanimously.**

**Votes:** Board Member Ayes: 7 – Gourdine, Johnson, Baranco, Hudson-Harmon, Levin, Martinez, Williams.

Board Member Noes: None  
 Board Member Abstentions: None  
 Board Members Absent: None

- c) Approval of Revised Classification Specifications

- Fire Department Personnel Officer

This item was removed from consent for the purpose of discussing the reporting structure within the proposed specification. After discussion, it was agreed to change the reporting structure to match the current conditions within the department and if changes to the organizational structure occur at a later time the specification could be revised.

**44982 A motion was made by Vice Chair Johnson and seconded by Board Member Martinez to approve the Fire Department Personnel Officer Revised Classification Specification. The motion passed unanimously.**

**Votes:** Board Member Ayes: 7 – Gourdine, Johnson, Baranco, Hudson-Harmon, Levin, Martinez, Williams.

Board Member Noes: None  
 Board Member Abstentions: None  
 Board Members Absent: None

**5) OLD BUSINESS:**

- a) Approval of May 21, 2020 Civil Service Board Meeting Minutes ACTION

**44983 A motion was made by Board Member Hudson-Harmon and seconded by Board Member Williams to approve the May 21, 2020 Civil Service Board Meeting Minutes. The motion passed unanimously.**

**Votes:** Board Member Ayes: 7 – Gourdine, Johnson, Baranco, Hudson-Harmon, Levin, Martinez, Williams.

Board Member Noes: None  
Board Member Abstentions: None  
Board Members Absent: None

- b) Approval of December 19, 2019 Civil Service Board Meeting Minutes ACTION

**44984 A motion was made by Board Member Williams and seconded by Board Member Baranco to approve the December 19, 2019 Civil Service Board Meeting Minutes. The motion passed unanimously.**

**Votes:** Board Member Ayes: 4 – Gourdine, Baranco, Martinez, Williams.

Board Member Noes: None  
Board Member Abstentions: Johnson, Levin, Hudson-Harmon  
Board Members Absent: None

- c) Determination of Schedule of Outstanding Board Items INFORMATION

- d) 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 ELDE's and TCSEs in Accordance with the Memorandum of Understanding Between the City and Local 21 INFORMATION

- e) Update on Common Class Study - Koff & Associates Presentation and Reports Regarding Occupational Groupings INFORMATION

- Information Technology
- Business and Industry
- Inspection, Investigation, Enforcement and Compliance
- Trades

The Board discussed the findings presented within the report(s) and recommended a new employee's personnel file should note when the employee is in a common class.

The report was received and filed.

## 6) NEW BUSINESS:

- a) Approval of New Classification Specification for Rent Adjustment Program Manager, Assistant ACTION

**44985 A motion was made by Vice Chair Johnson and seconded by Board Member Williams to approve the New Classification Specification for Rent Adjustment Program Manager, Assistant. The motion passed unanimously.**

**Votes:** Board Member Ayes: 7 – Gourdine, Johnson, Baranco, Levin, Hudson-Harmon, Martinez, Williams.

Board Member Noes: None  
Board Member Abstentions: None  
Board Members Absent: None

## 7) OPEN FORUM

## 8) ADJOURNMENT

Board Member Levin requested this meeting be adjourned in Honor of John Sandifer, a previous City of Oakland employee who passed away on June 8, 2020.

**44986 A motion was made by Board Member Williams and seconded by Vice Chair Johnson to approve Adjournment. The motion passed unanimously.**

**Votes:** Board Member Ayes: 7 – Gourdine, Johnson, Baranco, Hudson-Harmon, Levin, Martinez, Williams.

Board Member Noes: None  
Board Member Abstentions: None  
Board Members Absent: None

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

City of Oakland - Civil Service Board  
150 Frank H. Ogawa Plaza, 2<sup>nd</sup> floor

Oakland, CA 94612  
[civilservice@oaklandca.gov](mailto:civilservice@oaklandca.gov)



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或致電 (510) 238-3112 或 (510) 238-3254 TDD/TTY



**CIVIL SERVICE BOARD  
 APPEALS & HEARINGS CALENDAR  
PENDING LIST – JULY 16, 2020**

**1. OPEN**

Case Number	Classification	Dept.	Action Pending	Hearing Date	Notes/Next Steps
OPD-2020-AP01	Police Officer	Oakland Police Department	10.03 – Appeal of Disciplinary Action	TBD	Appellant has requested an outside hearing officer.
PORT-2020-AP02	Port Custodian	Port of Oakland	6.06 Appeal of Probationary Release	July 16, 2020	

**2. OTHER PENDING ITEMS**

Date Requested	Subject	Report From	Date Due

**3. CLOSED**

Case Number	Classification	Dept.	Action Pending	Date Received	Notes

**4. UNDER REVIEW**

Case Number	Classification	Dept.	Action Pending	Action Date	Notes



CITY OF OAKLAND

# ***STAFF REPORT***

**DATE:** July 16, 2020

**TO:** THE HONORABLE CIVIL SERVICE BOARD

**FROM:** Greg Preece, Human Resources Manager & Staff to the Board

**THROUGH:** Ian Appleyard, Human Resources 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

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## **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 June 18, 2020 meeting. 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.

A total of seventy-five (68) employees were in the TCSE (12), TCSE/Annuitant (32), and ELDE (24) categories as of pay period ending June 26, 2020. Of the those, ten (10) assignments are reported as non-compliant with Rule 5.06.

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

## **BACKGROUND**

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

## **STATUS OF NONCOMPLIANT ASSIGNMENTS**

Of the seventy-five (68) temporary assignments, we are reporting ten (10) in this period as out of compliance with Rule 5.06.

**HONORABLE CIVIL SERVICE BOARD**

Subject: Temporary Employees

Date: July 16, 2020

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**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 Human Resources Manager Greg Preece at (510) 238-7334.

Attachments:

- A. TCSE/ELDE Report: For Payroll Period Ending June 26, 2020
- B. TCSE/ELDE Compliance Trend Chart.

**CIVIL SERVICE BOARD  
JULY 2020 MONTHLY REPORT OF TCSE/ELDE ASSIGNMENTS**

DEPT	LAST_NAME	FIRST_NAME	ORG	JOB_DATE	TYPE	HOURS	NOTES	STATUS
<b>CLOSED THIS PERIOD (5)</b>								
CITY ADMINISTRATOR	Gibson	Mercedes	02112 - Communications & Media	5/4/2019	TCSE	8	Temporary project to assist in the development of the City's website and community outreach, etc.	COMPLIANT
FIRE	Kozak	Rebecca	20110 - Fire Chief Unit	5/21/2018	TCSE/ Annuitant	692	Temporary assistance developing staff and functions of the Office of the Chief of Fire manual and train Executive Assistant	COMPLIANT
FIRE	Morris	Christopher	20611 - Education & Training Administration Unit	5/2/2020	TCSE	293	Assistance in Fire Training & Admin Unit while recruitment is being conducted,	COMPLIANT
HUMAN SERVICES	Breedlove	Jaqueline	75231 - Multipurpose Senior Service Program	2/24/2018	TCSE/ Annuitant	345	Provide training to new Case managers and complete procedural manual for future reference per funder's mandate.	COMPLIANT
PUBLIC WORKS	Kelly	Kara	30244 - Sanitary Sewer Design	9/7/2019	TCSE	1105.5	Temporary assignment to assist with the City's Private Sewer Lateral (PSL) program.	NON-COMPLIANT
<b>NEW THIS PERIOD (0)</b>								
<b>COMPLIANT (58)</b>								
CITY ADMINISTRATOR	Mufarreh	Chris	02491- Oakland Animal Services	4/23/2018	TCSE/ Annuitant	615	Temporary on-call Manager	COMPLIANT
CITY ADMINISTRATOR	Neditch	Nicole	02112 - Communications & Media	3/21/2020	ELDE		Support in Citywide Communications Unit	COMPLIANT
CITY ADMINISTRATOR	Silverman	Eva	02112 - Communications and Media	3/18/2019	TCSE	616	Temporary assistance in the development and improvement of the City Website, external communications and community outreach	COMPLIANT
CITY ADMINISTRATOR	Umapathy	Kiran	02112 - Communications & Media	6/26/2019	TCSE	20	Temporary project to assist in the development of the City's website and community outreach, etc.	COMPLIANT
CITY ATTORNEY	Ericsson	Kristin	04111 - City Attorney Administration	1/14/2019	TCSE/ Annuitant	734	Temporary Support for Legal Administrative Assistant out on leave	COMPLIANT
CITY ATTORNEY	Hugo	Scott	04111 - City Attorney Administration	12/9/2019	ELDE		Legal Support in City Attorney Admin Unit	COMPLIANT
CITY COUNCIL	Lopes	Joyce	00011 - Council Administration Unit	10/4/2016	TCSE/ Annuitant	0	Filling in for Council staff out on leave	COMPLIANT
DEPT. OF TRANSPORTATION	Aghamir	Shahram	35219 - Dept of Transportation	10/5/2019	TCSE/ Annuitant	960	Temporary project to manage the Highway Bridge Program Projects, Railroad Safety Improvement Project, and Stairs and Paths Program.	COMPLIANT
DEPT. OF TRANSPORTATION	Calabrese	Christine	35232 - Street Lighting Engineer	2/9/2019	TCSE/ Annuitant	879	Temporary assistance to complete AC Transit Bus Rapid Transit project.	COMPLIANT
DEPT. OF TRANSPORTATION	De La Torre	Juan	35224 - Great Streets Maintenance	2/22/2020	ELDE		Project Assistance in Street Maintenance Unit	COMPLIANT
DEPT. OF TRANSPORTATION	Kattchee	Susan	35241 - Safe Streets Administration	12/15/2018	TCSE/ Annuitant	693.25	Temporary assignment to support and train section leaders, assist with budget planning and implementation for 2019-2021	COMPLIANT
DEPT. OF TRANSPORTATION	Martinez	Victorino	35224 - Great Streets Maintenance	2/22/2020	ELDE		Project Assistance in Street Maintenance Unit	COMPLIANT
DEPT. OF TRANSPORTATION	Mount	Doug	35247 - Mobility Management	2/5/2020	TCSE	675	Temporary Assistance in the Off-Street Parking Program	COMPLIANT
DEPT. OF TRANSPORTATION	Neary	Michael	35211 - Department of Transportation	5/21/2018	TCSE/ Annuitant	505	Temporary assistance to develop, manage and implement the GoPort Program (transportation improvement)	COMPLIANT
ECONOMIC & WORKFORCE DEVELOPMENT	Duhon-Kelley	Coco	85511- Cultural Arts & Marketing	7/13/2019	TCSE	960	Temporary assistance to help establish more efficient systems in the grant contracting process.	COMPLIANT

**CIVIL SERVICE BOARD  
JULY 2020 MONTHLY REPORT OF TCSE/ELDE ASSIGNMENTS**

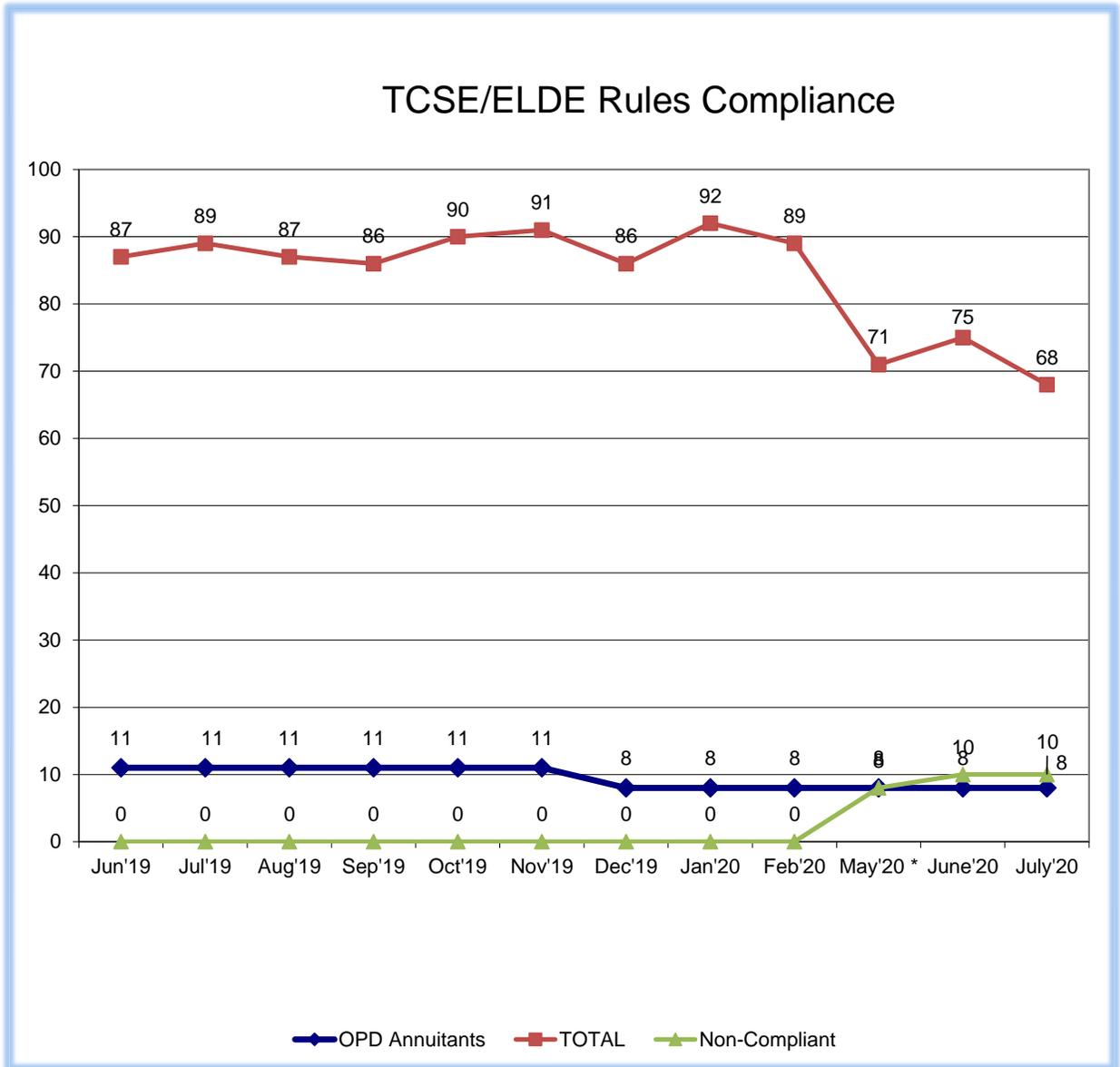
DEPT	LAST_NAME	FIRST_NAME	ORG	JOB_DATE	TYPE	HOURS	NOTES	STATUS
ECONOMIC & WORKFORCE DEVELOPMENT	Kidder	Sarah	85511 - Cultural Arts & Marketing	6/17/2017	TCSE	109.25	Temporary project support in the Film Office.	COMPLIANT
ECONOMIC & WORKFORCE DEVELOPMENT	Lane	Patrick	85221 - Project Implementation: Staffing	11/2/2019	TCSE/ Annuitant	465	Assist with EWD Project Implementation	COMPLIANT
FINANCE	Bhatnagar	Amit	08211 - Accounting Administration Unit	1/8/2018	TCSE	956	Temporary project to develop Oracle Business Intelligence Enterprise Edition and Oracle Business Intelligence Applications.	COMPLIANT
FINANCE	Hatcher, Jr.	Lucius	08222 - General Ledger	12/14/2019	TCSE/ Annuitant	379	Temporary assistance with special projects and essential functions in Finance Department.	COMPLIANT
FINANCE	Roberts Jackson	Tanisha	08741 - Treasury/Payroll Unit	2/3/2020	ELDE		Assistance in Payroll Operations Unit	COMPLIANT
FINANCE	Stoker	Barbara	08421 -Revenue Audit Unit	2/8/2020	ELDE		Temporary project to assist with new and on going back logged division work load	COMPLIANT
FINANCE	Treglown	Donna	08111 - Finance/Controller	6/18/2018	TCSE/ Annuitant	920	Temporary assistance to complete Capital projects and end of year fiscal reconciliations.	COMPLIANT
FINANCE	Woodard	Phyllis	08741 - Treasury/Payroll Unit	9/6/2019	TCSE/ Annuitant	956	Temporary project to help train new Senior HR Operations Technicians and assist with advanced level projects	COMPLIANT
FIRE	Crowe	Olga	20711 - Emergency Services Program Unit	5/16/2020	ELDE		Critical Assistance in the Fire Emergency Operations Center and Planning Unit	COMPLIANT
FIRE	Feil	Jessica	20711 - Emergency Services Program Unit	2/8/2020	ELDE		Critical Assistance in the City's Emergency Operations Unit	COMPLIANT
FIRE	Hellige	Scott	20813 - Fire Boat	8/12/2019	TCSE/ Annuitant	181	Temporary project to train current staff and possible expand the limited use of the Sea Wolf fire vessel to respond to emergency.	COMPLIANT
FIRE	Fairley Summers	Helen	20241 - Fire Communications Unit	5/2/2020	TCSE/ Annuitant	692	Temporary assistance in the Fire Communications Center	COMPLIANT
HOUSING & COMMUNITY DEV.	Cohen	Barbara	89969 - Residential Rent Arbitration	10/5/2019	ELDE		Assistance in Rent Program while a new class specification is being created.	COMPLIANT
HOUSING & COMMUNITY DEV.	Durades	Arlecia	89929 - Housing Development	1/11/2020	ELDE		Assistance with projects in the Housing Development Division.	COMPLIANT
HOUSING & COMMUNITY DEV.	Fa-Kaji	Marguerita	89969 - Residential Rent Arbitration	12/14/2019	ELDE		Temporary Assistance as a Hearing Officer in the Rent Control Board	COMPLIANT
HOUSING & COMMUNITY DEV.	Kennedy	Vanessa	89929 - Housing Development	1/25/2020	ELDE		Assistance with projects in the Housing Development Division.	COMPLIANT
HOUSING & COMMUNITY DEV.	Lothlen	Brittni	89969 - Housing & Community Development	9/10/2019	ELDE		Temporary critical assistance to maintain operations in the Rent Adjustment Program	COMPLIANT
HOUSING & COMMUNITY DEV.	Perez-Pacheco	Guadalupe	89939 - Municipal Lending	1/11/2020	ELDE		Assistance in the Housing Resource Center	COMPLIANT
HUMAN RESOURCES MGMT.	Look	Daryl	05211 - Human Resources Management	9/24/2018	TCSE/ Annuitant	884	Temporary staffing to support classification and recruitment needs for city operations	COMPLIANT
HUMAN SERVICES	Bouey	Martina	78235 - HS Central Office Administration	7/27/2019	ELDE		Critical support to the Assistant Human Services Director during transitional period	COMPLIANT
HUMAN SERVICES	Decuir	Roslynn	78241 - Year Round Lunch Program Unit	5/23/2016	TCSE	0	PT Food Program Coordinator; intermittent, pending creation of PT class; HRM staff	COMPLIANT
HUMAN SERVICES	Ho	Kathy	78231 - HS Classroom & Seasonal	1/13/2018	TCSE/ Annuitant	766.5	Temporary Assistance as Head Start Substitute Teacher	COMPLIANT
HUMAN SERVICES	Miller	Tamika	78411 - Community Housing Services	3/7/2020	ELDE		Temporary project planning - Homelessness	COMPLIANT
HUMAN SERVICES	Poston	Dorothy	75631 - Senior Center Unit	2/8/2020	TCSE/ Annuitant	585	Project Assistance in the Senior Services Section	COMPLIANT
HUMAN SERVICES	Shelton	Susan	78411 - Community Housing Services	9/11/2017	TCSE/ Annuitant	292	Temporary project: plan, facilitate and update Oakland Homeless Strategy	COMPLIANT
HUMAN SERVICES	Trist	Sarah	78232 - Head Start - Central Office Program	12/7/2019	ELDE		Temporary Assistance in Head Start Administration	COMPLIANT
INFORMATION TECHNOLOGY	Williams	Mheret	46121 - Reprographic Services	7/8/2019	ELDE		Temporary assignment to assist with critical reprographic projects	COMPLIANT

**CIVIL SERVICE BOARD  
JULY 2020 MONTHLY REPORT OF TCSE/ELDE ASSIGNMENTS**

DEPT	LAST_NAME	FIRST_NAME	ORG	JOB_DATE	TYPE	HOURS	NOTES	STATUS
LIBRARY	Lopez	Jane	61132 - Children's Services/Youth Room	5/4/2019	TCSE/ Annuitant	123	Temporary assignment to help fill staffing gaps at Main Library.	COMPLIANT
LIBRARY	Willhalm	Laurie	61132 - Children Services/Youth Room	4/7/2019	TCSE/ Annuitant	750	Temporary assignment to help fill staffing gaps during Library expanded hours (Children's Librarian)	COMPLIANT
PLANNING & BUILDING	Chan	Mei	84111 - Admin: Planning & Building	2/8/2020	ELDE		Project Planning Assistance in thee PBD Admin Unit	COMPLIANT
PLANNING & BUILDING	Moriarty	William	84454 - Inspections: Neighborhood Preservatic	12/28/2019	TCSE/ Annuitant	103	Temporary assistance in the Inspection Division	COMPLIANT
PLANNING & BUILDING	Palmer	Ken	84451 - Inspections: Commercial Building	3/23/2019	TCSE/ Annuitant	472	Temporary assistance with back-log of inspections.	COMPLIANT
POLICE	Chambers	Paul	101110 - Office of Chief - Administration	11/30/2019	ELDE		Temporary Project Assistance in Chief/Admin Division	COMPLIANT
POLICE	Covington	Donald	106610 - Background & Recruiting	4/23/2018	TCSE/ Annuitant	387	Per MOU Agreement; TCSE/ Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Gray	Steve	106610 - Background & Recruiting	7/17/2017	TCSE/ Annuitant	125	Per MOU Agreement; TCSE/ Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Hicks	Mark	106610 - Background & Recruiting	9/23/2013	TCSE/ Annuitant	159.5	Per MOU Agreement; TCSE/ Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Johnson	Carmen	106610 - Background & Recruiting	1/18/2014	TCSE/ Annuitant	812	Per MOU Agreement; TCSE/ Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Lighten	Ronald	106610 - Background & Recruiting	9/23/2013	TCSE/ Annuitant	802	Per MOU Agreement; TCSE/ Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Mestas	Alfred	100610 - Background & Recruiting	1/27/2018	TCSE/ Annuitant	0	Per MOU Agreement; TCSE/ Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Pressnell	Edward	100610 - Background & Recruiting	9/23/2013	TCSE/ Annuitant	598	Per MOU Agreement; TCSE/ Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Quintero	Joseph	106610 - Background & Recruiting	10/12/2013	TCSE/ Annuitant	0	Per MOU Agreement; TCSE/ Annuitant supporting OPD backgrounding.	COMPLIANT
PUBLIC WORKS	Sanchez Roto	Victor	30551 - Facilities Administration	3/7/2020	ELDE		Temporary Assistance in Facilities Administration	COMPLIANT
PUBLIC WORKS	Weed	Jonelyn	30111 - Director & Human Resources Unit	12/16/2017	TCSE/ Annuitant	302	Temporary support to help develop and facilitate Department Strategic Action Plan	COMPLIANT
<b>Non-Compliant (10)</b>								
CITY ADMINISTRATOR	Kennedy	Christopher	02112 - Communications and Media	3/25/2019	ELDE		Temporary assistance in the development and improvement of the City Website, external communications and community outreach	NON-COMPLIANT
CITY AUDITOR	Edmonds	Michael	07111 - City Auditor Unit	1/12/2019	TCSE/ Annuitant	1034.5	Assistant City Auditor; temporary assistance in peer review preparation and training staff	NON-COMPLIANT
PUBLIC WORKS	Chambers	Jason	30541 - Equipment Services	9/21/2019	TCSE	1366	Temporary assistance to repair essential vehicles utilized for emergency services by the Police, Fire and Public Works depts.	NON-COMPLIANT
PUBLIC WORKS	Chavez	Humberto	30542 - Equipment Services	9/10/2019	TCSE	1120	Temporary assistance to repair essential vehicles utilized for emergency services by the Police, Fire and Public Works depts.	NON-COMPLIANT
PUBLIC WORKS	Hernandez	Raul	30244 - Sanitary Sewer Design	3/25/2019	ELDE		Temporary assignment to assist with the City's Private Sewer Lateral (PSL) program.	NON-COMPLIANT
PUBLIC WORKS	Lai	Jimmy	30541 - Equipment Services	9/21/2019	TCSE	1441	Temporary assistance to repair essential vehicles utilized for emergency services by the Police, Fire and Public Works depts.	NON-COMPLIANT

**CIVIL SERVICE BOARD  
JULY 2020 MONTHLY REPORT OF TCSE/ELDE ASSIGNMENTS**

DEPT	LAST_NAME	FIRST_NAME	ORG	JOB_DATE	TYPE	HOURS	NOTES	STATUS
PUBLIC WORKS	Nguyen	Hoang	30542 - Equipment Services	9/22/2019	TCSE	1449	Temporary assistance to repair essential vehicles utilized for emergency services by the Police, Fire and Public Works depts.	NON-COMPLIANT
PUBLIC WORKS	Pierce	Brittany	30551 - Facilities Administration	10/5/2019	TCSE	969.5	Temporary appointment to assist with backlogged, complex clerical and admin support duties	NON-COMPLIANT
PUBLIC WORKS	Pschirrer	Kelly	30533 - Sewer System Maintenance	3/9/2019	ELDE		Special project in the planning and execution of the "Public Works University" - duties not yet fully defined.	NON-COMPLIANT
PUBLIC WORKS	Vargas	Abel	30542 - Equipment Services	7/1/2019	TCSE/ Annuitant	1376	Temporary assistance to repair essential vehicles utilized for emergency services by the Police, Fire and Public Works depts.	NON-COMPLIANT



\*Note - The March 2020 and April 2020 meetings were canceled due to COVID-19 shelter orders and no report was prepared.



CITY OF OAKLAND

## *MEMORANDUM*

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**DATE:** July 16, 2020

**TO:** The Honorable Civil Service Board

**FROM:** Jaime Pritchett  
Principal Human Resource Analyst

**THROUGH:** Greg Preece, Human Resources Manager, Recruitment & Classification

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

**SUBJECT:** Approval of Revised Classification Specification for Director of Workplace and Employment Standards

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Based upon recent changes in legislation, Human Resources Management collaborated with staff in the Office of the City Administrator to develop a new classification specification for the **Director of Workplace and Employment Standards**. The establishment of the new Department of Workplace and Employment Standards (DWES), along with the creation of the new department head position, will support the mission of the DWES. The new department will be a centralized place to educate workers and employers; receive and process complaints; investigate compliance; and better enforce remedies of violations related to workplace and employment standards.

In November 2018, City of Oakland voters passed the Hotel Minimum Wage and Working Conditions Ordinance (“Measure Z”), which amended the Oakland Municipal Code to establish workplace protections and minimum hourly wages for hotel workers in addition to ensuring enforcement of employment standards for both hotel and non-hotel workers. Measure Z builds upon the City’s existing Minimum Wage and Sick Leave Ordinance (“Measure FF”) and the City’s Living Wage legislation, currently enforced by the Division of Contracting and Compliance under the Office of the City Administrator.

Section 2.29 of the O.M.C. – “City Departments and Offices,” is periodically amended to reflect the organizational structure of the City as approved by the City Council as part of the budget process. City Council approved structure changes in the City organization during mid-cycle budget adjustments to the Fiscal Year (FY) 2019-2021 Adopted Policy Budget. Further, Ordinance No. 13600 C.M.S. was approved on June 16, 2020, and formally established the DWES.

The position is described as follows. The incumbent: plans, directs, and coordinates the operations of the DWES with responsibility for enforcing City of Oakland labor ordinances, resolutions, programs, and policies, including but not limited to the Minimum Wage and Sick Leave Ordinance (Oakland Municipal Code Chapter 5.92) and the Hotel Minimum Wage and Working Conditions Ordinance (Oakland Municipal Code Chapter 5.93); utilizes a strategic enforcement model for coordinating community outreach efforts to educate workers and employers, providing advocacy and assistance to workers, receiving and processing complaints, investigating compliance, and enforcing remedies of violations related to workplace and employment standards; ensures participation among the local business community and compliance with applicable standards and regulations; directs the work of staff in contract administration, contract compliance, and administration, ensuring compliance with all relevant policies and procedures; and trains, evaluates, and supervises assigned staff.

**CIVIL SERVICE BOARD**

Subject: Director of Workplace and Employment Standards Classification Specification

Date: July 16, 2020

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No union involvement was required because the classification is at a department head level and the position is unrepresented. As an exempt director level position, it is not governed by the provisions of civil service (per Charter section 902b).

The new classification has already been added to the City's Salary Schedule. The City Council approved the salary ordinance amendment to create the new department head position at the June 16, 2020 meeting.

Staff recommends that the Civil Service Board approve the proposed new classification specification for **Director of Workplace and Employment Standards**.

**Attachments:** New draft Director of Workplace and Employment Standards classification specification.



# DIRECTOR OF WORKPLACE & EMPLOYMENT STANDARDS

DRAFT

**Class Code: EMXXX FTE**

**Exempt**

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## DEFINITION

Under administrative direction of the Office of the City Administrator, plans, directs, and coordinates the operations of the Department of Workplace and Employment Standards (DWES) with responsibility for enforcing City of Oakland labor ordinances, resolutions, programs, and policies, including but not limited to the Minimum Wage and Sick Leave Ordinance (Oakland Municipal Code Chapter 5.92) and the Hotel Minimum Wage and Working Conditions Ordinance (Oakland Municipal Code Chapter 5.93); utilizes a strategic enforcement model for coordinating community outreach efforts to educate workers and employers, providing advocacy and assistance to workers, receiving and processing complaints, investigating compliance, and enforcing remedies of violations related to workplace and employment standards; ensures participation among the local business community and compliance with applicable standards and regulations; directs the work of staff in contract administration, contract compliance, and administration, ensuring compliance with all relevant policies and procedures; trains, evaluates, and supervises assigned staff; and performs related duties as assigned.

## DISTINGUISHING CHARACTERISTICS

This is a department head classification. Pursuant to the Oakland City Charter Article IX, Section 902(b), this executive management position is at-will and exempt from the regulations of the Civil Service Board. The incumbent has responsibility for overall administration of the DWES and the department's relationship with internal and external partners. The duties performed involve the exercise of considerable discretion and latitude of judgment in the formulation and development of policies, programs, and procedures.

The incumbent receives direction from the Office of the City Administrator and exercises direction over management, supervisory, professional, technical, and administrative support staff.

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

Plan, organize, manage, and direct the City's workplace and employment standards operations through subordinate staff; ensure compliance of operations with relevant labor ordinances, resolutions, programs, and policies.

Direct the City's work of contract administration, contract compliance, and administration; develop and direct the implementation of goals, objectives, policies, procedures, and work standards for the department.

Oversee the coordination of community outreach efforts to educate workers and employers and provide advocacy and assistance to workers; ensure participation among the local business community.

Oversee the receipt and processing of complaints, investigations related to compliance, and enforcement of remedies of violations related to workplace and employment standards.

Develop and direct the implementation of goals, objectives, policies, procedures, and work standards for the department.

Serve as a liaison to public officials, employers and their employees, the business community, members of policy and advisory boards, and community groups to coordinate and collaborate on the enforcement and implementation of policies, procedures, and objectives in meetings and during other discussions.

Monitor developments related to workplace and employment standards and contract and compliance administration, and remain current with emerging issues and industry trends; evaluate the potential impacts on City operations.

Act as an advisor to the City Administration and other City departments to provide recommendations and implement policy and procedure improvements.

Direct the preparation of a variety of complex reports and analyses relating to compliance activities including complaints, investigations, violations, and remedies; oversee studies and program evaluation data.

Attend and participate in meetings with the City Council and its committees.

Manage the development and administration of the department's budget.

Select, supervise, train, and mentor staff; provide for staff development.

## **KNOWLEDGE AND ABILITIES**

Knowledge of:

- Federal, state, and local laws, regulations, and codes pertaining to labor, contract and employment law, employment standards and practices, and compliance and enforcement.
- Laws, codes, charter provisions, rules, and regulations governing City operations and departmental activities.
- Management and supervisory principles and practices including selection, motivation, training, evaluation, and discipline.
- Development and implementation of goals, objectives, policies, procedures, and work standards including long and short-range planning.
- Public contact and community relations concepts including negotiation techniques and presentation skills.
- Investigative procedures and complaint resolution.
- Budget development and administration.
- Computer systems and software applications.

Ability to:

- Enforce relevant regulations and ensure compliance.
- Work effectively with a diverse community including public officials, employers and their employees, the business community, members of policy and advisory boards, and community groups.
- Identify challenges; analyze complex technical and administrative problems; evaluate alternative solutions; recommend or adopt effective courses of action.
- Develop and implement goals, objectives, policies, procedures, and work standards.
- Oversee investigations and complaint resolution.
- Prepare and administer a department budget.
- Work in a collaborative and cooperative team environment; negotiate solutions, achieve

consensus, and contribute to compromise.

- Exercise sound independent judgment within general policy guidelines.
- Communicate clearly, concisely, and persuasively in both oral and written formats; speak effectively in large and small group settings; conduct staff meetings.
- Prepare comprehensive and complex reports and make presentations.
- Supervise, train, motivate, and evaluate assigned staff.
- Establish and maintain effective working 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:**

A Bachelor’s degree in business or public administration, finance, accounting, economics, sociology, social justice, construction or a related field. A Master’s degree is highly desirable.

**Experience:**

Five (5) years of progressively responsible supervisory or managerial experience including the oversight of compliance with and enforcement of workplace and employment standards/laws, working conditions, contract administration, contract compliance, contracting law, and involvement with social justice initiatives and advocacy work. Public sector 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 OR demonstrate the ability to travel to various locations in a timely manner as required in the performance of duties.

**OTHER REQUIREMENTS**

None required.

<b>DEPT. OF HUMAN RESOURCES MANAGEMENT USE ONLY</b>			
Established:	/ /	CSB Resolution #:	Salary Ordinance #:
Exempted:	Y <input type="checkbox"/> N <input type="checkbox"/>	Exemption Resolution #: 9.02b	
Revision Date:	/ /	CSB Resolution #:	
Re-titled Date:	/ /	CSB Resolution #:	Salary Ordinance #:
(Previous title(s):	)		



CITY OF OAKLAND

## *STAFF REPORT*

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**DATE:** July 16, 2020

**TO:** THE HONORABLE CIVIL SERVICE BOARD

**FROM:** Jaime Pritchett, Principal Human Resource Analyst

**THROUGH:** Greg Preece, Human Resources Manager

**THROUGH:** Ian Appleyard, Director of Human Resources Management

**SUBJECT:** City Council Zero Tolerance Policy Legislation

---

Members of the Oakland City Council presented legislation to the full City Council in June 2020 in response to the global movement to achieve racial equity and social justice and to end systemic bias and police brutality. Councilmembers Reid, Gallo, Gibson McElhaney, and Taylor put forth a resolution with the intent of establishing a Zero Tolerance Policy for racist practices, behaviors, and actions within the Oakland Police Department and all City departments. Adopted on June 16, 2020, the legislation specifically urges the Civil Service Board, “Pursuant to its jurisdiction, to adopt rules requiring the disqualification of any applicant for employment for specified reasons, including but not limited to the uniformed ranks of the Oakland Police Department.” While the fully finalized and executed resolution is not available yet, staff has attached the agenda report and versions of the proposed legislation.

Attachment A – Agenda report dated June 11, 2020

Attachment B – Proposed resolution

Attachment C – Approved draft resolution, pending final revision and execution



CITY HALL ■ 1 FRANK H. OGAWA PLAZA, 2<sup>nd</sup> Floor ■ OAKLAND, CALIFORNIA 94612

Honorable Lawrence Reid, *Vice Mayor*  
*Community Economic Development Chair, District 7*

[LReid@Oaklandca.gov](mailto:LReid@Oaklandca.gov)

Honorable Noel Gallo  
*Public Safety Chair, District 5*

[NGallo@Oaklandca.gov](mailto:NGallo@Oaklandca.gov)

Honorable Lynette Gibson McElhaney  
*Finance & Management Chair, District 3*

[LMcElhaney@Oaklandca.gov](mailto:LMcElhaney@Oaklandca.gov)

Honorable Loren Taylor  
*Life Enrichment Chair, District 6*

[LTaylor@Oaklandca.gov](mailto:LTaylor@Oaklandca.gov)

Date: June 11, 2020

To: Members of the Public

Re: RESOLUTION ESTABLISHING A ZERO TOLERANCE POLICY FOR  
RACIST PRACTICES, BEHAVIORS, AND ACTIONS WITHIN THE OAKLAND  
POLICE DEPARTMENT AND ALL CITY DEPARTMENTS

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Colleagues on the City Council and Members of the Public:

As we all know, the entire nation is currently grappling with and struggling to cope with the tragic killings of Black men and women at the hands of law enforcement officers. The case of George Floyd in Minneapolis, MN, is just the latest instance of police brutality against Black people, and is particularly shocking because of the nonchalant nature in which the offending officer took the life of Mr. Floyd. This horrifying video has prompted further inquiry and policy discussions around use of force and other law enforcement policies, as well as the underlying reasons for continued abuse and devaluing of Black lives. While City of Oakland staff, the police commission, and City Council consider various reforms, it is important that we, on the City Council, affirm that the City of Oakland will not tolerate racism in the City or within our Police Department.

While this proposed resolution and policy will not root out all of underlying elements that lead to incidences of police brutality and biased policing, it will be an important part of the solution. Implementing this policy, combined with the other efforts being considered, will help to repair the trust that has been eroded between law enforcement, other city officials, and the Black Community.

Recently, the City received the results of a study regarding the disparity in discipline and treatment of Black officers in the Department, and it is likely that this stems from both implicit and explicit bias that we are focused on removing from the Oakland Police Department and all departments within the city of Oakland. The attached resolution acknowledges that the City has set in place certain goals regarding equity, and clearly and unequivocally states that racist



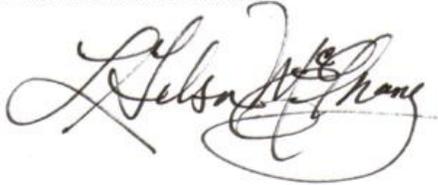
practices, behaviors, and actions by any City employee or member of our Police Department will not be condoned and will disqualify a person from employment in the City of Oakland and will lead to termination.

We respectfully ask for your support of the attached resolution.

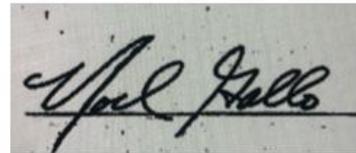
Regards,



Larry Reid  
Vice Mayor  
Councilmember District 7



Lynette McElhaney  
Councilmember District 3



Noel Gallo  
Councilmember District 5



Loren Taylor  
Councilmember District 6



# OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

INTRODUCED BY VICE MAYOR LARRY REID, COUNCILMEMBERS  
NOEL GALLO, LYNETTE GIBSON MCELHANEY AND LOREN TAYLOR

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RESOLUTION (1) ESTABLISHING A ZERO TOLERANCE POLICY FOR RACIST PRACTICES, BEHAVIORS, AND ACTIONS WITHIN THE OAKLAND POLICE DEPARTMENT AND ALL CITY DEPARTMENTS, AGENCIES AND DIVISIONS, AND UNITS; (2) IN ACCORDANCE WITH HIS/HER POWER AND MANDATORY DUTY UNDER CITY CHARTER SECTION 504, DIRECTING—THE CITY ADMINISTRATOR SHALL EXECUTE AND ENFORCE THE COUNCIL'S ZERO TOLERANCE POLICY NOT TO HIRE, AND TO FIRE POLICE OFFICERS AND OTHER EMPLOYEES FOR SUCH SPECIFIED REASONS; and (3) URGING THE CIVIL SERVICE COMMISSIONBOARD, PURSUANT TO ITS JURISDICTION, TO ADOPT RULES REQUIRING THE DISQUALIFICATION OF ANY APPLICANT FOR EMPLOYMENT FOR SUCH SPECIFIED REASONS, INCLUDING BUT NOT LIMITED TO THE UNIFORMED RANKS OF THE OAKLAND POLICE DEPARTMENT

**WHEREAS**, the City of Oakland is committed to providing a work environment that is safe and inclusive for all City employees; and

**WHEREAS**, racist, practices, behaviors, and actions threaten the health, safety, and well being of City employees and residents; and

**WHEREAS**, on May 25, 2020, George Floyd a peaceful and unarmed Black Man, was killed by a Minneapolis Police Officer who callously kneeled on his neck for over eight minutes while he struggled to breathe and that same officer had 17 prior complaints against him and multiple officer involved shootings but was permitted to remain on the police force; and

**WHEREAS**, the public execution of George Floyd set in motion international protests and calls for increased accountability and transformation of American policing to establish public trust, improve the relationship between people of color and the police and to eradicate anti-blackness in law enforcement in every community, including in Oakland; and

**WHEREAS**, the Oakland Police Department is entrusted with keeping all community members in Oakland safe and enforcing laws; and

**WHEREAS**, all Oakland residents equally deserve to feel safe when interacting with police and should be able to trust that the officers tasked with protecting them have no prior history of excessive force, racial bias, or other significant misconduct; and

**WHEREAS**, modern police departments originated from Slave patrols and Night Watches, that were used to control the free movement and behaviors of African, Native American and other non-Anglo immigrants, establishing centuries of racism, bias, and disparate treatment in policing of Black and Brown communities; and

**WHEREAS**, as early as the 1920s when the Klu Klux Klan was still active in the city of Oakland, city leaders recruited white Southerners to the Oakland Police Department, establishing within the department a culture of controlling the Black population so much so that in 1966 the Black Panther Party for Self Defense organized and decried the Oakland police as an occupying force in the Black community; and

**WHEREAS**, in a 2006 bulletin, the FBI detailed the threat of white nationalists and skinheads infiltrating police in order to disrupt investigations against fellow members and recruit other supremacists. The bulletin was released during a period of scandal for many law enforcement agencies throughout the country, including a neo-Nazi gang formed by members of the Los Angeles County Sheriff's Department who harassed Black and LatinX communities. Similar investigations revealed officers and entire agencies with hate group ties in Illinois, Ohio and Texas; and

**WHEREAS**, the City of Oakland created the Department of Race and Equity to ensure that the City's policies, programs and practices identify and redress inequity where racial disparities exist and to uphold the City's values of fostering diversity, inclusion and equity; and

**WHEREAS**, on November 8, 2016, the citizens of the City of Oakland voted to approve Measure LL thereby creating a civilian Police Commission to oversee OPD's policies and practices and Community Police Review Agency (CPRA)s investigations of police misconduct complaints; and

**WHEREAS**, the City's 2018 Equity indicators report revealed Overall score of 33.5 out of 100 and a score of 17.5 out of 100 in the area of Public Safety; and

**WHEREAS**, the Oakland Black Officers Association (OBOA) has been

advocating on behalf of its members for 50 years and according to the OBOA the level of distrust in the internal affairs and discipline process impacts every officer of every race, and is reflective of challenges in departmental leadership and the culture within the organization; and

**WHEREAS**, as the OBOA noted that if Black Officers are being treated unfairly internally, then it would be difficult for Oakland residents to have confidence that officers will treat them fairly; and

**WHEREAS**, in March 2019, the Oakland Police Department contracted risk management consulting firm Hillard Heintze due to concerns brought forward from within the Oakland Police Department regarding racial disparities related to internal officer discipline; and

**WHEREAS**, on Friday May 15, 2020, the Oakland Police Department released the findings of the discipline disparity study conducted by Hillard Heintze to review the discipline process and administrative investigation of misconduct complaints for sworn personnel of all ranks, Police Officer Trainees in the Academy, and probationary officers in the Field Training Program for the five-year period from January 1, 2014, through December 31, 2018 identified racial disparities in the Oakland Police Department; and

**WHEREAS**, a the Hilliard Heintze report indicated that Black officers were found to be nearly 40% more likely to have misconduct complaints sustained compared to officers of other races and significant disparities also existed for Black officer trainees in the Basic Police Academy and Field Training Unit; and

**WHEREAS**, Mayor Schaaf shared her deep disappointment in the findings of the Hillard Heintze study and the Police Department referred to the findings as “unacceptable” in its response; and

**WHEREAS**, in light of the study Oakland Police Department affirmed its commitment to engage in an aggressive process designed to identify and mitigate the disparities, and advance internal equity, diversity, and procedural justice and affirmed its commitment to evaluating their recruitment and hiring processes, taking innovative steps to reduce implicit bias, collecting data about who we pull over and why, and partnering with the Police Commission to enact measurable and lasting change through policy and culture; and

**WHEREAS**, the Oakland Police Department has partnered with the City’s Race and Equity Director Darleen Flynn to conduct a Race and Equity Impact Analysis on the Department’s disciplinary process and the Academy and Field Training program and through the analysis will work to identify what aspects of the investigative process may be leading to disparate outcomes and design an action plan to remedy racial or gender disparities to cover areas not addressed by the Hillard Heintze recommendations ; and

**WHEREAS**, members of the public cannot fully trust law enforcement officers or

feel safe if they are uncertain whether an officer with whom they interact had a prior history of ~~significant serious~~ misconduct or abuse; and

**WHEREAS**, there is a national crisis over repeated instances of police brutality and killings of Black people and persons of color that is rooted in the longstanding history of racial bias in policing nationwide, especially towards Black people; and

**WHEREAS**, the City Council aspires to hold the Oakland Police Department and all employees across the City of Oakland to the highest standard of professionalism and integrity; and

**WHEREAS**, pursuant to Charter section 504(a), the City Administrator has the power and a mandatory duty to execute and enforce laws, ordinances and policies of the Council; now therefore, be it

**RESOLVED**, that the City Council hereby ~~we~~ establishes and declares the City of Oakland's ~~to be a~~ zero-tolerance ~~policy employer~~ for City employees with respect to racist practices, behaviors, actions, and/or association and affiliation with white supremacist groups, organizations or cells; and, be it

**FURTHER RESOLVED**, that in accordance with City Charter section 504(a) and Chapter 2.08 of the Oakland Municipal Code (the "Personnel Ordinance"), including but not limited to section 2.08.060 of the Oakland Municipal Code, the City Administrator shall execute and enforce ~~to adhere to~~ the City of Oakland's zero-tolerance policy for racist, practices, behaviors, and actions of City employees in all personnel decisions including, hiring and firing, except when such action is limited due to the City's Civil Service Rules or applicable law; and execution and enforcement of the zero-tolerance policy, shall include but not be limited to requesting information regarding sustained findings and unsustained complaints of Serious Misconduct, as defined below, as well as resignations or retirement during the pendency of an investigation into a complaint of Serious Misconduct; and be it

**FURTHER RESOLVED**, that the City Council ~~we~~ urges the Civil Service Commission Board, pursuant to its jurisdiction, to adopt rules requiring the disqualification of any applicant for employment in the Oakland Police Department and all eCity departments, agencies and divisions, and units if:

- (1) The applicant has been the subject of a sustained finding or two unsustained complaints by different complainants against the applicant by any law enforcement agency or investigative or oversight agency, following an investigation and opportunity for administrative appeal by the applicant, that the applicant, while employed as a peace officer, engaged in serious misconduct, which includes but is not limited to the following: use of excessive force, racial bias, sexual assault discrimination against any person or group based on race, gender, religion, nationality, or sexual orientation, or dishonesty, directly related to the reporting of, or investigation of misconduct by another peace officer or

custodial officer, including, but not limited to, any sustained finding of perjury, false statements, filing false reports, destruction, falsifying, or concealing of evidence; including but not limited to the misconduct covered by Senate Bill 1421 ("Serious Misconduct"); or

- (2) The applicant resigned or retired from their employment as a peace officer in any jurisdiction during the pendency of a disciplinary proceeding related to alleged ~~s~~erious ~~m~~isconduct by the applicant where while they were employed as a peace officer, and the proceeding was suspended or terminated as a result of the applicant's resignation or retirement, until such a time that the applicant has been exonerated for the pending allegation.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND  
PRESIDENT KAPLAN

NOES –

ABSENT –

ABSTENTION –

ATTEST: \_\_\_\_\_

Asha Reed  
Interim City Clerk and  
Clerk of the Council of the  
City of Oakland, California

# MISSING EXECUTED LEGISLATION FORM

Resolution / Ordinance Number: 88167  
City Council Meeting Date: JUN 16 2020  
Agenda Item No.: 27  
Recorded Vote: 8 Ayes

## Status of Resolution/Ordinance:

- Filed without signature       No signed version will be filed  
 Council amended legislation       No signed version will be filed

## Author Contact Information:

Department: Council office  
Contact Person/Ext.: Pamela F / 6672

Notes (if any)

As Amended: 1st further Resolved of the Legislature,  
inserting "A pattern of un-sustained complaints"  
in the first paragraph.

**DRAFT**

City Attorney's Office

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

**INTRODUCED BY VICE MAYOR LARRY REID, COUNCILMEMBERS  
NOEL GALLO, LYNETTE GIBSON MCELHANEY AND LOREN TAYLOR**

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**RESOLUTION (1) ESTABLISHING A ZERO TOLERANCE POLICY FOR RACIST PRACTICES, BEHAVIORS, AND ACTIONS WITHIN THE OAKLAND POLICE DEPARTMENT AND ALL CITY DEPARTMENTS, AGENCIES AND DIVISIONS, AND UNITS; (2) URGING THE CIVIL SERVICE COMMISSION, PURSUANT TO ITS JURISDICTION, TO ADOPT RULES REQUIRING THE DISQUALIFICATION OF ANY APPLICANT FOR EMPLOYMENT FOR SPECIFIED REASONS, INCLUDING BUT NOT LIMITED TO THE UNIFORMED RANKS OF THE OAKLAND POLICE DEPARTMENT; AND (3) DIRECTING THE CITY ADMINISTRATOR NOT TO HIRE, AND TO FIRE POLICE OFFICERS AND OTHER EMPLOYEES FOR SUCH SPECIFIED REASONS**

**WHEREAS**, the City of Oakland is committed to providing a work environment that is safe and inclusive for all City employees; and

**WHEREAS**, racist, practices, behaviors, and actions threaten the health, safety, and well being of City employees and residents; and

**WHEREAS**, on May 25, 2020, George Floyd a peaceful and unarmed Black Man, was killed by a Minneapolis Police Officer who callously kneeled on his neck for over eight minutes while he struggled to breathe and that same officer had 17 prior complaints against him and multiple officer involved shootings but was permitted to remain on the police force; and

**WHEREAS**, the public execution of George Floyd set in motion international protests and calls for increased accountability and transformation of American policing to establish public trust, improve the relationship between people of color and the police

and to eradicate anti-blackness in law enforcement in every community, including in Oakland; and

**WHEREAS**, the Oakland Police Department is entrusted with keeping all community members in Oakland safe and enforcing laws; and

**WHEREAS**, all Oakland residents equally deserve to feel safe when interacting with police and should be able to trust that the officers tasked with protecting them have no prior history of excessive force, racial bias, or other significant misconduct; and

**WHEREAS**, modern police departments originated from Slave patrols and Night Watches, that were used to control the free movement and behaviors of African, Native American and other non-Anglo immigrants, establishing centuries of racism, bias, and disparate treatment in policing of Black and Brown communities; and

**WHEREAS**, as early as the 1920s when the Klu Klux Klan was still active in the city of Oakland, city leaders recruited white Southerners to the Oakland Police Department, establishing within the department a culture of controlling the Black population so much so that in 1966 the Black Panther Party for Self Defense organized and decried the Oakland police as an occupying force in the Black community; and

**WHEREAS**, in a 2006 bulletin, the FBI detailed the threat of white nationalists and skinheads infiltrating police in order to disrupt investigations against fellow members and recruit other supremacists. The bulletin was released during a period of scandal for many law enforcement agencies throughout the country, including a neo-Nazi gang formed by members of the Los Angeles County Sheriff's Department who harassed Black and LatinX communities. Similar investigations revealed officers and entire agencies with hate group ties in Illinois, Ohio and Texas; and

**WHEREAS**, the City of Oakland created the Department of Race and Equity to ensure that the City's policies, programs and practices identify and redress inequity where racial disparities exist and to uphold the City's values of fostering diversity, inclusion and equity; and

**WHEREAS**, on November 8, 2016, the citizens of the City of Oakland voted to approve Measure LL thereby creating a civilian Police Commission to oversee OPD's policies and practices and Community Police Review Agency (CPRA)s investigations of police misconduct complaints; and

**WHEREAS**, the City's 2018 Equity indicators report revealed Overall score of 33.5 out of 100 and a score of 17.5 out of 100 in the area of Public Safety; and

**WHEREAS**, the Oakland Black Officers Association (OBOA) has been advocating on behalf of its members for 50 years and according to the OBOA the level of distrust in the internal affairs and discipline process impacts every officer of every race, and is reflective of challenges in departmental leadership and the culture within

the organization; and

**WHEREAS**, as the OBOA noted that if Black Officers are being treated unfairly internally, then it would be difficult for Oakland residents to have confidence that officers will treat them fairly; and

**WHEREAS**, in March 2019, the Oakland Police Department contracted risk management consulting firm Hillard Heintze due to concerns brought forward from within the Oakland Police Department regarding racial disparities related to internal officer discipline; and

**WHEREAS**, on Friday May 15, 2020, the Oakland Police Department released the findings of the discipline disparity study conducted by Hillard Heintze to review the discipline process and administrative investigation of misconduct complaints for sworn personnel of all ranks, Police Officer Trainees in the Academy, and probationary officers in the Field Training Program for the five-year period from January 1, 2014, through December 31, 2018 identified racial disparities in the Oakland Police Department; and

**WHEREAS**, a the Hilliard Heintze report indicated that Black officers were found to be nearly 40% more likely to have misconduct complaints sustained compared to officers of other races and significant disparities also existed for Black officer trainees in the Basic Police Academy and Field Training Unit; and

**WHEREAS**, Mayor Schaaf shared her deep disappointment in the findings of the Hillard Heintze study and the Police Department referred to the findings as "unacceptable" in its response; and

**WHEREAS**, in light of the study Oakland Police Department affirmed its commitment to engage in an aggressive process designed to identify and mitigate the disparities, and advance internal equity, diversity, and procedural justice and affirmed its commitment to evaluating their recruitment and hiring processes, taking innovative steps to reduce implicit bias, collecting data about who we pull over and why, and partnering with the Police Commission to enact measurable and lasting change through policy and culture; and

**WHEREAS**, the Oakland Police Department has partnered with the City's Race and Equity Director Darleen Flynn to conduct a Race and Equity Impact Analysis on the Department's disciplinary process and the Academy and Field Training program and through the analysis will work to identify what aspects of the investigative process may be leading to disparate outcomes and design an action plan to remedy racial or gender disparities to cover areas not addressed by the Hillard Heintze recommendations ; and

**WHEREAS**, members of the public cannot fully trust law enforcement officers or feel safe if they are uncertain whether an officer with whom they interact had a prior history of significant misconduct or abuse; and

**WHEREAS**, there is a national crisis over repeated instances of police brutality and killings of Black people and persons of color that is rooted in the longstanding history of racial bias in policing nationwide, especially towards Black people; and

**WHEREAS**, the City Council aspires to hold the Oakland Police Department and all employees across the City of Oakland to the highest standard of professionalism and integrity; and now therefore, be it

**RESOLVED**, we declare Oakland to be a zero-tolerance employer for City employees with respect to racist practices, behaviors, actions, and/or association and affiliation with white supremacist groups, organizations or cells and, be it

**FURTHER RESOLVED**, we urge the Civil Service Commission pursuant to its jurisdiction to adopt rules requiring the disqualification of any applicant for employment in the Oakland Police Department and all city departments, agencies and divisions, and units if:

- (1) The applicant has been the subject of a sustained finding or two unsustained complaints by different complainants against the applicant by any law enforcement agency or investigative or oversight agency, following an investigation and opportunity for administrative appeal by the applicant, that the applicant, while employed as a peace officer, engaged in serious misconduct, which includes but is not limited to the following: use of excessive force, racial bias, sexual assault discrimination against any person or group based on race, gender, religion, nationality, or sexual orientation, or dishonesty, directly related to the reporting of, or investigation of misconduct by another peace officer or custodial officer, including, but not limited to, any sustained finding of perjury, false statements, filing false reports, destruction, falsifying, or concealing of evidence; or
- (2) The applicant resigned or retired from their employment as a peace officer in any jurisdiction during the pendency of a disciplinary proceeding related to alleged serious misconduct by the applicant where while they were employed as a peace officer, and the proceeding was suspended or terminated as a result of the applicant's resignation or retirement, until such a time that the applicant has been exonerated for the pending allegation.

**FURTHER RESOLVED**, the City Council directs the City Administrator not to hire, and to fire police officers and other employees for racist, practices, behaviors, and actions including those that demonstrate alt-right, neo-nazi, and racist conduct except when such action is limited due to the City's Civil Service Rules.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND  
PRESIDENT KAPLAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

Asha Reed  
Interim City Clerk and  
Clerk of the Council of the  
City of Oakland, California



CITY OF OAKLAND

# *STAFF REPORT*

**DATE:** July 16, 2020

**TO:** THE HONORABLE CIVIL SERVICE BOARD

**FROM:** Jaime Pritchett, Principal Human Resource Analyst

**THROUGH:** Greg Preece, Human Resources Manager

**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 2020 (for quarter end December 31, 2019); the Board was due a new Quarterly Report in April 2020 for quarter end March 31, 2020 but the regular Civil Service Board meetings in March and April 2020 were canceled due to the Shelter-in-place order from Alameda County in response to the Coronavirus pandemic. 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 combined quarters ending on March 31, 2020 and June 30, 2020. During this reporting period, four (4) studies were completed, two (2) studies were canceled, and five (5) new studies were received. There are currently sixteen (16) active classification studies.

### **EXPLANATION OF DELAYS**

Three (3) studies have passed the one-year mark:

- Police Services Technician – in progress; more research required
- Office Assistant II – **completed 5/27/20**
- Public Service Representative – **completed 6/24/20**

The delays are largely attributed to competing demands among staff and complex studies that require more research and examination than usual. Layers of analysis and meetings with additional parties add to the complexities and time involved. Competing priorities make it difficult to dedicate significant blocks of time to evaluating the many factors in each study. We experienced some logistical complications in releasing completed studies via certified mail (per the Civil Service Rules requirement) while abiding by shelter-in-place orders but collaborated with other staff in the department and achieved a successful plan for doing so during recent weeks. The City organization has adapted several of its business practices during the pandemic,

with many staff fully telecommuting, and is becoming more agile in dealing with emerging challenges during this unprecedented time.

Despite these considerations, HRM remains focused on addressing overdue studies. Of the three studies that are currently overdue, two were completed during the most recent quarter and the other one is expected to be completed this month. Completing the oldest studies continues to be the highest priority, and HRM is still working to eliminate the backlog completely. Staff expects to continue enlisting assistance from an external consultant to help with addressing the queue as well.

The Human Resource Analysts have been trained on how to conduct classification studies, and all continue to carry at least one classification study each. Progress is slow but steady, and staff are demonstrating gains as their knowledge of classification studies grows. Building capacity among staff remains the most strategic approach to ensure skilled staff are available and that incoming classification study requests can be addressed as quickly as possible in the near future.

### ***Classification Specification Review***

Attachment B is a report of outstanding requests for classification specification reviews for the combined quarters ending March 31, 2020 and June 30, 2020 showing a total of one hundred six (106) classifications: during this reporting period there were thirteen (13) classification revisions or creations completed and approved by the Civil Service Board and zero (0) classification specification reviews were canceled; there are two (2) classifications being advanced by HRM to the Board for the July 16, 2020 meeting; an additional eight (8) are in the queue for discussion with the representative union and advancement to the Board in the near future; there are sixty-six (66) classification specification reviews assigned and under review by analysts; and there are an additional seventeen (17) for which HRM has received requests that have not yet been assigned. Classification creation and revision work will be distributed among all analysts as part of the overall efforts to increase their flexibility and our responsiveness to organizational needs.

<b>Status</b>	<b>Qty</b>
Approved by CSB or Closed During Quarter	13
Scheduled to CSB for Approval	2
Under Review for Scheduling of Meet & Confer with Representative Union	8
Assigned to Analyst for Review	66
Pending for Assignment	17
<b>TOTAL</b>	<b>106</b>

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

Attachment A – Classification Studies (Desk Audits) January 1, 2020 – June 30, 2020

Attachment B – Classification Specifications under review January 1, 2020 to June 30, 2020

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

ATTACHMENT A

	Department	Classification	Date Received	Date Complete	Days Elapsed	Pending 1+ yr?	Status
1	OPD	Police Services Technician II	10/24/2018			Yes	Anticipated completion the week of 7/27/20.
2	FINANCE	Office Assistant II	12/11/2018	5/27/2020	533	Yes	Completed.
3	OPR	Public Service Representative	1/14/2019	6/24/2020	527	Yes	Completed.
4	DOT	Program Analyst II	6/5/2019	4/30/2020	N/A	No	Canceled 4/3/20; employee promoted.
5	ITD	Database Analyst III	6/19/2019	6/17/2020	364	No	Completed.
6	OFD	Program Analyst II	7/16/2019			No	Anticipated completion the week of 7/13/20.
7	HCD	Loan Servicing Administrator	7/17/2019			No	Anticipated completion the week of 7/13/20.
8	DOT	Administrative Assistant I	7/23/2019	6/10/2020	323	No	Completed.
9	OPW	Capital Improvement Project Coordinator	7/24/2019			No	Assigned, in initial stages.
10	ITD	Information Systems Specialist II	8/14/2019			No	Assigned, in initial stages.
11	LIBRARY	Library Assistant	8/30/2019			No	Assigned, in initial stages.
12	OPD	Police Records Specialist	10/3/2019			No	Assigned, in initial stages.
13	EWD	Program Analyst III	10/9/2019	5/22/2020	N/A	No	Canceled 5/22/20; employee took a leave of absence.
14	HSD	Administrative Assistant I	10/24/2019			No	Assigned, in initial stages.
15	DOT	Accountant II	10/30/2019			No	Assigned, in initial stages.
16	FINANCE	Treasury Analyst III	11/19/2019			No	Assigned, in initial stages.
17	LIBRARY	Librarian II	12/30/2019			No	Assigned, in initial stages.
18	OFD	Program Analyst I	2/13/2020			No	New assignment.
19	HRM	Benefits Technician	2/21/2020			No	New assignment.
20	OPD	Police Records Supervisor	3/4/2020			No	New assignment.
21	OPD	Police Records Specialist	3/9/2020			No	New assignment.
22	FINANCE	Tax Auditor III	6/5/2020			No	New assignment.

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

ATTACHMENT B

CLASS	DEPT	TITLE	REP	TYPE	NOTES
<b>CLOSED THIS QUARTER (13)</b>					
AP144	CAO	Complaint Investigator III	SC1	SPEC REVISION	Approved at 1/16/20 CSB meeting
SS129	HRM	Human Resource Clerk	TA1	SPEC REVISION	Approved at 1/16/20 CSB meeting
TC117	HRM	Human Resource Technician	TW1	SPEC REVISION	Approved at 1/16/20 CSB meeting
ET121	DOT	Transportation Engineer, Supervising	TM2	SPEC REVISION	Approved at 1/16/20 CSB meeting
TBD	CAO	Veterinary Assistant	TBD	NEW SPEC	Approved at 1/16/20 CSB meeting
TC144	CAO	Registered Veterinary Technician	SD1	SPEC REVISION	Approved at 1/16/20 CSB meeting
PP185	HSD	Head Start/Early Head Start Assistant Instructor	SI1	SPEC REVISION	Approved at 2/20/20 CSB meeting
MA107	OPW	Manager, Capital Improvement Program	UM1	SPEC REVISION	Approved at 5/21/20 CSB meeting
AP326	ITD	Spatial Data Administrator	UM2	SPEC REVISION	Approved at 5/21/20 CSB meeting
AF042	FINANCE	Investment Officer	UM2	SPEC REVISION	Approved at 5/21/20 CSB meeting
AP282	PBD	Planning Investigator	SD1	SPEC REVISION	Approved at 5/21/20 CSB meeting
MA122	OFD	Fire Department Personnel Officer	U31	SPEC REVISION	Approved at 6/18/20 CSB meeting
TBD	HCDD	Rent Adjustment Program Manager, Assistant	TBD	NEW SPEC	Approved at 6/18/20 CSB meeting
<b>SCHEDULED (2)</b>					
TBD	DWES	Director of Workplace & Employment Standards	UK1	NEW SPEC	Scheduled for 7/16/20 CSB meeting
AP384	FINANCE	Retirement Systems Accountant	UM2	SPEC REVISION	Scheduled for 7/16/20 CSB meeting
<b>PENDING MEET &amp; CONFER (8)</b>					
PS180	OFD	Battalion Chief	FQ1	SPEC REVISION	Finalizing proposed spec revisions with department for submission to Local 55 in July
EM122	OPD	Chief of Police	UN1	NEW SPEC	Finalizing revisions with CAO/Police Commission
TR116	OPW	Concrete Finisher	SB1	SPEC REVISION	Local 1021 canceled meetings on 3/16, 4/20 & 5/18; met 6/22; will meet again 7/8
PS184	OFD	Fire Fighter Paramedic	FQ1	SPEC REVISION	Finalizing proposed spec revisions with department for submission to Local 55 in July
PS149	OFD	Lieutenant of Fire	FQ1	SPEC REVISION	Finalizing proposed spec revisions with department for submission to Local 55 in July
TBD	OPD	School Traffic Safety Supervisor	TBD	NEW SPEC	Met with Local 21 on 5/21 & 6/18; will meet again on 7/16
TR186	OPW	Sign Technician I (Traffic Sign Maker)	SC1	SPEC REVISION	Meetings ended 10/19/18 but will resume following conclusion of discussions related to Sign Shop Coordinator.
AP343	OPW	Training and Public Services Administrator	UM2	SPEC REVISION	Met with Local 21 on 6/18; will meet again on 7/16
<b>IN PROGRESS (66)</b>					
AF031	CITYWIDE	Accountant III	UH1	SPEC REVISION	Finalizing proposed spec revisions with departments

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

ATTACHMENT B

CLASS	DEPT	TITLE	REP	TYPE	NOTES
TR203	CAO	Animal Care Attendant	SC1	SPEC REVISION	In the queue for meeting with Local 1021
TBD	CAO	Animal Care Services Supervisor	TBD	NEW SPEC	Department is reviewing proposed draft
TBD	ITD	Application Developer IV	TBD	NEW SPEC	Drafting new class spec
PS104	OFD	Captain of Fire	FQ1	SPEC REVISION	Preparing proposed spec revisions for department review
PS107	OPD	Captain of Police	UN2	NEW SPEC	Collecting job analysis information for draft class spec
EM131	LIBRARY	Chief Curator of AAMLO	UM1	SPEC REVISION	Preparing proposed spec revisions for department review
MA109	CAO	City Administrator Analyst	U31	NEW SPEC	Preparing proposed class spec for department review
AP146	POLICE COMM	Complaint Investigator II	TW1	SPEC REVISION	Department is preparing proposed revisions
TBD	OFD	CORE Instructor, PT	TBD	NEW SPEC	Department reviewing proposed draft
AP400	CAO	CPRA Policy Analyst	UM2	SPEC REVISION	Finalizing proposed spec revisions and title change with department
SC130	OPW	Custodial Services Supervisor I	UH1	SPEC REVISION	Finalizing proposed spec revisions with department
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
TBD	DOT	Director of Transportation, Assistant	TBD	NEW SPEC	Drafting new class spec
PS119	OFD	Engineer of Fire	FQ1	SPEC REVISION	Finalizing proposed spec revisions with department
SS119	OPW	Engineering Intern	UG1	SPEC REVISION	Evaluation project is underway
PP121	OPW	Environmental Services Intern	TW1	NEW SPEC	Evaluation project is underway
SS126	CAO	Executive Assistant to the City Administrator	U31	SPEC REVISION	Finalizing proposed spec revisions with department
EM224	OFD	Fire Division Chief	UU1	SPEC REVISION	Preparing proposed spec revisions for department review
PS129	OFD	Fire Fighter	FQ1	SPEC REVISION	Finalizing proposed spec revisions with department
PS139	OFD	Fire Investigator	FQ1	SPEC REVISION	Preparing proposed spec revisions for department review
EM168	OFD	Fire Marshal (Sworn)	UU1	SPEC REVISION	Finalizing proposed spec revisions with department
IS122	OFD	Fire Suppression District Inspector	SC1	SPEC REVISION	Met with Local 1021 on 6/17/19; pending
SC160	HSD	Head Start Supervisor	UH1	SPEC REVISION	Finalizing proposed spec revisions with department
TBD	HSD	Home Base Visitor	TBD	NEW SPEC	For introduction at 11/18/19 Local 1021 meeting
TBD	HSD	Home Base Visitor, Supervising	TBD	NEW SPEC	For introduction at Local 21 mtg 11/21 or 12/19

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

ATTACHMENT B

CLASS	DEPT	TITLE	REP	TYPE	NOTES
AP214	LIBRARY	Librarian I	SD1	SPEC REVISION	Preparing proposed spec revisions for department review
AP217	LIBRARY	Librarian II	SD1	SPEC REVISION	Preparing proposed spec revisions for department review
AP220	LIBRARY	Librarian, Senior	SD1	SPEC REVISION	Preparing proposed spec revisions for department review
AP221	LIBRARY	Library Aide	SD1	SPEC REVISION	Preparing proposed spec revisions for department review
AP223	LIBRARY	Library Assistant	SD1	SPEC REVISION	Preparing proposed spec revisions for department review
AP224	LIBRARY	Library Assistant, Senior	SD1	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
SS140	LIBRARY	Literacy Assistant	SD1	SPEC REVISION	Preparing proposed spec revisions for department review
SS141	LIBRARY	Literacy Assistant, Senior	SD1	SPEC REVISION	Preparing proposed spec revisions for department review
SS142	CITYWIDE	Management Intern	TA1	NEW SPEC	Evaluation project is underway
SS153	CITYWIDE	Office Assistant II	SD1	SPEC REVISION	Preparing proposed spec revisions for department review
TR164	OPD	Parking Control Technician	SC1	SPEC REVISION	In the queue for meeting with Local 1021
AF025	FINANCE	Parking Meter Collector	SD1	SPEC REVISION	Preparing proposed spec revisions for department review
TBD	FINANCE	Parking Meter Collector, Senior	TBD	NEW SPEC	Drafting new class spec; need union meeting date
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.
ET130	PBD	Permit Technician I	SD1	SPEC REVISION	Finalizing proposed spec revisions with department
ET131	PBD	Permit Technician II	SD1	SPEC REVISION	Finalizing proposed spec revisions with department
SS164	CITYWIDE	Planning Intern/Housing Intern	UG1	SPEC REVISION	Evaluation project is underway
PS161	OPD	Police Cadet	UG1	NEW SPEC	Draft developed; pending supervisor review & department feedback
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
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
AP290	PBD	Process Coordinator II	SD1	SPEC REVISION	Finalizing proposed spec revisions with department
SC202	PBD	Process Coordinator III	TW1	SPEC REVISION	Finalizing proposed spec revisions with department
EM200	FINANCE	Purchasing Manager	UM1	NEW SPEC	Drafting new class spec
AF059	FINANCE	Revenue Analyst, Principal	UM2	SPEC REVISION	Finalizing proposed spec revisions with department
PS179	OPD	Sergeant of Police	PP1	NEW SPEC	Collecting job analysis information for draft class 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
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
SS195	CITYWIDE	Student Trainee	UG1	SPEC REVISION	Evaluation project is underway
TR185	OPW	Traffic Painter	SB1	SPEC REVISION	Preparing proposed spec revisions for department
TR187	DOT	Transportation Planner, Senior	UM2	SPEC REVISION	Finalizing proposed spec revisions with department
TR188	OPW	Tree High Climber	SC1	SPEC REVISION	Received proposed spec revisions from department; under review prior to submission to union
AP348	EWD	Urban Economic Analyst III	TW1	SPEC REVISION	Preparing proposed spec revisions for department review
TBD	OFD	US&R Instructor, PT	TBD	NEW SPEC	Department reviewing proposed draft.
<b>PENDING ASSIGNMENT (13)</b>					
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
TR120	OPW	Custodian	SC1	SPEC REVISION	Discussion about revising MQs
EM220	PBD	Director of Building & Planning	UK1	NEW SPEC	Pending analyst assignment
EM230	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
EM264	DOT	Director of Transportation	UK1	NEW SPEC	Pending analyst assignment
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
SS126	CAO	Executive Asst to the City Administrator	U31	SPEC REVISION	Draft pending CAO approval
NEW	CAO	Neighborhood Services Program Manager	TBD	NEW SPEC	Pending analyst assignment
AP340	ITD	Telephone Services Specialist	IE1	SPEC REVISION	Awaiting proposed spec revisions from department



CITY OF OAKLAND

# *STAFF REPORT*

**DATE:** July 16, 2020

**TO:** THE HONORABLE CIVIL SERVICE BOARD

**FROM:** Vadim Sidelnikov, Deputy City Attorney

**SUBJECT:** Update Regarding Board Membership Status

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This is a report to provide information to the members of the Civil Service Board (“Board”) regarding current membership status.

## **Background**

Members of the Board are appointed by the Mayor and confirmed by the City Council pursuant to Ordinance No. 8979 as amended by Ordinance No. 11777. Generally, a Board member is appointed for a three-year term. (See Ord. No. 11777.) Furthermore, Ordinance No. 11777 applied a limit that prevents a board member from serving more than two consecutive terms.

These terms and limits should be codified in Section 2.08.030.A. of the Oakland Municipal Code. In recent review of the Municipal Code, staff discovered that Ordinance No. 11777 was never codified upon its adoption. As such, there exists a discrepancy in the Municipal Code and the law governing appointments of Board members. Staff intends to remedy this discrepancy in the near future and update the Municipal Code pursuant to the provision of Ordinance No. 11777.

## **Holdovers**

A Board member continues his or her service on the Board until such time that he or she resigns or the Mayor selects his or her replacement. (See Muni. Code § 106; Gov. Code, § 1302 “[e]very officer whose term has expired shall continue to discharge the duties of his office until his successor has qualified.”) A Board member whose term has expired but whose replacement has yet to be selected continues his or her service as a “holdover.” This is essentially an extension of the term and the Board members maintains his or her ability to participate in the meetings and the decision-making process until the appointment and confirmation of a replacement.

## **Current Board Member Status**

There are currently seven members serving on the Board. The status of each member is presented in the table below. The table also outlines the terms previously served by each member and notes whether or not a Board member has reached her or his limit of serving two consecutive terms.

**CIVIL SERVICE BOARD**

Subject: Update Regarding Board Membership Status

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Board Member	Current Status	Terms	Term Limit
Chair Gourdine	Holdover	1 <sup>st</sup> (2012-2015 <sup>1</sup> ); 2 <sup>nd</sup> (2015-2018)	Yes
Vice Chair Johnson	Holdover	1 <sup>st</sup> (2014-2017); 2 <sup>nd</sup> (2017-2020)	Yes
Member Baranco	Holdover	1 <sup>st</sup> (2014-2017); 2 <sup>nd</sup> (2017-2020)	Yes
Member Hudson-Harmon	Member	1 <sup>st</sup> (2015-2018); 2 <sup>nd</sup> (2018-2021)	Yes
Member Williams	Member	1 <sup>st</sup> (2015-2018); 2 <sup>nd</sup> (2018-2021)	Yes
Member Martinez	Holdover	1 <sup>st</sup> (2017-2020)	No
Member Levin	Member	1 <sup>st</sup> (2018-2021)	No

Chair Gourdine, Vice Chair Johnson, Member Baranco, and Member Martinez are all currently serving in “holdover” status. Of the four, Member Martinez is the only one eligible for reappointment given the limit on serving more than two consecutive terms. All members may continue to serve on the Board until such time that the member finishes her or his term and the Mayor appoints a replacement and the Council confirms the selection, or upon such time that a member resigns.

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<sup>1</sup> All terms begin on May 5 of a given year and terminate on May 4 of a given year.