

**CITY OF HAYWARD**  
**PERSONNEL AND AFFIRMATIVE ACTION COMMISSION**

November 8, 2007 at 5:30 p.m.

Hayward City Hall  
777 B Street  
Conference Room 4A

**Agenda**

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENTS** *(Note: THE PUBLIC COMMENTS section provides an opportunity for citizens to address the Personnel and Affirmative Action Commission on items not listed on the agenda. The Commission welcomes your comments under this section, but is prohibited by State law from discussing items not listed on the agenda. Your item will be taken under consideration and referred to staff.)*

**APPROVAL OF MINUTES**

1. Approval of minutes for regular meeting of October 11, 2007 (Action)

**REPORTS**

2. City Council Liaison (Information)
3. Human Resources Director's Report

**NEW BUSINESS**

4. Job Descriptions
  - a) Laborer (approval with revisions)
5. Review of Human Resources Director's Certification of Eligible Registers, (Previous Adoption Dates), (Action)
  - a) Administrative Clerk II (2007)
  - b) Animal Control Officer (2007)
  - c) Communications Operator (2007)
  - d) Crime Prevention Specialist (2007)
  - e) Fire Prevention Inspector (2004)
  - f) Laborer (2007)
  - g) Senior Library Page (2007)
  - h) Senior Utility Leader (2000)
6. Extension of Eligible Registers, (Action)
  - a) Community Preservation Inspector (1<sup>st</sup> Extension, 6 mos)
7. Future Agenda Topics/General Comments



Holly Brock-Cohn  
Human Resources Director

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**CITY OF HAYWARD  
PERSONNEL AND AFFIRMATIVE ACTION COMMISSION  
777 "B" Street  
Hayward, California 94541-5007**

**MINUTES**

**Thursday, October 11, 2007**

A regular meeting of the City of Hayward Personnel and Affirmative Action Commission was called to order at 5:45 p.m. on Thursday, September 13, 2007, at Hayward City Hall, Conference Room 4A, by Chair John Vukasin. The Pledge of Allegiance was led by Commissioner Kassouf.

**HUMAN RESOURCES DEPARTMENT STAFF**

Holly Brock-Cohn, Human Resources Director  
Phil Williams, Sr. Human Resources Analyst/Affirmative Action Specialist  
Chris Oshiro, Human Resources Analyst II  
Dave Harding, Human Resources Analyst II, Training Manager  
Cecelia Cooke, Human Resources Administrative Secretary

**CITY COUNCIL**

Olden Henson.

**ABSENT**

Gary Steinberger.

Attendance	<b><u>REGULAR MEETINGS</u></b>			<b><u>SPECIAL MEETINGS</u></b>	
	<b>Present This Meeting</b>	<b>Present to Date This Fiscal Yr.</b>	<b>Absent to Date This Fiscal Yr.</b>	<b>Present to Date This Fiscal Yr.</b>	<b>Absent to Date This Fiscal Yr.</b>
John Vukasin (chair)*	X	3	0	0	0
Rocky Fernandez	X	2	1	0	0
Janet Kassouf	X	3	0	0	0
Gary Steinberger	X	2	1	0	0
Steve Bristow	X	3	0	0	0
Julius Willis	X	3	0	0	0

X = present, O = absent

**PUBLIC COMMENTS**

Chair Vukasin welcomed Dave Harding, Human Resources Analyst and Trainer, and Mike Higaes, Public Works, Utilities Superintendent.

**APPROVAL OF MINUTES**

- Approval of Minutes for the regular meeting of September 13, 2007; (Action)  
Minutes were approved. (Willis/Bristow); (4-0-0)

Commissioner Willis said he did not see his request for customer service and stress management with the training information in the packet. Holly Brock-Cohn said it would be addressed in the Training Update.

**REPORTS**

2. **City Council Liaison, Olden Henson, (Information)**  
Councilmember Henson announced the grand opening of the 18-hole golf course at Stonebrae Country Club, scheduled for October 12, 2007.

Councilmember Henson showed the Commission a report from Cal State East Bay, titled HIRE. This report shows the demographics, economic, and business indicators of Hayward. This is a follow-up to the discussion regarding education at the last meeting. In 2007 Hayward residents had one of the lowest levels of educations in Alameda County; 11.3% had a ninth grade or less education, 13.7% had some high school, and 25.7% a high school diploma. Hayward also has below average funding. He gave the Commission the website to review, [www.hire.csueastbay.edu](http://www.hire.csueastbay.edu) and encouraged everyone to read the document.

Action: Human Resources will email the Commission the link and provide hard copies to the Commission.

3. **Human Resources Director's Report**

- a) Holly Brock-Cohn said she will add this item to each Agenda to discuss previous issues not resolved from other meetings.

Holly Brock-Cohn updated the Commission on the issue of the 20 lb. lifting requirements for the Transportation Manager and the Assistant City Engineer job descriptions that were discussed at the September meeting. Ms. Brock-Cohn said this cannot be changed, due to the ADA (American Disabilities Act) requirements. HR has to look at each job individually, to determine the essential job functions and determine what particular requirements are required for a particular position. Not all positions call for the same requirements. The idea of ADA is to not exclude anyone from being eligible for a position and only requires that a potential candidate meet the minimum requirements for that position.

The Commission still had questions in regards to whether 20 lbs. is realistic and also about worker's compensation issues if an employee lifts something heavier than the required weight limit. Ms. Brock-Cohn said some positions require pre-employment physicals to make sure they can perform the requirements of a particular position, especially the more strenuous jobs. Ms. Brock-Cohn told the Commission the City is fully self-insured and has a third party administrator to review the job specs with ADA.

Ms. Brock-Cohn said HR is now adding ADA requirements to all job descriptions.

- b) Commission Vukasin requested that the Commission be notified about any personnel issues before they are published in the newspaper, such as harassment issues.

Ms. Brock-Cohn said HR tries to resolve personnel issues before they get to that level through meetings with the employees.

Ms. Brock-Cohn said if things come up that are not of a personal or sensitive nature, HR will share general information with the Commission. Ms. Brock-Cohn said she checked with the Labor Attorney in the City Attorney's office, and the Commission can attend a closed session where an employee has appealed a disciplinary action. The Brown Act's provision for closed session is that the City Attorney, City Manager, and City Council can litigate in closed sessions; therefore it goes into a gray area as to whether the Commission can attend some of the closed sessions.

Councilmember Henson said that 99.9% of issues will not be able to go before the Commission because they are sensitive in nature. There are often outside attorneys involved.

As an update, Ms. Cohn told the Commission that an outside consultant, Marilyn Manning, has been hired to assist in working to resolve employee issues at the Police Department. Ms. Brock-Cohn, the Acting City Manager, and Ms. Manning all met with the employees to get their feedback and concerns. These strategic planning meetings with Ms. Manning will most likely go on for several months.

Action: Commission Vukasin thinks the Police Department meetings are a positive step forward, but would still like to be informed of any issues before they are published in the newspaper in order to be a functional Commission.

Action: HR will bring to a future meeting the sexual harassment tape which Commissioner Bristow said is excellent. HR will also provide statistics regarding harassment as to what type of complaints and resolutions to see what the trend is at a future meeting.

Commissioner Fernandez joined the meeting at 6:10 p.m.

#### NEW BUSINESS

4. Job Descriptions
  - a) Laborer (approval with changes)

This item was tabled from last month's meeting due to the Commission's concern with the level of education required for the position.

Ms. Brock-Cohn discussed the chart provided in the packet showing the positions in the City that require less than a high school equivalent education. HR will review each job spec as new job openings come up and update the education requirements. For example, if it is decided to make the positions at least high school level, then HR could change those as they come up. Otherwise, HR could continue to bring to Commission

on a case-by-case basis. Most people who apply do have a high school education.

Mike Higare, Public Works, Utilities Superintendent, was introduced to discuss the education requirements for Laborer. He said that six years ago the State of California imposed a requirement that anyone who works in or on a water system has to be certified, and they are now called Distribution Operators. The certificates range from D1 (lowest) to D5 (highest). The applicants have to take a written exam to get the D1 Certificate, which requires a high school diploma or the equivalent or take a specialized course. The specialized course is heavy in high school level math such as algebra and geometry, which is above an eighth grade level. Currently about 85% of the Laborers at the City are certified. The 15% who are not certified is due to their lack of math skills. The goal is to get everyone certified, and the City pays for training.

Streets, Maintenance, and Landscaping do not have the same education level concerns as Water.

The Commission discussed the education requirement and is concerned that this higher education level requirement closes the door to many people seeking jobs as a Laborer. It was discussed that possibly the Laborer position for Water could be a high school education or equivalent, but an eighth grade education for Streets, Landscape, and Maintenance would be sufficient.

Ms. Brock-Cohn said HR could put in the requirements that a higher education level is required for Utilities/Water. Some positions HR will advise the Commission that certain education levels cannot be lowered.

Commissioner Bristow made a Motion to keep the City of Hayward's Laborer job description requirement at eighth grade level.

Commissioner Willis seconded the Motion. Commission approved 4-0-0.

Action: HR Staff will bring Laborer back to next meeting with change back to eighth grade education.

**b) City-wide Education Requirements**

Commissioner Kassouf left meeting at 6:30 p.m.

**5. Training Update**

Dave Harding, Training Coordinator, gave an overview of the training program. The various types of trainings are computer, sexual harassment, supervisor's training, stress management, and a class called "Fish", which addresses customer service. There are also computer classes in Word, Excel, etc. Sexual harassment is mandatory for each employee to take at least once, and the Admin Rule says everyone should take annually

thereafter. State law mandates that Supervisors and above take the class every two years. Mr. Harding keeps the needs of the City and the employees in mind when planning these classes. Two new trainings coming up are employee benefit's training and a class called "Working with You is Killing Me", which will assist employees in getting along with co-workers. Some of the training classes have guest speakers, and Mr. Harding goes to other agencies to train as well. There are also opportunities for education reimbursements for training based on the MOU's. Online classes will be available soon.

Mr. Harding also assists other departments with employee issues by facilitating discussions among the parties.

6. Review of Human Resources Director's Certification of Eligible Registers (Previous Adoption Dates), (Action)
  - a) Apparatus Operator (2006)
  - b) Lateral Police Officer (2007)
  - c) Police Lieutenant (2005)
  - d) Police Officer Trainee (2007)
  - e) Water Meter Reader (2004)

Moved to Approve New Eligible Registers; (Bristow/Willis) (4-0-0)

7. Extension of Eligible Registers, (Action)
  - a) Police Officer Trainee (2<sup>nd</sup> Extension, 6 mos)

Moved to Approve Extension of Eligibility Lists; (Willis/Fernandez); (4-0-0)

8. Future Agenda Topics/General Comments

Commissioner Bristow asked if different positions can be hired from a single eligibility list.

Ms. Brock-Cohn said yes if it is in a series and the most common is clerical positions. For example, a Department could hire a Secretary from a Senior Secretary or Administrative Secretary list.

9. Adjournment at 7:40 p.m.

The next regularly held meeting will be Thursday, November 8, 2007, at 5:30 p.m. at Hayward City Hall, Conference Room 4A.

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