



CITY OF
HAYWARD
HEART OF THE BAY

**CITY OF HAYWARD
PERSONNEL COMMISSION**

Regular Meeting

January 8, 2015

5:30 p.m. Room 2A

Hayward City Hall

777 B Street

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS *(Note: THE PUBLIC COMMENTS section provides an opportunity for citizens to address the Personnel 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

- I. Approval of Minutes for Regular Meeting January 8, 2015 (Action)

REPORTS

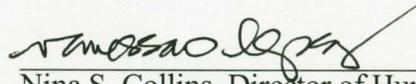
- II. City Council Liaison (Information)
- III. Director of Human Resources (Information)

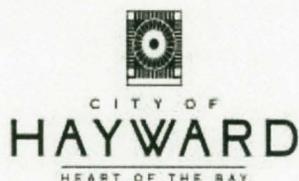
NEW BUSINESS

- IV. Job Descriptions
 - A. Operations Support Services Manager
 - B. Chemist
 - C. Supervising Building Inspector
 - D. Lead Library Assistant
- V. Revised Salary and Classification Plan
 - A. Chemist
 - B. Deletion of 9 Job Classifications
- VI. Recruitment Diversity Report (Oral Report)
- VII. Personnel Commission Goals
- VIII. Election of Chair and Vice Chair (Vote)

IX. Future Agenda Topics/General Comments

X. Adjournment

 For: _____
Nina S. Collins, Director of Human Resources



**CITY OF HAYWARD
PERSONNEL COMMISSION
DRAFT MINUTES
Regular Meeting
Thursday, November 13, 2014
Room 2A**

A regular meeting of the City of Hayward Personnel Commission was called to order at 5:36 pm on Thursday, November 13, 2014 at Hayward City Hall, Conference Room 2A, followed by the Pledge of Allegiance.

HUMAN RESOURCES DEPARTMENT STAFF

Nina Collins, Acting Director of Human Resources
Sarah Monnastes, Senior Human Resources Analyst

CITY COUNCIL

Council Member Marvin Peixoto

OTHERS PRESENT

Stacey Bristow, Deputy Director of Development Services
Seema Vashi, Deputy City Attorney
Pam Covington, Representative, Local 21
Cheryl Penick, President, Local 21

Attendance	<u>REGULAR MEETINGS</u>		<u>SPECIAL MEETINGS</u>		
	Present 11.13.2014 Regular Meeting	Present to Date This Fiscal Yr.	Absent to Date This Fiscal Yr.	Present to Date This Fiscal Yr.	Absent to Date This Fiscal Yr.
Steve Bristow	X	2	0	1	0
Satyendra Kaith	O	1	1	1	0
Tony Beaman	X	1	0	1	0
Crystal Porter **	X	2	0	1	0
Justin King	X	1	0	0	1
Doris Yates	X	2	0	0	1
Marie Amboy	O	0	2	1	0

X = present O = absent
* Chair is currently vacant.
** Vice Chair

PUBLIC COMMENTS

Ms. Covington explained that she was in attendance to speak on the deletion of job classifications from the City's classification plan. Ms. Covington noted that the matter was subject to the meet and confer process, as the positions fall under the bargaining unit. She clarified that the Union was not attesting the deletions, but rather the principle of the meet and confer process. Ms. Covington continued that when the Union was originally contacted by the Union, there were three positions that were incorrectly going to be deleted, and were it not for the discussion that occurred between her and Sarah Monnastes, Senior Human Resources Analyst, the positions would be incorrectly deleted today. She asked that the Commission direct the Human Resources Department to engage in the meet and confer process with Local 21.

APPROVAL OF MINUTES

I. Approval of September 18, 2014 Special Meeting Minutes (Action)

(M/S/P) (2-0-2) Approved. Commissioners King and Yates abstained.

REPORTS

II. City Council Liaison (Information)

Council Member Peixoto updated the Commission on the Council's recent activities, including an audit on CDBG funding, which will be funding a few transportation based projects. He also discussed movement with the Waste Management contract, which includes updated language and a higher return on investment. Council Member Peixoto also spoke to Proposition 47, which was opposed by council, and his concerns with the strain it would put on Hayward's public safety members.

III. Human Resources Director (Information)

Acting Director Collins began by welcoming the newest Commissioner, Commissioner King, to his first Commission meeting. She began by informing the Commission of the internship pilot program that the Human Resources department was starting with Impact Academy, as well the department's application for a grant with the Hayward Adult School to work with individuals with employment barriers. Acting Director Collins expanded on the Impact Academy High School intern, who would be job shadowing the department and working on projects. She stated that she is trying to expand the program to other departments as they gear up for the next school year.

Acting Director Collins also informed the Commission of the upcoming City of Hayward job fair on March 7th. She noted the shift in focus to be a sponsored event by the City, as the City would be hosting companies in Hayward in addition to highlighting City of Hayward Jobs. She asked the Commission for their participation in the fair for resume review, as well as feedback for the job fair.

Lastly, Acting Director Collins stated that the Human Resources Department was currently recruiting for a Senior Human Resources Analyst, as the previous analyst, Julie Guimond, has accepted other employment.

NEW BUSINESS

IV. Job Descriptions

Permit Technician

Stacey Bristow, Deputy Director of Development Services, provided an overview of the Permit Technician job specification and answered questions.

(M/S/P) (Porter/ Yates) Approved.

Supervising Plan Checker/Expeditor

Stacey Bristow, Deputy Director of Development Services, provided an overview of the Supervising Plan Checker/Expeditor job specification and answered questions.

Commissioner King noted that there was a typo under the Essential duties, where the word “insures” should be “ensures”.

(M/S/P) (Porter/Yates) Approved with noted edit.

Call Taker

Acting Director Collins provided an overview of the Call Taker job specification and answered questions.

Commissioner Porter expressed concerns that emergency calls would shift focus from the Communications Operator to the Call Taker. Acting Director Collins explained that the calls that would be taken by the Call Takers would be non-emergency calls, as they are not qualifying. Commissioner Porter suggested that the Essential qualification be clear to distinguish the processing duties of the call takers to only non-emergency calls and not to emergency calls.

Commissioner Porter noted that the language of the job related knowledge should include “ability to learn”, as this position is an entry level position. Commissioner King suggested that bilingual skills desirable should be included, as they will receive calls in different languages.

Commissioner Bristow expressed his concerns with the title of the position, as he noted that “Call Taker” doesn’t capture all of the noted job duties. He also expressed his desire to make the position a flexibly staffed position to the Communications Operator. Acting Director Collins noted it was not an automatic flex to the Communications Operator position, but rather that the Call Taker was a training opportunity for advancement. She stated that candidates would still need to go through the recruitment process. Commissioner Bristow commented that in his experience, a flexibly staffed position would be a better mechanism for filling the vacant Communication Operator positions. Acting Director Collins asked the Commission if Commissioner Bristow could assist with future changes on this job description, who agreed.

Acting Director Collins will table this job request in order to meet with the department to discuss concerns and report updates to the Commission.

Family Counselor I

Acting Director Collins provided an overview of the Family Counselor I job specification and answered questions.

(M/S/P) (Porter/Yates) Approved.

Groundskeeper III

Sarah Monnastes, Senior Human Resources Analyst, provided an overview of the Groundskeeper III job specification and answered questions.

Commissioner King noted that there was a spelling typo of the word “routine” in the definition section. He also noted that under the distinguishing characteristics, “citizens complaints” should be made singular, and that there was a typo under the Essential duties, where “poser” should be “power”. Commissioner Porter noted that another typo under the Essential Duties where “participate” should be changed to “participates”, to keep with the verb tense of the document.

M/S/P) (Porter/Amboy) Approved with noted edits.

Lead Library Assistant

Sarah Monnastes, Senior Human Resources Analyst, provided an overview of the Lead Library Assistant job specification and answered questions.

Commissioner Yates suggested that under the Job Qualifications, any sentences referring to general contact and int

eraction with the public be reordered to put the public first, volunteers second and coworkers last, as the general public was the priority. Commissioner Yates also asked why the Lead Library Assistant would need to do math, as under the Knowledge of section, math was needed at the 12th grade proficiency.

Acting Director Collins will table this job request in order to meet with the department to discuss concerns and report updates to the Commission.

Volunteer Program Assistant

Sarah Monnastes, Senior Human Resources Analyst, provided an overview of the Volunteer Program Assistant job specification and answered questions.

Commissioner Yates noted that under the “Ability To” section, “unpaid volunteer” needed to be changed to “paid volunteer”, as most volunteers are unpaid. She also noted spacing problem under Licenses and Certificates. Commissioner Beaman noted that the language in the “Ability to” section should be updated to include the computer programs that the City uses.

Commissioner Bristow asked a question regarding how many volunteers were at the Library, and suggested the title be changed to coordinator to better reflect the duties of the position, if they will be supervising and coordinating the volunteers. Acting Director Collins stated that she would need to confirm with the Library and Community Services Director as to the title, and will recommend changes to the Commission if necessary.

(M/S/P) (Bristow/Porters) Approved with noted changes.

Administrative Clerk I/II

Sarah Monnastes, Senior Human Resources Analyst, provided an overview of the Administrative Clerk I/II job specification and answered questions.

Commissioner Beaman noted that the language in the "Ability to" section should be updated to include the computer programs that the City uses. Commissioner King noted there were formatting and spacing errors throughout the document. Commissioner Porter noted that one sentence in the "Essential Duties" too closely mimicked a sentence in the "Ability to" section, and therefore should be deleted. She also commented that as this was an entry level position, the "Ability to" section should include the word "learn" on those qualifications that the incumbent could learn while in the position.

Commissioner Yates suggested that an essential duty be rewritten to "assists in the enrollment of participants of participants in various assigned programs." She noted that there were various formatting and spacing errors throughout the document, and the "Ability to" section needed to include "Ability to Learn", as the Administrative Clerk I position is an entry level position. She noted that under the "Essential Duties", one sentence regarding assisting with assigned programs be rewritten to state that the Administrative Clerk I and II would be assisting members of the public in the enrollment of participants in various assigned programs.

(M/S/P) (Bristow/Porter) Approved with noted changes.

V. Revised Salary and Classification Plan

Acting Director Collins discussed the changes in the salary plan. She began by acknowledging that the City reached out to the Unions to discuss the changes in the job specifications.

Seema Vashi, Deputy City Attorney, clarified the meet and confer process, and stated that the City has an obligation to meet with any bargaining group if changes were proposed by the City that affects the Union members pay, hours, or working conditions. The deletions to the salary plan, however, are vacant and therefore would have no impact directly on members of the unit. As a result of the deletions of these positions, no work is being impacted on any members and therefore there is no obligation by the City to meet and confer on the changes to the classification plan.

Commissioner Bristow asked to clarify if the positions were no longer funded, as approved by the Council. Acting Director Collins confirmed that the positions are not funded, but they are frozen. Commission Bristow asked if the positions were left in the department budgets should the need arise to reinstate the positions.

Acting Director Collins clarified that they are not still in the department budgets and that most positions had not been used in many years or had been re-classified to other positions. She further explained that a big motivating factor in the update was due to the recent move to the Munis system, and that by deleting the unused classifications, the Human Resources Department would be decreasing their error margin as they work with the new system. She noted that the job specifications would be kept on file, should the position need to be reinstated.

Commissioner Porter asked Pam Covington, Local 21 Representative, how long Local 21 knew about the changes that were presented today. Ms. Covington stated that the revised document before the Commission she had just received today.

Sarah Monnastes, Senior Human Resources Analyst, noted that the only differences in the new document were the exclusion of three positions agreed upon with the Union, and the classification and salary plan was updated to reflect that change.

Commissioner Porter expressed her concerns that the Union had to contact the Human Resources Department in order to revise the salary and classification plan, and no attempt to meet was made. Acting Director Collins noted that the Human Resources did reach out to the Union, and that based on the review, Local 21 reached out to voice their concerns. She noted the Human Resources Department acknowledged that they were correct and therefore made the changes.

Ms. Covington explained that there was never a meet and confer process and that the Union reached out to Human Resources with the intent to meet and confer. Ms. Covington stated that she and Sarah Monnastes agreed to disagree regarding whether or not to meet and confer, but Ms. Covington clarified that the Union was upset because the City never offered the opportunity to meet and confer. She noted that had there been no discussion with the City regarding these classification, the Personnel Commission would not have correct information, and therefore the meet and confer processes is an important opportunity for the Union to weigh in on matters pertaining to their bargaining unit.

Commissioner Porter appreciated that the Union was able to meet with Human Resources, but stated that the Commission does not have authority to direct Human Resources to meet and confer, as those judgments are made by the City Attorney. However, she did recognize that there was an opportunity for the Union and the City to make positive change to work together.

Commissioner Bristow informed the Commission that in past, the Commission has directed Human Resources to continue the meet and confer process when approving anything in regards to the Union's classifications, as these have been issues that the Union has wanted to discuss. Commissioner Bristow stated that it was a meet and confer issue and that although the City and the Union did not have to agree to anything during a meet and confer discussion, the meet and confer process needed to be upheld. He noted that while there are no salaries impacted, and no jobs at risk, the City needs to fulfill its obligations and continue to meet and confer on the job descriptions.

Seema Vashi, Deputy City Attorney, clarified to the Commission the difference between meet and confer under the Meyer-Milias-Brown Act versus an informal discussion about items with a Union. She explained that under the Meyer-Milias-Brown Act case law, if there is no adverse impact to a bargaining unit, then the issue is not subject to a meet and confer. She further explained that the City still has the ability to give notice and engage in informal discussions with the Union for issues that do not fall under the meet and confer process by law, and the deletion of classifications would be an example of an informal discussion, as the deleted classifications have no impact on the bargaining unit at all.

Commissioner Bristow expressed his concern that the Union is still unhappy and the matter is a meet and confer issue under the Meyer-Milias-Brown Act. He stated that there was no harm in the City being directed by the Commission to meet with the Union, and that even if an agreement was not made, the process would still be upheld. He contended that the positions were traditionally represented by Local 21 and therefore time to meet and confer should be set aside in order to listen

to concerns they might have. He continued that Commission instructed Human Resources to meet with the Union regarding the Librarian I position, and although they did not agree, the Commission recognized that steps were made to meet and confer and approved the position.

Commissioner Porter asked Ms. Covington to clarify if the Union was at the Commission to contest the deletion of the classifications or to contest the meet and confer principle. Ms. Covington explained that while the Union has had a chance to review the classification deletions, the Union has not yet had the opportunity to go through the meet and confer process. She continued that she will be reaching out to her membership and needs an explanation as to why the positions are being deleted. Commissioner Yates asked Ms. Covington why the Union felt they needed to have a discussion if the positions are being deleted from the classification because they are unfunded and vacant.

Ms. Covington gave the example of the Police Identification Specialist, where the position was kept because the Police Chief had requested to do so. Acting Director Collins agreed that the Police Chief wanted to keep the position, but noted that should the deletions to the classification plan have been approved by the City Council, the Human Resources team would come back before the Commission to reinstate as necessary. She continued that most positions had not been occupied for at least two years, and there was no sense in carrying over vacant, unused positions in the Munis system. Acting Director Collins confirmed that communication with the Union is valued and if the matter was deemed a true meet and confer, Human Resource would not take any action on the classifications. However, because there was no impact to anyone in the current position and no impact to the bargaining group, therefore making the matter not a meet and confer.

Commissioner Bristow reiterated that he wished that Human Resources would meet with the Union to discuss the deletions in order to improve relations with the Union. Commissioner Porter asked that the Human Resources Department make the effort to meet with the Union and bring the revised deletion list back to Commission for approval. Acting Director Collins asked that the Commission move forward with approving the other classifications listed for deletion, and Human Resources will meet with the Union and discuss the Local 21 positions.

(M/S/P) (Bristow/Porter) Recommended for Council Approval with the exception of the Local 21 positions.

VI. Recruitment Diversity Report (Oral Report)

Acting Director Collins explained to the Commission the purpose of the Recruitment Diversity Report in reporting to Commission candidate diversity tracking during the hiring process, and provided an overview of the report. An oral report was given on 8 recruitments:

- Senior Planner
- Supervising Plan Checker/Expediter
- WPCF Lead Operator
- Sustainability Technician
- Associate Transportation Planner
- Family Counselor I
- Animal Control Officer
- Lateral Communications Operator

VII. Ethnicity and Employment Demographic Report (Oral Report)

Acting Director Collins provided an overview of the report, which assessed the City of Hayward's employees to the Census data of the City, and that of other cities. An oral report was given on 6 topics:

- Citywide Employee Data by Gender
- Citywide Employee Data by Ethnicity
- Police Department by Gender
- Police Department by Ethnicity
- Fire Department by Gender
- Fire Department by Ethnicity

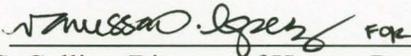
Commissioner Porter asked if the data for the police departments was for only sworn or for the entire departments. Acting Director Collins stated that she will be following up to confirm if the data is for sworn officers. Commissioner Porter expressed her concerns that compared to other cities, Hayward still had more work to do. She thanked the Human Resources Department for the report.

VIII. Future Agenda Topics/General Comments

1. A suggestion was made to conduct a confidential survey/assessment to collect feedback from the panel after the oral board interviews to gain insight into the process and see how it could be improved.
2. Discussion of additional points in recruitment tests for Hayward Residents.
3. Acting Director Collins would like to review the goals of the Commission at the January meeting, in order to adjust as necessary.
4. Discussion of contracting for a Diversity Officer to assist with recruitment diversity. Commissioner Porter would like to explore what a Diversity Officer could bring and research how this position would be able to increase diversity in those departments that are not as diverse.
5. Discussion of how the City of Hayward advertises and attracts applicants for City employment.
6. Discussion of internship opportunities and outreach efforts to coordinate with Chabot and Cal State East Bay.

IX. Adjournment

Meeting was adjourned at 7:34 pm.


Nina S. Collins, Director of Human Resources