



CIVIL SERVICE BOARD MEETING AGENDA

Date: March 18, 2021

Open Session: 5:30 p.m.

Location: Via Zoom

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
Sally Nguyen, Counsel to the Board
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 Counsel to the Board 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/86350241398?pwd=Tk5lVHRuUUwSTEFueHVKRjNlZWk5GQOT09>
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
Webinar ID: 863 5024 1398 (Note: Password "CSB318" may be required to connect.)
- 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 +1 346 248 7799 or +1 253 215 8782 or +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799

Webinar ID: 863 5024 1398 Passcode: 325020

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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If you have any questions, please email Greg Preece, Human Resources Manager at 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.**

2) APPROVAL OF THE MARCH 18, 2021 CIVIL SERVICE BOARD MEETING AGENDA ACTION

3) UPDATES, SECRETARY TO THE BOARD INFORMATION

4) CONSENT CALENDAR: ACTION

a) Approval of Provisional Appointments (2)

- Department of Transportation (2)

b) Approval of Employee Requests for Leave of Absence (2)

- Oakland Police Department (2)

c) Approval of Revised Classification Specifications (0)

- There are no classification specifications on consent this month.

5) OLD BUSINESS:

- a) Approval of February 18, 2021 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
- There is no report available this month.
- d) Update on Common Class Study INFORMATION
- e) Deputy Director of Workplace and Employment Standards – Approval of Amended Classification Specification ACTION

6) NEW BUSINESS:

- a) City Council Zero Tolerance Policy Legislation INFORMATION
- b) Update regarding Measure Q Hiring Efforts INFORMATION
- c) Approval of New Classification Specification for Manager, Capital Contracts (formerly Manager, Contract & Employment Services) ACTION

7) OPEN FORUM**8) ADJOURNMENT**

NOTE: The Civil Service Board meets on the 3rd Thursday of each month. The next meeting is scheduled to be held on Thursday, April 15, 2021. All materials related to agenda items must be submitted by Thursday, April 1, 2021. For any materials over 100 pages, please also submit an electronic copy of all materials.

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

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Oakland, CA 94612
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或致電 (510) 238-3112 或 (510) 238-3254 TDD/TTY



CITY OF OAKLAND

MEMORANDUM

DATE: March 18, 2021

TO: The Honorable Civil Service Board **FROM:** **Mary Ann Gonzales**
Human Resource Analyst

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

THROUGH: Greg Preece, Human Resources Manager

SUBJECT: Request for Provisional Appointment in Classification of **Concrete Finisher** to be ratified at Civil Service Board Meeting of March 18, 2021

Attached is a request from the Department of Transportation to make a provisional appointment to two Concrete Finisher vacancies. The basis for this request is detailed in the attached Provisional Appointment Form as supporting documentation.

Concrete Finisher is primarily responsible for performing rough and finished concrete work in the installation and repair of curbside ramps, sidewalks, curbs, gutters, drains, and related new constructions. This position will also support compliance with Measure KK expectations and the achievement of critical milestones related to the public right of way and infrastructure.

The minimum qualifications for Concrete Finisher: High School diploma or equivalent and three (3) years of full-time cement finishing experience under the direction of a journey-level cement finisher OR three (3) years of experience with the City of Oakland while assigned to a concrete crew in the position of Public Works Maintenance Worker or Street Maintenance Leader OR completion of a cement masons or concrete finisher apprenticeship program (typically consisting of 4200 on-the-job hours and 432 related training hours). Qualifying experience **MUST** include reading plans and drawings, building and setting forms, and finishing cement on a variety of concrete projects.

The selected candidate meets the minimum qualifications of a Concrete Finisher with a High School Degree and over five years of experience performing concrete finisher work.

Recruitment and Classification is in the process of administering a Civil Service Examination to permanently fill this vacancy within 120 days. The job announcement is scheduled to open on March 1, 2021.

I recommend that the Civil Service Board ratify the provisional appointment to this Concrete Finisher vacancy in the Department of Transportation beginning on March 8, 2021 and ending on or before July 5, 2021.

**OAKLAND CIVIL SERVICE BOARD
PROVISIONAL APPOINTMENT REQUEST**

SCHEDULED MEETING DATE FOR CONSIDERATION: March 18, 2021
AREA REQUESTED

POSITION: Concrete Finisher
DEPARTMENT: Department of Transportation
APPOINTMENT DURATION: 120 days maximum

STATUS OF RECRUITMENT AND EXAMINATION PROCESS

DATE ELIGIBLE LIST EXPIRED OR WAS EXHAUSTED: No list
DATE PERSONNEL REQUISITION RECEIVED: February 18, 2021
CURRENT STATUS OF EXAMINATION: The job announcement is schedule to post in March 1, 2021

JUSTIFICATION:

Reason Needed:

This provisional appointment is needed to fill one current vacancy. The requisition requesting a provisional appointment was approved on February 24, 2021. A provisional appointment will allow the work to be performed while an eligibility list is being developed. The Concreter Finisher is vital to the operation of the Department of Transportation to support compliance with Measure KK expectations and the achievement of critical milestones related to the public right of way and infrastructure.

Other Alternatives Explored and Eliminated:

IMPACT IF REQUESTS ARE NOT APPROVED (i.e., services, fiscal, other):

The impact of not having this vacancy filled will hindered compliance with Measure KK and to the public right of way and infrastructure.

Attachments:

Revised Class Specification, if applicable

Recruitment and Classification Staff Recommendation, including following pertinent information:

- Summary of Application Qualifications ✓
- Current Residency Status: *Not an Oakland Resident*
- Current Employment Status *Not a current City of Oakland employee*



CITY OF OAKLAND

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Secretary to the Board

THROUGH: Greg Preece, Human Resources Manager

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The selected candidate meets the minimum qualifications of a Concrete Finisher with a High School Degree and over five years of experience performing concrete finisher work. Additionally, the selected candidate completed an apprenticeship program in plasters and cement mason.

Recruitment and Classification is in the process of administering a Civil Service Examination to permanently fill this vacancy within 120 days. The job announcement is scheduled to open on March 1, 2021.

I recommend that the Civil Service Board ratify the provisional appointment to this Concrete Finisher vacancy in the Department of Transportation beginning on March 8, 2021 and ending on or before July 5, 2021.

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- Summary of Application Qualifications ✓
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MEMORANDUM

DATE: March 18, 2021

TO: The Honorable Civil Service Board

FROM: Greg Preece, HRM Manager / Staff to the Board

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

SUBJECT: Request Authorization for Employee Requests for Leave of Absence

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

Employee Name	Classification	Department	Leave Duration	Category
Bolton, Christopher	Captain of Police	Police	February 5, 2021- Indefinite	CSR 8.07 (c)
Nishant, Joshi	Captain of Police	Police	February 6, 2021- Indefinite	CSR 8.07 (c)

RECOMMENDATION:

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



Unpaid Leave of Absence

Leave Type:

- FCL - Family Care Extended
- FDN - Family Death (no pay)
- MNP - Military Leave (no pay)
- SLV - Sick Leave (no pay)
- ANP - Miscellaneous (no pay)
- Parental Leave (no pay)

Employee's Name Bolton, Christopher C

Employee's ID 2100

Today's Date ~~5 Nov 2021~~ ^{12 Mar 21} 12 Mar 21 CB

Department/Division Police Dept.

Employee Job Title Captain of Police

Request: _____ Days Hours From 5 Feb 21 To Indefinite
No. of Days or Hours Select Days or Hours

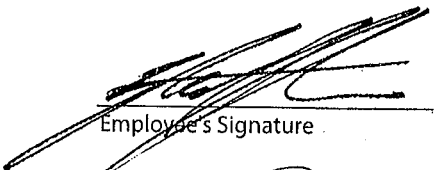
Unpaid Leave Taken This Year? Yes No If yes, what type of leave N/A
(Write appropriate code)

Comparison of Different Leave Types					
Leave Type	Maximum Duration	Keep Accrued Seniority?	Seniority?	Keep Health Benefits?	Other
FCL	4 mos*	Yes	No	Depends*	Comb. of paid & unpaid leave
FDN	5 days	Yes	No	Yes	Family death leave (paid) exhausted
MNP	1 year	Yes	Yes	For 5 mos*	For military training and service
SLV	1 year	Yes	No	No*	Sick leave (paid) exhausted
ANP	1 year	Yes	No	No*	Miscellaneous leave (no pay)
PNP	1 year	No	No	No*	Parental Leave (no pay)

*** Additional Information**

Employees on ANP, MNP, SLV or PNP may continue to participate in a City group health plan under COBRA at their own cost.

Family Care Extended Leave allows employees to use a combination of paid and unpaid leave. Employees using paid leave keep their health benefits, while employees on unpaid leave for this category are entitled to extend their coverage under COBRA at their own cost. If the leave is unpaid parental, an employee may take up to a maximum of 5 months leave.


Employee's Signature

12 Mar 21
5 Nov 2021 CB
Date

Civil Service Board Approval Date


Department Head Approval

18 FEB 21
Date

City Manager Approval Date

Note: Civil Service Board approval is required for leave of 5 days or more for classified employees. City Manager approval is required for leave of 5 days or more for exempt employees.



INTER OFFICE MEMORANDUM

TO: Ian Appleyard, Director
Human Resources Management

FROM: Christopher Bolton, Captain of Police
Oakland Police Department

SUBJECT: Request for Leave of Absence
from Civil Service Position

DATE: February 5, 2021

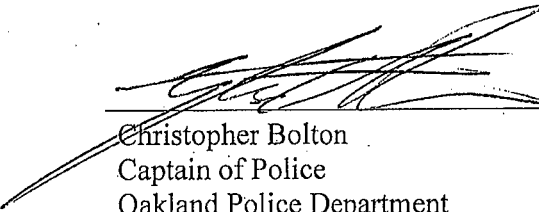
Approval

Date

Pursuant to Civil Service Rule 8.07(c)(5), I am requesting an indefinite leave of absence from my Civil Service classified position of Captain of Police to accept an appointment to the exempt position of Deputy Chief of Police with an effective date of February 6, 2020.

Thank you for your consideration.

Respectfully,



Christopher Bolton
Captain of Police
Oakland Police Department



Unpaid Leave of Absence

Leave Type:

- FCL - Family Care Extended
- FDN - Family Death (no pay)
- MNP - Military Leave (no pay)
- SLV - Sick Leave (no pay)
- ANP - Miscellaneous (no pay)
- Parental Leave (no pay)

Employee's Name Nishant Joshi Employee's ID 6719 Today's Date 5 Feb 21

Department/Division Oakland Police Dept. Employee Job Title Captain of Police


Request: _____ From 6 Feb 21 To Indefinitely
No. of Days or Hours Select Days or Hours

Unpaid Leave Taken This Year? Yes No If yes, what type of leave _____
(Write appropriate code)


Comparison of Different Leave Types					
Leave Type	Maximum Duration	Keep Accrued Seniority?	Seniority?	Keep Health Benefits?	Other
FCL	4 mos*	Yes	No	Depends*	Comb. of paid & unpaid leave
FDN	5 days	Yes	No	Yes	Family death leave (paid) exhausted
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* Additional Information
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 Employee's Signature Date 5 Feb 21



 Department Head Approval Date 17 Feb 21

 Civil Service Board Approval Date

 City Manager Approval Date

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CIVIL SERVICE BOARD MEETING MINUTES - DRAFT

Date: February 18, 2021

Open Session: 5:30 p.m.

Location: Via Zoom

BOARD MEMBERS: Chair, Andrea Gourdine; Vice Chair, Christopher Johnson; Lauren Baranco (arrived at 5:45 p.m.); Yvonne Hudson-Harmon; Brooke Levin; Carmen Martinez (Excused); Beverly A. Williams

STAFF TO THE BOARD: Ian Appleyard, HRM Director/Secretary to the Board
Greg Preece, HR Manager/Staff to the Board
Sally Nguyen, Counsel to the Board
Jessica Rutland, Human Resource Technician

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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 FEBRUARY 18, 2021 CIVIL SERVICE BOARD MEETING AGENDA ACTION

45032 A motion was made by Board Member Williams and seconded by Vice Chair Johnson to approve the February 18, 2021 Civil Service Board Meeting Agenda as presented. The motion passed.

Votes: Board Member Ayes: 5- Gourdine, Johnson, Williams, Levin, Hudson-Harmon

Board Member Noes: None

Board Member Abstentions: None

Board Members Absent: Baranco, Martinez

3) UPDATES, SECRETARY TO THE BOARD INFORMATION

4) CONSENT CALENDAR: ACTION

a) Approval of Provisional Appointments (0)

- There are no provisional appointments this month.
- b) Approval of Employee Requests for Leave of Absence (2)
- Human Services Department (1)
 - Police Department (1)
- c) Approval of Revised Classification Specifications (2)
- Neighborhood Services Coordinator
 - Permit Technician II

45033 A motion was made by Board Member Hudson-Harmon and seconded by Board Member Williams to approve the February 18, 2021 Civil Service Board Meeting Consent Calendar as presented. The motion passed.

Votes: Board Member Ayes: 6- Gourdine, Johnson, Williams, Levin, Hudson-Harmon, Baranco
 Board Member Noes: None
 Board Member Abstentions: None
 Board Members Absent: Martinez

5) OLD BUSINESS:

- a) Approval of January 21, 2021 Civil Service Board Meeting Minutes ACTION

45034 A motion was made by Vice-Chair Johnson and seconded by Board Member Williams to approve the January 21, 2021 Civil Service Board Meeting Minutes as presented. The motion passed.

Votes: Board Member Ayes: 4- Johnson, Williams, Baranco, Hudson-Harmon
 Board Member Noes: None
 Board Member Abstentions: Gourdine, Levin
 Board Members Absent: Martinez

- 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

- e) ~~Deputy Director of Workplace and Employment Standards Follow up discussion from the November 19, 2020 meeting~~ INFORMATION

***Item 5e moved to March 18, 2021 Civil Service Board Meeting Agenda for correction in class specification.**

6) NEW BUSINESS:

- a) City Council Zero Tolerance Policy Legislation INFORMATION
- b) Update regarding Measure Q Hiring Efforts INFORMATION

7) OPEN FORUM

8) ADJOURNMENT

45035 A motion was made by Board Member Williams and seconded by Vice Chair Johnson to adjourn the meeting. The motion passed and the meeting was adjourned at 6:39 p.m.

Votes: Board Member Ayes: 6- Gourdine, Johnson, Williams, Baranco, Levin, Hudson-Harmon

Board Member Noes: None

Board Member Abstentions: None

Board Members Absent: Martinez

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



**CIVIL SERVICE BOARD
 APPEALS & HEARINGS CALENDAR
PENDING LIST –MARCH 18, 2021**

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	N/A	Outside hearing officer assigned
HRM-2021-AP01	Benefits Representative	Human Resources Management	3.04(e)- Appeal to Board regarding Changes in Classification	April 15, 2021	

2. OTHER PENDING ITEMS

Date Requested	Subject	Report From	Date Due

3. CLOSED

Case Number	Classification	Dept.	Action Pending	Date Received	Notes
OPW-2021-AP01	Maintenance Worker	Public Works	6.06- Limited employee rights during Probation	February 8, 2021	Canceled

4. UNDER REVIEW

Case Number	Classification	Dept.	Action Pending	Action Date	Notes



CITY OF OAKLAND

MEMORANDUM

DATE: March 18, 2021

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 Amended Classification Specification for Deputy Director of
Workplace and Employment Standards

This is a request to amend the classification specification for Deputy Director of Workplace and Employment Standards. The original memo and draft classification specification were submitted to the Civil Service Board on November 19, 2020. Staff inadvertently routed an outdated version of the classification specification to the Board for approval in November. The Chairperson and other Board Members expressed concerns about the proposed duties at monthly meetings through February 2021. At the February 18, 2021 meeting, the error in versions was identified and discussions about the proposed duties concluded. The correct classification specification version is included with this item for review and approval by the Board at the March 18, 2021 Civil Service Board Meeting.

The new classification was approved as exempt from the competitive civil service by the Board at the November 19, 2020 Civil Service Board meeting. The draft classification specification was also approved by the Board at that same meeting.

However, the Board Members expressed concerns with Examples of Duties statements beginning with “assist with” pertaining to various departmental responsibilities. Once the correct version of the classification specification was identified, it was apparent that other language had been used to describe the duties. Specifically, the first four duty statements had already been modified to include action verbs while eliminating the term “assist” in multiple locations. These amendments are reflected in the attached classification specification.

The position is described as follows, with one change noted below. The incumbent: oversees, plans, and directs the daily 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); assists with utilizing 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; assists the Director of Workforce and Employment Standards in

CIVIL SERVICE BOARD

Subject: Deputy Director of Workplace and Employment Standards Amended Classification Specification

Approval Date: March 18, 2021

Page 2

directing the work of staff in contract administration, contract compliance and administration, ensuring compliance with all relevant policies and procedures, including labor standards requirements, local hire provisions, and living wage provisions; trains, evaluates, and supervises assigned staff; and performs related duties as assigned.

Staff recommends that the Civil Service Board approved the amended version of the classification specification for the **Deputy Director of Workplace and Employment Standards**.

Attachments: Amended Deputy Director of Workplace and Employment Standards classification specification.



DEPUTY DIRECTOR OF WORKPLACE AND EMPLOYMENT STANDARDS

Class Code: EMXXX FTE

Exempt

DEFINITION

Under administrative direction of the Director of the Workplace and Employment Standards, oversees, plans, and directs the daily 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); assists with utilizing 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; assists the Director of Workforce and Employment Standards in directing the work of staff in contract administration, contract compliance and administration, ensuring compliance with all relevant policies and procedures, including labor standards requirements, local hire provisions, and living wage provisions; trains, evaluates, and supervises assigned staff; and performs related duties as assigned.

DISTINGUISHING CHARACTERISTICS

This is a division head classification with responsibility for daily oversight of Workplace and Employment Standards operations and staff. Pursuant to the Oakland City Charter Article IX, Section 902(f), this position is at-will and exempt from the regulations of the Civil Service Board. This classification is distinguished from the Director of Workplace and Employment Standards, which is responsible for overseeing the entire DWES.

The incumbent receives supervision from the Director of Workplace and Employment Standards and exercises supervision over assigned professional, technical, and administrative staff.

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

Plan, organize, manage, and direct~~Assist with planning, organizing, managing, and directing~~ the City's workplace and employment standards operations, contract administration, contract compliance, and administration through subordinate staff; ensure compliance of operations with relevant labor ordinances, resolutions, programs, and policies.

Oversee~~Assist with overseeing~~ 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~~Assist with overseeing~~ 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~~Assist with developing and directing~~ the implementation of goals, objectives, policies, procedures, and work standards for the department.

Serve as a liaison to public officials, employers and their employees, labor organizations, 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, 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 Director of DWES 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.

Assist with the development and administration of the division'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, purchasing, 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 division's 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:

Four (4) years of progressively responsible 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 including at least two (2) years of supervisory experience. 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.

DEPT. OF HUMAN RESOURCES MANAGEMENT USE ONLY				
Established:	11/19/2020	CSB Resolution #:	45021	Salary Ordinance #:
Exempted:	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Exemption Resolution #:	9.02f	88370 CMS
Revision Date:	/ /	CSB Resolution #:		
Re-titled Date:	/ /	CSB Resolution #:		Salary Ordinance #:
(Previous title(s):)



DISTRIBUTION DATE: _____

MEMORANDUM

TO: HONORABLE MAYOR &
CITY COUNCIL

FROM: City of Oakland Civil Service
Board

SUBJECT: Zero Tolerance Policy Update

DATE: March 18, 2021

City Administrator
Approval

Date:

INFORMATION

EXECUTIVE SUMMARY

On June 16, 2020 the City Council adopted Resolution No. [88167](#) C.M.S., which established a Zero Tolerance Policy for racist practice, behaviors and actions in the City of Oakland. This report provides an update on the actions taken to adhere to the policy. Specifically, the resolution resolves:

(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.

As to section (2) of the Resolution:

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

In response to the adoption of Resolution No. 88167 C.M.S., the matter was brought to the Civil Service Board on July 16, 2020 with the resolution, report, and letter that was adopted by City

Council. At that meeting, the Civil Service Board requested that a representative from the City Council's Office who sponsored the legislation would present to the Civil Service Board so they could better understand the directive. On October 15, 2020, Pamela Ferran from City Councilmember Taylor's office presented the resolution to the Board. The Board had several questions which were subsequently answered through a follow-up memorandum from Councilmember Taylor's Office.

On November 16, 2020, the Staff to the Board sent Administrative Instruction (AI) 71 (Equal Employment Opportunity/Anti-Discrimination/Non-Harassment Policy and Complaint Procedure) and Administrative Instruction 596 (City-wide Code of Conduct – Non-Sworn Employees) to the members of the Civil Service Board. Additionally, on December 17, 2020, the Staff to the Board sent four (4) Oakland Police Department rules and bulletins and three (3) policies from Oakland Fire Department, all related to anti-discrimination, to the Civil Service Board for review

It is the opinion of the Board that the provided policies address the needs of the zero-tolerance policy as requested by City Council. The Board also recommends amending the introduction statement to the City of Oakland Personnel Manual with the following *emphasized* statement, subject to noticing and meeting requirements in accordance with state law.

*No person shall be discriminated against in any aspect of employment, including but not limited to, recruitment, examination, hiring, promotion and discipline, on the basis of race, color, religion/religious creed, marital status, national origin/ancestry, gender, gender identity, pregnancy, sexual orientation, physical or mental disability, medical condition, AIDS/HIV status, military or veteran status, age, citizenship or on any other status protected by federal, state or local law. **The City of Oakland has a zero-tolerance policy for any applicant or employee who exhibits racist practices, behaviors, or actions.***

The Board appreciates the opportunity to assist Council in addressing this important issue within Oakland.

For questions regarding this report, please contact Ian Appleyard, Director of Human Resources at (510) 238-6450.

Respectfully submitted,

ANDREA GOURDINE
Civil Service Board Chairperson

Measure Q Hiring Progress Tracker

March 18, 2021 Civil Service Board Meeting

DEPT	CLASSIFICATION	FTE POSITIONS	FILLED	DETAILS
HSD	Budget & Grants Administrator	1	0	Referrals sent to department to review and schedule interviews.
HSD	Administrative Assistant II	1	1	Filled
HSD	Case Manager I	1	1	Filled
OPW	Custodian	2	0	Recruitment tentatively scheduled to open on March 22, 2021
OPW	Assistant Engineer I	1	0	Requisition Pending Spec Revision. Spec review meeting with union scheduled on March 18, 2021.
OPW	Administrative Assistant II	1	1	Filled
OPW	Construction & Maintenance Mechanic	2	0	No active requisition from department.
OPW	Business Analyst II	1	1	Filled
OPW	Gardener Crew Leader	7	0	Twenty-five applicants invited to the performance exam being held on March 23 & 24, 2021.
OPW	Gardener II	15	0	Sixty-four applicants invited to the performance exam being held on March 23 & 24, 2021.
OPW	Painter	2	0	Recruitment Closed; twenty-two applicants being invited to performance exam. Working with department on exam date.
OPW	Park Equipment Operator	2	0	One rank left on eligible list. Department seeking Budget approval to receive referrals.
OPW	Park Supervisor I	2	0	Requisition approved. Pending Budget approval to receive remaining ranks on eligible list or request HRM run new recruitment.
OPW	Park Supervisor II	1	0	Examination in-progress (Supplemental Questionnaire)
OPW	Tree Worker Driver	1	0	Spec revision needed before submitting requisition. Meetings with union are complete. Revised spec scheduled for CSB on April 15, 2021.

Measure Q Hiring Progress Tracker

March 18, 2021 Civil Service Board Meeting

OPW	Tree Trimmer	1	0	LOU signed by SEIU and City. Recruitment tentatively scheduled to open March 29, 2021.
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CITY OF OAKLAND

MEMORANDUM

DATE: March 18, 2021

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 New Classification Specification for Manager, Capital Contracts
(formerly Manager, Contract & Employment Services)

Based upon a classification review at the request of the Oakland Public Works (OPW) Department, staff has finalized the working draft of the **Manager, Capital Contracts** (formerly Manager, Contract & Employment Services) classification. The classification has been inactive for several years, and the draft has never been formally approved.

The classification was approved for exemption from civil service at the October 11, 2012 Civil Service Board meeting, and the resolution (83024 CMS) recommending exemption was approved by the City Council on October 19, 2010. The working draft of the classification specification was not included in the batch of manager classifications that were approved by the Civil Service Board in February 10, 2011. There were no incumbents in 2011, and it was determined that it should be routed to the Civil Service Board at a later date if the department elected to begin utilizing the classification again.

The Manager, Capital Contracts classification specification requires a full range of technical and managerial skills that are relevant to the administrative and compliance duties required to manage and administer contracts in the Capital Contracts Division. This position will support the delivery of the Capital Improvement Program for all City departments with a primary focus on OPW and the Department of Transportation. In this current budget cycle, the Division has processed approximately 275 unique contracts and task orders equating to \$122M in contracting costs. This Division partners with the Department of Workplace & Employment Standards to ensure Federal, State, and Local requirements are being met for capital contracting.

The position is responsible for: planning, organizing, managing, and directing the work of the Capital Contracts Division; preparing and administering the division budget; training and supervising assigned staff; and performing related duties as assigned. The incumbent will report to the Assistant Director of Public Works.

Further, the City is proposing a title change from Manager, Contract & Employment Services to Manager, Capital Contracts. Specifying "Capital Contracts" in the title is more reflective of industry standards, which is intended to attract the most appropriate applicants for this vacancy. This function is classified in a variety of ways across external organizations, and individuals who

CIVIL SERVICE BOARD

Subject: Manager, Capital Contracts Classification Specification Approval

Date: March 18, 2021

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perform this highly responsible, technical, and managerial role are heavily sought-after to fill such vacancies.

The budget does not presently include this position but a position will be added in the coming months. The new classification specification will be used to initiate a recruitment and selection process once the position has been added.

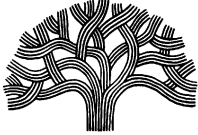
The International Federation of Professional and Technical Engineers (IFPTE, Local 21) was notified of the proposal to begin utilizing this classification again. City and union representatives met in early February 2021 to discuss the draft. In an email dated February 10, 2021, the union conveyed that there were no objections to the proposed draft or title change.

A salary ordinance amendment is currently being drafted to formally address the proposed title change. The legislation will be routed to City Council for approval at two readings in April and May 2021.

Additionally, the “Common Class” project is currently underway. This classification was not considered as part of the review and analysis.

Staff recommends that the Civil Service Board approve the classification specification of **Manager, Capital Contracts** as proposed.

Attachment: Proposed Manager, Capital Contracts classification specification.



CAPITAL CONTRACTS & EMPLOYMENT **SERVICES-MANAGER**

Class Code: EM177 FTE Exempt

DEFINITION

Under administrative direction in the Oakland Public Works (OPW) Department, plans, organizes, manages, and directs the work of the Capital Contracts Division; prepares and administers the division budget; trains and supervises assigned staff; and performs related duties as assigned.

DISTINGUISHING CHARACTERISTICS

This is a management position with responsibility for oversight of capital improvement projects contract administration for the OPW and the Oakland Department of Transportation. In addition, the incumbent is responsible for providing input and information to the City Council and the Mayor regarding equitable City policies and programs concerning capital contracting issues as well as establishing and maintaining relations with contractor organizations unions, the chamber of commerce, major employers and community groups regarding contracting issues. Pursuant to the Oakland Charter 902(f) and Oakland Municipal Code, this position is exempt from the regulations of the Civil Service Board. The duties performed involve the exercise of considerable discretion and latitude of judgment in the formulation and development of policies and procedures. This classification is distinguished from the higher level Assistant Director, which is responsible for overseeing multiple divisions and assisting the Director with oversight of the department.

The incumbent receives administrative direction from the Assistant Director of Public Works and exercises direction over assigned supervisory, professional and administrative support staff.

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

Plan, organize, manage and direct, through subordinates, the work of the Capital Contracts Division; develop and direct the implementation of short-term and long-term goals, objectives, policies, procedures, and work standards for the divisions.

Perform a centralized function for coordinating and maintaining capital contract administrative activities across City departments.

Establish, monitor, and evaluate performance objectives and resources for the division.

Identify and implement best management practices in contracting to improve operations.

Implement, enforce, and maintain the Capital Contracts Procedures Manual as needed to ensure compliance with all federal, state, and local laws, rules, regulations, policies, procedures, and City guidelines.

Administer, oversee, and coordinate the development, preparation, solicitation, and evaluation of public works construction contract bids and request for proposals/qualifications of professional services and related capital contract activities; interpret and apply provisions of federal and state

regulations that are pertinent to capital contracting.

Provide capital contract administration guidance to resolve or settle contract disputes with City staff and make recommendations to management for resolution of capital contract issues; coordinate and consult with staff, legal counsel, Risk Management, and the Department of Workforce and Employment Standards (DWES) to resolve complex capital contract issues.

Provide guidance in determining which general and special provisions are to be included in capital contract depending on the funding agency and individual project needs; identify/develop alternative capital contracting methods as permissible by City Ordinance for Capital Improvement Projects; oversee and ensure the preparation of cost/price analyses and validation of “sole source” justifications are completed as required.

Oversee the authorization of award of capital contracts and amendments for consistency with federal, state, local capital contracting policies and procedures, including the bid protests processes for public works construction contract bids.

Maintain auditable contract records, reviews, change orders, and amendments for all capital contracts; archive and purge records as needed; lead OPW’s response to various funding and regulatory agency audits for capital contracting; address requests and findings; conduct training as needed.

Prepare, research, summarize, review, and communicate a variety of complex correspondence and reports for the City Administrator, City Council, and OPW management regarding capital contracts and equitable capital contracting processes; respond to their concerns.

Represent the OPW and the City of Oakland in meetings; foster transparency in capital contracting with public officials, the business community, members of policy and advisory boards, major employers, contractors, unions, community groups, the Chamber of Commerce and other internal and external stakeholders; explain equitable capital contracting procedures to the public.

Direct the preparation and administration of the division budget.

Supervise, assign, train, and evaluate assigned staff; conduct performance evaluations and recommend disciplinary action as necessary; participate in the selection of new employees.

Serve as the City's liaison in capital contracting with contractors, subcontractors, consultants, business community groups, chamber of commerce and employees regarding the City policy as it relates to labor standards, equitable and social justice initiatives, and local business participation; partner with the DWES to ensure equitable and compliant capital contracting through the City’s Local and Small Local Business Enterprise (L/SLBE) Program along with all other federal, state, local laws, and regulations.

KNOWLEDGE AND ABILITIES

Knowledge of:

- Federal, state, and local laws, regulations, and codes pertaining to contract law, labor law, employment practices and regulations governing public agency contracting, capital projects, and contract administration principles, practices, and terminology.

- Principles and practices of effective management and supervision including long and short-range planning.
- Principles and practices of project management.
- Principles and practices of contract negotiation.
- Exercise sound independent judgment within general policy guidelines
- Principles and practices of community engagement and customer service.
- English punctuation, syntax, language mechanics and spelling.
- Computer systems and software applications.
- Budget development and administration.
- Principles and practices of supervision and training.

Ability to:

- Develop and implement goals, objectives, policies, procedures, work standards and internal controls.
- Plan, organize, manage, and coordinate multiple concurrent projects, programs or activities related to a variety of contracting activities to meet the City's capital project needs.
- Interpret and apply federal, state, and local laws, policy, codes, and procedures as they pertain to contracting.
- Analyze complex technical and administrative problems; evaluate alternative solutions; recommend or adopt effective courses of action.
- Supervise, select, train, motivate, and evaluate assigned staff.
- Prepare clear and concise reports on topics of a complex or technical nature, correspondence and other written materials;
- Negotiate and manage contracts;
- Prepare and administer a division budget.
- Communicate effectively orally and in writing; make presentations to diverse audiences of various sizes.
- Foster collaborative relationships and interface effectively with consultants, contractors, business organization representatives, policy makers, elected officials, and other stakeholders to execute City contracting goals and strategies.
- Utilize computer systems and software applications.
- Establish and maintain effective working relationships in the performance of assigned duties.

MINIMUM QUALIFICATIONS

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

Education:

Bachelor's degree from an accredited college or university in public administration, business administration, economics, pre-law, engineering, architecture or a related field. A Master's degree is desirable.

Experience:

Five (5) years of managerial or progressively responsible supervisory experience in capital projects administration, contract administration, contract compliance, contracting law and/or procurement programs. Previous experience in a public sector environment is highly desirable.

LICENSE OR CERTIFICATE

A successful incumbent in this position is expected to operate automotive vehicles in the performance of assigned duties. Due to the nature of the assignment and the hours worked, public transportation may not be a cost effective or efficient method for traveling to the various locations required. The individual who is 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.

<u>DEPT. OF HUMAN RESOURCES MANAGEMENT USE ONLY</u>			
Established: / /	CSB Resolution #:	Salary	Ordinance
Exempted: Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Exemption Resolution #: 902(f)	#:	83024 CMS
Revision Date: / /	CSB Resolution #:	Salary	Ordinance
Re-titled Date: / /	CSB Resolution #:	#:	
(Previous title(s): n/a)			