



REGULAR 5:30 P.M. CIVIL SERVICE BOARD MEETING AGENDA

Date: March 17, 2022

Open Session: 5:30 p.m.

Location: Via Zoom

BOARD MEMBERS: Chairperson, Yvonne Hudson-Harmon; Vice Chair, Carmen Martinez; Lauren Baranco; Michael Brown; Brooke Levin; Beverly A. Williams

STAFF TO THE BOARD: Ian Appleyard, HRM Director/Secretary to the Board
Greg Preece, Assistant HR Director/Staff to the Board
Malia McPherson, Attorney to the Board

Pursuant to California Government Code section 54953(e), Civil Service Board Members, as well as City staff, will participate via phone/video conference, and no physical 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/89260269188?pwd=dSsvQWZLUHVzRlk4TStSaGxMcTczZz09> 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: 892 6026 9188 (Note: Password: "CSB317" 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: 892 6026 9188 Passcode: 507373

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.

There are two ways to make public comment within the time allotted for public comment on an eligible Agenda item.

- 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.
- To comment by phone, please call on one of the above listed phone numbers. You will be prompted to “Raise Your Hand” by pressing “*9” 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 make public comments. After the allotted time, you will then be re-muted. Instructions of how to raise your hand by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663> - Joining-a-meeting-by-phone.

If you have any questions, please email Greg Preece, Assistant Human Resources Director 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 17, 2022 CIVIL SERVICE BOARD MEETING AGENDA ACTION

3) UPDATES, SECRETARY TO THE BOARD INFORMATION

4) CONSENT CALENDAR: ACTION

a) Adopt A Resolution Renewing And Continuing The Civil Service Board’s Determination That Conducting In-Person Meetings Of The Civil Service Board Would Present Imminent Risks To Attendees’ Health, And Electing To Continue Conducting Meetings Using Teleconferencing In Accordance With California Government Code Section 54953(e), A Provision Of AB-361

b) Approval of Provisional Appointments (0)

- There are no provisional appointments this month.

- c) Approval of Employee Requests for Leave of Absence (1)
 - Oakland Public Works (1)
- d) Approval of Revised Classification Specifications (2)
 - Animal Control Supervisor
 - Senior Services Program Analyst (formerly titled Senior Services Program Assistant)

5) OLD BUSINESS:

- | | |
|---|-------------|
| a) Approval of February 17, 2022 Civil Service Board Regular 5:30 P.M. 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 |
| <i>There is no update available this month.</i> | |
| e) Update regarding Measure Q Hiring Efforts | INFORMATION |
| f) Discuss and Determine Whether there is an Ongoing Need to Provide Monthly Update on Measure Q Hiring Efforts | ACTION |
| g) Request from the Service Employees International Union (SEIU, Local 1021) for the Civil Service Board to Consider Whether it has Authority to Award Back Pay | INFORMATION |

6) NEW BUSINESS:

There is no New Business this month.

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 21, 2022. All materials related to agenda items must be submitted by Thursday, April 7, 2022. 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, 2nd floor
Oakland, CA 94612
civilservice@oaklandca.gov



Do you need an ASL, Cantonese, Mandarin or Spanish interpreter or other assistance to participate? Please email 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 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

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

OAKLAND CIVIL SERVICE BOARD

RESOLUTION NO. _____

ADOPT A RESOLUTION RENEWING AND CONTINUING THE CIVIL SERVICE BOARD'S DETERMINATION THAT CONDUCTING IN-PERSON MEETINGS OF THE CIVIL SERVICE BOARD WOULD PRESENT IMMINENT RISKS TO ATTENDEES' HEALTH, AND ELECTING TO CONTINUE CONDUCTING MEETINGS USING TELECONFERENCING IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 54953(e), A PROVISION OF AB-361.

WHEREAS, on March 4, 2020, Governor Gavin Newsom declared a state of emergency related to COVID-19, pursuant to Government Code Section 8625, and such declaration has not been lifted or rescinded. *See* <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.4.20-Coronavirus-SOE-Proclamation.pdf>; and

WHEREAS, on March 9, 2020, the City Administrator in their capacity as the Director of the Emergency Operations Center (EOC), issued a proclamation of local emergency due to the spread of COVID-19 in Oakland, and on March 12, 2020, the City Council passed Resolution No. 88075 C.M.S. ratifying the proclamation of local emergency pursuant to Oakland Municipal Code (O.M.C.) section 8.50.050(C); and

WHEREAS, City Council Resolution No. 88075 remains in full force and effect to date; and

WHEREAS, the Centers for Disease Control (CDC) recommends physical distancing of at least six (6) feet whenever possible, avoiding crowds, and avoiding spaces that do not offer fresh air from the outdoors, particularly for people who are not fully vaccinated or who are at higher risk of getting very sick from COVID-19. *See* <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>; and

WHEREAS, the CDC recommends that people who live with unvaccinated people avoid activities that make physical distancing hard. *See* <https://www.cdc.gov/coronavirus/2019-ncov/your-health/about-covid-19/caring-for-children/families.html>; and

WHEREAS, the CDC recommends that older adults limit in-person interactions as much as possible, particularly when indoors. *See* <https://www.cdc.gov/aging/covid19/covid19-older-adults.html>; and

WHEREAS, the CDC, the California Department of Public Health, and the Alameda County Public Health Department all recommend that people experiencing COVID-19

symptoms stay home. See <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>; and

WHEREAS, persons without symptoms may be able to spread the COVID-19 virus. See <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>; and

WHEREAS, fully vaccinated persons who become infected with the COVID-19 Delta variant can spread the virus to others. See <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated.html>; and

WHEREAS, the City's public-meeting facilities are indoor facilities that are not designed to ensure circulation of fresh / outdoor air, particularly during periods of cold and/or rainy weather, and were not designed to ensure that attendees can remain six (6) feet apart; and

WHEREAS, holding in-person meetings would encourage community members to come to City facilities to participate in local government, and some of them would be at high risk of getting very sick from COVID-19 and/or would live with someone who is at high risk; and

WHEREAS, in-person meetings would tempt community members who are experiencing COVID-19 symptoms to leave their homes in order to come to City facilities and participate in local government; and

WHEREAS, attendees would use ride-share services and/or public transit to travel to in-person meetings, thereby putting them in close and prolonged contact with additional people outside of their households; and

WHEREAS, on October 20, 2021, the Civil Service Board adopted a Resolution determining that conducting in-person meetings would present imminent risks to attendees' health, and electing to continue conducting meetings using teleconferencing in accordance with California Government Code Section 54953(e), a provision of AB-361; now therefore be it:

RESOLVED: that the Civil Service Board finds and determines that the foregoing recitals are true and correct and hereby adopts and incorporates them into this Resolution; and be it

FURTHER RESOLVED: that, based on these determinations and consistent with federal, state and local health guidance, the Civil Service Board renews its determination that conducting in-person meetings would pose imminent risks to the health of attendees; and be it

FURTHER RESOLVED: that the Civil Service Board firmly believes that the community's health and safety seriously and the community's right to participate in local government, are both critically important, and is committed to balancing the two by continuing to use teleconferencing to conduct public meetings, in accordance with California Government Code Section 54953(e), a provision of AB-361; and be it

FURTHER RESOLVED: that the Civil Service Board will renew these (or similar) findings at least every thirty (30) days in accordance with California Government Code section 54953(e) until the state of emergency related to COVID-19 has been lifted, or the Civil Service Board finds that in-person meetings no longer pose imminent risks to the health of attendees, whichever occurs first.



MEMORANDUM

DATE: March 17, 2022

TO: The Honorable Civil Service Board

FROM: Greg Preece, Assistant HR Director / 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 one (1) Unpaid Leave of Absence request pursuant to Personnel Manual Section 8.07 Miscellaneous Leaves of Absence.

Estrada, Mario	Public Works Maintenance Worker	Oakland Public Works	February 14, 2022 – June 14, 2022	CSR 8.07 (c)
----------------	---------------------------------------	-------------------------	--------------------------------------	--------------

RECOMMENDATION:

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



Unpaid Leave of Absence

Leave Type:

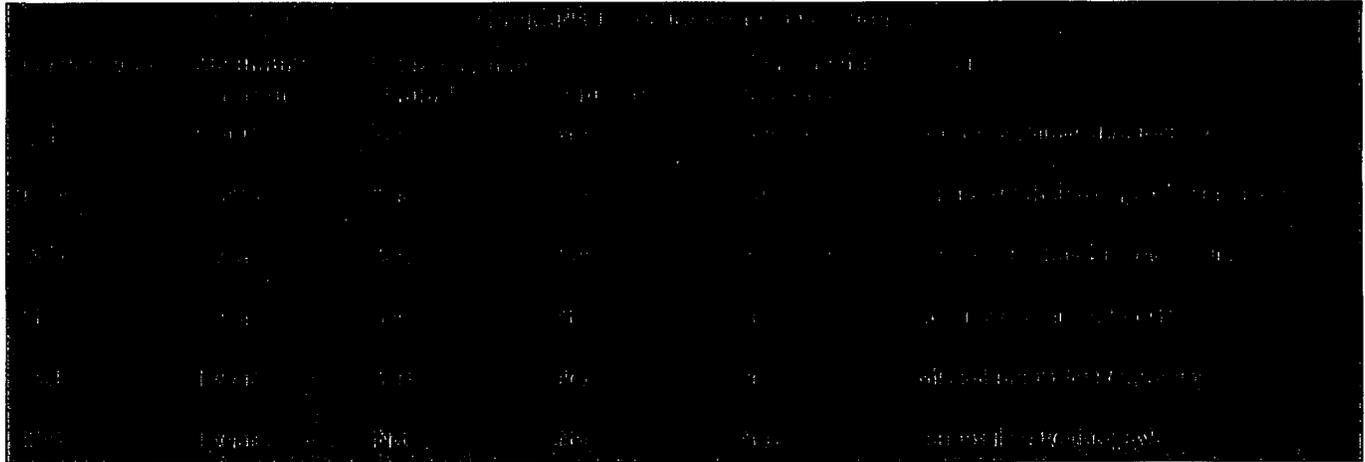
- FCL - Family Care Extended
- FDN - Family Death (no pay)
- MNP - Military Leave (no pay)
- SLV - Sick Leave (no pay)
- ANP - Miscellaneous (no pay)
- Parental Leave (no pay)

Employee's Name Mario Estrada Employee's ID 26208 Today's Date 2/9/22

Department/Division PW/BOE/KOCS Employee Job Title Public works Maintenance Worker

Request: 130 Days Hours From 2/4/22 To 6/14/22
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)



* 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.

[Signature] 2/9/22
 Employee's Signature Date

 Civil Service Board Approval Date

[Signature] Feb 10, 2022
 Department Head Approval Date

Elizabeth Lake Feb 10, 2022
 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.



CITY OF OAKLAND

MEMORANDUM

DATE: March 17, 2022

TO: The Honorable Civil Service Board **FROM:** Jaime Pritchett
Principal Human Resource Analyst

THROUGH: Greg Preece, Assistant Human Resources Director, Recruitment & Classification

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

SUBJECT: Approval of Revised Classification Specification for Animal Control Supervisor

Based upon a classification review at the request of the Oakland Animal Services (OAS) Department, staff has proposed revision of the **Animal Control Supervisor** classification. It was established in April 1993 and revised in June 2017 and October 2018.

A variety of minor edits are necessary to update the description:

- In the Definition section, add the department and division names and specify the supervisory role of this position.
- Update the Distinguishing Characteristics section to include the oversight duties, remove outdated language, and correct the reporting relationships.
- Make minor revisions in the Examples of Duties and Knowledge and Abilities sections.

There is one vacancy. The approved classification specification will be used to initiate a recruitment and selection process in the near future.

The International Federation of Professional and Technical Engineers (IFPTE, Local 21) was notified of the proposed revisions. City and union representatives met in February and March 2022 to discuss the edits. In an email dated March 9, 2022, the union conveyed that there were no objections to the proposed revisions.

Staff recommends that the Civil Service Board approve the revised classification specification of **Animal Control Supervisor** as proposed.

Attachment: Proposed Revised Animal Control Supervisor classification specification.



DRAFT

ANIMAL CONTROL SUPERVISOR

Class Code: SC103

Civil Service Classified

DEFINITION

Under general supervision in the Oakland Animal Services Department, plans, directs, and ~~evaluates-coordinates~~ the activities of the Animal Control and Public Service Division ~~of Oakland Animal Services~~ in accordance with State and local codes, laws, and ordinances, including but not limited to restraint, licensing, vaccination, impoundment, care, and quarantine of animals; ~~and~~ assists in the development and implementation of programs on responsible animal care and ownership; supervises, trains, and evaluates assigned staff; and performs related duties as assigned.

DISTINGUISHING CHARACTERISTICS

This is a supervisory classification in the animal control ~~series~~division. The incumbent is a working supervisor who has responsibility for daily oversight of Animal Control Officers, their related functions, and administrative staff who conduct animal intake. ~~It is distinguished from the Animal Control and Shelter Manager, which has responsibility for responsibility for the administration of program services and daily operations for the Oakland Animal Shelter.~~ It is ~~further~~ distinguished from the Animal Control Officer, which is responsible for enforcing animal control ordinances and providing care for captured animals.

The incumbent receives general supervision from the ~~Animal Control and Shelter Manager~~Assistant to the Director, and provides supervision to Animal Control Officers and administrative staff.

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

Plan, direct, and evaluate activities of the Animal Control and Public Service Division including licensing, impounding, placing, and treating animals in a humane manner.

Train and evaluate subordinate staff and ~~as~~ensure that stray animals are humanely handled, confined, and transported to the shelter for impoundment, and that first aid is administered when necessary.

Enforce state and local animal control and care laws and ordinances; oversee and monitor criminal and administrative investigations related to animal welfare.

Develop and teach educational programs for the public regarding proper animal care and animal control.

Interface with the public and other agencies regarding animal control issues.

Maintain fiscal control of incoming revenue.

Promote and enforce safe work practices.

Assist in the preparation ~~of the section budget~~.

Mand monitoring of a section budget, including ensuring appropriate inventory of functional field supplies and equipment

Prepare reports of a complex or technical nature.

Maintain records regarding animal control, both in written and computerized form.

Evaluate requests for service, including complaints about the care, treatment, and control of animals; establish priorities and direct appropriate responses.

Maintain communication with field officers via two-way radio according to Federal Communications Commission (FCC) regulations, monitor the officers' safety, and take appropriate action when problems arise.

Maintain appropriate personnel coverage for emergency situations throughout the city on a 24-hour per day basis.

Drive to various locations in a timely manner as required in the performance of duties.

May be called upon to perform the functions of an Animal Control Officer, including standby duty, or perform administrative work including animal intake according to operational needs.

Respond to and assist Animal Control Officers and administrative staff on both routine and/or complex calls for service.

KNOWLEDGE AND ABILITIES

Knowledge of:

- Physical and behavioral characteristics of domesticated animals and familiarity with wildlife.
- Methods and practices involved in animal control and care.
- State and local codes and regulations regarding animal control and care.
- Principles and practices of management, supervision, and training.
- Safety principles, practices, and procedures.
- Procedures of humane animal euthanasia.
- Public speaking principles and practices.
- Public contact and community relations.
- Budget monitoring and oversight.
- Basic bookkeeping/accounting.
- Investigatory processes and procedures.
- Computer systems and software applications.
- Operation of radio equipment.

Ability to:

- Plan, direct, and evaluate animal control and public service operations.
- Promote and enforce safe work practices.
- Interpret state and local codes and regulations pertaining to animal control and care.
- Handle stressful or sensitive situations with tact and diplomacy.
- Communicate effectively in both oral and written form.
- Prepare and maintain fiscal records including revenue control.

- Monitor a section budget.
- Prepare and analyze reports of a general or technical nature.
- Utilize a computer system, and software applications, and mobile devices.
- Utilize radio equipment according to Federal Communications Commission (FCC) Regulations.
- Safely operate and drive Animal Control Vehicles to various locations in a timely manner as required in the performance of duties.
- Establish and maintain effective working relationships with those contacted in the performance of required duties.

MINIMUM QUALIFICATIONS

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

Education:

High school diploma or equivalent.

Experience:

Three (3) years of progressively responsible Animal Control Officer experience. Lead or supervisory 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.

OTHER REQUIREMENTS

Must be twenty-one (21) years of age.

Must meet California Peace Officer Standards and Training based on California Penal Code 832 within the probationary period.

Must pass a thorough background investigation.

DEPT. OF HUMAN RESOURCES MANAGEMENT USE ONLY			
Established:	04/22/1993	CSB Resolution #:	44208
Exempted:	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	Salary Ordinance #:	
		Exemption Resolution #:	
Revision Date:	06/15/2017	CSB Resolution #:	44852
Revision Date:	10/18/2018	CSB Resolution #:	44908
		Salary Ordinance #:	
(Previous title(s):)		



CITY OF OAKLAND

MEMORANDUM

DATE: March 17, 2022

TO: The Honorable Civil Service Board **FROM:** Jaime Pritchett
Principal Human Resource Analyst

THROUGH: Greg Preece, Assistant Human Resources Director, Recruitment & Classification

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

SUBJECT: Approval of Revised Classification Specification for Senior Services Program Analyst (formerly titled Senior Services Program Assistant)

Based upon a classification review at the request of the Human Services Department (HSD), staff has proposed revision of the **Senior Services Program Analyst** (formerly titled Senior Services Program Analyst) classification. It was established in July 1995 and has not been revised since that time.

A variety of edits are necessary to update the description:

- Update the Distinguishing Characteristics section to include the name of the department and specify the applicable programs.
- Insert Distinguishing Characteristics language.
- In the Examples of Duties section, add references to the Foster Grandparent Program, modernize language, and enhance language related to host agencies (employers of Senior Aides in the Oakland community).
- Add program administration and computer skills to the Knowledge and Abilities section.
- In the Education section of the Minimum Qualifications, broaden the list of relevant Bachelor's degrees. In the Experience section, add descriptive language about the kinds of qualifying experience.
- Update the Driver's License language under the License or Certificate section.
- Add the new Other Requirements section with references to the criminal record clearance and listing bilingual skills as highly desirable.
- Update formatting to align with the existing classification specification template.

Additionally, a title change is recommended. Changing this classification from an "Assistant" to an "Analyst" will ensure that the level in the organization is properly reflected. The title was misleading and suggested that the position was administrative in nature rather than analytical. This classification most closely aligns with existing Administrative Analyst and Program Analyst positions in the City of Oakland.

One position is filled, and there are three vacancies. The approved classification specification will be used to initiate a recruitment and selection process in the near future.

CIVIL SERVICE BOARD

Subject: Senior Services Program Analyst Classification Specification Approval

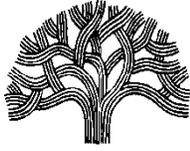
Date: March 17, 2022

Page 2

The International Federation of Professional and Technical Engineers (IFPTE, Local 21) was notified of the proposed revisions. City and union representatives met in February and March 2022 to discuss the edits. The parties collaborated on minor language adjustments in the Examples of Duties and Minimum Qualifications sections. In an email dated March 9, 2022, the union conveyed that there were no objections to the proposed revisions.

Staff recommends that the Civil Service Board approve the revised classification specification of **Senior Services Program Analyst** (formerly titled Senior Services Program Assistant) as proposed.

Attachment: Proposed Revised Senior Services Program Analyst classification specification.



CITY OF OAKLAND

DRAFT

SENIOR SERVICES PROGRAM ANALYST ASSISTANT

Class Code: PP144 FTE
PP145 PT

Civil Service Classified
Exempt

DEFINITION

Under general supervision in the Human Services Department, uses a full range of professional skills to provide recruitment, and placement, and referral services for the Senior Employment, Senior Companion and Foster Grandparent volunteers, and Multipurpose Senior Services and Paratransit Programs; to monitor these programs on a regular basis; to maintain accurate, complete records; and to may supervise assigned staff; and performs related duties as assigned.

DISTINGUISHING CHARACTERISTICS

This is a journey level classification in the Senior Services series. This classification is distinguished from the higher level Senior Services Supervisor, which is a first-line supervisory position responsible for planning, organizing, reviewing, and supervising senior service programs and activities.

SUPERVISION RECEIVED AND EXERCISED

The incumbent Rreceives general supervision from a Senior Services Supervisor and.

May supervise assigned clerical-administrative staff and Senior Aides.

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

Recruit, interview, screen, and place senior citizens for the Senior Employment and Senior Companion/Foster Grandparent Programs; interview and screen seniors and physically-handicapped-adults-adult persons with disabilities for the Paratransit Program.

Determine program eligibility of seniors and the-handicapped adult persons with disabilities.

Provide training and program orientation to Seniors.

Assess the skills of applicants for the senior employment and volunteer service programs; determine skills needed by community service agencies; refer applicants to agencies.

may make quarterly site visits to ensure compliance with host agency agreements; conduct outreach to local businesses; interface with and make presentations to local for-profit businesses; assist with employment readiness activities including the development of individual employment plans.

Monitor contracts with transportation companies who provide wheel-chair accessible vans; distribute and monitor taxi/van vouchers to clients for the Paratransit Program.

Provide services to frail, elderly ~~s~~Seniors through the Senior Companion/~~Foster Grandparent~~ Programs; ~~aid~~ assist supervisors at the Volunteer Stations by providing support services; monitor work of Senior Companions/~~Foster Grandparent~~ volunteers.

~~May~~ ~~S~~supervise, train, and evaluate assigned staff.

Participate in advisory committees, meetings, and conferences on all aspects of aging pertinent to the program.

Respond to public inquiries for information about the programs.

~~Assign work to the clerical staff and Senior Aides.~~

Maintain records on all phases of the program; assist in the preparation of reports ~~which that~~ meet federal, ~~and~~ state, ~~and~~ local guidelines.

~~Perform related duties as assigned.~~

QUALIFICATIONS KNOWLEDGE AND ABILITIES

Knowledge of:

- Program development in a multi-cultural environment.
- Federal, state, and local regulations governing social and health services programs.
- Interviewing and screening techniques.
- Community-based services for ~~S~~seniors.
- Gerontology and disability issues.
- Public contact skills with a diverse client population.
- Computer systems and software applications.

Ability to:

- Interview, assess, and place applicants.
- Work with a diverse client base.
- Monitor, develop, and evaluate program components.
- Work independently and set priorities.
- Communicate effectively orally and in writing.
- Maintain accurate records; prepare clear, concise reports.
- Utilize computer systems and software applications.
- Establish and maintain effective working ing relationships with those contacted in the performance of required duties.

EXPERIENCE AND EDUCATION

~~Any combination of experience and education that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:~~

MINIMUM QUALIFICATIONS

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

Education:

- A Bachelor's degree from an accredited college or university in ~~the~~ social worksciences,

gerontology; [business administration](#), [public administration](#), [public policy](#) or a related fields.

Experience:

Two (2) years of progressively responsible experience in social work, [gerontologygeriatrics](#), or a related field. [Relevant experience includes providing referral services, screening for eligibility, and performing placement and/or program administration.](#)

LICENSE OR CERTIFICATE

~~None required.~~ [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. 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

[Depending on nature of assignment, candidates who receive offers of employment will be required to submit fingerprints, undergo a criminal record clearance, and have a physical examination including a TB screening.](#)

[Proficiency in a foreign language is highly desirable.](#)

DEPT. OF HUMAN RESOURCES MANAGEMENT USE ONLY

Established: 07/27/1995 CSB Resolution #: 44339 Salary Ordinance #:

Exempted: Y N Exemption Resolution #:

Revision Date: / / CSB Resolution #:
Re-titled Date: / / CSB Resolution #: Salary Ordinance #:

(Previous title(s):)



REGULAR 5:30 P.M. CIVIL SERVICE BOARD MEETING MINUTES (DRAFT)

Date: February 17, 2022

Open Session: 5:30 p.m.

Location: Via Zoom

BOARD MEMBERS: Chairperson, Yvonne Hudson-Harmon; Vice Chair, Carmen Martinez; Lauren Baranco; Michael Brown; Brooke Levin; Beverly A. Williams

STAFF TO THE BOARD: Ian Appleyard, HRM Director/Secretary to the Board
Greg Preece, Assistant HR Director/Staff to the Board
Caryl Casden, Attorney to the Board

Pursuant to California Government Code section 54953(e), Civil Service Board Members, as well as City staff, will participate via phone/video conference, and no physical 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/81955196273?pwd=RHRjWjBvcWJSMTZBNHEwOWIMd0VmQT09> 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 +1 346 248 7799 or +1 253 215 8782 or +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799

Webinar ID: 819 5519 6273 Passcode: 974130

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.

There are two ways to make public comment within the time allotted for public comment on an eligible Agenda item.

- 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.
- To comment by phone, please call on one of the above listed phone numbers. You will be prompted to “Raise Your Hand” by pressing “*9” 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 make public comments. After the allotted time, you will then be re-muted. Instructions of how to raise your hand by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663> - Joining-a-meeting-by-phone.

If you have any questions, please email Greg Preece, Assistant Human Resources Director 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 FEBRUARY 17, 2022 CIVIL SERVICE BOARD MEETING AGENDA ACTION

45105 A motion was made by Member Levin and seconded by Vice Chair Martinez to approve the February 17, 2022 Civil Service Board Meeting Agenda with the addition of adjourning in memory of former Oakland HR employee Guy Johnson.

Votes: Board Member Ayes: – Hudson-Harmon, Martinez, Baranco, Brown, Levin

Board Member Noes: None

Board Member Abstentions: None

Board Members Absent: Williams (Technology Issue Prevented Voice Vote)

3) UPDATES, SECRETARY TO THE BOARD INFORMATION

4) CONSENT CALENDAR: ACTION

- a) Adopt A Resolution Renewing And Continuing The Civil Service Board’s Determination That Conducting In-Person Meetings Of The

Civil Service Board Would Present Imminent Risks To Attendees' Health, And Electing To Continue Conducting Meetings Using Teleconferencing In Accordance With California Government Code Section 54953(e), A Provision Of AB-361

b) Approval of Provisional Appointments (0)

- There are no provisional appointments this month.

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

- Housing & Community Development Department (1)
- Community Police Review Agency (1)

d) Approval of Revised Classification Specifications (0)

- There are no consent specifications this month.

45106 A motion was made by Member Brown and seconded by Member Baranco to approve the February 17, 2022 Consent Calendar.

Votes: Board Member Ayes: – Hudson-Harmon, Martinez, Baranco, Brown, Levin

Board Member Noes: None

Board Member Abstentions: None

Board Members Absent: Williams (Technology Issue Prevented Voice Vote)

5) OLD BUSINESS:

- a) Approval of January 20, 2022 Civil Service Board Special 5:15 P.M. Meeting Minutes

ACTION

45107 A motion was made by Member Baranco and seconded by Member Brown to approve the January 20, 2022 Special Meeting Minutes.

Votes: Board Member Ayes: – Hudson-Harmon, Martinez, Baranco, Brown, Levin

Board Member Noes: None

Board Member Abstentions: None

Board Members Absent: Williams (Technology Issue Prevented Voice Vote)

- b) Approval of January 20, 2022 Civil Service Board Regular 5:30 P.M. Meeting Minutes ACTION

45108 A motion was made by Member Baranco and seconded by Member Brown to approve the January 20, 2022 Regular Meeting Minutes. INFORMATION

Votes: Board Member Ayes: – Hudson-Harmon, Martinez, Baranco, Brown, Levin

Board Member Noes: None

Board Member Abstentions: None

Board Members Absent: Williams (Technology Issue Prevented Voice Vote)

- c) Determination of Schedule of Outstanding Board Items

- 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 INFORMATION

There is no update available this month.

- f) Update regarding Measure Q Hiring Efforts INFORMATION

- g) Discuss and Determine Whether there is an Ongoing Need to Provide Monthly Update on Measure Q Hiring Efforts ACTION

45109 A motion was made by Member Levin and seconded by Member Williams to continue receiving the Measure Q report as it is currently.

Votes:

Board Member Ayes: – Baranco, Levin, Williams

Board Member Noes: Hudson-Harmon, Martinez, Brown

Board Member Abstentions: None

Board Members Absent: None

The item did not carry.

45110 A motion was made by Member Brown and seconded by Member Levin to continue receiving the Measure Q report as it is currently, but with the understanding that staff will research ideas on how to best present the report.

Votes: Board Member Ayes: – Hudson-Harmon, Martinez, Baranco, Brown, Levin, Martinez

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

- h) Request from the Service Employees International Union (SEIU, Local 1021) for the Civil Service Board to Consider Whether it has Authority to Award Back Pay INFORMATION

There is no update available this month.

6) NEW BUSINESS:

- a) Approval of New Classification Specification for Family Services Specialist ACTION

45111 A motion was made by Member Brown and seconded by Member Levin to approve the new classification specification for Family Services Specialist.

Votes: Board Member Ayes: – Hudson-Harmon, Martinez, Baranco, Brown, Levin, Martinez

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

7) OPEN FORUM

8) ADJOURNMENT

45112 A motion was made by Member Williams and seconded by Member Brown to adjourn the meeting in memory of Guy Johnson.

Votes: Board Member Ayes: – Hudson-Harmon, Martinez, Baranco, Brown, Levin, Martinez

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

NOTE: The Civil Service Board meets on the 3rd Thursday of each month. The next meeting is scheduled to be held on Thursday, March 17, 2022. All materials related to agenda items must be submitted by Thursday, March 3, 2022. 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, 2nd floor
Oakland, CA 94612
civilservice@oaklandca.gov



Do you need an ASL, Cantonese, Mandarin or Spanish interpreter or other assistance to participate? Please email 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 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

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



CITY OF OAKLAND

STAFF REPORT

DATE: March 17, 2022

TO: THE HONORABLE CIVIL SERVICE BOARD

FROM: Greg Preece, Assistant Human Resources Director & 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

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 February 17, 2022 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 fifty-six (56) employees were in the TCSE (9), TCSE/Annuitant (19), and ELDE (28) categories as of pay period ending March 4, 2022. Of the those, zero (0) 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 NON-COMPLIANT ASSIGNMENTS

Of the fifty-six (56) temporary assignments, there are zero (0) reported as out of compliance with Rule 5.06.

HONORABLE CIVIL SERVICE BOARD

Subject: Temporary Employees

Date: March 17, 2022

Page 2

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 Assistant Human Resources Director Greg Preece at (510) 238-7334.

Attachments:

- A. TCSE/ELDE Report: For Payroll Period Ending March 4, 2022.
- B. TCSE/ELDE Compliance Trend Chart.

**CIVIL SERVICE BOARD
MARCH MONTHLY REPORT OF TCSE/ELDE ASSIGNMENTS**

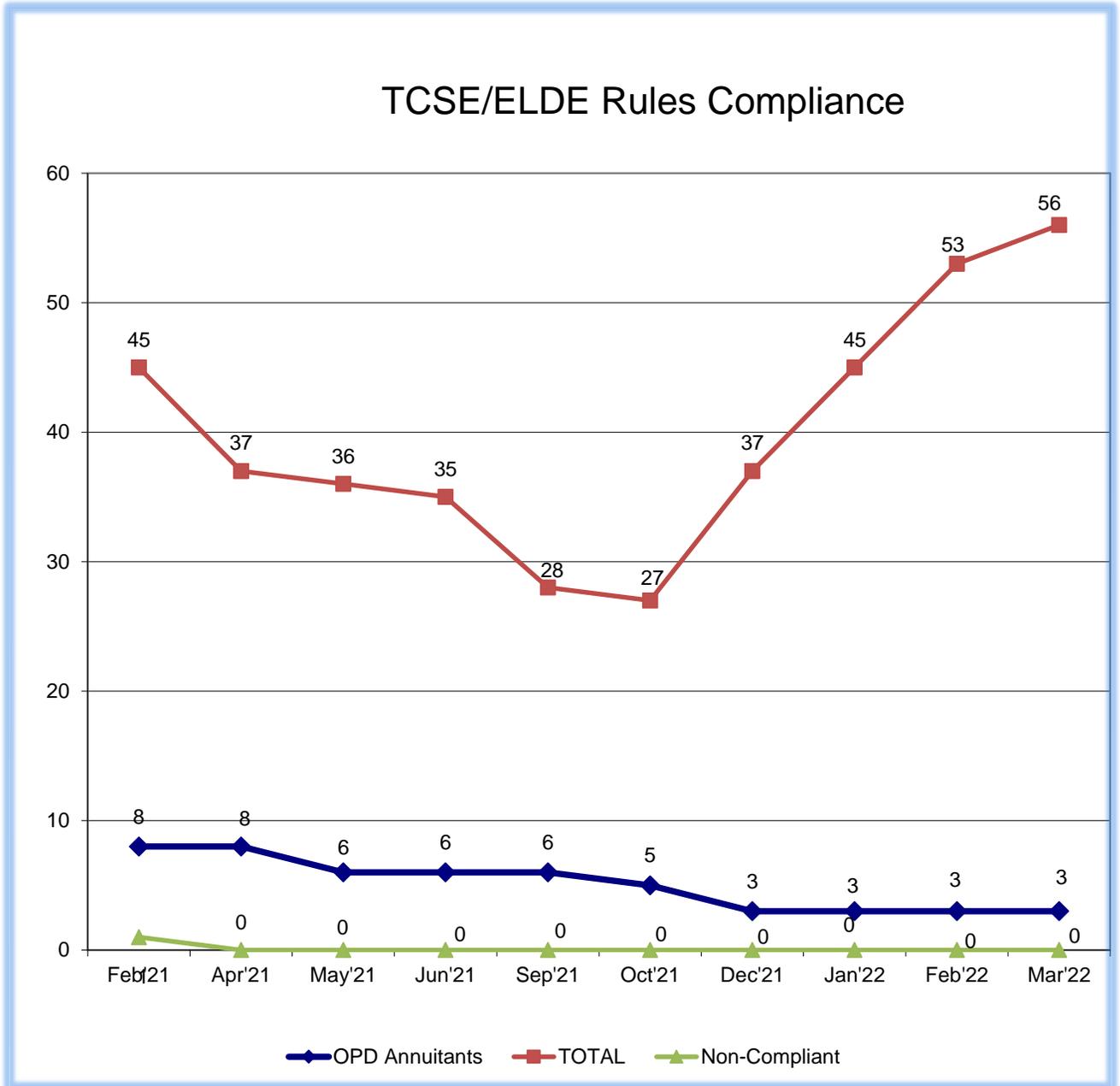
DEPT	LAST_NAME	FIRST_NAME	ORG	JOB_DATE	TYPE	HOURS	NOTES	STATUS
CLOSED THIS PERIOD (1)								
CITY ADMINISTRATOR	Luna	Richard	02111 - City Administrator Admin Unit	1/15/2022	TCSE	80.5	Administrative support while recruitments are conducted	COMPLIANT
NEW THIS PERIOD (4)								
CITY ADMINISTRATOR	Riskier	Tina	02112 - Communications & Media	2/19/2022	ELDE		Providing support to digital communications unit	COMPLIANT
POLICE	Taflya	Aleksandr	102610 - Criminalistics Unit	2/5/2022	TCSE	81.5	Providing support in Crim Lab Firearms Unit	COMPLIANT
DEPT. OF TRANSPORTATION	Lewis	Christopher	30232 - Construction Management and Material Testing	2/19/2022	TCSE/ Annuitant	8	Providing assistance to construction supervisor unit	COMPLIANT
VIOLENCE PREVENTION	Haywood	Leonard	70111 - Violence Prevention Administration	2/19/2022	ELDE		Providing assistance as Case Worker	COMPLIANT
COMPLIANT (52)								
ANIMAL SERVICES	Park	Lauren	62111 - Oakland Animal Services	7/25/2020	TCSE	612	Additional Veterinarian Assistance	COMPLIANT
CITY AUDITOR	Edmonds	Michael	07111 - City Auditor Unit	5/29/2021	TCSE/ Annuitant	490.5	Assistant City Auditor; temporary assistance in peer review preparation and training staff	COMPLIANT
CITY ATTORNEY	Chiu	James	04111 - City Attorney Administration Unit	1/22/2022	ELDE		Administrative and fiscal assistance	COMPLIANT
CITY ATTORNEY	Rossi	Daniel	04311 - Advisory Unit	9/9/2020	TCSE/ Annuitant	477	Providing advising support for real estate loan projects	COMPLIANT
CITY CLERK	Mekki	Ihsan	03121 - City Clerk Unit	8/10/2020	TCSE	0	Temporary Reception Coverage/Assistance	COMPLIANT
CPRA	Adwan	Rania	66111 - Police Commission	8/7/2021	ELDE		Administrative support for Police Commission	COMPLIANT
CPRA	Zisser	Aaron	66211 - Community Police Review Agency	2/6/2021	TCSE	955.25	Temporary assistance at Chief of Staff while recruitment process commences.	COMPLIANT
DEPT. OF TRANSPORTATION	Calabrese	Christine	35232 - Street Lighting Engineer	2/9/2019	TCSE/ Annuitant	415	Temporary assistance to complete AC Transit Bus Rapid Transit project.	COMPLIANT
DEPT. OF TRANSPORTATION	Mount	Douglas	35247 - Mobility Management	12/11/2021	ELDE		Assistance with transition of programs into DOT	COMPLIANT
DEPT. OF TRANSPORTATION	Neary	Michael	35211 - Department of Transportation	5/21/2018	TCSE/ Annuitant	0	Temporary assistance to develop, manage and implement the GoPort Program (transportation improvement)	COMPLIANT
DEPT. OF TRANSPORTATION	Wlassowsky	Wladimir	35219 - Structures & Emergency Response	11/13/2021	TCSE/ Annuitant	336	Assist in the Great Streets Division during process of hiring and on-boarding a new division manager	COMPLIANT
ECONOMIC & WORKFORCE DEVELOPMENT	Beverly	Lisa	85611 - Special Activities	12/11/2021	ELDE		Providing support in. special activity permit unit. Spec under revision	COMPLIANT
ECONOMIC & WORKFORCE DEVELOPMENT	Ellis	Felicia	85611 - Special Activities	12/11/2021	ELDE		Providing support in special activity permit unit. Spec under revision	COMPLIANT
ECONOMIC & WORKFORCE DEVELOPMENT	Lane	Patrick	85221 - Project Implementation: Staffing	11/2/2019	TCSE/ Annuitant	464.5	Assist with EWD Project Implementation	COMPLIANT
ECONOMIC & WORKFORCE DEVELOPMENT	Tran	Vy	85111 - Admin: Economic & Workforce Dev	12/11/2021	ELDE		Budget support and tracking	COMPLIANT
FINANCE	Bhatnagar	Amit	08211 - Accounting Administration Unit	1/8/2018	TCSE	355	Temporary project to develop Oracle Business Intelligence Enterprise Edition and Oracle Business Intelligence Applications.	COMPLIANT
FINANCE	To	Julie	08121 - Finance & Management Payroll	11/13/2021	ELDE		Payroll Manager during Spec Creation	COMPLIANT

**CIVIL SERVICE BOARD
MARCH MONTHLY REPORT OF TCSE/ELDE ASSIGNMENTS**

DEPT	LAST_NAME	FIRST_NAME	ORG	JOB_DATE	TYPE	HOURS	NOTES	STATUS
FINANCE	Tran	Vy	08222 - General Ledger	12/11/2021	ELDE		Grants management functions	COMPLIANT
FINANCE	Treglown	Donna	08111 - Finance/Controller	6/18/2018	TCSE/ Annuitant	599.5	Temporary assistance to complete Capital projects and end of year fiscal reconciliations.	COMPLIANT
FINANCE	Woodard	Phyllis	08741 - Treasury/Payroll Unit	12/13/2021	TCSE/ Annuitant	261	Temporary project to help train new Senior HR Operations Technicians and assist with advanced level projects	COMPLIANT
FIRE	Hellige	Scott	20813 - Fire Boat	8/12/2019	TCSE/ Annuitant	38	Temporary project to train current staff and possible expand the limited use of the Sea Wolf fire vessel to respond to emergency situations	COMPLIANT
FIRE	Jones	Elliott	20913 - EMS Training	11/1/2021	ELDE		MACRO Program Manager	COMPLIANT
FIRE	Lam	Ly Ly	20351 - Engineering Unit	10/4/2021	ELDE		Assistance in Fire Protection Engineer Unit	COMPLIANT
FIRE	Lipp	Robert	20411 - Emergency Services/Suppression	1/10/2022	TCSE/ Annuitant	280	Administrative support while recruitments are conducted	COMPLIANT
FIRE	Santos	Grace	20110 - Fire Chief Unit	1/25/2021	ELDE		Temporary Admin Support to Fire Chief to cover LOA	COMPLIANT
HCD	Erickson	Karen	08919 - Admin: Housing & Community Development	1/22/2022	TCSE	214.5	Emergency Rental Assistance Program Support	COMPLIANT
HCD	Howley	Janet	89919 - Admin: Housing & Community Development	5/3/2021	TCSE/ Annuitant	890	Assist with developing policies and procedures within the Emergency Rental Assistance Program (ERAP)	COMPLIANT
HCD	Lothlen	Brittni	89969 - Residential Rent Arbitration Unit	9/6/2021	ELDE		Providing Admin support within the Hearings Unit	COMPLIANT
HCD	Nettles	Marvin	89969 - Residential Rent Arbitration Unit	7/10/2021	ELDE		Admin support within Rent Arbitration Unit and provide database support.	COMPLIANT
HCD	Pretto	Allison	89969 - Residential Rent Arbitration	12/11/2021	ELDE		Assistance with Rent Registry Database	COMPLIANT
HCD	Smith	Caleb	89935 - Municipal Lending	11/13/2021	ELDE		Program support in Housing Unit	COMPLIANT
HUMAN RESOURCES	Look	Daryl	05211 - Employment & Classification Unit	1/3/2021	TCSE/ Annuitant	165.5	Recruitment support for HSD	COMPLIANT
HUMAN RESOURCES	Mariano	Andrea	05511 - Human Resource Development Unit	1/8/2022	ELDE		Citywide organizational development and training management while new	COMPLIANT
HUMAN SERVICES	Abano	Darfene	75231 - Multipurpose Senior Service Pgm	1/22/2022	TCSE	205.5	Senior Center Support	COMPLIANT
HUMAN SERVICES	Cole	Desralynn	78111 - DHS Administration Unit	1/22/2022	ELDE		Headstart strategic support and budget administration	COMPLIANT
HUMAN SERVICES	Cutter-Kim	Jessica	75631 - Senior Center unit	4/5/2021	ELDE		Assistance within Senior Centers and Service Deliveries while planning recruitments for permanent positions.	COMPLIANT
HUMAN SERVICES	Fong	Linda	75241 - Senior Companion Program Unit	10/30/2021	ELDE		Assistance in Senior Center Development and Operations Program	COMPLIANT
HUMAN SERVICES	Gomez	Guadalupe	78231 - HS Classroom & Seasonal	2/22/2020	TCSE	697	HS Classroom support	COMPLIANT
HUMAN SERVICES	Poston	Dorothy	75631 - Senior Center Unit	2/8/2020	TCSE/ Annuitant	897	Project Assistance in the Senior Services Section	COMPLIANT
HUMAN SERVICES	Taylor	Shelley	78235 - HS Central Office Administration	11/28/2020	TCSE	217.5	Manage Head Start Hiring processes and ensuring all staff are in compliance with HS regs	COMPLIANT
HUMAN SERVICES	Zarate	Laura	78231 - HS Classroom & Seasonal	7/11/2020	ELDE		Temporary Assistance in Head Start Program	COMPLIANT

**CIVIL SERVICE BOARD
MARCH MONTHLY REPORT OF TCSE/ELDE ASSIGNMENTS**

DEPT	LAST_NAME	FIRST_NAME	ORG	JOB_DATE	TYPE	HOURS	NOTES	STATUS
ITD	MacLeod	Robert	46341 - Application Development	10/30/2021	TCSE/ Annuitant	604	Assistance with Police/FIRE CAD and Records Management	COMPLIANT
PBD	Luong	Christie	84452 - Inspections Residential Buildings	10/2/2021	ELDE		Soft Story Retrofit Program support	COMPLIANT
PBD	Polak	Alicia	84451 - Inspections Commercial Buildings	11/13/2021	ELDE		Assistance with new Proactive Rental Inspection Program (PRIP)	COMPLIANT
POLICE	Beckman	Carlo	102140 - Research, Planning, & Crime Analysis	5/17/2021	ELDE		Support that will maintain compliance with the NSA by completing a strategic plan and writing policies for OPD	COMPLIANT
POLICE	Cook	Brigette	102310 - Criminal Investigations	4/19/2021	ELDE		Working within the grant-funded victim services unit	COMPLIANT
POLICE	Johnson	Carmen	106610 - Background & Recruiting	1/18/2014	TCSE/ Annuitant	744.5	Per MOU Agreement; TCSE/ Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Jones	Tracey	106410 - Police Information Technology	5/29/2021	ELDE		Assisting with NSA-related tasks and projects.	COMPLIANT
POLICE	Lighten	Ronald	106610 - Background & Recruiting	9/23/2013	TCSE/ Annuitant	497	Per MOU Agreement; TCSE/ Annuitant supporting OPD backgrounding.	COMPLIANT
POLICE	Pressnell	Edward	100610 - Background & Recruiting	9/23/2013	TCSE/ Annuitant	491	Per MOU Agreement; TCSE/ Annuitant supporting OPD backgrounding.	COMPLIANT
PUBLIC WORKS	Weed	Jonelyn	30111 - Director & Human Resources Unit	11/1/2021	TCSE/ Annuitant	357.5	Assistance in the OPW Training Program	COMPLIANT
VIOLENCE PREVENTION	Upshaw	Shawn	70211 - Oakland Unite	4/5/2021	ELDE		Working with Case Managers within DVP's triangle response strategy for 24/7 gun violence response.	COMPLIANT
NON-COMPLIANT (0)								



** There were no reports at the March 2021, July 2021, or August 2021 meetings

*** The November 2021 meeting was canceled.

Measure Q Hiring Progress Tracker
 March 17, 2022 Civil Service Board Meeting

DEPT	CLASSIFICATION	FTE POSITIONS	FILLED	ELIGIBLE LIST AVAILABLE	DETAILS
HSD	Budget & Grants Administrator	1	1	Yes	Filled (Filled 8.7.2021)
HSD	Administrative Assistant II	1	1	Yes	Filled (8.22.2020)
HSD	Case Manager I	1	1	Yes	Filled (March 2021)
OPW	Custodian	5	2	No	2 FTE starting 2/5/22, 3 FTE (6TPT) will be hired in the next TPT recruitment immediately following completing the full time hires.
OPW	Assistant Engineer I	1	0	No	Interview for the restricted list candidate scheduled for February 24, 2022.
OPW	Administrative Assistant II	1	1	Yes	Filled (2.26.2021)
OPW	Construction & Maintenance Mechan	2	2	Yes	Filled (10.30.21) Filled (11.13.21- one position on hold. Employee is currently on leave)
OPW	Business Analyst II	1	1	No	Filled (11.14.2020)
OPW	Gardener Crew Leader	7	4	Yes	Performance Exam held 2.17.22, Interviews will follow.
OPW	Gardener II	15	15	Yes	Filled (5 filled 6.12.2021, 5 filled 7.24.2021, 3 filled 8.7.2021, 2 filled 8.21.2021)
OPW	Painter	2	2	Yes	2 employees starting 2/19 and 3/5
OPW	Park Attendant, PT (NEW)	0.5	0.5	Yes	Filled (11.13.21)
OPW	Park Equipment Operator	2	2	No	Filled (1.22.22)
OPW	Park Supervisor I	2	0	No	Eligible List Referred to Department on 3.10.2021
OPW	Park Supervisor II	1	1	Yes	Filled (6.26.21)
OPW	Tree Worker (formerly Tree Worker D	1	1	No	Filled (11.13.21)
OPW	Tree Trimmer	1	0	Yes	The Division submitted an add/delete to convert Tree Trimmer positions to Tree Workers. 2.9.2022, waiting for response and next steps.



CITY OF OAKLAND

MEMORANDUM

DATE: March 17, 2022

TO: The Honorable Civil Service Board

FROM: Ian Appleyard,
Director of Human Resources

SUBJECT: Recommendation for Tracking of Measure Q Hiring

At its February 17, 2022 meeting, the Civil Service Board Meeting requested staff to research alternative options and provide a recommendation as to whether the Measure Q Hiring Report should continue to be an informational report presented monthly to the Board. Staff presents the following options for the Board to consider.

1. Continue providing the Measure Q Hiring Report on a monthly basis.
2. Provide the Measure Q Hiring Report on a quarterly basis.
3. Provide a verbal update on Measure Q positions when the Semi-Annual Staffing Report is presented to the Board.
4. Discontinue providing the Measure Q Hiring Report and provide the Board with a resource to find updates regarding Measure Q hiring.

Since the Measure Q report was originally provided to the Board at its October 15, 2020 meeting, more than 77 percent (34.5 FTE) of the 44.5 FTE positions have been filled. Of the remaining 10.0 FTE vacancies, 4.0 FTE have interviews scheduled, 3.0 FTE will be underfilled with Temporary Part Time (TPT) Employees, 2.0 FTE had names certified to the hiring department from a new Eligible List promulgated on March 10, 2022, and 1.0 FTE is awaiting a new recruitment after an add/delete.

In accordance with the text of Measure Q, citizen oversight of Measure Q was assigned by the City Council to two separate Commissions. With respect to funding for services to address homelessness the City Council assigned this oversight function to the Commission on Homelessness. With respect to funding for parks, landscape maintenance, and recreational services, and services to address water quality and related litter reduction, the City Council assigned this oversight function to the Parks and Recreation Advisory Commission (PRAC). Staff to the Civil Service Board receives the Measure Q report from Public Works Staff who prepares and provides it to the PRAC.

Board Members can track the progress of Measure Q hiring efforts by viewing the agenda reports prepared for the PRAC by Public Works Staff. Agendas and reports for PRAC may be found on the [PRAC website](http://www.oaklandca.gov/boards-commissions/parks-and-recreation-advisory-commission/meetings)¹. Additionally, Board Members may find updates on how Oakland Public Works Department is putting Measure Q to work for the community by visiting the [City's Measure Q Information Page](https://www.oaklandca.gov/topics/measure-q#:~:text=Oakland%20voters%20passed%20Measure%20Q,landscape%20maintenance%2C%20and%20recreational%20services)².

¹ <http://www.oaklandca.gov/boards-commissions/parks-and-recreation-advisory-commission/meetings>

² <https://www.oaklandca.gov/topics/measure-q#:~:text=Oakland%20voters%20passed%20Measure%20Q,landscape%20maintenance%2C%20and%20recreational%20services>.

CIVIL SERVICE BOARD

Subject: Recommendation for Tracking of Measure Q Hiring

Date: March 17, 2022

Page 2

Given the progress made on hiring efforts, the redundancy of reporting, and the availability of Measure Q information, Staff recommends the Board adopt Option #4 – Discontinue providing the Measure Q Hiring Report and provide the Board with a resource to find updates regarding Measure Q hiring.

Questions regarding this report may be directed to Greg Preece, Assistant Director of Human Resources at (510) 238-3112.

CITY OF OAKLAND
OFFICE OF THE CITY ATTORNEY
PUBLIC LEGAL OPINION

TO: IAN APLEYARD, DIRECTOR OF HUMAN RESOURCES
MANAGEMENT AND SECRETARY TO THE CIVIL SERVICE
BOARD, FOR DISTRIBUTION TO THE BOARD

FROM: OAKLAND CITY ATTORNEY'S OFFICE

DATE: MARCH 10, 2022

RE: **CIVIL SERVICE BOARD AUTHORITY TO AWARD BACK PAY TO
REINSTATED PROBATIONARY EMPLOYEES**

I. QUESTIONS AND BRIEF ANSWERS

Question No. 1:

Does the Civil Service Board ("Board") have authority to award back pay to probationary employees whom the Board reinstates following an appeal pursuant to Section 6.06 of the Civil Service Rules (Personnel Manual)?

Brief Answer:

No. The Oakland City Charter ("Charter"), the Oakland Municipal Code ("OMC") and the Civil Service Rules prescribe the duties and authority of the Board. The Board's authority is limited to the authority the Charter and the OMC grant it. Both are silent on the Board's authority to award back pay to a reinstated probationary employee, although neither would constrain the Board from doing so if the Civil Service Rules authorized it.

However, the Civil Service Rules do not authorize the Board to award back pay to probationary employees. Rule 6.07, which sets forth the scope of the Board's authority in proceedings involving appeals of probationary releases, specifies in Section 6.07(a)(x) that in probationary appeals the Board may "sustain the action of the appointing authority" or "sustain the appeal and "reinstate the appellant." Neither that Rule nor any other includes any mention of back pay as a possible remedy for probationary employees. In contrast, Rule 10.04, which applies to appeals by "permanent employees" (see Rule 10.03) of disciplinary actions, explicitly states the "Board has the power" to "award back pay and determine the extent of back pay to be awarded..."

PUBLIC LEGAL OPINION

To: Ian Appleyard, Director of Human Resources Management and Secretary to the Civil Service Board, For Distribution to the Board

Date: March 10, 2022

Re: **Civil Service Board Authority to Award Back Pay to Reinstated Probationary Employees**

Page 2

Question No. 2:

Could the Board amend the Civil Service Rules to authorize it to award back pay to probationary employees, and if so, how?

Brief Answer:

Yes. The Board is responsible for reviewing and approving proposed Rules changes and could approve amendments to the Rules to authorize it to order back pay for reinstated probationary employees. OMC section 2.08.030; Civil Service Rule 2.02(d). Approval of such amendments would be subject to bargaining with the unions before they could become final.

II. BACKGROUND

The Board currently does not award back pay to probationary employees whom it reinstates after an appeal pursuant to Section 6.07 of the Civil Service Rules. The Service Employees' Union, Local 1021 asked the Board to consider whether it has authority to issue back pay to reinstated probationary employees. The Board requested the opinion to get clarity as to whether it is permissible for it to award back pay to reinstated probationary employees.

III. ANALYSIS

A. The Board May Not Award Back Pay to Probationary Employees Whose Employment the Board Reinstates Pursuant to Civil Service Rule 6.06

1. The Charter and OMC

The Charter creates a Civil Service Board authorized to enforce the provisions of Article IX of the Charter ("Personnel Administration"), and the "ordinances and rules adopted to give effect thereto." Charter section 901. Charter section 901 vests the Board with "responsib[ility] for the general supervision of the personnel system, without impairment of the responsibility and duty of the City Administrator, department heads, and other supervisory personnel to exercise the administrative discretion vested in them by this Charter, or by ordinance." Otherwise, the Charter is silent regarding the powers and duties of the Board.

PUBLIC LEGAL OPINION

To: Ian Appleyard, Director of Human Resources Management and Secretary to the Civil Service Board, For Distribution to the Board

Date: March 10, 2022

Re: **Civil Service Board Authority to Award Back Pay to Reinstated Probationary Employees**

Page 3

Section 2.08.030 of the OMC (“Civil Service Rules and Procedures”) further describes the Board’s authority:

It shall be the function and duty of the Civil Service Board to enforce, through general supervision of the personnel system, the provisions of this chapter and of Article IX of the Charter; . . . to make reports and recommendations in writing thereon and to formulate policy recommendations or recommended changes to the Civil Service Rules for the better realization of the objectives of the personnel system, as set forth in Section 900 of the Charter; . . . to perform the appellate duties and functions hereafter described; to review and approve changes to the Civil Service Rules, excepting those which are administrative in nature, proposed by the City Administrator, provided that changes in which the Board does not concur may be made with the approval of Council...

The OMC additionally provides that an employee “having permanent status in the competitive civil service shall have the right to appeal suspension, fine, demotion, or discharge for incompetence, misconduct, or failure to properly perform [their] duties or to observe department rules and standards provided that such appeal shall not involve considerations of the merits or necessity of any departmental practice, procedures, rules, regulations orders, standards or level of service. OMC section 2.08.030(f). The OMC grants the Board the authority to hear appeals “according to the provisions of the Civil Service Rules.” Section 2.08.030(F)(2). The Civil Service Rules “shall provide such administration policies, procedures, rules, and regulations as may be appropriate to carry out the intent of the Charter and this chapter for the administration of the civil service system,” which may include “appeal procedures.” OMC section 2.08.040.

2. The Civil Service Rules

Although the Civil Service Rules provide for Board jurisdiction over eight different types of appeals of personnel decisions,¹ the Rules explicitly provide for back pay awards in only one category: successful appeals by permanent employees of disciplinary actions. See Civil Service Rule 10 (“Disciplinary Actions, Appeals and Hearings”). Section 10.01 provides “All persons holding positions in the Classified Civil Service shall be subject to suspension, fine and also removal from office or employment . . . for misconduct, incompetence, or failure to perform their duties . . . but subject to the appeal of the aggrieved party to the Civil Service Board as herein provided,” and

¹ The eight categories of appeals are: (1) the restoration of names removed from an eligible list (Rule 4.23); (2) selective certification recruitment (Rule 5.03); (3) medical separations (Rule 9.07); (4) separations due to absence from duty (Rule 9.08); (5) position classification decisions (Rule 3.04(e)); (6) appeals of examination results (Rule 4.19); (7) separation of a probationary employees (Rule 6.07); and (8) disciplinary actions against permanent employees (Rule 10.03-05).

PUBLIC LEGAL OPINION

To: Ian Appleyard, Director of Human Resources Management and Secretary to the Civil Service Board, For Distribution to the Board

Date: March 10, 2022

Re: **Civil Service Board Authority to Award Back Pay to Reinstated Probationary Employees**

Page 4

Section 10.03 affords permanent employees the right to appeal from the final notice of discipline involving suspension, fine, demotion or discharge. Section 10.04 specifically states:

The Board has the power to sustain, overrule, reduce or, consistent with due process, modify the discipline, *award back pay* and determine the extent of back pay to be awarded, based on the circumstances, and take any other appropriate action.

(Emphasis added).²

Civil Service Rule 6, which addresses probationary employees, contains no similar provision authorizing the Board to award back pay to probationary employees. Indeed, Rule 6 makes clear that probationary employees have only limited rights. Section 6.01 describes the probationary period as a “test of fitness” and “an essential part of the selection process.” Only upon a “favorable report” at the expiration of the probationary period shall a probationary employee be “deemed to be permanent;” and in the event of an “unfavorable report,” the “appointing authority shall notify the Personnel Director and the employee . . . that [they] will be removed from the position...” Section 6.04. At “any time during the probationary period,” an employee may be removed from [their] position.” Section 6.05. “Upon removal . . . [the probationary employee] shall be considered permanently separated from that position *without right to appeal to the Board except as set forth in section 6.06.*” (Emphasis added.)

Section 6.06 (“Limited Rights of an Employee During Probationary Period”) provides probationary employees with only three allowable grounds for appeal: (a) failure of the City to issue timely performance ratings; (b) failure of the City to remove the employee within the probationary period; and (c) discrimination against the employee based on 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 burden of proof is on the appellant, and to prevail, the evidence in support of the appeal must be clear and convincing. Section 6.07(b)

Section 6.07 specifies the scope of the Board’s authority in hearings and appeals of probationary releases. Subsection (a)(x) provides “Based on the evidence presented at the hearing, the Board shall render its decision,” which may be “to sustain the action

² Additionally, section 10.04 states if an appellant or their representative request a continuance which the Board grants, and the Board later sustains the appeal, the Board may rule that the appellant shall receive no back pay for the period of time during which such continuance was granted.

PUBLIC LEGAL OPINION

To: Ian Appleyard, Director of Human Resources Management and Secretary to the Civil Service Board, For Distribution to the Board

Date: March 10, 2022

Re: **Civil Service Board Authority to Award Back Pay to Reinstated Probationary Employees**

Page 5

of the appointing authority concerned;” or “to sustain the appeal and reinstate the appellant in accordance with subsection xi...” Subsection xi provides if an appeal is sustained, the Board “may determine that there has been an interruption in the probationary period from the date of the cause giving rise to the appeal hereunder, to the date of the decision by the Board, and the probationary period of the appellant may be extended by the length of such interruption.” The Board’s jurisdiction is clearly more limited in probationary appeals and does not include authority to award back pay to probationary employees who are reinstated.

Further, the omission of a specific grant of authority to the Board under Civil Service Rule 6.07 to award back pay to probationary employees contrasted with the explicit authority Rule 10.04 provides to award back pay to permanent employees is lends further support to this conclusion. Under the interpretive canon of statutory construction, *expression unius est exclusion alterius*, the mention of some things in a text may imply other matters not similarly addressed are excluded where there is reason to believe the omission was intentional, such as when a statute contains a “specific list” or presents a “facially comprehensive treatment.” *Howard Jarvis Taxpayers Assn. v. Padilla*, 62 Cal.4th 486, 514 (2016) (citations omitted); see *Lopez v. Sony Elecs., Inc.*, 5 Cal.5th 627, 635-36 (2018) (citations omitted). Section 6.07 is very detailed, containing numerous subsections; if the drafters of the Rule had intended to enable the Board to award back pay to probationary employees, Section 6.07 arguably would have included such a provision. The most defensible conclusion is that the Rules as currently drafted do not allow the Board to award back pay to probationary employees.³

B. The Board Can Amend the Civil Service Rules to Authorize the Board to Award Back Pay to Probationary Employees Subject to Bargaining with the Unions

The OMC and the Civil Service Rules address how to amend the Civil Service Rules. The OMC assigns the Personnel Director the duty to “[p]repare and maintain the Personnel Manual.” OMC section 2.080.020(B); see Civil Service Rule 2.01(b). The OMC further makes it the “function and duty” of the Board to “formulate policy recommendations or recommended changes to the Civil Service Rules for the better realization of the objectives of the personnel system” and “to review and approve changes to the Civil Service Rules, excepting those which are administrative in nature, proposed by the City Administrator, provided that changes in which the Board does not

³ Whether a probationary employee is entitled to back pay is a different question from whether the Board has authority to award it. As the Rules do not provide the Board with authority to award back pay, a reinstated probationary employee may file a writ of mandamus in court seeking back pay for the period during which they were wrongfully discharged, less any amounts earned from other employment during that period. See *Fugitt v. City of Placentia* (1977) 70 Cal.App.3d 868.

PUBLIC LEGAL OPINION

To: Ian Appleyard, Director of Human Resources Management and Secretary to the Civil Service Board, For Distribution to the Board
Date: March 10, 2022
Re: **Civil Service Board Authority to Award Back Pay to Reinstated Probationary Employees**

Page 6

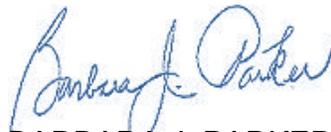
concur may be made with the approval of Council.” OMC section 2.08.030; see Civil Service Rules section 2.02(d).

Accordingly, the Personnel Director could offer a proposed amendment to the Board to allow it to award back pay to probationary employees, or the Board could on its own motion direct the Personnel Director to prepare such amendments for approval by the Board.⁴ Any motion to approve an amendment to the Rules must specify that approval is subject to bargaining with the unions before it can become final.⁵

IV. CONCLUSION

The Civil Service Rules currently do not grant the Civil Service Board the authority to award back pay to probationary employees when the Board reinstates them. If the Board wishes to have discretion to award back pay in the foregoing circumstances, it should schedule an agenda item to discuss and take action to request that the Personnel Director bring an appropriate amendment to the Civil Service Rules to the Board meeting for the Board’s consideration and approval.

Very truly yours,



BARBARA J. PARKER
City Attorney

Attorney Assigned:
Caryl Casden

3151712v2

⁴ There is no legal provision that would require the Board to amend its Rules to allow awards of back pay to probationary employees.

⁵ Under the Meyers-Milias-Brown Act (MMBA), Government Code section 3500 et seq., the City must meet and confer with employee labor representatives regarding wages, hours and other terms and conditions of employment.