



City of San Leandro

Meeting Date: May 20, 2019

Staff Report

File Number: 19-259

Agenda Section: CONSENT CALENDAR

Agenda Number: 8.D.

TO: City Council

FROM: Jeff Kay
City Manager

BY: Jeff Kay
City Manager

FINANCE REVIEW: David Baum
Finance Director

TITLE: Staff Report for a City of San Leandro City Council Resolution Approving a Side Letter that Amends the Memorandum of Understanding Between the City of San Leandro and the San Leandro City Employees' Association (SLCEA), Local 21 IFPTE to Provide Holiday-in-Lieu Pay to Employees in Public Safety Dispatchers classifications

SUMMARY AND RECOMMENDATIONS

Staff recommends that the City Council adopt a resolution that approves a side letter agreement to amend the Memorandum of Understanding between the City of San Leandro and the San Leandro City Employees' Association, Local 21 IFPTE, to provide Holiday-in-Lieu pay to employees in Public Safety Dispatchers classifications.

BACKGROUND

In October 2017, the City Council approved a side letter agreement to amend the Memorandum of Understanding (MOU) between the City of San Leandro and the San Leandro City Employees' Association (SLCEA) for the period January 1, 2016 through December 31, 2020. The side letter provided Holiday-in-Lieu pay at the rate of 6.5% of base salary to Water Pollution Control Plant Operators for being scheduled to work without regard to holidays due to mandatory 24/7 operations. The City and SLCEA reached a tentative agreement to extend the 6.5% Holiday-in-Lieu pay to employees in Public Safety Dispatchers classifications effective July 1, 2019.

Analysis

After the October 2017 side letter was approved, Public Safety Dispatchers expressed concern that they were not provided the same Holiday-in-Lieu pay as Water Pollution Control Plant Operators, despite being similarly situated in mandatory 24/7 operations. The City agreed to open discussions with SLCEA on this matter due to challenges the City has faced in the recruitment and retention of dispatch positions, which are vital to public safety.

Currently, Public Safety Dispatchers receive one and one-half times (1½) the straight time rate of pay or compensatory time off for working on a holiday. The 6.5% Holiday-in-Lieu pay will recognize that Public Safety Dispatchers are scheduled to work regardless of holidays in order to meet minimum staffing requirements. This change would affect 16 FTE budgeted positions in the classifications of Public Safety Dispatcher Supervisor, Senior Public Safety Dispatcher, and Public Safety Dispatcher.

Previous Actions

- On February 16, 2016, by Resolution No. 2016-015, the City Council approved the SLCEA MOU for the period January 1, 2016 through December 31, 2020.
- On October 16, 2017, by Resolution No. 2017-146, the City Council approved a side letter amending the SLCEA MOU for the period January 1, 2016 through December 31, 2020

Fiscal Impacts

The proposed Holiday-in-Lieu pay represents a change in practice in how holidays are paid to Public Safety Dispatcher employees, and will result in a budget impact of approximately \$275,000 (\$137,500 per year) for FY 2020 and FY 2021 for 16 FTE positions.

ATTACHMENT TO RESOLUTION

- Side Letter agreement between the City and SLCEA

PREPARED BY: Emily Hung, Human Resources Manager, City Manager’s Office



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Resolution - Council

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TO: City Council

FROM: Jeff Kay
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FINANCE REVIEW: David Baum
Finance Director

TITLE: RESOLUTION of the City of San Leandro City Council to Approve a Side Letter Agreement to Amend the Memorandum of Understanding between the City of San Leandro and the San Leandro City Employees' Association (SLCEA), Local 21 IFPTE

WHEREAS, on February 16, 2016, the City Council approved the Memorandum of Understanding between the City and the San Leandro City Employees' Association (SLCEA), Local 21 IFPTE for the period January 1, 2016 through December 31, 2020; and

WHEREAS, SLCEA requested to reopen discussions regarding Holiday-in-Lieu pay for Public Safety Dispatchers positions, which are scheduled 24/7 without regard to holidays; and

WHEREAS, City and SLCEA reached a tentative agreement on the terms of a side letter to amend the Memorandum of Understanding sections pertaining to Holiday in lieu pay for Public Safety Dispatchers, and

WHEREAS, the City Manager recommends approval of said side letter agreement.

NOW, THEREFORE, the City Council of the City of San Leandro does RESOLVE as follows:

1. That said Side Letter agreement substantially in the form presented is hereby approved and execution by the City Manager is hereby authorized; and
2. That the City Manager is authorized to make non-substantial revisions to said agreement, subject to the approval of the City Attorney; and
3. That an original executed agreement shall be attached to and made a part of this resolution.

**Side Letter of Agreement
Between the City of San Leandro and the
San Leandro City Employees' Association (SLCEA)**

This Side Letter of Agreement is made between the City of San Leandro and the San Leandro City Employees' Association (SLCEA) to amend the City's holiday pay for Public Safety Dispatchers in the current Memorandum of Understanding for the period January 1, 2016 through December 31, 2020.

The City and the SLCEA agree to make the following modifications to the MOU:

Section 14. Holidays

All full-time regular employees, except as hereinafter provided, shall be entitled to the following holidays provided that if such employee fails to report for scheduled work on any of such holidays, he/she shall receive no pay: New Year's Day; third Monday in January (Martin Luther King's Birthday); second Monday in February (Lincoln's Birthday); third Monday in February (Washington's Birthday); last Monday in May (Memorial Day); Independence Day; Labor Day; November 11 (Veterans' Day); Thanksgiving Day; the day after Thanksgiving; one-half (½) day on the day before Christmas and one-half (½) day on the day before New Year's Day; Christmas; and every day proclaimed a City holiday by the Mayor. Holidays will be credited at eight (8) hours for one (1) holiday, which equates to 96 hours per year. Except for continuous 24/7 operations, when a day herein listed falls on an employee's regular day off, he/she shall be entitled to a day off in lieu thereof within the calendar year or compensatory time at the rate of one (1) times his/her regular hourly rate. The day selected shall be subject to approval of the department head. When such day herein listed falls on a Sunday or Saturday, such day off in lieu thereof shall be the Monday following or Friday preceding respectively, except as hereinafter provided and except if Christmas Day or New Year's Day falls on a Sunday or Monday the one-half (½) day provision will be applicable the preceding work day. Continuous 24/7 operations will observe the actual holiday for compensation purposes.

Each employee represented by the Union shall be entitled to two (2) floating holiday which shall be scheduled at a time mutually convenient to the employee and the department head. The floating holiday must be taken during each calendar year and may not be carried over to another calendar year or converted to pay. Such holiday shall be granted to employees hired on or before September 1 of each calendar year.

To the extent that operating conditions allow, employees are to be given the day off on the date of the holiday. The following continuous 24/7 operations require established organized shifts to be regularly staffed without regard to holidays.

The below provisions shall be effective as to any employee transferred to a position designated as required to be staffed without regard to holidays, and shall cease to be

effective as to any employee transferred from such a position, as of the date of transfer. When employment of a person occupying a such a position is terminated, his/her entitlement for the holiday leave shall be prorated on the ratio of time served to the entire calendar year. Final compensation shall be adjusted on the basis of days taken in lieu of holidays as against the entitlement as so calculated.

Water Pollution Control Plant Operators

Effective January 1, 2018 and continuing thereafter, any Operator-in-Training/Plant Operator I/II, Plant Operator-Lead shall receive a 6.5% holiday pay premium in lieu of holiday overtime pay and accruing holiday time. In the event that an employee calls in sick on a holiday where he/she is scheduled to work, the holiday in lieu pay shall be suspended for the next three (3) pay periods. Suspension of the holiday-in-lieu pay can be waived upon the discretion of the Water Pollution Control Plant Manager. Holiday-in-lieu pay shall be paid in equal amounts in each pay period.

Police Civilian Employees

~~Any~~ Effective July 1, 2019 and continuing thereafter, any Public Safety Dispatcher Supervisor, Senior Public Safety Dispatcher, and Public Safety Dispatcher shall receive a 6.5% holiday pay premium in lieu of holiday overtime pay and accruing holiday time. Holiday-in-lieu pay shall be paid in equal amounts in each pay period.

~~Senior Police Service Technician and Police Service Technician, Police Services Aide and Administrative Specialist Police~~ in the Police Department assigned to the patrol, ~~records~~ or traffic division and who is subject to a rotational schedule may receive for any eight (8) hours holiday worked, one and one-half times (1½) the straight time rate of pay or compensatory time off at the one and one-half time (1½) rate. ~~Effective January 1, 2018 the practice of retaining holiday time (R time) will cease in order comply with CalPERS regulations which requires that holiday pay be reported in the pay period earned. In the event the employee elects compensatory time off the accrued time shall be placed in the employee's compensatory time off balance, not to exceed eighty (80) hours.~~

~~The term "compensatory time" refers to that time earned and accrued by working any overtime or holiday. Effective January 1, 2020, Public Safety Dispatcher Supervisor, Senior Public Safety Dispatcher, and Public Safety Dispatcher, compensatory time may be used, and replaced, without regard to frequency of use, as long as the account balance does not exceed eighty (80) hours. All other civilian employees in the Police Department, the compensatory time account balance shall not exceed one hundred twenty hours (120) hours. Once an employee's compensatory time off balance exceeds the maximum compensatory time account balance, the employee shall be compensated in pay.~~

~~When a day herein listed as a holiday falls on a regular day off the employee shall be entitled to a day off in lieu thereof at a later date within the calendar year or compensatory time at the rate of one (1) times his/her regular hourly rate. Such day off in lieu thereof is subject to approval of the department head as to the day selected. In no event shall an employee be entitled to days off as holidays; days off in lieu thereof; holiday~~

~~pay, or any combination thereof which exceeds the total number of hours set forth as holidays in this rule.~~

~~For Public Safety Dispatch Supervisor, Senior Public Safety Dispatcher, Public Safety Dispatcher, Senior Police Service Technician, Police Service Technician, Police Services Aide or Administrative Specialist-Police employees, compensatory time may be used, and replaced, without regard to frequency of use, as long as the account balance does not exceed eighty (80) hours. Once an employee's, compensatory time off balance exceeds eighty (80) hours, the employee shall be compensated in pay.~~

A Public Safety Dispatcher~~er~~ Supervisor, Senior Public Safety Dispatcher, Public Safety Dispatcher, Senior Police Service Technician, Police Service Technician, Police Services Aide or Administrative Specialist-Police employee may schedule accrued compensatory time and the Department will schedule a relief employee as available. If not available, the Department will post the vacancy for a volunteer employee to sign for, on an overtime basis. The volunteer employee will only be compensated in pay for the overtime worked at the overtime rate of one and one-half times (1½) the hourly rate based on the employee's monthly salary. This process shall be consistent with the San Leandro Police Department sign-up procedures.

~~For Public Safety Dispatch Supervisor, Senior Public Safety Dispatcher, Public Safety Dispatcher, Senior Police Service Technician, Police Service Technician, Police Services Aide, Administrative Specialist Police, Property Clerks, and Property and Evidence Technicians employees have the same holiday schedule as the Police Officers Association.~~

The foregoing holiday provisions do not apply to hourly or part-time employees.

The modifications above shall be implemented as follows:

- Effective July 1, 2019, Public Safety Dispatcher Supervisor, Senior Public Safety Dispatchers, Public Safety Dispatchers will no longer accrue leave for the remaining 2019 City's designated holidays. Holiday balances will be zeroed out and employees will no longer report holiday time or holiday overtime on timesheets. In recognition of this, employees shall receive Holiday-in-Lieu pay at the rate of 6.5% each pay period.
- Public Safety Dispatcher Supervisor, Senior Public Safety Dispatchers, Public Safety Dispatchers will have until December 31, 2019 to reduce their comp time balance to 80 hours. Any hours in excess of 80 hours after December 31, 2019 will be paid out.
- To assist with reducing comp time balances to 80 hours, Public Safety Dispatcher Supervisor, Senior Public Safety Dispatchers, Public Safety Dispatchers will be permitted to use up to 40 hours of comp time for vacation requests previously approved during the sign up process for calendar year 2019. Vacation requests must have already been approved for the period between July 1, 2019 and December 31, 2019. Employees must notify the Police Support Services Manager or designee of the vacation dates they wish to report as comp time. There will be no retroactive conversions.

- Effective July 1, 2019, all civilian employees in Police Department, with the exception of Public Safety Dispatcher Supervisor, Senior Public Safety Dispatchers, and Public Safety Dispatchers, will observe the same 2019 holiday schedule as other City employees. Instead of observing September 9, 2019 Admission Day, employees will observe a ½ day on Christmas Eve and ½ day on New Year’s Eve.

FOR THE CITY OF SAN LEANDRO

FOR THE SAN LEANDRO CITY
EMPLOYEES’ ASSOCIATION

Date

Date

Jeff Kay, City Manager

Matt Mason
Representative/Organizer, Local 21

Melissa Graham
Union Steward



City of San Leandro

Meeting Date: May 20, 2019

Staff Report

File Number: 19-263

Agenda Section: CONSENT CALENDAR

Agenda Number: 8.E.

TO: City Council

FROM: Jeff Kay
City Manager

BY: Jeff Kay
City Manager

FINANCE REVIEW: David Baum
Finance Director

TITLE: Staff Report for a City of San Leandro City Council Resolution to Amend the Non-Represented Part-Time Salary Schedule to Comply with the City's Minimum Wage Ordinance; to Amend the Extra Help Hourly Non-Represented Salary Schedule to Restructure the Job Title for Retired Annuitants; and to Amend the San Leandro City Employees' Association Salary Schedule to Reflect New Records Clerk and Library Security Aide Classifications

SUMMARY AND RECOMMENDATIONS

Staff recommends that the City Council adopt a resolution amending the San Leandro Non-Represented Part-Time and Extra Help Hourly Non-Represented salary schedules. Revisions to the Non-Represented Part-Time salary schedule include increasing hourly rates to comply with the City's Minimum Wage Ordinance and adding High School and College Intern classifications. Revisions to the Extra Help Hourly Non-Represented salary schedule involve retitling classifications for employing retired annuitants and removing the High School and College Intern classifications. Revisions to the San Leandro City Employees' Association salary schedule include retitling Police Services Aide to Records Clerk and adding the new classification of Library Security Aide.

DISCUSSION

Non-Represented Part-Time Salary Schedule

Per City Ordinance 2016-010, the minimum wage will increase to \$14.00 per hour effective July 1, 2019. The salary schedule has been adjusted to incorporate the increased hourly rate and to prevent compaction between classifications. Non-represented part-time employees are primarily employed in the City's Recreation and Human Services Department and the Library Department.

In addition, the salary schedule reflects adding the classifications of High School Intern and College Intern. Previously, the intern classifications were part of the Extra-Help Hourly Non-Represented salary schedule.

Extra Help Hourly Non-Represented Salary Schedule

The Extra Help Hourly Non-Represented salary schedule was created and approved by the City Council on June 4, 2012, and identifies the hourly pay rates utilized for employing retired annuitants. The salary schedule complies with the California Public Employees' Pension Reform Act (PEPRA) and California Public Employees' Retirement System (CalPERS) post-retirement employment requirements, which require retired annuitants be hired into a retired annuitant-designated position and be paid no less than the minimum nor exceed the maximum paid to other employees performing comparable duties.

When initially created, the Extra Help salary schedule included the job titles of Project Director, Project Coordinator, Police Department Specialist, Special Project Inspector, Water Treatment Operator Aide, Departmental Associate, Public Works Aide, Accounting Assistant, Departmental Assistant, and Program Aide. Eliminating these various titles and replacing them with one Extra Help Retired Annuitant classification will provide greater flexibility in hiring retired annuitants into the appropriate hourly pay rate. The High School and College Intern classifications will be transferred to the Non-Represented Part-Time salary schedule since interns do not fit the definition of "extra help" for retired annuitants.

The restructuring of the job classification titles will have no fiscal impact on the budget.

San Leandro City Employees' Association (SLCEA) Salary Schedule

The Police Services Aide specification should be retitled to Records Clerk, which is a more common job title in police departments for this type of work. In addition, the function of providing library security was removed from the Police Services Aide specification and developed into a new Library Security Aide classification. The newly created classification better addresses the full scope of security duties that are performed at the Library.

No adjustment to salary ranges is proposed since the level of duties and responsibilities remain unchanged.

Fiscal Impacts

There are no budget impacts with the proposed changes. The funds for the minimum wage increase are included in the proposed biennial budget for FY 2020 and FY 2021. There are no salary range adjustments associated with the Extra Help and SLCEA salary schedule revisions.

PREPARED BY: Emily Hung, Human Resources Manager, City Manager's Office