



Office of the City Manager

05

CONSENT CALENDAR
March 19, 2013

To: Honorable Mayor and Members of the City Council
From:  Christine Daniel, City Manager
Submitted by: David Abel, Acting Director of Human Resources
Subject: Classification: Associate Human Resources Analyst

RECOMMENDATION

Adopt a Resolution amending Resolution No. 65,376-N.S., Classification and Salary Resolution for Unrepresented Employees, to designate the Associate Human Resources Analyst classification as exempt from the overtime provisions of the Fair Labor Standards Act effective March 20, 2013.

FISCAL IMPACTS OF RECOMMENDATION

None

CURRENT SITUATION AND ITS EFFECTS

The Associate Human Resources Analyst classification is the journey level of the classification series, and incumbents perform a wide variety of human resources functions under general direction with minimal supervision. The classification has evolved with significant responsibilities in the areas of employee relations, recruitment, examinations, classification, compensation, benefits administration, as well as performing a variety of special projects in support of the human resources programs.

The Fair Labor Standards Act (FLSA) is a federal law that was enacted in 1938 establishing a minimum wage, providing for overtime compensation at the rate of time and one-half, and prohibiting employment of minors. The Supreme Court extended the FLSA to public agencies in 1985. With respect to overtime compensation, the FLSA provides that employees must be compensated at the rate of time and one-half for hours worked beyond 40 in a workweek. There are exceptions to this for work periods for safety employees (such as Firefighters who work the equivalent of a 56 hour workweek), and employees who qualify for an overtime exemption by virtue of working in an executive, administrative or professional capacity. This is referred to as a "white collar" exemption and requires employees to meet certain criteria to qualify for the exemption.

The following criteria must be met to qualify for an Administrative Exemption from the FLSA overtime provisions:

1. The classification must be compensated at a salary rate not less than \$455 per week;

2. The incumbent's primary duty must be the performance of office or non-manual work directly related to the management or general business operations of the employer or the employer's customers; and
3. The incumbent's primary duty includes the exercise of discretion and independent judgment with respect to matters of significance.

The Associate Human Resources Analyst classification meets all three criteria. The salary is above the minimum level required under the Administrative Exemption Test, and incumbents perform their duties and responsibilities routinely using discretion and independent judgment in the performance of their primary duties involving direct services to our customers, which include City officials, executive managers, City staff, and the public. Associate Human Resources Analysts research complex subjects and provide direction and guidance to managers in confidential and sensitive areas such as employee relations, recruitment and selection, and benefits administration.

By changing the FLSA designation, incumbents will no longer be eligible for overtime compensation when working beyond 40 hours in a workweek. Instead, 40 hours of administrative leave will be provided to Associate Human Resources Analysts each calendar year in recognition of the job responsibilities and expectations.

BACKGROUND

The Personnel Board discussed the proposal at its February 4, 2013 meeting. By unanimous vote (Dixon, Eblé, Magana, Murray, Reyes, Roter – Yes) the Board recommended the following:

1. Revise the Associate Human Resources Analyst class specification, exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) and eligible for Administrative Leave, in Representation Unit Z2 (Unrepresented Professional), effective March 20, 2013.

RATIONALE FOR RECOMMENDATION

It has been the policy of the City to maintain and revise the classification and salary schedule on a regular basis to accommodate assignment of new duties and responsibilities, reflect programmatic changes, maintain competitive salaries and, when applicable, comply with regulatory requirements.

ALTERNATIVE ACTIONS CONSIDERED

None

CONTACT PERSON

David Abel, Acting Director of Human Resources, 981-6807

Attachments

1. Classification: Associate Human Resources Analyst
2. Resolution and Exhibit A: Salary Schedule

City of Berkeley
Class No. 2703
March 2013

ASSOCIATE HUMAN RESOURCES ANALYST

DEFINITION

Under general direction, performs a variety of professional activities in support of a centralized human resources system; performs related work as assigned.

CLASS CHARACTERISTICS

Associate Human Resources Analyst is the journey level of the series, fully competent to perform a wide variety of professional level duties including recruitment and selection, job analysis, classification and compensation plan administration, equal employment opportunity programs, employee relations, and benefits administration. Incumbents are provided general direction and use broad discretion and make independent judgments within the overall policy guidelines established by the department. This class is distinguished from Senior Human Resources Analyst which provides lead direction and performs the most complex and technical activities assigned to analysts and/or support staff in a specific functional area.

EXAMPLES OF DUTIES

The following list of duties is intended only to describe the various types of work that may be performed and the level of technical complexity of the assignment(s) and is not intended to be an all-inclusive list of duties. The omission of a specific duty statement does not exclude it from the position if the work is consistent with the concept of the classification, or is similar or closely related to another duty statement.

1. Designs and implements recruitment programs to obtain qualified candidates by preparing job announcements, advertisements and other recruitment materials; screens applications for qualifications; coordinates, designs and administers selection procedures, including, but not limited to, application reviews, written and performance tests, interviews, and assessment exercises;
2. Conducts organizational and classification studies; audits and prepares new or modified job analysis documents and classification descriptions; and determines recommended compensation levels;
3. Collects compensation and benefit data and prepares analyses and reports; provides classification, compensation, and benefits information to other organizations;
4. Represents management in contacts with union representatives and/or departments on meet and confer processes, grievances, disciplinary actions and other labor relations activities;

5. Assists in implementing equal employment opportunity and affirmative action policies and programs; conducts independent studies and investigations, and prepares written reports;
6. Coordinates and administers employee benefits programs;
7. Interprets policies, procedures, collective bargaining agreements, and regulations;
8. Prepares reports, correspondence and a variety of written materials; presents findings, both orally and in writing, to appropriate boards or commissions;
9. Maintains accurate records and files, and
10. Utilizes a variety of computer applications commonly found in a modern office environment, including standard desktop office applications such as the Microsoft Office Suite; and specific enterprise-wide applications such as HRIS software, personnel transaction and applicant tracking systems and resource databases; and
11. Performs related duties as assigned.

QUALIFICATIONS

Note: The level and scope of the knowledge and skills listed below are related to job duties as defined under Class Characteristics.

Knowledge of:

1. Principles and practices of public personnel administration;
2. Recruitment, selection, and job analysis techniques;
3. Classification, compensation, and benefits analysis and administration techniques;
4. Applicable state and federal laws and regulations;
5. Affirmative action principles and practices;
6. Labor relations principles and practices in a collective bargaining environment, and
7. Standard office practices and procedures, including basic business data processing applications.

Ability to:

1. Design effective recruitment programs to obtain qualified candidates;
2. Develop valid and effective selection procedures;

3. Conduct classification, organizational, and compensation studies;
4. Analyze technical information, evaluate alternatives, make recommendations and implement policies and procedures;
5. Interpret and apply laws, regulations and policies;
6. Use initiative and exercise sound independent judgment within established guidelines;
7. Prepare clear, concise and effective written reports, correspondence and other materials;
8. Operate a computer with proficiency and familiarity;
9. Maintain accurate records and files, and
10. Establish and maintain effective working relationships with those contacted in the course of the work.

A TYPICAL WAY OF GAINING THE KNOWLEDGE AND SKILLS OUTLINED ABOVE IS:

Equivalent to graduation from a four-year college with major course work in business or public administration, industrial relations, or a closely related field; and two (2) years of professional experience in a centralized human resources system which has included experience in more than one functional area such as recruitment and selection, classification, compensation, benefits administration, or labor relations. Experience in a public agency setting is desirable. Experience related to the human resources function, which will have provided the knowledge and skills outlined above may be substituted for the college education on a year-for-year basis.

OTHER REQUIREMENTS

Must be able to travel to various locations within and outside the City of Berkeley to meet the program needs and to fulfill the job responsibilities. When driving on City business, the incumbent is required to maintain a valid California driver's license as well as a satisfactory driving record.

Associate Human Resources Analyst	
Classification Code	2703
Classification Established	11/1988
Classification Revised	8/2000
Classification Revised	3/2013
FLSA Status	Exempt
Administrative Leave/Overtime	Administrative Leave
Representation Unit	Z2
Probationary Period	One Year
Workers' Compensation Code	8810

RESOLUTION NO. ##,### N.S.

CLASSIFICATION: ASSOCIATE HUMAN RESOURCES ANALYST

WHEREAS, the Human Resources Department maintains the Classification and Compensation plan for the City of Berkeley; and

WHEREAS, the Fair Labor Standards Act provides an exemption from the overtime provisions of the Act for positions employed as bona fide executive, administrative, professional, and outside sales employees; and

WHEREAS, the duties and responsibilities of the Associate Human Resources Analyst positions were assessed; and

WHEREAS, the Acting Director of Human Resources determined that the Associate Human Resources Analyst positions met the Fair Labor Standards Act Administrative Exemption; and

WHEREAS, the Personnel Board recommended on February 4, 2013 to revise the classification of Associate Human Resources Analyst, exempt from the overtime provisions of the Fair Labor Standards Act and eligible for administrative leave, in Representation Unit Z2 (Unrepresented Professional), effective March 20, 2013.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that Resolution No. 65,376-N.S., Classification and Salary Resolution for Unrepresented Employees is amended to designate the classification of Associate Human Resources Analyst as exempt from the overtime provisions of the Fair Labor Standards Act as shown on Exhibit A, effective March 20, 2013.

Salary Schedule

Job Code	Unit	Class	FLSA	A	B	Steps C	D	E	Effective Date
2703	Z2	Associate Human Resources Analyst	E	\$6,930	\$7,243	\$7,612	\$7,966	\$8,343	03/20/13

