

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: Employee Relations Manager

RECOMMENDATION

Adopt a Resolution amending Resolution No. 65,376-N.S., Classification and Salary Resolution for Unrepresented Employees, to re-title the Employee Relations Officer to Employee Relations Manager effective March 20, 2013.

FISCAL IMPACTS OF RECOMMENDATION None

CURRENT SITUATION AND ITS EFFECTS

The Employee Relations Officer classification has remained unused since 2004. A Human Resources Department staff member has been appointed to this position in a temporary acting capacity. We are recommending a title change from Employee Relations Officer to Employee Relations Manager because the classification manages the functions and staff associated with the Employee Relations Division. The Division conducts all labor relations activities with six labor organizations; advises staff on labor contract interpretation, Federal and State employment law, and human resources policies and procedures. It also provides and administers the health and welfare benefit program; administers the City's Workers' Compensation Program including providing administrative oversight to the third party administrator; and administers the occupational health and safety program to ensure a safe workplace. There are eight staff members assigned to the Division, and "manager" is a more accurate title of the responsibilities of the classification than the term "officer".

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 and Re-title the Employee Relations Officer class specification to Employee Relations Manager, exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) and eligible for Administrative Leave, in Representation Unit Z1 (Unrepresented Management), effective March 20, 2013.

Classification: Employee Relations Manager CONSENT CALENDAR
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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: Employee Relations Manager

2. Resolution and Exhibit A: Salary Schedule

City of Berkeley Class No. 1402 March 2013

EMPLOYEE RELATIONS MANAGER

DEFINITION

Under general direction, plans, coordinates and conducts the City's employee relations program; acts as department head in the absence of the Director of Human Resources; performs related work as assigned.

CLASS CHARACTERISTICS

This class has responsibility for planning, designing and coordinating the City's employee/labor relations, workers' compensation, safety, and benefits programs. Plans and strategies are discussed with the Director of Human Resources who determines the final recommendations to be presented for approval to the City Manager. The Employee Relations Manager has day-to-day responsibility for interpreting and implementing contract language, representing the City with its bargaining groups, and resolving employee relations issues. The incumbent exercises broad discretion and makes independent judgments within the overall policy guidelines established by the department. This class differs from the Director of Human Resources in that the latter class is responsible for all facets of the City's human resources program.

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. Plans, researches and coordinates union/management labor negotiations; participates as a member and trainer for the management bargaining team;
- 2. Meets with union representatives and employees to determine contract language interpretation; publishes mutually accepted interpretations for use by department managers in future contract implementation;
- Oversees the City's workers' compensation, occupational health and safety, and benefits programs, directing staff in developing and providing delivery of services;
- Oversees the City's employee relations programs and policies to provide effective supervisory practices and to provide a strong employer-employee relations framework; recommends new and revised policies and develops

- procedures and handbooks; conducts City-wide training on labor and employee relations issues;
- 5. Confers with department representatives on employee grievances and disciplinary actions; investigates and prepares findings for employee grievances which allege violations of the contracts;
- 6. Works closely with City management to ascertain union/management issues which require resolution or contract clarification; confers with and interprets contract language for City management and employees;
- 7. Monitors developments in the employee and labor relations field, evaluates their impact on City activities and recommends policy and procedural improvements; maintains accurate records and files;
- 8. Conducts varied analytical studies including cost benefit analyses and proposal valuation; prepares reports, correspondence and a variety of written material; seeks legal opinions, as appropriate;
- 9. Interprets state and federal laws relating to employee relations issues, such as Fair Labor Standards Act, Americans with Disabilities Act, Meyers, Milias, Brown, and ensures the City's compliance with applicable provisions;
- 10. Plans, directs, trains and evaluates the work of subordinate staff; and
- 11. Performs related duties as assigned.

QUALIFICATIONS

<u>Note</u>: 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 management/union relations and negotiations;
- 2. Principles and practices of benefits program administration, workers' compensation, and occupational health and safety programs;
- 3. Principles and practices of public human resources administration; including organization, structure and labor relations in a municipal setting;
- 4. Applicable state and federal laws and regulations;
- 5. Standard office practices and procedures, including business software applications; and

6. Basic supervisory principles and practices.

Ability to:

- 1. Represent the City effectively in meeting with its bargaining unit representatives and in labor negotiations;
- 2. Prepare clear, concise and complete reports and other written materials; make clear oral presentations;
- 3. Interpret and apply laws, regulations, policies and contract provisions;
- 4. Maintain accurate records and files;
- 5. Coordinate multiple negotiations and meet critical deadlines;
- 6. Collect, arrange, and evaluate varied information and data, either in statistical or narrative form;
- 7. Plan, organize, assign, direct review, and evaluate the work of professional and office support staff;
- 8. Analyze complex technical problems, evaluate alternatives and make sound independent judgments within established guidelines; and
- 9. Establish and maintain effective work 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 four (4) years of professional human resources experience which has included extensive responsibility for planning and implementing labor and/or employee relations programs. Experience in a public agency setting is desirable. Additional professional-level experience as outlined above may be substituted for the college education on a year-for-year basis.

OTHER REQUIREMENTS

Must be willing to work such hours as are necessary to accomplish the job 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.

Employee Relations Manager				
Classification Code	1402			
Classification Established	11/1988			
Classification Revised	10/1994			
Classification Revised	7/1997			
Classification Revised	8/2000			
Classification Revised (retitled)	3/2013			
FLSA Status	Exempt			
Administrative Leave/Overtime	Admin Leave			
Representation Unit	Z1			
Probationary Period	One Year			
Workers' Compensation Code	8810			

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

CLASSIFICATION: EMPLOYEE RELATIONS MANAGER

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

WHEREAS, the Acting Director of Human Resources has recommended re-titling the Employee Relations Officer; and

WHEREAS, the Personnel Board recommended on February 4, 2013 to revise and retitle the Employee Relations Officer to Employee Relations Manager, 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 re-title the Employee Relations Officer classification as shown in Exhibit A, effective March 20, 2013.

Salary Schedule

Job Code	Unit	Class	FLSA	Α	В	Steps C	D	E	Effective Date
1402	Z2	Employee Relations Manager	E	\$0	\$0	\$8,898	\$0	\$11,561	03/20/13