



Office of the City Manager

CONSENT CALENDAR

April 29, 2014

To: Honorable Mayor and Members of the City Council

From:  Christine Daniel, City Manager

Submitted by: David Abel, Acting Director of Human Resources

Subject: Personnel Rules and Regulations Amendment

RECOMMENDATION

Adopt a Resolution amending Resolution No. 60,776-N.S., the Personnel Rules and Regulations, Section 9.03 – Promotion Through a Non-Competitive Personnel Action – to add the unlicensed classification of Behavioral Health Clinician I and the licensed classification of Behavioral Health Clinician II; remove the unlicensed classifications of Mental Health Clinician I and Psychiatric Social Worker I; and remove the licensed classifications of Mental Health Clinician II and Psychiatric Social Worker II.

FISCAL IMPACTS OF RECOMMENDATION

None.

CURRENT SITUATION AND ITS EFFECTS

The Personnel Ordinance, in Section 4.04.070(A) of the Berkeley Municipal Code, provides that the Personnel Board shall review the Personnel Rules and Regulations, revisions and amendments to the Rules and make recommendations to the City Manager.

On October 24, 2006 the City Council adopted a resolution recommended by the Personnel Board to establish Section 9.03 - Promotion Through a Non-Competitive Personnel Action - of the Personnel Rules and Regulations that created an administrative procedure for internal promotion in certain classification series that require professional licensure, certification or registration. If a department head determines that an employee meets the criteria outlined in the Rules and Regulations, the department head submits an Employee Transaction Form to the Director of Human Resources recommending promotion of the employee to the licensed journey level classification, without the recruitment that an eligible list for the journey level classification be established or certified for the appointment. Upon determination that the criteria have been met, the employee is advanced to the journey level classification

subject to the requirement to serve the appropriate probationary period, as outlined in the applicable memorandum agreement. This procedure is working well and it has been a more efficient method of promoting individuals that have performed satisfactorily and have obtained the required qualifications and license(s).

The Personnel Board has recommended to staff, and staff is requesting that the City Council approve an amendment to the Personnel Rules and Regulations, to add the unlicensed classification of Behavioral Health Clinician I and the licensed classification of Behavioral Health Clinician II to the list of classes eligible for promotion through a non-competitive personnel action.

Staff is also requesting that the City Council approve an amendment to the Personnel Rules and Regulations, to remove the unlicensed classifications of Mental Health Clinician I and Psychiatric Social Worker I, and the licensed classifications of Mental Health Clinician II and Psychiatric Social Worker II.

Behavioral Health Clinician I: This entry-level class, under direct supervision, provides a variety of community behavioral health services to clients and to the community in an outpatient setting; and handles complex or difficult client cases. Responsibilities include conducting assessments, performing case coordination, care management, and rehabilitative services, providing diagnoses and treatment plans, providing psychotherapy, and preparing reports, case summaries and other forms required to maintain a case within the clinic. Minimum qualifications include a master's degree from a recognized school of Social Work, Counseling, Psychiatric Nursing, or other Marriage and Family Therapy eligible discipline, or a doctorate degree in Psychology, with field placement of at least one (1) year in a medical, psychiatric, or community mental health setting.

Behavioral Health Clinician II: This journey-level class, under general direction, provides a wide range of community behavioral health services requiring independent judgment and decision-making. Responsibilities include conducting assessments; performing case coordination, care management, and rehabilitative services; providing diagnoses and treatment plans; providing psychotherapy; and preparing reports, case summaries, and other forms required to maintain a case within the clinic. Minimum qualifications include a master's degree from a recognized school of Social Work, Counseling, Psychiatric Nursing, or other Marriage and Family Therapy eligible discipline, or a doctorate degree in Psychology, with field placement in a medical, psychiatric, or community mental health setting, and two (2) years experience in an out-patient clinic, hospital, child guidance clinic, mental health program, or family agency which included regular psychiatric consultation. This classification also requires possession of a License as a Clinical Social Worker, Marriage and Family Therapist, or Psychologist, as provided for by California state law.

Therefore, Behavioral Health Clinician I's who meet the experience and educational qualifications for the Behavioral Health Clinician II class, and obtain licensure as a

Clinical Social Worker, Marriage and Family Therapist, or Psychologist, would be eligible for promotion to the Behavioral Health Clinician II class through a non-competitive personnel action upon meeting the criteria established in Section 9.03 of the Personnel Rules and Procedures.

### BACKGROUND

The Personnel Board discussed the proposal at its March 3, 2014 meeting, and voted (Dixon, Roter, Reyes, Wenk, Vizas – Yes; Johnson, Kidd, Murray - Absent), to recommend the following to the City Council:

1. Amend Resolution No. 60,776-N.S., the Personnel Rules and Regulations, Section 9.03 (Promotion Through a Non-Competitive Personnel Action) to add the unlicensed classification of Behavioral Health Clinician I and the licensed classification of Behavioral Health Clinician II, effective April 30, 2014.
2. Amend Resolution No. 60,776-N.S., the Personnel Rules and Regulations, Section 9.03 (Promotion Through a Non-Competitive Personnel Action) to remove the unlicensed classifications of Mental Health Clinician I and Psychiatric Social Worker I; and to remove the licensed classifications of Mental Health Clinician II and Psychiatric Social Worker II, effective May 31, 2014.

### ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental effects or opportunities associated with the subject of this report.

### RATIONALE FOR RECOMMENDATION

The recommendation is to improve the efficiency of an internal administrative procedure to permit employees to advance in the career service rather than have to conduct a recruitment and establish a promotional eligibility list when an employee attains licensure, certification or registration within a limited number of classifications.

### ALTERNATIVE ACTIONS CONSIDERED

None

### CONTACT PERSON

Mecole Tate, Acting Assistant Human Resources Analyst, 981-6807

Attachments:

1. Resolution  
Exhibit A: Personnel Rules and Regulations Section 9.03

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

AMENDING THE PERSONNEL RULES AND REGULATIONS RESOLUTION NO.  
60,776-N.S.

WHEREAS, the Personnel Ordinance, in Section 4.04.070(A) of the Berkeley Municipal Code, provides that the Personnel Board shall review the Personnel Rules and Regulations, revisions and amendments to the Rules and make recommendations to the City Manager; and

WHEREAS, some professional classifications require professional licensure, certification or registration as a prerequisite at the journey level of a multi level classification series; and

WHEREAS, the Personnel Rules and Regulations (Resolution 60,776-N.S.) in Section 9.03 – Promotion Through a Non-Competitive Personnel Action – sets forth internal promotion procedures through a non-competitive personnel action for specified classification series; and

WHEREAS, on March 3, 2014, the Personnel Board approved a staff recommendation to add the unlicensed classification of Behavioral Health Clinician I and the licensed classification of Behavioral Health Clinician II to Section 9.03 of the Personnel Rules and Regulations.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley hereby amends the Personnel Rules and Regulations (Resolution No. 60,776-N.S.) in Section 9.03 – Promotion Through a Non-Competitive Personnel Action – to add the unlicensed classification of Behavioral Health Clinician I and the licensed classification of Behavioral Health Clinician II.

BE IT FURTHER RESOLVED that the Council of the City of Berkeley hereby amends the Personnel Rules and Regulations (Resolution No. 60,776-N.S.) in Section 9.03 – Promotion Through a Non-Competitive Personnel Action – to remove the unlicensed classifications of Mental Health Clinician I and Psychiatric Social Worker I, and the licensed classifications of Mental Health Clinician II and Psychiatric Social Worker II.

Exhibit A:

Personnel Rules and Regulations Section 9.03

**PERSONNEL RULES AND REGULATIONS**

**9.03 PROMOTION THROUGH A NON-COMPETITIVE PERSONNEL ACTION**

Classifications that require professional licensure, certification or registration as a prerequisite at the journey level may be under filled at the unlicensed entry level, pending qualification for the required license based on the needs of the City. The City Manager or his designated representative may consider an employee for promotion to a higher class through a non-competitive personnel action if the employee meets all of the following criteria and has documented satisfactory performance in the lower level classification:

- The higher classification licensed position has been authorized for filling and the department has elected to fill it at the unlicensed level; and
- The employee has obtained the essential qualifications of the journey level classification, as outlined in the classification specification (i.e., experience and education qualifications, the demonstrated knowledge, skills and abilities, etc.); and
- The employee has obtained the required California State license, professional registration, or certification as identified in the job specification.

<b>Certification or Licensed Classifications</b>	
<b>Unlicensed Classification</b>	<b>Licensed Classification</b>
Behavioral Health Clinician I	Behavioral Health Clinician II
Assistant Environmental Health Specialist	Registered Environmental Health Specialist
Assistant Public Works Engineer	Assistant Civil Engineer
Psychiatrist I	Psychiatrist II
Psychiatrist II	Psychiatrist III
Public Health Physician	Public Health Physician (Certified)
Traffic Engineering Assistant	Assistant Traffic Engineer

If the department head determines that the employee meets the criteria outlined above, the department head then submits an Employee Transaction Form to the Director of Human Resources recommending promotion of the employee to the licensed journey level classification, without requirement that an eligible list for the journey level classification be established or certified for this appointment, with a copy of the required license. Upon determination that the criteria have been met, the employee will be advanced to the journey level classification subject to the requirement to serve the appropriate probationary period, as outlined in the applicable memorandum agreement.

