



Office of the City Manager

CONSENT CALENDAR
September 19, 2006

To: Honorable Mayor and
Members of the City Council
From: *PK* Phil Kamlarz, City Manager
Submitted by: David W. Hodgkins, Director of Human Resources
Subject: Vacation Accrual for Library Executive Management

RECOMMENDATION

Adopt a Resolution amending Article 13.08.02 of Resolution No. 60,777- N.S, the Unrepresented Employee Manual, (Vacation Schedules) to permit the Director of Library Services and the Deputy Director of Library Services to accrue vacation leave at a higher rate. This action is the result of a resolution adopted by the Board of Library Trustees on July 11, 2001.

FISCAL IMPACTS OF RECOMMENDATION

The fiscal impact of this recommendation is an annual accrual of three weeks of vacation beginning at time of hire through the first five years of employment rather than two weeks of annual vacation accrual during the first two years and then three weeks of annual vacation accrual from the third through fifth year of employment. The cost for fiscal year 2007 is approximately \$3,000 for the Director of Library Services for the extra week of accrual based on the top of the salary range for nine months. The cost for fiscal year 2008 is approximately \$4,200 based on the 4.8% cost of living adjustment for twelve months on the top of the salary range. The cost for fiscal year 2007 is approximately \$1,500 for the Deputy Director of Library Services for the extra week of accrual based on the top of the salary range for six months. The cost for fiscal year 2008 is approximately \$3,100 based on the 4.8% cost of living adjustment for twelve months on the top of the salary range. The cost of this benefit improvement will be paid from the Library Tax Fund.

CURRENT SITUATION AND ITS EFFECTS

The Director of Library Services and the Deputy Director of Library Services classifications are part of the City's Unrepresented Confidential and Executive Management representation unit (Representation Unit Z1). Article 13.08.1 of the Unrepresented Employee Manual provides a vacation leave accrual schedule for Unrepresented Confidential and Executive Management employees as follows:

Years of Actual Benefited Service	Authorized Annual Vacation Accrual
Through the first 2 Years of Service	2 weeks (80 Hours)
Beginning the 3rd through 5th Years of Service	3 weeks (120 Hours)

Years of Actual Benefited Service	Authorized Annual Vacation Accrual
Beginning the 6th through 17th Years of Service	4 weeks (160 Hours)
Beginning the 18th through 24th Years of Service	5 weeks (200 Hours)
Beginning the 25th and subsequent Years of Service	6 weeks (240 Hours)

BACKGROUND

Under the Charter of the City of Berkeley, Section 30, the Board of Library Trustees is vested with the authority to hire, discipline and dismiss all employees of the Berkeley Public Library. Under Section 32 of the Charter, the City Council is vested with the authority to establish salaries and benefits for all officers and employees on the recommendation of the City Manager.

On July 21, 2006, David Hodgkins, Director of Human Resources, received a memorandum from Roger Pearson, Interim Director of Library Services, transmitting Board of Library Trustees' Resolution R01-67 that was adopted on July 11, 2001 but was never forwarded to the Human Resources Department for action. A copy of Mr. Pearson's memorandum and the Board of Library Trustees, Action is attached for your information as Attachment 2. Mr. Pearson's memorandum recommends that the Human Resources Department review and approve the action of the Board of Library Trustees' and submit it to the City Council for final approval. The Board of Library Trustees Resolution R01-67 to increases the vacation benefits for the Director of Library Services and Deputy Director of Library Services as follows:

Years of Actual Benefited Service	Authorized Annual Vacation Accrual
Through the first 5 Years of Service	3 weeks (120 Hours)
Beginning the 6th through 17th Years of Service	4 weeks (160 Hours)
Beginning the 18th through 24th Years of Service	5 weeks (200 Hours)
Beginning the 25th and subsequent Years of Service	6 weeks (240 Hours)

Employees represented by Service Employees International Union Local 535 in the classifications of Librarian I and II, Senior Librarian, Automation Librarian, and Supervising Librarian have the following vacation accrual schedule:

Years of Actual Benefited Service	Authorized Annual Vacation Accrual
Through the first 11 Years of Service	3 weeks (120 Hours)
Beginning the 12th through 17th Years of Service	4 weeks (160 Hours)
Beginning the 18th through 24th Years of Service	5 weeks (200 Hours)
Beginning the 25th and subsequent Years of Service	6 weeks (240 Hours)

The July 11, 2001 Board of Library Trustees' Resolution R01-67 also includes language to increase the vacation benefits for two employees in Representation Unit Z-5, the Building Project Manager and the Library Network Administrator. Representation Unit Z-5 consists only

of the classifications of Library Building Project Manager and the Library Network Administrator, which are unrepresented “at-will” classifications and not part of the regular career service. The Library Building Project Manager who was employed when the July 11, 2001 Board of Library Trustees Resolution R01-67 left employment on September 9, 2005 and the position has not been filled. The current Library Network Administrator did not begin employment until June 5, 2003, which is after the date of the Resolution and this does not appear to apply to her. Based on the request of Mr. Pearson, City Council action to increase the vacation benefits is recommended only for the classifications of Director of Library Services and Deputy Director of Library Services.

The Unrepresented Employees Manual was adopted by the City Council on September 26, 2000 through Resolution No. 60,777-N.S. and established the rules for benefits, compensation and terms and conditions of employment for unrepresented employees. The Unrepresented Employee Manual has been amended from time to time, most recently on May 16, 2006 to include a description of the Supplemental Retirement Plan and Trust Agreement. In order to approve the July 11, 2001 Board of Library Trustees Resolution R01-67, it is necessary to amend the Unrepresented Employee Manual to add a new section with the increased vacation benefit for the Director of Library Services and Deputy Director of Library Services as shown in Exhibit A.

RATIONALE FOR RECOMMENDATION

The purpose of this recommendation is to act on the Resolution of the Board of Library Trustees R01-67. The Board of Library Trustees is about to begin recruitment for a new Director of Library Services and wishes to use the improved vacation accrual schedule in the recruitment.

ALTERNATIVE ACTIONS CONSIDERED

Maintain the current vacation accrual schedule for the Director of Library Services and Deputy Director of Library Services.

CONTACT PERSON

David W. Hodgkins, Director of Human Resources, 981-6805
Roger Pearson, Acting Director of Library Services, 981-6108

Attachments:

- 1: Resolution, including Exhibit A
- 2: Memorandum of July 21, 2006 from Roger Pearson, Interim Director of Library Services to David Hodgkins, Director of Human Resources, regarding Changing Accrual Vacation Rates for Director and Deputy Director of Library Services

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

AMENDING ARTICLE 13.08.02 OF RESOLUTION NO. 60,777-N.S., THE UNREPRESENTED EMPLOYEE MANUAL, VACATION SCHEDULE

WHEREAS, on September 20, 2000, the City Council adopted Resolution No. 60,777-N.S. establishing the Unrepresented Employee Manual, setting forth rules governing working conditions, benefits and compensation for unrepresented career benefited and regular at-will employees; and

WHEREAS, Resolution No. 60,777-N.S. has been amended from time to time to include changes affecting working conditions, benefits and compensation for unrepresented career benefited and regular at-will employees; and

WHEREAS, the Charter of the City of Berkeley provides in Section 30 that the Board of Library Trustees is vested with the authority to hire, discipline and dismiss all employees of the Berkeley Public Library; and

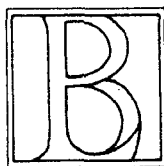
WHEREAS, under Section 32 of the Charter, the City Council is vested with the authority to establish salaries and benefits for all officers and employees on the recommendation of the City Manager.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley that Article 13.08.02 (Vacation Schedules) of Resolution No. 60,777-N.S. (Unrepresented Employee Manual), is hereby amended to increase the vacation accrual benefit for the classifications of Director of Library Services and Deputy Director of Library Services as shown in Exhibit A attached hereto and made a part hereof.

Exhibit A

13.8.2 **Director of Library Services and Deputy Director of Library Services:** Employees in the classifications of Director of Library Services and Deputy Director of Library Services are entitled to earn annual vacation Leave as follows:

Years of Actual Benefited Service	Authorized Annual Vacation Accrual
Through the first 5 Years of Service	3 weeks (120 Hours)
Beginning the 6th through 17th Years of Service	4 weeks (160 Hours)
Beginning the 18th through 24th Years of Service	5 weeks (200 Hours)
Beginning the 25th and subsequent Years of Service	6 weeks (240 Hours)



Attachment 2

BERKELEY PUBLIC LIBRARY
2090 Kittredge Street • Berkeley, California 94704 • 510 / 981-6195

MEMORANDUM

To: David Hodgkins
Director of Human Resources

From: Roger Pearson
Interim Director of Library Services

Date: July 21, 2006

Subject: **Changing Accrual Vacation Rates for Director and Deputy Director of Library Services**

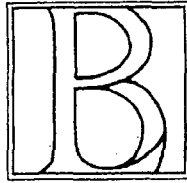
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At their regular meeting on July 11, 2001 the Board of Library Trustees voted to increase the vacation accrual rates for the Director and Deputy Director of Library Services (R01-67 see attached). For one reason or another, the action was never properly forwarded to Human Resources for further action. Currently, as included on attached documents, all classifications in Local 535 that require a Masters of Library Science provide vacation benefits starting at 3 weeks. This benefit will be important for the Berkeley Public Library to maintain it's competitiveness at the executive level for our future recruitment.

Since this represents an increase in compensation I am forwarding this recommended action to HR for its review and approval and submission to the City Council for final approval. Your consideration of this resolution by the Board of Library Trustees at your earliest convenience would be appreciated.

Distribution: Susan Kupfer, Chairperson, Board of Library Trustees
Larry Groce, Associate Management Analyst

RP/lg



BERKELEY PUBLIC LIBRARY

Adelia Lines
Director of Library Services

DATE: June 26, 2001
TO: Board of Library Trustees
FROM: MaryLou Mull, Acting Director
SUBJECT: Request for adjustment in rate of annual vacation accrual for Library Director and Deputy Director

I respectfully request that the Board of Library Trustees approve the proposed adjustment of the annual rate of vacation accrual for Director and Deputy Director.

CURRENT VACATION ACCRUAL RATE FOR ALL LIBRARIAN CLASSIFICATIONS

All Librarian classifications, including Library Services Managers. Library Managers also receive 1 week of Administrative Leave annually.	Vacation Leave Accrual
0-11 years of employment	3 weeks
12-17 years	4 weeks
18-24 years	5 weeks
25 + years	6 weeks

CURRENT VACATION ACCRUAL RATE FOR COB UNREPRESENTED STAFF

City of Berkeley unrepresented employees, including employees in the Z1 classification. Library Director and Deputy Director are Z1. All Z1 also receive 1 week of Administrative Leave annually.	Vacation Leave Accrual (The HR Deputy Director says that the City Manager is looking at changing this for COB Department Directors)
0-2 years of employment	2 weeks
3-5 years	3 weeks
6-17 years	4 weeks
18-24 years	5 weeks
25 + years	6 weeks

PROPOSED VACATION ACCRUAL FOR DIRECTOR AND DEPUTY DIRECTOR OF LIBRARY SERVICES

Director and Deputy Director	Vacation Leave Accrual
0-5 years	3 weeks
6-17 years	4 weeks
18-24 years	5 weeks
25 + years	6 weeks

4. Adoption of the Library Bill of Rights

R01-66 Moved by Trustee Shirek, seconded by Trustee Garcia to adopt the most recent version of the American Library Association's (ALA) Bill of Rights, as included in the agenda packet under Item VI.A.3, including the reaffirmation of the inclusion of "age" on January 23, 1996 by the ALA Council. Motion approved unanimously.

5. Meeting Room Policy and Application Form

The Trustees reviewed the draft meeting room policy and application form. Trustee James asked whether an individual would be made responsible for any problems/damages if the meeting room is rented to an unincorporated group. This question will be brought back to staff for discussion, and the policy and form will be sent to the City Attorney's office for review.

→ 6. Change in Vacation Benefits for Director and Deputy Director of Library Services

R01-67 Moved by Trustee James, seconded by Trustee Shirek to increase vacation benefits for Director of Library Services, Deputy Director of Library Services and the two employees in the Z5 classification (Building Project Manager and Library Network Administrator) as noted in the third vacation accrual chart at the bottom of the memo by MaryLou Mull dated June 26, 2001; and furthermore that the Acting Director prepare a recommendation on vacation benefits for unrepresented confidential non-managerial staff. Motion approved unanimously.

7. Welcome/Reception for Director of Library Services

There will be a reception for community leaders to meet the new Director of Library Services, Jackie Griffin. It will take place on Friday, Sept. 7th, 4:30 - 6:00 p.m. in the City Council Chambers. It was estimated that the cost would be approximately \$1000 - \$1500.

Staff will have their own welcome party for the Director of August 9th at the Central Library from 8:30 to 9:30 a.m. The Trustees are invited to attend.

VII. Reports for Information

1. BPL Calendar of Events, July 2001
2. Newspaper articles:
 - "Still Not Done Yet" (*Berkeley Daily Planet*, 6/25/01)
 - *Welcome To Berkeley And Its Taxes* (*Berkeley Voice*, 6/29/01)
 - *Thirty-Year Civic Leader Leaving Berkeley* (*Oakland Tribune*, 7/2/01)
3. American Library Association Resolution re: Adelia Lines

VIII. Addenda To Agenda

Ms. Mull reported on the Paraprofessional Classification Study. Management staff reviewed the job descriptions, not just the Library's but also those from other library jurisdictions. Some changes were made, then the study was given to the Local 535 union stewards to review before management meets with the union again next week.

The Automation staff have obtained a demonstration copy of Cybrarian, a time-out software which can be installed on the public internet computers. There is a 30-day trial period, and staff are busy configuring scenarios to try out on this software. If all goes well, patrons will have a few weeks' notice before it is installed. Trustee James thought it would be wise to inform the City Manager and City Councilmembers in advance. The City Attorney's office has already been informed, and has replied that they are in support of the Library installing such software.