



BERKELEY PUBLIC LIBRARY

ACTION CALENDAR

November 28, 2006

To: Honorable Mayor and
Members of the City Council

From: Board of Library Trustees

Submitted by: Roger Pearson, Acting Secretary to the Board of Library Trustees

Subject: Unrepresented Employee Manual-Vacation Accrual for Library Executive Management

RECOMMENDATION

Adopt a Resolution to amend Resolution No. 60,777- N.S, the Unrepresented Employee Manual, to amend Article 13.08 (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 October 18, 2006.

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 and is included in the FY 2007 adopted budget.

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 Z-1). 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)
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)

The proposed increase in vacation accrual is important because the Board of Library Trustees has, through an external executive recruiting firm, completed a recruitment and an initial round of candidate interviews for a new Director of Library Services in a very competitive job market. The Board of Library Trustees will also soon initiate a recruitment for a new Deputy Director of Library Director. The job announcement for Director of the Berkeley Public Library notes that the proposed increase in vacation accrual had been sent to the City Council for action on September 19, 2006.

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.

Employees represented by Service Employees International Union (SEIU) Local 535 in the classifications of Librarian I and II, Senior Librarian, Automation Librarian, and Supervising Librarian has 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)

On October 18, 2006, the Board of Library Trustees' adopted Resolution R06-91, which is attached for your information as Exhibit B, to increase 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)

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 October 18, 2006 Board of Library Trustees Resolution R06-91, 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 for the City Council to act on the Resolution of the Board of Library Trustees R06-91. The Board of Library Trustees is about to begin interviewing candidates for a new Director of Library Services and wishes to use the improved vacation accrual schedule to enhance their ability to attract a highly qualified candidate for this position and to implement a vacation accrual schedule that more closely reflects the accrual schedule of staff that the Director of Library Services and Deputy Director of Library Services manages and supervises.

ALTERNATIVE ACTIONS CONSIDERED

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

CONTACT PERSON

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

Attachments:

1: Resolution

- Exhibit A: Unrepresented Employee Manual-Vacation Accrual for Library Executive Management
- Exhibit B: October 18, 2006 Board of Library Trustees Agenda Item "Vacation accrual of Library Director and Deputy Director" and Board of Library Trustees Resolution R06-91.

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

AMENDING RESOLUTION NO. 60,777-N.S. UNREPRESENTED EMPLOYEE MANUAL-
VACATION ACCRUAL FOR LIBRARY EXECUTIVE MANAGEMENT

WHEREAS, on September 20, 2000, the City Council adopted Resolution No. 60,777-N.S. that established the Unrepresented Employee Manual that establishes 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; and

WHEREAS, on October 18, 2006, the Board of Library Trustees adopted Resolution 06-91 to increase the vacation accrual benefit for the classifications of Director of Library Services and Deputy Director of Library Services

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley that Resolution No. 60,777-N.S. (Unrepresented Employee Manual), is amended at Article 13.08.02 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)

ACTION CALENDAR

October 18, 2006

To: Board of Library Trustees
From: Roger Pearson, Interim Director
Subject: Vacation accrual of Library Director and Deputy Director

In 2001 the Library Board sent a recommendation to the City that the vacation accrual of the Library Director and Deputy Director be increased to be consistent with that of our Librarians. This was supposed to have gone to the City Council, but it never got there.

In preparing the job announcement for Library Director last July, it was brought to my attention that the vacation benefit for Director and Deputy Director would not be very competitive in a tight market. City Human Resources Director Dave Hodgkins wrote up a recommendation to increase the benefit and sent it to City Council for action September 19, 2006.

One Council member had concerns about the recommendation because it was based on the action of the Library Board in 2001. For this reason it was pulled from the Council Agenda so that it could be returned to the current Board of Library Trustees for review.

The proposed increase in vacation accrual is probably more important now than was the case in 2001, as recruitment for Directors is even more competitive today. This is compounded by the fact that the Library will soon be recruiting for a Deputy Library Director. The current job announcement for Director of the Berkeley Public Library notes that the proposed increase in vacation accrual had been sent to the City Council for action on September 19, 2006. Certainly candidates will be interested in the outcome.

The information sent to the City Council in September of this year is attached.



Exhibit B - Attachment

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 Z-1). Article 13.08.1 of the Unrepresented Employee Manual provides a vacation leave accrual schedule for Unrepresented Confidential and Executive Management employees as follows:

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Through the first 2 Years of Service	2 weeks (80 Hours)
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2180 Milvia Street, Berkeley, CA 94704 • Tel: (510) 981-7000 • TDD: (510) 981-6903 • Fax: (510) 981-7099

E-Mail: manager@ci.berkeley.ca.us Website: <http://www.ci.berkeley.ca.us/manager>

Exhibit B - Attachment

Unrepresented Employee Manual-Vacation
Accrual for Library Executive Management

CONSENT CALENDAR
September 19, 2006

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

Exhibit B - Attachment

Unrepresented Employee Manual-Vacation
Accrual for Library Executive Management

CONSENT CALENDAR
September 19, 2006

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

Exhibit B - Attachment

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 B - Attachment

Exhibit A

13.8.3 **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)

Exhibit B - Attachment IV.2

Berkeley Public Library
Board of Library Trustees

Regular Meeting
October 18, 2006

Minutes
7:08 p.m.

South Berkeley Senior Center
2939 Ellis Street

I. CALL TO ORDER

The regular meeting of October 18, 2006, was called to order at 7:08 p.m.

Present: Trustees Laura Anderson, Susan Kupfer, Ying Lee, Darryl Moore, Terry Powell

Absent: None

Also present: Interim Director Roger Pearson, Library Financial Manager Beverli Marshall,
Administrative Secretary Yvette Gan

II. PUBLIC COMMENTS

There were two speakers on the following topics: Director selection, LSSI and privatization, weeded books.

III. APPROVAL OF AGENDA

R06-85 Moved by Trustee Powell, seconded by Trustee Moore, to approve the agenda as amended. Motion carried unanimously.

IV. CONSENT CALENDAR

Trustee Moore requested that items V.4 (Accrual of vacation Rates for Director and Deputy Director) and V.5 (Renewal of second term for Trustee Powell) be moved from the Discussion and Possible Action Calendar to the Consent Calendar.

R06-86 Moved by Trustee Moore, seconded by Trustee Powell, to approve the Consent Calendar as amended. Motion carried unanimously.

R06-87 Approved minutes of special meeting – September 26, 2006.

R06-88 Approved request to authorize the four branches (Claremont, North, South and West) to be open for voting only from 7 a.m. to 10 a.m. and to be open for voting and library services from 10 a.m. to 8 p.m. on Tuesday, November 7, 2006.

R06-89 Adopted resolution authorizing the Interim Director to enter into a purchase agreement with Pitney Bowes to lease two (2) postage meters, an inserting system, scale and related software for sixty-three (63) months in a total amount not to exceed \$57,000.

R06-90 Adopted resolution authorizing the Interim Director to enter into a contract with Floor Maintenance Systems to clean and re-glaze the floors in the public and staff restrooms at the Central Library in a total amount not to exceed \$25,000.

R06-91 Approved change of Accrual Vacation Rates for Director and Deputy Director of Library Services to start at 3 weeks/year for the first five years.

R06-92 Approved renewal of second term for Trustee Powell from January 15, 2007 through January 14, 2011.

