

Human Resource Services

February 26, 2019

Honorable Board of Supervisors
County of Alameda
1221 Oak Street, Suite 536
Oakland, California 94612-4305

SUBJECT: ADMINISTRATIVE CODE AMENDMENTS (SECTIONS 3.08.020 AND 3.24.01) AND SALARY ORDINANCE AMENDMENTS (SECTIONS 7-6; 3-11.26; AND 3-12)

Dear Board Members:

RECOMMENDATIONS:

- A) Adopt Administrative Code amendments to: 1) amend Section 3.08.020 to ensure compliance with the Alameda County Civil Service Rules, Certification Section, Rule 1616 (Number of Names), which states that the Commission shall certify the names of eligibles with the five highest scores on the eligibility list; and 2) amend Section 3.24.010 by deleting obsolete language pertaining to vacation entitlement for unrepresented M-designated employees hired on or before January 1, 1956.
- B) Adopt Salary Ordinance amendments to: 1) amend Article 7, Section 7-6 (Job Related Expenses Reimbursement Plan) by deleting this Section in its entirety; 2) amend Section 3-11.26 for one Administrative Specialist II (Job Code 0219PA) in the General Services Agency (GSA), by extending the additional compensation sunset date from January 26, 2019 to January 25, 2020; 3) correct the job code for new classification, Scientific Program Manager, as approved on December 18, 2018 to 5696SM; and 4) delete the following obsolete sub-sections of Section 3-12: 3-12.82, 3-17.51, and 3-21.94 for various County Departments/Agencies.

DISCUSSION/SUMMARY:

We recommend amending Chapter 3.08 – CIVIL SERVICE SYSTEM, Section 3.08.020 (Appointments and Promotions) of the Administrative Code to ensure compliance with the Alameda County Civil Service Rules, Certification Section, Rule 1616 (Number of Names), as last amended by your Board on 1/30/85. Specifically, Rule 1616 states that the Commission shall certify the names of eligibles with the five (not three) highest scores on the eligibility list.

We also recommend amending Chapter 3.24 – VACATIONS, Section 3.24.010 of the Administrative Code by deleting obsolete language pertaining to vacation entitlement for unrepresented M-designated employees hired on or before January 1, 1956. The last eligible unrepresented M-designated employee retired in 2015.

We further recommend amending the Salary Ordinance, Article 7, Section 7-6 (Job Related Expenses Reimbursement Plan) in its entirety. This Section is obsolete as all affected labor organizations have previously negotiated to eliminate this Section in exchange for the County Allowance benefit which is included in the Memoranda of Understandings. Separately, Section 7-10 (Cafeteria Benefit Plan: Amount of Allocable Money) addresses the County Allowance benefit for employees.

The labor organizations have been notified of these non-substantive language changes and updates.

In addition, we recommend extending the additional compensation sunset date under Section 3-11.26 from January 26, 2019 to January 25, 2020. GSA requests this extension, and staff concurs, in order to continue to provide additional compensation to one (1) Administrative Specialist II (Job Code 0219PA), when assigned, in addition to the regular assignment, responsibility of overseeing the construction procurement process, ensuring compliance with California's Public Contracting Codes and managing the project status system for Capital Programs. The extension will allow GSA time to recruit and permanently fill the position with

a regularly appointed employee. The footnote will expire on January 25, 2020 and will be deleted from the Salary Ordinance upon the expiration date.

We further recommend to correct the job code number for the new classification of Scientific Program Manager, which was approved by your Board on December 18, 2018. Specifically, staff identified an administrative error to the Ordinance, Article 1, Section 1-2, Subsection 1-2.2, in which the job code for Scientific Program Manager should be 5696SM.

Lastly, we recommend deleting the following sub-sections of Section 3-12 in the Salary Ordinance: 3-12.82, 3-17.51, and 3-21.94, all of which contain sunset/expiration dates that have passed and/or no longer applicable. Staff has notified the respective County Departments/Agencies of this action and they have agreed to proceed with the deletion of these sub-sections. In addition, the affected labor organizations have been notified of this action, and do not object to the deletion of these sub-sections. As was previously communicated to your Board, this is part of an ongoing project to remove obsolete and sunset provisions from the Salary Ordinance.

FINANCING:

Funds are available in the 2018-2019 Approved Budget and will be included in future years' requested budgets to cover the costs resulting from these actions.

VISION 2026 GOAL:

The Salary Ordinance amendments meet the 10x goal pathways of **Employment for All** in support of our shared vision of a **Prosperous and Vibrant Economy**.

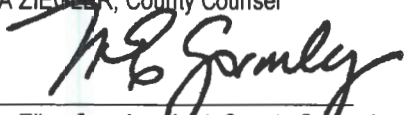
Very truly yours,



Joe Angelo, Director
Human Resource Services

- c: CAO
- Auditor-Controller
- County Counsel
- Agency/Department Heads
- Chief Probation Officer
- Director, General Services Agency

Approved as to Form
DONNA ZIEGLER, County Counsel

By 
Mary Ellyn Gormley, Asst. County Counsel

O-2019-5

AN ORDINANCE AMENDING
CERTAIN PROVISIONS OF THE 2018 - 2019
COUNTY OF ALAMEDA ADMINISTRATIVE CODE

The Board of Supervisors of the County of Alameda ordains as follows:

SECTION I

Chapter 3.08 – CIVIL SERVICE SYSTEM, Section 3.08.020 - Appointments and promotions, of the County of Alameda Administrative Code is hereby amended by the following underlined and deleted language:

B. Regular—How Made. Whenever a position in the competitive classified civil service is to be filled by a regular appointment, the appointing authority shall notify the commission of that fact, and the commission shall certify from the appropriate list the names of eligibles having the five highest scores on such list who have indicated that they are available for appointment. ~~the names and addresses of the three candidates standing highest on the eligible list for the class or grade to which such position belongs, and the appointing authority shall appoint to the position one of the three persons certified to him.~~

SECTION II

Chapter 3.24 - VACATIONS, Section 3.24.010, of the County of Alameda Administrative Code is hereby amended by the deletion of the Section:

~~**3.24.010 – Effective January 1, 1996 (for time earned in 1995) for unrepresented M-designated persons employed on or before January 1, 1956.** Each person in the service of the county, except an employee occupying an exempt position as defined in Section 3.24.170 of this chapter, whose employment began on or before January 1, 1956, shall receive as of January 1st of each year a vacation entitlement of .962 working days at full pay for each full-time biweekly pay period.~~

~~(Ord. 96-41 § 1 (part); prior admin. code § 2-9.01)~~

THE FOREGOING was **PASSED** and **ADOPTED** by a majority vote of the Alameda County Board of Supervisors this 12th day of March, 2019, to wit:

AYES: Supervisors Carson, Chan, Haggerty, Miley & President Valle – 5

NOES: None

EXCUSED: None



PRESIDENT, BOARD OF SUPERVISORS

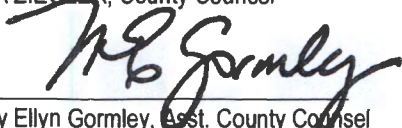
File No: 30261
Agenda No: 23
Document No: O-2019-5



I certify that the foregoing is a correct copy of a Ordinance adopted by the Board of Supervisors, Alameda County, State of California

ATTEST:
Clerk, Board of Supervisors

By: R. Bailey
Deputy

By 
Mary Ellyn Gormley, Asst. County Counsel

O-2019-6

AN ORDINANCE AMENDING
CERTAIN PROVISIONS OF THE 2018 - 2019
COUNTY OF ALAMEDA SALARY ORDINANCE

The Board of Supervisors of the County of Alameda ordains as follows:

SECTION I

Article 7 of the County of Alameda Salary Ordinance is hereby amended by deleting Section 7-6:

SECTION 7-6. JOB-RELATED EXPENSES REIMBURSEMENT PLAN

~~The purpose of this plan is to encourage employees to be well-trained and informed and to encourage the acquisition and use of modern tools and technology for work-related purposes unless otherwise provided in this section. Effective January 1, 2006, this section shall no longer apply to unrepresented employees, and effective December 31, 2006, this section will no longer apply to ACMEA represented employees in Representation Units R15, R44, R45, R48, R49, R50. Effective January 1, 2008, this section shall no longer apply to ACMEA represented employees in Representation Unit 029. Effective January 1, 2009, this section shall no longer apply to ACMEA represented employees in Representation Unit 075 (BOS approved 3/11/08). Effective January 1, 2009, this section shall no longer apply to ACMEA represented employees in Representation Unit 075, and CEMU represented employees in Representation Unit R30. (BOS approved 7/22/08). Effective January 1, 2008, this section will no longer apply to ACWFIA, Alameda County Counsel and Public Defender Association represented employees in Representation Units 064, R65, 069 AND R68. Effective January 1, 2011, this section will no longer apply to employees in Representation Units 026, 027 and 028 represented by ACMEA Sheriff's Unit. (BOS approved 6/29/10) and effective January 1, 2009, this section shall no longer apply to employees in Representation Units IFPTE, Local 21, PACE S06 and S25. (BOS approved 2/22/11).~~

~~Each employee who is employed and on paid status in a position designated EM, SM, CA, PA, MA, or M during the last pay period falling wholly within the month of December of any year shall be reimbursed as set forth below for job-related expenses up to \$600 for the following calendar year if the employee was on full-time status during the qualifying pay period, and a prorated lesser allowance if on less than full-time status during that pay period or if he/she leaves County service or leaves a position designated EM, SM, CA, PA, MA, or M for a position without such designation prior to the end of the calendar year following the qualifying pay period. A person who is hired into a position designated EM, SM, CA, PA, MA, or M after the qualifying pay period shall not be entitled to job-related expense reimbursement.~~

~~A. Reimbursement may be made for all actual and necessary expenses for job-related (1) training and conferences; (2) technical, managerial, or professional publications; (3) tools and technology; and (4) membership dues in professional organizations deemed by the department head to be in the interest of the County, and in civic, fraternal, service and cultural organizations, membership in which is deemed by the department head to be of significant importance to the County in terms of its goals and objectives, provided that payment of membership dues in an organization is authorized hereunder only if a majority of the members thereof are not current or former County employees, except in the case where reimbursement of dues in such organizations was approved by the department head and in effect prior to July 1, 1981.~~

~~Unless otherwise provided in this section claims for reimbursement hereunder shall be submitted to the department/agency head who shall, following the end of the calendar year, certify to the Auditor-Controller the total expenses submitted by each employee during the calendar year which are deemed by the department/agency head to be job-related and approved for reimbursement, and the sums so certified shall thereafter be paid.~~

~~Effective January 1, 1998 each ACMEA represented employee (General Government, Confidential or Sheriff's Unit), and each unrepresented employee who is employed and on a paid status in a management designated position during the first pay period of any year shall be reimbursed as set forth below for job-related expenses up to \$600 (based on \$23.07 for biweekly pay period worked); or a lesser prorated amount if on a less than full-time status. If such employee leaves County service or is no longer covered by the Confidential or General Government Unit MOU, or is no longer unrepresented the biweekly accrual amount will end with the final pay period worked as a management employee. Any person who is hired into a management designated position after the first pay period of any year shall not be entitled to job-related expense reimbursement for that calendar year.~~

~~Effective January 1, 2001 each unrepresented employee and each ACMEA represented employee assigned to Representation R15, R44, R48, R49, or R50 (General Government and Confidential Units) who is employed and on a paid status in a management~~

designated position during the first pay period of any calendar year shall be reimbursed as set forth below for job related expenses up to \$800 (based on \$30.77 for each biweekly pay period worked); or a lesser pro-rated amount if on less than full time status. If such employee leaves County service or is no longer covered by the General Government Unit or Confidential Unit Memorandum of Understanding the biweekly accrual amount will end with the final pay period worked as an employee assigned to Representation Unit R15, R44, R45, R48, R49 or R50 or as an unrepresented employee. Any person who is hired into a management designated position after the first pay period of any calendar year shall not be entitled to job related expense reimbursement for that calendar year.

Effective January 1, 2001, each CEMU represented employee assigned to Representation Unit R30, who is employed and on a paid status in a management designated position during the first pay period of any calendar year shall be reimbursed as set forth below for job related expenses up to \$800 (based on \$30.77 for each biweekly pay period worked); or a lesser prorated amount if on less than full time status. If such employee leaves County service or is no longer covered by the International Federation of Professional and Technical Engineers, Local 21, Civil Engineers Management Unit (CEMU) Memorandum of Understanding, the biweekly accrual amount will end with the final pay period worked as an employee assigned to Representation Unit R30. Any person who is hired into a management designated position after the first pay period of any calendar year shall not be entitled to the job related expense reimbursement for that calendar year.

Effective January 1, 2003, each ACMEA represented employee (Sheriff's Unit), who is employed and on a paid status in a management designated position during the first pay period of any calendar year shall be reimbursed as set forth below for job related expenses up to \$800 (based on \$30.77 for each biweekly pay period worked); or a lesser prorated amount if on less than full time status. If such employee leaves County service or is no longer covered by the Sheriff's Unit Memorandum of Understanding, the biweekly accrual amount will end with the final pay period worked as an employee assigned to Representation Unit 026, 027, 028, or 029. Any person who is hired into a management designated position after the first pay period of any calendar year shall not be entitled to the job related expense reimbursement for that calendar year.

Effective January 1, 2002, each ACWFIA represented employee assigned to Representation Unit 064, who is employed and on a paid status in a management designated position during the first pay period of any calendar year shall be reimbursed as set forth below for job related expenses up to \$800 (based on \$30.77 for each biweekly pay period worked); or a lesser prorated amount if on less than full time status. If such employee leaves County service or is no longer covered by the ACWFIA Memorandum of Understanding, the biweekly accrual amount will end with the final pay period worked as an employee assigned to Representation Unit 064. Any person who is hired into a management designated position after the first pay period of any calendar year shall not be entitled to the job related expense reimbursement for that calendar year.

Effective January 1, 2002, each PACE represented employee assigned to Representation Unit S06 or S25, who is employed and on a paid status in a management designated position during the first pay period of any calendar year shall be reimbursed as set forth below for job related expenses up to \$800 (based on \$30.77 for each biweekly pay period worked); or a lesser prorated amount if on less than full time status. If such employee leaves County service or is no longer covered by the PACE Memorandum of Understanding, the biweekly accrual amount will end with the final pay period worked as an employee assigned to Representation Unit S06 or S25. Any person who is hired into a management designated position after the first pay period of any calendar year shall not be entitled to the job related expense reimbursement for that calendar year.

Reimbursement may be made for all actual and necessary expenses for job related (1) training and conferences; (2) technical, managerial, or professional publications; (3) tools and technology; and (4) membership dues in professional organizations deemed by the department/agency head to be in the interest of the County, and in civic, fraternal, service and cultural organizations, membership in which is deemed by the department/agency head to be of significant importance to the County in terms of its goals and objectives, provided that payment of membership dues in an organization is authorized hereunder only if a majority of the members thereof are not current or former County employees, except in the case where reimbursement of dues in such organizations was approved by the department/agency head and in effect prior to July 1, 1981.

Claims for reimbursement hereunder shall be submitted to the department/agency head who shall, following the last payday in June (first reimbursement period) and December of any year (second reimbursement period), certify to the Auditor-Controller the amount of the reimbursement for each eligible employee during the specified reimbursement period which are deemed by the department/agency head to be job related and approved for reimbursement, and the sums so certified shall thereafter be paid.

The amount of the reimbursement for the period following the last payday in June shall not exceed one half of the annual limit (prorated for less than full time employees). Any unclaimed balance remaining from the first reimbursement period, may be claimed with the second reimbursement period.

B. Effective January 1, 1997 employees represented by the Alameda County Management Employees Association (General Government and Confidential Units) and each unrepresented employee may be reimbursed for job required licenses, certification, or Federal, State, or Board registration expenses provided that they are approved by the Agency/Department Head and are not currently being reimbursed by the Department/Agency. Fees for all licenses issued by the Department of Motor Vehicles are not reimbursable under this section.

C. Effective January 1, 1998, employees listed below represented by IFPTE Local 21, Civil Engineers Management Unit, may be reimbursed for the cost of renewing the following certificates or registrations:-

Item #	Title	Certification/Registration
2215PA	Architect	Registration with the State of California Board of Architectural Examiners.
2157SM	Supervising Land Surveyor	Registration as a Civil Engineer or a Land Surveyor with the California Board of Registration for Civil and Professional Engineers.
2155SM	Associate Land Surveyor	Registration as a Land Surveyor or a Civil Engineer authorized to practice land surveying with the California Board of Registration for Civil and Professional Engineers.
2070SM	Supervising Engineer Scientist	Registration by the State of California as a Civil Engineer or Environmental Professional or recognition by the National Association of Environmental Professionals as a Certified Environmental Professional.
2025SM	Supervising Civil Engineer	Certificate of registration as a Civil Engineer issued by the California Board of Registration for Civil and Professional Engineers.
2520SM	Chief Right of Way Agent	Certificate of registration as a Senior Member of the American Right of Way Association or equivalent.
2518SM	Assist. Chief Right of Way Agent	Certificate of registration as a Senior Member of the American Right of Way Association or equivalent.
8309SM	Supervising Plans Checker	Certificate of registration as a Civil Engineer issued by the California State Board of Registration for Civil and Professional Engineers or a certificate as an Architect issued by the California State Board of Architectural Examiners.

SECTION II

Article 3, Section 3-11 of the County of Alameda Salary Ordinance is hereby amended to read as follows, effective on January 27, 2019.

3-11.26 Effective May 20, 2018, not to exceed one position of Job Code 0219PA, Administrative Specialist II, when assigned, in addition to the regular assignment, responsibility of overseeing the construction procurement process, ensuring compliance with California's Public Contracting Codes and managing the project status system for Capital Programs, shall receive an additional five percent compensation. This footnote will sunset effective January 26, 2019. This additional compensation shall have an expiration date of January 25, 2020 and shall be deleted from the Salary Ordinance upon the expiration date.

SECTION III

Article 1, Section 1-2, Subsection 1-2.2 of the County of Alameda Salary Ordinance is hereby amended to read as follows for the following job code, title and salary, to be effective January 13, 2019.

Job Code		Title	STEP 01	STEP 02	STEP 03	STEP 04	STEP 05
5696	SM	Scientific Program Manager	3670.40				4462.40

SECTION IV

Article 3, Section 3-12 of the County of Alameda Salary Ordinance is hereby amended by deleting of the following subsections:

~~3-12.82 – Effective April 28, 2013, Effective February 13, 2017, not to exceed one position under Job Code 5143SM, when assigned leadership, direction and oversight responsibilities as the Director of the County's Behavioral Health Care Services program in the Health Care Services Agency, the incumbent shall receive an additional five percent compensation. This footnote is to sunset effective October 26, 2013. (BOS approved October 26, 2013 on 6/4/13) April 26, 2014 (BOS approved 11/5/13). This footnote shall sunset effective June 2, 2018. December 1, 2018. (BOS approved 5/23/17) (BOS approved 8/7/18)~~

~~Article 3, Section 3-17 of the County of Alameda Salary Ordinance is hereby amended by the deletion thereto of the following footnote:
3-17.51 – Effective July 5, 2015, not to exceed one position under Job Code 1315M, Accounting Technician, when assigned the day-to-day supervision of Job Code 1314NM, Accounting Specialist I in the Sheriff's Office, shall be compensated 5% above the base rate of the Accounting Specialist I position. The compensation provided by this footnote will terminate effective January 3, 2016. (BOS approved 8/29/15) May 7, 2017. (BOS approved 2/2/16), December 29, 2017. (BOS approved 9/12/17)~~

~~Article 3, Section 3-21 of the County of Alameda Salary Ordinance is hereby amended by the deletion thereto of the following footnote:
3-21.94 – Effective June 5, 2016, not to exceed eight positions of Job Code 1353NM, assigned to analyze and manage on a continuous basis the most complex Retirement Act of 1937 accounts, as a result of the Public Employee Pension Reform Act, requiring skill, expertise, sensitivity and judgment beyond that required of the journey level position, shall receive an additional five percent compensation. This footnote shall sunset on August 11, 2018. (BOS approved 5/24/16) (BOS approved 8/7/18)~~

SECTION V

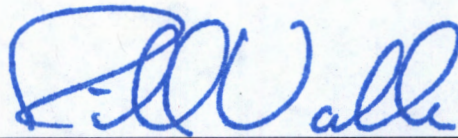
This ordinance shall take effect immediately, and before the expiration of fifteen days after its passage, shall be published once with the names of the members voting for and against it in the Inter-City Express, a newspaper published in the County of Alameda.

THE FOREGOING was **PASSED** and **ADOPTED** by a majority vote of the Alameda County Board of Supervisors this 12th day of March, 2019, to wit:

AYES: Supervisors Carson, Chan, Haggerty, Miley & President Valle – 5

NOES: None

EXCUSED: None



PRESIDENT, BOARD OF SUPERVISORS

File No: 30261
Agenda No: 23
Document No: O-2019-6



I certify that the foregoing is a correct copy of a Ordinance adopted by the Board of Supervisors, Alameda County, State of California

ATTEST:
Clerk, Board of Supervisors

By: R Bailey
Deputy