

CITY OF YUBA CITY
STAFF REPORT

Date: June 5, 2018
To: Honorable Mayor and Members of the City Council
From: Human Resources Department
Presentation By: Natalie Springer, Human Resources Director

Summary

Subject: First Level Managers' Side Letter

Recommendation: A. Adopt a Resolution approving a Side Letter with the First Level Manager group.

B. Approve a supplemental appropriation of \$2,888 to the FY 2017/2018 adopted budget.

Fiscal Impact: An increase in cost of \$2,888 for FY 2017/2018 and \$76,000 for FY 2018/2019.

Purpose:

To approve the First Level Managers' Side Letter.

Background:

At the November 21, 2017 City Council meeting, City Council approved the First Level Manager (FLM) Group Letter of Understanding (LOU). The FLM was the first bargaining unit to complete negotiations and have their bargaining unit agreement approved by City Council. Due in part to this, as time has passed and negotiations have continued for other units, minor adjustments to the FLM contract need to be resolved. Additionally, other operational housekeeping items have come up since November 21st. These various issues prompted a negotiations meeting between the City and the FLM representatives.

Analysis:

The First Level Managers have agreed to a Side Letter that:

1. Adds shift differential for supervisors assigned to a operator shift from 7:00 p.m. to 7:00 a.m.;
2. Animal Services standby pay is expanded to include the Animal Services Supervisor under specific circumstances;
3. Extends the Police Officers' Association dispatcher education pay to the Communications Center Coordinator who supervises dispatchers;
4. Addresses required IRS cash out language for administrative leave and compensation time;
5. Implements new salary schedule for specific utilities supervisors;
6. Clarifies water distribution certification pay.

The new salary schedule is proposed to be implemented in order to recruit and retain difficult to fill utilities classifications that have a technical skill set and that some positions require certification. The complete Side Letter is attached.

Fiscal Impact:

The proposed changes will result in a net increase in cost of \$2,888 for FY 17/18 and \$76,000 for FY 18/19.

Alternatives:

Do not approve First Level Manager Side Letter and provide staff direction.

Recommendation:

Adopt a Resolution approving a Side Letter with the First Level Manager group, and approve a supplemental appropriation of \$2,888 to the FY 2017/2018 adopted budget.

Attachments:

1. First Level Manager Side Letter Resolution
2. Cost impact of First Level Manager Agreement Terms
3. First Level Manager Side Letter

Prepared By:

/s/ Natalie Springer
Natalie Springer
Human Resources Director

Submitted By:

/s/ Steven C. Kroeger
Steven C. Kroeger
City Manager

Reviewed By:

Finance
City Attorney

RB
TH by email

ATTACHMENT 1

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
APPROVING THE FIRST LEVEL MANAGERS' SIDE LETTER JULY 1, 2017 –
JUNE 30, 2019**

WHEREAS, the City recognizes the First Level Managers (FLM) commitment to the City and its citizens while providing outstanding and dedicated service to all;

WHEREAS, City staff and the FLM have negotiated a Side Letter;

WHEREAS, the FLM have agreed to implement a new salary schedule for specific utilities classifications, shift differential, Animal Services standby pay, education pay for Communications Center Coordinator, cash out language for administrative leave and compensation leave, and updated water distribution pay;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Yuba City as follows:

Approve the attached FLM Side Letter.

Authorize staff to make any necessary clarifying language changes to the language in the FLM Side Letter as long as the changes do not modify the Side Letter's substantive terms or past practice.

The Director of Finance is hereby authorized to make the necessary budget adjustments to implement the provisions of this resolution.

The foregoing Resolution of the City Council of the City of Yuba City was duly introduced, passed and adopted at a regular meeting thereof held on the 5th day of June 2018.

AYES:

NOES:

ABSENT:

Preet Didbal, Mayor

ATTEST:

Patricia Buckland, City Clerk

ATTACHMENT 2

City of Yuba City
Impact of 2 Year Agreement

**First Level
Managers**

FY 17/18 - Year 1

Classification Adjustments effective 6/9/18	2,600
Education Incentive effective 6/9/18	288

Year 1 Total Cost

\$ 2,888

FY 18/19 - Year 2

Classification Adjustments	68,500
Education Incentive	7,500

Year 2 Total Cumulative Cost

\$ 76,000

Grand Total Cost Impact-2 Year Total

\$ 78,888

ATTACHMENT 3

**SIDE LETTER TO THE
LETTER OF UNDERSTANDING**

Between

The City of Yuba City

And

First Level Managers

July 1, 2017 through June 30, 2019

The purpose of this side letter is to clarify language to memorialize the intent in the Letter of Understanding, July 1, 2017 – June 30, 2019.

Both parties have agreed to the additional clarifying language:

1. Shift Differential:

Effective with the beginning of the first pay period following approval of the LOU by the City Council, a shift differential of 5% of base pay shall be paid to those supervisors who are assigned to work an operator shift from 7:00 p.m. to 7:00 a.m. If a supervisor who is assigned to an operator shift elects to utilize vacation, sick leave, CTO or any other paid leave time (jury duty, military duty, etc.), then they shall not be paid shift differential while on such leave.

2. Animal Services Standby Pay:

The Animal Services Supervisor stand-by pay assignment parameters are as follows:

- When the Animal Services Manager is on vacation or off duty due to injury or illness:
 - The Animal Services Supervisor shall maintain phone availability during the hours between 7:45 am and 6:45 pm, seven days each week, which correlates to the duty hours of the Animal Control Officers.
 - The Animal Services Supervisor shall be available **only** to Animal Control Officers who are on probation. Animal Control Officers who have successfully passed probation are expected to work independently and make sound judgements relative to field calls and shelter operations in the absence of a supervisor.
 - Unless there is an extreme emergency, the stand-by call-out for the Animal Services Supervisor shall be for phone consultation to provide direction. Rarely, would the Animal Services Supervisor be required to respond to a location to give direction to Animal Control Officers, however, the possibility is that it could occur at some point. The Animal Services Supervisor is responsible for determining whether responding to a location is warranted. In some cases, the Animal Services Supervisor will receive direction from Animal Services Manager to report to a location.
- If the Animal Services Supervisor is required to stand-by during otherwise off-duty hours, stand-by pay shall be compensated at \$2.45 per hour.
- The Animal Services Manager and Animal Services Supervisor will alternate planned time off to ensure management staff is available for phone consultation by subordinate staff. No other staff member will fill in for management consultation in the absence of the Animal Services Manager or Animal Services Supervisor with the exception of the Executive Director.
- The Animal Services Supervisor will not be issued a take-home vehicle.

- The Animal Services Supervisor will utilize their Department issued cellphone as needed for any phone consultation work performed while on stand-by.
- The Animal Services Supervisor shall be compensated in the same manner as the stand-by Animal Control Officer. When responding to a stand-by phone consultation or call-out, the Animal Shelter Supervisor shall receive a minimum two (2) hours at time and one-half the employees' regular rate of pay. Multiple call-outs within a two (2) hour minimum period (starting from the time of the first call) are not separately compensable. If continuous work hours exceed the two (2) hour minimum, the actual time worked is paid at time and one – half the employees' regular pay. If responding to a location, callback pay is from portal to portal when calculating actual hours worked.
- When on stand-by, the Animal Services Supervisor must refrain from the use of alcohol, medication or substances that may interfere with their ability to effectively respond to any call for service. The Animal Services Supervisor must be available by phone and, if needed, be physically able to respond within 45 minutes to an incident location within Animal Control's jurisdiction.
- The Animal Services Supervisor shall maintain a current California Driver's License.

3. Communications Center Coordinator Education Pay:

Effective the first full pay period following City Council approval, the Communications Center Coordinator shall receive education incentive pay. Incentive pays are not cumulative, meaning that an employee is eligible only for one incentive for each type of degree or certificate (i.e., if an employee has two Associate's degrees, the employee is eligible for an incentive of 2.5%; if an employee has an Associate's degree and a POST Public Safety Dispatch Intermediate, the employee is eligible for an incentive of 5.0%). The total for all the above incentives shall not exceed 7.5%.

The educational incentive shall be paid as follows:

- POST Public Safety Dispatch Intermediate 2.5%
- POST Public Safety Dispatch Advance 2.5%
- AA or AS degree 2.5%
- BA or BS degree 5.0%

4. Maximum Cash out:

4.1 Administrative Leave Cash Out

FLM who receive administrative leave can elect once a year to cash out a maximum of 40 hours that will be accrued the following year. By December 1 of each year, an employee may annually make an irrevocable advance election to cash out a maximum of 40 hours of administrative leave that will be accrued in the next calendar year. The election shall be made on the form provided by the City for this purpose. The hours selected for cash-out will be paid in the first non-payroll week of January of the following year. (For example, if an employee elects in December 2018 to cash-out 40 hours that will be earned in 2019, those hours will be paid in January 2020).

4.2 Compensatory Leave Cash Out

Upon written request, FLM who receive compensatory time can elect, once each year, to cash out a maximum of 40 hours of future compensatory time. By January 1 of each year, an employee may annually make an irrevocable advance election to cash out a maximum of 40 hours of compensatory time that will be accrued by November 30 of that calendar year. The election shall be made on the form provided by the City for this purpose. The hours selected for cash-out will be paid in the first non-payroll week in December. (For example, if an employee elects in January 2019 to cash-out 40 hours of CTO that will be accrued later that year, those hours will be paid in December 2019). An employee can only cash-out hours that are actually earned/accrued. For example, if a FLM elects, in January 2019, to cash-out 40 hours of CTO that will be earned before November 30, but only earns 32 hours in CTO in that timeframe, then only 32 hours will be paid out in December. Separate and apart from the employee's ability to make an irrevocable advance election, the City, at its option, may pay out up to 40 accrued hours of compensatory time at the end of each calendar year.

5. New Salary Schedule:

Effective the first full pay period following City Council approval, the positions below shall receive the following salary increase (which will be applied to the employee's base hourly rate):

- Water Treatment Facility Chief Plant Operator 19%
- Water Treatment Facility Supervisor 18%
- Wastewater Treatment Facility Chief Plant Operator 19%
- Wastewater Treatment Facility Supervisor 18%
- Water Distribution Supervisor 6.0%
- Plant Maintenance Supervisor 13%
(Water and Wastewater)

6. Water Distribution Certificate Pay

The City's water distribution system is classified as a D4 system. Due to this D4 system classification, the Chief Operator is required to have a minimum of a D4 certificate, and shift operators are required to have a minimum of a D3 certificate. To meet the intent of this drinking water regulation, the City must have employees working in water distribution who possess water distribution certifications. Water Distribution Certificate pay is for employees who work with or have the potential to work with the City's water system, possess D-1 through D-4 certification, and is included in the employee's base hourly rate.

For this section, FLMs who are assigned to work in water distribution are referred to as "Water employees". FLMs who are not assigned to the area of water distribution are referred to as "Non-Water employees".

The chart below reflects how water distribution certificate pay is applied to Non-Water FLMs. Total amount of certification pay (when reduced to an hourly rate based on regularly scheduled hours) cannot under any circumstances exceed 10% of the employees' base hourly rate (this includes bilingual pay).

Non-Water (i.e. Maintenance Supervisor-Streets): If multiple certification, only receive \$50 per month (cap).
\$50 per month (D-1)
\$50 per month (non-cumulative) (D-2)
\$50 per month (non-cumulative) (D-3)
N/A

Water Treatment FLMS who are required to have a treatment (T-1 through T-4) or distribution (D1 through D-4) certificate shall have the certification pay included in their hourly rate.

7. Remainder of Contract Not Affected.

All other provisions of the current Letter of Understanding between the City and the First Level Managers shall remain unchanged.

Date: _____

Date: 5/23/18


CITY OF YUBA CITY

FIRST LEVEL MANAGERS

Steven C. Kroeger, City Manager


Emilio Flores

Robin Bertagna, Director of Finance



Brian Hansen

Natalie Springer, Director of Human Resources



Jessica Peters