



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: DECEMBER 14, 2021
FROM: HUMAN RESOURCES DEPARTMENT WARDS: ALL
SUBJECT: REVISIONS TO THE CITY'S HUMAN RESOURCES POLICIES AND PROCEDURES

ISSUE:

The issue for City Council consideration is to adopt the attached revisions to the City's personnel policies, contained in the Human Resources Policy and Procedure Manual.

RECOMMENDATION:

That the City Council adopt the proposed revisions to the City's personnel policies, contained in the Human Resources Policy and Procedure Manual.

BOARD RECOMMENDATION:

The Human Resources Board reviewed and unanimously approved the revised policies. The dates each policy was reviewed and approved by the Human Resources Board are noted next to each policy summary outlined in the discussion section. The Human Resources Board conducted a public hearing on November 1, 2021, voting unanimously to recommend the attached policies to Council for approval.

BACKGROUND:

The Human Resources Department routinely reviews and revises the City's personnel policies contained in the Human Resources Policy and Procedure Manual. Policy revisions are often made as a result of changes to the law, to reflect current practice, or following discussions with the City's labor groups. The policies presented for the Council's consideration have been reviewed by the City Attorney's Office, each of the affected labor groups, in addition to the Human Resources Board.

DISCUSSION:

The following policies, with a brief description of the proposed new content or revisions, are:

Policy I-4 – Reinstatement - The updated Reinstatement Policy includes revisions to establish a uniform policy that describes eligibility for reinstatement and the degree of benefits that an individual shall receive if reinstated after voluntary separation, layoff, or demotion. The revisions also clarify that regular former employees reinstated within twelve months do not have to requalify for a position held immediately prior to separation through a competitive process provided that all

minimum requirements are met, the position is vacant, and the former employee left the City in good standing. Furthermore, this policy clarifies that former employees requesting reinstatement are not guaranteed automatic reinstatement even if the position remains vacant.

A new section was added to this policy clarifying that reinstatement for employees who were laid off within a twenty-four-month period shall be entitled to the same vacation rate attained immediately prior to separation as well as credit for previously accumulated sick leave hours lost at the time of separation. (Approved 11/1/21)

Policy I-13 – Employee Transfers and Voluntary Demotions - The updated Employee Transfers and Voluntary Demotions Policy has been revised to establish guidelines for current employees who apply for an internal/external transfer within the City or to be considered for a lower-level classification which ultimately results in a voluntary demotion. The policy clarifies that internal/external transfers will not result in a change in compensation. Additionally, the revisions require that employees must be in good standing in their current position and have not received an overall rating of unsatisfactory (2 or below) on a performance appraisal within the last twelve months.

A section was added to the policy to inform employees seeking a demotion to a lower-level position, in a classification previously held, may be granted a voluntary demotion outside the normal recruitment process if it is convenient to the City and a vacancy exists. The hiring manager may deny this request if it creates an operational or staffing disruption to the department. Employees seeking voluntary demotions to a position not previously held must apply for the position while the position is open for recruitment and possess the stated minimum qualifications in addition to serving a new probationary period. Furthermore, all policies also include administrative changes to reflect process changes and to conform to a citywide format. (Approved 11/1/21)

The Human Resources Department confirms that these updates include all required elements as required by law.

STRATEGIC PLAN ALIGNMENT:

This item contributes to **Strategic Priority No. 5 – High Performing Government** and **Goal No. 5.3 – Enhance communication and collaboration with community members to improve transparency, build public trust, and encourage shared decision-making.**

This item aligns with EACH of the five Cross-Cutting Threads as follows:

1. **Community Trust** – All policies contained within this report were reviewed and approved in collaboration with the Human Resources Board, various bargaining units, and a Public Hearing to receive public input and build community trust.
2. **Equity** – Policies and procedures reflect the City's vision, values and culture, and ensures equality for all employees.
3. **Fiscal Responsibility** – There is no funding associated with this report. However, updated policies and procedures ensure that quality services are provided to all.
4. **Innovation** – A collaborative and innovative approach was used to revise these policies and procedures to meet the City's current and changing needs while ensuring compliance with various rules and regulations.

5. **Sustainability & Resiliency** – To maintain a sustainable and resilient workforce it is important to keep all policies and procedures up-to-date to ensure equitable applicability of personnel rules.

FISCAL IMPACT:

There is no fiscal impact associated with this report.

Prepared by:	Rene Goldman, Human Resources Director
Certified as to availability Of funds:	Edward Enriquez, Chief Financial Officer/City Treasurer
Approved by:	Rafael Guzman, Assistant City Manager
Approved as to form:	Phaedra A. Norton, City Attorney

Attachments:

1. Reinstatement (I-4)
2. Employee Transfers and Voluntary Demotions (I-13)