



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: NOVEMBER 1, 2022**
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 March 7, 2022, and October 3, 2022, 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 practices, 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 impacted labor groups, in addition to the Human Resources Board.

DISCUSSION:

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

Policy II-9 – Travel Time Compensation

The updated Travel Time Compensation Policy includes revisions to ensure compliance with the U.S. Department of Labor and establish guidelines for the compensation of travel time for non-exempt City employees in accordance with federal and state laws. The revisions to the policy define the type of travel that is compensable/non-compensable such as travel during the workday,

emergency calls outside of the workday, same day out-of-town travel, and overnight travel. A new section was added to the policy to clarify that if an employee performs work while traveling (e.g., preparing for a meeting, making telephone calls, reviewing documents), this time will constitute as hours worked. Additionally, time spent traveling as part of an employee's primary job duty is also compensable (e.g., travel between job sites). The policy also specifies that non-exempt employees must obtain prior approval from their supervisor if the work being performed while traveling will result in overtime. (Approved 3/7/22)

Policy I-17 – The Appointment and Selection of City Attorney Classifications and Salary Placement

The updated Appointment and Selection of City Attorney Classifications and Salary Placement Policy includes revisions to establish a process for the appointment, selection, and salary placement of Attorneys and support staff in the City Attorney's Office. The revisions to the policy define classified and non-classified positions within the City Attorney's Office. The Administrative Services Manager was added to the non-classified positions section as non-classified appointments are made at the discretion of the City Attorney. The Legal Services Manager classification is no longer utilized in the department and that position has been removed from the list of classified positions. The Risk Management Specialist and Risk Supervisor were transferred from the Finance Department to the City Attorney's Office and are both designated as classified positions. (Approved 10/3/22)

Policy III-5 – Drug-Free Workplace

The updated Drug-Free Workplace Policy includes revision to specify that the City of Riverside Parks, Recreation and Community Services Special Transportation Division is a federal grant recipient and as such must comply with 41 U.S.C. 8103. Drug free workplace requirements for Federal grant recipients. Furthermore, 49 CFR 32.205 states that the City must publish the following to be compliant with 41 U.S.C. 8103: employees must notify you in writing if he or she is convicted for a violation of a criminal drug statute occurring in the workplace and must do so no more than five calendar days after the conviction. (Approved 10/3/22)

Policy V-7 – Unpaid Voluntary Furlough

The updated Unpaid Voluntary Furlough Policy includes revisions to establish guidelines for temporary voluntary furloughs for all eligible benefited employees in granting and taking voluntary furloughs. The revisions to the policy define the eligibility for all full and part-time eligible employees who wish to participate in voluntary furlough. A new section was added to the policy to include that all furlough requests must be submitted and approved two weeks prior to the first day of each furlough request. The policy clarifies that employees who have vacation time in excess of 42 hours may not participate in the program until they are in compliance with the maximum hours allowed and their excess time has been reduced. The revisions within this policy are in compliance with the FLSA and specify that employees will lose their FLSA exemption status during workweeks in which a furlough occurs and pay is reduced. To avoid overtime compensation, employees must adjust their work week. The policy was revised to include that any furlough in excess of thirty calendar days must be approved by the City Manager or designee. Additionally, employees may take a maximum of three months of voluntary furlough during a calendar year.

The revisions define how compensation and benefits will be affected for furlough participants. Employees who participate in voluntary furlough will not receive any form of compensation and all deductions previously paid by the employee shall continue to be deducted from the employee's paycheck when a check has been issued with sufficient funds. If an employee fails to make the employee portion of the benefit payment, benefits may be disrupted.

Employees who participate in the voluntary furlough program will not have a break in service or any adjustment to the seniority, merit, or anniversary date. Furlough hours will not extend a probationary period. (Approved 10/3/22).

Policy V-12 – Deferred Compensation

The updated Deferred Compensation Policy (V-12) has been revised to allow plan participants to defer a designated portion of their salary on a pre-tax and/or after-tax basis to a Deferred Compensation 457 Plan. The revisions establish guidelines for enrollment, employee contributions, city contributions, withdrawal of funds, establishment of a Deferred Compensation Committee, and defined loan provisions. A new section was added to the policy to allow employees who separate from employment to transfer any percentage or flat dollar amount of their final payoff check to the Plan during the year the employee separates. (Approved 10/3/22)

Furthermore, all policies also include administrative changes to reflect process changes and to conform to a citywide format.

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 5 – High Performing Government** and **Goal 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 equity 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, Interim Assistant City Manager/Chief Financial Officer/City Treasurer

Approved by: Rafael Guzman, Assistant City Manager

Approved as to form: Phaedra A. Norton, City Attorney

Attachments:

1. Travel Time Compensation (II-9)
2. The Appointment and Selection of City Attorney Classifications and Salary Placement (I-17)
3. Drug-Free Workplace (III-5)
4. Unpaid Voluntary Furlough (V-7)
5. Deferred Compensation (V-12)