



DATE: October 25, 2016
TO: Mayor and City Council
FROM: Director of Human Resources

SUBJECT

Request for the Council to Interview, Select, and Appoint Four (4) Members to the Personnel Commission and Provide Feedback on the Proposed Revisions to the Scope of the Personnel Commission

RECOMMENDATION

That the Council interviews, selects, and appoints four (4) members to the Personnel Commission and provide feedback on the proposed revisions to the scope of the Personnel Commission.

BACKGROUND/DISCUSSION

Following the Council’s typical Board and Commission recruitment process this past summer, there was a desire to revisit the scope and purpose of the Personnel Commission. As such, the Council did not interview or select any candidates to fill the four vacancies that currently exist on the Commission. As background, Article IX, Section 907 of the Hayward City Charter mandates that there be a Personnel Board (“Personnel Commission”), and that the City Council makes appointments to the Board. The Personnel Commission meets every other month and consists of seven (7) members. The Commission “acts in an advisory capacity to the Council and the City Manager on personnel administration”. There are currently four (4) vacancies.

The duties of the Personnel Commission are enumerated in the Hayward City Charter as follows:

- Recommend to the Council after a public hearing thereon, the adoption, amendment or repeal of personnel rules and regulations; and,
- Hear appeals of any person in the classified service, relative to any suspension, demotion or dismissal; and,
- Make any investigation which it may consider desirable concerning the administration of personnel in the municipal services and report its findings to the City Council and City Manager; and,

- Perform such other duties with reference to personnel administration not inconsistent with this Charter as the Council may require by ordinance or resolution.

In May 2011, the Council approved Ordinance Number 11-05, which updated the scope of the Personnel Commission as provided for in the Hayward Municipal Code, Chapter 2, Article 3 to include:

- Ensure the City's employment and personnel practices comply with all applicable federal and state anti-discrimination laws.
- Review and adopt a classification plan for each position in the classified service.
- Review and recommend a salary plan for the city's classified service.
- Review recruitment and selection equal employment opportunity data and make recommendations related to the outreach program to support a program which includes communication to a diverse pool of qualified candidates.
- Make an investigation concerning administration of personnel in City service.
- Review training programs provided to City employees regarding the intent and content of the Administrative Rule Against Harassment and Retaliation.

The Charter and the Municipal Code provide the framework for the Personnel Commission to be a highly functional and meaningful advisory board to the Council and to the City Manager. With the updating of the City's Classification Plan and Job Specifications project that started in 2011, the Commission has spent the majority of its time over the past few years reviewing job specifications, a task that is initiated by Human Resources staff and discussed with Union representatives, prior to Personnel Commission review. The Commission also reviews and recommends approval of the Salary Plan, and receives and comments on diversity statistics for City recruitments. While each of the above functions are essential, they are, in some cases, duplicative, time consuming, and have the potential to delay recruitment processes.

Community members who volunteer their time to serve on City Boards indicate that they want to make a difference and participate in a meaningful and engaging process consistent with what their peers in other agencies experience. There are several opportunities to provide exactly this type of experience for the members of the Personnel Commission. For example, Human Resources staff is currently in the process of revising the City's outdated Personnel Rules, which in accordance to the Charter, the Personnel Commission will review and recommend to the Council. Reviewing the proposed changes to the Personnel Rules is important because they provide administrative policy for many areas of human resources, including recruitment and discipline. This task is consistent with what is done in other agencies and allows for input to essential hiring and personnel administration process. Another example of a role the Commission could play is making recommendations regarding the outreach program to include communications that reach a diverse pool of qualified candidates. Identifying and supporting programs that encourage diversity in recruitment outreach efforts is important and allows for members to contribute in a meaningful way. This is something that several past and current members have commented is lacking in the

existing role of the Commissioners because of the inordinate amount of time they spend reviewing job specifications.

In order to better provide an opportunity for members to be engaged and provide a meaningful service to the Hayward community, once the current vacancies are filled, staff will work with the Commission to revise the Mission of the Personnel Commission, which is old and outdated. Moreover, staff recommends the elimination of some tasks, including the review of job specifications that add a redundant level of bureaucracy, unnecessarily consume staff time and resources, and seldom result in substantive changes. Some recommendations staff may make to the scope of the Personnel Commission include:

- Promoting diversity within the classified service.
- Assessing, overseeing and recommending processes for recruitment and retention of a highly qualified and capable workforce.
- Reviewing incentive programs to ensure they support the City's larger attraction and retention goals.
- Reviewing the City's training programs and objectives

The proposed changes are consistent with the work that members of similar boards in other agencies perform. Moreover, they eliminate redundancy and allow for a more efficient delivery of HR services. Any substantive revisions to the duties of the Personnel Commission will require revisions to Chapter 2, Article 3 of the Municipal Code and will require Council approval.

Staff recommends that Council conduct a limited recruitment process and then interview, select, and appoint four (4) new members to the Personnel Commission by January 2017. Following this process, staff would engage with members of the Personnel Commission in the process of revising the scope of duties and updating the Mission statement. By engaging with the current and new members of the Commission in this process, they are more likely to find the duties more engaging and have a more meaningful role that adds value to the City's human resources processes. Following the discussions with the Personnel Commission in early 2017, staff will return to the Council for review and approval of any proposed changes to the scope of the Commission. The three (3) current Commissioners are aware of these developments and have been invited to attend the October 25, 2016 Council meeting.

In drafting this report, staff has engaged in discussion with Council Member Marvin Peixoto, current Council liaison to the Personnel Commission.

FISCAL IMPACT

There is no fiscal impact associated with this report.

NEXT STEPS

Following Council feedback, staff will conduct a recruitment for the Personnel Commission. Council will then interview, select, and appoint four (4) new members to the Personnel Commission by January 2017.

Once the current vacancies are filled, the City Manager will attend a Personnel Commission meeting to discuss the value of the board and the reasons that staff is requesting that the scope and mission of the board be revised.

Human Resources staff will then work with the Personnel Commission to develop the revised scope and mission and will also prepare any necessary changes to the Municipal Code for Council review and approval.

Prepared and Recommended by: Nina S. Collins, Director of Human Resources

Approved by:

A handwritten signature in black ink, appearing to read 'Kelly McAdoo', written in a cursive style.

Kelly McAdoo, City Manager