

RESOLUTION NO. 2010-095

Adopted by the Sacramento City Council

February 23, 2010

REPEAL AND ADOPTION OF THE EMPLOYER – EMPLOYEE RELATIONS POLICY FOR THE CITY OF SACRAMENTO

BACKGROUND

- A. The Employer-Employee Relations Policy (EERP) implements the Meyers-Milias-Brown Act governing labor relations in local agencies. The EERP defines the bargaining/ representation units in the City and those classifications assigned to each unit.
- B. Pursuant to the Meyers-Milias-Brown Act governing public sector collective bargaining, the City has met and conferred with Sacramento Area Fire Fighters Local 522, which is the recognized employee organization for employees in the Fire Department Unit, regarding the inclusion of Fire Battalion Chiefs into the Unit.
- C. The parties have reached an agreement on the terms and conditions of employment for the Fire Battalion Chiefs to be included in the Unit effective February 27, 2010.
- D. Removing the Fire Battalion Chief classification from the Exempt Management Unit and assigning the classification to the Fire Department Unit is consistent with the obligations of the City to bargain in good faith, and serves the interest of the City and the community by continuing positive labor relations.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The Employer-Employee Relations Policy (97-400 and 93-018) is repealed.
- Section 2. The Employer-Employee Relations Policy is amended removing the Fire Battalion Chiefs from Unrepresented Management and adding the Fire Battalion Chiefs to the Fire Department Unit (Unit 05).

Table of Contents:

- Exhibit A: EERP (Track Changes)
- Exhibit B: EERP

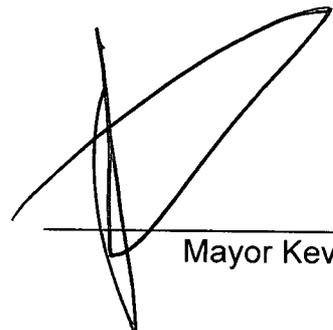
Adopted by the City of Sacramento City Council on February 23, 2010 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Johnson.

Noes: None.

Abstain: None.

Absent: None.



Mayor Kevin Johnson

Attest:


Shirley Concolino, City Clerk

EMPLOYER-EMPLOYEE RELATIONS POLICY

(Changes on page 11 and 20)

ARTICLE I – STATEMENT OF PURPOSE

This Resolution is enacted pursuant to California Government Code Sections 3500 et seq., to establish orderly procedures to promote full communication between the City and its employees by providing a reasonable method of resolving disputes regarding wages, hours, and other terms and conditions of employment between the City and its employee organizations. It is the purpose of this Resolution to promote the improvement of personnel management and employer-employee relations within the City by providing a uniform basis for recognizing the right of its employees to join organizations of their own choice and be represented by such organizations in their employment relationship with the City.

Nothing contained herein shall be deemed to supersede the provisions of existing State law, the City Charter, ordinances, resolutions and rules which establish and regulate the merit and civil service system, or which provide for other methods of administering employer-employee relations. This Resolution is intended, instead, to strengthen merit, civil service and other methods of administering employer-employee relations through the establishment of uniform and orderly methods of communications between employees and the City.

ARTICLE II – AUTHORITY OF CITY MANAGER

The City hereby declares, as a matter of policy, that the City Council and its members will deal with employee organizations and their representatives solely through the City Manager except when otherwise expressly provided for by the terms of this Resolution.

ARTICLE III – DEFINITIONS

1. The terms "employee organization", "recognized employee organization", and "mediation" have the meanings specified in California Government Code Section 3501.

2. The meaning of "scope of representation" is as that term is defined in California Government Code Section 3504.

3. Except as otherwise provided for in a collective bargaining agreement, an "employee" shall mean (a) a full-time career employee, or (b) an employee who works, within one year from each date of employment, in excess of 1,040 hours during a continuous period of employment of more than six (6) months.

4. "Confidential Employee" means an employee who regularly participates in making or regularly has advance knowledge of decisions of the City affecting employee relations.

5. "Management Employee" means an employee having responsibility for formulating, administering, or managing the implementation of City policies and programs.

6. "Supervisory Employee" means an employee having responsibility for assigning and directing the work of other employees, or for rewarding or disciplining them, or for adjusting their grievances, or effectively to recommend such action if, in connection with the foregoing, the exercise

of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

7. "Professional Employee" means an employee engaged in work (a) predominantly intellectual and varied in character as opposed to routine mental, manual, mechanical, or physical work, and (b) involving the consistent exercise of discretion and judgment in its performance, and (c) of such a character that the output produced or the result accomplished cannot be standardized in relation to a given period of time, and (d) requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study in an institution of higher learning or a hospital, as distinguished from a general academic education or from an apprenticeship or from training in the performance of routine mental manual or physical processes.

8. "Employee Relations Officer" means the City Manager or his duly authorized representative.

9. "Proof of Employee Approval" is demonstrated under this Resolution by (a) an authorization card recently signed by an employee, or (b) employee dues deduction authorizations, using the payroll immediately prior to the date a petition is filed hereunder, except that deductions for more than one employee organization for the account of any one employee shall not be considered proof of employee approval for more than one employee organization, or (c) a verified authorization petition or petitions recently signed by an employee. The words "recently signed" mean signed within one hundred eighty (180) days prior to the filing of a petition hereunder.

10. "Impasse" means a deadlock in discussions between a recognized employee organization and the Employee Relations Officer over any matters concerning which they are required to meet and confer in good faith, or over the scope of such subject matter.

ARTICLE IV – REPRESENTATION UNITS

The representation units set forth in Exhibit "A" attached hereto are the appropriate units for representation by recognized employee organizations.

ARTICLE V – RECOGNIZED EMPLOYEE ORGANIZATIONS

An employee organization that wishes to be certified as the recognized employee organization for a designated representation unit for which unit no employee organization has been certified shall file a recognition petition with the Employee Relations Officer.

1. Petition – The petition shall be signed by the organization's duly authorized officers, and shall contain the following information and documentation:

- (a) The name and mailing address of the organization.
- (b) The names and titles of its officers.
- (c) Designation of those persons, not exceeding three in number, and their addresses, to whom notice sent by regular mail will be deemed sufficient notice on the organization for any purpose.
- (d) A statement that the organization does not discriminate or restrict membership or participation based on race, color, creed, national origin, or sex.

- (e) A statement that the employee organization has, as one of its primary purposes, representing employees in their employment relations with the City.
- (f) A statement that the employee organization agrees to comply with the provisions of this Resolution.
- (g) A copy of its constitution and bylaws, if any.
- (h) Identification of the representation unit for which petitioner seeks certification as the recognized employee organization.
- (i) Proof of employee approval of thirty percent (30%) or more of the employees within such representation unit.

The Employee Relations Officer shall give written notice of such petition to the petitioner, to the employees involved and to any employee organization that has filed a written request for receipt of such notice to him. Within thirty (30) days of the date of such notice, other employee organizations may file a challenging petition seeking to become the recognized employee organization within such representation unit.

2. Election

- (a) Calling of Election – The Employee Relations Officer shall, whether or not a challenging petition is filed, request the State Conciliation Service to call and conduct a secret ballot election in accordance with its own procedures and regulations and pursuant to the election procedures as herein below set forth. If a challenging petition is filed, and is accompanied by proof of employee approval equal to at least ten percent (10%) of the employees within the representation unit, the State Conciliation Service shall include such challenging employee organization on the ballot.
- (b) Election Procedures – Whenever the State Conciliation Service calls an election pursuant hereto, it shall include the choice of no organization on the ballot. Employees entitled to vote in a representational election shall be those employees within the representation unit whose name appeared on the payroll immediately prior to the date of the election. An employee organization shall be certified by the Employee Relations Officer as the recognized employee organization within the representation unit if...
 - (1) That employee organization has received the vote of a numerical majority of all the employees eligible to vote in the unit of which the election is held, or,
 - (2) More than fifty percent (50%) of the total number of employees in the unit eligible to vote have voted in the election, and the employee organization receives a numerical majority of all votes cast in the election, or,
 - (3) In an election involving three or more choices, where none of the choices receives a majority of the ballot votes cast, and where more than fifty percent (50%) of the total number of employees in the unit eligible to vote have voted in the election, a run-off election shall be conducted between the two choices receiving the largest number of ballot votes cast; the rules governing an initial election being applicable to a run-off election.

3. Decertification Procedures – A decertification petition may be filed with the Employee Relations Officer by employees or an employee organization to determine whether or not a

recognized employee organization continues to represent a majority of the employees in the representation unit. Such petition must be accompanied by proof of employee approval equal to at least thirty percent (30%) of the employees within the representation unit. The time periods for a petition to be filed with the Employee Relations Officer are: a) after the first full year of recognition if no written agreement has been negotiated; b) within the period commencing ninety (90) and ending sixty (60) days immediately prior to the expiration date of a written agreement; or c) any time after a written agreement has been in effect for five years or more. When such a valid petition has been filed, the State Conciliation Service shall be requested to conduct an election to determine whether or not the incumbent recognized employee organization shall be decertified, and where filed by an employee organization, whether such organization shall be recognized. Such election shall be in accordance with the procedures and regulations of the State Conciliation Service, and the election procedures as hereinabove set forth.

4. In the event that the State Conciliation Service is unable to or unwilling to provide any of the services required of it by paragraphs 2 and 3 above, the American Arbitration Association, or another impartial third party agreed to by the City and the concerned employee organization(s), shall perform said services.

5. Costs of conducting elections, if any, shall be borne equally by the City and the employee organization(s).

6. Recognized employee organizations shall annually, on or before the anniversary date of recognition, file a written statement with the Employee Relations Officer, indicating changes in items (a) through (g) as they appeared in the recognition petition filed pursuant to paragraph 1 of this Article, or as subsequently amended by a written statement hereunder, or, as appropriate, shall indicate that there has been no change in such information. The statement shall be signed by the duly authorized officers of the recognized employee organization.

ARTICLE VI – MEET AND CONFER

Upon request, a recognized employee organization shall have the right to meet and confer in good faith regarding matters within the scope of representation with the Employee Relations Officer and/or his designees. Provided, however, that nothing herein shall require meeting and conferring between parties to a Memorandum of Understanding during the term of such Memorandum regarding matters to take effect during such term, except that such parties may meet and confer during such term on a matter within the scope of representation where (a) the matter was not covered by the Memorandum or expressly raised as an issue during the meeting and conferring process out of which such Memorandum arose, and (b) there shall have arisen a significant change in circumstances with respect to such matter, which could not have reasonably been anticipated by both parties at the time they signed such Memorandum.

Employees in classifications not included in supervisory and confidential representation units shall not participate in meeting and conferring or grievance resolution processes pertaining to supervisory and confidential representation unit classifications.

In the absence of express authorization in advance by the Employee Relations Officer, not more than two City employees representing a recognized employee organization requesting such a meeting shall be entitled to attend without loss of compensation or other benefit, nor shall more than a total of three representatives for each recognized employee organization be entitled to attend such meetings.

City employees who shall represent a recognized employee organization at such meeting shall give reasonable advance notice thereof to their immediate supervisor, but in no event shall such

notice be given less than one full working day or shift before the meeting; except, however, that the Employee Relations Officer may, in his discretion, waive this requirement for advance notice.

If agreement is reached on matters subject to approval by the City Council or by the Civil Service Board or Retirement Board, the parties shall jointly prepare a written memorandum of such understanding, and the Employee Relations Officer shall present it to the Council or such Board, as appropriate, for determination. If agreement is reached on matters not subject to such approval, the Employee Relations Officer and the recognized employee organization(s) shall, at the request of one of the parties, prepare a written memorandum of such understanding.

ARTICLE VII – PAYROLL DEDUCTIONS

Only recognized employee organizations shall have the right to have the regular membership dues of its members deducted from employees paychecks upon the written authorization of each such employee member in such form as will not infringe upon an employee's rights under California Government Code Sec. 3502.

This Article shall not be construed to restrict a recognized employee organization from meeting and conferring with the City regarding additional payroll deductions upon the written authorization of employees in such representation unit.

ARTICLE VIII – COMMUNICATION WITH EMPLOYEES

Reasonable access to employee work locations shall be granted to officers of recognized employee organizations for the purpose of processing grievances or contacting members of the organization concerning business within the scope of representation. Such officers shall not enter any work location without previous notice to and consent from the Department Head or his designee, and access may be restricted so as not to interfere with departmental operations or with established safety and security requirements.

Campaigning for office, conducting meetings or elections, and other internal employee organization business of a similar nature shall not be carried on during work hours.

ARTICLE IX – USE OF CITY FACILITIES

City buildings and other facilities may be made available for use by City employees or an employee organization or their representatives in accordance with administrative procedures governing such use.

ARTICLE X – ADVANCE NOTICE

Except in cases of emergency as provided in this Article, the City Council, the Civil Service Board and the Retirement Board, shall give reasonable written notice to each recognized employee organization affected by any ordinance, rule, resolution or regulation directly relating to matters within the scope of representation proposed to be adopted by the City Council, the Civil Service Board, or the Retirement Board, and shall give such recognized employee organization the opportunity to meet with the City Council, the Civil Service Board, or the Retirement Board. The Council or such Board shall, upon request of the Employee Relations Officer or a recognized employee organization, delay consideration of the matter proposed to be acted upon for such period of time deemed to be reasonable by the Council or such Board, to give the parties an opportunity to meet and confer thereon in order to endeavor to agree upon a joint recommendation to be made to the Council or such Board.

In cases of emergency when the City Council, the Civil Service Board, or the Retirement Board determine that an ordinance, rule, resolution or regulation must be adopted immediately without prior notice or meeting with a recognized employee organization, the City Council, the Civil Service Board, or the Retirement Board shall provide such notice and opportunity to meet at the earliest practicable time following the adoption of such ordinance, rule, resolution, or regulation.

ARTICLE XI – EMPLOYEE ORGANIZATION

Employee organizations may represent their individual employee members in individual employment relations, including grievances, to the extent required by the Government Code.

ARTICLE XII – INDIVIDUAL EMPLOYEES

Nothing in this Resolution shall be construed to restrict or in any way modify the right of an individual employee to present matters involving his individual employment relationship to the appropriate level of management, provided that any action taken is not inconsistent with the terms of a memorandum or understanding then in effect, and that before any action is taken which could affect the terms and conditions of employment of other employees in the representation unit, such proposed action is communicated to the recognized employee organization for its opinion on the merits and the effect on the proposed action.

ARTICLE XIII – PROHIBITION AGAINST DISCRIMINATION

No appointing authority or his representative shall discriminate for or against any employee organization, or in any way coerce or influence any employee in his free choice to join or refrain from joining any employee organization.

It is the policy of the City to affirmatively support and encourage equal opportunity of employment for members of racial, religious and other minority groups. If evidence of such discrimination by an employee organization comes to the attention of the Employee Relations Officer, it shall be his duty to refer such evidence to an appropriate legal authority having jurisdiction thereof, if any.

ARTICLE XIV – APPLICATION OF LABOR CODE SECTION 923

The enactment of this Resolution shall not be construed as making the provisions of Section 923 of the Labor Code applicable to employees or employee organizations.

ARTICLE XV – IMPASSE PROCEDURES

1. Initiation of Impasse Procedures – Impasse procedures may be invoked after the possibility of settlement by direct discussion has been exhausted. Any party may initiate the impasse procedures by filing with the other party or parties a written request for an impasse meeting, together with a statement of its position on all disputed issues. An impasse meeting shall then be scheduled by the Employee Relations Officer forthwith after the date of filing of the written request for such meeting, with written notice to all parties affected. The purpose of such impasse meeting shall be two-fold:

- (a) To permit a review of the position of all parties in a final effort to reach an agreement on the disputed issues; and
- (b) If agreement is not concluded, to discuss arrangements for implementing the specific impasse procedure or procedures to which the dispute shall be submitted.

2. Impasse Procedures – Impasse procedures are as follows:

- (a) If the parties so agree, the dispute shall be submitted directly to the City Council for determination.
- (b) If they do not so agree with a reasonable period of time, the dispute shall be submitted to mediation. All mediation proceedings shall be private. The mediator shall make no public recommendation, nor take any public position at any time concerning the issues. If the parties are unable to agree on a mediator after a reasonable period of time, they shall select the mediator from a list of three names to be provided by the State Conciliation Service, or if that body for any reason shall fail to provide such list, by the American Arbitration Association. The recognized employee organization or organizations shall first strike one name, the Employee Relations Officer shall then strike one name, and the name remaining shall be the mediator.
- (c) If the parties have failed to resolve all their disputes through mediation within fifteen (15) days after the mediator commenced meeting with the parties, the parties may agree to submit the issues in dispute directly to the City Council. In that event the City Council shall finally determine the issues after conducting a public hearing thereon and after such further investigation of the relevant facts as it may deem appropriate.
- (d) If the parties fail to agree to submit the dispute directly to the City Council, the disputed issues shall be submitted to fact-finding.

The parties may agree on the appointment of one or more fact-finders. If they fail to so agree, a fact-finding panel of three shall be appointed in the following manner: One member of the panel shall be appointed by the Employee Relations Officer, one member shall be appointed by the recognized employee organization, and those two shall name a third, who shall be the chairman. If they are unable to agree upon a third, they shall select the third member from a list of five names to be provided by the American Arbitration Association, the one to serve to be determined by the alternate

striking of names, with the party who is to strike the first name to be determined by chance method.

The following constitute the jurisdictional and procedural requirements for fact-finding:

- (1) Fact-finders shall not have served as mediator in the same impasse under subparagraph (b), and shall not be employees or officers of the City or members of one of the City's employee organizations.
- (2) Fact-finding is authorized hereunder in connection with all disputed issues that are within the scope of representation.
- (3) The fact-finder(s) shall, to the extent they are applicable, determine and apply the following standards to the disputed issues in making recommendations:
 - (i) City job classifications shall be compared to comparable job classifications in private and public employment in the Sacramento metropolitan area, and in the three California cities next larger and the three California cities next smaller in population than Sacramento, to the extent such can be reasonably done.
 - (ii) In determining job comparability, the following factors will be considered: The nature and complexity of the duties involved; the degree of supervision received and exercised; the educational, experience and physical qualifications, and the special skills required; the physical working conditions; and the hazards inherent in the job.
 - (iii) Comparisons shall be in terms of total compensation and benefits of employment, and, to the extent feasible, shall be measured in monetary terms.
 - (iv) The comparison data as hereinabove provided for shall, to the extent feasible, be adjusted as appropriate for differences in the cost of living in Sacramento as compared to other cities considered; the benefits of job stability and continuity of employment; difficulty of recruiting qualified applicants; and equitable employment benefit relationships between job classifications in City employment.
 - (v) The state of the economy in the Sacramento metropolitan area, and the financial condition and resources of City government, shall be considered.
- (4) The fact-finder(s) shall make written findings of fact and recommendations for the resolution of the issues in dispute, which shall be presented in terms of the standards specified in (3) above. The fact-finder or chairman of the fact-finding panel shall serve such findings and recommendations on the Employee Relations Officer and the designated representative of the recognized employee organization. If these parties have not resolved the impasse within ten (10) days after service of the findings and recommendations upon them, and in no event later than ten (10) days prior to the final date set by law for fixing of the tax rate, the fact-finder or the chairman of the fact-finding panel shall make them public by submitting them to the City Clerk for consideration by the City Council in connection with the Council's legislative determination of the issues.

- (5) Costs of mediation and fact-finding shall be divided one-half to the City and one-half to the recognized employee organization.

EXHIBIT "A"

DESIGNATION OF REPRESENTATION UNITS
AND UNREPRESENTED CLASSIFICATIONS

A. The Council determines that the following (including special job classifications designated by "Special Manpower Planning") are the appropriate representation units:

1. Building Trades and Craft Unit

- Blacksmith-Welder
- Carpenter
- Electrician
- Electrician Lineworker
- Electrician Supervisor
- Machinist
- Machinist Helper
- Machinist Supervisor
- Mechanical Maintenance Supervisor
- Painter
- Plumber
- Plumber Apprentice
- Roofer
- Senior Carpenter
- Senior Electrician
- Senior Painter
- Senior Plumber
- Senior Sheet Metal Worker
- Sheet Metal Worker
- Stagehand I
- Stagehand II
- Street Construction Equipment Operator
- Street Construction Laborer
- Street Construction Laborer Trainee*
- Street Maintenance Supervisor
- Structural Maintenance Supervisor

2. Plant Operator Unit

- Plant Operator I
- Plant Operator I (Career Development Trainee)*
- Plant Operator II
- Plant Operator III
- Senior Stationary Engineer
- Stationary Engineer

3. Water and Sewer Unit

- Water and Sewer Leadworker
- Water and Sewer Serviceworker

Water and Sewer Unit (Continued)

Water and Sewer Serviceworker (Apprentice)*
Water and Sewer Serviceworker (Career Development Trainee)*
Water and Sewer Supervisor
Water Cross-Connection Control Specialist

4. Traffic Engineering Unit

Senior Traffic Worker
Traffic Supervisor
Traffic Worker I
Traffic Worker I (Career Development Trainee)*
Traffic Worker II
Traffic Leadworker

5. Fire Department Unit

Fire Apparatus Operator
Fire Battalion Chief
Fire Captain
Firefighter
Fire Investigator I
Fire Investigator II
Fire Prevention Inspector II
Fire Prevention Officer I
Fire Prevention Officer II
Fire Prevention Officer Trainee

6. Police Department Unit

Community Service Officer*
Dispatcher I
Dispatcher II
Dispatcher III
Police Lieutenant
Police Officer
Police Sergeant
Reserve Dispatcher*

7. Professional Unit

Arborist
Archivist
Art Museum Registrar
Assistant Planner
Associate Curator of Art
Associate Planner
Economic Development Specialist I
Economic Development Specialist II
Geographic Analyst I

Professional Unit (Continued)

Geographic Analyst II
Graphic Designer
Junior Planner
Law Clerk*
Librarian I
Librarian I - Children's Services Librarian
Librarian II
Librarian II - Children's Services Librarian
Librarian II - Library Automation Coordinator
Media Production Specialist
Museum Registrar
Public Information Coordinator
Senior Media Production Specialist
Transportation System Management Program Coordinator
Water Quality Chemist

8. Office and Technical Unit

Account Clerk I
Account Clerk II
Accounting Technician
Architectural Technician
Arts and Crafts Specialist*
Arts Program Assistant
Arts Program Coordinator
Booking Coordinator
Boutique Operator
Building Inspector I
Building Inspector II
Building Technician
Burglary/Robbery Alarm Inspector
Buyer I
Buyer II
Buyer Trainee
Cashier
Charm and Modeling Instructor I*
Charm and Modeling Instructor II*
Child Care Assistant
Child Care Site Activity Programmer
Child Care Site Coordinator
Claims Collector
Clerical Assistant*
Clerk I
Clerk I (Career Development Trainee)*
Clerk II
Clerk III
Communications Assistant
Community Service Representative I
Community Service Representative II

Office and Technical Unit (Continued)

Computer Operator
Construction Inspector I
Construction Inspector II
Construction Inspector III
Costumer*
Customer Service Representative
Customer Service Trainee
Data Entry Technician
Departmental Data Analyst I
Departmental Data Analyst II
Departmental Data Technician
Electrical Construction Inspector I
Electrical Construction Inspector II
Electrical Construction Inspector III
Engineering Technician I
Engineering Technician II
Engineering Technician III
Events Coordinator
Exhibits Coordinator
Facility Drawings Technician
Fleet Management Technician
Graduate Student Trainee*
Graphics Assistant
Identification Technician I
Identification Technician II
Identification Technician III
Key Data Operator I
Landscape Architectural Technician
Library Assistant I
Library Assistant II
Library Equipment Service Technician
Library Galleria Coordinator
Library Technician
Library Technician Branch Supervisor
Media and Computer Specialist
Microcomputer Systems Specialist
Neighborhood Improvement Coordinator
Nuisance Abatement Officer
Offset Equipment Operator
Offset Equipment Operator (Career Development Trainee)*
Performing Arts Specialist*
Personnel Transactions Coordinator
Planning Technician I
Planning Technician II
Police Clerk I
Police Clerk II
Police Clerk III
Police Records Assistant I
Police Records Assistant II

Office and Technical Unit (Continued)

Police Records Assistant III
Promotions Specialist*
Property Assistant
Property Assistant (Career Development Trainee)*
Public Service Aide*
Real Property Agent I
Real Property Agent II
Recreation Aide*
Recreation Leader
Recreation Leader (Handicapped)*
Recreation Program Coordinator I
Recreation Program Coordinator II
Relief Clerical Assistant*
Revenue Representative I
Revenue Representative II
Revenue Representative III
Revenue Services Representative
Revenue Services Trainee
Secretary to the Planning Commission
Senior Buyer
Senior Claims Collector
Senior Computer Operator
Senior Customer Service Representative
Senior Data Entry Technician
Senior Data Processing Technician
Senior Departmental Data Analyst
Senior Engineering Technician
Senior Key Data Operator
Senior Personnel Transactions Coordinator
Senior Property Assistant
Senior Revenue Services Representative
Senior School Crossing Guard*
Service Contract Inspector
Special Programs Coordinator
Special Programs Leader
Staff Aide*
Stenographer Clerk I
Stenographer Clerk II
Stenographer Clerk III
Storekeeper
Stores Clerk I
Stores Clerk I (Career Development Trainee)*
Stores Clerk II
Student Trainee*
Surveillance Equipment Technician
Ticket Seller
Ticket Seller*
Transportation System Management Program Assistant
Typist Clerk I

Office and Technical Unit (Continued)

Typist Clerk I (Career Development Trainee)*
Typist Clerk II
Typist Clerk III
Utility Services Inspector
Water Quality Inspector
Water Quality Laboratory Technician

9. Operations and Maintenance Unit

Animal Care Technician
Animal Control Officer
Building Maintenance Worker
Community Center Attendant I
Community Center Attendant I (Career Development Trainee)*
Community Center Attendant II
Cultural Facilities Attendant
Custodian
Electronic Maintenance Technician I
Electronic Maintenance Technician II
Electronic Maintenance Technician Trainee
Electronic Maintenance Technician Trainee (Career Development Trainee)*
Engineering Aide I
Engineering Aide II
Equipment Operator
General Helper
Golf Course Irrigator*
Golf Course Marshal
Greenskeeper
Instrument Technician I
Instrument Technician II
Instrument Technician Trainee
Landfill Equipment Operator
Maintenance Worker
Maintenance Worker (Career Development Trainee)*
Marina Aide*
Marina and Boating Facilities Attendant
Meter Reader
Meter Reader (Career Development Trainee)*
Motor Sweeper Operator
Park Equipment Operator
Park Maintenance Worker I
Park Maintenance Worker II
Park Maintenance Worker III
Parking Enforcement Officer
Parking Lot Attendant
Parking Meter Coin Collector
Parking Meter Repairworker
Sanitation Worker I
Sanitation Worker II

Operations and Maintenance Unit (Continued)

Sanitation Worker III
Sanitation Worker IV
Security Guard
Senior Animal Care Technician
Senior Building Maintenance Worker
Senior Custodian
Senior Electronic Maintenance Technician
Senior Landfill Equipment Operator
Senior Maintenance Worker
Senior Parking Lot Attendant
Senior Tree Trimmer
Survey Party Chief
Telecommunications Technician I
Telecommunications Technician II
Telecommunications Technician Trainee
Traffic Control and Lighting Technician I
Traffic Control and Lighting Technician II
Traffic Control and Lighting Technician Trainee
Traffic Control and Lighting Technician Trainee (Career Development Trainee)
Tree Maintenance Worker
Tree Maintenance Worker Trainee
Tree Trimmer I
Tree Trimmer II
Tree Trimmer Trainee
Utility Worker*
Vehicle Abatement Officer
Water Waste Inspector
Zoo Attendant I
Zoo Attendant II

10. General Supervisory Unit

Assistant Box Office Supervisor
Building Inspector III
Camp Sacramento Supervisor
Central Services Supervisor
Central Stores Supervisor
Child Care Program Supervisor
Computer Operator Supervisor
Curator of Education
Curator of Historical Exhibitions
Custodial Supervisor
Drainage Supervisor
Enforcement and Collections Supervisor
Equipment Maintenance Supervisor
Golf Course Supervisor
Instrumentation Supervisor
Librarian III
Librarian III - Minority Services Coordinator

General Supervisory Unit (Continued)

Librarian III - Regional Children's Services Coordinator
Marina and Boating Facilities Supervisor
Museum Security Supervisor
Office Supervisor
Parking Enforcement Supervisor
Parking Facilities Maintenance Supervisor
Parking Lot Supervisor
Parking Meter Collection Supervisor
Parking Meter Repair Supervisor
Parks Supervisor
Recreation Supervisor I
Recreation Supervisor II
Refuse Collection Supervisor
Revenue Supervisor
Science Education Coordinator
Senior Accounting Technician
Senior Animal Control Officer
Senior Citizens Services Supervisor
Senior Nuisance Abatement Officer
Senior Parking Lot Supervisor
Solid Waste Maintenance Supervisor
Street Cleaning Supervisor
Supervising Community Center Attendant
Supervising Community Service Representative
Supervising Construction Inspector
Supervising Dispatcher
Supervising Graphic Designer
Supervising Identification Technician
Supervising Plant Operator
Supervising Police Clerk
Supervising Police Records Assistant
Supervising Property Assistant
Supervising Surveyor
Supervising Water Quality Chemist
Telecommunications Supervisor
Traffic Control and Lighting Supervisor
Tree Maintenance Supervisor
Tree Trimmer Supervisor
Zoo Supervisor

11. Engineering Unit

Assistant Architect
Assistant Civil Engineer
Assistant Electrical Engineer
Assistant Landscape Architect
Assistant Mechanical Engineer
Associate Architect
Associate Civil Engineer

Engineering Unit (Continued)

Associate Electrical Engineer
Associate Landscape Architect
Associate Mechanical Engineer
Fire Protection Engineer
Junior Architect
Junior Engineer
Junior Landscape Architect
Telecommunications Engineer

12. Automotive/Equipment Mechanics Unit

Equipment Body Mechanic
Equipment Mechanic I
Equipment Mechanic II
Equipment Mechanic III
Equipment Serviceworker
Fire Service Worker
General Repairworker
Vehicle Pool Serviceworker
Vehicle Service Aide*
Vehicle Service Attendant
Vehicle Service Attendant (Career Development Trainee)*

B. The Council designates the following class titles as "unrepresented classifications":

1. Management

Accounting Manager
Administrative Assistant to the City Council
Administrative Assistant to the Mayor
Administrative Services Officer
Administrative Trainee (Exempt)
Affirmative Action Officer
Anti-Drug and Gang Program Coordinator (Exempt)
Architecture and Engineering Manager
Art in Public Places Administrator
Art Museum Manager
Assistant Building Inspections Manager
Assistant Chief of Police
Assistant City Attorney
Assistant City Clerk
Assistant City Manager
Assistant City Treasurer
Assistant Director of Community Center
Assistant Director of Public Works
Assistant Director of Utilities
Assistant Fleet Manager
Assistant Library Director
Assistant Public Safety Communications Manager

Management (Continued)

Assistant Real Property and Assessment District Supervisor
Assistant Revenue Manager
Assistant Street Division Manager
Assistant to Facility Manager
Box Office Supervisor
Budget Manager
Building Inspections Manager
Building Maintenance Superintendent (Exempt)
Business Services Manager
Career Development Officer (Exempt)
Chief Animal Control Officer
Chief Building Inspector
Chief Electrical Inspector
Chief of Off-Street Parking
Chief of On-Street Parking
Chief Plumbing Inspector
Citizens Assistance Officer
City Attorney
City Clerk
City Manager
City Treasurer
Code Enforcement Manager
Communications Systems Administrator
Community Center Events and Facilities Manager (Exempt)
Community Center Facilities Administrator (Exempt)
Computer Services Manager
Construction Contract Officer
Contract Compliance Officer
Curator of Art
Curator of History
Deputy Chief of Police
Deputy City Attorney I
Deputy City Attorney II
Deputy City Attorney III
Deputy City Attorney IV
Deputy City Manager
Deputy City Treasurer
Deputy Director of Parks and Community Services
Deputy Superintendent of Wastewater Facilities
Deputy Superintendent of Water Production Facilities
Director of Community and Visitor Services
Director of Employee Relations
Director of Finance
Director of Human Resources
Director of Information/Communication Services
Director of Planning and Development
Director of Public Works
Director of Public Works, Field Services
Director of Public Works, Technical Services

Management (Continued)

Director of Special Projects
Director of Utilities
Economic Development Manager
Emergency Services Officer (Exempt)
Employee Relations Representative I
Employee Relations Representative II
Energy Systems Coordinator
Engineering Division Manager
Environmental Services Manager
Events Services Administrator (Exempt)
Field Services Manager
Financial Systems Manager
~~Fire Battalion Chief~~
Fire Chief
Fire Deputy Chief
Fire Division Chief
Fleet and Facilities Manager
Fleet Manager
Flood Control and Sewer Division Manager
Geographic Information Systems Administrator
Geographic Information Systems Administrator (SPCL)
Golf Manager
History Center Administrator
Identification Section Administrator
Internal Audit Administrator
Investment Officer I
Investment Officer II
Landscape Architecture and Real Estate Manager
Librarian IV (Exempt)
Library Community Relations Coordinator
Library Director
Library Support Services Manager
Library Systems Manager
Management Analyst I
Management Analyst II
Management Analyst III
Management Officer of Community Center and Convention I
Mayor/City Council Office Manager
Metropolitan Arts Manager
Minority, Women, and Small Business Coordinator
Museum and History Manager
Neighborhood Services Area Team Manager
Parking Manager
Parks and Recreation Manager
Parks Superintendent
Personnel Services Manager
Planning Director
Plant Services Manager
Police Captain

Management (Continued)

Police Chief
Police Commander
Police Information Officer
Police Records Manager
Principal Accountant
Principal Planner
Procurement Services Manager
Property Management Section Administrator
Public Information Officer
Public Safety Communications Manager
Recreation Superintendent
Refuse Collection General Supervisor
Revenue Manager
Risk Manager
SAFCA Counsel
Science Center Administrator
Senior Administrative Services Officer
Senior Architect
Senior Deputy City Attorney
Senior Employee Relations Representative
Senior Engineer
Senior Management Analyst
Senior Planner
Solid Waste Collection Superintendent
Solid Waste Division Manager
Street Cleaning General Supervisor
Street Division Manager
Street Maintenance General Supervisor
Superintendent of Equipment Maintenance
Supervising Architect
Supervising Engineer
Supervising Personnel Analyst
Supervising Real Property Agent
Systems and Programming Manager
Technical Services Administrator
Traffic Control and Lighting General Supervisor
Traffic Engineer
Traffic Signs and Markings General Supervisor
Training Officer
Transportation and Engineering Planning Manager
Transportation Division Manager
Treasury Financial Systems Analyst
Water and Sewer Distribution Superintendent
Water and Sewer Superintendent (Field Services)
Water and Sewer Superintendent (Plant Services)
Water Division Manager
Worker's Compensation Administrator
Zoo Curator
Zoo Manager

2. Confidential/Administrative

Account Clerk I (Confidential)
Account Clerk II (Confidential)
Accountant-Auditor I
Accountant-Auditor II
Accountant-Auditor III
Administrative Analyst I
Administrative Analyst II
Administrative Technician
Administrative Trainee
Benefits Officer
Benefits Technician
Budget Technician
Cashiering Systems Supervisor
Child Care Coordinator
City Attorney's Office Administrative Officer (Exempt)
City Council Office Secretary
City Manager's Office Supervisor
Claims Representative
Confidential Office Supervisor (Exempt)
Confidential Secretary
Data Base Analyst I
Data Base Analyst II
Deputy City Clerk
Fire Service Training Specialist
Graduate Legal Assistant*
Legal Assistant
Legal Secretary I
Legal Secretary I (Exempt)
Legal Secretary II
Legal Secretary II (Exempt)
Library Facility Coordinator
Mayor/City Council Office Receptionist
Personnel Analyst I
Personnel Analyst II
Personnel Technician
Programmer I
Programmer II
Programmer Analyst I
Programmer Analyst II
Programmer Trainee
Recruitment Coordinator (Exempt)
Retirement Officer
Retirement Systems Technician
Safety Officer
Safety Specialist
Secretary
Secretary, City Manager's Office
Secretary to the Mayor

Confidential/Administrative (Continued)

Senior Accounting Technician (Confidential)
Senior Data Base Analyst
Senior Parks and Recreation Supervisor
Senior Programmer Analyst
Special Districts Analyst
Supervisor-Property Management Section
Systems Programmer I
Systems Programmer II
Treasury Operations Officer I
Treasury Operations Officer II
Typist Clerk (Exempt)
Typist Clerk I (Confidential)
Typist Clerk I (Exempt)
Typist Clerk II (Confidential)
Typist Clerk II (Exempt)
Typist Clerk III (Confidential)
Vocational Rehabilitation Coordinator
Waste Reduction Coordinator I
Waste Reduction Coordinator II
Worker's Compensation Claims Representative I
Worker's Compensation Claims Representative II
Worker's Compensation Claims Representative Trainee
Worker's Compensation Office Supervisor (Confidential)

3. Non-Career

Assistant Caretaker*
Assistant Cook*
Assistant Proctor*
Auxiliary Golf Course Marshal*
Book Shelves*
Camp Aide*
Camp Recreation Leader*
Caretaker*
Cashier (Community Services)*
Dispatcher Recruit*
Events Crowd Controller*
Events Duty Person*
Events Usher*
Fire Recruit*
First Cook*
Head Events Crowd Controller*
Host*
Human Services Program Coordinator*
Lifeguard*
Locker Attendant*
Nurse*
Pantry Aide*
Police Background Assistant (Exempt)*

Non-Career (Continued)

Police Cadet*
Pool Manager*
Proctor*
Program Director*
Reserve Police Officer*
School Crossing Guard*
Security Officer (Exempt)*
Senior Lifeguard*
Storekeeper (Community Services)*
Wading Pool Leader*
Youth Aide*

EMPLOYER-EMPLOYEE RELATIONS POLICY

ARTICLE I – STATEMENT OF PURPOSE

This Resolution is enacted pursuant to California Government Code Sections 3500 et seq., to establish orderly procedures to promote full communication between the City and its employees by providing a reasonable method of resolving disputes regarding wages, hours, and other terms and conditions of employment between the City and its employee organizations. It is the purpose of this Resolution to promote the improvement of personnel management and employer-employee relations within the City by providing a uniform basis for recognizing the right of its employees to join organizations of their own choice and be represented by such organizations in their employment relationship with the City.

Nothing contained herein shall be deemed to supersede the provisions of existing State law, the City Charter, ordinances, resolutions and rules which establish and regulate the merit and civil service system, or which provide for other methods of administering employer-employee relations. This Resolution is intended, instead, to strengthen merit, civil service and other methods of administering employer-employee relations through the establishment of uniform and orderly methods of communications between employees and the City.

ARTICLE II – AUTHORITY OF CITY MANAGER

The City hereby declares, as a matter of policy, that the City Council and its members will deal with employee organizations and their representatives solely through the City Manager except when otherwise expressly provided for by the terms of this Resolution.

ARTICLE III – DEFINITIONS

1. The terms "employee organization", "recognized employee organization", and "mediation" have the meanings specified in California Government Code Section 3501.
2. The meaning of "scope of representation" is as that term is defined in California Government Code Section 3504.
3. Except as otherwise provided for in a collective bargaining agreement, an "employee" shall mean (a) a full-time career employee, or (b) an employee who works, within one year from each date of employment, in excess of 1,040 hours during a continuous period of employment of more than six (6) months.
4. "Confidential Employee" means an employee who regularly participates in making or regularly has advance knowledge of decisions of the City affecting employee relations.
5. "Management Employee" means an employee having responsibility for formulating, administering, or managing the implementation of City policies and programs.
6. "Supervisory Employee" means an employee having responsibility for assigning and directing the work of other employees, or for rewarding or disciplining them, or for adjusting their grievances, or effectively to recommend such action if, in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

7. "Professional Employee" means an employee engaged in work (a) predominantly intellectual and varied in character as opposed to routine mental, manual, mechanical, or physical work, and (b) involving the consistent exercise of discretion and judgment in its performance, and (c) of such a character that the output produced or the result accomplished cannot be standardized in relation to a given period of time, and (d) requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study in an institution of higher learning or a hospital, as distinguished from a general academic education or from an apprenticeship or from training in the performance of routine mental manual or physical processes.

8. "Employee Relations Officer" means the City Manager or his duly authorized representative.

9. "Proof of Employee Approval" is demonstrated under this Resolution by (a) an authorization card recently signed by an employee, or (b) employee dues deduction authorizations, using the payroll immediately prior to the date a petition is filed hereunder, except that deductions for more than one employee organization for the account of any one employee shall not be considered proof of employee approval for more than one employee organization, or (c) a verified authorization petition or petitions recently signed by an employee. The words "recently signed" mean signed within one hundred eighty (180) days prior to the filing of a petition hereunder.

10. "Impasse" means a deadlock in discussions between a recognized employee organization and the Employee Relations Officer over any matters concerning which they are required to meet and confer in good faith, or over the scope of such subject matter.

ARTICLE IV – REPRESENTATION UNITS

The representation units set forth in Exhibit "A" attached hereto are the appropriate units for representation by recognized employee organizations.

ARTICLE V – RECOGNIZED EMPLOYEE ORGANIZATIONS

An employee organization that wishes to be certified as the recognized employee organization for a designated representation unit for which unit no employee organization has been certified shall file a recognition petition with the Employee Relations Officer.

1. Petition – The petition shall be signed by the organization's duly authorized officers, and shall contain the following information and documentation:

- (a) The name and mailing address of the organization.
- (b) The names and titles of its officers.
- (c) Designation of those persons, not exceeding three in number, and their addresses, to whom notice sent by regular mail will be deemed sufficient notice on the organization for any purpose.
- (d) A statement that the organization does not discriminate or restrict membership or participation based on race, color, creed, national origin, or sex.
- (e) A statement that the employee organization has, as one of its primary purposes, representing employees in their employment relations with the City.

- (f) A statement that the employee organization agrees to comply with the provisions of this Resolution.
- (g) A copy of its constitution and bylaws, if any.
- (h) Identification of the representation unit for which petitioner seeks certification as the recognized employee organization.
- (i) Proof of employee approval of thirty percent (30%) or more of the employees within such representation unit.

The Employee Relations Officer shall give written notice of such petition to the petitioner, to the employees involved and to any employee organization that has filed a written request for receipt of such notice to him. Within thirty (30) days of the date of such notice, other employee organizations may file a challenging petition seeking to become the recognized employee organization within such representation unit.

2. Election

- (a) Calling of Election – The Employee Relations Officer shall, whether or not a challenging petition is filed, request the State Conciliation Service to call and conduct a secret ballot election in accordance with its own procedures and regulations and pursuant to the election procedures as herein below set forth. If a challenging petition is filed, and is accompanied by proof of employee approval equal to at least ten percent (10%) of the employees within the representation unit, the State Conciliation Service shall include such challenging employee organization on the ballot.
- (b) Election Procedures – Whenever the State Conciliation Service calls an election pursuant hereto, it shall include the choice of no organization on the ballot. Employees entitled to vote in a representational election shall be those employees within the representation unit whose name appeared on the payroll immediately prior to the date of the election. An employee organization shall be certified by the Employee Relations Officer as the recognized employee organization within the representation unit if...
 - (1) That employee organization has received the vote of a numerical majority of all the employees eligible to vote in the unit of which the election is held, or,
 - (2) More than fifty percent (50%) of the total number of employees in the unit eligible to vote have voted in the election, and the employee organization receives a numerical majority of all votes cast in the election, or,
 - (3) In an election involving three or more choices, where none of the choices receives a majority of the ballot votes cast, and where more than fifty percent (50%) of the total number of employees in the unit eligible to vote have voted in the election, a run-off election shall be conducted between the two choices receiving the largest number of ballot votes cast; the rules governing an initial election being applicable to a run-off election.

3. Decertification Procedures – A decertification petition may be filed with the Employee Relations Officer by employees or an employee organization to determine whether or not a recognized employee organization continues to represent a majority of the employees in the representation unit. Such petition must be accompanied by proof of employee approval equal to at least thirty percent (30%) of the employees within the representation unit. The time periods for a

petition to be filed with the Employee Relations Officer are: a) after the first full year of recognition if no written agreement has been negotiated; b) within the period commencing ninety (90) and ending sixty (60) days immediately prior to the expiration date of a written agreement; or c) any time after a written agreement has been in effect for five years or more. When such a valid petition has been filed, the State Conciliation Service shall be requested to conduct an election to determine whether or not the incumbent recognized employee organization shall be decertified, and where filed by an employee organization, whether such organization shall be recognized. Such election shall be in accordance with the procedures and regulations of the State Conciliation Service, and the election procedures as hereinabove set forth.

4. In the event that the State Conciliation Service is unable to or unwilling to provide any of the services required of it by paragraphs 2 and 3 above, the American Arbitration Association, or another impartial third party agreed to by the City and the concerned employee organization(s), shall perform said services.

5. Costs of conducting elections, if any, shall be borne equally by the City and the employee organization(s).

6. Recognized employee organizations shall annually, on or before the anniversary date of recognition, file a written statement with the Employee Relations Officer, indicating changes in items (a) through (g) as they appeared in the recognition petition filed pursuant to paragraph 1 of this Article, or as subsequently amended by a written statement hereunder, or, as appropriate, shall indicate that there has been no change in such information. The statement shall be signed by the duly authorized officers of the recognized employee organization.

ARTICLE VI – MEET AND CONFER

Upon request, a recognized employee organization shall have the right to meet and confer in good faith regarding matters within the scope of representation with the Employee Relations Officer and/or his designees. Provided, however, that nothing herein shall require meeting and conferring between parties to a Memorandum of Understanding during the term of such Memorandum regarding matters to take effect during such term, except that such parties may meet and confer during such term on a matter within the scope of representation where (a) the matter was not covered by the Memorandum or expressly raised as an issue during the meeting and conferring process out of which such Memorandum arose, and (b) there shall have arisen a significant change in circumstances with respect to such matter, which could not have reasonably been anticipated by both parties at the time they signed such Memorandum.

Employees in classifications not included in supervisory and confidential representation units shall not participate in meeting and conferring or grievance resolution processes pertaining to supervisory and confidential representation unit classifications.

In the absence of express authorization in advance by the Employee Relations Officer, not more than two City employees representing a recognized employee organization requesting such a meeting shall be entitled to attend without loss of compensation or other benefit, nor shall more than a total of three representatives for each recognized employee organization be entitled to attend such meetings.

City employees who shall represent a recognized employee organization at such meeting shall give reasonable advance notice thereof to their immediate supervisor, but in no event shall such notice be given less than one full working day or shift before the meeting; except, however, that the Employee Relations Officer may, in his discretion, waive this requirement for advance notice.

If agreement is reached on matters subject to approval by the City Council or by the Civil Service Board or Retirement Board, the parties shall jointly prepare a written memorandum of such understanding, and the Employee Relations Officer shall present it to the Council or such Board, as appropriate, for determination. If agreement is reached on matters not subject to such approval, the Employee Relations Officer and the recognized employee organization(s) shall, at the request of one of the parties, prepare a written memorandum of such understanding.

ARTICLE VII – PAYROLL DEDUCTIONS

Only recognized employee organizations shall have the right to have the regular membership dues of its members deducted from employees paychecks upon the written authorization of each such employee member in such form as will not infringe upon an employee's rights under California Government Code Sec. 3502.

This Article shall not be construed to restrict a recognized employee organization from meeting and conferring with the City regarding additional payroll deductions upon the written authorization of employees in such representation unit.

ARTICLE VIII – COMMUNICATION WITH EMPLOYEES

Reasonable access to employee work locations shall be granted to officers of recognized employee organizations for the purpose of processing grievances or contacting members of the organization concerning business within the scope of representation. Such officers shall not enter any work location without previous notice to and consent from the Department Head or his designee, and access may be restricted so as not to interfere with departmental operations or with established safety and security requirements.

Campaigning for office, conducting meetings or elections, and other internal employee organization business of a similar nature shall not be carried on during work hours.

ARTICLE IX – USE OF CITY FACILITIES

City buildings and other facilities may be made available for use by City employees or an employee organization or their representatives in accordance with administrative procedures governing such use.

ARTICLE X – ADVANCE NOTICE

Except in cases of emergency as provided in this Article, the City Council, the Civil Service Board and the Retirement Board, shall give reasonable written notice to each recognized employee organization affected by any ordinance, rule, resolution or regulation directly relating to matters within the scope of representation proposed to be adopted by the City Council, the Civil Service Board, or the Retirement Board, and shall give such recognized employee organization the opportunity to meet with the City Council, the Civil Service Board, or the Retirement Board. The Council or such Board shall, upon request of the Employee Relations Officer or a recognized employee organization, delay consideration of the matter proposed to be acted upon for such period of time deemed to be reasonable by the Council or such Board, to give the parties an opportunity to meet and confer thereon in order to endeavor to agree upon a joint recommendation to be made to the Council or such Board.

In cases of emergency when the City Council, the Civil Service Board, or the Retirement Board determine that an ordinance, rule, resolution or regulation must be adopted immediately without prior notice or meeting with a recognized employee organization, the City Council, the Civil Service Board, or the Retirement Board shall provide such notice and opportunity to meet at the earliest practicable time following the adoption of such ordinance, rule, resolution, or regulation.

ARTICLE XI – EMPLOYEE ORGANIZATION

Employee organizations may represent their individual employee members in individual employment relations, including grievances, to the extent required by the Government Code.

ARTICLE XII – INDIVIDUAL EMPLOYEES

Nothing in this Resolution shall be construed to restrict or in any way modify the right of an individual employee to present matters involving his individual employment relationship to the appropriate level of management, provided that any action taken is not inconsistent with the terms of a memorandum or understanding then in effect, and that before any action is taken which could affect the terms and conditions of employment of other employees in the representation unit, such proposed action is communicated to the recognized employee organization for its opinion on the merits and the effect on the proposed action.

ARTICLE XIII – PROHIBITION AGAINST DISCRIMINATION

No appointing authority or his representative shall discriminate for or against any employee organization, or in any way coerce or influence any employee in his free choice to join or refrain from joining any employee organization.

It is the policy of the City to affirmatively support and encourage equal opportunity of employment for members of racial, religious and other minority groups. If evidence of such discrimination by an employee organization comes to the attention of the Employee Relations Officer, it shall be his duty to refer such evidence to an appropriate legal authority having jurisdiction thereof, if any.

ARTICLE XIV – APPLICATION OF LABOR CODE SECTION 923

The enactment of this Resolution shall not be construed as making the provisions of Section 923 of the Labor Code applicable to employees or employee organizations.

ARTICLE XV – IMPASSE PROCEDURES

1. Initiation of Impasse Procedures – Impasse procedures may be invoked after the possibility of settlement by direct discussion has been exhausted. Any party may initiate the impasse procedures by filing with the other party or parties a written request for an impasse meeting, together with a statement of its position on all disputed issues. An impasse meeting shall then be scheduled by the Employee Relations Officer forthwith after the date of filing of the written request for such meeting, with written notice to all parties affected. The purpose of such impasse meeting shall be two-fold:

- (a) To permit a review of the position of all parties in a final effort to reach an agreement on the disputed issues; and
 - (b) If agreement is not concluded, to discuss arrangements for implementing the specific impasse procedure or procedures to which the dispute shall be submitted.
2. Impasse Procedures – Impasse procedures are as follows:
- (a) If the parties so agree, the dispute shall be submitted directly to the City Council for determination.
 - (b) If they do not so agree with a reasonable period of time, the dispute shall be submitted to mediation. All mediation proceedings shall be private. The mediator shall make no public recommendation, nor take any public position at any time concerning the issues. If the parties are unable to agree on a mediator after a reasonable period of time, they shall select the mediator from a list of three names to be provided by the State Conciliation Service, or if that body for any reason shall fail to provide such list, by the American Arbitration Association. The recognized employee organization or organizations shall first strike one name, the Employee Relations Officer shall then strike one name, and the name remaining shall be the mediator.
 - (c) If the parties have failed to resolve all their disputes through mediation within fifteen (15) days after the mediator commenced meeting with the parties, the parties may agree to submit the issues in dispute directly to the City Council. In that event the City Council shall finally determine the issues after conducting a public hearing thereon and after such further investigation of the relevant facts as it may deem appropriate.
 - (d) If the parties fail to agree to submit the dispute directly to the City Council, the disputed issues shall be submitted to fact-finding.

The parties may agree on the appointment of one or more fact-finders. If they fail to so agree, a fact-finding panel of three shall be appointed in the following manner: One member of the panel shall be appointed by the Employee Relations Officer, one member shall be appointed by the recognized employee organization, and those two shall name a third, who shall be the chairman. If they are unable to agree upon a third, they shall select the third member from a list of five names to be provided by the American Arbitration Association, the one to serve to be determined by the alternate

striking of names, with the party who is to strike the first name to be determined by chance method.

The following constitute the jurisdictional and procedural requirements for fact-finding:

- (1) Fact-finders shall not have served as mediator in the same impasse under subparagraph (b), and shall not be employees or officers of the City or members of one of the City's employee organizations.
- (2) Fact-finding is authorized hereunder in connection with all disputed issues that are within the scope of representation.
- (3) The fact-finder(s) shall, to the extent they are applicable, determine and apply the following standards to the disputed issues in making recommendations:
 - (i) City job classifications shall be compared to comparable job classifications in private and public employment in the Sacramento metropolitan area, and in the three California cities next larger and the three California cities next smaller in population than Sacramento, to the extent such can be reasonably done.
 - (ii) In determining job comparability, the following factors will be considered: The nature and complexity of the duties involved; the degree of supervision received and exercised; the educational, experience and physical qualifications, and the special skills required; the physical working conditions; and the hazards inherent in the job.
 - (iii) Comparisons shall be in terms of total compensation and benefits of employment, and, to the extent feasible, shall be measured in monetary terms.
 - (iv) The comparison data as hereinabove provided for shall, to the extent feasible, be adjusted as appropriate for differences in the cost of living in Sacramento as compared to other cities considered; the benefits of job stability and continuity of employment; difficulty of recruiting qualified applicants; and equitable employment benefit relationships between job classifications in City employment.
 - (v) The state of the economy in the Sacramento metropolitan area, and the financial condition and resources of City government, shall be considered.
- (4) The fact-finder(s) shall make written findings of fact and recommendations for the resolution of the issues in dispute, which shall be presented in terms of the standards specified in (3) above. The fact-finder or chairman of the fact-finding panel shall serve such findings and recommendations on the Employee Relations Officer and the designated representative of the recognized employee organization. If these parties have not resolved the impasse within ten (10) days after service of the findings and recommendations upon them, and in no event later than ten (10) days prior to the final date set by law for fixing of the tax rate, the fact-finder or the chairman of the fact-finding panel shall make them public by submitting them to the City Clerk for consideration by the City Council in connection with the Council's legislative determination of the issues.

- (5) Costs of mediation and fact-finding shall be divided one-half to the City and one-half to the recognized employee organization.

EXHIBIT "A"

DESIGNATION OF REPRESENTATION UNITS
AND UNREPRESENTED CLASSIFICATIONS

A. The Council determines that the following (including special job classifications designated by "Special Manpower Planning") are the appropriate representation units:

1. Building Trades and Craft Unit

Blacksmith-Welder
Carpenter
Electrician
Electrician Lineworker
Electrician Supervisor
Machinist
Machinist Helper
Machinist Supervisor
Mechanical Maintenance Supervisor
Painter
Plumber
Plumber Apprentice
Roofer
Senior Carpenter
Senior Electrician
Senior Painter
Senior Plumber
Senior Sheet Metal Worker
Sheet Metal Worker
Stagehand I
Stagehand II
Street Construction Equipment Operator
Street Construction Laborer
Street Construction Laborer Trainee*
Street Maintenance Supervisor
Structural Maintenance Supervisor

2. Plant Operator Unit

Plant Operator I
Plant Operator I (Career Development Trainee)*
Plant Operator II
Plant Operator III
Senior Stationary Engineer
Stationary Engineer

3. Water and Sewer Unit

Water and Sewer Leadworker
Water and Sewer Serviceworker

Water and Sewer Unit (Continued)

Water and Sewer Serviceworker (Apprentice)*
Water and Sewer Serviceworker (Career Development Trainee)*
Water and Sewer Supervisor
Water Cross-Connection Control Specialist

4. Traffic Engineering Unit

Senior Traffic Worker
Traffic Supervisor
Traffic Worker I
Traffic Worker I (Career Development Trainee)*
Traffic Worker II
Traffic Leadworker

5. Fire Department Unit

Fire Apparatus Operator
Fire Battalion Chief
Fire Captain
Firefighter
Fire Investigator I
Fire Investigator II
Fire Prevention Inspector II
Fire Prevention Officer I
Fire Prevention Officer II
Fire Prevention Officer Trainee

6. Police Department Unit

Community Service Officer*
Dispatcher I
Dispatcher II
Dispatcher III
Police Lieutenant
Police Officer
Police Sergeant
Reserve Dispatcher*

7. Professional Unit

Arborist
Archivist
Art Museum Registrar
Assistant Planner
Associate Curator of Art
Associate Planner
Economic Development Specialist I
Economic Development Specialist II
Geographic Analyst I

Professional Unit (Continued)

Geographic Analyst II
Graphic Designer
Junior Planner
Law Clerk*
Librarian I
Librarian I - Children's Services Librarian
Librarian II
Librarian II - Children's Services Librarian
Librarian II - Library Automation Coordinator
Media Production Specialist
Museum Registrar
Public Information Coordinator
Senior Media Production Specialist
Transportation System Management Program Coordinator
Water Quality Chemist

8. Office and Technical Unit

Account Clerk I
Account Clerk II
Accounting Technician
Architectural Technician
Arts and Crafts Specialist*
Arts Program Assistant
Arts Program Coordinator
Booking Coordinator
Boutique Operator
Building Inspector I
Building Inspector II
Building Technician
Burglary/Robbery Alarm Inspector
Buyer I
Buyer II
Buyer Trainee
Cashier
Charm and Modeling Instructor I*
Charm and Modeling Instructor II*
Child Care Assistant
Child Care Site Activity Programmer
Child Care Site Coordinator
Claims Collector
Clerical Assistant*
Clerk I
Clerk I (Career Development Trainee)*
Clerk II
Clerk III
Communications Assistant
Community Service Representative I
Community Service Representative II

Office and Technical Unit (Continued)

Computer Operator
Construction Inspector I
Construction Inspector II
Construction Inspector III
Costumer*
Customer Service Representative
Customer Service Trainee
Data Entry Technician
Departmental Data Analyst I
Departmental Data Analyst II
Departmental Data Technician
Electrical Construction Inspector I
Electrical Construction Inspector II
Electrical Construction Inspector III
Engineering Technician I
Engineering Technician II
Engineering Technician III
Events Coordinator
Exhibits Coordinator
Facility Drawings Technician
Fleet Management Technician
Graduate Student Trainee*
Graphics Assistant
Identification Technician I
Identification Technician II
Identification Technician III
Key Data Operator I
Landscape Architectural Technician
Library Assistant I
Library Assistant II
Library Equipment Service Technician
Library Galleria Coordinator
Library Technician
Library Technician Branch Supervisor
Media and Computer Specialist
Microcomputer Systems Specialist
Neighborhood Improvement Coordinator
Nuisance Abatement Officer
Offset Equipment Operator
Offset Equipment Operator (Career Development Trainee)*
Performing Arts Specialist*
Personnel Transactions Coordinator
Planning Technician I
Planning Technician II
Police Clerk I
Police Clerk II
Police Clerk III
Police Records Assistant I
Police Records Assistant II

Office and Technical Unit (Continued)

Police Records Assistant III
Promotions Specialist*
Property Assistant
Property Assistant (Career Development Trainee)*
Public Service Aide*
Real Property Agent I
Real Property Agent II
Recreation Aide*
Recreation Leader
Recreation Leader (Handicapped)*
Recreation Program Coordinator I
Recreation Program Coordinator II
Relief Clerical Assistant*
Revenue Representative I
Revenue Representative II
Revenue Representative III
Revenue Services Representative
Revenue Services Trainee
Secretary to the Planning Commission
Senior Buyer
Senior Claims Collector
Senior Computer Operator
Senior Customer Service Representative
Senior Data Entry Technician
Senior Data Processing Technician
Senior Departmental Data Analyst
Senior Engineering Technician
Senior Key Data Operator
Senior Personnel Transactions Coordinator
Senior Property Assistant
Senior Revenue Services Representative
Senior School Crossing Guard*
Service Contract Inspector
Special Programs Coordinator
Special Programs Leader
Staff Aide*
Stenographer Clerk I
Stenographer Clerk II
Stenographer Clerk III
Storekeeper
Stores Clerk I
Stores Clerk I (Career Development Trainee)*
Stores Clerk II
Student Trainee*
Surveillance Equipment Technician
Ticket Seller
Ticket Seller*
Transportation System Management Program Assistant
Typist Clerk I

Office and Technical Unit (Continued)

Typist Clerk I (Career Development Trainee)*
Typist Clerk II
Typist Clerk III
Utility Services Inspector
Water Quality Inspector
Water Quality Laboratory Technician

9. Operations and Maintenance Unit

Animal Care Technician
Animal Control Officer
Building Maintenance Worker
Community Center Attendant I
Community Center Attendant I (Career Development Trainee)*
Community Center Attendant II
Cultural Facilities Attendant
Custodian
Electronic Maintenance Technician I
Electronic Maintenance Technician II
Electronic Maintenance Technician Trainee
Electronic Maintenance Technician Trainee (Career Development Trainee)*
Engineering Aide I
Engineering Aide II
Equipment Operator
General Helper
Golf Course Irrigator*
Golf Course Marshal
Greenskeeper
Instrument Technician I
Instrument Technician II
Instrument Technician Trainee
Landfill Equipment Operator
Maintenance Worker
Maintenance Worker (Career Development Trainee)*
Marina Aide*
Marina and Boating Facilities Attendant
Meter Reader
Meter Reader (Career Development Trainee)*
Motor Sweeper Operator
Park Equipment Operator
Park Maintenance Worker I
Park Maintenance Worker II
Park Maintenance Worker III
Parking Enforcement Officer
Parking Lot Attendant
Parking Meter Coin Collector
Parking Meter Repairworker
Sanitation Worker I
Sanitation Worker II

Operations and Maintenance Unit (Continued)

Sanitation Worker III
Sanitation Worker IV
Security Guard
Senior Animal Care Technician
Senior Building Maintenance Worker
Senior Custodian
Senior Electronic Maintenance Technician
Senior Landfill Equipment Operator
Senior Maintenance Worker
Senior Parking Lot Attendant
Senior Tree Trimmer
Survey Party Chief
Telecommunications Technician I
Telecommunications Technician II
Telecommunications Technician Trainee
Traffic Control and Lighting Technician I
Traffic Control and Lighting Technician II
Traffic Control and Lighting Technician Trainee
Traffic Control and Lighting Technician Trainee (Career Development Trainee)
Tree Maintenance Worker
Tree Maintenance Worker Trainee
Tree Trimmer I
Tree Trimmer II
Tree Trimmer Trainee
Utility Worker*
Vehicle Abatement Officer
Water Waste Inspector
Zoo Attendant I
Zoo Attendant II

10. General Supervisory Unit

Assistant Box Office Supervisor
Building Inspector III
Camp Sacramento Supervisor
Central Services Supervisor
Central Stores Supervisor
Child Care Program Supervisor
Computer Operator Supervisor
Curator of Education
Curator of Historical Exhibitions
Custodial Supervisor
Drainage Supervisor
Enforcement and Collections Supervisor
Equipment Maintenance Supervisor
Golf Course Supervisor
Instrumentation Supervisor
Librarian III
Librarian III - Minority Services Coordinator

General Supervisory Unit (Continued)

Librarian III - Regional Children's Services Coordinator
Marina and Boating Facilities Supervisor
Museum Security Supervisor
Office Supervisor
Parking Enforcement Supervisor
Parking Facilities Maintenance Supervisor
Parking Lot Supervisor
Parking Meter Collection Supervisor
Parking Meter Repair Supervisor
Parks Supervisor
Recreation Supervisor I
Recreation Supervisor II
Refuse Collection Supervisor
Revenue Supervisor
Science Education Coordinator
Senior Accounting Technician
Senior Animal Control Officer
Senior Citizens Services Supervisor
Senior Nuisance Abatement Officer
Senior Parking Lot Supervisor
Solid Waste Maintenance Supervisor
Street Cleaning Supervisor
Supervising Community Center Attendant
Supervising Community Service Representative
Supervising Construction Inspector
Supervising Dispatcher
Supervising Graphic Designer
Supervising Identification Technician
Supervising Plant Operator
Supervising Police Clerk
Supervising Police Records Assistant
Supervising Property Assistant
Supervising Surveyor
Supervising Water Quality Chemist
Telecommunications Supervisor
Traffic Control and Lighting Supervisor
Tree Maintenance Supervisor
Tree Trimmer Supervisor
Zoo Supervisor

11. Engineering Unit

Assistant Architect
Assistant Civil Engineer
Assistant Electrical Engineer
Assistant Landscape Architect
Assistant Mechanical Engineer
Associate Architect
Associate Civil Engineer

Engineering Unit (Continued)

Associate Electrical Engineer
Associate Landscape Architect
Associate Mechanical Engineer
Fire Protection Engineer
Junior Architect
Junior Engineer
Junior Landscape Architect
Telecommunications Engineer

12. Automotive/Equipment Mechanics Unit

Equipment Body Mechanic
Equipment Mechanic I
Equipment Mechanic II
Equipment Mechanic III
Equipment Serviceworker
Fire Service Worker
General Repairworker
Vehicle Pool Serviceworker
Vehicle Service Aide*
Vehicle Service Attendant
Vehicle Service Attendant (Career Development Trainee)*

B. The Council designates the following class titles as "unrepresented classifications":

1. Management

Accounting Manager
Administrative Assistant to the City Council
Administrative Assistant to the Mayor
Administrative Services Officer
Administrative Trainee (Exempt)
Affirmative Action Officer
Anti -Drug and Gang Program Coordinator (Exempt)
Architecture and Engineering Manager
Art in Public Places Administrator
Art Museum Manager
Assistant Building Inspections Manager
Assistant Chief of Police
Assistant City Attorney
Assistant City Clerk
Assistant City Manager
Assistant City Treasurer
Assistant Director of Community Center
Assistant Director of Public Works
Assistant Director of Utilities
Assistant Fleet Manager
Assistant Library Director
Assistant Public Safety Communications Manager

Management (Continued)

Assistant Real Property and Assessment District Supervisor
Assistant Revenue Manager
Assistant Street Division Manager
Assistant to Facility Manager
Box Office Supervisor
Budget Manager
Building Inspections Manager
Building Maintenance Superintendent (Exempt)
Business Services Manager
Career Development Officer (Exempt)
Chief Animal Control Officer
Chief Building Inspector
Chief Electrical Inspector
Chief of Off-Street Parking
Chief of On-Street Parking
Chief Plumbing Inspector
Citizens Assistance Officer
City Attorney
City Clerk
City Manager
City Treasurer
Code Enforcement Manager
Communications Systems Administrator
Community Center Events and Facilities Manager (Exempt)
Community Center Facilities Administrator (Exempt)
Computer Services Manager
Construction Contract Officer
Contract Compliance Officer
Curator of Art
Curator of History
Deputy Chief of Police
Deputy City Attorney I
Deputy City Attorney II
Deputy City Attorney III
Deputy City Attorney IV
Deputy City Manager
Deputy City Treasurer
Deputy Director of Parks and Community Services
Deputy Superintendent of Wastewater Facilities
Deputy Superintendent of Water Production Facilities
Director of Community and Visitor Services
Director of Employee Relations
Director of Finance
Director of Human Resources
Director of Information/Communication Services
Director of Planning and Development
Director of Public Works
Director of Public Works, Field Services
Director of Public Works, Technical Services

Management (Continued)

Director of Special Projects
Director of Utilities
Economic Development Manager
Emergency Services Officer (Exempt)
Employee Relations Representative I
Employee Relations Representative II
Energy Systems Coordinator
Engineering Division Manager
Environmental Services Manager
Events Services Administrator (Exempt)
Field Services Manager
Financial Systems Manager
Fire Chief
Fire Deputy Chief
Fire Division Chief
Fleet and Facilities Manager
Fleet Manager
Flood Control and Sewer Division Manager
Geographic Information Systems Administrator
Geographic Information Systems Administrator (SPCL)
Golf Manager
History Center Administrator
Identification Section Administrator
Internal Audit Administrator
Investment Officer I
Investment Officer II
Landscape Architecture and Real Estate Manager
Librarian IV (Exempt)
Library Community Relations Coordinator
Library Director
Library Support Services Manager
Library Systems Manager
Management Analyst I
Management Analyst II
Management Analyst III
Management Officer of Community Center and Convention I
Mayor/City Council Office Manager
Metropolitan Arts Manager
Minority, Women, and Small Business Coordinator
Museum and History Manager
Neighborhood Services Area Team Manager
Parking Manager
Parks and Recreation Manager
Parks Superintendent
Personnel Services Manager
Planning Director
Plant Services Manager
Police Captain

Management (Continued)

Police Chief
Police Commander
Police Information Officer
Police Records Manager
Principal Accountant
Principal Planner
Procurement Services Manager
Property Management Section Administrator
Public Information Officer
Public Safety Communications Manager
Recreation Superintendent
Refuse Collection General Supervisor
Revenue Manager
Risk Manager
SAFCA Counsel
Science Center Administrator
Senior Administrative Services Officer
Senior Architect
Senior Deputy City Attorney
Senior Employee Relations Representative
Senior Engineer
Senior Management Analyst
Senior Planner
Solid Waste Collection Superintendent
Solid Waste Division Manager
Street Cleaning General Supervisor
Street Division Manager
Street Maintenance General Supervisor
Superintendent of Equipment Maintenance
Supervising Architect
Supervising Engineer
Supervising Personnel Analyst
Supervising Real Property Agent
Systems and Programming Manager
Technical Services Administrator
Traffic Control and Lighting General Supervisor
Traffic Engineer
Traffic Signs and Markings General Supervisor
Training Officer
Transportation and Engineering Planning Manager
Transportation Division Manager
Treasury Financial Systems Analyst
Water and Sewer Distribution Superintendent
Water and Sewer Superintendent (Field Services)
Water and Sewer Superintendent (Plant Services)
Water Division Manager
Worker's Compensation Administrator
Zoo Curator
Zoo Manager

2. Confidential/Administrative

Account Clerk I (Confidential)
Account Clerk II (Confidential)
Accountant-Auditor I
Accountant-Auditor II
Accountant-Auditor III
Administrative Analyst I
Administrative Analyst II
Administrative Technician
Administrative Trainee
Benefits Officer
Benefits Technician
Budget Technician
Cashiering Systems Supervisor
Child Care Coordinator
City Attorney's Office Administrative Officer (Exempt)
City Council Office Secretary
City Manager's Office Supervisor
Claims Representative
Confidential Office Supervisor (Exempt)
Confidential Secretary
Data Base Analyst I
Data Base Analyst II
Deputy City Clerk
Fire Service Training Specialist
Graduate Legal Assistant*
Legal Assistant
Legal Secretary I
Legal Secretary I (Exempt)
Legal Secretary II
Legal Secretary II (Exempt)
Library Facility Coordinator
Mayor/City Council Office Receptionist
Personnel Analyst I
Personnel Analyst II
Personnel Technician
Programmer I
Programmer II
Programmer Analyst I
Programmer Analyst II
Programmer Trainee
Recruitment Coordinator (Exempt)
Retirement Officer
Retirement Systems Technician
Safety Officer
Safety Specialist
Secretary
Secretary, City Manager's Office
Secretary to the Mayor

Confidential/Administrative (Continued)

Senior Accounting Technician (Confidential)
Senior Data Base Analyst
Senior Parks and Recreation Supervisor
Senior Programmer Analyst
Special Districts Analyst
Supervisor-Property Management Section
Systems Programmer I
Systems Programmer II
Treasury Operations Officer I
Treasury Operations Officer II
Typist Clerk (Exempt)
Typist Clerk I (Confidential)
Typist Clerk I (Exempt)
Typist Clerk II (Confidential)
Typist Clerk II (Exempt)
Typist Clerk III (Confidential)
Vocational Rehabilitation Coordinator
Waste Reduction Coordinator I
Waste Reduction Coordinator II
Worker's Compensation Claims Representative I
Worker's Compensation Claims Representative II
Worker's Compensation Claims Representative Trainee
Worker's Compensation Office Supervisor (Confidential)

3. Non-Career

Assistant Caretaker*
Assistant Cook*
Assistant Proctor*
Auxiliary Golf Course Marshal*
Book Shelves*
Camp Aide*
Camp Recreation Leader*
Caretaker*
Cashier (Community Services)*
Dispatcher Recruit*
Events Crowd Controller*
Events Duty Person*
Events Usher*
Fire Recruit*
First Cook*
Head Events Crowd Controller*
Host*
Human Services Program Coordinator*
Lifeguard*
Locker Attendant*
Nurse*
Pantry Aide*
Police Background Assistant (Exempt)*

Non-Career (Continued)

Police Cadet*
Pool Manager*
Proctor*
Program Director*
Reserve Police Officer*
School Crossing Guard*
Security Officer (Exempt)*
Senior Lifeguard*
Storekeeper (Community Services)*
Wading Pool Leader*
Youth Aide*