



CITY OF SACRAMENTO

DEPARTMENT OF PERSONNEL
PERSONNEL MANAGEMENT SERVICES DIVISION
801 NINTH STREET, ROOM 210
SACRAMENTO, CALIF. 95814
TELEPHONE (916) 449-5726/5729

CITY MANAGER'S OFFICE
RECEIVED
DEC 29 1980

DONNA L. GILES
DIRECTOR OF PERSONNEL

December 22, 1980

City Council
Sacramento, CA.

Honorable Members in Session:

SUBJECT: REVIEW OF EXEMPT POSITIONS

APPROVED
BY THE CITY COUNCIL

JAN 6 1981

OFFICE OF THE
CITY CLERK

SUMMARY

The attached report was approved on December 19, 1980 by the Personnel and Public Employees Committee for consideration by the Council.

Based on a review of exempt City positions, the City Charter, and general public sector practices, there are six positions which should not be exempt. The remaining 146 positions, which comprise 4% of all City positions, should continue to be exempt because they constitute the management team of the City.

RECOMMENDATION

It is recommended that the Council direct staff to negotiate with the recognized employee organizations converting to civil service the six positions noted by an asterisk on the attached list.

Respectfully submitted,

Donna L. Giles
Director of Personnel

DLG/sch
att.

Recommendation Approved:

Walter J. Slips
City Manager



CITY OF SACRAMENTO

DEPARTMENT OF PERSONNEL

PERSONNEL MANAGEMENT SERVICES DIVISION
801 NINTH STREET, ROOM 210
SACRAMENTO, CALIF. 95814
TELEPHONE (916) 449-5728/5729

DONNA L. GILES
DIRECTOR OF PERSONNEL

December 10, 1980

Personnel and Public Employees
Committee of the City Council
Sacramento, CA.

Honorable Members in Session:

SUBJECT: REVIEW OF EXEMPT POSITIONS

SUMMARY

Based on a review of exempt City positions, the City Charter, and general public sector practices regarding exempt positions, there are six positions which appear should not be exempt. The remaining 146 exempt positions, which comprise 4% of all City positions, should continue to be exempt because they constitute the management team of the City.

BACKGROUND

The P&PE Committee asked the staff to review the number of exempt positions. Some members of the Committee expressed concern that there might be an excessive number of exempt positions.

To conduct this review, the staff examined general public sector practices regarding top management positions, studied the City's 152 exempt positions, and discussed with Department Directors their use of exempt positions.

ANALYSIS

The basis for exempt positions in the City is Section 83 of the Charter. The relevant portions of that Section for purposes of this review are:

"The officers and employees of the City who shall be exempt from the rules and regulations of the Civil Service Board shall include:

- (c) The City Manager, and any person or persons employed as Assistant City Manager, and Confidential Secretary;
- (d) Those officials of the City government responsible for the operation of a City department or division, along with those persons who may be employed as assistants to such officials.

The City Council shall, by resolution, designate those classes of positions, employees in which shall be considered exempt from the

rules and regulations of civil service board, in accordance with the intent and meaning of this section."

Under this Section, expressly exempted are Directors, Assistant Directors, Division Chiefs, the City Manager, Assistant City Managers, and Confidential Secretaries. The practice of the City has been to exempt "assistants" who serve in key managerial and advisory positions to Directors and Division Chiefs.

There have been a few positions exempted to facilitate special selection situations, but which do not have management responsibility, and which are proposed here for conversion to the classified service. Attached is a list of exempt City positions; an asterisk marks positions proposed for conversion. The City Attorney's Office has advised that conversion would be a mandatory subject of bargaining and that the Civil Service Board could establish a rule by which incumbents could be brought into the classified service without an examination. The appropriate time to pursue this would be during contract negotiations.

The City follows practice which is common in the public sector of exempting from civil service a small percentage of positions which have top level management or advisory roles. The State of California, for example, for some time has had approximately 5% of its positions in categories which provide for considerable flexibility in hiring and firing. These positions have maximum accountability to the Chief Executive, and it is important that they are responsive to the Chief. Similarly, the Federal government, through the Civil Service Reform Act of 1978, established the Senior Executive Service (SES) for what previously were top level G.S. positions. The SES, too, provides for maximum flexibility in appointments and terminations, in addition to a closer tie between performance and pay. Depending on the type of legislative enactment regarding exempt positions, local government entities have varying proportions of exempt employees.

In deciding whether positions should be exempt, a balance is struck between providing the rights inherent in civil service with the needs of the Chief Executive and elected representatives to have management employees who are responsible and accountable. A jurisdiction which exempts only department directors, while providing maximum employee rights to lower level management, also potentially limits itself in the extent to which it can depend on such management to be responsive to the public, elected officials, and the Chief Executive.

The 4% of City positions which are exempt (excluding positions proposed for conversion to civil service) constitute the management team of the City. Management positions, as well as a few confidential secretaries and special advisors, should be exempt for reasons discussed below, while exempt positions which are not in these categories should be in the civil service.

1. It is essential that the City Manager and City Council have a group on which they can depend to carry out their policies and which can be held directly responsible for efficient day-to-day


operations. This is a common public sector practice. The hiring and firing flexibility regarding exempt positions is essential to having such a group.

2. 4% is a very small group of employees to exclude from the rights of the civil service.
3. Having this cadre of exempt employees not only provides for more loyalty than might be realized with the civil service, but also allows the possibility of a stronger link between performance and pay.
4. To convert management exempt positions to civil service would disrupt the City's management process, which presently works satisfactorily. There do not appear to be problems which would warrant the disruption.

RECOMMENDATION:

It is recommended that the Council direct the staff to pursue, during contract negotiations, converting to civil service the six positions noted by an asterisk on the attached list.

Respectfully submitted,



Donna L. Giles
Director of Personnel

DLG/sch

Attachments

Recommendation Approved:



Walter J. Slips
City Manager

DEPARTMENT/CLASS

NO. OF POSITIONS

CITY ATTORNEY

City Attorney	1
Assistant City Attorney	1
Deputy City Attorney IV)	
Deputy City Attorney III)	
Deputy City Attorney II)	6
Deputy City Attorney I)	

CITY CLERK

City Clerk	1
Deputy City Clerk	1

CITY COUNCIL

Executive Secretary	1
Administrative Assistant to the Mayor I/II	1
Assistant to Executive Secretary	1

CITY MANAGER

City Manager	1
Assistant City Manager	1
Assistant City Manager for Community Development	1
Citizen's Assistance Officer	1
Public Information Officer	1
Executive Secretary	2
Senior Management Analyst	3
Associate Management Analyst	1

CITY TREASURER

City Treasurer	1
Assistant City Treasurer	1
Associate Investment Officer	1

<u>DEPARTMENT/CLASS</u>	<u>NO. OF POSITIONS</u>
<u>COMMUNITY-CONVENTION CENTER</u>	
General Manager, Community-Convention Center	1
Assistant Manager, Community-Convention Center	1
Building Operations Supervisor	1
Booking Coordinator	1 *
Events Coordinator	1
Box Office Supervisor	1
<u>DATA PROCESSING</u>	
Data Processing Manager	1
Principal Programmer-Analyst	2
Computer Systems Specialist	1
<u>EMPLOYEE RELATIONS</u>	
Director of Employee Relations	1
Confidential Secretary	1
Senior Employee Relations Representative	1
Employee Relations Representative II	0
Employee Relations Representative I	0
Administrative Trainee (Exempt)	1
<u>FINANCE DEPARTMENT</u>	
Director of Finance	1
Assistant Director of Finance	1
Accounting Officer	1
Chief Accountant	2
<u>Revenues and Collections</u>	
Revenues and Collections Officer	1
Business License Supervisor	1 *
<u>Purchasing</u>	
Purchasing Agent	1
<u>Utility Billing</u>	
Utility Billing Supervisor	1

DEPARTMENT/CLASS

NO. OF POSITIONS

FIRE

Fire Chief	1
Deputy Fire Chief	3
Fire Marshal	1
Battalion Fire Chief	9
Weed Abatement Supervisor	1

LIBRARY

City-County Librarian	1
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PERSONNEL

Director of Personnel	1
Employee Services Administrator	1
Personnel Management Administrator	1
Affirmative Action Officer	1
Confidential Secretary	1
Senior Personnel Analyst	2
Supervising Workers' Compensation Claims Rep.	1
Safety & Training Officer	1

PLANNING

Planning Director	1
Principal Planner	3
Preservation Director	1
Senior Planner	4

POLICE

Police Chief	1
Deputy Chief of Police	3
Inspector of Police	1
Police Captain	7
Police Statistician	1 *

<u>DEPARTMENT/CLASS</u>	<u>NO. OF POSITIONS</u>
<u>PUBLIC WORKS</u>	
City Engineer	1
Assistant City Engineer	1
Deputy City Engineer	1
Chief Electrical Engineer	1
Supervising Engineer	1
Construction Supervisor	1
Senior Engineer	3
<u>Animal Control</u>	
Chief Animal Control Officer	1
<u>Building Inspections</u>	
Director of Building Inspections Division	1
Chief Building Inspector	1
Chief Electrical Inspector	1
Chief Plumbing Inspector	1
<u>Building Maintenance</u>	
Building Maintenance Superintendent	1
Assistant Building Maintenance Superintendent	1
<u>Equipment Maintenance</u>	
Equipment Maintenance Superintendent	1
Assistant Equipment Maintenance Superintendent	1
<u>Real Estate and Street Assessments</u>	
Real Estate Supervisor	1
Assistant Real Estate Supervisor	1 *
<u>Street Maintenance</u>	
Street Superintendent	1
Assistant Street Superintendent	1

<u>DEPARTMENT/CLASS</u>	<u>NO. OF POSITIONS</u>
<u>Traffic Engineering</u>	
Traffic Engineer	1
Assistant Traffic Engineer	1
Assistant Parking Director	1
Parking Supervisor	1
<u>Waste Removal</u>	
Refuse Collection Superintendent	1
Assistant Refuse Collection Superintendent	1
<u>Water and Sewer</u>	
Water and Sewer Division Manager	1
Assistant Water and Sewer Division Manager	1
Water Treatment Plant Superintendent	1
Water and Sewer Distribution Superintendent	1
Waste Water Treatment Plant Superintendent	1
Plant Maintenance Superintendent	1
Assistant Plant Maintenance Superintendent	1
Assistant Water Treatment Plant Superintendent	1
Assistant Water and Sewer Distribution Superintendent	1
Assistant Waste Water Treatment Plant Superintendent	1
Senior Engineer	1
<u>COMMUNITY SERVICES</u>	
Director of Community Services	1
Assistant Director of Community Services	1
<u>Recreation Division</u>	
Recreation Superintendent	1
Recreation General Supervisor	3
Youth Recreation Coordinator	1 *
<u>Parks Division</u>	
Parks Superintendent	1
Assistant Parks Superintendent	1
Parks Supervisor	3

DEPARTMENT/CLASS

NO. OF POSITIONS

Golf Division

Golf Superintendent

1

Parks Supervisor

2

Zoo Division

Zoo Superintendent

1

Zoo Herpetologist

1 *

RECOMMENDATION

It is recommended that the City Council approve the addition of a Limited Term Litter Control Officer in the present Waste Removal Division Budget.

Respectfully submitted

Margaret Monaghan
for Reginald Young
Waste Removal Superintendent

Recommendation Approved:

Walter J. Slipe
Walter J. Slipe
City Manager

All Districts
January 6, 1981