

PERSONNEL AND ANIMAL WELFARE COMMITTEE REPORT relative to review of departmental requests for authority to employ in substitute positions for Fiscal Year (FY) 2013-14.

Recommendation for Council action:

RECEIVE and FILE the January 16, 2014 City Administrative Officer (CAO) report relative to review of departmental requests for authority to employ in substitute positions for FY 2013-14.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

Summary:

On January 21, 2014, your Committee considered a January 16, 2014 CAO report relative to review of departmental requests for authority to employ in substitute positions for FY 2013-14. This report in response to a series of questions raised by the Committee in considering Council File No. 13-1588 on January 7, 2013. Specifically, the CAO was instructed to report back in regard to:

- a. The criteria used by the CAO to evaluate a request for substitute position and the reason for approval or denial of such a request.
- b. The total number of requests for substitute positions thus far this fiscal year.
- c. The number of requests for substitute positions forwarded to Council with a recommendation.
- d. The number of CAO recommendations approving or disapproving a request for substitute positions.
- e. The number of requests for substitute positions currently under review by the CAD.
- f. The number of requests for substitute positions that have been approved by Council but have not yet been processed by the CAO.

According to the CAO, as part of the 2013-14 Budget deliberations, Council adopted a policy, effective July 1, 2013, wherein authorization of substitute positions, other than for layoff avoidance, shall require Council approval (Council File No. 13-0600). Prior to FY 2013-14, the filling of substitute positions was primarily authorized by the CAO. The CAO will continue to perform its usual review and analysis of requests for substitute positions under this new policy, and provide the Council with an independent analysis and recommendation of departmental requests.

Substitute positions are positions for which financing is not provided in the budget. Aside from layoff avoidance, the purpose of granting substitute positions is to enable a department or the City to resolve a temporary staffing problem such as: 1) to provide replacements for persons while on extensive sick leave with pay; 2) to meet peak workload situations which mayor may not be anticipated; 3) to reduce a backlog in workload; 4) to provide proper classification of a vacated position, the skill requirements of which have changed, provided an increase in salary is not involved, and provided that it cannot be resolved through use of an "in-lieu" authority; 5) to provide temporary

additional authority in entering level classes during specific periods of the year when recruitment potential is greatest.

In addition to the above, the CAO considers the following criteria when reviewing requests for substitute positions: 1) the length of time that the requested position is required to be filled. Authority may not extend beyond the end of the fiscal year; 2) the employment level of the department or bureau shall not exceed the total regular position authority in the budget; 3) sufficient funds are available to finance the position; 4) a regular position shall be held vacant for the period the substitute position is to be filled in order to finance the substitute position. Requests for substitute positions will not be considered for the following purposes: 1) where the "in-lieu" authority provisions of a department's personnel ordinance can be used; 2) to permit the reclassification upward of a position upon the qualification of its incumbent for advancement; 3) to provide additional employment authority of a continuing nature; 4) to launch a new program; 5) to provide blanket additional employment authority to be administered by the department. While these criteria guide the recommendations of the CAO, it is important to note that where unusual circumstances exist, exceptions may be made. As such, requests for substitute positions are reviewed and determined on case-by-case basis.

Finally, the CAO then responded to the above specific questions raised by the Committee on January 7, 2014 and the details are summarized in the January 16, 2014 CAO report and attached to the Council file. After consideration and having provided an opportunity for public comment, the Committee moved to receive and file the CAO report. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

PERSONNEL AND ANIMAL WELFARE COMMITTEE

MEMBER VOTE

KORETZ: YES

O'FARRELL: YES

FUENTES: YES

-NOT OFFICIAL UNTIL COUNCIL ACTS-