

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

DATE: October 19, 2023

TO: Honorable Tim McOsker
Honorable Imelda Padilla
Honorable Hugo Soto-Martínez
Personnel, Audits, and Hiring Committee

FROM: Barbara Romero, Executive Director and General Manager
LA Sanitation and Environment



SUBJECT: RESPONSE TO INSTRUCTIONS OF COUNCIL FILE NO. 23-0600-S85

RECOMMENDATIONS FOR COUNCIL ACTION

That the Council, subject to approval of the Mayor, approve the proposed bonus provisions for the LA Sanitation and Environment's Livability Services Division (LSD) classifications, as outlined in the body of this report, and instruct the Office of the City Administrative Officer to transmit the file to the Executive Employee Relations Committee for further action.

INTRODUCTION

This memorandum is a response to Adopted Budget Recommendation (Council File No. 23-0600-S85) instructing the Bureau of Sanitation to report to the Personnel, Audits, and Hiring Committee on the amount and efficacy of the retention bonus offered to Assistant Environmental Compliance Inspectors serving on CARE/CARE+ teams. Based on the discussion that transpired during the Personnel, Audits, and Hiring Committee on September 19, 2023, this memorandum also asks that a longevity and retention bonus of two premium levels (5.5%) along with a bonus of two premium levels (5.5%) for performing work related to homelessness and illegal dumping be applied, not only to Assistant Environmental Compliance Inspectors, but to all classifications employed by LA Sanitation and Environment's Livability Services Division (LSD) for the reasons below:

- The nature of work at the LSD and its emotional, psychological, and physical impact to LSD employees
- High vacancies and low retention
- Pay disparity within the LSD

In addition to LSD staff, LASAN has staff in the Administration and Financial Management Divisions who directly support LSD operations, although their position authorities are not in LSD. LASAN requests these positions also be entitled to the two premium steps for performing work related to homelessness and illegal dumping.

For these reasons, LSD is requesting the following:

1. A bonus of two premium steps (5.5%) for any classification employed by LSD, for performing work related to homelessness and illegal dumping;
2. A longevity and retention bonus of two premium steps (5.5%) for any classification employed by LSD to address recruitment and retention;
3. A bonus of two premium steps (5.5%) for LASAN staffed employed by the Administration and Financial Management Divisions, for performing work related to homelessness and illegal dumping;
4. To adopt the following language to unify the various language indicated in the various MOUs with bargaining units employed by the LSD:

Any bargaining unit member while employed by LA Sanitation and Environment's Livability Services Division shall receive additional, regularly assigned compensation in the amount of two premium levels (5.5%) above the member's hourly base rate of pay in addition to any other premium level compensation for work related to homelessness and/or illegal dumping. Additional compensation shall be an Adds To Rate and shall be pensionable.

Any bargaining unit member while employed by LA Sanitation and Environment's Livability Services Division shall receive additional, regularly assigned compensation in the amount of two premium levels (5.5%) above the member's hourly base rate of pay. Additional compensation shall be an Adds To Rate and shall be pensionable.

Based on the LSD's projected salary savings, no additional funding is needed this fiscal year to support this request.

BACKGROUND

LSD programs focus on the livability of the City, and its programs promote the protection of public health and the environment. The LSD programs include CARE/CARE+, Illegal Dumping, Altered Shift (3:00 PM - 11:30 PM shift), Mobile Hygiene Unit (MHU), Public Street Receptacle, and CleanStat. These programs are closely aligned, providing support and resources such as inter-program transfers, co-mingling of personnel, and fleet based on operational needs such as the requirement to complete non-deferrable work.

Services to persons experiencing homelessness are a focal point for the programs. Some work related to homelessness includes providing cleaning services at encampment locations, collecting trash from the deployed trash receptacles on the public right-of-way at encampment locations, providing bathroom and shower services to the unhoused, collecting encampment data used to deploy resources, and removing high volume trash and debris or burned RVs.

Some classifications employed by the LSD are already receiving a two premium level (5.5%) bonus for performing work related to homelessness or illegal dumping.¹ Currently, only nine (9) out of twenty four (24) classifications within the LSD are receiving two premium levels at 5.5%

¹ See the Appendix for a list of classifications within the LSD that receive a homeless encampment or illegal dumping bonus.

for being assigned work related to homelessness or illegal dumping.² As all work done by LSD is related to homelessness and illegal dumping, all classifications in LSD should be receiving this premium level bonus. LASAN is also requesting to apply this bonus to staff in the Administration and Financial Management Divisions who work directly with LSD performing work related to homelessness and illegal dumping.

Moreover, due to the nature of the work in LSD, the division struggles to not only hire but retain critical staff. The current bonus related to homelessness and illegal dumping has not provided enough incentive to retain staff and has, instead, adversely created a pay disparity within the division that creates inequity among the staff. Thus, LSD is also asking an additional two premium levels at 5.5% to help alleviate the low staff retention and high vacancy rates.

LSD is aware that other departments have similar bonuses. The department with the most similar bonus structure LSD is requesting is the Office of the City Administrative Officer (CAO). For these reasons, LSD asks that all classifications within the LSD, be granted a similar bonus structure currently being provided to the bargaining units employed by the CAO³ and/or those who work for the CAO Homelessness Group. Implementing the same premium level bonuses to LSD staff will address the challenges, inequities, and concerns regarding employee retention and equity.

The referred CAO MOU Notes reads as follows:

Effective January 1, 2023, any bargaining unit member while employed by the Office of the City Administrative Officer shall receive additional, regularly assigned compensation in the amount of two premium levels (5.5%) above the member's hourly base rate of pay. Additional compensation shall be an Adds To Rate and shall be pensionable.

Effective January 1, 2023, any bargaining unit member while employed by the Office of the City Administrative Officer who is regularly assigned to work for the Homelessness Group shall receive additional, regularly assigned compensation in the amount of two premium levels (5.5%) above the member's hourly base rate of pay in addition to any other premium level compensation. Additional compensation shall be an Adds To Rate and shall be pensionable.

The bargaining units within which premium level bonuses apply include Clerical, Professional Engineering and Scientific, Management Employees, and Executive Administrative Assistants employed by the CAO.⁴ Employees in these bargaining units receive a total of four premium levels (11%) as stated in the two MOU Notes. Corollary, implementing the same premium level bonuses to LSD staff will address the challenges, needs, and concerns regarding employee recruitment, retention, and pay equity.

² Ibid. See also [MOU 3](#); [MOU 4](#) Note f-24; [MOU 12](#) Note TT; [MOU 19](#) Note 7; [MOU 20](#), [MOU 21](#) Note 25; [MOU 36](#).

³ See Memorandum of Understanding [MOU 3](#) Notes JJJ, KKK; [MOU 8](#) Notes 20, 21; [MOU 36](#) Notes 30, 31; [MOU 37](#) Notes 5,6.

⁴ Ibid.

DISCUSSION

The LSD aims to adopt the same bonus structure and applicable MOU Notes regarding the bonuses for employees in the CAO⁵ who are assigned to the Homelessness Group. Similarly, this should also apply to all LSD employees because the work is intertwined and related to homelessness and all LSD employees are subjected to the same difficult nature of work which contributes to low retention and high vacancy rates. As was stated at the Personnel, Audits, and Hiring Committee meeting on September 19, 2023, limiting the bonus to certain classifications has created a pay disparity in the division, creating an inequity amongst the various classifications performing critical job duties of the same nature alongside each other.

LSD Challenges

A. Emotional, Psychological, and Physical Impact to LSD Employees

The nature of work within the LSD has a negative emotional, psychological, and physical impact on LSD employees. Safety incidents have been a consistent and a prevalent topic of discussion during the LSD's Joint Labor Management Committee meetings. LSD staff are performing work at the forefront of highly sensitive and emotionally charged issues, especially with regard to illegal dumping and homelessness. They have persistent and volatile interactions with members of the public, are recorded without their consent, and frequently verbally abused and physically threatened all while handling and removing biohazardous material and high volumes of trash and debris in order to protect public health and the environment.

Staff have experienced and reported various safety incidents, including assaults, battery, and threats of violence. These reported incidents include staff having weapons like knives, machetes and guns brandished at them and being subjected to hostility and verbal threats. Staff have also been physically assaulted, had projectiles like paint and various objects thrown at them, and have been subjected to verbal assaults while performing their work. These pervasive incidents have taken an emotional and psychological toll on staff assigned to the LSD.

The experiences detailed in this report are not unique to limited classifications within LSD. For example, a Geographic Information System Specialist (GIS Specialist) was assaulted while doing work in the field. Because of the nature of work in LSD, it is inevitable for staff to be exposed to the conditions described above. These incidents diminish overall employee morale within the division and have created extreme challenges for the recruitment and retention of critical positions.

B. High Vacancies and Low Retention

Though a 5.5% bonus is given to certain employees and classifications within the LSD, it has not been sufficient to retain many of these employees. The LSD currently has 152 vacancies in the division and has lost 49 employees to resignations as well as external lateral and promotional transfers within the last 12 months alone. The high vacancy rate has created an additional burden for the division that has resulted in heavy workloads due to the non-deferrable nature of the work.

⁵ Ibid.

Additionally, the lack of facilities to house employees has necessitated adding odd-hour shifts between 3:00 AM - 11:30 PM. The odd-hour shifts are also seen as undesirable and have created additional challenges for staffing the various programs that are essential and non-deferrable. In total, these factors have made employment in the LSD undesirable, leading to low retention of employees and high vacancy rates, compounding operational inefficiencies.

The wide range of classifications and the difficult nature of the work within the LSD, require an investment in staff training that is highly specific or technical. If the LSD is unable to retain employees, the time and resources spent for training are squandered.

C. Pay Disparity within the LSD

The existing bonus structure creates disparity within the division because it is only applied to certain classifications even though all LSD employees, regardless of their classifications, engage in work directly related to homelessness and illegal dumping. The MOUs of the bargaining units employed by the LSD have varying language regarding the two premium levels (5.5%) with respect to whom and when it is applied.⁶ In some cases, LSD employees are represented by the same MOU, but one classification will receive the bonus and another will not. For example, MOU 21 indicates that the additional two premium levels (5.5%) applies to the Environmental Compliance Inspectors but not to Geographic Information Systems (GIS) Specialists even though both are covered by MOU 21 and both are assigned work related to homelessness and illegal dumping.

The two premium levels (5.5%) should be applied to all classifications employed within the LSD for work related to homelessness and/or illegal dumping to address pay disparities.

Premium Level Bonuses for LSD Staff

LSD is asking for a total of four premium steps (2.75% each step) totaling 11% as broken down below:

A. Two Premium Level Bonuses (5.5%) For All Staff Performing Work Related to Homelessness and/or Illegal Dumping

Two premium level homeless encampment bonuses are already given to specific classifications.⁷ The LSD asks that the two premium level bonuses totaling 5.5% be given to the classifications that are not currently entitled to receive it, to address inequity and the pay disparity in the division.

B. Two Premium Level (5.5%) LSD Longevity and Retention Bonus

⁶ For example, MOU 4 F-24 indicates that an additional two premium levels (5.5%) applies to staff “assigned to cleaning activities associated with homeless encampments or illegal dumping” while MOU 12 Note YY indicates that “Refuse Collection Supervisor [...] when regularly assigned to the Livability Services Division shall receive additional pensionable compensation [...]” Here, MOU 4 indicates that the bonus applies only to Wastewater Collection Worker I & II, Truck Operator, Refuse Collection Truck Operator, Maintenance Laborer, and Maintenance & Construction Helper who perform homeless encampment or illegal dumping. On the other hand, the MOU 12 indicates that the bonus applies generally, when the RC Supervisor is assigned to the LSD.

⁷ Supra Note 1.

As elaborated above, LSD staff are on the front-line, performing difficult work while being subjected to verbal threats and physical violence, making the LSD an undesirable division to work for. An additional 5.5% bonus can incentivize working with the LSD, alleviating low staff retention and attracting more employees to ameliorate high vacancy rates. The two premium level longevity and retention bonus (5.5%) for being employed by LSD in addition to the homelessness and illegal dumping bonuses can incentivize and retain staff.

CONCLUSION

Applying a two premium level longevity bonus (5.5%) for being employed by LSD in addition to the two premium level homelessness and illegal dumping bonuses (5.5%) can incentivize and retain staff. LSD believes that a layered bonus may be a powerful incentive to address the low morale that leads to attrition as well as attract new staff to the division, reducing the vacancy rate and leading to a more reasonable non-deferrable workload.

Thank you for your continued support of LASAN. If you have any questions or would like to discuss any of these items further, please feel free to contact me or Gabriel Miranda, Division Manager of LSD.

APPENDIX

The table below reflects the classifications that are receiving the bonus and the classifications that are not.

| Classification | Class Code | Number of Authorities | Bonus | Reference |
|---|------------------|-----------------------|-------|--|
| Accounting Clerk | 1223 | 1 | No | |
| Administrative Clerk | 1358 | 15 | No | |
| Assistant Environmental Compliance Inspector | 4288 | | No | The LSD does not have Assistant ECI authorities. This classification is used in-lieu of an Environmental Compliance Inspector. |
| Chief Environmental Compliance Inspector I/II | 4289-1 4289-2 | 6 | Yes | <u>MOU 19</u> , Note 7: Effective July 7, 2019, employees in the classifications of Senior Environmental Compliance Inspector, Code 4293, and Chief Environmental Compliance Inspector, Code 4289 in the Bureau of Sanitation regularly assigned to cleaning activities associated with homeless encampments shall receive additional pensionable compensation at two premium levels (5.5%) above the appropriate step on the salary range for the class for each day so assigned. |
| Environmental Compliance Inspector | 4292 | 107 | Yes | <u>MOU 21</u> , Note 25: Effective July 7, 2019, employees in the classification of Environmental Compliance Inspector, Code 4292, in the Bureau of Sanitation regularly assigned to cleaning activities associated with homeless encampments shall receive additional pensionable compensation at two premium levels (5.5%) above the appropriate step on the salary range for the class for each day so assigned. |
| Equipment Operator | 3525-6 | 3* | No | *Substitute authorities |

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| Geographic Information Specialist | 7213 | 1 | No | |
| Geographic Information Systems Supervisor | 7214-1 | 1 | No | |
| Maintenance Laborer | 3112-6 | 184 | Yes | MOU 4, Note F-24: Wastewater Collection Worker I & II, Code 4110-1/-2, Truck Operator, Code 3583, Refuse Collection Truck Operator II, Code 3580-2, Maintenance Laborer, Code 3112 and Maintenance & Construction Helper, Code 3115 in the Bureau of Sanitation who are assigned to cleaning activities associated with homeless encampments or illegal dumping shall receive additional compensation at two premium levels (5.5%) above the appropriate step on the salary range for the class. When regularly assigned, this compensation is pensionable. When assigned on a daily basis, this compensation is non-pensionable. |
| Management Analyst | 9184 | 7 | No | |
| Public Relations Specialist II | 1785-2 | 1 | No | |
| Refuse Collection Supervisor | 4101 | 18 | Yes | MOU 12, Note YY: Employees in the classification of Refuse Collection Supervisor, Class Code 4101, in the Bureau of Sanitation when regularly assigned to the Livability Services Division shall receive additional pensionable compensation at two (2) premium levels above the appropriate step on the salary range prescribed for the class while so assigned. |
| Refuse Collection Truck Operator | 3580-2 | 109 | Yes | MOU 4, Note F-24: Wastewater Collection Worker I & II, Code 4110-1/-2, Truck Operator, Code 3583, Refuse Collection Truck Operator II, |

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|---|------------------|----|-----|--|
| | | | | Code 3580-2, Maintenance Laborer, Code 3112 and Maintenance & Construction Helper, Code 3115 in the Bureau of Sanitation who are assigned to cleaning activities associated with homeless encampments or illegal dumping shall receive additional compensation at two premium levels (5.5%) above the appropriate step on the salary range for the class. When regularly assigned, this compensation is pensionable. When assigned on a daily basis, this compensation is non-pensionable. |
| Senior Administrative Clerk | 1368 | 4 | No | |
| Senior Environmental Compliance Inspector | 4293 | 19 | Yes | MOU 19, Note 7: Effective July 7, 2019, employees in the classifications of Senior Environmental Compliance Inspector, Code 4293, and Chief Environmental Compliance Inspector, Code 4289 in the Bureau of Sanitation regularly assigned to cleaning activities associated with homeless encampments shall receive additional pensionable compensation at two premium levels (5.5%) above the appropriate step on the salary range for the class for each day so assigned. |
| Senior Management Analyst I/II | 9171-1 9171-2 | 2 | No | |
| Service Coordinator | 883 | 1 | No | |
| Solid Resource Manager I/II | 4126-1 4126-2 | 4 | No | |
| Solid Resource Superintendent | 4102 | 6 | No | |
| Wastewater Collection Manager I | 4128-1 | 1 | No | |

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|--|--------|---|-----|---|
| Wastewater Collection Supervisor | 4113 | 1 | Yes | MOU 12, Note TT: Hazard Bonus (Wastewater Collection Supervisor) - Employees in the classification of Wastewater Collection Supervisor, Code 4113, when assigned to perform duties associated with the job classification for the City's program(s) relating to homeless encampments or illegal dumping more than 50% of the scheduled work day shall receive a 5.5% daily, pensionable bonus for each day so assigned. |
| Wastewater Collection Worker II | 4110-2 | 3 | Yes | MOU 4, Note F-24: Wastewater Collection Worker I & II, Code 4110-1/-2, Truck Operator, Code 3583, Refuse Collection Truck Operator II, Code 3580-2, Maintenance Laborer, Code 3112 and Maintenance & Construction Helper, Code 3115 in the Bureau of Sanitation who are assigned to cleaning activities associated with homeless encampments or illegal dumping shall receive additional compensation at two premium levels (5.5%) above the appropriate step on the salary range for the class. When regularly assigned, this compensation is pensionable. When assigned on a daily basis, this compensation is non-pensionable. |