



Office of the City Manager

CONSENT CALENDAR
September 24, 2019

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: LaTanya Bellow, Director, Human Resources
Subject: Adopt a Resolution Authorizing the City Manager to Provide a Three Percent (3%) Special Class Commercial License Premium to the Solid Waste Supervisor Job Classification

RECOMMENDATION

Adopt a Resolution to: (1) Provide Public Employees Union, Local One’s (Local One) a three percent (3%) Special Class Commercial License Premium to the Solid Waste Supervisor Job Class; and, (2) provide the incumbents in the Solid Waste Supervisor classification a three percent differential pay (Add Pay) to maintain internal pay equity.

The City has already negotiated a three percent differential pay for the Public Works Supervisor, a classification represented by Service Employee International Union (SEIU), Local 1021 because the classification requires the maintenance of a commercial license.

FISCAL IMPACTS OF RECOMMENDATION

The three percent Add Pay for the current incumbents will result in a fiscal impact of approximately \$8,681.088 annually. The cost of the Add Pay can be absorbed in the current General Fund.

CURRENT SITUATION AND ITS EFFECTS

Provide the incumbents in the Solid Waste Supervisors classification a three percent differential pay for maintaining a commercial license relates to the City’s Strategic Plan goals, in that it advances our goal to:

Attract and retain a talented and diverse City government workforce.

Many of our comparable agencies pay special premiums to their employees who are required to maintain a commercial licenses. The cities of Oakland and San Leandro have negotiated language with their employee organizations who represent supervisory

staff to provide special premium pays for use and maintenance of commercial licenses and driving/operating commercial vehicles.

BACKGROUND

The current Memorandum of Understanding between the Public Employees Union, Local One and the City of Berkeley (MOU), Section 6.04, provides that Local One and the City would meet and discuss which classifications should require the maintenance of a commercial license as a minimum qualification (MQ).

On March 20, 2019, Local One representatives and Public Works management met and agreed that a commercial license should remain as minimum qualification for the Solid Waste Supervisor classification.

Solid Waste Supervisor job duties do not include the driving/operating of commercial vehicles, however, it is a business need that they maintain the licensure to do so in times where staffing levels necessitate them to drive/operate commercial vehicles.

ENVIRONMENTAL SUSTAINABILITY

N/A

RATIONALE FOR RECOMMENDATION

The City has already negotiated a three percent differential pay for the Public Works Supervisor, a classification represented by Service Employee International Union (SEIU), Local 1021 because the classification requires the maintenance of a commercial license. MOU language between the City and SEIU, Local 1021, Section 17.13 - Special Class Commercial Driver's License Premium, states in pertinent part the following:

"Employees required to possess and maintain a valid California Class A or Class B Commercial Driver's License as a condition of employment shall receive a three percent (3%) differential to base pay. This differential shall be reported to CalPERS as Special Class Driver's License Pay. However, any hours worked on overtime are excluded from CalPERS reported "compensation earnable" in California Government Code Section 20635."

The Public Works Supervisor position is the Solid Waste Supervisor counterpart in the Corporation Yard division of the Public Works department. Providing the three percent differential as recommended will provide internal pay equity for the Solid Waste Supervisor classification.

Moreover, the Solid Waste Supervisor classification, supervises the Solid Waste Truck Driver and Solid Waste Worker positions. Both classifications already receive a three percent differential pay for maintaining a commercial license and are also represented by SEIU.

ALTERNATIVE ACTIONS CONSIDERED

N/A

CONTACT PERSON

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Attachments:

1: Resolution

RESOLUTION NO. ##,###-N.S.

Provide a three percent (3%) Special Class Commercial Driver's License Premium differential pay for the Solid Waste Supervisor classification pursuant to the City and Local One's agreement that the classification requires maintenance of a commercial license

WHEREAS, (Local One represents a number of classifications at the City of Berkeley ("City"), to include Solid Waste Supervisor, the subject classification; and

WHEREAS, the City and Local One entered into a Memorandum of Understanding dated October 21, 2018 – June 27, 2020 ("MOU") which set forth the wages, hours and other terms and conditions of employment for SEIU members; and

WHEREAS, Section 6.4 (Union/Management Meetings) of the City/Local One MOU specifically provides in pertinent part that:

"The City agrees to meet and discuss with Public Employees Union Local 1, at the first meeting after February 1, 2019, regarding which classifications should require a Class A or B license and what the appropriate compensation is for possessing the license. If the parties agree that licenses should be maintained as outlined in the current job descriptions, the unions proposal for differential pay to maintain said license will be presented to council for review and action."; and,

WHEREAS, The City and Local One met and conferred on March 20, 2019 and agreed that the Solid Waste Supervisor classification continue the maintenance of a commercial license as required minimum qualification; and

WHEREAS, Local One provided the City with a proposal on April 22, 2019 that included a three percent differential pay to the Solid Waste Supervisor classification due to the commercial license requirement; and,

WHEREAS, The City recommends authorizing the three percent differential pay as the City has already negotiated a three percent commercial license differential pay for Public Works Supervisor, a classification represented by Service Employee International Union, Local 1021 as the classification requires the maintenance of a commercial license.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that a three percent differential pay will be provided for the Solid Waste Supervisor classification effective the start of the pay period containing the date of Council approval.