

**CITY OF BERKELEY
SPECIAL MEETING OF THE PERSONNEL BOARD
DATE: April 12, 2021 TIME: 7:00 P.M.**

**Secretary: LaTanya Bellow, Human Resources Department
2180 Milvia Street, First Floor, Berkeley, CA 94704
(510) 981-6800 E-mail: LBellow@cityofberkeley.info**

**PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH
VIDEOCONFERENCE AND TELECONFERENCE**

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this meeting of the Personnel Board will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Executive Order and the Shelter-in-Place Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, there will not be a physical meeting location available.

To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL <https://us02web.zoom.us/j/85334925816?pwd=enlvZkVlOpmEVSQk5nOGRmeENRdz09>. If you do not wish for your name to appear on the screen, then use the drop down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen.

To join by phone: Dial 1-669-900-9128 and enter Meeting ID: 853 3492 5816, Passcode: 856169.
To submit an e-mail comment during the meeting to be read aloud during public comment, email ddangelo@cityofberkeley.info with the Subject Line in this format: "PUBLIC COMMENT ITEM ##." Please observe a 150 word limit. Time limits on public comments will apply.

MEETING AGENDA

- I. Call to Order
- II. Roll Call
- III. Public Comments

ACTION ITEMS:

- IV. Approval of Minutes of Meeting on March 1, 2021
- V. Recommendation to Revise the Housing Inspector Supervisor Classification
- VI. Recommendation to Adopt the Program Manager I and II Classifications
- VII. Recommendation to Establish Director of Police Accountability

INFORMATION ITEMS:

- VIII. Director's Report – Updates from HR Director – Discussion Only
- IX. Copy of Berkeley Matters – Discussion Only
- X. Adjournment

If you are unable to attend a meeting please call 510-981-6824

Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through

the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the relevant board, commission or committee for further information. **SB 343 Disclaimer:** Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at the Human Resources Department located at 2180 Milvia Street, First Floor, Berkeley CA.

**CITY OF BERKELEY
PERSONNEL BOARD MINUTES
DATE: March 1, 2021 TIME: 7:00 P.M.**

**Secretary: LaTanya Bellow, Human Resources Department
2180 Milvia Street, First Floor, Berkeley, CA 94704
(510) 981-6800 E-mail: LBellow@cityofberkeley.info**

I. Call to Order 7:01 P.M.

II. Roll Call

Members Present: Mary Kay Lacey (Chair), Robert Dixon (Vice Chair), Darryl Bartlow, Sam Frankel, Maya Karpinski, Jenny Wenk, Leah Wilson

Members Absent: Aviva Gilbert

Staff Present: LaTanya Bellow (Director of Human Resources); Dana d'Angelo, Kevin Sledge (Human Resources); Henry Oyekanmi (Director of Finance); Sandra Lewis, Tiffany Tang (Finance); Jenny Seay (HHCS)

Public Attendance: Andre Spearman

III. Public Comments

Each member of the Personnel Board introduced themselves to the new Commissioner Wilson. Commissioner Wilson introduced herself.

ACTION ITEMS:

IV. Approval of Minutes of Meeting on February 1, 2021

Action: MSC: (Wenk / Karpinski) to approve the minutes of the meeting on February 1, 2021.

Vote: Ayes: Lacey, Dixon, Bartlow, Frankel, Karpinski, Wenk
Noes: None
Abstains: Wilson
Absent: Gilbert

V. Recommendation to Increase the Salary Schedule for Accountant II for Internal Alignment

Action: MSC:(Dixon/Wenk) to Increase the Salary Schedule for Accountant II for Internal Alignment

Vote: Ayes: Lacey, Dixon, Bartlow, Frankel, Karpinski, Wenk, Wilson
Noes: None
Abstains: None
Absent: Gilbert

INFORMATION ITEMS:

VI. Director's Report – Updates from HR Director – Discussion Only.

Comments: Planning discussion regarding re-opening City Hall to the public.

VII. Copies of Berkeley Matters – Discussion Only

VIII. Adjournment

Action: MSC: (Wenk /Frankel) to adjourn the meeting at 7:42 P.M.

Vote: Ayes: Lacey, Dixon, Bartlow, Frankel, Karpinski, Wenk, Wilson
Noes: None
Abstains: None
Absent: Gilbert



Human Resources Dept.

March 31, 2021

To: Members of the Personnel Board
From: LaTanya Bellow, Director Human Resources
Subject: Recommendation to Revise the Housing Inspector Supervisor Classification

BACKGROUND AND CLASSIFICATION

The Department of Planning and Development would like to amend the Housing Inspector Supervisor classification and increase the salary for the position. Human Resources and the Planning Department is working to expand the Housing Inspector Series with entry level and senior positions that will enable the department to attract, develop and retain the necessary talent to expand Berkeley's housing inspection program.

The proposed amendments to the position are consistent with comparable agencies and operations and prepare for the oversight of additional entry level staff members. Additionally, these changes will help the City recruit and retain personnel, expand the Rental Housing Safety Program and increase operational flexibility in the Building and Safety Division. In order to avoid salary compaction, create space for additional entry-level classifications and reflect updated responsibilities for the Housing Inspector Supervisor, a salary increase is proposed.

RECOMMENDATION

The Personnel Board is requested to adopt revision of the Housing Inspector Supervisor classification. The revised hourly salary range would be:

Classification	Step 1	Step 2	Step 3	Step 4	Step 5
Housing Inspector Supervisor	52.5701	54.8491	57.3408	59.7578	62.3668

Attachments:

- A. Housing Inspector Supervisor classification
- B. Organizational Chart

cc: Kevin Sledge, Senior Human Resources Analyst



Class Code:
14580

Housing Inspector Supervisor

Bargaining Unit: Public Employees Union, Local One

PROPOSED SALARY RANGE				
<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>
<u>52.5701</u>	<u>54.8491</u>	<u>57.3408</u>	<u>59.7578</u>	<u>62.3668</u>

DESCRIPTION:

DEFINITION

Under general management, supervises the operations of the assigned sectionsunits of the of a unit responsible for housing code enforcement and rental housing safetyHousing Inspection UnitSection, supervises housing inspection staff; assists in developing and implementing programs and policies for assigned functional area and for the effective operation of the Housing Inspection Unit-Section of the Building & Safety Division; performs related work as assigned.

CLASS CHARACTERISTICS

This is the full supervisory classification in the Housing Inspection series. The incumbents are is a working supervisors, responsible for planning, organizing, assigning and evaluating the work of the assigned unitssections of the Housing Inspection SectionUnit of the Building and Safety Division involving housing inspection services and rental housing safety programs. The incumbents perform a broad scope of inspection tasks, including performs the more difficult or complex inspections, while providing advice, and guidance, and supervision to Housing Inspectors. Assignments are varied and allow for the exercise of considerable judgment and independence in the interpretation of codes and regulations for assigned areas.

Examples of Duties:

The following list of duties is intended only to describe the various types of work that may be performed and the level of technical complexity of the assignment(s) and is not intended to be an all-inclusive list of duties. The omission of a specific duty statement does not exclude it from the position if the work is consistent with the concept of the classification, or is similar or closely related to another duty statement.

1. Plans, organizes, assigns, directs, reviews and supervises the work of an assigned group of Housing Inspectors and administrative staff; assists in selection of assigned staff; trains, evaluates and recommends promotion and disciplinary actions, as appropriate;
2. Identifies, develops and directs the implementation of goals, objectives, policies, procedures and work standards for the work unit; reviews the effectiveness and efficiency of delivery of services, work flow, and unit organization and identifies methods or systems to improve effectiveness and efficiency;
3. Advises, and assists inspectors with field problems, and evaluates inspectors for their consistency and effectiveness in enforcing codes and carrying out policy by reviewing their work and accompanying them in the field;
4. Schedules, coordinates and conducts inspections and re-inspections of residential units including common areas and building exteriors for compliance with various housing-related codes and regulations in response to tenant complaints and/or as part of an ongoing housing inspection program;
- 4.5. Performs inspections and re-inspections of residential and/or mixed use buildings involving emergency situations, complex cases, difficult property owners and/or tenants, or in response to complaints regarding an inspector's actions to determine compliance with city, state and federal standards of construction, maintenance and use;
- 5.6. Works with property owners and tenants in the field to discuss violations and needed repairs, facilitate cooperation between owners and tenants, discuss responsibilities of each party, and negotiate completion of repairs; conducts follow-up inspections to ensure that repairs have been completed;
6. Assists in the preparation of the Housing Inspection unit's budget; monitors budget and expenditures to ensure targeted budgetary goals are met, recommends adjustments to service delivery as necessary, and justifies all allocations and expenditures;
7. Researches and provides information regarding departmental programs and requirements, code requirements, upcoming inspections, housing reports, fees assessed, housing authority, status of property, administrative hearings, jurisdictional issues, etc. to property owners, tenants, members of the public and representatives from City departments and outside agencies;
8. Coordinates unit activities with other City departments and outside agencies, and participates in multi-disciplinary teams, including the Problem Properties team;
9. Reviews and approves or denies requests for billing adjustments from property owners;
- Performs residential inspections to inspect plumbing fixtures, water heaters, space heating equipment, electrical wiring, fenestrations, or similar work, equivalent to inspections for permitted work;
- May conduct residential building inspections to assist with building inspection volume during periods of high inspection demand;

10. Assists in the preparation of a variety of written material such as staff reports, memoranda, and correspondence including City Council reports;
- ~~11. Responsible for providing technical assistance and inspection support to other departmental and city activities such as the Senior and Disabled Rehabilitation Loan program, the Housing Trust Fund monitoring program and the Problem Properties program; support may include providing staffing for the review and approval of construction scopes of work, the preparation of construction punch lists, and housing inspections of affordable housing and inclusionary housing units;~~
- ~~12.11.~~ Participates in Administrative Hearings with rental property owners;
- ~~13.12.~~ Reviews subpoenas and discusses case/court appearance with inspector involved, attends court hearings and provides testimony;
- ~~14.13.~~ Oversees annual Special Assessment Lien project to ensure proper lien amounts are assessed and forwarded to the Finance Department for processing;
- ~~15.14.~~ Attends Rent Stabilization Board hearings as needed to provide testimony; corresponds with Rent Stabilization Board;
- ~~16.15.~~ Refers cases, and provides information to and responds to questions from individuals in other City Departments, including Building Inspection, Finance, and the Health Department; and
- ~~17.16.~~ Performs related duties as assigned.

Knowledge and Abilities:

Note: The level and scope of the knowledge, skills and abilities listed below are related to job duties as defined under Class Characteristics.

Knowledge of:

1. Principles and practices of effective employee supervision, including work assignment, employee selection, training and evaluation;
2. Housing inspection ~~and evidence collection techniques and~~ procedures;
3. Federal, state and local laws, ordinances, codes and standards regulating housing quality, residential housing, residential building construction, remodeling, repair, and maintenance, including but not limited to California Building Codes, California Electrical Codes, California Mechanical Codes, California Plumbing Code, Uniform California Housing Code, California Residential Building Code, U.S. Department of Housing and Urban Development Housing Quality Standards, and City of Berkeley Municipal Code and Zoning Ordinances;
4. Knowledge of laws related to space conversions;
- ~~4.5.~~ Low and moderate income housing needs within a sizable urban setting;
- ~~5.6.~~ Appropriate safety and fire prevention methods for a variety of assignments;

- ~~6.7.~~ Principles and methods used in basic construction and a wide range of building construction trade areas, including plumbing, electrical, heating and ventilation, building construction and remodeling, and related areas;
- ~~7.8.~~ Conflict resolution techniques; and
- ~~8.9.~~ Research practices and techniques.

Ability to:

1. Plan, organize, assign and evaluate the work of housing inspectors and administrative support staff;
2. Train staff in work procedures and techniques and provide for their professional development;
3. Effectively lead and motivate employees to work together as a team;
4. Develop and implement goals, objectives, policies, procedures, and work standards; and identify methods and systems to improve service delivery, work flow and organization of assigned unit;
5. Interpret and apply municipal building, housing and zoning codes and ordinances;
6. Provide technical inspection assistance in hearings and cases and recommend appropriate solutions for a wide range of inspection issues and problems;
7. Establish and maintain effective working relationships with those contacted in the course of the work, including individual citizens, other City department personnel, members of citizen boards and commissions and others;
8. Prepare detailed written material, including reports and analyses of code enforcement policies, proposed amendments and changes to programs and policies; and
9. Review plans and specifications for building-related construction and determine practicability of plans, compliance and regulations and validity of permits;
10. Proficiently use work-related computer applications such as Microsoft Windows, Word, Excel, Outlook, database management, and internet communications; and
- ~~11.~~ Use sound independent judgment within established guidelines.

11.

Minimum Qualifications:

A TYPICAL WAY OF GAINING THE KNOWLEDGE AND SKILLS OUTLINED ABOVE IS: Equivalent to graduation from high school and four years of increasingly responsible journey-level housing inspection experience. Lead or supervisory experience or training is desirable.

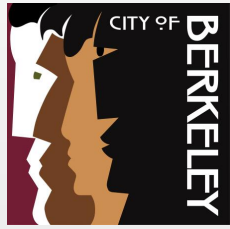
OTHER REQUIREMENTS

Must be able to travel to various locations within and outside the City of Berkeley to meet the program needs and to fulfill the job responsibilities. When driving on City business, the incumbent is required to maintain a valid California driver's license as

well as a satisfactory driving record.

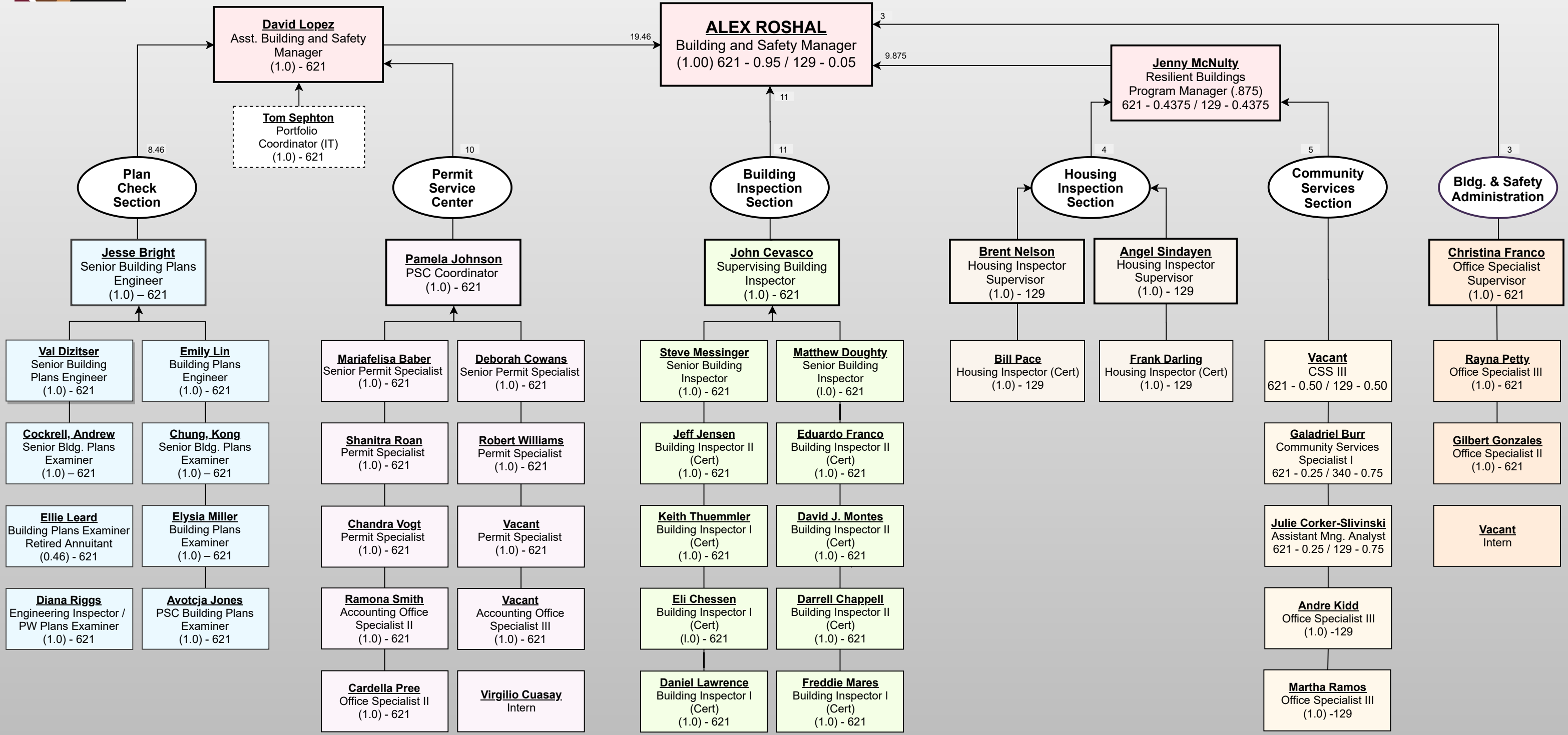
Must be willing to attend evening meetings as required. Must possess an International Code Council (ICC) [or California \(CA\)](#) certification in [Residential](#) Building or Housing Inspection [or in Code Enforcement](#); and ICC Residential or Commercial certifications for Electrical Inspector, [Mechanical Inspector](#) and Plumbing Inspector, or equivalent ICC Legacy Certification for either Combination Inspector or Combination Dwelling Inspector.

DRAFT



Planning and Development Department BUILDING AND SAFETY DIVISION (44 Career Employees) FY2020 (last revised 05/27/20)

Total FTEs by Fund:
129 – 7.738
621 – 35.847
340 - 0.75



Additional Positions Paid by PSC Fund 621

- Fire & Life Safety Plans Examiner (Fire Dept.) (2.0) - 621
- Fire Prevention Inspector (Fire Dept.) (0.50) - 621
- Associate Engineer (Public Works Dept.) (1.00) - 621
- Engineering Inspector (Public Works Dept.) (.50) - 621
- Engineering Inspector (Public Works Dept.) (.30) - 621
- Survey Technician (Public Works Dept.) (.20) - 621
- Associate Traffic Engineer (Public Works Dept.) (1.00) - 621
- Manager of Engineering (Public Works Dept.) (.20) - 621

Budget Code Changes
fmr new
833 = 621
375 = 129
618 = 340

Eman Aledlah
Intern



Human Resources Dept.

April 5, 2021

To: Members of the Personnel Board
From: LaTanya Bellow, Director Human Resources
Subject: Recommendation to Adopt the Program Manager I and II Classifications

BACKGROUND AND CLASSIFICATION

The City's classification plan has over 394 job descriptions, specifically 152 are single classifications, most within the manager series. In efforts to streamline administering the City's classification and compensation plans, and support operational flexibility, the city is proposing a Program Manager I and Program Manager II broad classification in the managerial series.

The classification will be used across the organization, similar to the Analyst, Administrative Support classification. This model is alignment to other cities, for example San Francisco has Manager I , Manager II, and Manager III to cover all the various type of divisions/departments and operational needs.

Based on our findings and feedback, the proposed Program Manager I and II classifications would be placed in Public Employee Union, Representation Unit, P1. Additionally, this approach provides flexibility and alignment with career and succession development initiatives. We look to first utilize the classifications to support special programs in the Planning Department, such as our Energy and Recycling programs.

RECOMMENDATION

The Personnel Board is requested to adopt the Program Manager I and Program Manager II classifications. The hourly salary ranges would be:

Classification	Step 1	Step 2	Step 3	Step 4	Step 5
Program Manager I	51.7326	54.2545	56.8023	59.5945	62.4561
Program Manager II	60.5676	63.5960	66.7758	70.1146	73.2938

Attachments:

- A. Program Manager I classification with salary range
- B. Program Manager II classification with salary range

cc: Kevin Sledge, Senior Human Resources Analyst



CITY OF BERKELEY
 Established Date: MMM 00, 20XX
 Revision Date: MMM 00, 20XX

Class Code:
 00000

Program Manager I

Bargaining Unit: Public Employees Union, Local One

SALARY RANGE

\$51,732.6 - \$62,456.1 Hourly
 \$4,138.61 - \$4,996.49 Bi-Weekly
 \$8,966.98 - \$10,825.72 Monthly
 \$107,603.81 - \$129,908.69 Annually

DESCRIPTION:

DEFINITION:

Under general supervision, organizes and manages City programs or projects including the development and implementation of program goals and elements; may supervise professional, technical and clerical staff; and develops procedures, programs and methodologies.

CLASS CHARACTERISTICS:

This is the first level in the Program Manager series. The duties of this class involve program and project management work of programs and projects with City and community impact. Directs and administers one or more major City programs. Specific to general instructions are given on the scope and method of completing assignments, and work is subject to periodic review by supervisors for completeness and accuracy. This class differs from that of higher level Program Manager II in that it is the beginning level class, and assignments and work performed are supervised more closely, are not as difficult and complex, and do not require the depth of knowledge as those performed by the latter.

EXAMPLES OF DUTIES:

The following list of duties is intended only to describe the various types of work that may be performed and the level of technical complexity of the assignment(s) and is not intended to be an all-inclusive list of duties. The omission of a specific duty statement does not exclude it from the position if the work is consistent with the concept of the classification, or is similar or closely related to another duty statement.

1. Organizes, coordinates, and manages one or more programs or projects;
2. Coordinates administrative functions associated with program management including budget preparation, financial management, and grant application preparation and administration; manages the procurement process including the development of RFP/RFQs; negotiates terms, conditions and performance standards and administers contracts;
3. Develops procedures, methodologies and performance metrics-related to compliance and program requirements; interprets and applies existing policies to actual situations; identifies and resolves problems;
4. Represents the department in a variety of meetings and forums involving program coordination and implementation;
5. Conducts analyses and makes technical investigations and research on a variety of issues impacting the City;
6. Plans, develops and coordinates studies and prepares and presents findings and recommendations;
7. Formulates, recommends and implements policies, procedures and new service approaches associated with assigned program(s);
8. Serves as liaison with representatives from federal, state, local, private and community organizations in the implementation of assigned program(s);
9. Reviews the effectiveness of service delivery and work flow; makes and implements recommendations regarding program elements;
10. Analyzes laws and regulations and their impact to assigned program(s);

11. Develops and maintains informational and statistical reports regarding program performance, goal attainment, and service levels;
12. Trains public and staff on program(s) to improve implementation, including creating and maintaining educational materials;
13. Maintains regular contact with public, including internal and external meetings and/or site visits to ensure compliance with program requirements;
14. Performs related duties as assigned.

KNOWLEDGE AND ABILITIES:

Note: The level and scope of the knowledge and skills listed below are related to job duties as defined under Class Characteristics.

Knowledge of:

1. Principles and practices of project/program development, management and administration in the assigned program area;
2. Management and administrative principles and practices;
3. Principles of budget development and administration;
4. Principles and practices of research, analysis, and report writing;
5. Principles and practices of effective employee supervision, including selection, training, work evaluation and discipline;
6. Pertinent Federal, State, and local statutes, ordinances, and regulations, as needed for area of assignment;
7. Regulatory and programmatic requirements and services as they relate to assigned program.

Ability to:

1. Effectively plan, develop, and implement comprehensive programs;
2. Collect and analyze data and reach a sound conclusion;
3. Use, at a highly proficient level, computers, computer applications, and software including Word, Excel, and other software relevant to the assigned program area;
4. Prepare and present clear and concise technical or analytical reports and visually engaging presentations for City Council and community;
5. Interpret and apply program requirements and/or regulatory practices, rules, and policies to actual situations;
6. Meet deadlines in a highly political environment;
7. Communicate effectively, both orally and in writing;
8. Effectively analyze legislation and/or regulatory changes and their impact to City services;
9. Establish and maintain productive working relationships with those contacted in the course of the work;
10. Use English effectively to communicate in person, over the telephone, and in writing;
11. Use tact, initiative, prudence, and independent judgment within general policy, procedural, and legal guidelines; and
12. Manage and supervise support staff.

MINIMUM QUALIFICATIONS:

A TYPICAL WAY OF GAINING THE KNOWLEDGE AND SKILLS OUTLINED ABOVE IS:

Equivalent to graduation from a four year college or university with major coursework in business or public administration, or a related field and three (3) years in the development and implementation of programs.

OTHER REQUIREMENTS

Must be able to travel to various locations within and outside the City of Berkeley to meet program needs and to fulfill the job responsibilities. When driving on City business, the incumbent is required to maintain a valid California driver's license as well as a satisfactory driving record. Must be able to attend evening and weekend meetings.



CITY OF BERKELEY
 Established Date: MMM 00, 20XX
 Revision Date: MMM 00, 20XX

Class Code:
 00000

Program Manager II

Bargaining Unit: Public Employees Union, Local One

SALARY RANGE

\$60.5676 - \$73.2938 Hourly
 \$4,845.41 - \$5,863.50 Bi-Weekly
 \$10,498.38 - \$12,704.26 Monthly
 \$125,980.61 - \$152,451.10 Annually

DESCRIPTION:

DEFINITION:

Organizes and manages major City programs or projects that have a high degree of visibility and are of substantial impact including the development and implementation of program goals and elements; may supervise professional, technical and clerical staff; and develops procedures, programs and methodologies.

CLASS CHARACTERISTICS:

This is the second level class in the Program Manager series, fully competent to perform responsible and difficult program and project management for one or more major City programs that have a significant impact to the City and the community. Incumbents are expected to exercise independent judgment in the development and implementation of program and project goals, administering program budget and supervising staff.

EXAMPLES OF DUTIES:

The following list of duties is intended only to describe the various types of work that may be performed and the level of technical complexity of the assignment(s) and is not intended to be an all-inclusive list of duties. The omission of a specific duty statement does not exclude it from the position if the work is consistent with the concept of the classification, or is similar or closely related to another duty statement.

1. Organizes, coordinates, and manages one or more major programs or projects with high visibility and impact;
2. Coordinates administrative functions associated with program management including budget preparation, financial management, and grant application preparation and administration; manages the procurement process including the development of RFP/RFQs; negotiates terms, conditions and administers contracts;
3. Develops procedures, methodologies and performance metrics-related to compliance and program requirements; interprets and applies existing policies to actual situations; identifies and resolves problems;
4. Represents the department in a variety of meetings and forums involving program coordination and implementation;
5. Conducts complex analyses and makes technical investigations and research on a variety of issues impacting the City;
6. Plans, develops and coordinates complex studies and prepares and presents findings and recommendations;
7. Formulates, recommends and implements policies, procedures and new service approaches associated with assigned program(s);
8. Serves as liaison with representatives from federal, state, local, private and community organizations in the implementation of assigned program(s);
9. Reviews the effectiveness of service delivery and work flow; makes and implements recommendations regarding program elements;

10. Analyzes laws and regulations and their impact to assigned program(s);
11. Develops and maintains informational and statistical reports regarding program performance, goal attainment, and service levels;
12. Trains public and staff on program to improve implementation, including creating and maintaining educational materials;
13. Maintains regular contact with public, including internal and external meetings and/or site visits to ensure compliance with program requirements;
14. Performs related duties as assigned.

KNOWLEDGE AND ABILITIES:

Note: The level and scope of the knowledge and skills listed below are related to job duties as defined under Class Characteristics.

Knowledge of:

1. Advanced principles and practices of project/program development, management and administration in the assigned program area;
2. Management and administrative principles and practices;
3. Principles of budget development and administration;
4. Advanced principles and practices of research, analysis, and report writing;
5. Principles and practices of effective employee supervision, including selection, training, work evaluation and discipline;
6. Pertinent Federal, State, and local statutes, ordinances, and regulations, as needed for area of assignment;
7. Regulatory and programmatic requirements and services as they relate to assigned program;
8. Principles and practices of grant administration, public procurement, contract law and negotiations.

Ability to:

1. Effectively plan, develop, and implement comprehensive programs with a broad impact and high degree of complexity;
2. Collect and analyze large volumes of data and reach a sound conclusion;
3. Use, at a highly proficient level, computers, computer applications, and software including Word, Excel, and other software relevant to the assigned program area;
4. Prepare and present clear and concise technical or analytical reports and visually engaging presentations for City Council and community;
5. Interpret and apply program requirements and/or regulatory practices, rules, and policies to actual situations;
6. Meet deadlines in a highly political environment;
7. Communicate effectively, both orally and in writing;
8. Effectively analyze legislation and/or regulatory changes and their impact to City services;
9. Establish and maintain productive working relationships with those contacted in the course of the work;
10. Use English effectively to communicate in person, over the telephone, and in writing;
11. Use tact, initiative, prudence, and independent judgment within general policy, procedural, and legal guidelines; and
12. Manage and supervise support staff.

MINIMUM QUALIFICATIONS:

A TYPICAL WAY OF GAINING THE KNOWLEDGE AND SKILLS OUTLINED ABOVE IS:

Equivalent to graduation from a four year college or university with major coursework in business or public administration, or a related field and five (5) years in the development and implementation of programs.

OTHER REQUIREMENTS

Must be able to travel to various locations within and outside the City of Berkeley to meet program needs and to fulfill the job responsibilities. When driving on City business, the incumbent is required to maintain a valid California driver's license as well as a satisfactory driving record. Must be able to attend evening and weekend meetings.



Human Resources Dept.

April 5, 2021

To: Members of the Personnel Board

From: LaTanya Bellow, Director of Human Resources

Subject: Recommendation to Establish Director of Police Accountability

BACKGROUND

In 1973, a ballot measure was adopted to establish a Police Review Commission for the community to participate in setting Police Department policies, practices, and procedures and to provide a means for investigation of complaints against sworn employees of the Police Department. The existing Police Review Commission consists of nine (9) commissioners that are appointed by the Mayor and City Council, and is supported by three (3) full-time equivalent employees. The Police Review Commission's FY 20 adopted budget is approximately \$778,000. In 2018, the Police Review Commission received thirteen (13) individual complaints and no policy complaints.

The Charter Amendment establishes a Police Board to replace the existing Police Review Commission and creates a new position Director of Police Accountability. The existing Police Review Commission will continue until its functions are transferred to the Police Accountability Board, which shall be no later than January 3, 2022. However, pursuant to Resolution 69,531–N.S. that was adopted July 28, 2020, the application to solicit community interest in the Police Accountability Board has been issued and it is anticipated that the Mayor and City Council will make appointments to the Board by June 30, 2021 so that the Police Accountability Board can commence its work July 1, 2021¹.

The purpose of the Police Accountability Board and Director of Police Accountability is to promote public trust through independent, objective, civilian oversight of the Berkeley Police Department, provide community participation in setting and reviewing Police Department policies, practices, and procedures, and to provide a means for prompt, impartial and fair investigation of complaints brought by members of the public against sworn employees of the Berkeley Police Department. Both the Police Accountability Board and Director of Police Accountability are

¹ https://www.cityofberkeley.info/Clerk/City_Council/2020/07_Jul/Documents/2020-07-28_Item_32_Adopt_a_Resolution_Implementing_pdf.aspx.

independent of the City Manager, except for administrative purposes, and report to the Mayor and City Council.

The Police Accountability Board will consist of nine (9) members. The Mayor and City Council shall each nominate one member to the Police Accountability Board that must be approved by a majority vote of the City Council. Board members are limited to serving eight consecutive years and may be reappointed following a break in service of at least two (2) years. Board members serve at the pleasure of the City Council and may be removed by six (6) votes of the City Council.

CLASSIFICATION

Bryce HR Consulting is an agency that provides a variety of human resource services to non-profit and public-sector clients. The Human Resources Department contracted with Bryce HR Consulting to create a job description which aligns with the Charter Amendment (see attachment A). Bryce made a base salary recommendation in consideration of the market agencies with comparable classes which consisted of Bay Area Rapid Transit, City and County of San Francisco, City of San Jose, and City of Oakland.

The Director of Police Accountability will provide oversight of the Berkeley Police Department (Department) policies, practices, and procedures; obtain access to records; investigate complaints filed by members of the public against sworn employees of the Department; and recommend discipline of sworn employees of the Department, based upon a preponderance of the evidence

RECOMMENDATION

The Personnel Board is requested to approve the following:

1. Establish the classification of Director of Police Accountability. The Director of Police Accountability classification will be exempt from the overtime provisions of the Fair Labor Standards act (FLSA) and eligible for Administrative Leave. The Director of Police Accountability classification will be Unrepresented with a monthly salary range of \$11,121.05 - \$16,681.51.

Attachments:

- A. Director of Police Accountability Classification
- B. Organizational Chart
- C. Charter Amendment

cc: Dee Williams-Ridley, City Manager
David White, Deputy City Manager
LaTanya Bellow, Director of Human Resources



CITY OF BERKELEY
Established Date: April 5, 2021

Class Code:
XXXX

Director of Police Accountability

Bargaining Unit: Unrepresented Classification

SALARY RANGE

\$68.44 - \$102.66 Hourly
\$11,862.93 - \$17,794.40 Monthly
\$142,355.20 - \$213,532.80 Annually

DESCRIPTION:

DEFINITION

Under direction of the City Council, plans, organizes, directs and reviews, the activities and operations of the Office of the Director of Police Accountability and Police Accountability Board; coordinates activities and fosters cooperative working relationships with City departments, outside agencies, and civic groups; performs related work as assigned.

CLASS CHARACTERISTICS:

This is a single-position executive management classification. The Director of Police Accountability duties are administrative/managerial and highly complex in nature, involving highly technical functions. The incumbent has broad management authority for the day-to-day operations of the Office of the Director of Police Accountability and Police Accountability Board. The Director of Police Accountability is appointed by the City Council.

EXAMPLES OF DUTIES:

The following list of duties is intended only to describe the various types of work that may be performed and the level of technical complexity of the assignment(s) and is not intended to be an all-inclusive list of duties. The omission of a specific duty statement does not exclude it from the position if the work is consistent with the concept of the classification, or is similar or closely related to another duty statement.

1. Develop, plan and implement the activities; goals and objectives; recommend and administer policies and procedures of the Office of Director of Police Accountability and Police Accountability Board;
2. Coordinate activities with other departments, outside agencies and organizations, and civic groups; provide staff assistance to the City Council; prepare and present staff reports and other necessary correspondence;

3. Direct, oversee and participate in the development of work plans; assign work activities, projects and programs; monitor work flow; review and evaluate work products, methods and procedures;
4. Supervise and participate in the budget development and administration; direct the forecast of additional funds needed for staffing, equipment, materials and supplies; monitor and approve expenditures; implement mid-year adjustments;
5. Select, train, motivate and evaluate personnel; provide or coordinate training for staff and the Police Accountability Board; conduct performance evaluations; implement discipline procedures; maintain discipline and high standards necessary for the efficient and professional operation of the Office of Director of Police Accountability;
6. Represent the Office of Director of Police Accountability to outside groups and organizations; participate in outside community and professional groups and committees; provide technical assistance as necessary;
7. Monitor the efficiency and effectiveness of the Office of the Director of Police Accountability work products through quality control and related activities;
8. Prepare and make presentations to City officials, community members and others as required;
9. Monitor, audit, and report on internal investigations conducted by the Police Department concerning allegations of excessive/unnecessary force or other misconduct issues as deemed appropriate; attend briefings and interviews; request information for further investigation if deemed necessary;
10. Review and audit Police Department Internal Affairs documents, reports, and resolutions; develop independent conclusions and produce reports as appropriate for the Police Accountability Board and/or City Council;
11. Manage, oversee, and participate in the initial processing of complaints received by the Police Accountability Board or the Police Accountability Board from citizens alleging misconduct or other concerns; document, review, and analyze complaints; communicate with citizens, police staff, and/or others as needed to identify complaint issues; determine level of follow-up required;
12. Develop and prepare recommendations regarding Department policies and procedures related to internal investigations of complaints filed against officers and Police Department operations;
13. Participate on committees, boards, task forces, and in community activities as assigned; attend meetings, conferences, and workshops as assigned;
14. Within legal and Department policy requirements, oversee and perform investigations on complaints received from citizens; make appropriate contacts with the Police Department and/or others to begin investigation; request and review documents, reports, and/or other items deemed pertinent to the matter under investigation;
15. Attend and/or conduct investigative interviews within legal parameters; develop/prepare conclusions, recommendations, and reports;
16. May respond on-site to incidents if deemed necessary; and monitor on-site interviews of Police Department personnel, witnesses, and citizens as appropriate;
17. Monitor legislation and assure City compliance with related laws, regulations, statutes, and codes;
18. Advise the Police Accountability Board and City Council regarding any pending or ongoing department matters that are of concern or could have significant impact on City operations;

19. Build and maintain positive working relationships with co-workers, other employees and the public using principles of good customer service;
20. Perform related duties as assigned.

KNOWLEDGE AND ABILITIES:

Note: The level and scope of the knowledges and skills listed below are related to job duties as defined under Class Characteristics.

Knowledge of:

1. Principles and practices of modern public administration, particularly related to areas of law enforcement;
2. Principles and practices of civilian oversight of law enforcement;
3. Principles and practices of leadership, motivation, team building and conflict resolution;
4. Pertinent local, State and Federal laws, rules and regulations;
5. Organizational and management practices as applied to the analysis and evaluation of programs, policies and operational needs;
6. Principles and practices of organization, administration and personnel management;
7. Principles and practices of budget preparation and administration;
8. Principles of supervision, training and performance evaluation;
9. Investigative principles, methods, and practices;
10. General legal principles, practices, terminology, and documents;
11. Public relations practices and techniques; public speaking;
12. Current literature, laws, regulations, and developments, as well as various agencies, that impact municipal police internal investigations;
13. Research methods; report writing techniques; statistical concepts and methods; principles and techniques of project management.
14. Some other items that may resonate in the community include the following:
 - a. Procedures for gathering, analyzing and procedures for evaluating evidence
 - b. Civil rights of citizens

Ability to:

1. Plan, direct and control the administration and operations of the Office of the Director of Police Accountability;
2. Maintain commitment to civilian oversight of law enforcement.
3. Implement investigative procedures and standards consistent with best practices for civilian oversight agencies to ensure that investigations are fair, prompt, and unbiased.
4. Develop and implement department policies;
5. Gain cooperation through discussion and collaboration;
6. Successfully develop, control and administer departmental budget and expenditures;
7. Interpret and apply City policies, procedures, rules and regulations;
8. Supervise, train and evaluate assigned staff;
9. Direct and perform complex and difficult investigations involving sensitive and confidential legal matters;
10. Meet critical deadlines; make decisions under pressure;

11. Develop, recommend, and administer policies and procedures related to complaint investigations;
12. Read, interpret, and analyze complex laws and regulations, and recommend/implement effective and reasonable courses of action;
13. Prepare and give effective public presentations;
14. Prepare and present complex narrative and statistical reports, correspondence, and other documents;
15. Communicate clearly and concisely, both orally and in writing;
16. Operate and use modern office equipment including computers and applicable software;
17. Establish and maintain effective working relationships with those contacted in the course of work.

MINIMUM QUALIFICATIONS:

A TYPICAL WAY OF GAINING THE KNOWLEDGE AND SKILLS OUTLINED ABOVE IS:

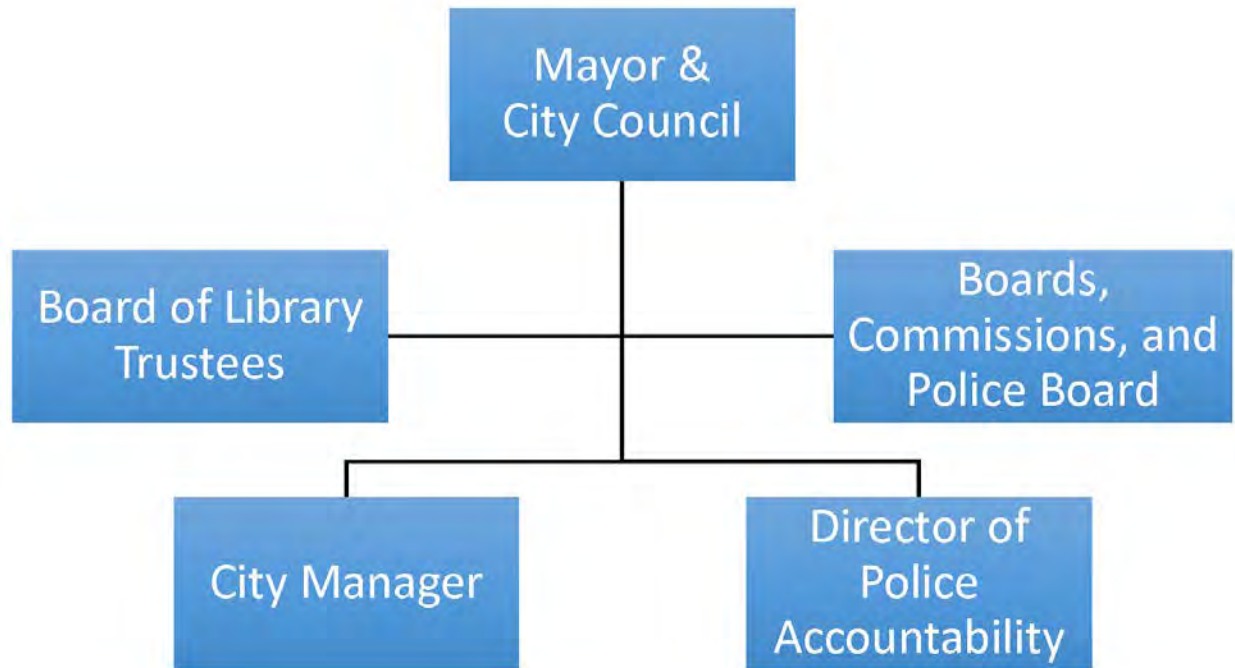
Equivalent to a Bachelor's degree from an accredited college or university with major coursework in law enforcement, police science, public or business administration, or a related field and five years of experience performing professional administrative/investigative or legal/investigative work including substantial involvement with law enforcement issues. An appropriate advanced degree is desirable.

OTHER REQUIREMENTS:

Must be able to travel to various locations within and outside the City of Berkeley to meet program needs and to fulfill the job responsibilities. When driving on City business, the incumbent is required to maintain a valid California driver's license as well as a satisfactory driving record.

CLASSIFICATION HISTORY:

Director of Police Accountability	
Classification Code	XXXX
Classification Established	April 5, 2021
FLSA Status	Exempt
Admin Leave/Overtime	Admin Leave
Representation Unit	Unrepresented
Probationary Period	N/A
Workers' Comp Code	8810



CHARTER AMENDMENT TO ESTABLISH A POLICE ACCOUNTABILITY BOARD AND DIRECTOR OF POLICE ACCOUNTABILITY

The People of the City of Berkeley hereby amend the Charter of the City of Berkeley to read as follows:

Section 1. The Charter of the City of Berkeley is amended to add Article XVIII, to read as follows:

Article XVIII. POLICE ACCOUNTABILITY BOARD AND DIRECTOR OF POLICE ACCOUNTABILITY

Section 1. Establishment and purpose.

A Police Accountability Board is hereby established in the City of Berkeley. The purpose of the Police Accountability Board is to promote public trust through independent, objective, civilian oversight of the Berkeley Police Department, provide community participation in setting and reviewing Police Department policies, practices, and procedures, and to provide a means for prompt, impartial and fair investigation of complaints brought by members of the public against sworn employees of the Berkeley Police Department.

The Office of the Director of Police Accountability is hereby established. The purpose of the Director of Police Accountability is to investigate complaints filed against sworn employees of the Berkeley Police Department, to reach an independent finding as to the facts and recommend corrective action where warranted. The Director of Police Accountability may also serve as the Secretary to the Police Accountability Board and assist the Board in carrying out the duties prescribed herein.

Section 2. Definitions.

The following definitions apply to this Article:

(a) "Commissioners' Manual" refers to the most current manual adopted by the City Council that consists of the policies and procedures regarding the service of board members and commissioners, board and commission procedures, and conduct of meetings.

(b) "Complainant" shall refer to a member of the public that files a complaint with either the Director of Police Accountability, Police Accountability Board, or the Police Department.

(c) "Director of Police Accountability" or "DPA" refers to an individual fulfilling the police oversight role established pursuant to section 1 of this Article.

(d) "Effective Date" shall be the date that the Secretary of State accepts and files this Article.

(e) "Police Accountability Board" or "Board" refers to the Police Accountability Board established in Section 1 of this Article, which shall be the successor agency to the Berkeley Police Review Commission in accordance with Section 27.

(f) Except as otherwise specifically provided, all references in this Article to California code sections shall refer to such Code sections as they may be amended or re-codified from time to time.

Section 3. Police Accountability Board powers and duties.

(a) The Police Accountability Board has the following powers and duties:

(1) To advise and make recommendations to the public, City Council, and City Manager regarding the operation of the Berkeley Police Department, including all written policies, practices, and procedures in relation to the Berkeley Police Department;

(2) Review and recommend for City Council approval all agreements, letters, memoranda of understanding, or policies which express terms and conditions of mutual aid, information sharing, cooperation and assistance between the Berkeley Police Department and all other local, state and federal law enforcement, intelligence, and military agencies or private security organizations;

(3) To receive and consider the findings and recommendations of the Director of Police Accountability regarding complaints filed by members of the public against sworn employees of the Police Department and to recommend if discipline is warranted when misconduct is found and, pursuant to Section 18, the level of discipline for sustained findings of misconduct;

(4) To participate in the hiring of the Chief of Police as set forth in Section 22;

(5) To access records of City Departments, compel attendance of sworn employees of the Police Department, and exercise the power of subpoena as necessary to carry out its functions;

(6) To adopt rules and regulations necessary for the conduct of its business; and

(7) Any other powers and duties as the City Council may assign it by Ordinance.

(b) Nothing in this chapter granting powers and duties to the Police Accountability Board shall limit the City Council's, Chief of Police's or City Manager's authority derived from other provisions of this Charter to act on policing matters, unless explicitly stated.

(c) The Police Accountability Board, Director of Police Accountability and their respective agents, assigns, employees and representatives shall have no authority to restrict, modify, supersede, negate, supplant or contravene the authority granted to the City Manager and/or Chief of Police by way of the City Charter or operation of state or federal law to engage in collective bargaining activities or enter into agreements or understandings with the designated bargaining unit representative or representatives of the sworn employees of the Police Department unless such agreements or understandings contravene this Article.

(d) The Police Accountability Board, Director of Police Accountability and their respective agents, assigns, employees and representatives shall not undertake nor sanction any actions which would:

(1) Restrict, violate, or abridge the collective bargaining rights of the designated bargaining unit representative of the sworn employees of the Police

Department or their individual members;

(2) Restrict, violate or abridge the terms and conditions of a collective bargaining agreement, understanding or practice with the designated bargaining unit representative of the sworn employees of the Police Department, except for those provisions provided for in this Article; and

(3) Restrict, violate or abridge any legal rights of individual sworn employees of the Police Department, including but not limited to those set forth in the Public Safety Officers' Procedural Bill of Rights Act ("POBRA"), Government Code section 3300 et seq., and sworn employees' right to maintain the confidentiality of their personnel file information (including, but not limited to Penal Code §§ 832.7, 832.8.), except as required under Section 20 of Article XVIII of the City Charter.

Section 4. Independent agency; budget authority and allocation.

(a) Notwithstanding Article VII of the Charter, and except as provided in section 14(b), 14(i) or 14(k), the Police Accountability Board, its staff and the Director of Police Accountability shall be independent of the City Manager.

(b) The Board is authorized to propose a budget to the City Council for its operations, and the City Council may allocate to the Police Accountability Board and Director of Police Accountability, as the City Council determines resources allow, a budget sufficient to provide for a process that protects the rights of complainants and sworn employees of the Police Department, for the Board and its staff to carry out the investigative and policy responsibilities stated herein, and to ensure the independence of the Board.

Section 5. Composition of Police Accountability Board; eligibility.

(a) The Police Accountability Board shall be composed of nine (9) Board members selected by the Mayor and City Council. Each member of the Board must:

(1) Be a resident of the City;

(2) Be at least 18 years old;

(3) Not be an employee, officer, or contractor with the City, a current sworn police officer from any agency, or a current employee, official, or representative of an employee association representing sworn police officers; and

(4) Be fair minded and objective with a demonstrated commitment to community service.

(b) Desirable qualities of a Board member are familiarity with human resources, law, police procedures, police oversight, or involvement in civil rights or community organizations.

(c) All appointees to the Board shall be subject to background checks before final appointment.

Section 6. Board member selection.

(a) Candidates for the Board must complete and file with the City Clerk an application form and an affidavit of residency required by Berkeley Municipal Code Section 2.04.145. Board vacancies shall be widely advertised and publicly posted. The Mayor and each City Councilmember shall nominate one candidate from an applicant pool at a meeting of the City Council. Each individual nominee must be approved by a majority vote of the City Council.

(b) The City Council shall endeavor to establish a Board that is broadly inclusive and reflective of race, ethnicity, age, gender identity, sexual orientation, economic status, neighborhoods, and various communities of interest in the City. Toward that end, in soliciting applications for the position of Board member, the Director of Police Accountability shall reach out to civic, community, and civil rights organizations, among others.

Section 7. Terms; term limits.

(a) Board member terms end four years after appointment, or upon the expiration of the nominating City Councilmember's term, whichever is earlier. Board members are limited to serving eight consecutive years and may be reappointed following a break in service of at least two years.

(b) To the extent not in conflict with subsection (a) above, the provisions of Berkeley Municipal Code Section 3.02.040, regarding Board member term limits and the effect of interruption in service, apply.

Section 8. Conflicts of interest and Avoiding Bias.

(a) Board members shall be subject to the requirements of the California Political Reform Act and other state and local conflict of interest codes.

(b) Board members shall maintain basic standards of fair play, impartiality, and avoid bias and the appearance of bias. In instances where the Board acts in a quasi-judicial capacity, as in a confidential personnel hearing, as described below, Board members have the responsibility to hear all viewpoints. To ensure that all parties are afforded an opportunity to be heard, Board members shall observe the following:

(1) Board members recused for a conflict of interest must do so immediately when an item is taken up.

(2) Board members shall verbally disclose all ex parte contacts concerning the subject of the hearing. Board members shall also submit a report of such contacts in writing prior to the commencement of the hearing. Ex parte contacts include, but are not limited to, any contact between a Board member and any party involved in the complaint prior to the public hearing.

(3) Board members shall be recused from taking any action on or participating in a matter before the Police Accountability Board if they are related to a party to, advocate for, or represent a member of the public who has a pending or anticipated claim of any kind arising out of alleged misconduct of a sworn employee of the Police Department. For the purpose of this subsection, "related to" shall include a spouse, child, sibling, parent or other person related to the complainant or the complainant's spouse within the third degree of relationship.

Section 9. Expiration of term; termination; leaves of absence; removal.

(a) A Board member whose term has expired may continue to serve until a successor Board member is appointed, unless the sitting Board member's term expires due to term limits, as provided in Section 7.

(b) The term of a Board member who fails to remain eligible to serve on the Board (e.g., by moving out of the City of Berkeley, or becoming an employee of the City) expires automatically as of the date the reason for ineligibility arises.

(c) The provisions of Berkeley Municipal Code Section 3.02.020, establishing a termination procedure for absence from meetings, Section 3.02.030, leaves of absence, and Section 3.02.035, regarding alternate Board members, apply to the Police Accountability Board.

(d) A Board member may either be replaced by the City Council if their term has expired or may be removed during their term as provided in Section 12.

Section 10. Board Chairperson and Vice-Chairperson.

(a) The Board shall elect one of its members as chairperson and one as vice-chairperson, whose terms shall be one year each, or until their successor is elected. No chairperson is eligible to serve more than two consecutive terms, or portions thereof.

(b) Following election of the initial chairperson and vice-chairperson, the Board shall elect subsequent officers each January.

Section 11. Board member stipends.

(a) Each Board member is entitled to receive a stipend of \$100.00 for each regular and special Board meeting attended, and \$20.00 per hour for each hour of training attended as provided in Section 12 and each subcommittee meeting attended as a member of a subcommittee. Excluding participation in trainings, the total stipend paid may not exceed \$300.00 per month per Board member. (b) Board member stipends and the total monthly stipend paid may be adjusted from time to time by the City Council. Adjustments to Board member stipends shall occur no more than once in a fiscal year and in no event shall an increase in Board member stipends exceed the change in the cost of living for the San Francisco Bay Area as measured by official United States economic reports.

Section 12. Board member training; At will Status; Oath of Maintaining Confidentiality.

(a) The Director of Police Accountability shall establish mandatory training requirements for Board members. Within the first six (6) months of appointment, at a minimum, each Board member shall receive forty (40) hours of training on the following:

- (1) Quasi-judicial duties and obligations of the Board;
- (2) Constitutional rights and civil liberties;
- (3) Fundamentals of procedure, evidence and due process;
- (4) The Public Safety Officers Procedural Bill of Rights Act;
- (5) Police Department operations, policies, practices, and procedures; and
- (6) Duties, responsibilities, procedures and requirements associated with all ranks and assignments.

The Director of Police Accountability shall develop training provided to Board members. The Chief of Police and a representative from the Berkeley Police Association shall have input on training provided to Board members and shall have the opportunity to attend all training provided.

(b) All Board members shall serve at the pleasure of the City Council and may be removed by a two-thirds vote of the City Council for any reason, including but not limited to misconduct or violations of state and federal confidentiality laws.

(c) Board members shall, upon appointment, take an oath to abide by and maintain the confidentiality of the personnel files of sworn employees of the Police Department and all other matters that are confidential pursuant to state and federal law.

Section 13. Board meetings; quorum; rules of procedure; subcommittees.

(a) At the beginning of each calendar year, the Board shall establish a regular meeting schedule consisting of at least eighteen (18) meetings. Special meetings may be called by the chairperson of the Board or by a majority of the Board.

(b) A majority of appointed Board members constitutes a quorum to conduct business and take any action.

(c) The Board shall establish rules of procedure governing the conduct of its business, which shall be subject to ratification by the City Council.

(d) The Board may establish policy subcommittees that it deems necessary to carry out its functions. The Chairperson shall appoint policy subcommittee members at a Board meeting. Policy subcommittees may include non-voting members of the public who express an interest in the business of the subcommittee. Members of the public that are appointed to a policy subcommittee shall serve in an advisory capacity without compensation. The Board may establish further rules and procedures for the appointment and removal of members of the public to policy subcommittees. Policy subcommittee members shall not have access to confidential personnel file information or any other confidential information.

(e) Unless otherwise specified in this Article, rules of procedure governing the conduct of the Board, or Ordinance, the Board shall comply with the Commissioners' Manual.

Section 14. Office of the Director of Police Accountability.

(a) To the extent possible, the City Manager shall recommend three (3) candidates for consideration by the City Council. The City Council shall appoint the Director of Police Accountability at a noticed public meeting.

(b) The Director of Police Accountability shall carry out the work of the Board as described herein, which may include the day-to-day operations of the Board office and staff, and performance appraisals and discipline of all subordinate employees of the Board. All such individuals, to the extent that they are employees of the City of Berkeley, shall be subject to the personnel rules governing City of Berkeley employees.

(c) Within the first six (6) months of appointment, the Director of Police Accountability shall receive training on the following:

- (1) Quasi-judicial duties and obligations of the Board;
- (2) Constitutional rights and civil liberties;
- (3) Fundamentals of procedure, evidence and due process;
- (4) The Public Safety Officers Procedural Bill of Rights;
- (5) Police Department operations, policies, practices, and procedures; and
- (6) Duties, responsibilities, procedures and requirements associated with all ranks and assignments.

(d) By majority vote, the Police Accountability Board may recommend removal for cause of the Director of Police Accountability to the City Council.

(e) The City Council may remove the Director of Police Accountability by a two-thirds vote either on its own motion or based on the recommendation of the Police Accountability Board.

(f) In addition to the duties prescribed, upon receipt of a complaint by the Police Accountability Board, the Director of Police Accountability shall ensure a timely, thorough, complete, objective and fair investigation into the complaint.

(g) The Director of Police Accountability shall assess the conduct of the sworn employee of the Police Department in light of the facts discovered through the investigation, state and federal law, and the policies, practices, procedures, and personnel rules of the City and Berkeley Police Department.

(h) The Director of Police Accountability shall present the results of their investigative findings and recommendations to the Police Accountability Board who shall make a recommendation to the Chief of Police regarding the specific complaint.

(i) The Director of Police Accountability may hire a Chief Investigator and, when there is a conflict of interest pursuant to Section 15, outside legal counsel, subject to receiving budgetary authority from the City Council.

(j) Subject to the budgetary authority of the City Council, the provisions of the City's charter related to personnel, the City's personnel rules, state and federal law, the Director of Police Accountability shall have the authority to hire and dismiss consultants and additional investigators. Subject to City Council approval, the Director of Police Accountability may also enter into contracts for investigative services, provided, however, that with respect to the procurement of supplies and services, the Director of Police Accountability shall comply with the Charter and City purchasing policies and procedures

(k) The powers in this Section 14 are conferred notwithstanding Article VII, Sections 28(b) and (c) and Article XVI, Section 119 of this Charter.

(l) The Board and Director of Police Accountability shall use the City's Human Resources Department for all human resource matters including, but not limited to hiring, performance evaluation, discipline, and removal of employees.

(m) The Director of Police Accountability shall meet periodically with stakeholders, including but not limited to employee organizations representing officers, organizations promoting civil rights and liberties, and organizations representing communities of color, and solicit from them input regarding the work of the Police Accountability Board and the Office of the Director of Police Accountability.

Section 15. Legal counsel.

(a) The Board and the Director of Police Accountability shall use the services of the City Attorney's Office for legal advice.

(b) In the event the City Attorney has a prohibited conflict of interest under the California Rules of Professional Conduct with regard to a specified matter, the City Attorney shall provide the Director of Police Accountability with separate legal counsel. Pursuant to Section 14, when the City Attorney has determined that a conflict of interest exists, the Director of Police Accountability may engage legal counsel other than the City Attorney for legal advice regarding a specific case or matter.

Section 16. Board reports.

(a) All Board reports shall maintain the confidentiality of personnel file information and other confidential information as required by state and federal law.

(b) The Director of Police Accountability shall prepare an annual report to the public, including but not limited to the following:

(1) A description of the Board's activities during the year, including:

i. A summary of the number, type, and disposition of complaints filed with the Board;

ii. A summary of the number, type, and disposition of complaints filed with the Police Department by members of the public;

iii. Policy complaints undertaken; and

iv. Other such information that the Board or City Council has requested.

(2) The Department's and the Board's processes and procedures for investigating alleged misconduct, and for determining whether or not discipline is warranted and / or the level of discipline, for sustained findings of misconduct.

(3) Training and education, and any early warning system utilized by the Department.

(4) Training and/or policy issues that arise during the investigations of complaints by the Department, Director of Police Accountability, or Police Accountability Board.

(5) Trends and patterns in vehicle and pedestrian stops, citations, arrests, searches and seizures or other patterns by the Berkeley Police Department. Statistical data shall include the demographics of the complainant, reason for the stop, purpose of the stop and disposition, and location of stop, in compliance with policies, practices, and procedures of the City and Police Department, and the Police Department General Order on Fair and Impartial Policing.

(6) Trends and patterns regarding use of force and officer-involved shootings.

(c) This annual report shall be presented to the Board for approval. Upon adoption by the Board, it shall be presented to the Mayor and City Council, City Manager, and the Chief of Police at a City Council meeting, and shall include, where appropriate, recommendations for changes in the processes and procedures that were reviewed.

(d) Prior to being made available to any member of the public, all Board reports shall be subject to the review of the City Attorney to ensure compliance with all applicable state and federal confidentiality laws.

Section 17. Policy review and approval.

(a) The Chief of Police shall submit all newly adopted Departmental policies and revisions to the Board within thirty (30) days of implementation. The Board may review policies, practices, and procedures of the Police Department in its discretion or at the request of a member of the public, due to a policy complaint, or due to a complaint from a member of the public against an officer.

(b) If the Police Department and the Board are unable to reconcile their differences about a policy within sixty (60) days from the date that the Chief of Police submits a policy to the Director of Police Accountability, the policy shall be sent to the City Manager for a final decision which shall be reported to the City Council. Nothing in this section shall limit the authority of the City Council under this Charter to enact legislation within its Charter authority or direct the City Manager to implement adopted City Council policy.

Section 18. Complaints filed with the Director of Police Accountability.

(a) The Director of Police Accountability and Board shall adopt regulations for handling complaints filed with the Director of Police Accountability by any member of the public alleging misconduct by sworn employees of the Police Department and undertake investigations of complaints as they deem warranted. The regulations shall include the following:

- (1) What constitutes a complaint; and
- (2) A provision for voluntary mediation of complaints in lieu of an investigation.

(b) The Police Accountability Board shall hear and decide findings on allegations of misconduct, at which subject sworn employees of the Police Department must appear to testify and answer questions consistent with their rights pursuant to state and federal law.

(c) In determining whether a sworn employee of the Police Department has committed misconduct, the standard of proof for the Board shall be “preponderance of the evidence”. The investigation and decision on findings shall be fair, unbiased, and evidence based.

(d) The time limit for investigations and notification of discipline shall be two hundred and forty (240) days from the date of the City’s discovery by a person authorized to initiate an investigation of an alleged act, omission, or other misconduct, unless a Government Code section 3304(d) exception applies.

(e) Investigation of all complaints filed with the Director of Police Accountability shall begin immediately and proceed as expeditiously as possible. The time limit for completion of an investigation shall be one hundred and twenty (120) days of the City’s discovery by a person authorized to initiate an investigation of an alleged act, omission, or other misconduct, unless a Government Code section 3304(d) exception applies.

(f) No City employee, officer, official or member of the Police Accountability Board shall attempt to interfere or undermine the work of the Director of Police Accountability or any employee of the Office of the Director of Police Accountability in the performance of the duties and responsibilities set forth in this Charter or by Ordinance.

(g) Complaints accepted by the Director of Police Accountability shall be sent in hard copy or electronically to the Chief of Police and Police Department Internal Affairs, members of the Police Accountability Board, and to each identified sworn employee of the Police Department against whom the complaint has been filed.

(h) For complaints being investigated by the Police Department, the Director of Police Accountability shall not participate in the Police Department’s Board of Review or any subsequent internal process established by the Police Department to review a complaint filed by any member of the public.

(i) Within sixty (60) days of completing the investigation into allegations of misconduct by sworn employees of the Police Department, the Director of Police Accountability shall submit and present investigative findings to the Police Accountability Board and, if warranted, the Board may agree to hold a personnel hearing which shall be confidential. The Director of Police Accountability shall provide the Board with all evidence and documentation obtained or produced during the course of the investigation to enable its re-

view of the complaint. At said meeting, both the sworn employee of the Police Department who is the subject of the investigation and the complainant shall be present to answer questions from Board members, subject to applicable state and federal law. In addition to submitting and presenting investigative findings to the Police Accountability Board in a confidential personnel hearing, the Director of Police Accountability shall include a

recommendation of whether disciplinary action is warranted. For only those cases where an allegation of misconduct, if sustained, would involve any of the classes of conduct described in Penal Code 832.7, as enacted pursuant to Senate Bill 1421 on January 1, 2019, and any other classes of police conduct added in any subsequent amendment to, or successor provision, the Director of Police Accountability shall recommend the level of discipline, if warranted.

(j) Within fifteen (15) days of the confidential personnel hearing, the Board may affirm, modify or reject the findings and recommendation of the Director of Police Accountability.

(1) Should the Police Accountability Board agree with the findings and recommendation of the Director of Police Accountability, the Director of Police Accountability's findings and recommendations shall be submitted to the Chief of Police.

(2) If the Board modifies or rejects the findings and recommendations of the Director of Police Accountability, it shall issue a written explanation for its decision and shall forward it to the Chief of Police.

(k) Within ten (10) days of receiving the findings and recommendation of the Director of Police Accountability or Police Accountability Board, if the Chief of

Police and Director of Police Accountability or Police Accountability Board are in accord, the Chief of Police shall issue a final decision. If the Chief of Police disagrees with the findings and/or recommendation of the Director of Police Accountability or the Police Accountability Board, the Chief of Police shall issue a tentative decision, which shall be forwarded to the Director of Police Accountability and Police Accountability Board. Within ten (10) days of receipt of that tentative determination, the Director of Police Accountability may request that the Chief of Police submit the decision to the City Manager or City

Manager's Designee who shall make the final determination along with a written explanation to the Director of Police Accountability, Police Accountability Board, and Chief of Police within twenty-five (25) days.

(l) In any conflict between the provisions of this Article and the disciplinary appeal process in an applicable collective bargaining agreement, the collective bargaining agreement shall prevail; provided, however, that no City official is authorized to enter into a collective bargaining agreement or an extension of a collective bargaining agreement that contains provisions contrary to this Article after its Effective Date. Except as expressly provided herein, nothing shall limit the authority of the Chief of Police or City Manager to conduct investigations, make findings, and impose discipline or corrective action, or of an arbitrator charged with adjudicating disciplinary appeals, based upon such standards as each may apply consistent with and subject to the Charter, Ordinance, and personnel rules, the collective bargaining agreement, due process requirements, state labor laws, and Police Department policies and procedures.

(m) Except for the time limit set forth in Section 18(d), the timelines set forth in this section are advisory, and may be adjusted by the Director of Police Accountability after

consulting with the City Manager and Chief of Police, to ensure that all investigations and notifications are completed in accordance with the limits of Section 18(d). In the event that the timeline set forth in Section 18(e) is extended, it shall not exceed 195 days.

Section 19. Review of complaints filed with the Berkeley Police Department.

(a) The Police Department shall ensure that any member of the public that files a complaint with the Police Department shall be provided written information and instructions on how to file a complaint with the Director of Police Accountability and Board.

(b) For all complaints filed with the Police Department by any member of the public, the time limit for investigations and notification of discipline shall be two hundred and forty (240) days from the date of the City's discovery by a person authorized to initiate an investigation of an alleged act, omission, or other misconduct, unless a Government Code section 3304(d) exception applies.

(c) Investigation of all complaints filed with the Police Department shall begin immediately and proceed as expeditiously as possible. The time limit for completion of the initial investigation shall be one hundred and twenty (120) days of the City's discovery by a person authorized to initiate an investigation of an alleged act, omission, or other misconduct, unless a Government Code section 3304(d) exception applies.

(d) Upon completion of the Chief of Police's investigation, the Chief of Police shall issue a letter of disposition to the sworn employee of the Police Department. On all complaints initiated by a member of the public, at the conclusion of the Department's internal affairs investigation, the Chief of Police shall also notify the Director of Police Accountability in writing of the disposition. In addition, the Chief of Police shall notify the complainant of the disposition of the complaint in accordance with the Penal Code.

(e) In cases where the finding is "not sustained", "unfounded" or "exonerated", within twenty (20) days after notification to the complainant is mailed or provided by other reasonable means as specified by complainant, the complainant shall have the option to contest the Chief of Police's determination to the Director of Police Accountability.

(1) If a complainant contests the Chief of Police's determination, the Director of Police Accountability, if appropriate, may request to review all files, transcripts and records related to the complaint. Within fifteen (15) days of either receiving an objection from a complainant or notice from the Chief of Police that a complainant has filed an objection, the Director of Police Accountability may, in the exercise of the Director of Police Accountability's discretion:

- i. Notify the complainant that the objection has been accepted and that the Police Accountability Board will convene to conduct a review based upon the investigative record provided by the Department; or
- ii. Notify the complainant that the objection has been dismissed. If the Director of Police Accountability dismisses an objection filed by a complainant, the Director of Police Accountability must provide written notice to the Board within thirty (30) days following the Director of Police Accountability's notification to complainant that the objection was dismissed.

(f) Within forty five (45) days of when the Director of Police Accountability notifies the complainant that the objection has been accepted, the Board may dismiss the complainant's objection, issue a report agreeing with the Chief of Police's determination or issue a report disagreeing with the Chief of Police's determination if (1) the Department failed to proceed in a manner required by state and federal law, or (2) the Chief of Police's decision is not supported by the evidence in the record.

(g) If the Police Accountability Board disagrees with the Chief of Police's determination, it shall submit its report to the Chief of Police and the City Manager. The Chief of Police may prepare a report for the City Manager within fifteen (15) days of receiving the Police Accountability Board's recommendation addressing any concerns or objections. Within twenty five (25) days of receiving the report from the Chief of Police, the City Manager or City Manager's Designee, considering the reports of both the Board and Chief of Police, shall make a final determination along with a written explanation to the Director of Police Accountability, Police Accountability Board, and Chief of Police.

(h) The Chief of Police's determination shall not become final, and no discipline shall be administered in any case in which the complainant has contested the Chief of Police's determination until the objection is dismissed or otherwise concluded; provided, however, that a final determination in all cases shall be rendered by the Chief of Police or City Manager not later than two hundred and forty days (240) days, unless a Government Code section 3304(d) exception applies.

(i) Except for the time limit set forth in Sections 19(b) and 19(c), the timelines set forth in this section are advisory, and may be adjusted to ensure that all investigations are completed in accordance with the limits of Section 19(b) and 19(c), and by mutual agreement between the City Manager, Director of Police Accountability, and the Chief of Police, as applicable.

Section 20. Access to records of City departments; compelling testimony and attendance.

(a) Notwithstanding Article VII, Section 28 of this Charter, all departments, officers, and employees of the City shall cooperate with and assist the Director of Police Accountability, Police Accountability Board and its staff and, unless prohibited by state or federal law, produce all records and written and unwritten information, documents, materials and evidence the Board or its staff requests for the purpose of carrying out its duties and functions. Unless otherwise required by state and federal law, the records and information include without redaction or limitation:

- (1) Records relevant to Police Department policies, practices, or procedures;
- (2) Personnel and disciplinary records of sworn employees of the Police Department; and
- (3) Police Department investigative records.

Responding departments or employees of the City shall maintain the confidentiality of any records and information provided consistent with state or federal law governing such records or information and comply promptly, but in no event later than ten (10) business days from the date of request, unless additional time is needed to locate or review records. If additional time is needed to comply, the responding departments, officers or employees shall specify how much time up to thirty (30) additional business days is needed and explain the reasons for delay in producing the necessary records and information.

(b) The Director of Police Accountability, Police Accountability Board and its staff, and their agents and representatives shall maintain the confidentiality of any records and information it receives consistent with state or federal law governing such records or information.

(c) The Director of Police Accountability and Police Accountability Board may issue subpoenas to compel the production of books, papers, and documents, and the attendance of persons to take testimony, as needed to carry out its duties and functions. The testimony of any sworn employee of the Police Department is subject to the due process and confidentiality provisions of applicable state and federal law.

Section 21. Advice regarding Police Department budget.

The Board is empowered to review and make recommendations to the City Council regarding the Police Department budget. The Chief of Police shall submit a final budget proposal to the Board for review and recommendations, but the Board's failure to complete that review and make recommendations in a timely manner shall not delay the budget process.

Section 22. Hiring of Chief of Police.

Notwithstanding Article VII, Section 28 of this Charter, upon the notice of vacancy of the position of Chief of Police, the City Manager shall consult with the Police Accountability Board (or subcommittee of the Board) on the job requirements, application process, and evaluation of candidates for the Chief of Police.

Section 23. Chief of Police or command staff to attend Board meetings.

To the maximum extent possible, the Chief of Police shall attend at least one regular Board meeting per month, for each month a regular meeting is held and attend a minimum of twelve (12) meetings per year. The Chief of Police shall send a member of the Police Department's command staff to any regular Board meeting that the Chief of Police does not attend.

Section 24. Berkeley Police Department written reports to the Board.

The Chief of Police shall submit reports to the Board on such subjects and at such intervals as the Board, in consultation with the Chief of Police, may prescribe. At least one report per year shall provide information on all use of force statistics, and the number of complaints filed with Internal Affairs, the allegations in each complaint, and the disposition of closed complaints, including any discipline imposed.

Section 25. Contract negotiations.

The City Manager shall inform the Police Accountability Board of any changes agreed in contract negotiations and adopted by City Council that may directly affect the work, duties, or responsibilities of the Board.

Section 26. Commendation program.

The Board shall establish a regular means of recognizing sworn employees of the Police Department for instances of outstanding service to members of the public, the community at large, or the Department.

Section 27. Transition from Police Review Commission to Police Accountability Board.

(a) The Police Review Commission established by Ordinance No. 4,644N.S., as amended, shall continue in existence until its functions are transferred to the Police Accountability Board, but no later than January 3, 2022.

(b) To assist in an orderly transition between the Police Review Commission and the Police Accountability Board established by this Article, Police Review Commission staff shall serve as interim Police Accountability Board staff until the City hires a Director of Police Accountability.

(c) The Police Review Commission staff shall transfer all Police Review Commission files, records, books, publications, and documents of whatever kind to, and for the use and benefit of, the newly created Police Accountability Board.

Section 28. Review of processes.

The Board shall conduct a review of its processes every two years after the Effective Date in order to ascertain the efficacy of its processes.

Section 29. Enabling Legislation.

The Board may make recommendations to the City Council for enacting legislation or regulations that will further the goals and purposes of Article XVIII of this Charter. The City Council may, based on such recommendations or on its own initiative, enact ordinances that will further the goals and purpose of this Article.

The Board shall have forty-five (45) business days to submit its comments to the City Council, such time to be extended only by agreement of the City Council.

Section 30. Repeal of Ordinance No. 4,644-N.S., as amended.

Ordinance No. 4,644-N.S., all amendments thereto, and all rules and regulations promulgated pursuant thereto, shall cease to be operative and are repealed as of the date of the first meeting of the Police Accountability Board established by this Article.

Section 31. Severability.

If any word, phrase, sentence, part, section, subsection, or other portion of this Article, or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the prescribed application thereof, shall be severable, and the remaining provisions of this Article, and all applications thereof, not having been declared void, unconstitutional or invalid, shall remain in full force and effect. The People of the City of Berkeley declare that it would have passed this title, and each section, subsection, sentence, clause and phrase of this Article, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases is declared invalid or unconstitutional.



PAYROLL

TIMECARD

The City's electronic timecard ([LINK](#)) is revised to include the most commonly used ERMA hours type codes. All employees except sworn Public Safety employees should use this timecard. Please enter the first day of the pay period at the top to populate the timecard. You must be in VPN to access this form. If you have any questions or are unable to access, please contact your departmental payroll clerk.



PAY DATES and DEADLINES • 2021

#	Pay Period		PA Entry Deadline	HR Output Post Date	Payday
6	03/07/21	THRU 03/20/21	03/03/21	03/07/21	03/26/21
7	03/21/21	THRU 04/03/21	03/17/21	03/21/21	04/08/21 (Thu)
8	04/04/21	THRU 04/17/21	03/31/21	04/04/21	04/23/21
9	04/18/21	THRU 05/01/21	04/14/21	04/18/21	05/07/21
10	05/02/21	THRU 05/15/21	04/28/21	05/02/21	05-20-21 (Thu)
11	05/16/21	THRU 05/29/21	05/12/21	05/16/21	06/04/21
12	05/30/21	THRU 06/12/21	05/26/21	05/30/21	06/18/21
13	06/13/21	THRU 06/26/21	06/09/21	06/13/21	07/02/21
14	06/27/21	THRU 07/10/21	06/23/21	06/27/21	07/16/21
15	07/11/21	THRU 07/24/21	07/07/21	07/11/21	07/30/21
16	07/25/21	THRU 08/07/21	07/21/21	07/25/21	08/13/21*
17	08/08/21	THRU 08/21/21	08/04/21	08/08/21	08/27/21
18	08/22/21	THRU 09/04/21	08/18/21	08/22/21	09/10/21*
19	09/05/21	THRU 09/18/21	09/01/21	09/05/21	09/24/21
20	09/19/21	THRU 10/02/21	09/15/21	09/19/21	10/08/21*
21	10/03/21	THRU 10/16/21	09/29/21	10/03/21	10/22/21
22	10/17/21	THRU 10/30/21	10/13/21	10/17/21	11/05/21
23	10/31/21	THRU 11/13/21	10/27/21	10/31/21	11/19/21
24	11/14/21	THRU 11/27/21	11/10/21	11/14/21	12/03/21
25	11/28/21	THRU 12/11/21	11/24/21	11/28/21	12/17/21
26	12/12/21	THRU 12/25/21	12/08/21	12/12/21	12/31/21

VTO days for the second half of the year have not yet been determined. When a payday falls on a VTO day or a holiday, checks will be issued a day early.

**These paydays are subject to be moved earlier depending on establishment of VTO days for FY 2022.*

NEW TO HUMAN RESOURCES!!

CITY OF BERKELEY BENEFITS OFFICE HOURS



Please join us for the launch of this new service for employees! Virtual office hours to answer all of your benefits-related questions!

You can schedule a brief, 15- minute time slot by visiting the link listed below:

calendly.com/srahman-cob



You can also call Human Resources at (510) 981-6812 or (510) 981-6815 to request a 15-minute time-slot or find out more information.



We plan to hold these virtual sessions twice a month, so your engagement and participation is critical. Please pass this along to others who may not access email. Please review Berkeley Matters for the next scheduled session.

April 1, 2021 from 12:00 PM – 1:00 PM

NATIONAL WOMEN'S HISTORY MONTH

WOMEN'S HISTORY MONTH

National Women's History Month is an honorary observance of the month of March in the United States, as designated in 1987 by the U.S. Congress, in recognition of women's many accomplishments throughout history. A variety of agencies, schools and organizations observe the month by focusing on the "consistently overlooked and undervalued" role of American women in history. Libraries and communities promote special events that emphasize the achievements of women. Similar month-long observances occur in other countries.

The month of March has never been very spectacular for me. Until this year. In the past, I have come to associate the month of March with things like "March Madness" and basketball and other mundane day-to-day activities which I have never really looked forward to, like Spring Cleaning. For the basketball fans in our One City Team, be gentle!

Well, last year this narrative forever changed. In March 2020, I (and probably the whole globe) was astonished to realize that this global pandemic (COVID-19) is real, as we surrendered to Shelter in Place (SIP). In March 2021, as the world and our city slowly emerge, I am grateful to acknowledge vaccines and other things that speak to our resilience and will to survive and thrive. Things like community reaching out to each other, recalibrating to a simpler time, embracing a minimalist approach so they could share. To me this represents "light at the end of the tunnel". For myself, I adopted a daily practice of gratitude and as part of that I am now aware of many wonderful things about March.

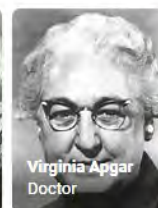
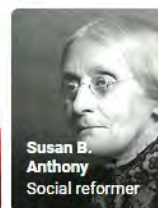
In this edition - Human Resources Director LaTanya Bellow's Top Picks:

LaTanya says this month, there are two seminal events:



- 1) Women's History Month (March):** commemorating and encouraging the study, observance and celebration of the vital role of women in American history (*read more here* > [+Women's History Month](#))

Important women in history



Q: LaTanya: why is this important to you?

A: "As with Black History Month, I appreciate holding space to ensure we provide an accurate ac-

count of the contributions women have made throughout history. As Leaders, Pioneers, Homemakers and Trailblazers, women were essential to the founding of this nation and are essential to the future."

2) **Cesar Chavez Day (March 31):** a U.S. federal commemorative holiday, proclaimed by President Barack Obama in 2014. The holiday celebrates the birth and legacy of the civil rights and labor movement activist Cesar Chavez on March 31 every year (*read more here*> [Info on Cesar Chavez Day](#))



Q: LaTanya: *why is this important to you?*

A: *"Cesar Chavez is the model we need today with all the unrest our country has endured around race, equity and inclusion. He endured long hours, poor working conditions and low wages which prompted him to be part of the solution as he organized farm workers and founded the United Farm Workers. His sacrifices for human rights ultimately led to the first bill of rights for agricultural workers."*

What appeals to you? Here's a variety of the special days and observances you can celebrate in March, from silly to serious and everything in between> [March 2021 National Days Calendar](#)

What if we were to look for opportunities to celebrate EVERY single day of the month/year? What a NOVEL concept! Whatever it is that resonates for you, speak to it; write to me and share, celebrate with others, laugh out loud and show gratitude to make someone's day happy!

Mine are: International Women's Day (March 8th) [IWD: About International Women's Day](#)

Yours in Solidarity, Wilhelmina
wparker@cityofberkeley.info

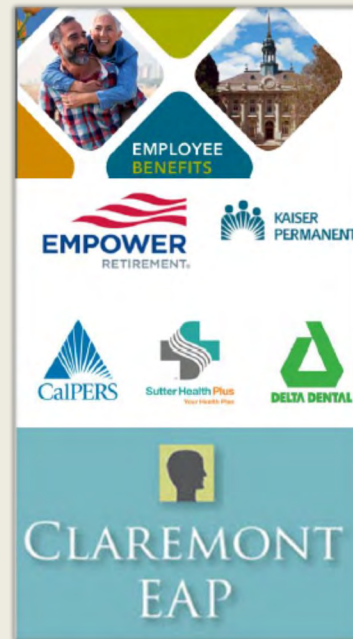
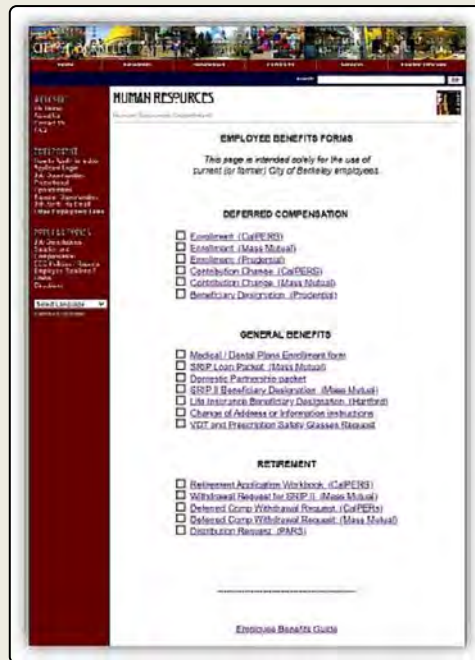


BENEFITS FORMS

City of Berkeley Employee Benefits



Please visit the new online benefits portal to access COB employee benefits forms!



Please visit the link below to access and download benefits-related forms, such as Deferred Compensation enrollment forms, SRIP Loan packets, and Domestic Partnership forms.

www.cityofberkeley.info/hr/EmployeeBenefitsForms.aspx



City of Berkeley
HR Department
2180 Milvia St., 1st Floor
Berkeley, CA 94704
(510) 981-6800
hr@cityofberkeley.info





UPCOMING CLASSES

VTA TRAINING CALENDAR DOWN UNTIL FURTHER NOTICE: please refer to Berkeley Matters or contact wparker@cityofberkeley.info for any questions regarding upcoming training

To accommodate as we flex to recalibrate during the COVID-19 crisis, please note that the VTA training calendar will not be utilized. All Training announcements will be included in Berkeley Matters, and where possible, included in an Everyone Email. For questions, please contact wparker@cityofberkeley.info or your supervisor.

For staff who do not telework, and where possible, trainings will be recorded and/or structures put in place to accommodate appropriately. Please contact wparker@cityofberkeley.info to define.

2021 New Employee Orientation Schedule

New Employee Orientation

8 hours

The goals of the New Employee Orientation are to educate the new employee about the governmental structure of this organization, the different departments and their functions, the general history and culture of Berkeley, important personnel policies, and the employee's role as a disaster worker. All new employees are required to attend a New Employee Orientation.

DATES:	APRIL 8 TH 8-5	OCT 7 TH 8-5
	JUNE 3 RD 8-5	DEC 2 ND 8-5
	DEC 2 ND 8-5	

Topic: NEW EMPLOYEE ORIENTATION

When: Apr 8, 2021 08:00 AM Pacific Time (US and Canada)

Register in advance for this meeting:

https://us02web.zoom.us/meeting/register/tZwvdemprD8oH9TTqfajuSS9OMYUrXJTK_Oh

After registering, you will receive a confirmation email containing information about joining the meeting.

Topic: NEW EMPLOYEE ORIENTATION

Time: Jun 3, 2021 08:00 AM Pacific Time (US and Canada)

Join Zoom Meeting: [https://us02web.zoom.us/j/81622921419?](https://us02web.zoom.us/j/81622921419?pwd=RXJDU2Q0MHZyajN5NGN4YXdHK2UwZz09)

[pwd=RXJDU2Q0MHZyajN5NGN4YXdHK2UwZz09](https://us02web.zoom.us/j/81622921419?pwd=RXJDU2Q0MHZyajN5NGN4YXdHK2UwZz09)

Meeting ID: 816 2292 1419

Passcode: 169108

Meeting ID: 816 2292 1419

Passcode: 169108

Join by Skype for Business

<https://us02web.zoom.us/skype/81622921419>

Topic: NEW EMPLOYEE ORIENTATION

When: Oct 7, 2022 08:00 AM Pacific Time (US and Canada)

You are invited to a Zoom meeting.

Register in advance for this meeting:

<https://us02web.zoom.us/meeting/register/tZ0qdu2opj4tHtaLTgzLkcmb3s6pQ7u9krz>

After registering, you will receive a confirmation email containing information about joining the meeting.

Topic: NEW EMPLOYEE ORIENTATION

Time: Dec 2, 2021 08:00 AM Pacific Time (US and Canada)

Join Zoom Meeting

[https://us02web.zoom.us/j/82332990630?](https://us02web.zoom.us/j/82332990630?pwd=MUxYZmRGZldxNE5TY0ZnQ01MZnNzd09)

[pwd=MUxYZmRGZldxNE5TY0ZnQ01MZnNzd09](https://us02web.zoom.us/j/82332990630?pwd=MUxYZmRGZldxNE5TY0ZnQ01MZnNzd09)

Join by Skype for Business

<https://us02web.zoom.us/skype/82332990630>

New Manager/Supervisor Orientation

2 days

"New Supervisor Training" explores the transition from coworker to supervisor and presents the basics of supervision. New supervisors who have recently been promoted from line to supervisory staff are required to take "New Supervisor Training." This training is also a



UPCOMING CLASSES (CONT'D)

requirement for all new supervisors to the city of Berkeley.

NEW SUPERVISOR ORIENTATION (2021 SCHEDULE)

DATES

- April 21 and 22
 - 8:30 am- 5 (both days)
- June 23 and 24
 - 8:30 am- 5 (both days)
- August 25th and 26th
 - 8:30 am- 5 (both days)
- Oct 20th and 21st
 - 8:30 am- 5 (both days)
- December 21st and 22nd
 - 8:30 am- 5 (both days)

ZOOM LINKS (NEW SUPERVISOR ORIENTATION)

NEW SUPERVISOR ORIENTATION

When: Apr 21 & 22, 2021 08:30 AM Pacific Time (US and Canada)

Register in advance for this meeting:

<https://us02web.zoom.us/meeting/register/tZ0qdOmgpj4rGNHPJJSFZ6CAuRuXgQgmLmuw>

After registering, you will receive a confirmation email containing information about joining the meeting.

Topic: New Supervisor Orientation

Time: Jun 23, 2021 08:30 AM Pacific Time (US and Canada)

Every day, 2 occurrence(s)

Jun 23, 2021 08:30 AM

Jun 24, 2021 08:30 AM

<https://us02web.zoom.us/j/85403840816?pwd=ZHpsS3ZqM1lrOGltTDVJUK5CeW91QT09>

Meeting ID: 854 0384 0816

Passcode: 899843

Find your local number: <https://us02web.zoom.us/j/kcd8SBfmNJ>

Join by Skype for Business

<https://us02web.zoom.us/skype/85403840816>

Topic: New Supervisor Orientation

When: Aug 25 & 26, 2021 08:30 AM Pacific Time (US and Canada)

Register in advance for this meeting:

<https://us02web.zoom.us/meeting/register/tZEdeggqT4pHdAK6KUEqCrmms2rvpUXjJAD>

After registering, you will receive a confirmation email containing information about joining the meeting.

Topic: New Supervisor Orientation

When: Oct 20 and 21, 2021 08:30 AM Pacific Time (US and Canada)

Register in advance for this meeting:

https://us02web.zoom.us/meeting/register/tZctduivrDMqGtlbo_MhGHI3CuClxc2aF--n

After registering, you will receive a confirmation email containing information about joining the meeting.

Topic: New Supervisor Orientation

When: Dec 21 and 22, 2021 08:30 AM Pacific Time (US and Canada)

Register in advance for this meeting:

https://us02web.zoom.us/meeting/register/tZErceysqjsoHdVD_y7u1p3C9DUnxh2iGcdr

After registering, you will receive a confirmation email containing information about joining the meeting.

COVID-19 PROCEDURES and GUIDELINES

Your Human Resources Department is here to support as we work through this difficult time. As a city, we are unique and offer many services and departments are set up to meet their mission in serving the Berkeley residents. We care about your safety and have provided some overarching guidelines for the work environment to keep you safe. If you have specific questions regarding your cubicle area, kitchen area, front desk etc., please speak with your supervisor immediately.

The procedures are based on current information and guidance we have regarding COVID-19 workplace practices and are subject to change, as our understanding of the disease and best practices for protecting the City's employees evolves. While we welcome the return of some sense of normalcy to City buildings and offices, we all must still be mindful of best practices to maintain a healthy and safe work environment for all of us.

1) FOLLOWING THE GUIDANCE OF THE HEALTH OFFICERS

The City's Health Officer, Dr. Lisa Hernandez, and the six Bay Area Public Health Officers advise that employees engage in proper hygiene practices, including cover coughing or sneezing with a tissue, then throw the tissue in the trash and wash hands. If no tissue is available, then cough into your elbow. Employees should follow this protocol even when wearing masks.

- **Avoid Touching Face Protocol:** Avoid touching eyes, nose, and mouth with your hands.
- **Hand Washing Protocol:** Employees should wash hands frequently, particularly after touching your face, going outside, visiting another department, eating, or using the restroom. Employees should wash hands for at least twenty seconds using soap and water and should dry hands completely using a disposable paper towel or air dryer. If soap and water are not available, use hand sanitizer containing at least 60% alcohol. Each department shall provide personal protective equipment (PPE) when requiring employees to use them.
- **Self-Cleaning Protocol:** To avoid the spread of germs, clean up after yourself. Do not make others responsible for moving, unpacking and packing up your personal belongings. *If you or a family member is feeling ill, stay home.* Face covering, hygiene measures, and social distancing must be practiced by all employees in order to reduce the spread of illnesses within the workplace.



- **Responding To Questions & Temperature Checks Protocol:** Employees may be asked about their symptoms or have a temperature check prior to entering City buildings.
- **Appearance Of Symptoms:** Employees who appear to a supervisor or manager to have symptoms of COVID-19 (i.e., fever, cough, or shortness of breath) upon arrival at work or who become sick during the day should immediately be separated from other employees, customers, and visitors and sent home to preserve the health and safety of the workplace. A doctor's note or medical documentation (including testing) may be required for the employee to return to work.

2) MAINTAINING SOCIAL DISTANCE

Please maintain a social distance separation of at least six (6) feet between one another, including during breaks and at lunch. Avoid face-to-face meetings—critical situations requiring in-person discussion must follow social distancing.

- **Staggered Shifts With Continued Teleworking:** Department Heads must also make best efforts to minimize the number of employees in an office space to facilitate social distancing by continuing teleworking practices where operationally feasible and/or implementing rotating shifts—e.g., M/W/F in office and Tu/Th teleworking.
- **Teleconferencing Protocol for Meetings:** Employees should conduct meetings via conference calls, MS Teams, Skype or Zoom as the first and preferred option.
- **Use Of Available Alternatives Protocol:** Employees who need to discuss a project or other business matter with a coworker should avoid in-person meetings and whenever possible use cell phones, texting, web meeting sites, teleconference and videoconference calls.
- **In-Person Meetings Protocol:** Do not convene meetings of more than 5 people. *When face to face meetings are necessary, conduct them outdoors or in conference rooms while adhering to social distancing practices, including wiping down and/or sanitizing meeting rooms at the conclusion of the meeting.*
- **Social Distancing:** All employees, including construction and maintenance crews, must keep a minimum of six (6) feet apart at all times to minimize the potential of infection.
- **Provision of PPE (Personal Protection Equipment):** Employees will be provided all safety equipment necessary

COVID-19 PROCEDURES and GUIDELINES (CONT'D)

to do their job. Please direct all relevant questions to your direct supervisor

- **Appropriate signage at entrances indicating how to proceed:** City offices and divisions are expected to prominently post messaging regarding utilization of Social distancing expectations appropriate for each area.

3) WEARING FACE COVERINGS, USE OF WATER BOTTLES & BRINGING FOOD

Masks and/or face coverings are now an essential and required component of mitigating the spread of the virus. Face coverings are required in all City Buildings. [See www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html]

- **Masks At All Times Protocol:** Face coverings are required to be worn at all times while at work, except that an employee may remove mask if employee is alone in their office or located in a cubicle more than 6 feet away from another. If you are speaking with someone face to face you must wear a face covering. Per the Berkeley Public Health Officer's Order, your mask should be comfortable and allow you to breathe normally through your nose. Make sure it fits well - you should avoid touching your face or adjusting your mask once you've put it on. Wash face coverings after each use.
- **Water Bottle & Bringing Food Protocol:** Be sure to use your own water bottle, and do not share food. To avoid external contamination, we recommend everyone bring food from home.
- **Non-Use of Co-worker Equipment Protocol:** Do not use other workers' phones, desks, offices, or other work tools and equipment, when possible. If necessary, clean and disinfect them before and after use.

4) SANITIZATION PRACTICES & INTERACTIONS WITH MEMBERS OF THE PUBLIC

Please be advised that janitorial staff will be conducting regular sanitizing with disinfectants and germicidal cleansers. Staff are still encouraged to regularly sanitize all surfaces, including file cabinets, keyboards, mice, printers, desktops, etc. The City may limit access to public buildings to employees only or employees and essential visitors. Additionally, departments may limit access to office floors or environments to employees only or employees and essential visitors.

5) WHAT DEPARTMENTS NEED TO DO IF AN EMPLOYEE TESTS POSITIVE

- [Dept Response if Employee Tests Positive for COVID-19](#)

These procedures ([click here](#)) apply to non-emergency City of Berkeley Departments when there is a positive test result of an employee for COVID-19. (NOTE: emergency response personnel will follow their own department's exposure control procedures that are specific to their operations.)

The City has created Administrative Rules and guidelines for COVID-19 related leaves. Please see the attached links:

www.cityofberkeley.info/hr/COVID19Info

COVID-19 PROCEDURES and PROTOCOLS

- [Manager/Supervisor Response Packet](#)
- [COVID-19 Prevention Manual](#)
- [Workplace Prevention Guidelines Form](#)
- [Sanitization Vendors and Contacts](#)
- [Dept Response if Employee Tests Positive](#)
- [Protocols if Employee Exposed to COVID-19](#)
- [Hiring Freeze - City-wide FY21](#)

GENERAL UPDATES FROM MANAGEMENT

- [Employee Infections Count](#)
- [Update from City Manager's Office](#) (presentation)
- [Updates from HR \(Mar 2020\)](#)
- [Updates from HR \(Apr 2020\)](#)

NEW / UPDATED ADMINISTRATIVE REGULATIONS

- [2.23 - Teleworking Policy](#)
- [2.4 - Family Care Leave](#)
- [2.22 - Emergency Paid Sick Leave under FFCRA Act](#) ([FAQs on FFCRA](#))

WORKPLACE GUIDANCE

- [OSHA Workplace Guidance](#)
- [Workshop on Best Workplace Practices \(Mar 2020\)](#)

RESOURCES

- [COVID-19 Testing Locations and Information](#)
- [Resource Guide for Parents with Schoolchildren](#)

For questions related to use of leave or to complete forms please contact hr@cityofberkeley.info

CURRENT RECRUITMENTS

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Application materials for these recruitments are available on-line (www.cityofberkeley.info/jobs). **Applications must be submitted no later than 5pm on the closing date.** It is the applicant's responsibility to ensure that all the required materials are submitted by the closing deadline as stated on the announcement. Applications that are received after that deadline will not be accepted regardless of postmark or reason for being late. Applicants should keep a copy of all application materials submitted as the Human Resources Department does not provide copies.

During the recruitment filing period, employees requesting continuous eligibility are **required to submit an updated application**, including credentials, i.e. licensure, certificate etc. and indicate they wish to have continuous eligibility in the agency-wide questions portion of the application.

Personnel Rules and Regulations allow career employees in any

classification (except sworn public safety classifications) to qualify for continuous eligibility for classifications in which his/her name appears on the eligible list. Employees who qualify for continuous eligibility will remain on the eligible list in their relative standing without being required to compete in subsequent examinations. If the employee, however, wants to improve his/her standing, the employee will be required to compete in the new examination (e.g. employee's standing on the list is in Category III and wants to improve to Categories I or II).

NOTE: If testing standards or the qualifications for the classification should change, employees will be notified that they will be required to participate in a new examination in order to re-establish eligibility.

For answers to frequently asked questions regarding recruitments please visit:

www.cityofberkeley.info/Human_Resources/Home/Frequently_Asked_Questions.aspx

RECRUITMENT TITLE (Funding source and requisition/s)	REASON NEEDED	TYPE	SALARY (hourly unless indicated)	OPENS	CLOSES
Accounting Manager (General Fund #010 at 100%) (req# 2018-00319)	Retirement	Competitive	\$59.06 to \$71.77	<i>Continuous</i>	
Associate Transportation Engineer (formerly Associate Traffic Engineer)	Vacancy	Competitive	\$56.96 to \$68.83	<i>Continuous</i>	
Aquatics Facilities Supervisor (General Fund #010 at 100%) (req# 2021-00035E)	Vacancy	Competitive	\$27.99 to \$34.03	Mar 15, 2021	Apr 5, 2021
Assistant to the City Manager (General Fund #010 at 100%) (req# 2021-00044E)	Vacancy	Competitive	\$61.92 to \$81.37	Mar 15, 2021	Apr 12, 2021
Behavioral Health Clinician II (x3) (General Fund #010 at 100%)(Mental Health Svc Act Fund #063 at 100%) (Mental Health Svc Act Fund #063 at 100%) (req# 2019-00466E)(req# 2020-00037E)(req# 2020-00098E)	Vacancy	Competitive	\$43.13 to \$50.38	Mar 15, 2021	Apr 5, 2021
Epidemiologist (Funded by One-time Grant: No Capital Expenditures #421 at 100%) (req# 2020-00235E)	Vacancy	Competitive	\$39.31 to \$47.78	<i>Continuous</i>	
Firefighter Paramedic	Vacancy	Competitive	\$30.64 to \$38.59	<i>Continuous</i>	
Firefighter Paramedic Lateral	Vacancy	Competitive	\$30.64 to \$38.59	<i>Continuous</i>	
Forestry Climber (x2) (Parks Tax Fund #450 at 100%) (Parks Tax Fund #450 at 100%) (req# 2021-00001E)(req# 2021-00016E)	Vacancy	Competitive	\$37.77 to \$40.18	Mar 8, 2021	Mar 29, 2021
Human Resources Manager (General Fund #010 at 100%) (req# 2019-00339E)	Vacancy	Competitive	\$60.41 to \$78.50	Feb 1, 2021	<i>Continuous</i>

CURRENT RECRUITMENTS (CONT'D)

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RECRUITMENT TITLE (Funding source and requisition/s)	REASON NEEDED	TYPE	SALARY (hourly unless indicated)	OPENS	CLOSES
Library Aide (Library—Discretionary Fund #301 at 100%) (req# 2021-00076)	Vacancy	Competitive	\$21.49 to \$25.15	Mar 29, 2021	Apr 12, 2021
Mechanic (Equip Maint Fund #865 at 100%) (req# 2021-00022E)	Vacancy	Competitive	\$41.63 to \$44.14	Mar 29, 2021	Apr 19, 2021
Mechanic Supervisor (Equip Maint Fund #865 at 100%) (req# 2021-00026E)	Vacancy	Promotional	\$47.65 to \$50.55	Mar 29, 2021	Apr 12, 2021
Mid-Level Practitioner (General Fund #010 FTE 47.5%) (req# 2018-00129) (req# 2019-00221) (Mental Health Service Act Fund #063 at 55%, Health (Short/Doyle) Fund #065 at 40%, Ment Hlth State Aid Real Fund #960 at 5% FTE 50%) (req# 2016-00265)	Vacancy	Competitive	\$54.71 to \$60.66	<i>Continuous</i>	
Nutritionist (General Fund #010 at 60%, Health (General) #055 at 40%) (req# 2020-00254E)	Retirement	Competitive	\$38.31 to \$44.65	Mar 15, 2021	Apr 5, 2021
Occupational Health and Safety Specialist (Worker's Comp Fund #875 at 100%) (req# 2021-00078)	Vacancy	Competitive	\$42.77 to \$51.56	Mar 29, 2021	Apr 26, 2021
Office Specialist III (x2) (General Fund #010 at 100%)(General Fund #010 at 80%, Hlth State Aid Real Trust #958 at 20%) (req# 2020-00043)(req# 2020-00091)	To establish an eligible list	Promotional	\$34.82 to \$38.02	Mar 8, 2021	Mar 29, 2021
Police Officer Lateral (General Fund #010)	Vacancy	Competitive	\$49.74 to \$61.90	<i>Continuous</i>	
Psychiatrist (Health (Short/Doyle) Fund #065 at 100%)	Vacancy	Competitive	\$85.32 to \$126.06	<i>Continuous</i>	
Public Health Nurse	Vacancy	Competitive	\$50.29 to \$58.67	<i>Continuous</i>	
Public Safety Dispatcher II (Funded by One-time Grant: No Capital Expenditures #421 at 100%) (req# 2020-00188E)	Vacancy	Competitive	\$42.93 to \$46.59	<i>Continuous</i>	
Recreation Coordinator (General Fund #010 at 100%) (req# 2021-00037E)	Promotion	Promotional	\$35.21 to \$40.87	Mar 15, 2021	Mar 29, 2021
Registered Nurse	Vacancy	Competitive	\$48.72 to \$54.00	<i>Continuous</i>	
Supervising Public Health Nurse	Vacancy	Competitive	\$60.90 to \$71.51	<i>Continuous</i>	
Supervising Public Safety Dispatcher (General Fund #010 at 100%) (req# 2020-00018)	Vacancy	Promotional	\$49.24 to \$53.43	Mar 15, 2021	Mar 29, 2021

To be considered for the vacancies listed below, employees must:

- 1) Have a career appointment in the specific classification listed **AND** be on the "Transfer List" **OR**
- 2) Have their name on an active "Eligible List" **OR**
- 3) Have their name on a "Reinstatement List"

Please call the department contact person within one week of the job posting if you **meet one** of the **above criteria**. To have your name placed on the "Transfer List" please apply online under Transfer Opportunities: www.cityofberkeley.info/jobs

CLASSIFICATION TITLE (Funding source and requisition/s)	REASON NEEDED	DEPT	CONTACT
Community Services Specialist II (General Fund #010 at 100%) (req# 2021-00075E)	Vacancy	City Mgr	Darrin Rafferty @ 981-7017 or DRafferty@cityofberkeley.info
Fire Marshal (General Fund #010 at 70%, Permit Service Center #833 at 30%) (req# 2020-00141E)	Retirement	Fire	David Brannigan @ 981-5500 or DBrannigan@cityofberkeley.info
Senior Landscape Gardener (Parks Tax Fund #450 at 100%) (req# 2020-00199E)	Vacancy	Parks	Scott Ferris @ 981-6711 or SFerris@cityofberkeley.info
Solid Waste Loader Operator (Zero Waste Fund #820 at 100%) (req# 2020-00171E)	Retirement	Public Wks	Gary Triplett @ 981-6366 or GTriplett@cityofberkeley.info

TEMPORARY VACANCIES WITH an ELIGIBLE LIST

To be considered for the vacancies listed below, employees must:

- 1) Have a career appointment in the specific classification listed **AND** be on the "Transfer List" **OR**
- 2) Have their name on an active "Eligible List" **OR**
- 3) Have their name on a "Reinstatement List"

Please call the dept contact person within one week of the job posting if you **meet one of the above criteria**. To have your name placed on the "Transfer List" please apply online: www.cityofberkeley.info/jobs

CLASSIFICATION TITLE (Funding source and requisition/s)	REASON NEEDED	DEPT	CONTACT	DURATION
Administrative Secretary (Parks Tax Fund #450 at 65%, Marina Operations/Maint #825 at 35%) (req# 2021-00063E)	Vacancy	Parks	Scott Ferris @ 981-6711 or SFerris@cityofberkeley.info	NTE 6 mos
Senior Landscape Gardener (Zero Waste Fund #820 at 100%) (req# 2021-00062E)	Vacancy	Parks	Scott Ferris @ 981-6711 or SFerris@cityofberkeley.info	NTE 6 mos

TYPE	NAME	CLASSIFICATION TITLE	DEPT
Appointment	[REDACTED]	Auditor I	Auditor
Promotion	[REDACTED]	Police Sergeant	Police
Promotion	[REDACTED]	Police Sergeant	Police

