



# Proposed Changes to Administrative Code - Personnel Section III

Finance and Administration Committee

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Clif Brady

Human Resources Manager

Human Resources

# Agenda

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- Administrative Code Background
- Process and Stakeholder Feedback
- Consultant Recommendations
- Proposed Administrative Code Updates
- Personnel Policy Manual Overview

# Background: Administrative Code Divisions I, II, and III

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## **Phase One: Division I (Operating Provisions) and Division II (Fiscal Provisions)**

- Replaced with improved efficiencies for Board and agency functions
- Approved and effective January 1, 2024

## **Phase Two: Division III (Personnel Policies and Procedures)**

- Remained unchanged on January 1, 2024 to allow for a comprehensive Personnel Policy Manual and streamlined Administrative Code language
- Consultant Baker Tilly engaged in March 2024 for policy manual development
- Outside Counsel Atkinson, Andelson, Loya, Ruud & Romo (AALRR) engaged in December 2024 for legal review and Administrative Code language revisions

# Admin. Code Division III Current State

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- **Structure:** Acts as an all-encompassing document providing direction on governance, employee policies and benefits - Mirrored by the Memorandum of Understanding (MOU)
- **Issues:** Outdated, lacks critical policies, difficult to follow and requires both Board of Director and Employee Association approval to modify any policy-related language

# Stakeholder Feedback

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- **Consultation Stage:**
  - Interviews and focus groups with:
    - Air District Leadership Team
    - Staff
    - Employee Association Leadership
    - Outside Counsel (Renne Public Law Group)
- **Policy and Code Development Stage:**
  - Document review and feedback
    - Air District Leadership Team
    - General Counsel
    - Internal User Group (Directors and Managers)
    - Outside Counsel (AALRR)
    - Employee Association Leadership (in-process for policies)

# Baker Tilly Consultants

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- **Purpose:** Review of existing Air District Human Resources policies and procedures to identify operational gaps and make recommendations related to Administrative Code Division III - Personnel
- **Process:** Interviews and focus groups with Air District Leadership, staff, Employee Association and outside counsel. Review of current MOU, Administrative instructions, and current versions of Administrative Code. Review of public sector current and best practices

# Consultant Recommendations

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- **Streamlined Administrative Code:** Comprehensive governing rules, regulations and specific authorities granted to the Executive Officer (EO)/Air Pollution Control Officer (APCO)
  - ***Approval: Board Audience: Executives, General Counsel, Board of Directors***
- **Personnel Policy Manual:** A series of policies focused on numerous aspects of employment, performance, conduct and relevant topics
  - ***Approval: EO/APCO Audience: Employees, Managers, Human Resources***
- **Benefits Resolution(s):** Terms and conditions of unrepresented employee benefits
  - ***Approval: Board Audience: Unrepresented Employees, Managers, Human Resources***

# Administrative Code Proposed Changes





# Overview of Proposed Changes

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## **Streamlined Administrative Code**

- Re-written with the intent of creating a streamlined governance document granting some specific authorities to the EO/APCO
- Policies appropriate for a Personnel Policy Manual were removed, and are in process of being revised and placed in Personnel Manual along with new policies
- Employee benefits and conditions of employment removed providing coverage in MOU for represented employees and in benefits resolution for unrepresented employees

# New Language

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- Specific direction to the EO/APCO for the development, maintenance and administration of Personnel Policies, rather than in Board-approved Code
- Board-granted authorities to the EO/APCO regarding discipline, early workday release with compensation, and underfilling of positions
- Revisions to definitions and references

# Retained Language

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- Units (removed representational)
- Salary and Compensation approval
- Classification Plan and System
- Board oversight of new positions
- At-will employee section
- Exemptions to Method of Filing Vacancies

# Removed Language

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- **Policy Manual:** Regulatory and discretionary personnel-related topics that will be contained in the Personnel Policy Manual and/or are covered in an MOU for represented employees
  - Examples: Equal Employment Opportunity (EEO), Family Medical Leave, Reasonable Accommodations, Employment of Relatives, Method of Filing Vacancies
- **Benefits:** Health, Dental, Vision and other fringe benefits that will be approved in an annual benefits resolution and/or covered in an MOU for represented employees

# Detailed Changes by Section

Section	Section/Topic	Recommended Action
1 – General Policies	Representation Units	Update and Clarify
	<b>NEW:</b> Direction to the EO/APCO	Development, Maintenance and Administration of Personnel Policies
	<b>NEW:</b> EO/APCO Authorities – specific Board-granted authorities to the EO/APCO	<ul style="list-style-type: none"> <li>• Discipline</li> <li>• Early Workday Release with Compensation</li> <li>• Underfilling of positions</li> </ul>

# Detailed Changes by Section (cont'd)

Section	Topic	Recommended Action
2 – EEO	EEO	Remove - Replace with policy
3 – Rights and Obligations	At-Will Employee Section	Retain and Revise
	Management Rights, Employee Rights	Update – covered in EERR and MOU
	Remainder	Remove – Replace with policy
4 – Grievance Procedure	Remove	Represented Employees – See MOU Others – Replace with policy
5 – Classification Plan	Classification Plan, New Positions/Reclassifications, Amendments, Alternate Staffing, and Series Groups	Retain
	Classification Studies, Organizational Chart	Remove

# Detailed Changes by Section (cont'd)

Section	Topic	Recommended Action
6 – Salary	Salaries	Retain Board Authority – Salary Schedule with annual budget
	Salary Steps, Merit Increase, Night Plume Unit, Differential Pay, Shift Differential, Salary Deductions, Pay Periods, Final Pay, Salary Advance, Pay Policy, and Acting Appointments	Remove – replace with policy/MOU as applicable
	Salary Rates, Y-Rating, Overtime/Comp time, Probation Period	Partial Removal – replace with policy/MOU as applicable
7 –Employment and Merit	Anniversary Definition, Probation Period	Remove – reference in policy
	Performance Evaluation	Remove – replace with policy
8 – Hours of Work	All	Remove – replace with policy/MOU as applicable

# Detailed Changes by Section (cont'd)

Section	Topic	Recommended Action
9 – Separations	Resignation, Layoff/Recall, and Suspension	Remove – Replace with policy
	Dismissal	Retain – At Will language, EO/APCO Authority Remove – replace discipline with policy
10 – Fringe Benefits	Insurances, Medical/Dental/Vision, Transit, Deferred Comp., Educational Pursuits, and Social Security Replacement	Remove – Replace with Benefits Resolution or see MOU Added – reservation of rights to change, modify, adjust, suspend, terminate, etc.
	Guaranteed Ride Home	Remove – Replace with Policy
11 – Leaves and Holidays	All	Remove – Remove – replace with policy/MOU as applicable



# Detailed Changes by Section (cont'd)

Section	Topic	Recommended Action
12 – Personnel Transactions	Hiring/Orientation, Personnel/Medical Files, Employment Verification, Requests for New Employees, and Personnel Action Forms (PAF)	Remove – Replace with policy
	Classification System	Retain
13 – Method of Filing Vacancies	Recruitment, Selection, and Order of Filing Vacancies	Remove – replace with policy/MOU as applicable
	Exemptions	Retain

# Personnel Policy Manual



# Personnel Policy Manual Structure

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**Section 1: General Administration**

Regulatory and compliance-related policies

**Section 2: Personnel Conduct**

Air District-specific standards and expectations

**Section 3: Recruitment and Selection**

Policies related to talent acquisition for unrepresented positions

**Section 4: Employment Practices**

Policies more procedural in nature

# General Administration

Policy	Type	Status
Lactation	New	In Final Review
Equal Employment Opportunity	Existing/Revised	In Final Review
Whistleblower	New	In Development
Pregnancy/Childbirth Leave	Existing/Revised	In Development
Family Medical Leave Act	Existing/Revised	In Final Review
Military Leave	Existing/Revised	In Development
Causes for Employee Discipline	Existing/Revised	In Development
Separations	Existing/Revised	In Development

# Personnel Conduct and Standards

Policy	Type	
Outside Employment	New	In Final Review
Political Activity	New	In Development
Appearance	New	In Development
Social Media	New	In Development
Technology Systems and Equipment	New	In Development
Workplace Violence – Combating Workplace Violence	Existing/Revised	In Development
Prohibition on Drugs and Alcohol	Existing/Revised	In Development
Workplace Safety	Existing/Revised	In Development
Policy Against Discrimination and Harassment and Retaliation	Existing/Revised	In Development
Concealed Weapons	New	In Development

# Personnel Conduct and Standards (cont'd)

Policy	Type	
Acceptance of Gifts	New	In Development
Cybersecurity Awareness and Training	Existing/Revised	In Development
Password Policy	New	In Development
Use of Telecom	Existing/Revised	In Development
Personal Identifiable Information	New	In Development
Cellular Phone Usage	Existing/Revised	In Development
Artificial Intelligence/Chatbot	New	In Development

# Recruitment and Selection

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Policy	Type	Status
Employment of Relatives	New	In Final Review
Categories of Employment	New	In Final Review
References and Background	New	In Final Review
Method of Filling Vacancies	Existing/Revised	In Development

# Employment Practices

Policy	Type	
Personnel Onboarding	New	In Final Review
Personnel File	New	In Development
Overtime	Existing/Revised	In Development
Vehicle Use and Assignments	New	In Development
Human Resources Policy Review Acknowledgement Form	New	In Development
PAF and Position Control	New	In Development
Employee Reimbursement (Education, Transit, Guaranteed Ride Home)	Existing/Revised	In Development
Reasonable Accommodation and Interactive Process	New	In Development
Personnel Investigations	New	In Development
Remote Work	Existing/Revised	In Development



# Employment Practices (cont'd)

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Policy	Type	
Work Schedules, Attendance, and Voting Time Off	Existing/Revised	In Development
Working Out of Class, Acting, and Interim Assignments	Existing/Revised	In Development
Performance Evaluation	Existing/Revised	In Development

# Next Steps



# Next Steps

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- **Finalize Streamlined Administrative Code (in-progress)**
- **Finalize Policies (in-progress)**
- **Meet and Confer with Employee Association**
  - Policies (in-progress)
  - Administrative Code
- **Board Approval**
- **Implementation**
  - Staff training and informational sessions

# Questions & Discussion

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**For more information:**

Clif Brady | Human Resources Manager | [cbrady@baaqmd.gov](mailto:cbrady@baaqmd.gov)