

Proposed Changes to City Charter - Redlines

Section 300. SELECTION AND QUALIFICATIONS.

The City Council shall appoint a City Manager who shall be the chief administrative officer of the City. The City Manager shall be responsible for the administration of all departments except the City Attorney, City Auditor, City Prosecutor, ~~City Clerk, Police Oversight, Civil Service Department,~~ Legislative Department, Harbor Department and Public Utilities Department. The City Council, subject to veto by the Mayor and City Council override by a vote of two-thirds ($\frac{2}{3}$) of its members, shall appoint the person deemed best qualified on the basis of executive and administrative capabilities, with special reference to experience in, and knowledge of, accepted practices with respect to the duties of the office as set forth in this Charter. The City Manager shall be appointed for an indefinite period and cannot be removed from office except by a vote of five (5) members of the City Council, subject to veto by the Mayor and City Council override by a vote of two-thirds ($\frac{2}{3}$) of its members.

ARTICLE XI. CIVIL SERVICE ~~SYSTEM AND CIVIL SERVICE EMPLOYEE RIGHTS AND APPEALS COMMISSION~~Section 1100. ~~PURPOSE AND ORGANIZATION.~~

~~The purpose of this Article is to establish a Civil Service system for the classified service to provide the City with a productive and qualified workforce by appointing, advancing, and retaining employees on the basis of their ability, knowledge, and skills relative to the work to be performed to ensure the provision of a merit-based system. This Article also establishes an independent Civil Service Employee Rights and Appeals Commission which shall be composed of five (5) residents of the City. The purpose of the Civil Service Employee Rights and Appeals Commission is to ensure the classified service is provided all appeal rights identified in this Article. Civil Service Commission shall be composed of five (5) residents of the City.~~

Sec. 1101. POWERS AND DUTIES.

~~The powers and duties of the Civil Service Commission shall be~~ System and Civil Service Employee Rights and Appeals Commission shall be implemented as follows:

~~(a) The Civil Service System shall be implemented by the Department of Human Resources which shall:~~

~~(1) Adopt and amend Civil Service Rules and Regulations, subject to the approval of~~ Recommend to the City Council adoption and amendment of Civil Service Rules and Regulations, excluding Rules and Regulations related to the classified employee disciplinary appeal process;

~~(2) Make independent investigations concerning the enforcement of this Article and the rules adopted~~ Provide for the examination and certification for employment in the classified service;

~~(3) Create classifications of employees in the classified service, subject to the power of the City Council to establish positions of employment~~ Provide for the examination and certification for employment in the classified service; and

~~(4) Maintain eligible lists for classified positions as needed. Create classifications of employees in the classified service, subject to the power of the City Council to establish positions of employment;~~

~~(e) Maintain eligible lists for classified positions, as needed;~~

~~(f) Appoint an Executive Director to carry out the purposes of this Article and the policies of the Commission. The Executive Director shall execute this directive through the appointment and management of a professional staff;~~

~~(g) Adjudicate appeals, subpoena and require the attendance of witnesses and the production of any documents pertinent to any Commission investigation or appeal, and to administer oaths to such witnesses;~~

~~(h) Enforce and remedy violation of Commission rules;~~

~~(i) Make final decisions in any matter properly brought before it, in the absence of action to the contrary by the City Council.~~

~~(b) The powers and duties of the Civil Service Employee Rights and Appeals Commission shall be to:~~

~~(1) Recommend to the City Council the adoption and amendment of Civil Service Rules and Regulations related to the classified employee disciplinary appeal process;~~

~~(2) Adjudicate the disciplinary appeals of classified employees (except - classified employees represented by the Firefighters Association shall have their appeals heard by a hearing officer; classified employees represented by the Police Officers Association or Lifeguard Association shall have the option to have their appeals heard by a hearing officer; in all instances the hearing officer's decision shall be final relative to an employee's obligation to exhaust administrative remedies), subpoena and require the attendance of witnesses and the production of any documents pertinent to any appeal, and to administer oaths to such witnesses;~~

~~(3) Conduct independent investigations concerning the enforcement of the rules adopted regarding employee disciplinary appeals;~~

~~(4) Enforce and remedy violation of Civil Service Rules and Regulations through the classified employee disciplinary hearing process;~~

~~(5) Receive and resolve complaints relative to the hiring process of the classified service and rule on appeals by classified employees of industrial retirement determinations;~~

~~(6) Make final decisions in any matter properly brought before it; and~~

~~(7) Receive an annual report on hiring in the City.~~

~~(c) The powers and duties of the City Council shall be to:~~

~~(1) Adopt and amend Civil Service Rules and Regulations; and~~

~~(2) Direct the City Manager to conduct independent investigations concerning the enforcement of this Article.~~

Sec. 1102. CATEGORIES OF EMPLOYMENT.

The Civil Service of the City is hereby divided into the unclassified and classified service.

(a) The unclassified service shall include:

(1) All officers elected by the people and all employees of such elected officers;

(2) Members of all appointive commissions;

(3) The City Manager and all employees of the City Manager's Department;

(4) The City Clerk and all employees of the City Clerk;

(5) The Director of Police Oversight and all employees of the Director of Police Oversight;

(56) Department heads, ~~one assistant department head~~, Deputy Department Directors in each department, bureau heads, division heads, and one clerical position for each;

(67) Any classification which, at the discretion of the ~~Commission~~-City Council, is of such a nature as to require unique and special flexibility for efficient administration;

(78) The Executive Secretary of the Board of Harbor Commissioners and Harbor Department Sales, Traffic and Promotion personnel, the Chief Wharfinger and all personnel intermittently employed in handling cargo and freight;

(89) All personnel serving in non-career positions, as defined by the Civil Service Rules and Regulations.

(b) The classified service shall comprise all positions not specifically included in this Charter in the unclassified service.

Sec. 1105. PREFERENCES.

Unless otherwise prohibited by federal, state or local law and/or funding sources, including but not limited to funds and revenues derived from tidelands, the following preferences shall be provided in all Civil Service examinations except promotional examinations:

(a) Veterans Preference.

(1) — In all Civil Service examinations except promotional examinations, ~~the~~ ~~Commission~~-City shall, in addition to all other credits, give to veterans passing the examination, a credit of ten (10) additional points. Disabled veterans passing the examination shall receive a credit of fifteen (15) points.

(2) — Veterans as used herein shall mean all persons released or discharged from active service under honorable conditions in the Armed Forces of the United States or in the Coast Guard.

~~(3)~~—Ten (10) credits shall likewise be granted to the un-remarried spouses of veterans killed in action, who died of wounds or of a service connected illness and to the spouses of disabled veterans who themselves are not qualified for employment, but whose spouses are qualified. A disabled veteran is defined as a veteran possessing at least a ten percent (10%) service connected disability certified by the Veterans Administration.

~~(4)~~—Documentary proof of eligibility for Veteran's Preference Credits and exemption from the eligibility limitation must be submitted prior to approval of the Eligible List by the Commission. In the case of a tie grade between a veteran and non-veteran, the veteran shall be ranked highest.

(b) Local Preferences. The City shall, in addition to all other credits, give to any candidate who passes the examination, a credit of five (5) additional points, up to a maximum of ten (10) additional points, if the candidate meets one or more of the following criteria:

(1) Residency: at the time of the application, the candidate resides within the jurisdictional boundaries of the City of Long Beach;

(2) Higher education: where the job description requires or considers a degree, the candidate graduated or otherwise received a degree from an institution of higher education, including those institutions within the California Community Colleges, the California State University, and the University of California systems or independent or private colleges and universities, with on-site campuses located within a ten (10) mile radius of the jurisdictional boundaries of the City of Long Beach and within the County of Los Angeles;

(3) Internal candidate: at the time of application, the candidate is employed in a Non-Career capacity with the City of Long Beach and has completed at least 1,500 hours of service with the City within the two (2) years preceding the date of the job announcement; and/or

(4) Internship or Apprenticeship: the candidate participated in an internship or apprenticeship program(s) relevant to the position for which the candidate is seeking employment and has completed at least 1,000 hours of internship or apprenticeship within the two (2) years preceding the date of the job announcement.