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MAY 14 2009



Chandler • Arizona
Where Values Make The Difference

Memorandum

DATE: May 14, 2009

TO: Mayor and City Council

THRU: W. Mark Pentz, City Manager
Rich Dlugas, Assistant City Manager

FROM: Debra Stapleton, Director, Human Resources Division

SUBJECT: Resolution 4294 – Amending Personnel Rule 19 – Employee Council

RECOMMENDATION:

Request approval to adopt Resolution No. 4294 amending Personnel Rule 19- Employee Council.

BACKGROUND/DISCUSSION:

The Employee Council is a group of City employees voted into the Council by employees in their respective Departments. This group meets on a regular basis to discuss mutual concerns among departments in the City and to make recommendations on personnel rules and procedures.

Over the last several months, the Employee Council has been working to clarify its purpose and develop a strategic plan. As a result, the Employee Council has requested changes to the Personnel Rule 19 to be consistent with the results of their work.

The proposed key changes submitted by the Employee Council are summarized as follows:

Section 2. Purpose

Clarifying language has been added to better define that the Employee Council provides a forum for employees that reside in a job class below mid-level manager and who are not otherwise covered by a Meet and Confer agreement. The specific goals of the Employee Council include:

- Fostering positive, open communication and cooperation between City administration and employees
- Working together with City Administration and employees to improve the services provided to all customers, internal and external.
- Making recommendations on personnel rules, policies and procedures.
- Addressing mutual concerns among departments in the City.
- Participating in Citywide committees and/or Citywide focus groups that may recommend changes that may impact represented employees.

Section 3. Representation

Currently, each department with less than 100 employees has a primary and one alternate representative on the Council. The Employee Council recommends staggered terms and the following change in representation:

- Departments up to 50 eligible employees: 2 representatives
- Departments from 51 to 100 eligible employees: 3 representatives
- Departments with more than 100 eligible employees: 4 representatives

Section 7. Duties and Responsibilities of Employee Council Members

This section has been revised to clarify the duties and responsibilities of Employee Council Members:

- To attend Employee Council meetings.
- To solicit feedback from represented employees on relevant issues.
- To bring employee's concerns forward to the Employee Council for consideration.
- To provide timely communication to represented employees' of topics discussed at Employee Council meetings.
- To serve on Employee Council committees.
- To promote and ensure the Employee Councils purpose is met.

Section 14. Employee Council Recommendations

Clarifying language was added which provides for the City to provide a redlined copy of the proposed Rule changes and a method for providing the City Manager with a written recommendation on those proposed changes.

The City Manager, the Department Directors, including the City Attorney, reviewed the proposed changes to this Personnel Rule. In addition, a copy of the proposed changes were sent to the Presidents of CLEA, Fire and the SEIU employee groups for their information.

PROPOSED MOTION:

Move to adopt Resolution No. 4294.

Debra Stapleton, Human Resources Director

RESOLUTION NO. 4294

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER, AMENDING PERSONNEL RULE 19

BE IT RESOLVED by the City Council of the City of Chandler, Arizona, that Rule 19 of the City of Chandler Personnel Rules is deleted in its entirety and replaced with the following:

RULE 19- EMPLOYEE COUNCIL

Section 1. Name

The name of the council shall be the City of Chandler Employee Council.

Section 2. Purpose

- A. The purpose of the Employee Council is to provide a forum to address mutual concerns, problems or ideas which may include discussion of the implementation of programs affecting classified employees that reside in a job class below the mid-manager level, and who are not otherwise covered by a designated employee organization through a Meet and Confer agreement.

The Employee Council shall support the goals of Chandler's high performance organization by:

1. Fostering positive, open communication and cooperation between City Administration and employees.
 2. Working together with City Administration and employees to improve the services provided to all customers, internal and external.
 3. Making recommendations on personnel rules, policies and procedures.
 4. Addressin g mutual concerns among departments in the City.
 5. Participating in Citywide committees and/or Citywide focus groups that may recommend changes that may impact represented employees.
- B. Employee Council representatives shall endeavor to be fully informed as to the opinions, views and problems of the employees in their departments. They shall work toward the improvement of conditions not only in their department, but also throughout the City.

Section 3. Representation

- A. Classified employees that reside in a job class below mid-manager level, and who are not otherwise represented by a designated employee organization through a negotiated Meet and Confer agreement, are considered qualified and eligible to submit their concerns and ideas to any Employee Council representative for discussion with the City of Chandler Employee Council.
- B. The Employee Council will represent all departments including: General Services, Municipal Utilities, Police, Community Services, Fire, Management Services, Planning & Development, and Public Works. For representation purposes, the Departments of the City Clerk, City Magistrate, Law, Communications and Public Affairs and City Manager shall be combined and will be considered as one department and will be referred to as General Services. Representation from each department will be based on the following schedule of eligible employees:

Up to 50 eligible employees	2 representatives
51 to 100 eligible employees	3 representatives
More than 100 eligible employees	4 representatives

Section 4. Eligibility and Terms

- A. Any full-time regular employee that is eligible for representation as outlined in Section 3A of this Rule is eligible to hold the position of employee representative and may participate in the election of the representative.
- B. The term of office for representatives shall be two years. The term will begin July 1 and end June 30 of the second year. For departments having an even number of representatives, fifty percent of the representatives shall begin their terms in even numbered years, and the remaining fifty percent shall begin their terms in odd numbered years. For department having an odd number of representatives, the terms for all but one of the representatives shall be staggered the same as departments with an even number of representatives and the remaining representatives terms shall begin in odd numbered years. Representatives may serve additional terms.
- C. Election for employee representatives shall be accomplished in a timely manner. Any term vacancies shall be filled in a timely manner.
- D. When an employee representative is promoted to a position which would cause the loss of eligibility, resigns from the Employee Council, or leaves City employment, an election will be held to replace the representative.

Section 5. Elections

- A. The Human Resources Director or designee shall provide election procedures and administer the election. The Employee Council shall provide assistance as necessary. All elections shall be by secret ballot and shall require a majority of those voting to be elected.
- B. Preliminary Election – the preliminary election is to determine which employees from each Department shall be nominated onto the final ballot. The employee shall be selected by popular vote. The employees receiving the most votes from the Department shall be entered onto the final ballot.
- C. Final Election – -. Nominations are determined during the Preliminary Elections by popular vote. The candidate receiving the majority of votes, for each position, shall be selected to the position.
 - 1. In the event of a tie, three or more persons may be entered onto the final ballot.
- D. If no two people receive a majority of the votes, a second election shall be held.
- E. To fulfill the requirements of Section 4, Eligibility and Terms, the Recording Secretary shall administer elections in accordance with Employee Council Guidelines. All elections shall be decided by a simple majority of those voting.

Section 6. President and Vice-President of Employee Council

- A. The office of President of the City of Chandler Employee Council shall be filled every two years by majority vote of the elected representatives present at the first meeting following the election. The President shall conduct meetings, discussions, and have full voting rights.
- B. If the President leaves City employment, resigns from the Employee Council, or is promoted to a position where eligibility is lost, or is removed pursuant to Section 11, the Vice-President shall assume the President's position and a new Vice-President shall be elected.
- C. The Vice-President shall be elected in the same manner as the President. The Vice-President shall chair Employee Council meetings in the absence of the President.

Section 7. Duties and Responsibilities of Employee Council Members

- A. To attend Employee Council meetings.
- B. To solicit feedback from represented employees on relevant issues.

- C. To bring employee's concerns forward to the Employee Council for consideration.
- D. To provide timely communication to represented employees' of topics discussed at Employee Council meetings.
- E. To serve on Employee Council committees.
- F. To promote and ensure the Employee Councils purpose is met.

Section 8. City Time for Employee Council Duties

- A. Employee Council members shall be allowed to attend meetings and attend to other Employee Council duties on City time.
- B. Employee Council members shall be allowed to attend to other Employee Council duties on City time but only after requesting and receiving permission from their immediate supervisor. Reasonable requests shall be granted but in no case shall the request unreasonably interfere with the employee's assigned work. (This is consistent with union procedures as well).
- C. Employees shall be granted compensatory time, if eligible, or follow the normal practices of the Department when they are required to attend to Employee Council duties during times other than their normal shift.

Section 9. Recording Secretary of the Employee Council

- A. The Human Resources Director shall provide a Recording Secretary of the Council who shall:
 - 1. Maintain a complete file of all documents belonging to the City of Chandler Employee Council.
 - 2. In cooperation with the President and Human Resources Director prepare the agenda and give notice of meetings.
 - 3. Attend meetings and take and publish minutes.
 - 4. Prepare correspondence as needed.
 - 5. Keep copies of all materials pertaining to the Employee Council meetings.
- B. The Recording Secretary will not be required to take minutes of Committee meetings.

C. The Recording Secretary is not empowered to vote.

Section 10. Management Liaison to the Employee Council

A. The City Manager shall designate the Human Resources Director or another member of the management team to serve as liaison to the Employee Council. The liaison shall:

1. Support open communication between management and Employee Council.
2. Assist the Employee Council in researching issues of concern to represented employees that are not otherwise being researched by a standing Committee of the Employee Council.

B. The Management Liaison is not empowered to vote.

Section 11. Removal from Employee Council

A. An individual may be removed by a two-thirds vote of the full voting Council for failing to uphold Section 7, Duties and Responsibilities of Employee Council Members.

B. Cause for automatic removal from Employee Council:

1. Promotion to an ineligible position.
2. Transfer outside the department/division represented.
3. Termination of employment;
4. Resignation by an employee from the Employee Council.
5. Gains representation by a designated employee organization as stated in the City's Meet and Confer Ordinance.

C. A member who is President of the Employee Council and who is transferred outside the department represented, may continue to serve on the Council until expiration of the term to which elected, with the consent of the majority of the Employee Council.

Section 12. Recall of Representatives

Upon petition of at least 20% of the eligible voters, a special election shall be held, administered by the Recording Secretary, to determine whether an Employee Council representative should be retained in office. A recall election

will be administered under the procedures outlined in Section 5 and the Employee Council Guidelines.

Section 13. Meetings

- A. A minimum of four regular meetings (one per quarter) of the Employee Council shall be held each year. A majority of Employee Council members must be present to constitute a quorum for business. All items of business may be passed with a majority vote of those present. Members must be physically present to cast a vote.
- B. Other than the required meetings, meetings may be held as necessary. The President or a majority of the Employee Council members may call a meeting by notifying the Recording Secretary of the date and purpose of the meeting. A meeting may also be called upon advice of the Management Liaison. The Recording Secretary shall inform the City Manager of all meetings.
- C. The Employee Council may discuss problems in any department with the objective of making recommendations for change in the City Personnel Rules.
- D. When not in conflict with existing Council rules Robert's Rules of Order shall be followed to conduct meetings.

Section 14. Employee Council Recommendations

- A. Prior to the City putting into effect any new Personnel Rules or amendments thereto, the Employee Council shall receive a redlined copy of all proposed changes, and meet to discuss, review, and comment on said changes. After the meeting, the Employee Council may forward a written recommendation to City Management outlining any concerns.
- B. Upon a majority vote of the Employee Council other matters of interest to the Employee Council will be sent to the City Manager or designee.

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this ____ day of _____, 2009.

ATTEST:

CITY CLERK

MAYOR

APPROVED AS TO FORM:

CITY ATTORNEY

CH for

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 4294 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the ____ day of _____, 2009, and that a quorum was present thereat.

CITY CLERK