


Date: February 13, 2024

To: Mayor and Members of the City Council

From: Thomas B. Modica, City Manager 

Subject: **Updates on Proposed Civil Service Reform Charter Amendment**

The Mayor, City Manager, and key Department's leadership are scheduled to attend upcoming Civil Service, Harbor, and Utilities Commission meetings. During these meetings, a comprehensive overview of the proposed Civil Service Reform will be provided (Attachment - PowerPoint).

Additionally, the proposed Charter Amendment language has been developed with review by the City Attorney (Attachment – proposed redline Charter Amendment language).

For more information, please contact me at Tom.Modica@longbeach.gov or (562) 570-5091.

ATTACHMENTS

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DEPARTMENT HEADS



Proposed City of Long Beach Charter Amendment- Civil Service Reform

Topics

- I. Introduction
- II. Goals
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- VII. Proposed Model
- VIII. Merit-Based Recruitment System
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Introduction

- Hiring highly skilled and qualified employees in a timely manner to do the work needed in the community is the number one challenge facing our organization. There is an opportunity to modernize our hiring system to prioritize merit-based recruitment while reducing redundancy and bureaucracy.
- The City of Long Beach is committed to building a robust talent pipeline that prioritizes local residents through internships, apprenticeships, and local hiring preferences.
- There are a lot of good people doing good work in both Civil Service and Human Resources - this proposal is about enhancing their collective efforts and modernizing our hiring system that is substantially like what was first set up in 1907.
- Employees protections for the permanent Classified Service are critical and must remain untouched. Classified City employees deserve appeal rights and an independent appeals process to ensure due process.

Introduction

Clarifying the Proposed Charter Amendment Intent



The proposed charter amendment ensures the Civil Service system is **not being removed or forgotten, but rather strengthened and modernized.**



The charter amendment proposes a change in organizational structure to streamline outdated processes aligning with almost every comparable agency in California while upholding the merit system and civil service function.



The City is committed to cultivating a pipeline of local talent that prioritizes opportunities for our residents through innovative, merit-based pathways to fulfilling careers in their local government.



The proposed charter amendment will improve the Civil Service system benefiting candidates, residents, departments, and both Civil Service and Human Resources staff through more equitable, inclusive, streamlined hiring practices to attract highly skilled diverse talent.

Goals

The proposed HR/Civil Service Charter Amendment is driven by a set of comprehensive goals. These goals collectively contribute to a vision of a more efficient, community-centered, and responsive city government, committed to merit-based hiring practices and the continuous improvement of our service delivery to the residents of Long Beach.

Streamlined
Recruitment and
Hiring

Upholding the Civil
Service and Merit
System

Expedited
Disciplinary
Appeals

Localized
Preferences

Educational
Institutions
Proximity

Supporting Current
“Non-Career”
Employees

Empowering
Internship and
Apprenticeship
Participants

Maintaining an
Independent
Commission

Goals of Proposed Charter Amendment

Goals of Merging Under One Department

Operational

- Reduce time to hire and critical citywide 22% vacancy rate, including within the Civil Service and Human Resources Departments.
- More equitable, modernized recruitment practices to attract diverse applicants with local hiring preferences.
- Increased opportunity to collaborate with departments and improve internal and external customer service.
- One mission, vision, and set of guiding principles for City of Long Beach recruitment efforts.
- New department structure encourages more opportunities for career growth.

Managerial

- Collaborative, strategic decision making and streamlined approval.
- Accountability for recruitment timelines and vacancies.
- Consistent interpretation of policies and procedures.

Administrative

- More effective & efficient organizational structure and functionality that aligns with vast majority of comparable agencies.
- More efficient use and collaboration of staff expertise.
- Unified access and oversight of systems and software.
- Unified contracts and savings for recruitment efforts.

Nationwide Challenge

- In 2021 an astonishing 47 million Americans resigned from their positions, and this trend continued into 2023, with an additional 4 million resignations reported in February.
- In December 2023, there were over 9 million open jobs in the United States according to the US Bureau of Labor and Statistics.
- The widespread phenomenon known as the “Great Resignation” has left profound impact on our City, resulting in a significant rise in employee turnover and job vacancies.
- Many Industries and sectors are struggling with the challenge to attract and retain top talent.

City of Long Beach Challenge

- The City of Long Beach is not immune to this labor market turbulence and has a 22% citywide vacancy rate, with specific departments experiencing even higher vacancy rates as high as over 40%.
- These staffing challenges place an unwarranted strain on our City's operations and capacity to meet the needs of our community.
- The City of Long Beach is an outlier in California with two separate personnel departments administering separate sections of the recruitment process, often resulting in duplication of efforts and severe delays in classified recruitment timelines that has contributed to our high vacancy rate.

Budgeting Efforts to Support the Civil Service Department over the Years

Over the past 10 years, the General Fund has grown 13% and citywide staffing levels have grown 15%. In comparison:

The Civil Service Department's budget has increased 90% over the past 10 years.

FY 2014 Budget: \$2,005,846

FY 2024 Budget: \$3,895,471

The Civil Service Department's staffing has increased by 50% over the past 10 years.

FY 2014 FTEs: 14

FY 2024 FTEs: 21

Attempts to improve Civil Service Hiring over the years include:

- Numerous collaborative meetings with feedback from Departments and the City Manager.
 - City Manager met with Civil Service Executive Director for briefings highlighting citywide hiring issues the first Monday of each month in 2023.
- Annual Management Retreats - Hiring timelines and classified recruitment challenges have been the #1 topic of discussion and concern for departments in recent years.
- Study produced by Baker Tilly (formerly known as Management Partners) in 2008.
- Despite funding approval in 2019 and ongoing departmental concerns, the Civil Service Department has just recently started an organizational study in 2024.
- Fuse Fellow Study on Long Beach Hiring Process.

Unclassified Hiring Process Survey

The Department of Human Resources conducted a citywide hiring process survey in 2022 to get feedback from departments about their experiences and struggles with the unclassified recruitment process. Although the focus was on the unclassified recruitment process, 57 responses received were related to Civil Service hiring.

- Of the 57 responses, **93%** specifically mentioned the timeline of classified recruitment being the main bottleneck for filling their vacancies with quality candidates in a timely manner. Many departments mentioned their experience with the classified hiring timeline takes anywhere from 6 months to 2 years.
- **90%** of the responses specifically mentioned the processes of classified recruitments being outdated, redundant, and a bottleneck for hiring timely qualified candidates. Departments are unified in their concern that quality candidates will not wait between 6 months to 2 years for an interview making the lists increasingly difficult to utilize by the time they are received.
- These survey results were shared with the Civil Service Department.

Prior Study

Management Partners

In 2007 Management Partners, now known as Baker Tilly, reviewed the process as part of an independent assessment of the City's recruitment, hiring, and retention practices.

Report Findings:

- Inefficiencies of having two separate departments.
- Lack of clear mission, values, or standardized practices related to recruitment, selection, and hiring.
- Discrepancies between technologies used by two departments.
- Inefficient use of staff time:
 - The Commission meets weekly, and among routine agenda items are job bulletins, resignations and retirements, examination results, and extension of expiring eligible lists.
 - Each of these items on the agenda requires staff time to prepare reports, prepare the agenda, and attend the meetings.
 - Additionally, the time of staff in line departments affected by the administrative items is also spent in preparation for and in attending the Commission meetings.

Current Long Beach Hiring Process

The City currently operates under a dual hiring system.

Civil Service Department (CS)

Manages the hiring of classified positions.
Approximately 60% of City positions.

Human Resources Department (HR)

Responsible for the oversight and recruitment of unclassified positions.
Including Management, Interns, Non-Career, etc.

- Duplicative efforts between departments that are inefficient to staff time and overall process timeline which includes:
 - Approval processes
 - Review of personnel transactions
 - Development of job bulletins, classification specifications, and salary studies
 - Marketing of jobs that have led to public confusion
 - Social media - separate accounts
 - Job fairs - separate tables representing City
 - Maintenance of two separate websites
 - Two separate entities creating policies and practices related to the hiring process.

Current Long Beach Hiring Process

The Civil Service Commission currently handles administrative tasks that are typically handled by Human Resources in other jurisdictions.

Some Administrative Tasks Include:

- Examination and Certification of the Classified Service
- Creation of Classifications Specifications
- Development of Job Bulletins
- Maintenance of Eligible Lists
- Non-Career hours extensions
- Temporary and permanent job reassignments
- Provisional appointments
- Extensions of probation periods

Comparable Agencies

- All comparable agencies have established successful merit-based recruitment structures.
- Human Resources departments statewide generally serve as a neutral party to provide oversight and ensure integrity in the structure. Both structures achieve the same ends which is appointment based on qualifications and maintaining a merit-based process.
- Other large cities in California operate successfully under this model including Fresno, Los Angeles, Oakland, Sacramento, San Jose, San Francisco, and Santa Ana. These cities continue to maintain merit-based recruitment standards for the Classified Service.

Comparable Agencies

Long Beach is not alone in evaluating its hiring structure. Many other agencies across the state are looking into ways to improve their operations and enhance their ability to attract and retain top talent.

City of San Diego

- Experiences elevated vacancy rates perpetuated by the length of time it takes to hire.
- The only other city, along with Long Beach, that function with two separate department administering recruitment processes one for Classified and the other for Unclassified.
 - Classified hiring process took approximately 9 months to complete.
 - Unclassified hiring process took nearly 8 months to complete.

City of San Francisco

- San Francisco's vacancy rate for permanent positions was approximately 13.3%, double the pre-COVID rate and it currently takes about 250 days to fill a permanent position.
- Approved Civil Service rule changes in 2023 to improve and speed up City's hiring process while maintaining the fundamental principles of the merit system.

City of Oakland

- City faces high vacancy rate of almost 19%.
- Rate is significantly higher in critical departments that handle violence prevention, transportation and economic growth.

Current Long Beach Hiring Process

Recent data from 2021 and 2022 reflect an average of over 7 months to fill a classified vacancy through the current system, where a list exists.

Examples of average time to refer a list of candidates eligible for hire to Departments



- Current structure shows how many business days from Department needing to fill a position to the time they received a list of candidates eligible for hire.
- **When there is no available lists, waiting times for hiring departments can be much longer.**
- According to NEOGOV (a widely used public sector applicant tracking platform), the average time to fill a vacancy in a local government agency such as Long Beach is less than four months, however, Long Beach's processes currently take over 42% longer than the nationwide average.

*Data pulled via NEOGOV

Current Long Beach Hiring Process

Hiring is a joint responsibility

- Various Departments are involved in the process including:
 - Human Resources, Civil Service, Budget, Hiring Departments, and City Management.

The Baker Tilly consultant study provided 38 recommendations to help streamline the City's hiring process

- The Human Resources Department has been working on addressing these recommendations, recent improvements include:
 - Creation of a Talent Acquisition Division for the Unclassified Service
 - Revamping of the City's Requisition Approval Process timeline
 - Decreasing timeframe from approximately 3 months to 6-13 business days.
 - One-Stop-Shop: Livescan, Physical Examination, Virtual Oaths, and City ID Badge, completed at one time for new hires
 - Post Offer Drug Screening updated process
 - Departments setting up measurement systems for accountability
- The Human Resources Department currently only has the authority to oversee Unclassified recruitment in the City and has successfully reduced the average Unclassified recruitment timeline down from an average of over 7 months to an average of 70 business days while still maintaining a successful merit-based recruitment structure.

Department Challenges

The Departments are experiencing impacts to their operations due to the high vacancy rates.

- From 2019 to 2023, the Harbor Department reported it has taken on average 362 calendar days to fill Classified positions within the Port. One example was 836+ business days for the Plumber Supervisor list,
- Office Services Assistant was requested as a critical priority position by the Technology and Innovation Department (TID) in June 2021. An incumbent was hired to fill this position in February 2023, 18 months' time to hire for their identified priority.
- The Systems Technician list expired in September 2021, and TID has a current vacancy rate of 35%. There has not been an eligible list for 2.25 years. The classification specification needed to be updated before a new list could be created - that went through a four-month review with Human Resources, then a separate 5-month review with Civil Service and is still not complete.
- The current Communications Specialist list is three years old. A department, currently experiencing a 36% vacancy, has gone through the list multiple times and has not received qualified candidates.
- There is no current Plan Checker eligible list. The list was last dated April 2018. The Community Development Department is in the process with Civil Service to update, but that is expected to take several more months. This position is critical for reviewing mechanical, electrical and plumbing plans for the department.

Modernization to the Recruitment & Hiring Processes

- Establish efficient process to reduce bureaucracy and duplication of functions between the two departments.
- Functions of the Civil Service and Human Resources departments will be aligned.
 - This process is in line with how other Cities operate in terms of creating policies and procedures.
- The proposal aims to streamline the hiring process primarily by removing administrative tasks currently handled by the Commission that are normally delegated to professional staff in Human Resources Departments at other agencies to prevent unnecessary bureaucracy.
 - Transfer responsibilities to the Human Resources Department;
 - Administrative duties
 - Examination and Certification of the Classified Service
 - Creation of Classifications
 - Maintenance of Eligible Lists
 - Other hiring functions will be handled per Civil Service Rules and Regulations
- Under the new structure, the newly merged department will be able to make prompt and decisive decisions that can accelerate the hiring process.
- Since most agencies operate under this model there is ample evidence that Commission oversight at each step of the process is not necessary to ensure a merit-based recruitment process.

Streamlining Independent Commission Duties

- The Commission's current role as an appeal body for complaints in the hiring process will remain to ensure the appropriate level of oversight while not getting bogged down with the administrative duties.
- The Commission will continue to operate independently of the City Manager.
- The Commission will be renamed from the Civil Service Commission to the Civil Service Employee Rights and Appeals Commission.
- The Civil Service Commission will continue to receive and resolve complaints relative to the hiring process of Classified employees. They will also continue to carry out Charter mandate to hear and review disciplinary appeals.
- Appeal decisions will continue to rest solely with the Commission and the proposal will align the duties and powers of the Commission with most other agencies.
 - **Examples of topics that can be appealed to the Commission:**
 - Applications (late submission of application or being denied into an exam process based on the application submitted)
 - Exam components (written exams, writing skills exercise, performance exams, interview processes)
 - Layoff (calculation of seniority)
 - Disability Retirements

Safeguards to Ensure the Merit System and Civil Service Rules are Upheld

Merit-based hiring standards would remain, with employees hired on the basis of qualifications, skills, and abilities. The City would continue to use a system of Classified and Unclassified Service, and those definitions would remain unchanged.

Rules and Regulations

- The Civil Service Rules and Regulations in effect would remain in place unless and until amendments thereto are adopted by the City Council.

Local Preferences

- The new structure will ensure there is enhanced access to City jobs for residents while maintaining the merit-based system with assessments, interviews, and placements that ensure a diverse workforce representative of the City's population in a fair and equitable manner

Human Resources Processes

- Human Resources will create recruitment exams and administer exam processes when applicable.
- Human Resources will function independent of hiring Departments and will refer eligible candidates at conclusion of the process.

Safeguards to Ensure the Merit System and Civil Service Rules are Upheld

Independent Appeal Process

- Preservation of an independent disciplinary appeal process for the Classified Service. City Council has the authority to request an independent investigation into any recruitment process that raises concerns about potential discrimination or other violations of employee rights.

Employee Rights and Protections

- Maintenance of employee rights and protections pertaining to the workplace to preserve integrity
- Examples:
 - Laws prohibiting discrimination or retaliation based on a protected class
 - City EEO process
 - City Nepotism Policy (AR 32-1)
 - Labor Association Representation

Outside Consulting

- City Engagement with 3rd party, independent outside consulting firms periodically to conduct routine compliance audits of the recruitment and selection process to ensure merit-based rules and principles are being followed.

Hiring Preferences

The City of Long Beach is forging connections and closing gaps for employees through innovative local hiring preferences! This bolsters community bonds and creates a shorter path for employees to thrive!

New Local Hiring Preferences:

Residency

- Candidates who reside within the jurisdictional boundaries of the City of Long Beach

Higher Education

- Candidates who obtained a higher education degree from institutions within the California Community Colleges, the CSU, and UC Systems.
- Independent or private institutions, 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

Internal

- Candidates who are employed in a Non-Career capacity with the City of Long Beach and have completed at least 1,500 hours of service with the City within the two (2) years preceding the date of the job announcement;

Internship/Apprenticeship

- Candidates who 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 or internship or apprenticeship experience within the two (2) years preceding the date of the job announcement.

Expected Outcomes

The consolidation of these two departments brings about the following potential benefits:



Reduction in the time required to recruit and hire staff, setting a goal of hiring most positions within 90 business days on average.



Integrated practices would cover the entire spectrum of employee-related issues, from hiring, compensation, orientation, and ongoing development.

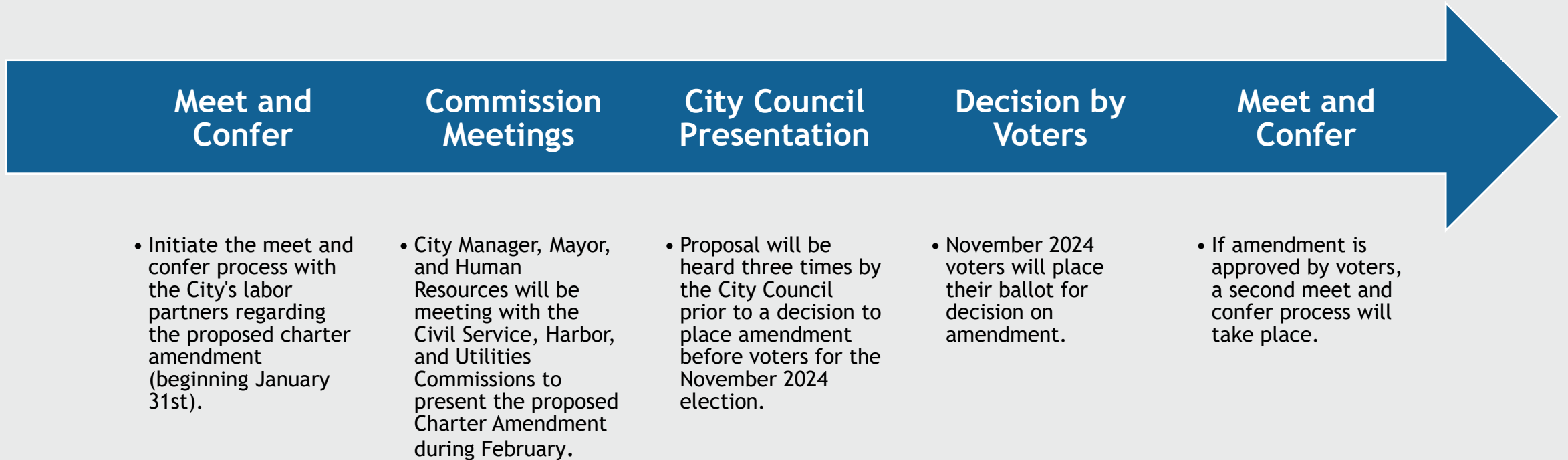


Delegation of Administrative matters to City staff, streamlining the process.



Expediting the timeline for hearing classified employee disciplinary appeals, as the Commission would have additional capacity to hear cases.

Next Steps



Merge of Staff

If voters approve the amendment, the City of Long Beach is committed and excited to merge existing staff from both departments to foster innovational merit-based recruitment practices to attract, develop, and retain top diverse talent.

- The existing staff in the Civil Service Department would transition to the Human Resources Department, ensuring that there is no loss of employment for current City employees.
- The City has substantial experience in retaining staff following a department merger. Some recent examples include:
 - Gas and Water
 - Human Resources and Workers Compensation
 - The Citizen Police Complaint Commission and the new Police Oversight Department

All three mergers consisted of structural change to improve service levels, modernize administrative inefficiencies, and reduce bureaucracy while committing to preserving employment for all employees.



Thank you

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, ~~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 (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 (2/3) of its members.

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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.~~

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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;

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(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;~~

~~(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 (unless otherwise required by law or in situations where the Commission determines a hearing officer is warranted), 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.

The following preferences shall be provided in all Civil Service examinations except promotional examinations:

(a) Veterans Preference.

~~(1) — In Civil Service examinations, the Commission shall grant to the subject who passes the examination 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 experience within the two (2) years preceding the date of the job announcement.