



**COUNTY OF SAN LUIS OBISPO  
BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Human Resources	(2) MEETING DATE 9/17/2019	(3) CONTACT/PHONE Tami Douglas-Schatz, Human Resources Director / 805-781-5959	
(4) SUBJECT Hearing to consider an amendment to Section 2.40.060 of the County Code to 1) remove the Assistant Assessor classification from the classified service and add it to the list of unclassified service positions and 2) update the title of Personnel Director to Human Resources Director. All Districts.			
(5) RECOMMENDED ACTION It is recommended that the Board: <ol style="list-style-type: none"> <li>1. Adopt the ordinance changes to amend Section 2.40.060 of the County Code as reflected in Attachments 1 and 2; and</li> <li>2. Direct the Clerk to publish the amended ordinance in a newspaper of general circulation, in its entirety, within 15 days after adoption.</li> </ol>			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT N/A	(8) ANNUAL FINANCIAL IMPACT N/A	(9) BUDGETED? N/A
(10) AGENDA PLACEMENT <input type="checkbox"/> Consent <input type="checkbox"/> Presentation <input checked="" type="checkbox"/> Hearing (Time Est. <u>10 min</u> ) <input type="checkbox"/> Board Business (Time Est. <u>      </u> )			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input checked="" type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date <u>09/10/2019</u>	
(17) ADMINISTRATIVE OFFICE REVIEW  Zachary A. Lute			
(18) SUPERVISOR DISTRICT(S) All Districts			



## COUNTY OF SAN LUIS OBISPO

TO: Board of Supervisors

FROM: Tami Douglas-Schatz, Human Resources Director / 805-781-5959

DATE: 9/17/2019

SUBJECT: Hearing to consider an amendment to Section 2.40.060 of the County Code to 1) remove the Assistant Assessor classification from the classified service and add it to the list of unclassified service positions and 2) update the title of Personnel Director to Human Resources Director. All Districts.

### **RECOMMENDATION**

It is recommended that the Board:

1. Adopt the ordinance changes to amend Section 2.40.060 of the County Code as reflected in Attachments 1 and 2; and
2. Direct the Clerk to publish the amended ordinance in a newspaper of general circulation, in its entirety, within 15 days after adoption.

### **DISCUSSION**

#### **Assistant Assessor**

The County of San Luis Obispo Civil Service System is divided into the classified and unclassified service. Employees in the classified service are governed and protected by Civil Service Rules, which cover terms of employment such as recruitment, pre-employment requirements, classification, appointment, probationary periods, employee evaluations, disciplinary actions, grievance and appeal process, etc. Employees in the unclassified service are considered at-will and terms of their employment are outlined in an employment contract that is negotiated at the time of hire and approved by the Board of Supervisors. Generally, the unclassified service consists of elected officials, the County Administrative Officer, County department Heads, Assistant Director positions, appointed board and commission members, and temporary help positions. These positions are at-will and terms of their employment are outlined in an employment contract approved by the County Board of Supervisors. With the exception of temporary help employees, the unclassified service is predominantly comprised of executive management positions in departments where the flexibility to make changes in leadership is essential to the organization.

The Assessor's second in command is the Assistant Assessor. In close collaboration with the Assessor, the Assistant Assessor plans and directs all operations and activities of the Assessor's Office and is the only other member of the department's executive team.

This is a high-level position within the Assessor's Office and individuals in this position have the ability to greatly affect the tone and culture of the office. An Assistant Assessor who shares the goals of the department head can help unite the department and optimize its resources. An Assistant Assessor who does not share the goals of the department head can create significant discord, potentially resulting in mixed messages to staff, inefficiencies, and falling short of overall goals and performance measures. Employees at all levels in the department are watching how the leadership team challenges each other, holds each other accountable, and leads with a common purpose. The need for alignment and cohesiveness between the Assessor and the Assistant Assessor is imperative as they are required to participate in decision making and strategic planning for the entire department and assist managers and employees with effectuating the mission of the department. The Assistant Assessor is also expected to function in the role of department head in the Assessor's absence.

Additional benefits to the above listed position being at-will could come into play at time of recruitment. Because of the high-level status and specific qualifications required for this position, it is likely candidates would be coming from other government agencies that perform similar specific functions. A poll of other counties revealed that the Assistant Assessor position is at-will in fourteen of the sixteen responding counties. Negotiable items within the contract of an at-will employee include vacation accrual, severance pay, entry step on the salary range, and other benefits such as car allowance. Flexibility to negotiate these terms will help the department attract a larger number of highly qualified candidates from an already limited pool.

Human Resources understands this recommendation represents a change and, as a result, gave considerable thought to how this could negatively impact the organization, the employee who is not currently at-will, and the civil service system.

The Civil Service System was originally created to ensure government jobs were awarded to individuals based on merit, rather than political or personal affiliation. Expectations of the public, the Board of Supervisors and the CAO in the hiring of leadership positions in County government are extremely high. Department heads also have a vested interest in hiring the best talent based on merit, experience, and fit. Much like the process for classified positions, the selection methods used for our current at-will positions are vetted at each step and are merit based. The Assistant Assessor position would be subjected to those same standards and selection procedures to ensure the best talent is selected.

In evaluating this recommendation, Human Resources also gave significant consideration to how employees would be affected in the event performance issues or misconduct arises. Looking at current practices and past incidents of this nature it was concluded that the impact to these employees would be minimal. All employees regardless of employment status have legal protections through State and Federal laws, including anti-discrimination and harassment laws. Secondly, all adverse employment actions are heavily scrutinized by the Human Resources department regardless of status in the classified service, and action is only taken when it is warranted and necessary. It is expected that, as with any employee, efforts to improve performance through performance improvement interventions would take place prior to action being taken.

The current incumbent in the Assistant Assessor position is expected to retire in December 2019. She is aware of this change and will not be affected by this action. She will remain a classified employee until such time that she retires.

If this ordinance change is approved, any subsequent individual hired under this classification will be considered an at-will employee.

### **Human Resources Director**

Concurrent with industry standards, the Human Resources Department changed its name from “Personnel Department” to “Human Resources Department” several years ago. We are proposing to also update the title of the Personnel Director in this ordinance and replace it with Human Resources Director to reflect this change.

### **OTHER AGENCY INVOLVEMENT/IMPACT**

The Administrative Office, County Assessor, and County Counsel have been involved in discussions surrounding these requests and concur with the proposed actions.

The Civil Service Commission approved the change moving the Assistant Assessor from the classified service to the unclassified service on July 24, 2019.

County Counsel has approved the ordinance changes as to form and legal effect.

### **FINANCIAL CONSIDERATIONS**

There are no significant anticipated financial impacts to the County budget that will result either directly or indirectly from the recommended action. Any future financial impacts associated with the recommended action will be considered as they arise.

### **RESULTS**

The addition of the Assistant Assessor position to the unclassified service will ensure the Assessor’s Office has a unified leadership team that is committed to carrying out the vision, mission, and goals of the department. It will also give the department head more flexibility in negotiating the contract when a job offer is made and the ability to attract a larger number of candidates in an already limited pool.

The change in the title of Personnel Director to Human Resources Director aligns the title of this position with the title of the Human Resources Department and with other public agencies across the State of California.

The recommended actions are consistent with the County’s goal to promote a well-governed community.

### **ATTACHMENTS**

1. Ordinance 2.40.060 Clean Version
2. Ordinance 2.40.060 Tracked Changes Version
3. PowerPoint Presentation