



CITY COUNCIL AGENDA REPORT

Meeting Date: May 15, 2025

From: Abby Partin, Human Resources Director

Subject: Compliance with Assembly Bill 2561/Government Code Section 3502.3 Regarding Vacancies, Recruitment and Retention Efforts

Community Goal/Result

Safe Community, Community Building, Fiscally Prudent

Purpose

To ensure the community continues to receive excellent service by attracting and retaining exceptional employees in a financially prudent manner.

Recommendation

Staff recommends the City Council receive and file a staff report providing an update on the City of Brisbane's vacancy rate in compliance with Assembly Bill 2561.

Background

On September 22, 2024, Governor Newsom signed Assembly Bill (AB) No. 2561 into law, amending the Meyers-Milias-Brown Act (MMBA) and establishing Government Code Section 3502.3 (GC 3502.3). This new legislation imposes a formal obligation on public agencies to publicly report on the status of their vacancies. The California Legislature enacted these requirements in response to the recognition that staffing vacancies present a widespread and significant challenge across the public sector.

Under GC 3502.3, public agencies must present an annual report on the status of vacancies and recruitment and retention efforts, during a public hearing before their governing body. This presentation must occur at least once per fiscal year prior to the adoption of the final budget. Agencies are also required to disclose any changes to policies, procedures, or recruitment activities that may pose obstacles to the hiring process.

If the number of vacancies in a specific bargaining unit equals or exceeds 20% of its total authorized full-time positions, the public agency must, upon request from the recognized employee organization, include the following data in its presentation:

1. The total number of position vacancies within the bargaining unit
2. The total number of applicants for those positions
3. The average number of days to complete the hiring process from the time a position is posted
4. Opportunities for improving compensation and other working conditions

Additionally, GC 3502.3 grants recognized employee organizations the right to present their own comments or recommendations during the same public hearing, regardless of the vacancy rate,

ensuring that their perspectives are included in the agency's annual discussion on workforce challenges.

There are 10 employee groups (4 represented and 6 unrepresented) at the City consisting of 96 authorized regular full-time employees.

Table 1. Count of Authorized Regular Full-time Employees

City of Brisbane Employee Groups	Position Count
General Employees Association	32
Mid-Management/Professional Employees	17
International Association of Firefighters – Local 2400	14
Brisbane Police Officers Association	14
Confidential Employees	6
Confidential Management Group*	13

*Brisbane Fire Management, Confidential Management, Executive Management, Police Chief, Police Commander

Discussion

Vacancies

Position vacancies arise for various reasons, including the approval of newly budgeted positions, internal movements such as promotions or transfers, and employee departures due to retirement, voluntary resignation, or involuntary termination. When vacancies occur, it is a top priority for the Human Resources Department and hiring managers to fill these roles promptly. Doing so ensures continuity of services, maintains operational efficiency, reduces reliance on overtime, and minimizes disruptions to departmental functions. Timely recruitment efforts are critical to sustaining the City's workforce, meeting community needs, and upholding service standards, while also supporting internal career growth and attracting external talent.

Although AB 2561 now requires staff to present an annual update on vacancy status and recruitment and retention efforts, the City has long prioritized filling vacancies as quickly as reasonably possible. Throughout calendar year 2024, the City maintained an average vacancy rate of 2.4% across all bargaining units. This rate is calculated monthly by dividing the number of vacant positions by the total number of authorized positions.

Table 1. Vacancy Rate by Employee Groups

City of Brisbane Employee Groups	Vacancy Rate
General Employees Association	1.3%
Mid-Management/Professional Employees	0%
International Association of Firefighters – Local 2400	7.6%
Brisbane Police Officers Association	7.0%
Confidential Employees	16%
Confidential Management Group*	7.6%

*Brisbane Fire Management, Confidential Management, Executive Management, Police Chief, Police Commander

In CY 2024, there were five internal promotions, three of which resulted from newly budgeted positions. With the City Council authorizing these new roles, the City has been able to foster employee growth and professional development, which has positively contributed to overall employee retention. The two retirements during this period were planned and expected, reflecting natural turnover rather than dissatisfaction, and are therefore excluded from avoidable turnover and retention metrics. Lastly, there were two voluntary separations, which may reflect factors such as disengagement, pursuit of external opportunities, unsuccessful completion of the probationary period, or other personal reasons.

Recruitment and Retention Efforts

The Human Resources Department recognizes recruitment is about identifying, attracting, and hiring the right people, and retention is about keeping employees engaged, satisfied, and committed to the organization long-term. Both are critical for the success of the organization, especially in today's competitive job market.

When a department submits a hiring request for a regular full-time position, all employees are notified of the opening via email and are provided with a link to submit an employment application via CalOpps job board. Internal promotions, which accounted for filling over 50% of the City's vacant position in CY 2024, are a key performance indicator for the Human Resources Department.

For a recruitment to begin, the hiring department notifies Human Resources staff who then will open a job posting either internally or externally to capture other applicants to interview and establish an eligibility list. Upon selecting a candidate, a conditional offer is provided, the candidate completes necessary pre-employment procedures (e.g., background check, physical, etc.), a start date is determined, and a formal offer of employment is signed.

In CY 2024, Human Resources recruitment staff spent less than their normal work time on recruitments, which indicates minimum vacancies. There were only nine (9) recruitments for the year, whereas as in the previous year there were twenty (20) recruitments. The average amount of time to fill a regular vacant position including continuous recruitment was 83 days.

Recruitment advertising sources include social media platforms (LinkedIn, Facebook, Instagram), job boards (CalOpps, Handshake, League of California Cities), and the City's website, signboards, and internal newsletter, The Buzz.

While the City maintained an average vacancy rate of 2.4% during CY 2024, filling certain regular positions - particularly within public safety - continues to present challenges. A key contributing factor is the increased demand for qualified police officers across San Mateo County and neighboring jurisdictions, which has intensified regional competition for talent.

To address this, Human Resources and Police Administration staff are working to reduce time-to-hire and improve applicant outreach. Strategies under consideration include expanded

advertising of open positions, targeted recruitment efforts, and engagement with local police academies to attract unaffiliated graduates.

For CY 2024, the City's turnover rate was 4%, reflecting a strong ability to retain employees. To meet the changing desires of employees, the City incorporates several retention strategies. First, the City aims to prioritize both physical and mental well-being. The City offers compressed work weeks, such as 9/80 and 4/10 work schedules, and hybrid telework options to help employees balance work and personal life. Employees are encouraged to use their paid-time off to rest and recharge, reducing burnout and supporting a healthy work-life balance. Additionally, the City provides an Employee Assistance Program (EAP) to all employees and dependents, access to a wellness room at City Hall, and a few mindfulness classes.

Second, the City offers a training and development program to support career advancement as well as enhance employee engagement. The City partners with the San Mateo County Regional Training Consortium, Liebert Cassidy Witmore, and Employee Risk Management Authority to provide a variety of training to employees. Types of training provided are Introduction to Supervision, Customer Service, time management, self-care, and career development. This effort's intent is to have a higher retention rate, by enabling employees to feel more valued and aligned with their roles. Professional growth and development are also fostered through the City's robust Tuition Reimbursement Program, where employees are eligible to receive reimbursement for the cost of educational programs which are directly related to the employee's long-term professional development.

Employee engagement plays a vital role in retention, and the City fully recognizes its significance. When employees feel valued and supported, they are more likely to be motivated, enthusiastic about their work, and deeply connected to the organization. The City fosters engagement through various recognition efforts, including annual service awards, bi-monthly birthday celebrations, and the employee appreciation summer barbecue.

To further strengthen engagement and promote an inclusive, supportive workplace culture, the City has established two dedicated groups: the Innovation Team and the Equity and Inclusion Committee. Initiatives led by these groups include the Internal Brisbane Leadership Academy, the development of an AI Resources Policy, the International Potluck Lunch, and M96onthly Celebrations acknowledgments, among others.

Communication is a key driver of employee engagement, as it fosters trust, transparency, and a sense of connection between employees and the organization. To support this, the City Manager regularly shares updates with staff following City Council meetings, keeping employees informed about matters that may affect them and maintaining an open line of communication. Additionally, departments such as Human Resources and City Manager's Office have recently conducted anonymous and confidential Employee Engagement Surveys to gather insights on how best to support employees and enhance service delivery to the community.

In closing, the City has made meaningful progress in addressing vacancies and strengthening recruitment efforts, but employee retention remains a critical area of focus. By continuing to invest in employee engagement, wellness, professional development, recognition, and open communication, the City can cultivate a workplace environment where talent not only thrives but is retained for the long term.

Fiscal Impact

There is no direct fiscal impact associated with conducting the public hearing required under AB 2561/GC section 3205.3.

Measure of Success

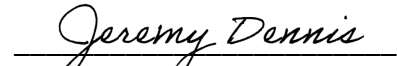
The City is able to maintain a stable and high-quality workforce.

Attachments

1. AB 2561 Bill Text



Abby Partin, Human Resources
Director



Jeremy Dennis, City Manager


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AB-2561 Local public employees: vacant positions. (2023-2024)

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Date Published: 09/23/2024 09:00 PM

Assembly Bill No. 2561

CHAPTER 409

An act to add Section 3502.3 to the Government Code, relating to public employment.

[Approved by Governor September 22, 2024. Filed with Secretary of State September 22, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2561, McKinnor. Local public employees: vacant positions.

Existing law, the Meyers-Milias-Brown Act (act), authorizes local public employees, as defined, to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on matters of labor relations. The act requires the governing body of a public agency to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations and to consider fully presentations that are made by the employee organization on behalf of its members before arriving at a determination of policy or course of action.

This bill would, as specified, require a public agency to present the status of vacancies and recruitment and retention efforts at a public hearing at least once per fiscal year, and would entitle the recognized employee organization to present at the hearing. If the number of job vacancies within a single bargaining unit meets or exceeds 20% of the total number of authorized full-time positions, the bill would require the public agency, upon request of the recognized employee organization, to include specified information during the public hearing. By imposing new duties on local public agencies, the bill would impose a state-mandated local program. The bill would also include related legislative findings.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement shall be made pursuant to these statutory provisions for costs mandated by the state pursuant to this act, but would recognize that a local agency or school district may pursue any available remedies to seek reimbursement for these costs.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares as follows:

(a) Job vacancies in local government are a widespread and significant problem for the public sector affecting occupations across wage levels and educational requirements.

(b) High job vacancies impact public service delivery and the workers who are forced to handle heavier workloads, with understaffing leading to burnout and increased turnover that further exacerbate staffing challenges.

(c) There is a statewide interest in ensuring that public agency operations are appropriately staffed and that high vacancy rates do not undermine public employee labor relations.

SEC. 2. Section 3502.3 is added to the Government Code, to read:

3502.3. (a) (1) A public agency shall present the status of vacancies and recruitment and retention efforts during a public hearing before the governing board at least once per fiscal year.

(2) If the governing board will be adopting an annual or multiyear budget during the fiscal year, the presentation shall be made prior to the adoption of the final budget.

(3) During the hearing, the public agency shall identify any necessary changes to policies, procedures, and recruitment activities that may lead to obstacles in the hiring process.

(b) The recognized employee organization for a bargaining unit shall be entitled to make a presentation at the public hearing at which the public agency presents the status of vacancies and recruitment and retention efforts for positions within that bargaining unit.

(c) If the number of job vacancies within a single bargaining unit meets or exceeds 20 percent of the total number of authorized full-time positions, the public agency shall, upon request of the recognized employee organization, include all of the following information during the public hearing:

(1) The total number of job vacancies within the bargaining unit.

(2) The total number of applicants for vacant positions within the bargaining unit.

(3) The average number of days to complete the hiring process from when a position is posted.

(4) Opportunities to improve compensation and other working conditions.

(d) This section shall not prevent the governing board from holding additional public hearings about vacancies.

(e) The provisions of this section are severable. If any provision of this section or its application is held invalid, the invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

(f) For purposes of this section, "recognized employee organization" has the same meaning as defined in subdivision (a) of Section 3501.

SEC. 3. The Legislature finds and declares that Section 2 of this act, which adds Section 3502.3 to the Government Code, furthers, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

It is in the public interest, and it furthers the purposes of paragraph (7) of subdivision (b) of Section (3) of Article I of the California Constitution, to ensure that information concerning public agency employment is available to the public.

SEC. 4. No reimbursement shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code for costs mandated by the state pursuant to this act. It is recognized, however, that a local agency or school district may pursue any remedies to obtain reimbursement available to it under Part 7 (commencing with Section 17500) and any other law.