



## AGENDA REPORT SUMMARY

**Meeting Date:** December 12, 2023

**Subject** Report out on revisions to the City of Los Altos Personnel Regulations

**Prepared by:** Scott Gerdes, Human Resources Manager

**Reviewed by:** Irene Barragan, Human Resources Director

**Approved by:** Gabriel Engeland, City Manager

**Attachment(s):**

1. City of Los Altos Personnel Regulations

**Initiated by:**

Staff

**Previous Council Consideration:**

None

**Fiscal Impact:**

None

**Environmental Review:**

This action does not qualify as a “Project” as defined in California Government Code Section 15378(b) of the Guidelines for California Environmental Quality Act (CEQA).

**Policy Question(s) for Council Consideration:**

- None

**Summary:**

- The City's Personnel Regulations underwent a comprehensive update incorporating legal updates and consolidating stand-alone policies into a single document.
- To be transparent and inclusive, input from employee’s unions was requested and received.
- The City is poised to implement an updated and legally compliant Personnel Regulations framework on January 1, 2024.

**Staff Recommendation:**

Receive the report on revisions to the City of Los Altos Personnel Regulations.



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**Purpose**

Report out to Council a broad overview of the substantive changes made to the City of Los Altos Personnel Regulations which are intended to establish effective and uniform policies and procedures for dealing with personnel matters in an equitable manner; to attract to municipal service the best and most competitive persons available; to assure that appointments, continued service, and promotions of employees will be based on merit; and to provide a reasonable degree of security for qualified employees.

**Background**

On January 2, 1962, the City Council adopted Ordinance Number 260 establishing a Personnel System and authorized and directed Council to adopt rules and regulations for the administration of the personnel system created in said ordinance.

On February 6, 1962, the Council adopted Resolution 923 and established the City's Personnel Regulations that outlined specific procedures and regulations governing several areas of employment with the City of Los Altos.

Since first being established, the Personnel System language has been updated by Ordinances and the Personnel Rules have been updated by Council Resolutions periodically.

On February 8, 2011, City Council adopted Ordinance 2011-361 that provided the City Manager the authority to amend and revise Personnel Rules subject to this ordinance to stay current with changing practices, Council actions, or changes in legal requirements. If substantive provisions of the Personnel Rules are amended or revised, the City Manager will report these to Council."

The last major revision to the Personnel Regulations was completed in 2011. Since 2011, the city has utilized and updated several individual policies that have stood separately but been administered in conjunction with the Personnel Regulations.

Over the past two years, Human Resources Staff has worked with the City's labor attorneys to complete a comprehensive update to the Personnel Regulations that includes numerous legal updates and compiles the stand-alone policies into a single document.

On October 20, 2023, Human Resources Staff notified the three unions that currently represent City of Los Altos Employees of the various updates to the Personnel Regulations and provided them with two weeks to provide input. Only one responded with a request to include clarifying language.



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### **Discussion/Analysis**

The Personnel Rules have not been updated since February 2011 and a thorough update was needed to comply with employment law updates that have occurred in that time. Additionally, individual policies have been created and administered in conjunction with the Personnel Regulations over that decade.

Beginning in May of 2021, Human Resources Staff has worked with the City's labor attorneys to complete a comprehensive update to the Personnel Regulations that includes revisions to comply with legal updates and add existing policies to the Personnel Regulations, so they are all housed in a comprehensive document. Our goal is for these new rules to go into effect January 1, 2024.

The City's personnel rules govern the terms and conditions of employment for all City employees. However, for represented employees, the City's personnel rules only govern in the absence of an MOU provision on the same subject. In other words, MOU provisions on the same subject take precedence over a conflicting personnel rule provision.

Although the Personnel Regulations has changes in various sections, the sections identified below had significant changes, many of which were made to come into compliance with changes in governing law:

- **Section 10.00: General**
- **Section 13.00: Compensation**
- **Section 14.00: Recruitment**
- **Section 17.00: Appointments**
- **Section 18.00: Employment of Relatives, Spouses, Domestic Partners**
- **Section 19.00: Performance Evaluations**
- **Section 20.00: Holiday and Vacation Leave**
- **Section 21.00: Sick Leave**
- **Section 22.00: FMLA/CFRA Leave**
- **Section 23.00: Leave Because of Pregnancy, Childbirth, or Related Medical Condition**
- **Section 24.00: Other Miscellaneous Leave**
- **Section 26.00: Policy Against Discrimination, Harassment, and Retaliation; Complaint Procedure**
- **Section 27.00: Reasonable Accommodation and the Interactive Process**
- **Section 28.00: Lactation Breaks and Accommodation**
- **Section 29.00: Whistleblower Protection**



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- **Section 31.00: Separation from Employment for Reasons Other than Layoff**
  - **Section 32.00: Layoff; Reduction in Workforce**
  - **Section 33.00: Grievance Procedures and Appeals**
  - **Section 34.00: Discipline: Causes, Types, Procedure, Appeals**
  - **Section 36.00: Outside Employment**
  - **Section 37.00: Acceptance of Gifts, Gratuities, and/or Services**
  - **Section 38.00: Use of City Vehicle, Equipment, Electronic Systems, and Other Resources**
  - **Section 39.00: Workplace Violence and Prevention Policy**
  - **Section 41.00: Personnel Records**
  - **Section 42.00: Travel and Expense Policy**
  - **Section 43.00: Mobile Device Policy**
  - **Section 44.00: Tuition Reimbursement**
  - **Section 45.00: Social Media Use Policy and Procedures**
  - **Section 46.00: Wellness Initiatives**
  - **Section 47.00: Appearance Standards**
  - **Section 48.00: Prohibitions on Drugs and Alcohol in the Workplace**

**Recommendation**

Receive the report on revisions to the City of Los Altos Personnel Regulations.