

ARTICLE I

GENERAL PROVISIONS

Section 2. Definitions *(page 81)*

(l) ~~“Supervisory Employee” means any employee having authority, in the interest of the City, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or responsibility to direct them, or to adjust their grievances, or effectively to recommend such action if, in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.~~

ARTICLE II

REPRESENTATION PROCEEDINGS

Section 8. Policy and Standards for Determination of Appropriate Units *(page 86)*

The policy objectives determining the appropriateness of units shall be the effect of a proposed unit on (1) the efficient operations of the City and its compatibility with the primary responsibility of the City and its employees to effectively and economically serve the public, and (2) providing employees with effective representation based on the recognized community of interest considerations. These policy objectives require that the appropriate unit shall be the broadest feasible grouping of positions that share an identifiable community of interest. Factors to be considered shall be:

(a) Similarity of the general kinds of work performed, types of qualifications required, and the general work conditions.

(b) History of representation in the City and similar employment; except, however, that no unit shall be deemed to be an appropriate unit solely on the basis of the extent to which employees in the proposed unit have organized.

(c) Consistency with the organizational structure of the City;

(d) Effect of differing legally mandated impasse resolution procedures.

(e) Number of employees and classifications, and the effect on the administration of employer-employee relations created by the fragmentation of classifications and proliferation of units.

(f) Effect on the classification structure and impact on the stability of the employer-employee relationship of dividing a single or related classifications among two or more units.

Notwithstanding the foregoing provisions of this Section, the City reserves the right to have

managerial, ~~supervisory, and/or~~ confidential responsibilities, as defined in Section 2 of Labor Rules, are determining factors in establishing appropriate units hereunder, and therefore, managerial, supervisory, and confidential employees may only be included in a unit consisting solely of managerial, ~~supervisory, and/or~~ confidential employees, respectively. Managerial, supervisory, and confidential employees may not represent any employee organization that represents other employees.

Peace officers may join, participate in, and be represented in separate units composed solely of such peace officers. These units shall not be subordinate to any other employee organization which includes non-peace officers.

The Employee Relations Officer shall, after notice to and consultation with affected employee organizations, allocate new classifications or positions, delete eliminated classifications or positions, and retain, reallocate, or delete modified classifications or positions from units in accordance with the provisions of this Section. The decision of the Employee Relations Officer shall be final.