



Legislation Details (With Text)

File #: 16-0128 **Version:** 1

Type: Agenda Item **Status:** Approved

File created: 2/3/2016 **In control:** Board of Supervisors

On agenda: 3/8/2016 **Final action:** 3/8/2016

Title: Human Resources Department and District Attorney’s Office recommending the Board consider the following:
 1) Adopt and authorize the Chair to sign Resolution 031-2016 amending the Authorized Personnel Allocation Resolution for the District Attorney’s Office to add 1.0 FTE Paralegal I/II and delete 1.0 FTE Executive Secretary (Law and Justice) allocation;
 2) Approve the reclassification of one (1) Executive Secretary (Law and Justice) position to the classification of Paralegal I/II based on a reclassification study; and
 3) Waive the requirement for filling the Paralegal I/II position through a competitive examination process, allowing the current incumbent to be appointed to the position as provided for in Section 306.1 of the Personnel Rules.

FUNDING: General Fund.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Resolution HR DA Position Allocation Change 3-8-16, 2. B - Executive Secretary-Law and Justice Job Spec 3-8-16, 3. C - Paralegal I-II Job Spec 3-8-16, 4. Executed Resolution 031-2016

Date	Ver.	Action By	Action	Result
3/8/2016	1	Board of Supervisors	Approved	Pass

Human Resources Department and District Attorney’s Office recommending the Board consider the following:

- 1) Adopt and authorize the Chair to sign Resolution **031-2016** amending the Authorized Personnel Allocation Resolution for the District Attorney’s Office to add 1.0 FTE Paralegal I/II and delete 1.0 FTE Executive Secretary (Law and Justice) allocation;
- 2) Approve the reclassification of one (1) Executive Secretary (Law and Justice) position to the classification of Paralegal I/II based on a reclassification study; and
- 3) Waive the requirement for filling the Paralegal I/II position through a competitive examination process, allowing the current incumbent to be appointed to the position as provided for in Section 306.1 of the Personnel Rules.

FUNDING: General Fund.

DEPARTMENT RECOMMENDATION

Based on the results of a classification study, it is recommended that an incumbent Executive Secretary (Law and Justice) be reclassified to Paralegal I/II to reflect the responsibilities and duties being performed by the incumbent, which require an in-depth knowledge of the legal system and specifically the operations of the District Attorney’s Office beyond the scope of the incumbent’s current position.

To accomplish this, it is recommended the Board:

1) Authorize the Chair to sign Resolution ###-2016 amending the Authorized Personnel Allocation Resolution for the District Attorney's Office to add 1.0 FTE Paralegal I/II and delete 1.0 FTE Executive Secretary (Law and Justice) allocation;

2) Approve the reclassification of one (1) Executive Secretary (Law and Justice) position to the classification of Paralegal I/II based on a reclassification study; and

3) Waive the requirement for filling the Paralegal I/II position through a competitive examination process, allowing the current incumbent to be appointed to the position as provided for in Section 306.1 of the Personnel Rules.

DISCUSSION / BACKGROUND

In August 2015, a request to conduct a classification study of one (1) position of Executive Secretary (Law and Justice) was received by the Director of Human Resources. In response to that request, a study was completed in accordance with Part 3 - Position Classification of the County Personnel Rules. The methodology employed in conducting this study was as follows:

- Reviewed and analyzed the Position Description Questionnaire, the current classification specification and any additional documents that were submitted by the employee.
- Performed a desk audit interview of the employee in the classification for clarification and additional information.
- Met with the District Attorney, the incumbent's direct supervisor, to confirm all submitted documentation and to review all duties and responsibilities of the position.
- Analyzed the scope and complexity of the responsibilities and tasks performed and the skills, knowledge and abilities required
- Developed Findings and Recommendations based on the analysis of the above information.

The study showed that the incumbent performs the full range of duties outlined in the current job specification for the classification of Executive Secretary (Law and Justice) as well as additional duties that require an in-depth knowledge of the legal system and specifically the operations of the District Attorney's Office beyond the scope of the incumbent's current position. The consequence of error and the sound, independent judgement associated with these additional functions also falls well beyond the scope of a Legal Secretary - even at the executive level. As the study revealed the incumbent has been performing the higher level duties for no less than two years and meets the qualifications for the Paralegal II level position; it is recommended that the incumbent be reclassified and placed at step 5 of the Paralegal II salary range.

The incumbent has met the following conditions required under Section 306.1 of the Personnel Rules, Upward Reclassification, to be considered for a waiver of the competitive examination process:

- a) The position upgrading has resulted from a classification study and retention of the incumbent in such position is approved by the appointing authority.
- b) The incumbent has been in the position and has performed the upgraded class duties for the length of the probationary period of the new class.
- c) The incumbent meets the minimum qualifications of the new classification.

Incumbents are not automatically upgraded when their positions are, but must compete through an

examination and appointment process, unless the process is waived by the Director of Human Resources. Upon approval of the Board, all conditions under 306.1 for the upward reclassification and waiver of examination will be met, and the Director will waive the requirement for filling Paralegal I/II position through a competitive examination process, allowing the current incumbent to be appointed to the position. Should the Board not approve the waiver, the incumbent must compete through an examination and appointment process for promotion to the upgraded position.

ALTERNATIVES

1) The Board could choose to direct the District Attorney's Office to update their Personnel Allocations during the next budget cycle.

2) The Board could choose to amend the Authorized Personnel Allocation Resolution for the District Attorney's Office to add 1.0 Full Time Equivalent Paralegal I/II and delete 1.0 FTE Executive Secretary (Law and Justice) allocation; however, the Board could choose not to waive the requirement for filling the Paralegal I/II position through a competitive examination process.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

N/A

CAO RECOMMENDATION

Approve the department's recommendation.

FINANCIAL IMPACT

No change to Net County Cost. The fiscal impact of the reclassification is estimated at \$1,369 for the remainder of the FY 2015/16 Budget. The fiscal impact of the reclassification for a full fiscal year is estimated at \$3,560. The District Attorney's Office will cover this increase with salary savings from existing position vacancies within the Department for the remainder of FY 2015/16.

CLERK OF THE BOARD FOLLOW UP ACTIONS

The Clerk of the Board shall obtain the Chair's signature on the Resolution and provide a fully executed copy to Human Resources for implementation.

STRATEGIC PLAN COMPONENT

Good Governance

CONTACT

Pamela Knorr, Director of Human Resources