

**CITY OF BERKELEY
MEETING OF THE PERSONNEL BOARD
DATE: January 9, 2023 TIME: 7:00 P.M.**

**Secretary: Aram Kouyoumdjian, Human Resources Department
2180 Milvia Street, First Floor, Berkeley, CA 94704
(510) 981-6800 E-mail: akouyoumdjian@cityofberkeley.info**

**PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH VIDEOCONFERENCE
AND TELECONFERENCE**

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this meeting of the Personnel Board will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Executive Order and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, there will not be a physical meeting location available.

To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL <https://us02web.zoom.us/j/86538887981?pwd=eUFzelVyaFkySlR3T2ZPVUx4S3VhQT09> . If you do not wish for your name to appear on the screen, then use the drop down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen.

To join by phone: Dial 1-669-900-9128 and enter Meeting ID: 865 3888 7981, Passcode: 532989.
To submit an e-mail comment during the meeting to be read aloud during public comment, email jelewis@cityofberkeley.info with the Subject Line in this format: "PUBLIC COMMENT ITEM ##." Please observe a 150 word limit. Time limits on public comments will apply.

MEETING AGENDA

- I. Call to Order
- II. Roll Call
- III. Public Comments

ACTION ITEMS:

- IV. Approval of Minutes of Meeting on December 5, 2022
- V. Recommendation Amending the Police Officer Recruit and Police Officer Job Class Specifications

INFORMATION ITEMS:

- VI. Upcoming Election of Chair and Vice Chair – Discussion Only
- VII. Director's Report – Updates from HR Director – Discussion Only
- VIII. Copy of Workforce Analysis – Discussion Only
- IX. Copy of Berkeley Matters – Discussion Only
- X. Adjournment

If you are unable to attend a meeting please call 510-981-6812

Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the

relevant board, commission or committee for further information. **SB 343 Disclaimer:** Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at the Human Resources Department located at 2180 Milvia Street, First Floor, Berkeley CA.

CITY OF BERKELEY
MEETING OF THE PERSONNEL BOARD MINUTES
DATE: December 5, 2022 TIME: 7:00 P.M.

Secretary: Aram Kouyoumdjian, Human Resources Department
2180 Milvia Street, First Floor, Berkeley, CA 94704
(510) 981-6800 E-mail: akouyoumdjian@cityofberkeley.info

MEETING MINUTES

I. Call to Order 7:08 P.M.

II. Roll Call

Members Present: Mary Kay Lacey (Chair), Robert Dixon (Vice Chair), Darryl Bartlow, Nic O'Loughlin, Jenny Wenk, Maya Karpinski, Aviva Gilbert

Members Absent: None

Staff Present: Aram Kouyoumdjian (Director of Human Resources); Jessica Lewis (Human Resources); Monica Walker (Human Resources); Janice Chin (Manager of Public Health Services)

Public Attendance: Cordell Hindler

III. Public Comments

Cordell: I am in Support of the Establishment of the Medical Director position. For a future agenda, the Board should consider planning a retreat to go over expectations for 2023.

ACTION ITEMS:

IV. Approval of Minutes of Meeting on November 7, 2022.

Action: MSC: (Lacey/Wenk) to approve the minutes of the meeting on November 7, 2022.

Vote: Ayes: Bartlow, Dixon, Karpinski, O'Loughlin, Wenk, Lacey, Gilbert

 Noes: None

 Abstains: None

 Absent: None

I. Recommendation to Establish the Medical Director Classification

Action: MSC: (Wenk/Dixon) to approve the Recommendation to Revise the Police Aide Classification with the understanding that change the language in the Class Characteristics.

Vote: Ayes: Dixon, Karpinski, O'Loughlin, Wenk, Lacey, Bartlow, Gilbert
Noes: None
Abstains: None
Absent: None

II. Recommendation to Revise the Classification and Salary Range of Disability Services Specialist

III. **Action:** MSC: (Wenk/Gilbert) to approve the Recommendation to Revise the Classification and Salary Range of Disability Services Specialist

Vote: Ayes: Dixon, Karpinski, O'Loughlin, Wenk, Lacey, Bartlow, Gilbert
Noes: None
Abstains: None
Absent: None

INFORMATION ITEMS:

IV. Director's Report – Updates from HR Director – Discussion Only

The Director will comment on implementation of Mason Tillman Report recommendations in his next report.

V. Copy of Berkeley Matters – Discussion Only

VI. Adjournment 7:45 PM



Human Resources

Date: January 9, 2023
To: Members of the Personnel Board
From: Aram Kouyoumdjian, Director of Human Resources
Subject: Recommendation Amending the Police Officer Recruit and Police Officer Job Class Specifications

BACKGROUND

The City of Berkeley Human Resources and Police Departments seek to revise job class specifications of Police Officer Recruit and Police Officer to remain in compliance with Senate Bill 960 (SB 960), Government Code 1031.4 (GC 1031.4), and Senate Bill 2 (SB 2). Current regulations and statutes, as well as input from command staff of the Berkeley Police Department, were also considered in revising this classification.

DISCUSSION

The Berkeley Police Department (BPD) promotes safety in the City, and enforces laws of the United States, the State of California, and all City ordinances; and administers the City Jail. The Department is organized into five divisions, including **Officer of the Chief** (Chief of Police, Internal Affairs, and Fiscal Services), **Operations** (including calls for services, initial criminal investigations, making arrests, issuing citations, and providing crime prevention services and proactive problem-solving efforts), **Investigations** (including Detective Bureau, Traffic and Parking Enforcement, Crime Analysis, and Special Events), **Professional Standards** (including hiring and training, policy review, and auditing), and **Support Services** (including Public Safety Communications/Dispatch, City Jail, Records, Front Counter, Property and Evidence, Technology Systems, Warrants, and Court Officer).

Historically, in order to serve as a peace officer in the State of California, candidates were required to be either a citizen of the United States or a permanent resident who is eligible for and has applied for citizenship. Effective January 1, 2023, SB 960 repealed this requirement. Instead, the bill simply requires that an individual be legally authorized to work in the United States under federal law. In accordance with state and federal law, the changes to citizenship requirements have been effectuated in the City's hiring practices as of January 1, 2023.

Additionally, effective January 1, 2022, Government Code 1031.4 (GC 1031.4) requires that any peace officer employed by an agency that participates in the Peace Officer Standards and Training (POST) program **shall be at least 21 years of age at the time of appointment**. The City's hiring practices have already reflected the requirement for applicants to be 21 years old at time of appointment, and the job class specifications are now being amended to include the age requirement.

In addition, SB 2 amended hiring and selection standards for peace officers, and expanded the list of circumstances that will disqualify a person from employment as a peace officer. Currently, under GC 1029, candidates will be disqualified if they have been convicted of a felony, or convicted of a non-felony offense in another jurisdiction that would have been a felony in California. SB 2 expands and amends Government Code 1029 to exclude the individuals from peace officer employment who have demonstrated serious misconduct.

To remain in compliance with the aforementioned statutes, staff recommends that the Personnel Board

revise the job class specifications of Police Officer Recruit and Police Officer to reflect requirements outlined in SB 960, SB 2, and GC 1031.4, including:

Must be free from any disqualifications for employment, including felony convictions.

Must be legally authorized to work in the United States under federal law.

Must be 21 years of age or older at time of appointment.

Must be fingerprinted for purposes of search of local, state, and national fingerprint files to disclose a criminal record.

Must be of good moral character, as determined by a thorough background investigation.

Must be a high school graduate, pass the General Education Development Test or other high school equivalency test approved by the State Department of Education that indicates high school graduation level, pass the California High School Proficiency Examination, or have attained a two-year, four-year, or advanced degree from an accredited college or university.

Must be found to be free from any physical, emotional, or mental condition, including bias against race or ethnicity, gender, nationality, religion, disability, or sexual orientation, that might adversely affect the exercise of the powers of a peace officer.

Police Officer Recruits are candidates who are hired and paid as recruits while they attend the Police Academy. Police Officers are candidates who are hired after successfully graduating from the Police Academy. Both are considered entry level positions.

At this time, only the Police Officer Recruit and Police Officer job class specifications are being revised because they are the point of entry for new hires into Berkeley Police Department. Historically, the higher job class specifications of Police Sergeant, Police Lieutenant, and Police Captain are filled with internal promotions of existing employees who already meet the minimum qualifications outlined above, and are subject to California P.O.S.T. regulations throughout their employment. If there is a need to conduct open competitive recruitments for the promotional ranks in the future, Human Resources and Berkeley Police Departments will present a recommendation to the Personnel Board to amend those classifications.

Due to the City's obligation to comply with the regulations of the new laws, Employee Relations has advised that there is no requirement to meet and confer over the specification updates with regard to this change. There are no other material changes being made outside of the regulations, and thus there is no need to meet and confer over impacts.

SALARY

There is no salary impact.

RECOMMENDATION

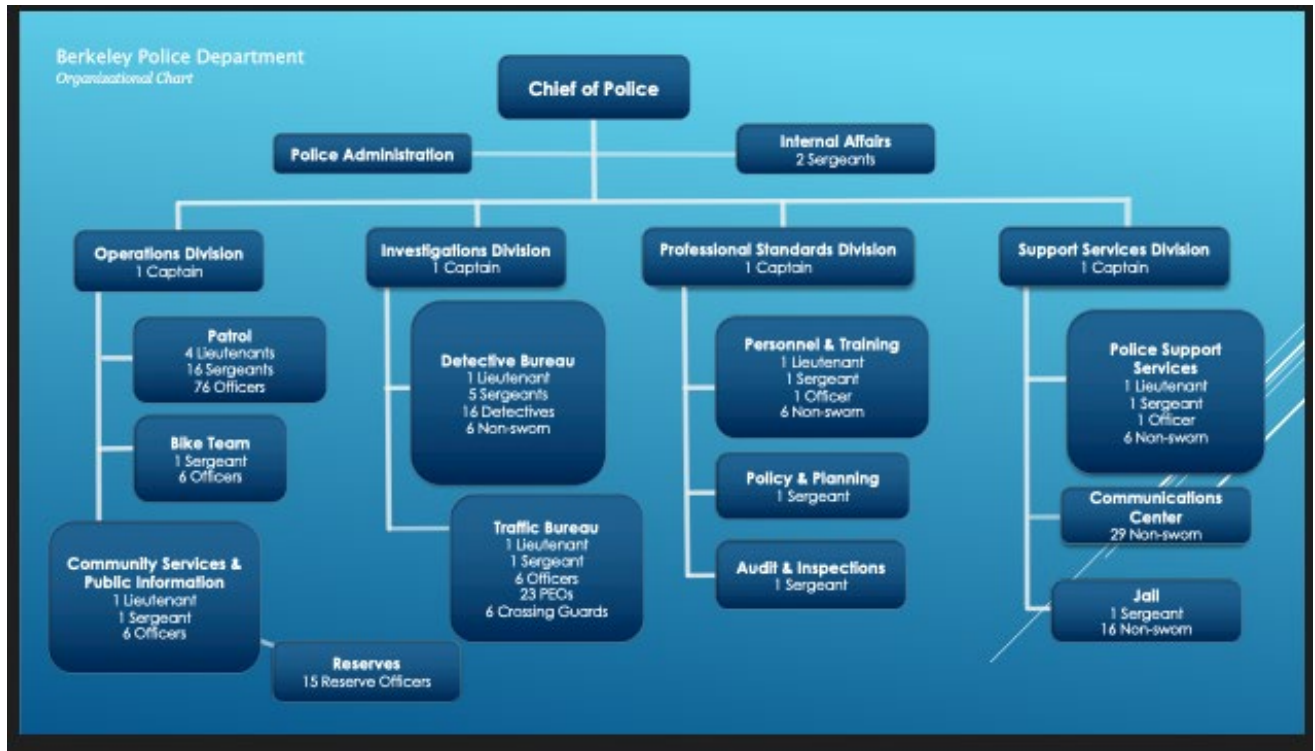
The Personnel Board is requested to approve the following: Revise the job class specifications of Police Officer Recruit and Police Officer to reflect requirements outlined in SB 960, GC 1031.4, and SB2 as outlined above.

Attachments

1. Organizational Chart – Berkeley Police Department
2. Police Officer Recruit Job Class Specification
3. Police Officer Job Class Specification
4. Senate Bill 960 (SB 960)
5. Government Code 1031.4 (GC 1031.4)
6. Senate Bill 2 (SB 2)

cc: Monica Walker, Human Resources Manager

Attachment 1: Organizational Chart – Berkeley Police Department



Attachment 2: Police Officer Recruit Job Class Specification



Police Officer Recruit

Class Code:
7014

Bargaining Unit: Unrepresented Classifications

CITY OF BERKELEY
Established Date: Oct 6, 2008
Revision Date: May 6, 2019

SALARY RANGE

\$43.18 Hourly
\$3,454.40 Biweekly
\$7,484.53 Monthly
\$89,814.40 Annually

DESCRIPTION:

DEFINITION

Under supervision, attends a Peace Officer Standards and Training (P.O.S.T.) certified Basic Recruit Academy; performs related work as assigned.

CLASS CHARACTERISTICS

This is an entry level, temporary civil service classification without peace officer powers, rights or privileges, within the Police Department, used for classification of new recruits during their attendance at a P.O.S.T. Certified Basic Recruit Academy. Upon successful completion of the required course of study in a P.O.S.T. Basic Academy, incumbents may be accepted as a sworn Peace Officer of the State of California and a Police Officer of the Police Department. This class is distinguished from Police Officer, which is a sworn classification with peace officer authorities.

EXAMPLES OF DUTIES:

The following list of duties is intended only to describe the various types of work that may be performed and the level of technical complexity of the assignment(s) and is not intended to be an all-inclusive list of duties. The omission of a specific duty statement does not exclude it from the position if the work is consistent with the concept of the classification, or is similar or closely related to another duty statement.

Attends a P.O.S.T. Certified Basic Academy to obtain classroom and practical education in the criminal justice system, applicable civil and criminal laws, police procedures, law enforcement techniques, first aid and physical fitness.

KNOWLEDGE AND ABILITIES:

Note: The level and scope of the knowledge and skills listed below are related to job duties as defined under Class Characteristics.

Knowledge of:

Basic law enforcement terminology and concepts; and

Techniques for dealing with people of all socio-economic levels under hostile and emergency situations.

Skill in:

Observing and accurately recalling places, names, descriptive characteristics and facts of incidents;
Remaining calm and controlling own emotions in tense situations;
Establishing and maintaining effective working relationships with those contacted in the course of the work;
Reading, interpreting and applying complex laws, procedures and policies;
Making rapid, sound independent judgments within legal and procedural guidelines;
Preparing clear and concise reports, records and other written materials; and
Understanding and following oral and written directions.

Ability to:

Learn the principles, practices, procedures, laws and ordinances, terminology and operation of equipment used in law enforcement and crime prevention and investigation.

MINIMUM QUALIFICATIONS:

A TYPICAL WAY OF GAINING THE KNOWLEDGE AND SKILLS OUTLINED ABOVE IS:

Equivalent to graduation from high school and completion of 60 college semester hours. Previous volunteer or paid experience in a law enforcement support area is desirable. [moved below]

OTHER REQUIREMENTS

Must be free from any disqualifications for employment, including felony convictions.

Must be legally authorized to work in the United States under federal law.

Must be 21 years of age or older at time of appointment.

Must be fingerprinted for purposes of search of local, state, and national fingerprint files to disclose a criminal record.

Must be of good moral character, as determined by a thorough background investigation.

Must be a high school graduate, pass the General Education Development Test or other high school equivalency test approved by the State Department of Education that indicates high school graduation level, pass the California High School Proficiency Examination, or have attained a two-year, four-year, or advanced degree from an accredited college or university.

Must be found to be free from any physical, emotional, or mental condition, including bias against race or ethnicity, gender, nationality, religion, disability, or sexual orientation, that might adversely affect the exercise of the powers of a peace officer.

Must possess a valid California driver's license and have a satisfactory driving record. Must possess satisfactory hearing capabilities and visual acuity of at least 20/100 correctable to at least 20/30 in each eye, and be able to meet physical, psychological and background standards. Must be willing to work evening, night, weekend and holiday shifts. Must be able to obtain required P.O.S.T. certification and maintain firearms qualification. Must be willing to attend classes, study and participate in other Academy work outside of typical shift hours, without additional compensation beyond the basic salary range for the class. Must be a United States citizen or a permanent resident alien who is eligible for and has applied for citizenship.

In addition to the requirements above, a typical way of gaining the knowledge and skills outlined above is:

Completion of 60 college semester hours. Previous volunteer or paid experience in a law enforcement support area is desirable.

CLASSIFICATION HISTORY

Classifications: Revision of Police Officer Job Class Specifications
Page 6

Established:	1988-10
Title Changed:	2001-07
Changed class code from 81140:	2014-07
Revision Date:	2019-05

Attachment 6: Police Officer Job Class Specification



Police Officer

Class Code:
8019

Bargaining Unit: Berkeley Police Association

CITY OF BERKELEY
Established Date: Oct 6, 2008
Revision Date: May 6, 2019

SALARY RANGE

\$52.77 - \$65.67 Hourly
\$4,221.60 - \$5,253.60 Biweekly
\$9,146.80 - \$11,382.80 Monthly
\$109,761.60 - \$136,593.60 Annually

**DESCRIPTION:
DEFINITION**

Under general supervision, performs a wide variety of peace officer duties involving the protection of life and property, enforcement of laws and ordinances, criminal investigation, crime prevention and suppression, case preparation and testimony, and providing information and assistance to the public; performs related work as assigned.

CLASS CHARACTERISTICS

Police Officer is the full working level class in law enforcement, performing all duties required to effectively respond to and resolve the normal scope of peace officer situations encountered. Incumbents may be assigned to patrol, traffic, detective, crime prevention or other police-related functions depending on rotational assignments. This class is distinguished from uniformed non-sworn police-related classes by designation and the responsibilities and authorities associated with designation as a sworn peace officer under the laws of the State. It is further distinguished from Police Sergeant, which both supervises and participates in law enforcement activities.

EXAMPLES OF DUTIES:

The following list of duties is intended only to describe the various types of work that may be performed and the level of technical complexity of the assignment(s) and is not intended to be an all-inclusive list of duties. The omission of a specific duty statement does not exclude it from the position if the work is consistent with the concept of the classification, or is similar or closely related to another duty statement.

1. Patrols assigned areas to ensure the security of life and property, observe situations, and deter crime by providing high visibility;
2. Responds to suspicious activities and answers emergency calls for service;
3. Enforces state, local and federal laws and ordinances, issues verbal warnings and citations;
4. Pursues and apprehends suspects and requests assistance as required;
5. Investigates criminal activity and incidents as the assigned detective or officer;

6. Coordinates crime science control and investigation, including interviews and interrogations, identification of witnesses, overseeing collection and preservation of physical evidence;
7. Restores order, protects life and property, and maintains the peace at public gatherings and in conflict situations;
8. Prepares and documents cases, completes reports and records, and prepares and maintains other logs and records;
9. Assists in preparation of cases and presentations for prosecution, and testifies in court as subpoenaed;
10. Investigates traffic accidents and provides traffic and crowd control as necessary;
11. Participates in special details and assignments;
12. Establishes and maintains contact and information flow with persons to gather information on criminal activity;
13. Retrieves, identifies and returns found property and/or evidence to owners;
14. Provides emergency aid and assistance to incapacitated persons and requests additional response;
15. Provides information, directions, and other services and assistance to the public;
16. May serve as a field training officer; and
17. Perform related duties as assigned.

KNOWLEDGE AND ABILITIES:

Note: The level and scope of the knowledge and skills listed below are related to job duties as defined under Class Characteristics.

Knowledge of:

1. Basic law enforcement terminology and concepts; and
2. Techniques for dealing with people of all socio-economic levels under hostile and emergency situations;

Skill in:

1. Observing and accurately recalling places, names, descriptive characteristics and facts of incidents;
2. Remaining and controlling own emotions in tense situations;
3. Establishing and maintaining effective working relationships with those contacted in the course of the work;
4. Reading, interpreting and applying complex laws, procedures and policies;
5. Making rapid, sound independent judgments within legal and procedural guidelines;
6. Preparing clear and concise reports, records and other written materials; and
7. Understanding and following oral and written directions.

Ability to:

Learn the principles, practices, procedures, laws and ordinances, terminology and operation of equipment used in law enforcement and crime prevention and investigation.

MINIMUM QUALIFICATIONS:

~~A TYPICAL WAY OF GAINING THE KNOWLEDGE AND SKILLS OUTLINED ABOVE IS:~~

~~Equivalent to graduation from high school and completion of 60 college semester hours. Previous volunteer or paid experience in a law enforcement support area is desirable. [moved below]~~

OTHER REQUIREMENTS

Must be free from any disqualifications for employment, including felony convictions.

Must be legally authorized to work in the United States under federal law.

Must be 21 years of age or older at time of appointment.

Must be fingerprinted for purposes of search of local, state, and national fingerprint files to disclose a criminal record.

Must be of good moral character, as determined by a thorough background investigation.

Must be a high school graduate, pass the General Education Development Test or other high school equivalency test approved by the State Department of Education that indicates high school graduation level, pass the California High School Proficiency Examination, or have attained a two-year, four-year, or advanced degree from an accredited college or university.

Must be found to be free from any physical, emotional, or mental condition, including bias against race or ethnicity, gender, nationality, religion, disability, or sexual orientation, that might adversely affect the exercise of the powers of a peace officer.

Must possess a valid California driver's license and have a satisfactory driving record. Must possess satisfactory hearing capabilities and visual acuity of at least 20/100 correctable to at least 20/30 in each eye, and be able to meet physical, psychological and background standards. Must be willing to work evening, night, weekend and holiday shifts. Must be able to obtain required P.O.S.T. certification and maintain firearms qualification.

In addition to the requirements above, a typical way of gaining the knowledge and skills outlined above is:

Completion of 60 college semester hours. Previous volunteer or paid experience in a law enforcement support area is desirable.

CLASSIFICATION HISTORY:

Established: 1988-11

Revised: 2002-07

Revised: 2019-05-06

Attachment 3: Senate Bill 960 (SB 960)

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB960

Senate Bill No. 960

CHAPTER 825

An act to amend Section 1031 of, and to repeal Section 1031.5 of, the Government Code, and to repeal Section 2267 of the Vehicle Code, relating to public employment.

[Approved by Governor September 29, 2022. Filed with Secretary of State September 29, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

SB 960, Skinner. Public employment: peace officers: citizenship.

(1) Existing law establishes the Commission on Peace Officer Standards and Training within the Department of Justice to perform various functions involving the training of peace officers. Existing law requires peace officers in this state to meet specified minimum standards, including, among other requirements, being at least 18 years of age, being of good moral character, as determined by a thorough background investigation, and being either a citizen of the United States or a permanent resident who is eligible for and has applied for citizenship, except as prescribed.

This bill would provide that those standards shall be interpreted and applied consistent with federal law and regulations, as specified. The bill would remove the provision that requires peace officers to either be a citizen of the United States or be a permanent resident who is eligible for and has applied for citizenship, and would instead require peace officers be legally authorized to work in the United States, and make conforming changes.

Under existing law, the minimum education requirement for peace officers is high school graduation from a public school or other accredited high school, passing an equivalency test or high school proficiency examination, or attaining a 2-year, 4-year, or advanced degree from an accredited institution. Existing law requires accreditation to be from a state or local government educational agency, a regional accrediting association, an accrediting association recognized by the United States Department of Education, or an organization holding full membership in specified organizations, including AdvancED.

This bill would revise the accreditation standards to include an organization holding full membership in Cognia.

(2) Existing law establishes, within the Transportation Agency, the Department of the California Highway Patrol, under the control of the Commissioner of the California Highway Patrol.

Existing law, with certain exceptions, prohibits a person who is not a citizen of the United States from being appointed as a member of the California Highway Patrol.

This bill would remove that prohibition, and would make conforming changes.

(3) This bill would incorporate additional changes to Section 1031 of the Government Code proposed by AB 2229 to be operative only if this bill and AB 2229 are enacted and this bill is enacted last.

DIGEST KEY

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

BILL TEXT

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

SECTION 1.

Section 1031 of the Government Code is amended to read:

1031.

Each class of public officers or employees declared by law to be peace officers shall meet all of the following minimum standards:

- (a) Be legally authorized to work in the United States under federal law.
- (b) Be 18 years of age or older.
- (c) Be fingerprinted for purposes of search of local, state, and national fingerprint files to disclose a criminal record.
- (d) Be of good moral character, as determined by a thorough background investigation.
- (e) Be a high school graduate, pass the General Education Development Test or other high school equivalency test approved by the State Department of Education that indicates high school graduation level, pass the California High School Proficiency Examination, or have attained a two-year, four-year, or advanced degree from an accredited college or university. The high school shall be either a United States public school, an accredited United States Department of Defense high school, or an accredited or approved public or nonpublic high school. Any accreditation or approval required by this subdivision shall be from a state or local government educational agency using local or state government approved accreditation, licensing, registration, or other approval standards, a regional accrediting association, an accrediting association recognized by the Secretary of the United States Department of Education, an accrediting association holding full membership in the National Council for Private School Accreditation (NCPSA), an organization holding full membership in AdvancED or Cognia, an organization holding full membership in the Council for American Private Education (CAPE), or an accrediting association recognized by the National Federation of Nonpublic School State Accrediting Associations (NFSSAA).
- (f) Be found to be free from any physical, emotional, or mental condition that might adversely affect the exercise of the powers of a peace officer.
 - (1) Physical condition shall be evaluated by a licensed physician and surgeon.
 - (2) Emotional and mental condition shall be evaluated by either of the following:
 - (A) A physician and surgeon who holds a valid California license to practice medicine, has successfully completed a postgraduate medical residency education program in psychiatry accredited by the Accreditation Council for Graduate Medical Education, and has at least the equivalent of five full-time years of experience in the diagnosis and treatment of emotional and mental disorders, including the equivalent of three full-time years accrued after completion of the psychiatric residency program.

(B) A psychologist licensed by the California Board of Psychology who has at least the equivalent of five full-time years of experience in the diagnosis and treatment of emotional and mental disorders, including the equivalent of three full-time years accrued post doctorate.

The physician and surgeon or psychologist shall also have met any applicable education and training procedures set forth by the California Commission on Peace Officer Standards and Training designed for the conduct of preemployment psychological screening of peace officers.

(g) This section shall not be construed to preclude the adoption of additional or higher standards, including age.

(h) This section shall be interpreted and applied consistent with federal law and regulations. This section shall not be construed to permit an employer to override or bypass work authorization requirements stated in Section 274a.2 of Title 8 of the Code of Federal Regulations.

SEC. 1.1.

Section 1031 of the Government Code is amended to read:

1031.

Each class of public officers or employees declared by law to be peace officers shall meet all of the following minimum standards:

(a) Be legally authorized to work in the United States under federal law.

(b) Be 18 years of age or older.

(c) Be fingerprinted for purposes of search of local, state, and national fingerprint files to disclose a criminal record.

(d) Be of good moral character, as determined by a thorough background investigation.

(e) Be a high school graduate, pass the General Education Development Test or other high school equivalency test approved by the State Department of Education that indicates high school graduation level, pass the California High School Proficiency Examination, or have attained a two-year, four-year, or advanced degree from an accredited college or university. The high school shall be either a United States public school, an accredited United States Department of Defense high school, or an accredited or approved public or nonpublic high school. Any accreditation or approval required by this subdivision shall be from a state or local government educational agency using state or local government approved accreditation, licensing, registration, or other approval standards, a regional accrediting association, an accrediting association recognized by the Secretary of the United States Department of Education, an accrediting association holding full membership in the National Council for Private School Accreditation (NCPISA), an organization holding full membership in AdvanceED or Cognia, an organization holding full membership in the Council for American Private Education (CAPE), or an accrediting association recognized by the National Federation of Nonpublic School State Accrediting Associations (NFSSAA).

(f) Be found to be free from any physical, emotional, or mental condition, including bias against race or ethnicity, gender, nationality, religion, disability, or sexual orientation, that might adversely affect the exercise of the powers of a peace officer.

(1) Physical condition shall be evaluated by a licensed physician and surgeon.

(2) Emotional and mental condition shall be evaluated by either of the following:

(A) A physician and surgeon who holds a valid California license to practice medicine, has successfully completed a postgraduate medical residency education program in psychiatry accredited by the Accreditation Council for Graduate Medical Education, and has at least the equivalent of five full-time years

of experience in the diagnosis and treatment of emotional and mental disorders, including the equivalent of three full-time years accrued after completion of the psychiatric residency program.

(B) A psychologist licensed by the California Board of Psychology who has at least the equivalent of five full-time years of experience in the diagnosis and treatment of emotional and mental disorders, including the equivalent of three full-time years accrued post doctorate.

The physician and surgeon or psychologist shall also have met any applicable education and training procedures set forth by the California Commission on Peace Officer Standards and Training designed for the conduct of preemployment psychological screening of peace officers.

(g) This section shall not be construed to preclude the adoption of additional or higher standards, including age.

(h) This section shall be interpreted and applied consistent with federal law and regulations. This section shall not be construed to permit an employer to override or bypass work authorization requirements stated in Section 274a.2 of Title 8 of the Code of Federal Regulations.

SEC. 2.

Section 1031.5 of the Government Code is repealed.

SEC. 3.

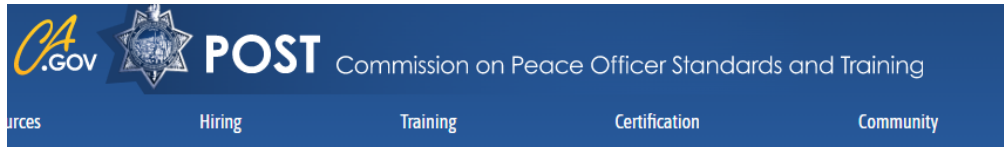
Section 2267 of the Vehicle Code is repealed.

SEC. 4.

Section 1.1 of this bill incorporates amendments to Section 1031 of the Government Code proposed by this bill and Assembly Bill 2229. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2021, (2) each bill amends Section 1031 of the Government Code, and (3) this bill is enacted after Assembly Bill 2229, in which case Section 1031 of the Government Code, as amended by Assembly Bill 2229, shall remain operative only until the operative date of this bill, at which time Section 1.1 of this bill shall become operative, and Section 1 of this bill shall not become operative.

Attachment 5: Government Code 1031.4

<https://post.ca.gov/peace-officer-candidate-selection-standards>



Peace Officer Candidate Selection Standards

California peace officers undergo an extensive selection process before they are hired by law enforcement agencies. The role of the California Commission on Peace Officer Standards and Training (POST) includes establishing minimum selection standards for peace officers in California and conducting research that results in the development of the tests and procedures used by local law enforcement agencies to adhere to these minimum selection standards.

California State Minimum Selection Standards

The minimum peace officer selection standards are set forth in Government Code Sections [1029](#), [1031](#), and [1031.4](#). Every California peace officer must be:

- ▶ **Free from any disqualifications for employment, including felony convictions** (GC [1029](#))
- ▶ **Legally authorized to work in the United States** by federal law
- ▶ At least **21 years of age** for specified peace officers (GC [1031.4](#))
- ▶ **Fingerprinted** for purposes of search of local, state, and national fingerprint files to disclose any criminal record
- ▶ Of **good moral character**, as determined by a thorough background investigation
- ▶ A **high school graduate**, pass the General Education Development test or other high school equivalency test approved by CDE, or have attained a two-year, four-year, or advanced degree from an accredited or approved institution
- ▶ Found to be **free from any physical, emotional, or mental condition**, including bias against race or ethnicity, gender, nationality, religion, disability, or sexual orientation, which might adversely affect the exercise of the powers of a peace officer.

https://leginfo.legislature.ca.gov/faces/billCompareClient.xhtml?bill_id=202120220AB89&showamends=false

1031.4.

(a) In addition to the standards in Section 1031, each state officer and employee designated as peace officers as described in Section 830.1, with the exception of those described in subdivision (c) of that section, 830.2, with the exception of those described in subdivision (d) of that section, 830.3, 830.32, or 830.33 of the Penal Code, or any other peace officer employed by an agency that participates in the Peace Officer Standards and Training (POST) program **shall be at least 21 years of age at the time of appointment.**

(b) This section shall not apply to any person who, as of December 31, 2021, is currently enrolled in a basic academy or is employed as a peace officer by a public entity in California.

Attachment 6: Senate Bill 2 (SB 2)

<https://post.ca.gov/SB-2-FAQs>

The screenshot shows the POST website's 'Hiring and Selection' page. The page features a navigation bar with 'Quick Resources', 'Hiring', 'Training', 'Certification', 'Community', 'Publications', 'Forms', and 'About Us'. Below the navigation bar, there is a dropdown menu for 'Hiring and Selection'. The main content area contains six numbered questions and answers regarding legislative changes for peace officers. The questions cover topics such as the effective date of changes, application to non-Peace Officer Standards and Training (POST) agencies, age requirements for academy candidates, the definition of serious misconduct, disqualification criteria, and the National Decertification Index.

- 1. When do these requirements go into effect?** Unless specified differently, the provisions contained in these legislative changes go into effect January 1, 2022.
- 2. Do these changes apply to Non-POST Participating agencies?** The certification program under SB-2 is for peace officers described in Section 830.1, 830.2 with the exception of those described in subdivision (d) of that section, 830.3, 830.32, or 830.33, or any other peace officer employed by an agency that participates in the Peace Officer Standards and Training (POST) program.
- 3. What if we have a peace officer candidate who is currently in the academy, or who is not currently 21 years old?** Government Code §1031.4 does not apply to any person who, as of December 31, 2021, is currently enrolled in a basic academy or is employed as a peace officer by a public entity in California. Further, GC 1031.4 requires that the individual be 21 on or before the date of *appointment as a peace officer*, not date of employment.
- 4. What qualifies as serious misconduct for the purposes of Government Code 1029?** POST is in the process of convening a group of subject matter experts who will make recommendations to the POST Commission on a definition of serious misconduct. By January 1, 2023, the commission shall adopt a regulatory definition of "serious misconduct" that will serve as the criteria to be considered for ineligibility for, or revocation of, certification.
- 5. What should we do if we believe a candidate may be disqualified to be a peace officer under Government Code §1029?** Any determination on the suitability of a candidate, including compliance with the relevant Government Code sections, is the responsibility of the hiring department or agency. If there is a question as to whether or not a candidate is statutorily disqualified from holding a peace officer position, the department or agency should seek the advice of competent legal counsel.
- 6. What is the National Decertification Index?** The [National Decertification Index \(NDI\)](#) is a national registry of certificate or license revocation actions relating to officer misconduct.

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB2

Date Published: 10/01/2021 09:00 PM

Senate Bill No. 2

CHAPTER 409

An act to amend Section 52.1 of the Civil Code, to amend Section 1029 of the Government Code, and to amend Sections 832.7, 13503, 13506, 13510, 13510.1, and 13512 of, to amend the heading of Article 2 (commencing with Section 13510) of Chapter 1 of Title 4 of Part 4 of, and to add Sections 13509.5, 13509.6, 13510.8, 13510.85, and 13510.9 to, the Penal Code, relating to public employment.

[Approved by Governor September 30, 2021. Filed with Secretary of State September 30, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

SB 2, Bradford. Peace officers: certification: civil rights.

(1) Under existing law, the Tom Bane Civil Rights Act, if a person or persons, whether or not acting under color of law, interferes or attempts to interfere, by threats, intimidation, or coercion, with the exercise or enjoyment by any individual or individuals of rights secured by the Constitution or laws of the United States, or of the rights secured by the Constitution or laws of this state, the Attorney General, or any district attorney or city attorney, is authorized to bring a civil action for injunctive and other appropriate equitable relief in the name of the people of the State of California, in order to protect the exercise or

enjoyment of the right or rights secured. Existing law also authorizes an action brought by the Attorney General, or any district attorney or city attorney, to seek a civil penalty of \$25,000. Existing law also allows an individual whose exercise or enjoyment of rights has been interfered with to prosecute a civil action for damages on their own behalf.

The bill would eliminate certain immunity provisions for peace officers and custodial officers, or public entities employing peace officers or custodial officers sued under the act.

(2) Existing law defines persons who are peace officers and the entities authorized to appoint them. Existing law requires certain minimum training requirements for peace officers including the completion of a basic training course, as specified. Existing law prescribes certain minimum standards for a person to be appointed as a peace officer, including moral character and physical and mental condition, and certain disqualifying factors for a person to be employed as a peace officer, including a felony conviction.

This bill would prohibit a person who has been convicted of a felony, as specified, from regaining eligibility for peace officer employment based upon any later order of the court setting aside, vacating, withdrawing, expunging or otherwise dismissing or reversing the conviction, unless the court finds the person to be factually innocent of the crime for which they were convicted at the time of entry of the order. The bill would disqualify a person from being employed as a peace officer if that person has been convicted of, or has been adjudicated in an administrative, military, or civil judicial process as having committed, a violation of certain specified crimes against public justice, including the falsification of records, bribery, or perjury. The bill would also disqualify any person who has been certified as a peace officer by the Commission on Peace Officer Standards and Training and has surrendered that certification or had that certification revoked by the commission, or has been denied certification. The bill would disqualify any person previously employed in law enforcement in any state or United States territory or by the federal government, whose name is listed in the national decertification index, or any other database designated by the federal government, or who engaged in serious misconduct that would have resulted in their certification being revoked in this state. The bill would require a law enforcement agency employing certain peace officers to employ only individuals with a current, valid certification or pending certification.

(3) Existing law establishes the Commission on Peace Officer Standards and Training to set minimum standards for the recruitment and training of peace officers and to develop training courses and curriculum. Existing law authorizes the commission to establish a professional certificate program that awards basic, intermediate, advanced, supervisory, management, and executive certificates on the basis of a combination of training, education, experience, and other prerequisites, for the purpose of fostering the professionalization, education, and experience necessary to adequately accomplish the general police service duties performed by peace officers. Existing law authorizes the commission to cancel a certificate that was awarded in error or obtained through misrepresentation or fraud, but otherwise prohibits the commission from canceling a certificate that has properly been issued.

This bill would require the Department of Justice to provide the commission with necessary disqualifying felony and misdemeanor conviction data for all persons known by the department to be current or former peace officers, as specified. The bill would grant the commission the power to investigate and determine the fitness of any person to serve as a peace officer in the state. The bill would direct the commission to issue or deny certification, which includes a basic certificate or proof of eligibility, to a peace officer in accordance with specified criteria. The bill would require the commission to issue a proof of eligibility or basic certificate, as specified, to certain persons employed as a peace officer on January 1, 2022, who do not otherwise possess a certificate. The bill would declare certificates or proof of eligibility awarded by the commission to be property of the commission and would authorize the commission to suspend or revoke a proof of eligibility or certificate on specified grounds, including the use of excessive force, sexual assault, making a false arrest, or participating in a law enforcement gang, as defined.

The bill would create the Peace Officer Standards Accountability Division within the commission to review investigations conducted by law enforcement agencies and to conduct additional investigations into serious misconduct that may provide grounds for suspension or revocation of a peace officer's certification, as specified. The bill would require the division to review grounds for decertification and make findings as to whether grounds for action against an officer's certification exist. The bill would require the division to notify the officer subject to decertification of their findings and allow the officer to request review. The bill would also create the Peace Officer Standards Accountability Advisory Board with 9 members to be appointed as specified. The bill would require the board to hold public meetings to review the findings after an investigation made by the division and to make a recommendation to the commission. The bill would require the commission to review the recommendation made by the board based on whether there is evidence that reasonably supports the board's conclusion that misconduct has been established and, if action is to be taken against an officer's certification, return the determination to the division to commence formal proceedings consistent with the Administrative Procedure Act. The bill would require the commission to notify the employing agency and the district attorney of the county in which the officer is employed of this determination, as specified.

The bill would make all records related to the revocation of a peace officer's certification public and would require that records of an investigation be retained for 30 years.

The bill would require an agency employing peace officers to report to the commission the employment, appointment, or separation from employment of a peace officer, any complaint, charge, allegation, or investigation into the conduct of a peace officer that could render the officer subject to suspension or revocation, findings by civil oversight entities, and civil judgements that could affect the officer's certification.

In case of a separation from employment or appointment, the bill would require each agency to execute an affidavit-of-separation form adopted by the commission describing the reason for separation. The bill would require the affidavit to be signed under penalty of perjury. By creating a new crime, this bill would impose a state-mandated local program.

The bill would require the board to report annually on the activities of the division, board, and commission, relating to the certification program, including the number of applications for certification, the events reported, the number of investigations conducted, and the number of certificates surrendered or revoked.

By imposing new requirements on local agencies, this bill would impose a state-mandated local program.

This bill would incorporate additional changes to Section 832.7 of the Penal Code proposed by SB 16 to be operative only if this bill and SB 16 are enacted and this bill is enacted last.

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 with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

DIGEST KEY

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

BILL TEXT

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

SECTION 1.

This act shall be known as the Kenneth Ross Jr. Police Decertification Act of 2021.

SEC. 2.

The Legislature finds and declares all of the following:

(a) As the Legislature and courts of this state have repeatedly recognized, police officers, sheriffs' deputies, and other peace officers hold extraordinary powers to detain, to search, to arrest, and to use force, including deadly force. The state has a correspondingly strong interest in ensuring that peace officers do not abuse their authority, including by ensuring that individual peace officers who abuse their authority are held accountable.

(b) California is one of the last few states that does not have a process for revoking peace officer certificates as a result of misconduct. Nationwide, 46 states have the authority to decertify peace officers. Four states do not have decertification authority: California, Hawaii, New Jersey, and Rhode Island.

(c) In 2017, 172 Californians were killed by the police, and our state's police departments have some of the highest rates of killings in the nation. Of the unarmed people California police killed, three out of four were people of color. Black and Latino families and communities of color are disproportionately vulnerable to police violence, creating generations of individual and community trauma.

(d) More than 200 professions and trades, including doctors, lawyers, and contractors are licensed or certified by the State of California, in order to maintain professional standards and to protect the public. Law enforcement officers are entrusted with extraordinary powers including the power to carry a firearm, to stop and search, to arrest, and to use force. They must be held to the highest standards of accountability, and the state should ensure that officers who abuse their authority by committing serious or repeated misconduct, or otherwise demonstrate a lack of fitness to serve as peace officers, are removed from the streets.

(e) To ensure public trust that the system for decertification will hold peace officers accountable for misconduct and that California's standards for law enforcement reflect community values, it is the intent of the Legislature that the entities charged with investigating and rendering decisions on decertification shall be under independent civilian control and maintain independence from law enforcement.

(f) Civil courts provide a vital avenue for individuals harmed by violations of the law by peace officers to find redress and accountability. But the judicially created doctrine of qualified immunity in federal courts, and broad interpretations of California law immunities and restrictive views on the cause of action under the Tom Bane Civil Rights Act, too often lead to officers escaping accountability in civil courts, even when they have broken the law or violated the rights of members of the public. The civil court process should ensure that peace officers are treated fairly, but that they can be held accountable for violations of the law that harm others, especially the use of excessive force.

SEC. 3.

Section 52.1 of the Civil Code is amended to read:

52.1.

(a) This section shall be known, and may be cited, as the Tom Bane Civil Rights Act.

(b) If a person or persons, whether or not acting under color of law, interferes by threat, intimidation, or coercion, or attempts to interfere by threat, intimidation, or coercion, with the exercise or enjoyment by

any individual or individuals of rights secured by the Constitution or laws of the United States, or of the rights secured by the Constitution or laws of this state, the Attorney General, or any district attorney or city attorney may bring a civil action for injunctive and other appropriate equitable relief in the name of the people of the State of California, in order to protect the peaceable exercise or enjoyment of the right or rights secured. An action brought by the Attorney General, any district attorney, or any city attorney may also seek a civil penalty of twenty-five thousand dollars (\$25,000). If this civil penalty is requested, it shall be assessed individually against each person who is determined to have violated this section and the penalty shall be awarded to each individual whose rights under this section are determined to have been violated.

(c) Any individual whose exercise or enjoyment of rights secured by the Constitution or laws of the United States, or of rights secured by the Constitution or laws of this state, has been interfered with, or attempted to be interfered with, as described in subdivision (b), may institute and prosecute in their own name and on their own behalf a civil action for damages, including, but not limited to, damages under Section 52, injunctive relief, and other appropriate equitable relief to protect the peaceable exercise or enjoyment of the right or rights secured, including appropriate equitable and declaratory relief to eliminate a pattern or practice of conduct as described in subdivision (b).

(d) An action brought pursuant to subdivision (b) or (c) may be filed either in the superior court for the county in which the conduct complained of occurred or in the superior court for the county in which a person whose conduct complained of resides or has their place of business. An action brought by the Attorney General pursuant to subdivision (b) also may be filed in the superior court for any county wherein the Attorney General has an office, and in that case, the jurisdiction of the court shall extend throughout the state.

(e) If a court issues a temporary restraining order or a preliminary or permanent injunction in an action brought pursuant to subdivision (b) or (c), ordering a defendant to refrain from conduct or activities, the order issued shall include the following statement: VIOLATION OF THIS ORDER IS A CRIME PUNISHABLE UNDER SECTION 422.77 OF THE PENAL CODE.

(f) The court shall order the plaintiff or the attorney for the plaintiff to deliver, or the clerk of the court to mail, two copies of any order, extension, modification, or termination thereof granted pursuant to this section, by the close of the business day on which the order, extension, modification, or termination was granted, to each local law enforcement agency having jurisdiction over the residence of the plaintiff and any other locations where the court determines that acts of violence against the plaintiff are likely to occur. Those local law enforcement agencies shall be designated by the plaintiff or the attorney for the plaintiff. Each appropriate law enforcement agency receiving any order, extension, or modification of any order issued pursuant to this section shall serve forthwith one copy thereof upon the defendant. Each appropriate law enforcement agency shall provide to any law enforcement officer responding to the scene of reported violence, information as to the existence of, terms, and current status of, any order issued pursuant to this section.

(g) A court shall not have jurisdiction to issue an order or injunction under this section, if that order or injunction would be prohibited under Section 527.3 of the Code of Civil Procedure.

(h) An action brought pursuant to this section is independent of any other action, remedy, or procedure that may be available to an aggrieved individual under any other provision of law, including, but not limited to, an action, remedy, or procedure brought pursuant to Section 51.7.

(i) In addition to any damages, injunction, or other equitable relief awarded in an action brought pursuant to subdivision (c), the court may award the petitioner or plaintiff reasonable attorney's fees.

(j) A violation of an order described in subdivision (e) may be punished either by prosecution under Section 422.77 of the Penal Code, or by a proceeding for contempt brought pursuant to Title 5 (commencing with Section 1209) of Part 3 of the Code of Civil Procedure. However, in any proceeding pursuant to the Code of Civil Procedure, if it is determined that the person proceeded against is guilty of the contempt charged, in addition to any other relief, a fine may be imposed not exceeding one thousand dollars (\$1,000), or the person may be ordered imprisoned in a county jail not exceeding six months, or the court may order both the imprisonment and fine.

(k) Speech alone is not sufficient to support an action brought pursuant to subdivision (b) or (c), except upon a showing that the speech itself threatens violence against a specific person or group of persons; and the person or group of persons against whom the threat is directed reasonably fears that, because of the speech, violence will be committed against them or their property and that the person threatening violence had the apparent ability to carry out the threat.

(l) No order issued in any proceeding brought pursuant to subdivision (b) or (c) shall restrict the content of any person's speech. An order restricting the time, place, or manner of any person's speech shall do so only to the extent reasonably necessary to protect the peaceable exercise or enjoyment of constitutional or statutory rights, consistent with the constitutional rights of the person sought to be enjoined.

(m) The rights, penalties, remedies, forums, and procedures of this section shall not be waived by contract except as provided in Section 51.7.

(n) The state immunity provisions provided in Sections 821.6, 844.6, and 845.6 of the Government Code shall not apply to any cause of action brought against any peace officer or custodial officer, as those terms are defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, or directly against a public entity that employs a peace officer or custodial officer, under this section.

(o) Sections 825, 825.2, 825.4, and 825.6 of the Government Code, providing for indemnification of an employee or former employee of a public entity, shall apply to any cause of action brought under this section against an employee or former employee of a public entity.

SEC. 4.

Section 1029 of the Government Code is amended to read:

1029.

(a) Except as provided in subdivision (b), (c), (d), or (e), each of the following persons is disqualified from holding office as a peace officer or being employed as a peace officer of the state, county, city, city and county or other political subdivision, whether with or without compensation, and is disqualified from any office or employment by the state, county, city, city and county or other political subdivision, whether with or without compensation, which confers upon the holder or employee the powers and duties of a peace officer:

(1) Any person who has been convicted of a felony.

(2) Any person who has been convicted of any offense in any other jurisdiction which would have been a felony if committed in this state.

(3) Any person who has been discharged from the military for committing an offense, as adjudicated by a military tribunal, which would have been a felony if committed in this state.

(4) (A) Any person who, after January 1, 2004, has been convicted of a crime based upon a verdict or finding of guilt of a felony by the trier of fact, or upon the entry of a plea of guilty or nolo contendere to a felony. This paragraph applies regardless of whether, pursuant to subdivision (b) of Section 17 of the Penal Code, the court declares the offense to be a misdemeanor or the offense becomes a misdemeanor by operation of law.

(B) For purposes of this paragraph, a person has been “convicted of a crime” immediately upon entry of a plea of guilty or nolo contendere to, or upon being found guilty by a trier of fact of, a felony offense, including an offense that may be charged as a misdemeanor or felony and that was charged as a felony at the time of the conviction.

(C) Effective January 1, 2022, any person who has been convicted of a crime in accordance with this paragraph shall not regain eligibility for peace officer employment based upon the nature of any sentence ordered or imposed. In addition, no such person shall regain eligibility for peace officer employment based upon any later order of the court setting aside, vacating, withdrawing, expunging or otherwise dismissing or reversing the conviction, unless the court finds the person to be factually innocent of the crime for which they were convicted at the time of entry of the order.

(5) Any person who has been charged with a felony and adjudged by a superior court to be mentally incompetent under Chapter 6 (commencing with Section 1367) of Title 10 of Part 2 of the Penal Code.

(6) Any person who has been found not guilty by reason of insanity of any felony.

(7) Any person who has been determined to be a mentally disordered sex offender pursuant to Article 1 (commencing with Section 6300) of Chapter 2 of Part 2 of Division 6 of the Welfare and Institutions Code.

(8) Any person adjudged addicted or in danger of becoming addicted to narcotics, convicted, and committed to a state institution as provided in Section 3051 of the Welfare and Institutions Code.

(9) Any person who, following exhaustion of all available appeals, has been convicted of, or adjudicated through an administrative, military, or civil judicial process requiring not less than clear and convincing evidence, including a hearing that meets the requirements of the administrative adjudication provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2), as having committed, any act that is a violation of Section 115, 115.3, 116, 116.5, or 117 of, or of any offense described in Chapter 1 (commencing with Section 92), Chapter 5 (commencing with Section 118), Chapter 6 (commencing with Section 132), or Chapter 7 (commencing with Section 142) of Title 7 of Part 1 of the Penal Code, including any act committed in another jurisdiction that would have been a violation of any of those sections if committed in this state.

(10) Any person who has been issued the certification described in Section 13510.1 of the Penal Code, and has had that certification revoked by the Commission on Peace Officer Standards and Training, has voluntarily surrendered that certification pursuant to subdivision (f) of Section 13510.8, or having met the minimum requirement for issuance of certification, has been denied issuance of certification.

(11) Any person previously employed in law enforcement in any state or United States territory or by the federal government, whose name is listed in the National Decertification Index of the International Association of Directors of Law Enforcement Standards and Training or any other database designated by the federal government whose certification as a law enforcement officer in that jurisdiction was revoked for misconduct, or who, while employed as a law enforcement officer, engaged in serious misconduct that would have resulted in their certification being revoked by the commission if employed as a peace officer in this state.

(b) (1) A plea of guilty to a felony pursuant to a deferred entry of judgment program as set forth in Sections 1000 to 1000.4, inclusive, of the Penal Code shall not alone disqualify a person from being a peace officer unless a judgment of guilty is entered pursuant to Section 1000.3 of the Penal Code.

(2) A person who pleads guilty or nolo contendere to, or who is found guilty by a trier of fact of, an alternate felony-misdemeanor drug possession offense and successfully completes a program of probation pursuant to Section 1210.1 of the Penal Code shall not be disqualified from being a peace

officer solely on the basis of the plea or finding if the court deems the offense to be a misdemeanor or reduces the offense to a misdemeanor.

(c) Any person who has been convicted of a felony, other than a felony punishable by death, in this state or any other state, or who has been convicted of any offense in any other state which would have been a felony, other than a felony punishable by death, if committed in this state, and who demonstrates the ability to assist persons in programs of rehabilitation may hold office and be employed as a parole officer of the Department of Corrections and Rehabilitation or the Division of Juvenile Justice, or as a probation officer in a county probation department, if the person has been granted a full and unconditional pardon for the felony or offense of which they were convicted. Notwithstanding any other provision of law, the Department of Corrections and Rehabilitation or the Division of Juvenile Justice, or a county probation department, may refuse to employ that person regardless of their qualifications.

(d) This section does not limit or curtail the power or authority of any board of police commissioners, chief of police, sheriff, mayor, or other appointing authority to appoint, employ, or deputize any person as a peace officer in time of disaster caused by flood, fire, pestilence or similar public calamity, or to exercise any power conferred by law to summon assistance in making arrests or preventing the commission of any criminal offense.

(e) This section does not prohibit any person from holding office or being employed as a superintendent, supervisor, or employee having custodial responsibilities in an institution operated by a probation department, if at the time of the person's hire a prior conviction of a felony was known to the person's employer, and the class of office for which the person was hired was not declared by law to be a class prohibited to persons convicted of a felony, but as a result of a change in classification, as provided by law, the new classification would prohibit employment of a person convicted of a felony.

(f) The Department of Justice shall supply the commission with necessary disqualifying felony and misdemeanor conviction data for all persons known by the department to be current or former peace officers. The commission shall be permitted to use the information for decertification purposes. The data, once received by the commission, shall be made available for public inspection pursuant to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1), including documentation of the person's appointment, promotion, and demotion dates, as well as certification or licensing status and the reason or disposition for the person leaving service.

SEC. 5.

Section 832.7 of the Penal Code is amended to read:

832.7.

(a) Except as provided in subdivision (b), the personnel records of peace officers and custodial officers and records maintained by any state or local agency pursuant to Section 832.5, or information obtained from these records, are confidential and shall not be disclosed in any criminal or civil proceeding except by discovery pursuant to Sections 1043 and 1046 of the Evidence Code. This section shall not apply to investigations or proceedings concerning the conduct of peace officers or custodial officers, or an agency or department that employs those officers, conducted by a grand jury, a district attorney's office, the Attorney General's office, or the Commission on Peace Officer Standards and Training.

(b) (1) Notwithstanding subdivision (a), subdivision (f) of Section 6254 of the Government Code, or any other law, the following peace officer or custodial officer personnel records and records maintained by any state or local agency shall not be confidential and shall be made available for public inspection pursuant to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code):

(A) A record relating to the report, investigation, or findings of any of the following:

- (i) An incident involving the discharge of a firearm at a person by a peace officer or custodial officer.
 - (ii) An incident in which the use of force by a peace officer or custodial officer against a person resulted in death, or in great bodily injury.
- (B) (i) Any record relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency that a peace officer or custodial officer engaged in sexual assault involving a member of the public.
- (ii) As used in this subparagraph, "sexual assault" means the commission or attempted initiation of a sexual act with a member of the public by means of force, threat, coercion, extortion, offer of leniency or other official favor, or under the color of authority. For purposes of this subparagraph, the propositioning for or commission of any sexual act while on duty is considered a sexual assault.
 - (iii) As used in this subparagraph, "member of the public" means any person not employed by the officer's employing agency and includes any participant in a cadet, explorer, or other youth program affiliated with the agency.
- (C) Any record relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency of dishonesty by a peace officer or custodial officer directly relating to the reporting, investigation, or prosecution of a crime, or directly relating to the reporting of, or investigation of misconduct by, another peace officer or custodial officer, including, but not limited to, any sustained finding of perjury, false statements, filing false reports, destruction, falsifying, or concealing of evidence.
- (2) Records that shall be released pursuant to this subdivision include all investigative reports; photographic, audio, and video evidence; transcripts or recordings of interviews; autopsy reports; all materials compiled and presented for review to the district attorney or to any person or body charged with determining whether to file criminal charges against an officer in connection with an incident, or whether the officer's action was consistent with law and agency policy for purposes of discipline or administrative action, or what discipline to impose or corrective action to take; documents setting forth findings or recommended findings; and copies of disciplinary records relating to the incident, including any letters of intent to impose discipline, any documents reflecting modifications of discipline due to the Skelly or grievance process, and letters indicating final imposition of discipline or other documentation reflecting implementation of corrective action.
- (3) A record from a separate and prior investigation or assessment of a separate incident shall not be released unless it is independently subject to disclosure pursuant to this subdivision.
- (4) If an investigation or incident involves multiple officers, information about allegations of misconduct by, or the analysis or disposition of an investigation of, an officer shall not be released pursuant to subparagraph (B) or (C) of paragraph (1), unless it relates to a sustained finding against that officer. However, factual information about that action of an officer during an incident, or the statements of an officer about an incident, shall be released if they are relevant to a sustained finding against another officer that is subject to release pursuant to subparagraph (B) or (C) of paragraph (1).
- (5) An agency shall redact a record disclosed pursuant to this section only for any of the following purposes:
- (A) To remove personal data or information, such as a home address, telephone number, or identities of family members, other than the names and work-related information of peace and custodial officers.
 - (B) To preserve the anonymity of complainants and witnesses.
 - (C) To protect confidential medical, financial, or other information of which disclosure is specifically prohibited by federal law or would cause an unwarranted invasion of personal privacy that clearly

outweighs the strong public interest in records about misconduct and serious use of force by peace officers and custodial officers.

(D) Where there is a specific, articulable, and particularized reason to believe that disclosure of the record would pose a significant danger to the physical safety of the peace officer, custodial officer, or another person.

(6) Notwithstanding paragraph (5), an agency may redact a record disclosed pursuant to this section, including personal identifying information, where, on the facts of the particular case, the public interest served by not disclosing the information clearly outweighs the public interest served by disclosure of the information.

(7) An agency may withhold a record of an incident described in subparagraph (A) of paragraph (1) that is the subject of an active criminal or administrative investigation, in accordance with any of the following:

(A) (i) During an active criminal investigation, disclosure may be delayed for up to 60 days from the date the use of force occurred or until the district attorney determines whether to file criminal charges related to the use of force, whichever occurs sooner. If an agency delays disclosure pursuant to this clause, the agency shall provide, in writing, the specific basis for the agency's determination that the interest in delaying disclosure clearly outweighs the public interest in disclosure. This writing shall include the estimated date for disclosure of the withheld information.

(ii) After 60 days from the use of force, the agency may continue to delay the disclosure of records or information if the disclosure could reasonably be expected to interfere with a criminal enforcement proceeding against an officer who used the force. If an agency delays disclosure pursuant to this clause, the agency shall, at 180-day intervals as necessary, provide, in writing, the specific basis for the agency's determination that disclosure could reasonably be expected to interfere with a criminal enforcement proceeding. The writing shall include the estimated date for the disclosure of the withheld information. Information withheld by the agency shall be disclosed when the specific basis for withholding is resolved, when the investigation or proceeding is no longer active, or by no later than 18 months after the date of the incident, whichever occurs sooner.

(iii) After 60 days from the use of force, the agency may continue to delay the disclosure of records or information if the disclosure could reasonably be expected to interfere with a criminal enforcement proceeding against someone other than the officer who used the force. If an agency delays disclosure under this clause, the agency shall, at 180-day intervals, provide, in writing, the specific basis why disclosure could reasonably be expected to interfere with a criminal enforcement proceeding, and shall provide an estimated date for the disclosure of the withheld information. Information withheld by the agency shall be disclosed when the specific basis for withholding is resolved, when the investigation or proceeding is no longer active, or by no later than 18 months after the date of the incident, whichever occurs sooner, unless extraordinary circumstances warrant continued delay due to the ongoing criminal investigation or proceeding. In that case, the agency must show by clear and convincing evidence that the interest in preventing prejudice to the active and ongoing criminal investigation or proceeding outweighs the public interest in prompt disclosure of records about use of serious force by peace officers and custodial officers. The agency shall release all information subject to disclosure that does not cause substantial prejudice, including any documents that have otherwise become available.

(iv) In an action to compel disclosure brought pursuant to Section 6258 of the Government Code, an agency may justify delay by filing an application to seal the basis for withholding, in accordance with Rule 2.550 of the California Rules of Court, or any successor rule thereto, if disclosure of the written basis itself would impact a privilege or compromise a pending investigation.

(B) If criminal charges are filed related to the incident in which force was used, the agency may delay the disclosure of records or information until a verdict on those charges is returned at trial or, if a plea of guilty or no contest is entered, the time to withdraw the plea pursuant to Section 1018.

(C) During an administrative investigation into an incident described in subparagraph (A) of paragraph (1), the agency may delay the disclosure of records or information until the investigating agency determines whether the use of force violated a law or agency policy, but no longer than 180 days after the date of the employing agency's discovery of the use of force, or allegation of use of force, by a person authorized to initiate an investigation, or 30 days after the close of any criminal investigation related to the peace officer or custodial officer's use of force, whichever is later.

(8) A record of a civilian complaint, or the investigations, findings, or dispositions of that complaint, shall not be released pursuant to this section if the complaint is frivolous, as defined in Section 128.5 of the Code of Civil Procedure, or if the complaint is unfounded.

(c) Notwithstanding subdivisions (a) and (b), a department or agency shall release to the complaining party a copy of the party's own statements at the time the complaint is filed.

(d) Notwithstanding subdivisions (a) and (b), a department or agency that employs peace or custodial officers may disseminate data regarding the number, type, or disposition of complaints (sustained, not sustained, exonerated, or unfounded) made against its officers if that information is in a form which does not identify the individuals involved.

(e) Notwithstanding subdivisions (a) and (b), a department or agency that employs peace or custodial officers may release factual information concerning a disciplinary investigation if the officer who is the subject of the disciplinary investigation, or the officer's agent or representative, publicly makes a statement that they know to be false concerning the investigation or the imposition of disciplinary action. Information may not be disclosed by the peace or custodial officer's employer unless the false statement was published by an established medium of communication, such as television, radio, or a newspaper. Disclosure of factual information by the employing agency pursuant to this subdivision is limited to facts contained in the officer's personnel file concerning the disciplinary investigation or imposition of disciplinary action that specifically refute the false statements made public by the peace or custodial officer or their agent or representative.

(f) (1) The department or agency shall provide written notification to the complaining party of the disposition of the complaint within 30 days of the disposition.

(2) The notification described in this subdivision shall not be conclusive or binding or admissible as evidence in any separate or subsequent action or proceeding brought before an arbitrator, court, or judge of this state or the United States.

(g) This section does not affect the discovery or disclosure of information contained in a peace or custodial officer's personnel file pursuant to Section 1043 of the Evidence Code.

(h) This section does not supersede or affect the criminal discovery process outlined in Chapter 10 (commencing with Section 1054) of Title 6 of Part 2, or the admissibility of personnel records pursuant to subdivision (a), which codifies the court decision in *Pitchess v. Superior Court* (1974) 11 Cal.3d 531.

(i) Nothing in this chapter is intended to limit the public's right of access as provided for in *Long Beach Police Officers Association v. City of Long Beach* (2014) 59 Cal.4th 59.

SEC. 5.5.

Section 832.7 of the Penal Code is amended to read:

832.7.

(a) Except as provided in subdivision (b), the personnel records of peace officers and custodial officers and records maintained by a state or local agency pursuant to Section 832.5, or information obtained from these records, are confidential and shall not be disclosed in any criminal or civil proceeding except by discovery pursuant to Sections 1043 and 1046 of the Evidence Code. This section does not apply to investigations or proceedings concerning the conduct of peace officers or custodial officers, or an agency or department that employs those officers, conducted by a grand jury, a district attorney's office, or the Attorney General's office, or the Commission on Peace Officer Standards and Training.

(b) (1) Notwithstanding subdivision (a), subdivision (f) of Section 6254 of the Government Code, or any other law, the following peace officer or custodial officer personnel records and records maintained by a state or local agency shall not be confidential and shall be made available for public inspection pursuant to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code):

(A) A record relating to the report, investigation, or findings of any of the following:

(i) An incident involving the discharge of a firearm at a person by a peace officer or custodial officer.

(ii) An incident involving the use of force against a person by a peace officer or custodial officer that resulted in death or in great bodily injury.

(iii) A sustained finding involving a complaint that alleges unreasonable or excessive force.

(iv) A sustained finding that an officer failed to intervene against another officer using force that is clearly unreasonable or excessive.

(B) (i) Any record relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency that a peace officer or custodial officer engaged in sexual assault involving a member of the public.

(ii) As used in this subparagraph, "sexual assault" means the commission or attempted initiation of a sexual act with a member of the public by means of force, threat, coercion, extortion, offer of leniency or other official favor, or under the color of authority. For purposes of this subparagraph, the propositioning for or commission of any sexual act while on duty is considered a sexual assault.

(iii) As used in this subparagraph, "member of the public" means any person not employed by the officer's employing agency and includes any participant in a cadet, explorer, or other youth program affiliated with the agency.

(C) Any record relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency involving dishonesty by a peace officer or custodial officer directly relating to the reporting, investigation, or prosecution of a crime, or directly relating to the reporting of, or investigation of misconduct by, another peace officer or custodial officer, including, but not limited to, false statements, filing false reports, destruction, falsifying, or concealing of evidence, or perjury.

(D) Any record relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency that a peace officer or custodial officer engaged in conduct including, but not limited to, verbal statements, writings, online posts, recordings, and gestures, involving prejudice or discrimination against a person on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status.

(E) Any record relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency that the peace officer made an unlawful arrest or conducted an unlawful search.

(2) Records that are subject to disclosure under clause (iii) or (iv) of subparagraph (A) of paragraph (1), or under subparagraph (D) or (E) of paragraph (1), relating to an incident that occurred before January 1, 2022, shall not be subject to the time limitations in paragraph (8) until January 1, 2023.

(3) Records that shall be released pursuant to this subdivision include all investigative reports; photographic, audio, and video evidence; transcripts or recordings of interviews; autopsy reports; all materials compiled and presented for review to the district attorney or to any person or body charged with determining whether to file criminal charges against an officer in connection with an incident, or whether the officer's action was consistent with law and agency policy for purposes of discipline or administrative action, or what discipline to impose or corrective action to take; documents setting forth findings or recommended findings; and copies of disciplinary records relating to the incident, including any letters of intent to impose discipline, any documents reflecting modifications of discipline due to the Skelly or grievance process, and letters indicating final imposition of discipline or other documentation reflecting implementation of corrective action. Records that shall be released pursuant to this subdivision also include records relating to an incident specified in paragraph (1) in which the peace officer or custodial officer resigned before the law enforcement agency or oversight agency concluded its investigation into the alleged incident.

(4) A record from a separate and prior investigation or assessment of a separate incident shall not be released unless it is independently subject to disclosure pursuant to this subdivision.

(5) If an investigation or incident involves multiple officers, information about allegations of misconduct by, or the analysis or disposition of an investigation of, an officer shall not be released pursuant to subparagraph (B), (C), (D), or (E) of paragraph (1), unless it relates to a sustained finding regarding that officer that is itself subject to disclosure pursuant to this section. However, factual information about that action of an officer during an incident, or the statements of an officer about an incident, shall be released if they are relevant to a finding against another officer that is subject to release pursuant to subparagraph (B), (C), (D), or (E) of paragraph (1).

(6) An agency shall redact a record disclosed pursuant to this section only for any of the following purposes:

(A) To remove personal data or information, such as a home address, telephone number, or identities of family members, other than the names and work-related information of peace and custodial officers.

(B) To preserve the anonymity of whistleblowers, complainants, victims, and witnesses.

(C) To protect confidential medical, financial, or other information of which disclosure is specifically prohibited by federal law or would cause an unwarranted invasion of personal privacy that clearly outweighs the strong public interest in records about possible misconduct and use of force by peace officers and custodial officers.

(D) Where there is a specific, articulable, and particularized reason to believe that disclosure of the record would pose a significant danger to the physical safety of the peace officer, custodial officer, or another person.

(7) Notwithstanding paragraph (6), an agency may redact a record disclosed pursuant to this section, including personal identifying information, where, on the facts of the particular case, the public interest served by not disclosing the information clearly outweighs the public interest served by disclosure of the information.

(8) An agency may withhold a record of an incident described in paragraph (1) that is the subject of an active criminal or administrative investigation, in accordance with any of the following:

(A) (i) During an active criminal investigation, disclosure may be delayed for up to 60 days from the date the misconduct or use of force occurred or until the district attorney determines whether to file criminal charges related to the misconduct or use of force, whichever occurs sooner. If an agency delays disclosure pursuant to this clause, the agency shall provide, in writing, the specific basis for the agency's determination that the interest in delaying disclosure clearly outweighs the public interest in disclosure. This writing shall include the estimated date for disclosure of the withheld information.

(ii) After 60 days from the misconduct or use of force, the agency may continue to delay the disclosure of records or information if the disclosure could reasonably be expected to interfere with a criminal enforcement proceeding against an officer who engaged in misconduct or used the force. If an agency delays disclosure pursuant to this clause, the agency shall, at 180-day intervals as necessary, provide, in writing, the specific basis for the agency's determination that disclosure could reasonably be expected to interfere with a criminal enforcement proceeding. The writing shall include the estimated date for the disclosure of the withheld information. Information withheld by the agency shall be disclosed when the specific basis for withholding is resolved, when the investigation or proceeding is no longer active, or by no later than 18 months after the date of the incident, whichever occurs sooner.

(iii) After 60 days from the misconduct or use of force, the agency may continue to delay the disclosure of records or information if the disclosure could reasonably be expected to interfere with a criminal enforcement proceeding against someone other than the officer who engaged in misconduct or used the force. If an agency delays disclosure under this clause, the agency shall, at 180-day intervals, provide, in writing, the specific basis why disclosure could reasonably be expected to interfere with a criminal enforcement proceeding, and shall provide an estimated date for the disclosure of the withheld information. Information withheld by the agency shall be disclosed when the specific basis for withholding is resolved, when the investigation or proceeding is no longer active, or by no later than 18 months after the date of the incident, whichever occurs sooner, unless extraordinary circumstances warrant continued delay due to the ongoing criminal investigation or proceeding. In that case, the agency must show by clear and convincing evidence that the interest in preventing prejudice to the active and ongoing criminal investigation or proceeding outweighs the public interest in prompt disclosure of records about misconduct or use of force by peace officers and custodial officers. The agency shall release all information subject to disclosure that does not cause substantial prejudice, including any documents that have otherwise become available.

(iv) In an action to compel disclosure brought pursuant to Section 6258 of the Government Code, an agency may justify delay by filing an application to seal the basis for withholding, in accordance with Rule 2.550 of the California Rules of Court, or any successor rule, if disclosure of the written basis itself would impact a privilege or compromise a pending investigation.

(B) If criminal charges are filed related to the incident in which misconduct occurred or force was used, the agency may delay the disclosure of records or information until a verdict on those charges is returned at trial or, if a plea of guilty or no contest is entered, the time to withdraw the plea pursuant to Section 1018.

(C) During an administrative investigation into an incident described in of paragraph (1), the agency may delay the disclosure of records or information until the investigating agency determines whether misconduct or the use of force violated a law or agency policy, but no longer than 180 days after the date of the employing agency's discovery of the misconduct or use of force, or allegation of misconduct or use of force, by a person authorized to initiate an investigation.

(9) A record of a complaint, or the investigations, findings, or dispositions of that complaint, shall not be released pursuant to this section if the complaint is frivolous, as defined in Section 128.5 of the Code of Civil Procedure, or if the complaint is unfounded.

(10) The cost of copies of records subject to disclosure pursuant to this subdivision that are made available upon the payment of fees covering direct costs of duplication pursuant to subdivision (b) of Section 6253 of the Government Code shall not include the costs of searching for, editing, or redacting the records.

(11) Except to the extent temporary withholding for a longer period is permitted pursuant to paragraph (8), records subject to disclosure under this subdivision shall be provided at the earliest possible time and no later than 45 days from the date of a request for their disclosure.

(12) (A) For purposes of releasing records pursuant to this subdivision, the lawyer-client privilege does not prohibit the disclosure of either of the following:

(i) Factual information provided by the public entity to its attorney or factual information discovered in any investigation conducted by, or on behalf of, the public entity's attorney.

(ii) Billing records related to the work done by the attorney so long as the records do not relate to active and ongoing litigation and do not disclose information for the purpose of legal consultation between the public entity and its attorney.

(B) This paragraph does not prohibit the public entity from asserting that a record or information within the record is exempted or prohibited from disclosure pursuant to any other federal or state law.

(c) Notwithstanding subdivisions (a) and (b), a department or agency shall release to the complaining party a copy of the complaining party's own statements at the time the complaint is filed.

(d) Notwithstanding subdivisions (a) and (b), a department or agency that employs peace or custodial officers may disseminate data regarding the number, type, or disposition of complaints (sustained, not sustained, exonerated, or unfounded) made against its officers if that information is in a form that does not identify the individuals involved.

(e) Notwithstanding subdivisions (a) and (b), a department or agency that employs peace or custodial officers may release factual information concerning a disciplinary investigation if the officer who is the subject of the disciplinary investigation, or the officer's agent or representative, publicly makes a statement that they know to be false concerning the investigation or the imposition of disciplinary action. Information may not be disclosed by the peace or custodial officer's employer unless the false statement was published by an established medium of communication, such as television, radio, or a newspaper. Disclosure of factual information by the employing agency pursuant to this subdivision is limited to facts contained in the officer's personnel file concerning the disciplinary investigation or imposition of disciplinary action that specifically refute the false statements made public by the peace or custodial officer or their agent or representative.

(f) (1) The department or agency shall provide written notification to the complaining party of the disposition of the complaint within 30 days of the disposition.

(2) The notification described in this subdivision is not conclusive or binding or admissible as evidence in any separate or subsequent action or proceeding brought before an arbitrator, court, or judge of this state or the United States.

(g) This section does not affect the discovery or disclosure of information contained in a peace or custodial officer's personnel file pursuant to Section 1043 of the Evidence Code.

(h) This section does not supersede or affect the criminal discovery process outlined in Chapter 10 (commencing with Section 1054) of Title 6 of Part 2, or the admissibility of personnel records pursuant to subdivision (a), which codifies the court decision in *Pitchess v. Superior Court* (1974) 11 Cal.3d 531.

(i) Nothing in this chapter is intended to limit the public's right of access as provided for in *Long Beach Police Officers Association v. City of Long Beach* (2014) 59 Cal.4th 59.

SEC. 6.

Section 13503 of the Penal Code is amended to read:

13503.

In carrying out its duties and responsibilities, the commission shall have all of the following powers:

(a) To meet at those times and places as it may deem proper.

(b) To employ an executive secretary and, pursuant to civil service, those clerical and technical assistants as may be necessary.

(c) To contract with other agencies, public or private, or persons as it deems necessary, for the rendition and affording of those services, facilities, studies, and reports to the commission as will best assist it to carry out its duties and responsibilities.

(d) To cooperate with and to secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of its duties and responsibilities, and in performing its other functions.

(e) To develop and implement programs to increase the effectiveness of law enforcement and when those programs involve training and education courses to cooperate with and secure the cooperation of state-level peace officers, agencies, and bodies having jurisdiction over systems of public higher education in continuing the development of college-level training and education programs.

(f) To investigate and determine the fitness of any person to serve as a peace officer within the Peace Officer Standards and Training program or as defined in Section 13510.1 in the State of California.

(g) To cooperate with and secure the cooperation of every department, agency, or instrumentality in the state government.

(h) To audit any law enforcement agency that employs peace officers described in subdivision (a) of Section 13510.1, without cause and at any time.

(i) To do any and all things necessary or convenient to enable it fully and adequately to perform its duties and to exercise the power granted to it.

SEC. 7.

Section 13506 of the Penal Code is amended to read:

13506.

The commission may adopt those regulations as are necessary to carry out the purposes of this chapter.

SEC. 8.

Section 13509.5 is added to the Penal Code, to read:

13509.5.

(a) There is within the commission a Peace Officer Standards Accountability Division, hereafter referred to in this chapter as the division.

(b) The primary responsibilities of the division shall be to review investigations conducted by law enforcement agencies or any other investigative authority and to conduct additional investigations, as necessary, into serious misconduct that may provide grounds for suspension or revocation of a peace officer's certification, present findings and recommendations to the board and commission, and bring proceedings seeking the suspension or revocation of certification of peace officers as directed by the board and commission pursuant to this chapter.

(c) The division shall be staffed with a sufficient number of experienced and able employees that are capable of handling the most complex and varied types of decertification investigations, prosecutions, and administrative proceedings against peace officers.

(d) The commission shall establish procedures for accepting complaints from members of the public regarding peace officers or law enforcement agencies that may be investigated by the division or referred to the peace officers' employing agency or the Department of Justice.

SEC. 9.

Section 13509.6 is added to the Penal Code, to read:

13509.6.

(a) No later than January 1, 2023, the Governor shall establish the Peace Officer Standards Accountability Advisory Board, hereafter referred to in this chapter as the board.

(b) The purpose of the board shall be to make recommendations on the decertification of peace officers to the commission.

(c) The protection of the public and all constitutional and statutory rights shall be the highest priority for the board as it upholds the standards for peace officers in California.

(d) The board shall consist of nine members, as follows:

(1) One member shall be a peace officer or former peace officer with substantial experience at a command rank, appointed by the Governor.

(2) One member shall be a peace officer or former peace officer with substantial experience at a management rank in internal investigations or disciplinary proceedings of peace officers, appointed by the Governor.

(3) Two members shall be members of the public, who shall not be former peace officers, who have substantial experience working at nonprofit or academic institutions on issues related to police accountability. One of these members shall be appointed by the Governor and one by the Speaker of the Assembly.

(4) Two members shall be members of the public, who shall not be former peace officers, who have substantial experience working at community-based organizations on issues related to police accountability. One of these members shall be appointed by the Governor and one by the Senate Rules Committee.

(5) Two members shall be members of the public, who shall not be former peace officers, with strong consideration given to individuals who have been subject to wrongful use of force likely to cause death or serious bodily injury by a peace officer, or who are surviving family members of a person killed by the wrongful use of deadly force by a peace officer, appointed by the Governor.

(6) One member shall be an attorney, who shall not be a former peace officer, with substantial professional experience involving oversight of peace officers, appointed by the Governor.

(e) Except as otherwise provided in subdivision (f), each member shall be appointed for a term of three years and shall hold office until the appointment of the member's successor or until one year has elapsed since the expiration of the term for which the member was appointed, whichever occurs first. Vacancies occurring shall be filled by appointment for the unexpired term of a person with the same qualification for appointment as the person being replaced. No person shall serve more than two terms consecutively. The Governor shall remove from the board any peace officer member whose certification as a peace officer has been revoked. The Governor may, after hearing, remove any member of the board for neglect of duty or other just cause.

(f) Of the members initially appointed to the board, three shall be appointed for a term of one year, three for a term of two years, and three for a term of three years. Successor appointments shall be made pursuant to subdivision (e).

(g) The Governor shall designate the chair of the board from among the members of the board. The person designated as the chair shall serve as chair of the board at the pleasure of the Governor. The board shall annually select a vice chair from among its members. A majority of the members of the board shall constitute a quorum.

(h) Each member of the board shall receive a per diem of three hundred fifty dollars (\$350) for each day actually spent in the discharge of official duties, including any required training and reasonable time spent in preparation for public hearings, and shall be reimbursed for travel and other expenses necessarily incurred in the performance of official duties. Upon request of a member based on financial necessity, the commission shall arrange and make direct payment for travel or other necessities rather than providing reimbursement.

(i) All members of the board shall complete a 40-hour decertification training course, as developed by the commission, which shall include, but not be limited to, subjects regarding the decertification process, internal investigations, evidentiary standards, use of force standards and training, and local disciplinary processes.

SEC. 10.

The heading of Article 2 (commencing with Section 13510) of Chapter 1 of Title 4 of Part 4 of the Penal Code is amended to read:

Article 2. Field Services, Standards, and Certification

SEC. 11.

Section 13510 of the Penal Code is amended to read:

13510.

(a) (1) For the purpose of raising the level of competence of local law enforcement officers, the commission shall adopt, and may from time to time amend, rules establishing and upholding minimum standards relating to physical, mental, and moral fitness that shall govern the recruitment of any city police officers, peace officer members of a county sheriff's office, marshals or deputy marshals, peace officer members of a county coroner's office notwithstanding Section 13526, reserve officers, as defined in subdivision (a) of Section 830.6, police officers of a district authorized by statute to maintain a police department, peace officer members of a police department operated by a joint powers agency established by Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code, regularly employed and paid inspectors and investigators of a district attorney's office, as defined in Section 830.1, who conduct criminal investigations, peace officer members of a district, safety police officers and park rangers of the County of Los Angeles, as defined in subdivisions (a) and (b) of Section 830.31, or housing authority police departments.

(2) The commission also shall adopt, and may from time to time amend, rules establishing minimum standards for training of city police officers, peace officer members of county sheriff's offices, marshals or deputy marshals, peace officer members of a county coroner's office notwithstanding Section 13526, reserve officers, as defined in subdivision (a) of Section 830.6, police officers of a district authorized by statute to maintain a police department, peace officer members of a police department operated by a joint powers agency established by Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code, regularly employed and paid inspectors and investigators of a district attorney's office, as defined in Section 830.1, who conduct criminal investigations, peace officer members of a district, safety police officers and park rangers of the County of Los Angeles, as defined in subdivisions (a) and (b) of Section 830.31, and housing authority police departments.

(3) These rules shall apply to those cities, counties, cities and counties, and districts receiving state aid pursuant to this chapter and shall be adopted and amended pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(b) The commission shall conduct research concerning job-related educational standards and job-related selection standards to include vision, hearing, physical ability, and emotional stability. Job-related standards that are supported by this research shall be adopted by the commission prior to January 1, 1985, and shall apply to those peace officer classes identified in subdivision (a). The commission shall consult with local entities during the conducting of related research into job-related selection standards.

(c) For the purpose of raising the level of competence of local public safety dispatchers, the commission shall adopt, and may from time to time amend, rules establishing minimum standards relating to the recruitment and training of local public safety dispatchers having a primary responsibility for providing dispatching services for local law enforcement agencies described in subdivision (a), which standards shall apply to those cities, counties, cities and counties, and districts receiving state aid pursuant to this chapter. These standards also shall apply to consolidated dispatch centers operated by an independent public joint powers agency established pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code when providing dispatch services to the law enforcement personnel listed in subdivision (a). Those rules shall be adopted and amended pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. As used in this section, "primary responsibility" refers to the performance of law enforcement dispatching duties for a minimum of 50 percent of the time worked within a pay period.

(d) This section does not prohibit a local agency from establishing selection and training standards that exceed the minimum standards established by the commission.

SEC. 12.

Section 13510.1 of the Penal Code is amended to read:

13510.1.

(a) The commission shall establish a certification program for peace officers described in Section 830.1, 830.2 with the exception of those described in subdivision (d) of that section, 830.3, 830.32, or 830.33, or any other peace officer employed by an agency that participates in the Peace Officer Standards and Training (POST) program. A certificate or proof of eligibility issued pursuant to this section shall be considered the property of the commission.

(b) Basic, intermediate, advanced, supervisory, management, and executive certificates shall be established for the purpose of fostering professionalization, education, and experience necessary to adequately accomplish the general police service duties performed by peace officer members of city police departments, county sheriffs' departments, districts, university and state university and college departments, or by the California Highway Patrol.

(c) (1) Certificates shall be awarded on the basis of a combination of training, education, experience, and other prerequisites, as determined by the commission.

(2) In determining whether an applicant for certification has the requisite education, the commission shall recognize as acceptable college education only the following:

(A) Education provided by a community college, college, or university which has been accredited by the department of education of the state in which the community college, college, or university is located or by a recognized national or regional accrediting body.

(B) Until January 1, 1998, educational courses or degrees provided by a nonaccredited but state-approved college that offers programs exclusively in criminal justice.

(d) Persons who are determined by the commission to be eligible peace officers may make application for the certificates, provided they are employed by an agency which participates in the POST program. Any agency appointing an individual who does not already have a basic certificate as described in subdivision (a) and who is not eligible for a certificate shall make application for proof of eligibility within 10 days of appointment.

(e) The commission shall assign each person who applies for or receives certification a unique identifier that shall be used to track certification status from application for certification through that person's career as a peace officer.

(f) The commission shall have the authority to suspend, revoke, or cancel any certification pursuant to this chapter.

(g) (1) An agency that employs peace officers described in subdivision (a) shall employ as a peace officer only individuals with current, valid certification pursuant to this section, except that an agency may provisionally employ a person for up to 24 months, pending certification by the commission, provided that the person has received certification and has not previously been certified or denied certification.

(2) In accordance with subdivision (b) of Section 832.4, deputy sheriffs described in subdivision (c) of Section 830.1 shall obtain valid certification pursuant to this section upon reassignment from custodial duties to general law enforcement duties.

(h) (1) Notwithstanding subdivision (d), the commission shall issue a basic certificate or proof of eligibility to any peace officer described in subdivision (a) who, on January 1, 2022, is eligible for a basic certificate or proof of eligibility but has not applied for a certification.

(2) Commencing on January 1, 2023, any peace officer described in subdivision (a) who does not possess a basic certificate and who is not yet or will not be eligible for a basic certificate, shall apply to the commission for proof of eligibility.

(i) As used in this chapter, "certification" means a valid and unexpired basic certificate or proof of eligibility issued by the commission pursuant to this section.

SEC. 13.

Section 13510.8 is added to the Penal Code, to read:

13510.8.

(a) (1) A certified peace officer shall have their certification revoked if the person is or has become ineligible to hold office as a peace officer pursuant to Section 1029 of the Government Code.

(2) A peace officer may have their certification suspended or revoked if the person has been terminated for cause from employment as a peace officer for, or has, while employed as a peace officer, otherwise engaged in, any serious misconduct as described in subdivision (b).

(b) By January 1, 2023, the commission shall adopt by regulation a definition of “serious misconduct” that shall serve as the criteria to be considered for ineligibility for, or revocation of, certification. This definition shall include all of the following:

(1) Dishonesty relating to the reporting, investigation, or prosecution of a crime, or relating to the reporting of, or investigation of misconduct by, a peace officer or custodial officer, including, but not limited to, false statements, intentionally filing false reports, tampering with, falsifying, destroying, or concealing evidence, perjury, and tampering with data recorded by a body-worn camera or other recording device for purposes of concealing misconduct.

(2) Abuse of power, including, but not limited to, intimidating witnesses, knowingly obtaining a false confession, and knowingly making a false arrest.

(3) Physical abuse, including, but not limited to, the excessive or unreasonable use of force.

(4) Sexual assault, as described in subdivision (b) of Section 832.7.

(5) Demonstrating bias on the basis of race, national origin, religion, gender identity or expression, housing status, sexual orientation, mental or physical disability, or other protected status in violation of law or department policy or inconsistent with a peace officer’s obligation to carry out their duties in a fair and unbiased manner. This paragraph does not limit an employee’s rights under the First Amendment to the United States Constitution.

(6) Acts that violate the law and are sufficiently egregious or repeated as to be inconsistent with a peace officer’s obligation to uphold the law or respect the rights of members of the public, as determined by the commission. Whether a particular factual or legal determination in a prior appeal proceeding shall have preclusive effect in proceedings under this chapter shall be governed by the existing law of collateral estoppel.

(7) Participation in a law enforcement gang. For the purpose of this paragraph, a “law enforcement gang” means a group of peace officers within a law enforcement agency who may identify themselves by a name and may be associated with an identifying symbol, including, but not limited to, matching tattoos, and who engage in a pattern of on-duty behavior that intentionally violates the law or fundamental principles of professional policing, including, but not limited to, excluding, harassing, or discriminating against any individual based on a protected category under federal or state antidiscrimination laws, engaging in or promoting conduct that violates the rights of other employees or members of the public, violating agency policy, the persistent practice of unlawful detention or use of excessive force in circumstances where it is known to be unjustified, falsifying police reports, fabricating or destroying evidence, targeting persons for enforcement based solely on protected characteristics of those persons, theft, unauthorized use of alcohol or drugs on duty, unlawful or unauthorized protection of other members from disciplinary actions, and retaliation against other officers who threaten or interfere with the activities of the group.

(8) Failure to cooperate with an investigation into potential police misconduct, including an investigation conducted pursuant to this chapter. For purposes of this paragraph, the lawful exercise of rights granted under the United States Constitution, the California Constitution, or any other law shall not be considered a failure to cooperate.

(9) Failure to intercede when present and observing another officer using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances, taking into account the possibility that other officers may have additional information regarding the threat posed by a subject.

(c) (1) Beginning no later than January 1, 2023, each law enforcement agency shall be responsible for the completion of investigations of allegations of serious misconduct by a peace officer, regardless of their employment status.

(2) The division shall promptly review any grounds for decertification described in subdivision (a) received from an agency. The division shall have the authority to review any agency or other investigative authority file, as well as to conduct additional investigation, if necessary. The division shall only have authority to review and investigate allegations for purposes of decertification.

(3) (A) The board, in their discretion, may request that the division review an investigative file or recommend that the commission direct the division to investigate any potential grounds for decertification of a peace officer. Those requests and recommendations from the board to the division or commission must be based upon a decision by a majority vote.

(B) The commission, in its discretion, may direct the division to review an investigative file. The commission, either upon its own motion or in response to a recommendation from the board, may direct the division to investigate any potential grounds for decertification of a peace officer.

(C) The division, in its discretion, may investigate without the request of the commission or board any potential grounds for revocation of certification of a peace officer.

(4) The division, in carrying out any investigation initiated pursuant to this section or any other duty shall have all of the powers of investigation granted pursuant to Article 2 (commencing with Section 11180) of Chapter 2 of Part 1 of Division 3 of Title 2 of the Government Code.

(5) Notwithstanding any other law, the investigation shall be completed within three years after the receipt of the completed report of the disciplinary or internal affairs investigation from the employing agency pursuant to Section 13510.9, however, no time limit shall apply if a report of the conduct was not made to the commission. An investigation shall be considered completed upon a notice of intent to deny, suspend, or revoke certification issued pursuant to subdivision (e). The time limit shall be tolled during the appeal of a termination or other disciplinary action through an administrative or judicial proceeding or during any criminal prosecution of the peace officer. The commission shall consider the peace officer's prior conduct and service record, and any instances of misconduct, including any incidents occurring beyond the time limitation for investigation in evaluating whether to revoke certification for the incident under investigation.

(6) An action by an agency or decision resulting from an appeal of an agency's action does not preclude action by the commission to investigate, suspend, or revoke a peace officer's certification pursuant to this section.

(d) Upon arrest or indictment of a peace officer for any crime described in Section 1029 of the Government Code, or discharge from any law enforcement agency for grounds set forth in subdivision (a), or separation from employment of a peace officer during a pending investigation into allegations of serious misconduct, the executive director shall order the immediate temporary suspension of any certificate held by that peace officer upon the determination by the executive director that the temporary suspension is in the best interest of the health, safety, or welfare of the public. The order of temporary suspension shall be made in writing and shall specify the basis for the executive director's determination. Following the issuance of a temporary suspension order, proceedings of the commission in the exercise of its authority to discipline any peace officer shall be promptly scheduled as provided for in this section. The temporary suspension shall continue in effect until issuance of the final decision on revocation pursuant to this section or until the order is withdrawn by the executive director.

(e) Records of an investigation of any person by the commission shall be retained for 30 years following the date that the investigation is deemed concluded by the commission. The commission may destroy records prior to the expiration of the 30-year retention period if the subject is deceased and no action

upon the complaint was taken by the commission beyond the commission's initial intake of such complaint.

(f) Any peace officer may voluntarily surrender their certification permanently. Voluntary permanent surrender of certification pursuant to this subdivision shall have the same effect as revocation. Voluntary permanent surrender is not the same as placement of a valid certification into inactive status during a period in which a person is not actively employed as a peace officer. A permanently surrendered certification cannot be reactivated.

(g) (1) The commission may initiate proceedings to revoke or suspend a peace officer's certification for conduct which occurred before January 1, 2022, only for either of the following:

(A) Serious misconduct pursuant to paragraphs (1) or (4) of subdivision (b), or pursuant to paragraph (3) of subdivision (b) for the use of deadly force that results in death or serious bodily injury.

(B) If the employing agency makes a final determination regarding its investigation of the misconduct after January 1, 2022.

(2) Nothing in this subdivision prevents the commission from considering the peace officer's prior conduct and service record in determining whether revocation is appropriate for serious misconduct.

SEC. 14.

Section 13510.85 is added to the Penal Code, immediately following Section 13510.8, to read:

13510.85.

(a) (1) When, upon the completion of an investigation conducted pursuant to subdivision (c) of Section 13510.8, the division finds reasonable grounds for revocation or suspension of a peace officer's certification, it shall take the appropriate steps to promptly notify the peace officer involved, in writing, of its determination and reasons therefore, and shall provide the peace officer with a detailed explanation of the decertification procedure and the peace officer's rights to contest and appeal.

(2) Upon notification, the peace officer may, within 30 days, file a request for a review of the determination by the board and commission. If the peace officer does not file a request for review within 30 days, the peace officer's certification shall be suspended or revoked, consistent with the division's determination, without further proceedings. If the peace officer files a timely review, the board shall schedule the case for hearing.

(3) The board shall meet as required to conduct public hearings, but no fewer than four times per year.

(4) At each public hearing, the board shall review the findings of investigations presented by the division pursuant to paragraph (1) and shall make a recommendation on what action should be taken on the certification of the peace officer involved. The board shall only recommend revocation if the factual basis for revocation is established by clear and convincing evidence. If the board determines that the facts and circumstances revealed by the investigation warrant a sanction other than revocation, it may recommend that a peace officer's certification be suspended for a period of time. The board shall issue a written decision explaining its reasons for decertification or suspension.

(5) The commission shall review all recommendations made by the board. The commission's decision to adopt a recommendation by the board to seek revocation shall require a two-thirds vote of commissioners present and shall be based on whether the record, in its entirety, supports the board's conclusion that serious misconduct has been established by clear and convincing evidence. In any case in which the commission reaches a different determination than the board's recommendation, it shall set forth its analysis and reasons for reaching a different determination in writing.

(6) The commission shall return any determination requiring action to be taken against an individual's certification to the division, which shall initiate proceedings for a formal hearing before an administrative law judge in accordance with the Administrative Procedure Act (Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code), which shall be subject to judicial review as set forth in that Act.

(b) Notwithstanding Section 832.7, the hearings of the board and the review by the commission under this section, administrative adjudications held pursuant to paragraph (6) of subdivision (a), and any records introduced during those proceedings, shall be public.

(c) The commission shall publish the names of any peace officer whose certification is suspended or revoked and the basis for the suspension or revocation and shall notify the National Decertification Index of the International Association of Directors of Law Enforcement Standards and Training of the suspension or revocation.

SEC. 15.

Section 13510.9 is added to the Penal Code, to read:

13510.9.

(a) Beginning January 1, 2023, any agency employing peace officers shall report to the commission within 10 days, in a form specified by the commission, any of the following events:

(1) The employment, appointment, or termination or separation from employment or appointment, by that agency, of any peace officer. Separation from employment or appointment includes any involuntary termination, resignation, or retirement.

(2) Any complaint, charge, or allegation of conduct against a peace officer employed by that agency that could render a peace officer subject to suspension or revocation of certification by the commission pursuant to Section 13510.8.

(3) Any finding or recommendation by a civilian oversight entity, including a civilian review board, civilian police commission, police chief, or civilian inspector general, that a peace officer employed by that agency engaged in conduct that could render a peace officer subject to suspension or revocation of certification by the commission pursuant to Section 13510.8.

(4) The final disposition of any investigation that determines a peace officer engaged in conduct that could render a peace officer subject to suspension or revocation of certification by the commission pursuant to Section 13510.8, regardless of the discipline imposed.

(5) Any civil judgment or court finding against a peace officer based on conduct, or settlement of a civil claim against a peace officer or an agency based on allegations of officer conduct that could render a peace officer subject to suspension or revocation of certification by the commission pursuant to Section 13510.8.

(b) By July 1, 2023, any agency employing peace officers shall report to the commission any events described in subdivision (a) that occurred between January 1, 2020, and January 1, 2023.

(c) An agency employing peace officers shall make available for inspection or duplication by the commission any investigation into any matter reported pursuant to paragraph (2) of subdivision (a), including any physical or documentary evidence, witness statements, analysis, and conclusions, for up to two years after reporting of the disposition of the investigation pursuant to paragraph (3) of subdivision (a).

(d) (1) In a case of separation from employment or appointment, the employing agency shall execute and maintain an affidavit-of-separation form adopted by the commission describing the reason for separation

and shall include whether the separation is part of the resolution or settlement of any criminal, civil, or administrative charge or investigation. The affidavit shall be signed under penalty of perjury and submitted to the commission.

(2) A peace officer who has separated from employment or appointment shall be permitted to respond to the affidavit-of-separation, in writing, to the commission, setting forth their understanding of the facts and reasons for the separation, if different from those provided by the agency.

(3) Before employing or appointing any peace officer who has previously been employed or appointed as a peace officer by another agency, the agency shall contact the commission to inquire as to the facts and reasons a peace officer became separated from any previous employing agency. The commission shall, upon request and without prejudice, provide to the subsequent employing agency any information regarding the separation in its possession.

(4) Civil liability shall not be imposed on either a law enforcement agency or the commission, or any of the agency's or commission's agents, for providing information pursuant to this section in a good faith belief that the information is accurate.

(e) The commission shall maintain the information reported pursuant to this section, in a form determined by the commission, and in a manner that may be accessed by the subject peace officer, any employing law enforcement agency of that peace officer, any law enforcement agency that is performing a preemployment background investigation of that peace officer, or the commission when necessary for the purposes of decertification.

(f) (1) The commission shall notify the head of the agency that employs the peace officer of all of the following:

(A) The initiation of any investigation of that peace officer by the division, unless such notification would interfere with the investigation.

(B) A finding by the division, following an investigation or review of the investigation, of grounds to take action against the peace officer's certification or application.

(C) A final determination by the commission as to whether action should be taken against a peace officer's certification or application.

(D) An adjudication, after hearing, resulting in action against an officer's certification or application.

(2) If the certificate of a peace officer is temporarily suspended pursuant to subdivision (d) of Section 13510.8, or revoked, the commission shall also notify the district attorney of the county in which the peace officer is or was employed of this fact.

(3) Each notification required by this subdivision shall include the name of the peace officer and a summary of the basis for the action requiring notification.

SEC. 16.

Section 13512 of the Penal Code is amended to read:

13512.

(a) The commission shall make such inquiries as may be necessary to determine whether every city, county, city and county, and district receiving state aid pursuant to this chapter is adhering to the standards for recruitment, training, certification, and reporting established pursuant to this chapter.

(b) The board shall prepare an annual report on the activities of the commission, board, division, and subject agencies regarding peace officer certification under this chapter. The report shall include, without limitation, all of the following:

- (1) The number of applications for certification and the number of certifications granted or denied.
- (2) The number of events reported pursuant to paragraphs (1) to (5), inclusive, of subdivision (a) of Section 13510.9.
- (3) The criteria and process for review and investigation by the division, the number of reviews, and the number of investigations conducted by the division.
- (4) The number of notices sent by the division pursuant to paragraph (1) of subdivision (a) of Section 13510.85, the number of requests for review received, and the number of suspensions or revocations or denials made pursuant to paragraph (2) of subdivision (a) of Section 13510.85.
- (5) The number of review hearings held by the board and commission and the outcomes of those review hearings.
- (6) The number of administrative hearings held on suspensions or revocations and the number of suspensions or revocations resulting from those hearings.
- (7) Any cases of judicial review of commission actions on suspension or revocation and the result of those cases.
- (8) The number of certifications voluntarily surrendered and the number placed on inactive status.
- (9) Any compliance audits or reviews conducted pursuant to this chapter and the results of those audits.
- (10) Any other information the board deems relevant to evaluating the functioning of the certification program, the decertification process, and the staffing levels of the division.

SEC. 17.

Section 5.5 of this bill incorporates amendments to Section 832.7 of the Penal Code proposed by both this bill and Senate Bill 16. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2022, (2) each bill amends Section 832.7 of the Penal Code, and (3) this bill is enacted after Senate Bill 16, in which case Section 5 of this bill shall not become operative.

SEC. 18.

No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because, in that regard, this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

However, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

WORKFORCE ANALYSIS

A HIRING CRISIS
AMIDST THE "GREAT
RESIGNATION"



INTRODUCTION

- Amidst the COVID era, the US labor market experienced record-setting rates of job departures – a phenomenon known as the “Great Resignation.”
 - In 2021, the number of workers who quit their jobs totaled 48.7 million, averaging over 4,000,000 per month. (Source: SHRM)

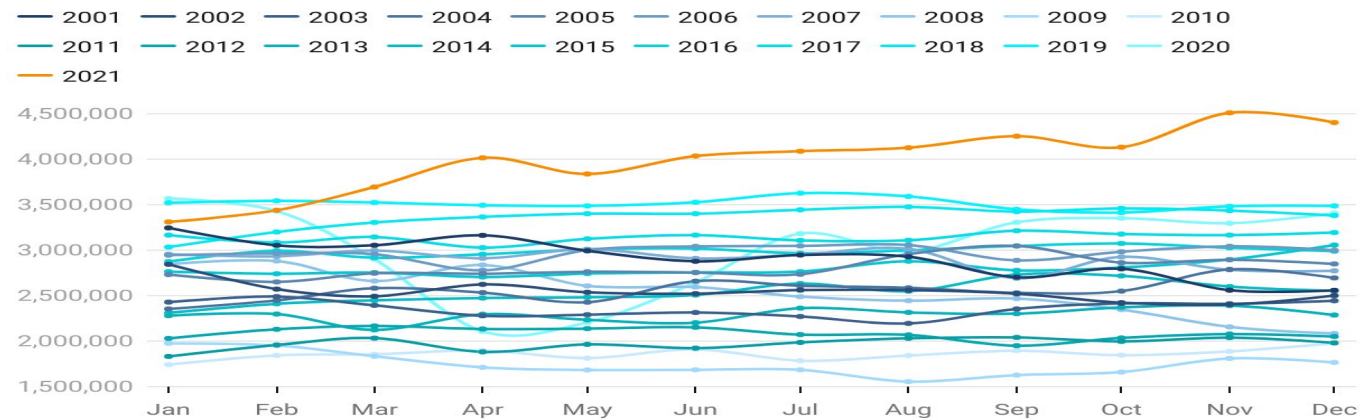
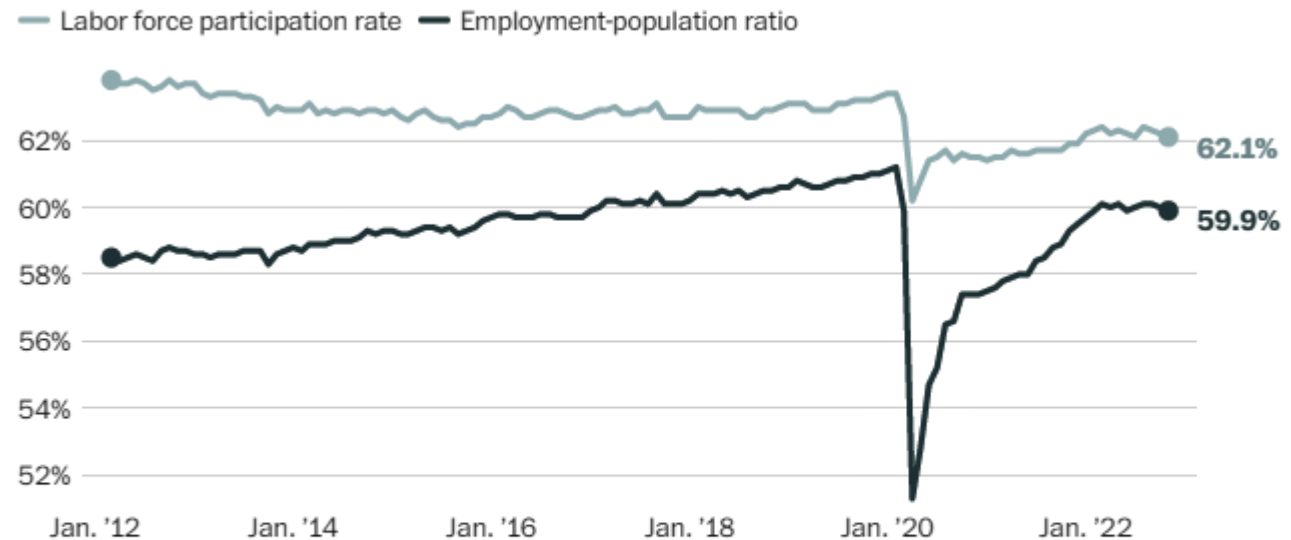


Chart: Mauro Whiteman • Source: U.S. Bureau of Labor Statistics, Job Openings and Labor Turnover Survey. • Created with Datawrapper

CAUSES FOR THE LABOR SHORTAGE

1) A drop in labor force participation.

- The labor force has **3.5 million fewer** workers than the Congressional Budget Office had predicted in its pre-pandemic growth forecast. (Source: Washington Post)



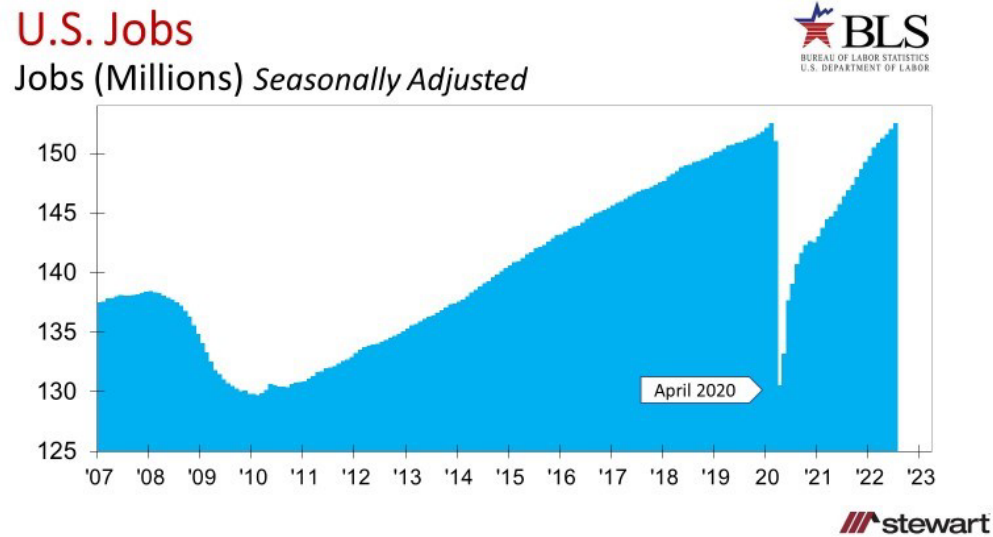
Employment-population ratio refers to share of civilian non-institutional population age 16+ who are employed. Labor force participation rate refers to the share who are either working or actively looking for a job.

Source: U.S. Bureau of Labor Statistics, via Haver Analytics

THE WASHINGTON POST

CAUSES FOR THE LABOR SHORTAGE

2) An increase in the number of available jobs.



3) Impacts of COVID:

- Deaths;
- Symptoms of “long COVID”;
- Reluctance to return to workplaces.

CAUSES FOR THE LABOR SHORTAGE

4) Higher rates of retirement and earlier retirements.

- Retirement rates among the Baby Boomer generation increased 13% in 2020, according to Pew Research.

5) Scarcity of child care and elder care keeping prospective workers from the labor market.

- The child care industry has contracted by 8% and has lost 90,000 workers according to the Center for American Progress.
- Over 60% of nursing homes reported limiting new admissions due to staffing shortages in a survey conducted by the American Health Care Association/National Center for Assisted Living. (Source: U.S. News & World Report)

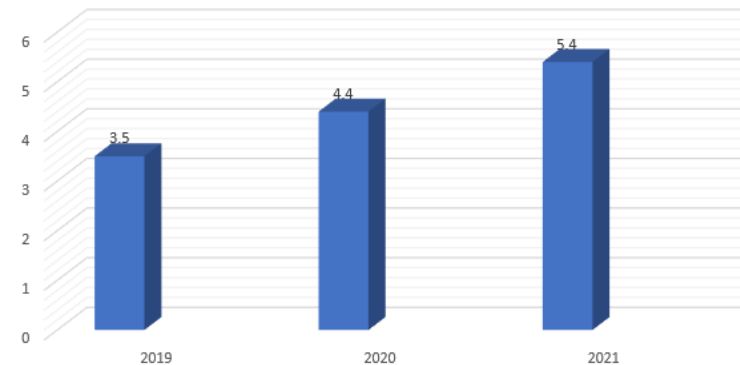
6) Reduced immigration rates in 2020 and 2021.

CAUSES FOR THE LABOR SHORTAGE

7) Changed notions of “work.”

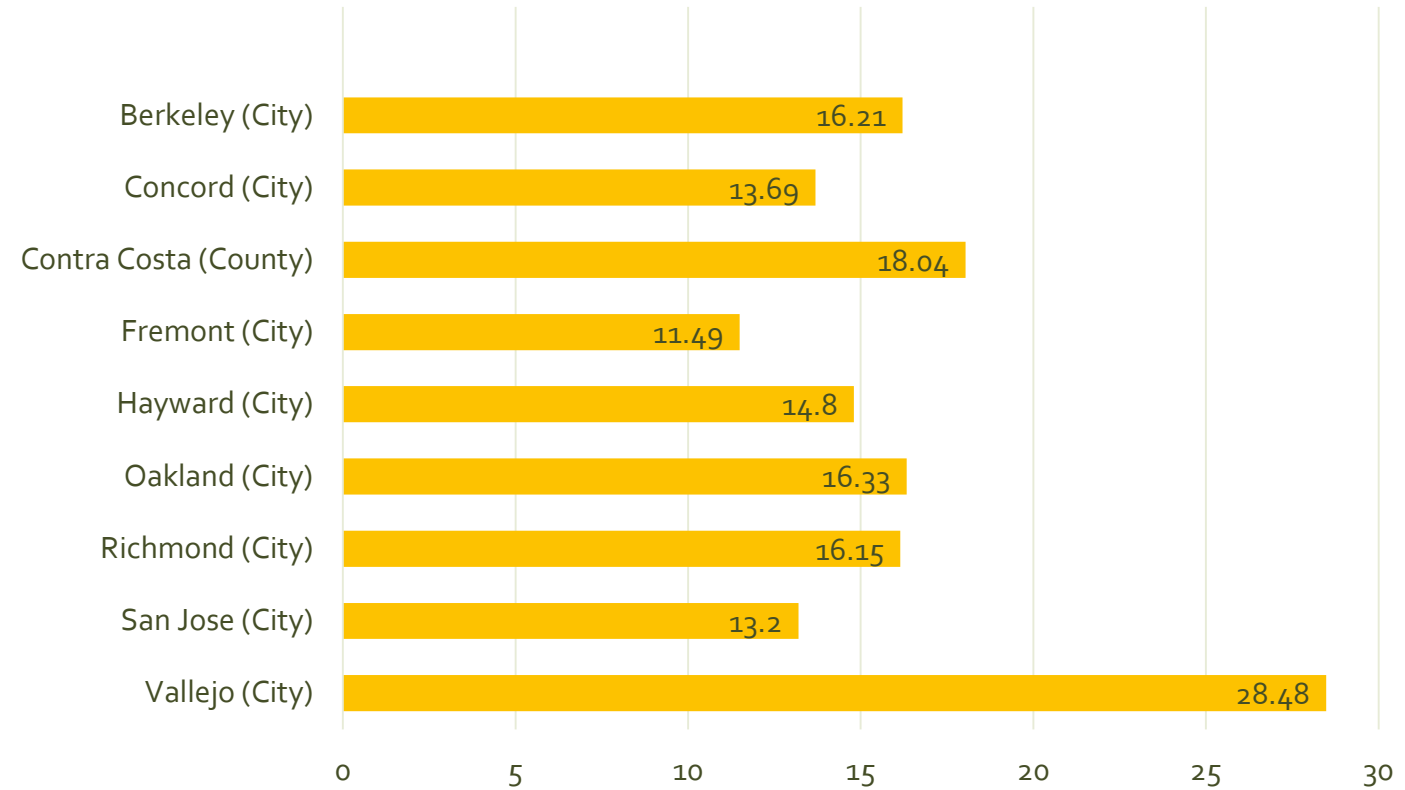
- Prioritizing family time.
- Reassessing work hours and conditions.
 - Joining the “gig” economy.
- Pursuing labor autonomy and entrepreneurship.
 - Starting own business.

NUMBER OF NEW BUSINESS APPLICATIONS
(in millions)



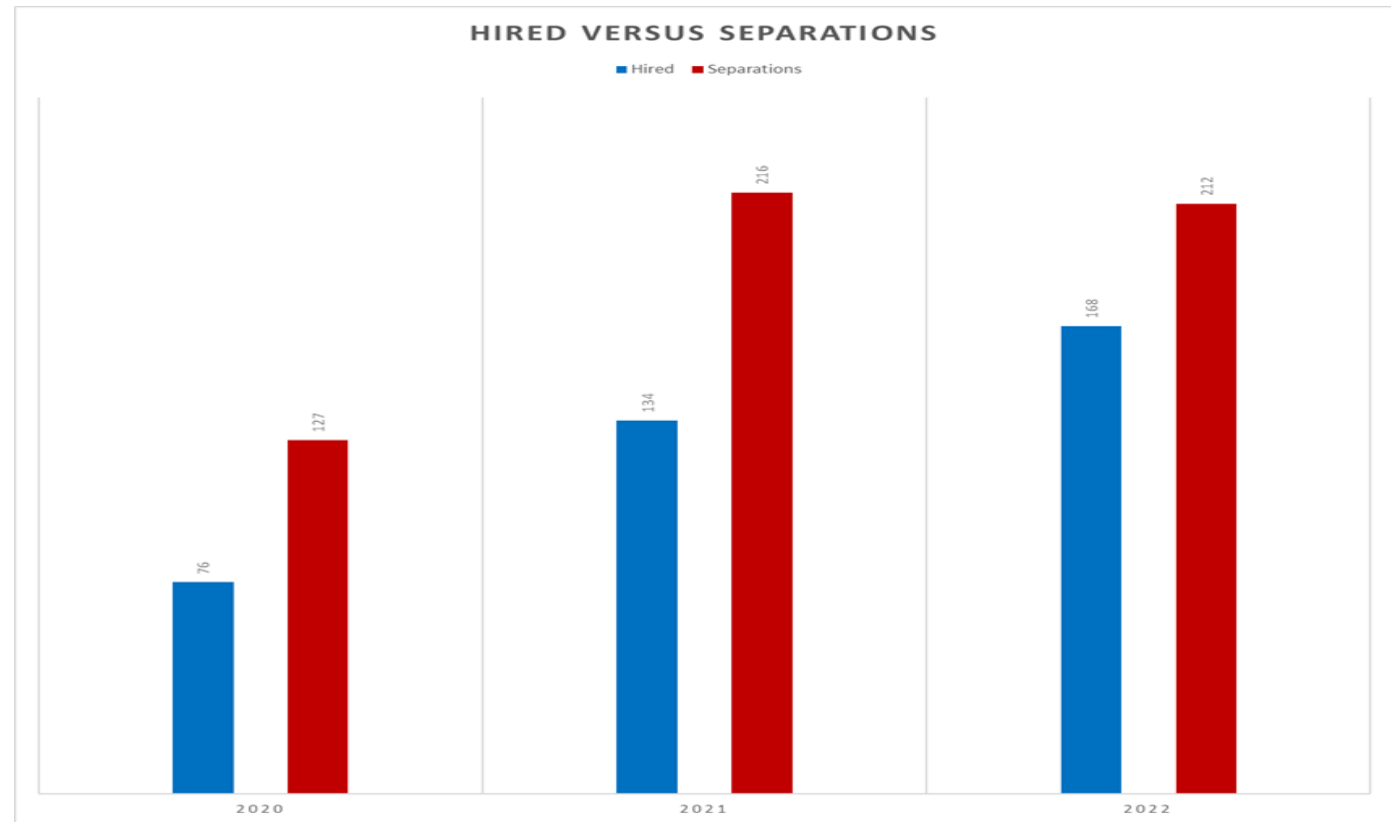
REGIONAL RECRUITMENT CHALLENGES

Vacancy Rates (June 2022)



RECRUITMENT CHALLENGES: CITY OF BERKELEY

- Employee separations, due to retirements and resignations, have outpaced hiring in each of the past three years.



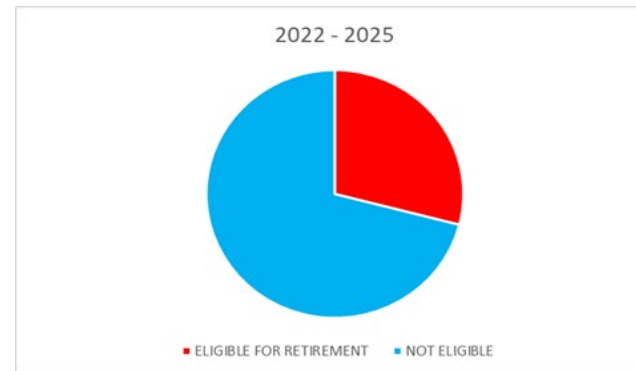
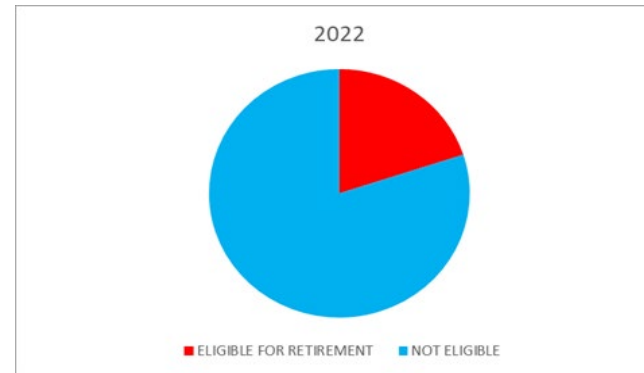
RECRUITMENT CHALLENGES: CITY OF BERKELEY

- Applications for employment with the City of Berkeley have **dropped nearly 40%** compared to pre-pandemic figures.



RECRUITMENT CHALLENGES: CITY OF BERKELEY

- Nearly 20% of the City workforce is currently eligible for retirement – a figure that will climb to 28% by 2025.



IMPACT OF VACANCIES ON SERVICES

HEALTH, HOUSING & COMMUNITY SERVICES

Vacancy Rate: **25%**

(**39%** among mental health professional classifications)

IMPACT OF VACANCIES ON SERVICES

HHCS

- **Reduction of ongoing physical health, mental health, and basic needs services for our most vulnerable community members**
 - As caseloads grow, services for individual clients are reduced
- **Delays in providing essential services to eligible residents who request them**
 - Slower to process intakes, assessments, and referrals; and have lengthier response times to calls, emails, home visits, and complaints;
- **Reduction in service hours and/or closure of facilities on certain days**
 - For example, we currently have reduced in-person dining at senior centers, and reduced service hours at clinics;
- **Reduction in service quality**
 - As a function of decline in employee morale and energy; increased stress, and increased absenteeism;

IMPACT OF VACANCIES ON SERVICES

HHCS

- **Decreased capacity to manage existing programs and take on new ones mandated by State/Federal requirements or Council referrals**
 - Loss of opportunities to compete for grants and resources;
- **Challenges meeting grant deliverables**
 - Jeopardized fulfillment of contractual agreements for grants, which make up 75% of the HHCS budget;
- **Challenges with retention**
 - Departures occasioned by overwork, which creates retention hardships and hiring “churn.”

IMPACT OF VACANCIES ON SERVICES

PUBLIC WORKS

Vacancy Rate: **15%**

IMPACT OF VACANCIES ON SERVICES

PUBLIC WORKS

- Flashing beacon installations have been delayed for 18+ months.
- Neighborhood traffic calming backlog stretches back to 2019.
- Major infrastructure planning is 6+ months behind schedule.
- Illegal dumping/encampment/RV-related cleanups are missed.
- Key vehicles are not properly maintained and unavailable during significant weather events.
- Long delays occur in addressing dozens of directions via Council referrals, budget referrals, and audit findings.
- Staff morale suffers—department is in lowest 15% of comparable public entities, and staff rank "filling vacant positions" as the top priority to improve work satisfaction.

IMPACT OF VACANCIES ON SERVICES

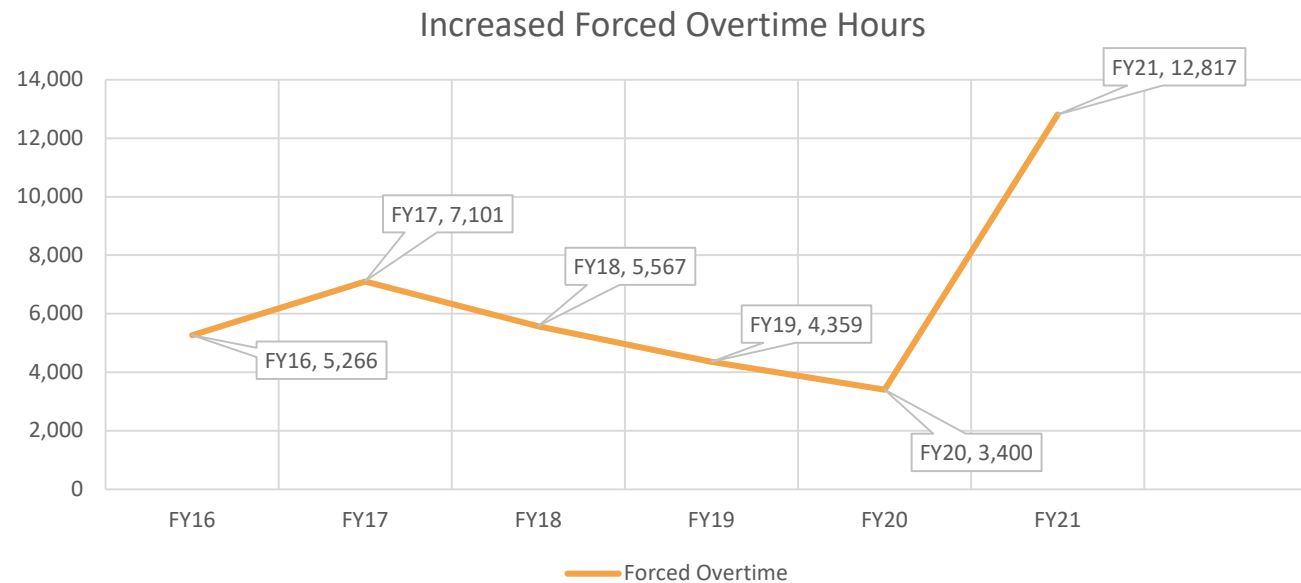
FIRE DEPARTMENT

Vacancy Rate: **24%**

IMPACT OF VACANCIES ON SERVICES

FIRE

- Temporary closures of firehouses due to unstaffed shifts.
- 275% increase in forced overtime in FY 21.



IMPACT OF VACANCIES ON SERVICES

POLICE DEPARTMENT

Vacancy Rate: **25%**

IMPACT OF VACANCIES ON SERVICES

POLICE

- **Sworn Officer** staffing levels:
 - **Authorized: 181 | Current: 151**
 - Three officers have announced their separation before the end of 2022 (two departing for other Bay Area police departments);
 - An additional **21** are currently off due to injuries or extended leaves;
 - An additional **21** are eligible to retire now, and grows to 27 next year.
- **Public Safety Dispatcher (PSD)** staffing levels:
 - **Authorized: 36 | Current: 21**
 - **Three** are currently off work due to extended injuries or leaves;
 - **Seven** dispatchers are eligible to retire now;
 - In two years **12** eligible to retire.

IMPACT OF VACANCIES ON SERVICES

POLICE

SWORN OFFICERS

- Necessary prioritization of violent crimes over lower-priority property crimes;
- Extended response times and a lack of officers in the community;
- Delayed (and possibly no) response to qualify-of-life-related calls and unhoused-related calls;
- Diminished ability to staff extra patrols;
- Reduced back-up resources for officers in distress;

IMPACT OF VACANCIES ON SERVICES

POLICE

SWORN OFFICERS (CONT'D)

- Cuts in special assignment staffing;
- Limited officer involvement in policy work and community engagement;
- Reduced officer oversight and supervision in the field;
- Inability to partner with regional task forces;
- Forced overtime, unplanned extensions of shifts, and denial of time-off requests – all negatively affecting officer wellness and morale.

IMPACT OF VACANCIES ON SERVICES

POLICE

PUBLIC SAFETY DISPATCHERS

- Prolonged call answer times;
- Insufficient staff to handle critical incidents;
- Reduced oversight when supervisors are needed to work as call takers;
- Forced overtime and unplanned extension of shifts due to staffing shortages;
- Diminished wellness and morale, and heightened attrition.

IMPACT OF VACANCIES ON SERVICES

FINANCE

Vacancy Rate: **33%**

IMPACT OF VACANCIES ON SERVICES

FINANCE

- **Timeliness and Accuracy of Critical Tasks**

- Ensuring Adequate Liquidity to Meet City Obligations
- Efficient Financial Operations
 - Vendor Payments
 - Contract Administration
 - Tax Filings
- Financial Reporting
- Regulatory Compliance



IMPACT OF VACANCIES ON SERVICES

FINANCE

- **Internal Control Risks**
 - Effective Financial Controls Require Segregation of Duties
 - Need Staffing for Adequate Supervisory Review
 - Risks Include
 - Fraud
 - Overpayments
 - Missed Payments



IMPACT OF VACANCIES ON SERVICES

FINANCE

- **Same Work with Fewer Employees**
 - Longer Hours
 - Increased Stress and Lower Morale
 - More Illness / Use of Sick Leave



**IMPACT OF
VACANCIES ON
SERVICES**

**PARKS, RECREATION &
WATERFRONT**

Vacancy Rate: _____%

IMPACT OF VACANCIES ON SERVICES

PRW

- Reduction of Parks and Playground sites from 4 to 3 in Summer 2022;
 - Inability to restart Tots Around Town or Pre-K Power Play programs;
 - Reduction of Tots Drop-In program to 2 days a week;
 - More than 50% drop in number of youths served by free Saturday swim lessons; more than 80% drop in number of adults;
- Marina Office closures affecting Waterfront safety;
- Decrease of landscaping services for park turf and median areas;
- Loss of supervisors due to insufficient support staff.

**IMPACT OF
VACANCIES ON
SERVICES**

NEIGHBORHOOD SERVICES

IMPACT OF VACANCIES ON SERVICES

NEIGHBORHOOD SERVICES

- **Animal Care Services**
 - Reduced field services in order to staff shelters;
 - Inability to support/grow network of volunteers;
 - Low staff morale due to inability to take weekends, holidays, or vacation.

RECRUITMENT STRATEGIES AND INTERVENTIONS

ALREADY IMPLEMENTED OR IN PROGRESS:

- HR Staffing
 - New HR Director, HR Manager, and EEO Officer
- Expanded Testing Capacity: Use of Proctors
- Increased Speed / Frequency of Vacancy Announcements via “Berkeley Matters Recruitment Supplement”
- Continuous Exams in 2023 for Key Classifications with Multiple User Departments

PROPOSED INTERVENTIONS

RECRUITMENT CAMPAIGN

- Launch **“Berkeley Is Hiring”** Campaign Across Digital Platforms
 - Social Media
 - Streaming Services
 - Online Ads
- Implement **Remote Testing** Options to Broaden Candidate Pool

PROPOSED INTERVENTIONS

SALARIES

➡ City Manager Authority to Approve/Adjust

- **Starting Salaries for Newly Hired or Promoted Employees**
 - City Manager authority to establish starting salaries for new employees or adjust promotional increases after considering:
 - Recruiting difficulty;
 - Candidate's level of knowledge, skills, and experience;
 - Comparable internal salaries;
 - Budget.
- **Annual Pay Increases and Accelerated Salary Advancement**
 - City Manager authority to approve accelerated salary advancement for employees who provide exceptional work and exceed performance goals and expectations.
- **Equity Increases**
 - City Manager authority to mitigate salary inequities (within the same classification) or remedy salary compression.

PROPOSED INTERVENTIONS

INCENTIVES

➔ City Manager Authority to Offer

- **Signing or Hiring Bonuses** to fill vacancies that are difficult to recruit.
 - Health, Housing & Community Services
 - Public Works
 - Fire Department
 - Police Department
 - Finance
 - Parks, Recreation & Waterfront
 - Neighborhood Services
- **Referral Incentives** for select classifications that pose recruiting challenges.
- **Educational Incentives.**

PROPOSED INTERVENTIONS

BENEFITS

- Alternative / Flexible Work Schedules
- Vacation Accrual Rates and Administrative Leave Allowances
- Training Opportunities / Professional Membership Fees
- Childcare for Working Parents
- Commute and/or Parking Subsidies

NEXT STEPS

- **Council Follow-Up: Return with Full Report in January**
- **Budgeting / Negotiations / Implementation:**
 - Assessment of Costs / Identification of Funding Sources
 - Outreach to Labor Partners
 - Development and Launch of Recruitment Campaign
 - Effectuation of Salary-Incentives-Benefits Initiatives
- **Completion of “Employer of Choice” Roadmap by Municipal Resource Group**
- **Completion of Dispatch and Retention Studies by City Auditor**

MILESTONES FOR SUCCESS

With a robust recruitment campaign and salary / incentive / benefits interventions, we can achieve the following milestones for success:

2023:

Hiring processes are stabilized; hiring rates overcome attrition rates – and exceed them by 10%.

2024:

Hiring outpaces attrition by 50%.

2025:

Overall vacancy rate dips below 10%.

Berkeley Matters

THE BI-WEEKLY HR NEWSLETTER FOR THE CITY OF BERKELEY



What's New

[RECRUITMENT - PAGE 2](#)

.....

[2023 CITY CALENDAR - PAGE 17](#)

.....

[2023 PAY SCHEDULE - PAGE 18](#)

A New Look. A New Team.

Berkeley Matters has a new look with streamlined content – one of many changes being launched by the new team at the Human Resources Department.

A staggering 90% of us have been with the department for less than a year – Information System Support Technician Junnel Coquia, who effectuated this Berkeley Matters redesign, just joined the City last month! – but we are teeming with innovative ideas and the energy to implement them.

We have already increased our capacity for testing candidates and generating eligible lists and, over the next few weeks, we will be expanding our recruitment efforts onto a wider array of digital platforms and reopening our public counter on Fridays. Our goal is to meet the HR needs of the current City workforce – from professional development to wellness – while attracting new talent and filling vacancies, not just in terms of numbers but also caliber and diversity.

Through these efforts and a commitment to a work environment guided by principles of access, opportunity, equity, inclusion, and belonging, your new HR team is ready to do its part in ensuring that the City of Berkeley is always an employer of choice.

-Aram Kouyoumdjian, Director of Human Resources

For more information about what to expect during the hiring process and to apply online:



*Applications must be submitted no later than 5pm on the closing date.

Recruitment Title (Funding source and requisition/s)	Reason Needed	Type	Hourly Rate	Opening Date	Closing Date
Accounting Manager (Funded by General Fund #011 at 100%) (req# 2018-00319)	Retirement	Competitive	\$48.42 to \$57.49	Continuous	Continuous
Administrative and Fiscal Services Manager (Funded by Rent Stabilization Board #801 at 100%) (req# 2022-00958)	Vacancy	Competitive	\$55.56 to \$70.85	Nov 21, 2022	Dec 12,2022
Aquatics Facilities Supervisor (Funded by General Fund #011 at 100%) (req# 2022-00969)	Resignation	Competitive	\$29.98 to \$36.45	Dec 05, 2022	Jan 03, 2023
Assistant Civil Engineer (Funded by Measure T1 -Infra & Facilities #607 at 40%, Parks Tax #450 at 60%) (req# 2022-00738E)	Promotion	Competitive	\$54.86 to \$66.35	Nov 11, 2022	Dec 19, 2022
Associate Civil Engineer (req# 2022-00735E, 2022-00736E)	Promotion	Competitive	\$60.43 to \$73.02	Nov 11, 2022	Dec 19, 2022
Behavioral Health Clinician I	Vacancy	Competitive	\$41.55 to \$48.73	Continuous	Continuous
Behavioral Health Clinician II	Vacancy	Competitive	\$45.76 to \$53.45	Continuous	Continuous
Community Development Project Coordinator (Funded by General Fund #011 at 100%) (req# 2021-00439E, 2021-00341E, 2022-00777E)	Promotion	Competitive	\$50.42 to \$60.96	Aug 1, 2022	Continuous
Community Service Officer (Funded by General Fund #011 at 100%) (req# 2021-00276E)	Resignation	Competitive	\$35.92 to \$41.84	Nov 07, 2022	Dec 05, 2022
Community Services Specialist I (req# 2022-00784, 2022-00833, 2022-00874)	Vacancy Resignation	Competitive	\$38.84 to \$45.84	Dec 05, 2022	Jan 02, 2023
Deputy City Attorney II/III (Funded by Public Liability #678 at 100%) (Funded by General Fund #011 at 100%) (req# 2022-00485E) (2022-00506E)	Vacancy	Competitive	\$67.50 to \$95.43	Continuous	Continuous
Electrician (req# 2020-00113E, 2021-00095E, 2021-00353E)	Vacancy	Competitive	\$48.29 to \$52.92	Continuous	Continuous
Epidemiologist	Vacancy	Competitive	\$41.70 to \$50.69	Continuous	Continuous
Equal Employment Opportunity & Diversity Officer (Funded by General Fund #011 at 100%) (req# 2022-00850E)	Vacancy	Competitive	\$53.60 to \$64.79	Sep 26, 2022	Continuous

Recruitment Title (Funding source and requisition/s)	<u>Reason Needed</u>	<u>Type</u>	<u>Hourly Rate</u>	<u>Opening Date</u>	<u>Closing Date</u>
Fire Prevention Inspector (Sworn)	To Establish a List	Competitive	\$60.13 to \$66.29	Continuous	Continuous
Firefighter Paramedic	Vacancy	Competitive	\$32.18 to \$40.54	Continuous	Continuous
Firefighter Paramedic Lateral	Vacancy	Competitive	\$32.18 to \$40.54	Continuous	Continuous
Human Resources Technician (Funded by General Fund #011 at 100%) (req# 2022-00902E)	Resignation	Competitive	\$38.42 to \$46.67	Nov 21, 2022	Dec 05, 2022
Landscape Equipment Operator (Funded by Park Tax #138 at 100%) (req# 2022-00818E)	Retirement	Competitive	\$39.69 to \$42.10	Nov 11, 2022	Dec 12, 2022
Landscape Gardener Supervisor (Funded by Parks Tax #138 at 100%) (req# 2022-00910)	Promotion	Competitive	\$46.11 to \$48.83	Dec 05, 2022	Dec 27, 2022
Marina Assistant (Funded by Marina Operations/Maint #825 at 100%) (req# 2020-00066)	Promotion	Competitive	\$32.96 to \$34.94	Continuous	Continuous
Mechanic (Funded by Equipment Maintenance #865 at 100%) (Funded by MTC/CALTRANS TIP/HIP Prj #672 at 100%) (req# 2021-00022E) (req# 2021-00179E)	Vacancy	Competitive	\$44.60 to \$47.28	Continuous	Continuous
Mental Health Clinical Supervisor (Funded by General Fund #010 at 45%, Mental health Service Act #063 at 55%) (req# 2019-00213E)	Vacancy	Competitive	\$50.56 to \$62.08	Jul 4, 2022	Continuous
Mid-Level Practitioner (req# 2018-00129, 2019-00221, 2016-00265)	Vacancy	Competitive	\$58.04 to \$64.35	Continuous	Continuous
Nutritionist (Funded by General Fund #011 at 84%, Fund Raising Activities #111 at 16%) (req# 2022-00953)	Promotion	Competitive	\$40.64 to \$47.37	Nov 21, 2022	Dec 12, 2022
Paramedic	Vacancy	Competitive	\$30.00 to \$45.00	Jul 11, 2022	Continuous
Police Officer Lateral (Funded by General Fund #011 at 100%)	Vacancy	Competitive	\$52.76 to \$65.67	Continuous	Continuous
Police Officer Recruit (Funded by General Fund #011 at 100%) (req# 2021-00233E)	Resignation	Competitive	\$43.18	Jun 20, 2022	Continuous
Psychiatrist (Funded by Health (Short/Doyle) Fund #065 at 100%)	Vacancy	Competitive	\$90.52 to \$133.73	Continuous	Continuous
Public Health Nurse (Funded by Alameda County Grants #326 at 51.5%, Health (General) #312 at 42.5%, General Fund #011 at 6%) (req# 2021-00096E)	Vacancy	Competitive	\$53.36 to \$62.24	Continuous	Continuous

Recruitment Title (Funding source and requisition/s)	Reason Needed	Type	Hourly Rate	Opening Date	Closing Date
Public Safety Dispatcher I (Funded by General Fund #011 at 100%) (req# 2021-00280E, 2021-00251E)	Vacancy	Competitive	\$32.18 to \$35.17	Apr 25, 2022	Continuous
Public Safety Dispatcher II	Vacancy	Competitive	\$45.98 to \$49.90	Continuous	Continuous
Recreation and Youth Services Manager (req# 2022-00946E)	Retirement	Competitive	\$62.25 to \$75.22	Nov 07, 2022	Dec 05, 2022
Registered Nurse	Vacancy	Competitive	\$51.68 to \$57.28	Continuous	Continuous
Senior Behavioral Health Clinician	Promotion	Competitive	\$49.95 to \$58.31	Sep 26, 2022	Continuous
Senior Information Systems Specialist (Funded by IT-Cost Allocation Fund #891 at 100%) (req# 2022-00543E)	Retirement	Competitive	\$48.56 to \$57.87	Continuous	Continuous
Senior Planner (Funded by Permit Service Center #621 at 100%, General Fund #011 at 100%) (req# 2022-00822, 2022-00823)	Promotion	Competitive	\$54.22 to \$64.61	Dec 05, 2022	Jan 02, 2023
Service Technician	Vacancy	Competitive	\$37.44 to \$39.73	Continuous	Continuous
Supervising Public Health Nurse	Vacancy	Competitive	\$62.73 to \$73.65	Continuous	Continuous
Traffic Engineering Assistant (Funded by General Fund #011 at 100%) (req# 2022-00956E)	Promotion	Competitive	\$40.04 to \$43.90	Nov 21, 2022	Dec 12, 2022
Library Specialist I (Funded by Library-Discretionary #101 at 100%) (req# 2022-00928E)	Promotion	Promotional	\$31.24 to \$37.28	Dec 05, 2022	Dec 19, 2022

For more information about what to expect during the hiring process and to apply online:



*Applications must be submitted no later than 5pm on the closing date.

To be considered for the vacancies listed below, employees must:

- 1) Have a career appointment in the specific classification listed AND be on the “Transfer List” **OR**
- 2) Have their name on an active “Eligible List” **OR**
- 3) Have their name on a “Reinstatement List”

Please call or email the department contact within one week of the job posting if you meet one of the above criteria

To have your name placed on the transfer list: [CLICK HERE](#)

Classification Title (Funding source and requisition/s)	Reason Needed	Department	Contact
Accountant II (Funded by General Fund #011 at 100%) (req# 2022-00832E)	Resignation	Finance	Alyssa Loo @ 981-7335 or ALoo@cityofberkeley.info
Animal Services Manager (Funded by General Fund #011 at 100%) (req# 2022-00884E)	Retirement	City Manager	Paul Buddenhagen @ 981-7014 or PBuddenhagen@cityofberkeley.info
Assistant Inspector (Funded by Rental Housing Safety Program #129 at 100%) (req# 2022-00775E)	Vacancy	Planning	Jenny McNulty @ 981-7451 or JMcNulty@cityofberkeley.info
Economic Development Project Coordinator (Funded by General Fund #011 at 92%, Private Percent Art Fund #148 at 4%, Public Art Fund #150 at 4%) (req# 2022-00883E)	Promotion	City Manager	Eleanor Hollander @ 981-7536 or EHollander@cityofberkeley.info
Equal Employment Opportunity & Diversity Officer (Funded by General Fund #011 at 100%) (req# 2022-00850E)	Vacancy	Human Resources	Monica Walker @ 981-6808 or MWalker@cityofberkeley.info
Environmental Compliance Specialist (req# 2021-00287E)	Promotion	Public Works	Joy Brown @ 981-6629 or EJBrown@cityofberkeley.info
Library Assistant (Funded by Library-Discretionary #101 at 100%) (req# 2022-00977)	Vacancy	Library	My Chan MChan@cityofberkeley.info
Office Specialist II (Funded by General Fund #011 at 100%) (req# 2022-00591E)	Promotion	Human Resources	Monica Walker @ 981-6808 or MWalker@cityofberkeley.info
Office Specialist II (Funded by General Fund #011 at 82%, Health State Aid Real Trust #156 at 18%) (req# 2022-00753E)	Promotion	HHCS	Hana Shirriel @ HShirriel@berkeleyca.gov
Office Specialist II (Funded by Rent Stabilization Board #801 at 100%) (req# 2022-00698E)	Resignation	Rent Board	DeSeana Williams @981-4949 or DeWilliams@cityofberkeley.info
Office Specialist II (Funded by Permit Service Center #621 at 100%) (req# 2022-00936E)	Vacancy	Planning	David Lopez @ 981-7441 or dlopez@cityofberkeley.info
Principal Program Manager (Funded by CDBG Fund #128 at 75%, Community Action Program #334 at 25%) (req# 2022-00939)	Vacancy	HHCS	Lisa Warhuus @ 981-5404 or lwarhuus@cityofberkeley.info
Senior Human Resources Analyst (x2) (Funded by Permit Service Center #621 at 100%, General Fund #011 at 100%) (req# 2022-00720, 2022-00922)	Resignation	Human Resources	Monica Walker @ 981-6808 or MWalker@cityofberkeley.info

Temporary vacancies with an eligible list

To be considered for the vacancies listed below, employees must:

- 1) Have a career appointment in the specific classification listed AND be on the “Transfer List” **OR**
- 2) Have their name on an active “Eligible List” **OR**
- 3) Have their name on a “Reinstatement List”

Please call or email the department contact within **one week** of the job posting if you meet one of the above criteria

Classification Title (Funding source and requisition/s)	Reason	Department	Contact	Duration
Customer Services Specialist III (Funded by IT Cost Allocation Fund #891 at 100%) (req# 2022-00805E)	Promotion	Information Technology	Kathy Cassidy @981-6543 or kcassidy@cityofberkeley.info	NTE 2 Years
Office Specialist II (Funded by General Fund #011 at 100%) (req# 2022-00901E)	Vacancy	Fire	Stacie Clarke @ 981-5507 or StClarke@cityofberkeley.info	NTE 1 Year
Senior Service Aide (x2) (Funded by General Fund #011 at 100%) (req# 2022-00974, 2022-00975)	Vacancy	HHCS	Amy Davidson @ 981-5406 or ADavidson@berkeleyca.gov	NTE 6 Months

Temporary vacancies without an eligible list

If you have a career appointment in the specific classification listed apply to be on the "Transfer List" **AND** call or email the department contact person within **one week** of the job posting.

Classification Title (Funding source and requisition/s)	Department	Contact	Duration	Opening Date	Closing Date
Accounting Technician (Promotional Only) (Funded by General Fund #011 at 100%) (req# 2022-00794E)	Auditor's Office	Brian Zandipour @ 981-6789 or BZandipour@cityofberkeley.info	NTE 2 Years	Nov 21, 2022	Dec 19, 2022
Community Services Specialist I	City Manager	Amelia Funghi @ 981-6603 or Afunghi@cityofberkeley.info	NTE 6 months	Dec 05, 2022	Continuous

If you would like to be considered for one of these vacancies please apply online:

[CLICK HERE](#)

To have your name placed on the transfer list:

[CLICK HERE](#)

For promotional only vacancies:

[CLICK HERE](#)

Please note: The job information provided here is for the benefit of The City of Berkeley employees ONLY



<u>Type</u>	<u>Name</u>	<u>Classification Title</u>	<u>Department</u>
<u>Appointments</u>	Anastacia Moten	Code Enforcement Officer II	City Manager
	Felicia Tse	Accounting Office Specialist II	Finance
	Juan Vasquez	Accounting Office Specialist II	Finance
	Kyle Lewis	Library Aide	Library
	Lino Guanania	Police Officer	Police
<u>Promotions</u>	LaShay Johnson	Assistant Recreation Coordinator	PRW
	Hitomi Kats	Assistant Management Analyst	Police
	Arielle Abdon	Engineering Inspector	Public Works

CATASTROPHIC LEAVE REQUEST DONATION FOR CURTIS BRIAN

CURTIS BRIAN HAS BEEN DEALING WITH A SERIOUS MEDICAL CONDITION AND HAS EXHAUSTED ALL OF HIS AVAILABLE LEAVE. ANY DONATIONS OF LEAVE WOULD BE GREATLY APPRECIATED BY CURTIS.

CATASTROPHIC LEAVE REQUEST DONATION FOR DEON CATLETT

DEON CATLETT HAS BEEN DEALING WITH A SERIOUS MEDICAL CONDITION AND HAS EXHAUSTED ALL OF HIS AVAILABLE LEAVE. ANY DONATIONS OF LEAVE WOULD BE GREATLY APPRECIATED BY DEON.

CATASTROPHIC LEAVE REQUEST DONATION FOR WAYMAN BLOCKER

WAYMAN BLOCKER'S SPOUSE HAS BEEN DEALING WITH A SERIOUS MEDICAL CONDITION AND HE HAS EXHAUSTED ALL OF HIS AVAILABLE LEAVE. ANY DONATIONS OF LEAVE WOULD BE GREATLY APPRECIATED BY WAYMAN.

CATASTROPHIC LEAVE REQUEST DONATION FOR JONAH LOPP

JONAH LOPP'S FAMILY HAS BEEN DEALING WITH A SERIOUS MEDICAL CONDITION AND HE HAS EXHAUSTED ALL OF HIS AVAILABLE LEAVE. ANY DONATIONS OF LEAVE WOULD BE GREATLY APPRECIATED BY JONAH.

CATASTROPHIC LEAVE REQUEST DONATION FOR DAVID MONTES

DAVID MONTES HAS BEEN DEALING WITH A SERIOUS MEDICAL CONDITION AND HAS EXHAUSTED ALL OF HIS AVAILABLE LEAVE. ANY DONATIONS OF LEAVE WOULD BE GREATLY APPRECIATED BY DAVID.



IF YOU WOULD LIKE TO DONATE LEAVE, PLEASE CHECK YOUR MOU FOR ALLOWABLE DONATIONS AND COMPLETE THE LEAVE TRANSFER FORM.

[**CLICK
HERE**](#)

LIST OF MANDATORY CITYWIDE TRAININGS - TO REGISTER

[CLICK HERE](#)

Training	Audience	Completion Deadline
Harassment Awareness (all staff)	All City Staff	December 31, 2022
Harassment (supervisors)	City of Berkeley supervisors and managers	December 31, 2022
Active Shooter Awareness	All City Staff	December 31, 2022

LIST OF UPCOMING CLASSES - TO REGISTER

[CLICK HERE](#)

Date & Time	Topic	Audience	Location
December 2nd 11:00am-3:00pm	Creating Effective Teams (Core 3C Class)	All City Staff	Tupelo
December 5th 9:30am-11:30am	New Employee Orientation	All City Staff	Zoom
December 5th 9:30am-11:30am	COB 101-Structure & Governance (Core 3C Class)	All City Staff	Zoom
December 5th 1:00pm-5:00pm	New Supervisors Orientation	Supervisors/Managers	Zoom
December 5th 2:45pm-4:45pm	Performance Management - Supervisors	All City Staff	Zoom
December 8th 9:00am-11:30am	Your CalPERS & You (10 Years to Retirement)	All City Staff	Zoom
December 12th 8:00am-5:00pm	Supervisory 3 C's Orientation	Library Supervisors ONLY	Library-Community Room
December 15th 8:00am-5:00pm	Supervisory 3 C's Orientation	Library Supervisors ONLY	Library-Community Room
December 16th 9:00am-10:30am	Working in a Drug Free Environment (Core 3C Class) AM Session	All City Staff	CANCELED
December 16th 1:00pm-2:30 pm	Working in a Drug Free Environment (Core 3C Class) PM Session	All City Staff	CANCELED
December 22nd 2:30pm-4:00pm	MSP: Team Dynamics Using the Whole Brain	For All PSC Staff ONLY	Tupelo

**FOR QUESTIONS, PLEASE CONTACT
WILHELMINA PARKER AT WPARKER@CITYOFBERKELEY.INFO**

ARE YOU A NEW EMPLOYEE WITH THE CITY OF BERKELEY AND/OR HAVE YOU RECENTLY BEEN PROMOTED INTO A SUPERVISORY ROLE?

IF SO, PLEASE SIGN UP FOR THE RELEVANT ORIENTATION SESSION BEING HELD ON DECEMBER 5TH VIA ZOOM.

[CLICK
HERE](#)



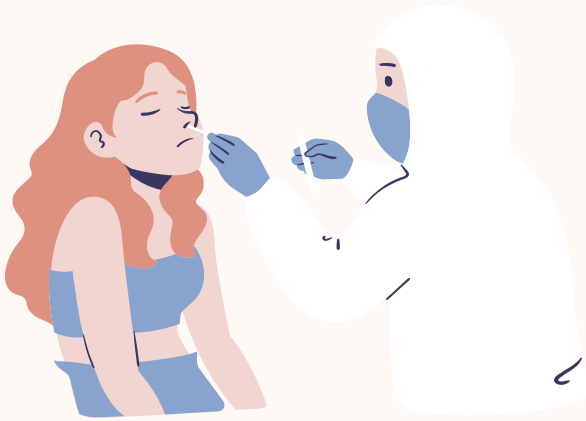
Who?	When?
New Employees to the City	8:00 am - Noon
New Employees who are also New Supervisors to the City 1	8:00 am - 5:00 pm
Existing city employees recently promoted into a managerial/supervisory role 2	1:00 pm - 5:00 pm

THE SAME ZOOM LINK WILL BE USED FOR ALL SESSIONS FOR THAT SPECIFIC DAY/DATE. THESE TRAININGS WILL BE HELD VIRTUALLY UNTIL FURTHER NOTICE.

AFTER REGISTERING YOU WILL RECEIVE A CONFIRMATION EMAIL CONTAINING INFORMATION ABOUT JOINING THE MEETING.

PLEASE CONTACT WPARKER@CITYOFBERKELEY.INFO WITH ANY QUESTIONS

- 1 PRE-WORK WILL BE ASSIGNED TO ENHANCE YOUR LEARNING EXPERIENCE
- 2 PRE-WORK WILL BE ASSIGNED TO ENHANCE YOUR LEARNING EXPERIENCE



IN COMPLIANCE WITH SENATE BILL 114, FROM JANUARY 1, 2022 UNTIL DECEMBER 31, 2022, THE CITY IS EXTENDING COVID-19 SICK LEAVE PROTECTIONS AND ADDRESSING THE EFFECTS OF THE CORONAVIRUS ON CITY OF BERKELEY EMPLOYEES WHO ARE UNABLE TO WORK OR TELEWORK FOR CERTAIN QUALIFYING REASONS.

THE CITY WILL PROVIDE EMPLOYEES UP TO 80 HOURS OF COVID-19 SUPPLEMENTAL PAID SICK LEAVE BENEFITS TO EMPLOYEES.

FULL TIME EMPLOYEES MAY USE UP TO 40 HOURS (EMPLOYEES WHO WORK LESS THAN FULL TIME ARE ENTITLED TO THE TOTAL NUMBER OF HOURS NORMALLY SCHEDULED TO WORK IN ONE WEEK) FOR THE FOLLOWING SEVEN QUALIFYING REASONS:

- (1) THE EMPLOYEE IS SUBJECT TO A QUARANTINE OR ISOLATION PERIOD RELATED TO COVID-19 AS DEFINED BY AN ORDER OR GUIDELINES OF THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH ("CDPH"), THE FEDERAL CENTERS FOR DISEASE CONTROL AND PREVENTION ("CDC"), A LOCAL HEALTH OFFICER WHO HAS JURISDICTION OVER THE WORKPLACE, OR BY THE CITY'S COVID-19 PREVENTION PROGRAM; OR
- (2) THE EMPLOYEE HAS BEEN ADVISED BY A HEALTH CARE PROVIDER TO SELF-QUARANTINE DUE TO CONCERNS RELATED TO COVID-19; OR
- (3) THE EMPLOYEE IS EXPERIENCING SYMPTOMS OF COVID-19 AND SEEKING A MEDICAL DIAGNOSIS; OR
- (4) THE EMPLOYEE IS CARING FOR A FAMILY MEMBER WHO IS SUBJECT TO A QUARANTINE OR ISOLATION ORDER AS DESCRIBED IN SUBPARAGRAPH (1), OR HAS BEEN ADVISED TO QUARANTINE AS DESCRIBED IN SUBPARAGRAPH (2); OR
- (5) THE EMPLOYEE IS CARING FOR A CHILD WHOSE SCHOOL OR PLACE OF CARE IS CLOSED OR OTHERWISE UNAVAILABLE FOR REASONS RELATED TO COVID-19 ON THE PREMISES; OR
- (6) THE EMPLOYEE IS ATTENDING AN APPOINTMENT TO RECEIVE A VACCINE OR A VACCINE BOOSTER FOR PROTECTION AGAINST COVID-19; OR
- (7) THE EMPLOYEE IS EXPERIENCING SYMPTOMS RELATED TO A COVID-19 VACCINE OR VACCINE BOOSTER THAT PREVENTS THE EMPLOYEE FROM BEING ABLE TO WORK OR TELEWORK.

THE COVID-19 SUPPLEMENTAL PAID SICK LEAVE IS IN ADDITIONAL TO ANY SICK LEAVE THAT MAY BE AVAILABLE TO THE EMPLOYEE. AN EMPLOYEE IS NOT REQUIRED TO USE OTHER PAID OR UNPAID LEAVE BEFORE ACCESSING LEAVE UNDER THIS POLICY.

FULL TIME EMPLOYEES MAY BE ENTITLED TO AN ADDITIONAL UP TO **40 HOURS** (EMPLOYEES WHO WORK LESS THAN FULL TIME ARE ENTITLED TO THE TOTAL NUMBER OF HOURS NORMALLY SCHEDULED TO WORK IN ONE WEEK) OF COVID-19 SUPPLEMENTAL PAID SICK LEAVE IF THE EMPLOYEE OR A FAMILY MEMBER FOR WHOM THE EMPLOYEE IS PROVIDING CARE TESTS POSITIVE FOR COVID-19. AN EMPLOYEE IS NOT REQUIRED TO EXHAUST THE INITIAL COVID-19 SUPPLEMENTAL PAID LEAVE (SECTION II OF THE ATTACHED POLICY) BEFORE ACCESSING THE ADDITIONAL HOURS PROVIDED A RESULT OF A POSITIVE COVID-19 TEST.

IF AN EMPLOYEE IS REQUESTING THIS ADDITIONAL LEAVE FOR THEMSELVES OR A FAMILY MEMBER FOR WHOM THEY ARE PROVIDING CARE, THE EMPLOYEE MUST PROVIDE DOCUMENTATION OF THE POSITIVE TEST RESULTS IN ORDER TO BE APPROVED FOR THE LEAVE. EMPLOYEE SHOULD NOTIFY THEIR SUPERVISOR OF A POSITIVE TEST AND PROVIDE DOCUMENTATION OF THE TEST RESULT IN ONE OF THE FOLLOWING TWO WAYS:

A. ELECTRONICALLY BY SENDING AN ENCRYPTED MESSAGE BY TYPING "[ENCRYPT]" IN TO THE SUBJECT LINE OF THE EMAIL TO COVIDREPORTING@CITYOFBERKELEY.INFO; OR;

B. IN PERSON THROUGH THE CONFIDENTIAL LOCKBOX LOCATED AT THE HUMAN RESOURCES DEPARTMENT, 2180 MILVIA STREET, 1ST FLOOR, BERKELEY, CA 94704.

COVID-19 SUPPLEMENTAL PAID SICK LEAVE IS RETROACTIVE TO JANUARY 1, 2022. THIS MEANS THAT AN EMPLOYEE CAN USE SUPPLEMENTAL PAID SICK LEAVE FOR ANY ABSENCE SINCE JANUARY 1, 2022, THAT FALLS WITHIN ONE OF THE ABOVE SEVEN QUALIFYING REASONS. IN ORDER TO EXPEDITE PAYMENT OF RETROACTIVE SUPPLEMENTAL PAID SICK LEAVE, EMPLOYEES SHOULD REVIEW THE [ADMINISTRATIVE REGULATION 2.24](#) AND COMPLETE THE REQUEST FOR COVID-19 SUPPLEMENTAL PAID SICK LEAVE FORM AND SUBMIT THE FORM TO THEIR DEPARTMENT PAYROLL CLERK.



AS WE ALL KNOW, COVID-19 CONTINUES TO POSE A SERIOUS HEALTH RISK. VACCINATIONS AND TESTING AS WELL AS OTHER COVID PREVENTION MEASURES REMAIN NECESSARY TO PROTECT EMPLOYEES AND LIMIT COVID-19 ILLNESSES IN THE WORKPLACE AND THE COMMUNITY.

THE CITY OF BERKELEY REMAINS SINCERELY ENGAGED IN PROVIDING A SAFE AND HEALTHY WORKPLACE FOR EMPLOYEES, CONTRACTORS, AND VISITORS THAT ARE CONSISTENT WITH COVID-19 HEALTH STANDARDS, GUIDANCE, AND LEGAL REQUIREMENTS.

IN ORDER TO MAINTAIN A HEALTHY WORKPLACE, A VACCINATION VERIFICATION AND TESTING POLICY HAS BEEN ADOPTED AND PRESENTED IN ADMINISTRATIVE REGULATION 2.25: MANDATORY COVID-19 EMPLOYEE VACCINATION POLICY. THE POLICY WAS MADE EFFECTIVE ON SEPTEMBER 15, 2021, AND IS APPLICABLE TO ALL CITY EMPLOYEES, INTERNS, AND VOLUNTEERS.

A.R 2.25 REQUIRES VERIFICATION OF VACCINATION STATUS OF ALL COB EMPLOYEES AND ESTABLISHES DIAGNOSTIC SCREENING TESTING FOR EMPLOYEES THAT ARE UNVACCINATED OR INCOMPLETELY VACCINATED. PROOF OF VACCINATION STATUS WAS DUE FOR ALL CITY OF BERKELEY EMPLOYEES ON OCTOBER 15, 2021. IF YOU HAVE NOT ALREADY DONE SO, PLEASE ENSURE YOU SUBMIT YOUR VACCINATION STATUS IMMEDIATELY. COB EMPLOYEES MUST, AS A CONDITION OF EMPLOYMENT, REPORT THEIR VACCINATION STATUS TO THE CITY'S HUMAN RESOURCES DEPARTMENT BY TURNING IN A HARDCOPY VERSION OF THE SELF-CERTIFICATION OF COVID-19 VACCINE STATUS FORM AND A COPY OF VACCINATION CARD TO THE CONFIDENTIAL LOCKBOX LOCATED IN THE HUMAN RESOURCES OFFICE.

A.R 2.25 HAS DETAILS ON EXEMPTIONS, PROOF OF VACCINATION AND SECURE REPORTING METHODS AS WELL AS OTHER HELPFUL INFORMATION ON THE VACCINATION POLICY.



FOR COVID-19 VACCINATION POLICY & FACE COVERING FAQs.



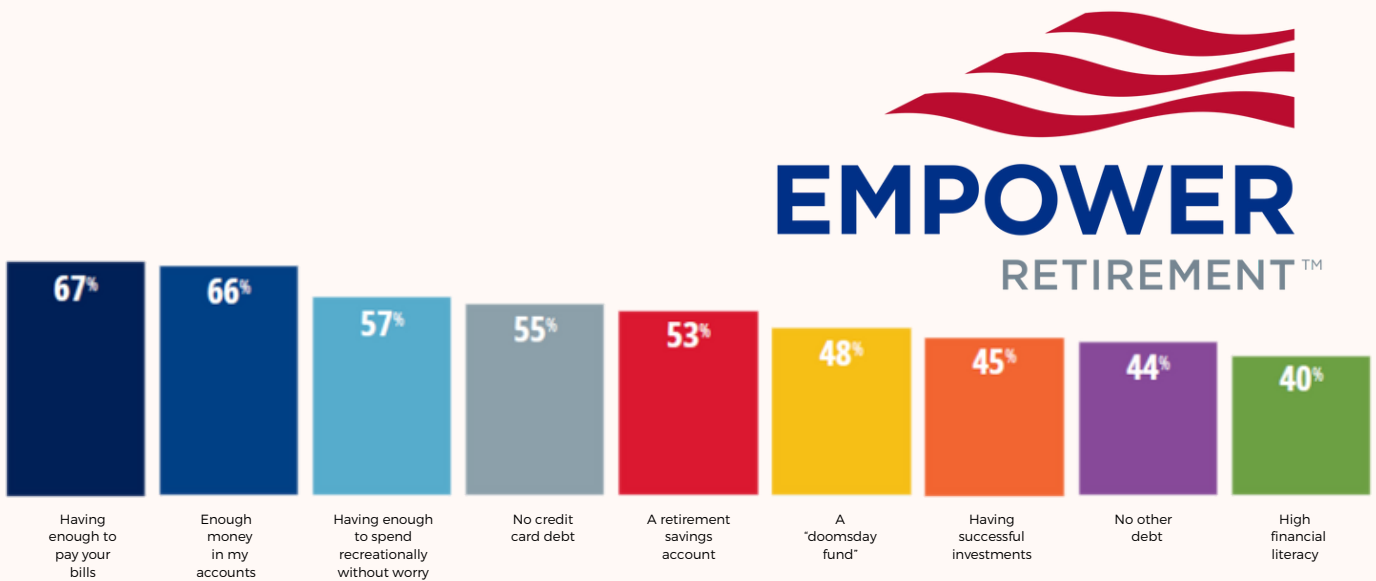
CITY OF BERKELEY DEFERRED COMPENSATION PLAN

HOW'S YOUR FINANCIAL WELLNESS STACKING UP?

FINANCIAL WELLNESS IS IMPORTANT AND MEANS DIFFERENT THINGS TO DIFFERENT PEOPLE. MANY INFLUENCES IN YOUR LIFE CAN AFFECT YOUR FINANCES – ESPECIALLY YOUR ABILITY TO SAVE FOR YOUR FUTURE. TO HELP KEEP YOUR LONG-TERM STRATEGY ON TRACK, CONSIDER HOW YOU CAN IMPROVE YOUR APPROACH TO THE FOLLOWING IMPORTANT AREAS:

- CREATING AN EMERGENCY FUND
- REDUCING YOUR HIGH-INTEREST DEBT
- SAVING FOR LARGER PURCHASES

AS YOU BEGIN TO TAKE THESE STEPS, YOU MAY FEEL LESS STRESS RELATED TO YOUR FINANCIAL LIFE AND LIFE IN GENERAL. YOU CAN GET HELP WITH MANY AREAS OF YOUR FINANCIAL WELLNESS BY VISITING EMPOWER'S LEARNING CENTER. HERE ARE SOME FINANCIAL STRATEGIES PEOPLE RATE AS BEING THE MOST IMPORTANT TO THEIR PERSONAL FINANCIAL WELL-BEING.



YOUR EMPOWER RETIREMENT REPRESENTATIVE IS OFFERING VIRTUAL APPOINTMENTS TO DISCUSS YOUR RETIREMENT SAVINGS ACCOUNT!

SCHEDULE AN APPOINTMENT TODAY!

[**CLICK HERE**](#)



Jose Anaya
Retirement Plan Advisor
Jose.Anaya@empower.com





WITH THE CALPERS 457 PLAN YOU BENEFIT FROM:

- CONTRIBUTIONS MADE THROUGH AUTOMATIC PAYROLL DEDUCTIONS
- PRE-TAX CONTRIBUTIONS AND TAX-DEFERRED GROWTH

LEARN MORE BY SCHEDULING A ONE-ON-ONE MEETING



TO SCHEDULE AN APPOINTMENT ONLINE



OR YOU CAN EMAIL NANCY.GARRITY@VOYA.COM
OR CALL 888-713-8244 EXT.2



CalPERS



"Bridging the Gap" Webinar

Join us as we review how contributing to the CalPERS 457 Plan can help bridge the retirement income gap that may not be covered by Social Security and your pension. Learn more about developing your own personal retirement planning and saving strategy to help you stay on track for retirement as well. Whether you're already participating in the Plan or you're thinking about enrolling, there's something for everyone!

We hope you can join us!

Where: zoom.us (click *Join A Meeting*)

Enter ID: 980 9245 8096

Or Click this link: [Register for Bridging the Gap](#)

When: Friday - 12/2/22

Time: 12:00

REGISTER NOW

For questions about registering and attending the webinar, please call your CalPERS 457 Plan Account Manager at **888-713-8244** weekdays between 8:00 a.m. - 5:00 p.m. To schedule an appointment with your Account Manager, visit calpers457.timetap.com today!

Please carefully consider the benefits of existing and potentially new retirement accounts and any differences in features. Please note that assets rolled over from other non-457 plans (such as 401(a)/401(k), 403(b), a traditional IRA) may remain subject to the IRS 10% premature distribution penalty tax.

Information from registered Plan Service Representatives is for educational purposes only and is not legal, tax or investment advice. Local Plan Service Representatives are registered representatives of Voya Financial Advisors, Inc., member SIPC.

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TO REGISTER FOR BRIDGING THE GAP WEBINAR

**[CLICK
HERE](#)**



• **HR ADMINISTRATION**

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• **LRCC**
• **TRANSACTIONS**

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• **LEAVES**

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• **EXAMS/TESTS**

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• **ERGONOMICS**
• **CAL/OSHA**

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2023 CITY CALENDAR

JANUARY						
Sun	Mon	Tues	Weds	Thurs	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
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FEBRUARY						
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MARCH						
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MAY						
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JUNE						
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JULY						
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AUGUST						
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OCTOBER						
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NOVEMBER						
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10	11	12	13	14	15	16
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24	25	26	27	28	29	30
31						

2023 CITY OF BERKELEY RECOGNIZED HOLIDAYS

Jan. 1 New Year's Day - Obs. 1/2
 Jan. 16 Martin Luther King Jr.'s Birthday
 Feb. 12 Lincoln's Birthday- Obs. 2/13
 Feb. 20 Washington's Birthday

May. 19 Malcolm X's Birthday
 May. 29 Memorial Day
 June. 19 Juneteenth
 July. 4 Independence Day

Sept. 4 Labor Day
 Oct. 9 Indigenous Peoples' Day
 Nov. 11 Veteran's Day - Obs. 11/10
 Nov. 23/24 Thanksgiving Day/Day After

Dec. 25 Christmas Day
 Pay Day
 Observed Holiday
 Observed VTO Day

**City of Berkeley
Pay Schedule
2023**

Payroll #	Pay Period			Payday
1	12/25/22	THRU	01/07/23	1/12/2023 (Thu)
2	01/08/23	THRU	01/21/23	01/27/23
3	01/22/23	THRU	02/04/23	2/09/2023 (Thu)
4	02/05/23	THRU	02/18/23	02/24/23
5	02/19/23	THRU	03/04/23	03/9/23 (Thu)
6	03/05/23	THRU	03/18/23	03/24/23
7	03/19/23	THRU	04/01/23	04/07/23
8	04/02/23	THRU	04/15/23	04/21/23
9	04/16/23	THRU	04/29/23	05/05/23
10	04/30/23	THRU	05/13/23	5/18/23 (Thu)
11	05/14/23	THRU	05/27/23	06/02/23
12	05/28/23	THRU	06/10/23	06/16/23
13	06/11/23	THRU	06/24/23	06/30/23
14	06/25/23	THRU	07/08/23	7/14/2023*
15	07/09/23	THRU	07/22/23	07/28/23
16	07/23/23	THRU	08/05/23	8/11/2023*
17	08/06/23	THRU	08/19/23	08/25/23
18	08/20/23	THRU	09/02/23	9/8/2023*
19	09/03/23	THRU	09/16/23	09/22/23
20	09/17/23	THRU	09/30/23	10/06/23
21	10/01/23	THRU	10/14/23	10/20/23
23	10/15/23	THRU	10/28/23	11/03/23
23	10/29/23	THRU	11/11/23	11/17/23
24	11/12/23	THRU	11/25/23	12/01/23
25	11/26/23	THRU	12/09/23	12/15/23
26	12/10/23	THRU	12/23/23	12/29/23

VTO days for the second half of the year have not yet been determined

When a payday falls on a VTO day or a holiday, checks will be issued a day early

*These paydays are subject to be moved earlier depending on establishment of VTO days for FY24

Berkeley Matters

RECRUITMENT SUPPLEMENT



What's New

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VACANCIES - PAGE 6**

Weekly Announcements of Vacancies and Recruitments

Following last week's redesign of "Berkeley Matters," this week we are debuting the "Berkeley Matters Recruitment Supplement," which will ensure that our vacancy and recruitment announcements are posted every week and our hiring processes to meet departmental staffing needs are expedited.

The supplement will be a streamlined, recruitments-only version of "Berkeley Matters" and will be published on the Fridays that fall between full issues of "Berkeley Matters."

So please be sure to check "Berkeley Matters" and the "Berkeley Matters Recruitment Supplement" on a weekly basis from this point on in order to remain current with the most recent vacancy and recruitment announcements for City positions.

-Aram Kouyoumdjian, Director of Human Resources

For more information about what to expect during the hiring process and to apply online:



*Applications must be submitted no later than 5pm on the closing date.

Recruitment Title (Funding source and requisition/s)	Reason Needed	Type	Hourly Rate	Opening Date	Closing Date
Accounting Manager (Funded by General Fund #011 at 100%) (req# 2018-00319)	Retirement	Competitive	\$48.42 to \$57.49	Continuous	Continuous
Accounting Technician	Vacancy	Competitive	\$37.38 to \$45.00	December 12, 2022	Continuous
Administrative and Fiscal Services Manager (Funded by Rent Stabilization Board #801 at 100%) (req# 2022-00958, 2022-00983)	Vacancy	Competitive	\$55.56 to \$70.85	November 22, 2022	December 12, 2022
Aquatics Facilities Supervisor (Funded by General Fund #011 at 100%) (req# 2022-00969)	Resignation	Competitive	\$29.98 to \$36.45	December 5, 2022	January 3, 2023
Assistant Civil Engineer (Funded by Measure T1 –Infra & Facilities #607 at 40%, Parks Tax #450 at 60%) (req# 2022-00738E)	Promotion	Competitive	\$54.86 to \$66.35	November 11, 2022	December 19, 2022
Associate Civil Engineer (req# 2022-00735E, 2022-00736E)	Promotion	Competitive	\$60.43 to \$73.02	November 11, 2022	December 19, 2022
Behavioral Health Clinician I	Vacancy	Competitive	\$41.55to \$48.73	Continuous	Continuous
Behavioral Health Clinician II	Vacancy	Competitive	\$45.76 to \$53.45	Continuous	Continuous
Community Development Project Coordinator (Funded by General Fund #011 at 100%) (req# 2021-00439E, 2021-00341E, 2022-00777E)	Promotion	Competitive	\$50.42 to \$60.96	August 1, 2022	Continuous
Community Services Specialist I (req# 2022-00784, 2022-00833, 2022-00874)	Vacancy Resignation	Competitive	\$38.84 to \$45.84	December 2, 2022	January 2, 2023
Deputy City Attorney II/III (Funded by Public Liability #678 at 100%) (Funded by General Fund #011 at 100%) (req# 2022-00485E) (2022-00506E)	Vacancy	Competitive	\$67.50 to \$95.43	Continuous	Continuous
Deputy City Manager	Vacancy	Competitive	\$90.82 to \$133.58	December 12, 2022	Open Until Filled
Electrician (req# 2020-00113E, 2021-00095E, 2021-00353E)	Vacancy	Competitive	\$48.29 to \$52.92	Continuous	Continuous
Epidemiologist	Vacancy	Competitive	\$41.70 to \$50.69	Continuous	Continuous
Equal Employment Opportunity & Diversity Officer (Funded by General Fund #011 at 100%) (req# 2022-00850E)	Vacancy	Competitive	\$53.60 to \$64.79	September 26, 2022	Continuous
Fire Prevention Inspector (Sworn)	To Establish a List	Competitive	\$60.13 to \$66.29	Continuous	Continuous

Recruitment Title (Funding source and requisition/s)	Reason Needed	Type	Hourly Rate	Opening Date	Closing Date
Firefighter Paramedic	Vacancy	Competitive	\$32.18 to \$40.54	Continuous	Continuous
Firefighter Paramedic Lateral	Vacancy	Competitive	\$32.18 to \$40.54	Continuous	Continuous
Landscape Equipment Operator (Funded by Park Tax #138 at 100%) (req# 2022-00818E)	Retirement	Competitive	\$39.69 to \$42.10	November 11, 2022	December 12, 2022
Landscape Gardener Supervisor (Funded by Parks Tax #138 at 100%) (req# 2022-00910)	Promotion	Competitive	\$46.11 to \$48.83	December 5, 2022	December 27, 2022
Library Specialist I (Funded by Library-Discretionary #101 at 100%) (req# 2022-00928E)	Promotion	Promotional	\$31.24 to \$37.28	December 5, 2022	December 19, 2022
Marina Assistant (Funded by Marina Operations/Maint #825 at 100%) (req# 2020-00066)	Promotion	Competitive	\$32.96 to \$34.94	Continuous	Continuous
Mechanic (Funded by Equipment Maintenance #865 at 100%) (Funded by MTC/CALTRANS TIP/HIP Prj #672 at 100%) (req# 2021-00022E) (req# 2021-00179E)	Vacancy	Competitive	\$44.60 to \$47.28	Continuous	Continuous
Mental Health Clinical Supervisor (Funded by General Fund #010 at 45%, Mental health Service Act #063 at 55%) (req# 2019-00213E)	Vacancy	Competitive	\$50.56 to \$62.08	July 4, 2022	Continuous
Mental Health Nurse (req# 2020-00083E,2021-00263E)	Vacancy	Competitive	\$57.22 to \$69.55	July 20, 2020	Continuous
Mid-Level Practitioner (req# 2018-00129, 2019-00221, 2016-00265)	Vacancy	Competitive	\$58.04 to \$64.35	Continuous	Continuous
Nutritionist (Funded by General Fund #011 at 84%, Fund Raising Activities #111 at 16%) (req# 2022-00953)	Promotion	Competitive	\$40.64 to \$47.37	November 21, 2022	December 12, 2022
Paramedic	Vacancy	Competitive	\$30.00 to \$45.00	Continuous	Continuous
Police Officer Lateral (Funded by General Fund #011 at 100%)	Vacancy	Competitive	\$52.76 to \$65.67	Continuous	Continuous
Police Officer Recruit (Funded by General Fund #011 at 100%) (req# 2021-00233E)	Resignation	Competitive	\$43.18	June 20, 2022	Continuous
Psychiatrist (Funded by Health (Short/Doyle) Fund #065 at 100%)	Vacancy	Competitive	\$90.52 to \$133.73	Continuous	Continuous
Public Health Nurse (Funded by Alameda County Grants #326 at 51.5%, Health (General) #312 at 42.5%, General Fund #011 at 6%) (req# 2021-00096E)	Vacancy	Competitive	\$53.36 to \$62.24	Continuous	Continuous
Public Safety Dispatcher I (Funded by General Fund #011 at 100%) (req# 2021-00280E, 2021-00251E)	Vacancy	Competitive	\$32.18 to \$35.17	April 25, 2022	Continuous

Recruitment Title (Funding source and requisition/s)	Reason Needed	Type	Hourly Rate	Opening Date	Closing Date
Public Safety Dispatcher II	Vacancy	Competitive	\$45.98 to \$49.90	Continuous	Continuous
Registered Nurse	Vacancy	Competitive	\$51.68 to \$57.28	Continuous	Continuous
Senior Behavioral Health Clinician	Promotion	Competitive	\$49.95 to \$58.31	September 26, 2022	Continuous
Senior Information Systems Specialist (Funded by IT-Cost Allocation Fund #891 at 100%) (req# 2022-00543E)	Retirement	Competitive	\$48.56 to \$57.87	Continuous	Continuous
Senior Planner (Funded by Permit Service Center #621 at 100%, General Fund #011 at 100%) (req# 2022-00822, 2022-00823)	Promotion	Competitive	\$54.22 to \$64.61	December 5, 2022	January 2, 2023
Service Technician	Vacancy	Competitive	\$37.44 to \$39.73	Continuous	Continuous
Supervising Public Health Nurse	Vacancy	Competitive	\$62.73 to \$73.65	Continuous	Continuous
Traffic Engineering Assistant (Funded by General Fund #011 at 100%) (req# 2022-00956E)	Promotion	Competitive	\$40.04 to \$43.90	November 21, 2022	December 12, 2022

For more information about what to expect during the hiring process and to apply online:



*Applications must be submitted no later than 5pm on the closing date.

To be considered for the vacancies listed below, employees must:

- 1) Have a career appointment in the specific classification listed AND be on the “Transfer List” **OR**
- 2) Have their name on an active “Eligible List” **OR**
- 3) Have their name on a “Reinstatement List”

Please call or email the department contact within one week of the job posting if you meet one of the above criteria

To have your name placed on the transfer list: [CLICK HERE](#)

Classification Title (Funding source and requisition/s)	Reason Needed	Department	Contact
Aquatics Coordinator (Funded by General Fund #011 at 100%) (req# 2022-00880)	Promotion	PRW	Denise Brown @ 981-6707 or DBrown@cityofberkeley.info
Assistant Management Analyst (Funded by Mental Health Service Act #315 at 50%, Health (Short/Doyle) #316 at 50%) (req# 2022-00986)	Promotion	HHCS	Jonathan Maddox @ 981-5235 or JMaddox@cityofberkeley.info
Behavioral Health Clinician I (Funded by Health (Short/Doyle) #316 at 60%, Mental Health State Aid Realignment #158 at 40%) (req# 2022-00982)	Resignation	HHCS	Amy Davidson @ 981-5406 or ADavidson@berkeleyca.gov
Behavioral Health Clinician II (Funded by Health (Short/Doyle) #316 at 60%, Mental Health State Aid Realignment #158 at 40%) (req# 2022-00984)	Resignation	HHCS	Amy Davidson @ 981-5406 or ADavidson@berkeleyca.gov
Communications Specialist (req# 2022-00980)	Vacancy	City Manager	Matthai Chakko @ 981-7008 or MChakko@cityofberkeley.info
Laborer (Funded by Sanitary Sewer Operation #611 at 100%)(req# 2021-00372, 2022-00533) (Funded by Zero Waste #601 at 100%) (req# 2022-00585)	Resignation Retirement Promotion	Public Works	Joy Brown @ 981-6629 or EJBrown@cityofberkeley.info
Office Specialist II (Funded by Rent Stabilization Board #801 at 100%) (req# 2022-00828)	Transfer	Rent Board	DeSeana Williams @ 981-4949 or DeWilliams@cityofberkeley.info
Office Specialist III (Funded by Zero Waste #601 at 100%) (req# 2022-00981)	Transfer	Public Works	Leticia Jauregui @ 981-6362 ljauregui@cityofberkeley.info
Senior Information Systems Specialist (Funded by IT Cost Allocation Fund #680 at 100%) (req# 2022-00979)	Vacancy	Information Technology	Thomas Ray @ 981-6542 or TRay@cityofberkeley.info

Temporary vacancies with an eligible list

To be considered for the vacancies listed below, employees must:

- 1) Have a career appointment in the specific classification listed AND be on the "Transfer List" **OR**
- 2) Have their name on an active "Eligible List" **OR**
- 3) Have their name on a "Reinstatement List"

Please call or email the department contact within **one week** of the job posting if you meet one of the above criteria

Classification Title (Funding source and requisition/s)	Reason	Department	Contact	Duration
Accounting Office Specialist Supervisor (req# 2022-00955E)	Vacancy	Public Works	Sean O'Shea @ 981-6306 or soshea@cityofberkeley.info	NTE 6 Months
Aquatics Coordinator (Funded by General Fund #011 at 100%) (req# 2022-00962)	Promotion	PRW	Denise Brown @ 981-6707 or DBrown@cityofberkeley.info	NTE 6 Months
Assistant Management Analyst (req# 2022-00985)	Vacancy	HHCS	Nancy Kriauciunas @ 981-5248 or NKriauciunas@cityofberkeley.info	NTE 6 Months
Office Specialist III (Funded by Permit Service Center #621 at 100%) (req# 2022-00709)	Vacancy	Planning	David Lopez @ 981-7741 or dlopez@cityofberkeley.info	NTE 12 Months

Temporary vacancies without an eligible list

If you have a career appointment in the specific classification listed apply to be on the "Transfer List" **AND** call or email the department contact person within **one week** of the job posting.

Classification Title (Funding source and requisition/s)	Department	Contact	Duration	Opening Date	Closing Date
Community Services Specialist I (Funded by (req# 2022-00989))	City Manager	NTE 6 Months	Amelia Funghi @ 981-6603 or Afunghi@cityofberkeley.info	December 5, 2022	January 2, 2023

If you would like to be considered for one of these vacancies please apply online:



To have your name placed on the transfer list:



For promotional only vacancies:



Please note: The job information provided here is for the benefit of The City of Berkeley employees ONLY

Berkeley Matters

THE BI-WEEKLY HR NEWSLETTER FOR THE CITY OF BERKELEY



What's New

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[2023 PAY SCHEDULE -
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• LRCC

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MICHELLE YOO
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• SAFETY
• ERGONOMICS
• CAL/OSHA

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VTHOMAS@CITYOFBERKELEY.INFO
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• ADA

WORKERS' COMP (SUBMIT CLAIMS)
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*Applications must be submitted no later than 5pm on the closing date.

Recruitment Title (Funding source and requisition/s)	Reason Needed	Type	Hourly Rate	Opening Date	Closing Date
Accounting Manager (Funded by General Fund #011 at 100%) (req# 2018-00319)	Retirement	Competitive	\$48.42 to \$57.49	Continuous	Continuous
Accounting Office Specialist Supervisor (req# 2022-00652E, 2022-00961, and 2022-00830E)	Vacancy	Promotional	\$38.34 to \$46.16	December 19, 2022	January 3, 2023
Accounting Technician	Vacancy	Competitive	\$37.38 to \$45.00	December 12, 2022	Continuous
ADA Program Coordinator (Funded by General Fund #011 at 100%) (req# 2022-00703)	Resignation	Competitive	\$53.26 to \$64.40	December 19, 2022	January 23, 2023
Administrative and Fiscal Services Manager (req# 2022-00958, 2022-00983)	Vacancy	Competitive	\$55.56 to \$70.85	November 21, 2022	January 3, 2023
Aquatics Facilities Supervisor (Funded by General Fund #011 at 100%) (req# 2022-00969)	Resignation	Competitive	\$29.98 to \$36.45	December 5, 2022	January 3, 2023
Assistant Civil Engineer (Funded by Measure T1 –Infra & Facilities #607 at 40%, Parks Tax #450 at 60%) (req# 2022-00738E)	Promotion	Competitive	\$54.86 to \$66.35	November 11, 2022	Continuous
Assistant Recreation Coordinator (Funded by General Fund #011 at 100%) (req# 2020-00173)	Retirement	Competitive	\$31.83 - \$37.01	December 19, 2022	January 3, 2023
Associate Civil Engineer (req# 2022-00735E, 2022-00736E)	Promotion	Competitive	\$60.43 to \$73.02	November 11, 2022	Continuous
Associate Human Resources Analyst	Vacancy	Competitive	\$50.43 to \$60.72	December 19, 2022	January 16, 2023
Associate Management Analyst (req# 2022-00831E, 2022-00869E, 2022-00657E, 2022-00912E)	Vacancy Transfer	Competitive	\$48.42 to \$57.49	December 19, 2022	January 16, 2023
Behavioral Health Clinician I	Vacancy	Competitive	\$41.55 to \$48.73	Continuous	Continuous
Behavioral Health Clinician II	Vacancy	Competitive	\$45.76 to \$53.45	Continuous	Continuous

Recruitment Title (Funding source and requisition/s)	<u>Reason Needed</u>	<u>Type</u>	<u>Hourly Rate</u>	<u>Opening Date</u>	<u>Closing Date</u>
Community Development Project Coordinator (Funded by General Fund #011 at 100%) (req# 2021-00439E, 2021-00341E, 2022-00777E)	Promotion	Competitive	\$50.42 to \$60.96	August 1, 2022	Continuous
Community Services Specialist I (req# 2022-00784, 2022-00833, 2022-00874)	Vacancy Resignation	Competitive	\$38.84 to \$45.84	December 2, 2022	January 3, 2023
Deputy City Attorney II/III (Funded by Public Liability #678 at 100%) (Funded by General Fund #011 at 100%) (req# 2022-00485E) (2022-00506E)	Vacancy	Competitive	\$67.50 to \$95.43	Continuous	Continuous
Deputy City Manager	Vacancy	Competitive	\$90.82 to \$133.58	December 12, 2022	Open Until Filled
Diversity, Equity, and Inclusion Officer	Vacancy	Competitive	\$66.33 - \$87.16	December 19, 2022	January 9, 2023
Electrician (req# 2020-00113E, 2021-00095E, 2021-00353E)	Vacancy	Competitive	\$48.29 to \$52.92	Continuous	Continuous
Epidemiologist	Vacancy	Competitive	\$41.70 to \$50.69	Continuous	Continuous
Fire and Life Safety Plans Examiner (Funded by Permit Service Center #621 at 100%) (req# 2022-00965E)	Vacancy	Competitive	\$54.45 to \$64.63	December 19, 2022	January 16, 2023
Fire Prevention Inspector (Sworn)	To Establish a List	Competitive	\$60.13 to \$66.29	Continuous	Continuous
Firefighter Paramedic	Vacancy	Competitive	\$32.18 to \$40.54	Continuous	Continuous
Firefighter Paramedic Lateral	Vacancy	Competitive	\$32.18 to \$40.54	Continuous	Continuous
Information Systems Manager (Funded by IT Cost Allocation Fund #680 at 100%) (req# 2022-00799)	Retirement	Competitive	\$69.37 to \$83.84	December 19, 2022	January 16, 2023
Landscape Gardener Supervisor (Funded by Parks Tax #138 at 100%) (req# 2022-00910)	Promotion	Promotional	\$46.11 to \$48.83	December 5, 2022	December 27, 2022

Recruitment Title (Funding source and requisition/s)	<u>Reason Needed</u>	<u>Type</u>	<u>Hourly Rate</u>	<u>Opening Date</u>	<u>Closing Date</u>
Library Specialist I (Funded by Library-Discretionary #101 at 100%) (req# 2022-00928E)	Promotion	Promotional	\$31.24 to \$37.28	December 5, 2022	December 19, 2022
Marina Assistant (Funded by Marina Operations/Maint #825 at 100%) (req# 2020-00066)	Promotion	Competitive	\$32.96 to \$34.94	Continuous	Continuous
Mechanic (Funded by Equipment Maintenance #865 at 100%) (Funded by MTC/CALTRANS TIP/HIP Prj #672 at 100%) (req# 2021-00022E) (req# 2021-00179E)	Vacancy	Competitive	\$44.60 to \$47.28	Continuous	Continuous
Mental Health Clinical Supervisor (Funded by General Fund #010 at 45%, Mental health Service Act #063 at 55%) (req# 2019-00213E)	Vacancy	Competitive	\$50.56 to \$62.08	July 4, 2022	Continuous
Mental Health Nurse (req# 2020-00083E,2021-00263E)	Vacancy	Competitive	\$57.22 to \$69.55	July 20, 2020	Continuous
Mid-Level Practitioner (req# 2018-00129, 2019-00221, 2016-00265)	Vacancy	Competitive	\$58.04 to \$64.35	Continuous	Continuous
Paramedic	Vacancy	Competitive	\$30.00 to \$45.00	Continuous	Continuous
Police Officer Lateral (Funded by General Fund #011 at 100%)	Vacancy	Competitive	\$52.76 to \$65.67	Continuous	Continuous
Police Officer Recruit (Funded by General Fund #011 at 100%) (req# 2021-00233E)	Resignation	Competitive	\$43.18	June 20, 2022	Continuous
Psychiatrist (Funded by Health (Short/Doyle) Fund #065 at 100%)	Vacancy	Competitive	\$90.52 to \$133.73	Continuous	Continuous
Public Health Nurse (Funded by Alameda County Grants #326 at 51.5%, Health (General) #312 at 42.5%, General Fund #011 at 6%) (req# 2021-00096E)	Vacancy	Competitive	\$53.36 to \$62.24	Continuous	Continuous
Public Safety Dispatcher I (Funded by General Fund #011 at 100%) (req# 2021-00280E, 2021-00251E)	Vacancy	Competitive	\$32.18 to \$35.17	April 25, 2022	Continuous
Public Safety Dispatcher II	Vacancy	Competitive	\$45.98 to \$49.90	Continuous	Continuous

Recruitment Title (Funding source and requisition/s)	<u>Reason Needed</u>	<u>Type</u>	<u>Hourly Rate</u>	<u>Opening Date</u>	<u>Closing Date</u>
Registered Nurse	Vacancy	Competitive	\$51.68 to \$57.28	Continuous	Continuous
Revenue Development Specialist I/II (Funded by General Fund #011 at 100%) (req# 2022-00891E, 2022-00890E, 2022-00889E, 2022-00888E)	Vacancy	Competitive	\$48.42 to \$57.49	December 19, 2022	January 9, 2023
Revenue Development Supervisor (Funded by General Fund #011 at 100%) (req# 2021-00085E)	Resignation	Competitive	\$51.63 to \$62.41	December 19, 2022	January 16, 2023
Senior Behavioral Health Clinician	Promotion	Competitive	\$49.95 to \$58.31	September 26, 2022	Continuous
Senior Human Resources Analyst (Funded by General Fund #011 at 100%) (req# 2022-00922E)	Resignation	Competitive	\$55.96 to \$67.63	December 19, 2022	January 16, 2023
Senior Information Systems Specialist (Funded by IT-Cost Allocation Fund #891 at 100%) (req# 2022-00543E)	Retirement	Competitive	\$48.56 to \$57.87	Continuous	Continuous
Senior Planner (Funded by Permit Service Center #621 at 100%, General Fund #011 at 100%) (req# 2022-00822, 2022-00823)	Promotion	Competitive	\$54.22 to \$64.61	December 5, 2022	January 23, 2023
Service Technician	Vacancy	Competitive	\$37.44 to \$39.73	Continuous	Continuous
Supervising Public Health Nurse	Vacancy	Competitive	\$62.73 to \$73.65	Continuous	Continuous
Traffic Engineering Assistant (Funded by General Fund #011 at 100%) (req# 2022-00956E)	Promotion	Competitive	\$40.04 to \$43.90	November 21, 2022	January 3, 2023

For more information about what to expect during the hiring process and to apply online:



*Applications must be submitted no later than 5pm on the closing date.

To be considered for the vacancies listed below, employees must:

- 1) Have a career appointment in the specific classification listed AND be on the “Transfer List” **OR**
- 2) Have their name on an active “Eligible List” **OR**
- 3) Have their name on a “Reinstatement List”

Please call or email the department contact within **one week** of the job posting if you meet one of the above criteria

To have your name placed on the transfer list:



Classification Title (Funding source and requisition/s)	<u>Reason Needed</u>	<u>Department</u>	<u>Contact</u>
Behavioral Health Clinician I (req# 2022-00092)	Promotion	HHCS	Allison Ikeda @ (510) 631-1262 Alkeda@cityofberkeley.info
Behavioral Health Clinician II (req # 2022-00093)	Promotion	HHCS	Allison Ikeda @ (510) 631-1262 Alkeda@cityofberkeley.info
HR Technician (Funded by General Fund #011 at 100%) (req # 2022-00902E)	Resignation	Human Resources	Monica Walker @ 981-6818 Mwalker@cityofberkeley.info
Library Assistant (Funded by Library-Discretionary #101 at 100%) (req# 2022-01000)	Promotion	Library	Francesca Neveu Gibson @ FNeveuGibson@cityofberkeley.info
Nutritionist (req# 2022-00953)	Promotion	HHCS	Tanya Bustamante @ 981-5178 or tbustamante@cityofberkeley.info

Please note: The job information provided here is for the benefit of the City of Berkeley employees ONLY

Temporary vacancies with an eligible list

To be considered for the vacancies listed below, employees must:

- 1) Have a career appointment in the specific classification listed AND be on the "Transfer List" **OR**
- 2) Have their name on an active "Eligible List" **OR**
- 3) Have their name on a "Reinstatement List"

Please call or email the department contact within **one week** of the job posting if you meet one of the above criteria

Classification Title (Funding source and requisition/s)	Reason	Department	Contact	Duration
Office Specialist III (Funded by Zero Waste #601 at 100%) (req# 2022-00981)	Transfer	Public Works	Leticia Jauregui @ 981-6362 or ljauregui@cityofberkeley.info	NTE 6 months

Temporary vacancies without an eligible list

If you have a career appointment in the specific classification listed apply to be on the "Transfer List" **AND** call or email the department contact person within **one week** of the job posting.

Classification Title (Funding source and requisition/s)	Department	Contact	Duration	Opening Date	Closing Date
Assistant Recreation Coordinator (Funded by Marina Operations/Maint #608 at 100%) (req# 2022-00583E)	PRW	NTE 6 Months	Denise Brown @ 981-6707 or Dbrown@cityofberkeley.info	December 19, 2022	January 3, 2023
Planning Technician (Funded by Permit Service Center #621 at 100%) (req# 2022-00967)	Planning	NTE 3 years	Steven Buckley @ 981-7411 or StBuckley@cityofberkeley.info	December 19, 2022	Continuous
Program Manager II - OES (Promotional only) (Funded by Measure GG - Fire Prep Tax #140 at 100%) (req# 2022-00964)	Fire	NTE 6 Months	Keith May @ 981-5508 or KMay@cityofberkeley.inf	December 19, 2022	January 9, 2023

If you would like to be considered for one of these vacancies please apply online:



To have your name placed on the transfer list:



For promotional only vacancies:



Please note: The job information provided here is for the benefit of the City of Berkeley employees **ONLY**



Type	Name	Classification Title	Department
<u>Appointments</u>	Michael Defabio	Library Aide	Library
	Marcos Vasquez	Assistant Recreation Coordinator	PRW
	Francesca Neveu Gibson	Assistant Human Resources Analyst	Library
	Tiffani Parrish	Behavioral Health Clinician II	HHCS
	Elisa Tilton	Library Aide	Library
	Joseph Price	Library Aide	Library
	Angel Sandoval	Library Aide	Library
	Joshua Greller	Library Aide	Library
	Benjamin Anderson	Library Aide	Library
<u>Promotions</u>	Leah Salomon	Fire Captain II	Fire
	Anissa Love	Assistant Management Analyst	Public Works
<u>Retirements</u>	Beth Thomas	Principal Planner	Public Works

CATASTROPHIC LEAVE REQUEST DONATION FOR CURTIS BRIAN

CURTIS BRIAN HAS BEEN DEALING WITH A SERIOUS MEDICAL CONDITION AND HAS EXHAUSTED ALL OF HIS AVAILABLE LEAVE. ANY DONATIONS OF LEAVE WOULD BE GREATLY APPRECIATED BY CURTIS.

CATASTROPHIC LEAVE REQUEST DONATION FOR DEON CATLETT

DEON CATLETT HAS BEEN DEALING WITH A SERIOUS MEDICAL CONDITION AND HAS EXHAUSTED ALL OF HIS AVAILABLE LEAVE. ANY DONATIONS OF LEAVE WOULD BE GREATLY APPRECIATED BY DEON.

CATASTROPHIC LEAVE REQUEST DONATION FOR WAYMAN BLOCKER

WAYMAN BLOCKER'S SPOUSE HAS BEEN DEALING WITH A SERIOUS MEDICAL CONDITION AND HE HAS EXHAUSTED ALL OF HIS AVAILABLE LEAVE. ANY DONATIONS OF LEAVE WOULD BE GREATLY APPRECIATED BY WAYMAN.

CATASTROPHIC LEAVE REQUEST DONATION FOR JONAH LOPP

JONAH LOPP'S FAMILY HAS BEEN DEALING WITH A SERIOUS MEDICAL CONDITION AND HE HAS EXHAUSTED ALL OF HIS AVAILABLE LEAVE. ANY DONATIONS OF LEAVE WOULD BE GREATLY APPRECIATED BY JONAH.

CATASTROPHIC LEAVE REQUEST DONATION FOR DAVID MONTES

DAVID MONTES HAS BEEN DEALING WITH A SERIOUS MEDICAL CONDITION AND HAS EXHAUSTED ALL OF HIS AVAILABLE LEAVE. ANY DONATIONS OF LEAVE WOULD BE GREATLY APPRECIATED BY DAVID.



IF YOU WOULD LIKE TO DONATE LEAVE, PLEASE CHECK YOUR MOU FOR ALLOWABLE DONATIONS AND COMPLETE THE LEAVE TRANSFER FORM.

[**CLICK
HERE**](#)



LIST OF MANDATORY CITYWIDE TRAININGS - TO REGISTER

[CLICK HERE](#)

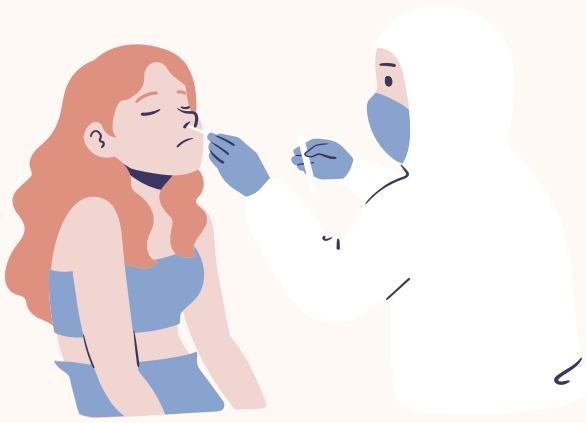
Training	Audience	Completion Deadline
Harassment Awareness (all staff)	All City Staff	December 31, 2022
Harassment (supervisors)	City of Berkeley supervisors and managers	December 31, 2022
Active Shooter Awareness	All City Staff	December 31, 2022
Code of Conduct: Ethical Role Modeling	City of Berkeley Supervisors & Managers	March 2023 (Please contact wparker@cityofberkeley.info for further instructions)

LIST OF UPCOMING CLASSES - TO REGISTER

[CLICK HERE](#)

Date & Time	Topic	Audience	Location
December 22nd 12:30pm-2:00pm 2:30pm-4:00pm	Microsoft Excel 2019	Skilled Workers Academy Only	Training Room - Basement
December 22nd 2:30pm-4:00pm	MSP: Team Dynamics Using the Whole Brain	For All PSC Staff ONLY	Tupelo

FOR QUESTIONS, PLEASE CONTACT
WILHELMINA PARKER AT WPARKER@CITYOFBERKELEY.INFO



In compliance with Senate Bill 114, from January 1, 2022 until December 31, 2022, the City is extending COVID-19 sick leave protections and addressing the effects of the coronavirus on City of Berkeley employees who are unable to work or telework for certain qualifying reasons.

The City will provide employees up to 80 hours of COVID-19 Supplemental Paid Sick Leave benefits to employees.

Full time employees may use Up to 40 hours (employees who work less than full time are entitled to the total number of hours normally scheduled to work in one week) for the following seven qualifying reasons:

- (1) The employee is subject to a quarantine or isolation period related to COVID-19 as defined by an order or guidelines of the California Department of Public Health ("CDPH"), the federal Centers for Disease Control and Prevention ("CDC"), a local health officer who has jurisdiction over the workplace, or by the City's COVID-19 Prevention Program; or
- (2) The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19; or
- (3) The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis; or
- (4) The employee is caring for a family member who is subject to a quarantine or isolation order as described in subparagraph (1), or has been advised to quarantine as described in subparagraph (2); or
- (5) The employee is caring for a child whose school or place of care is closed or otherwise unavailable for reasons related to COVID-19 on the premises; or
- (6) The employee is attending an appointment to receive a vaccine or a vaccine booster for protection against COVID-19; or
- (7) The employee is experiencing symptoms related to a COVID-19 vaccine or vaccine booster that prevents the employee from being able to work or telework.

The COVID-19 Supplemental Paid Sick Leave is in addition to any sick leave that may be available to the employee. An employee is not required to use other paid or unpaid leave before accessing leave under this policy.

Full time employees may be entitled to an additional up to **40 hours** (employees who work less than full time are entitled to the total number of hours normally scheduled to work in one week) of COVID-19 Supplemental Paid Sick Leave if the employee or a family member for whom the employee is providing care tests positive for COVID-19. An employee is not required to exhaust the initial COVID-19 supplemental paid leave (Section II of the attached policy) before accessing the additional hours provided a result of a positive COVID-19 test.

If an employee is requesting this additional leave for themselves or a family member for whom they are providing care, the employee must provide documentation of the positive test results in order to be approved for the leave. Employee should notify their supervisor of a positive test and provide documentation of the test result in one of the following two ways:

- A. Electronically by sending an encrypted message by typing "[ENCRYPT]" in to the Subject line of the email to covidreporting@cityofberkeley.info; or;
- B. In person through the confidential lockbox located at the Human Resources Department, 2180 Milvia Street, 1st floor, Berkeley, CA 94704.

COVID-19 Supplemental Paid Sick Leave is retroactive to January 1, 2022. This means that an employee can use Supplemental Paid Sick Leave for any absence since January 1, 2022, that falls within one of the above seven qualifying reasons. In order to expedite payment of retroactive Supplemental Paid Sick Leave, employees should review the [Administrative Regulation 2.24](#) and complete the Request for COVID-19 Supplemental Paid Sick Leave form and submit the form to their Department Payroll Clerk.



As we all know, COVID-19 continues to pose a serious health risk. Vaccinations and testing as well as other COVID prevention measures remain necessary to protect employees and limit COVID-19 illnesses in the workplace and the community.

The City of Berkeley remains sincerely engaged in providing a safe and healthy workplace for employees, contractors, and visitors that are consistent with COVID-19 health standards, guidance, and legal requirements.

In order to maintain a healthy workplace, a vaccination verification and testing policy has been adopted and presented in Administrative Regulation 2.25: Mandatory COVID-19 Employee Vaccination Policy. The policy was made effective on September 15, 2021, and is applicable to all City employees, interns, and volunteers.

A.R 2.25 requires verification of vaccination status of all COB employees and establishes diagnostic screening testing for employees that are unvaccinated or incompletely vaccinated. Proof of vaccination status was due for all City of Berkeley employees on October 15, 2021. If you have not already done so, please ensure you submit your vaccination status immediately. COB employees must, as a condition of employment, report their vaccination status to the City's Human Resources Department by turning in a hardcopy version of the Self-Certification of COVID-19 Vaccine Status form and a copy of vaccination card to the confidential lockbox located in the Human Resources office.

A.R 2.25 has details on exemptions, proof of vaccination and secure reporting methods as well as other helpful information on the vaccination policy.



FOR COVID-19 VACCINATION POLICY & FACE COVERING FAQs.



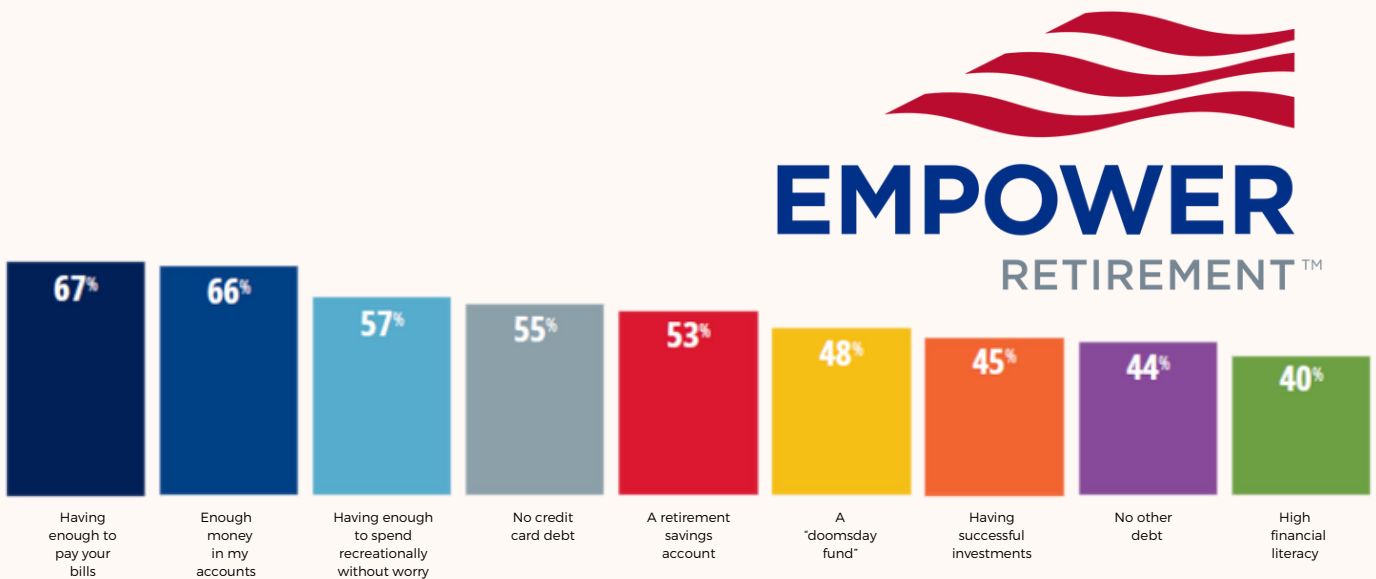
CITY OF BERKELEY DEFERRED COMPENSATION PLAN

HOW'S YOUR FINANCIAL WELLNESS STACKING UP?

FINANCIAL WELLNESS IS IMPORTANT AND MEANS DIFFERENT THINGS TO DIFFERENT PEOPLE. MANY INFLUENCES IN YOUR LIFE CAN AFFECT YOUR FINANCES – ESPECIALLY YOUR ABILITY TO SAVE FOR YOUR FUTURE. TO HELP KEEP YOUR LONG-TERM STRATEGY ON TRACK, CONSIDER HOW YOU CAN IMPROVE YOUR APPROACH TO THE FOLLOWING IMPORTANT AREAS:

- CREATING AN EMERGENCY FUND
- REDUCING YOUR HIGH-INTEREST DEBT
- SAVING FOR LARGER PURCHASES

AS YOU BEGIN TO TAKE THESE STEPS, YOU MAY FEEL LESS STRESS RELATED TO YOUR FINANCIAL LIFE AND LIFE IN GENERAL. YOU CAN GET HELP WITH MANY AREAS OF YOUR FINANCIAL WELLNESS BY VISITING EMPOWER'S LEARNING CENTER. HERE ARE SOME FINANCIAL STRATEGIES PEOPLE RATE AS BEING THE MOST IMPORTANT TO THEIR PERSONAL FINANCIAL WELL-BEING.



YOUR EMPOWER RETIREMENT REPRESENTATIVE IS OFFERING VIRTUAL APPOINTMENTS TO DISCUSS YOUR RETIREMENT SAVINGS ACCOUNT!

SCHEDULE AN APPOINTMENT TODAY!

[**CLICK HERE**](#)



Jose Anaya
Retirement Plan Advisor
Jose.Anaya@empower.com





WITH THE CALPERS 457 PLAN YOU BENEFIT FROM:

- CONTRIBUTIONS MADE THROUGH AUTOMATIC PAYROLL DEDUCTIONS
- PRE-TAX CONTRIBUTIONS AND TAX-DEFERRED GROWTH

LEARN MORE BY SCHEDULING A ONE-ON-ONE MEETING



TO SCHEDULE AN APPOINTMENT ONLINE



OR YOU CAN EMAIL NANCY.GARRITY@VOYA.COM
OR CALL 888-713-8244 EXT.2

***FROM THE PAYROLL AUDIT DIVISION OF THE AUDITOR'S OFFICE
2022 YEAR END VERIFICATION AND 2023 TAX RATES**

TAX WITHHOLDING STATUS

FILING STATUS CHANGES: If your filing status has changed since your last W-4 and/or DE-4 Forms were filed (married/divorced, gained/lost a dependent and/or exemption allowances have changed), this is the time to file amended W-4 (federal) and DE-4 (state) forms.

EXEMPT STATUS: If you claimed “**exempt**” status on your W-4 and/or DE-4 form in 2022, please note that your exemption from taxes expires February 15, 2023. If you continue to qualify for exempt status and would like to claim exempt in 2023, you must complete both a new 2023 W-4 Form and a DE-4 Form by February 15, 2023. Without the new W-4 Form, your tax status will automatically be treated as if you had checked the box for Single or Married filing separately in Step 1(c) and made no entries in Step 2, Step 3, or Step 4 of the 2023 Form W-4 and your state tax status will also be changed to “Single-0” effective with the February 24, 2023, payday.

For blank W-4 and DE-4 forms:



or you may contact Payroll Audit or your departmental payroll clerks to obtain blank forms.

W-2 MAILING VERIFICATION

Your name on your payroll check or direct deposit voucher MUST match your Social Security card. In addition, please verify the address on your payroll check or direct deposit voucher. The 2022 W-2 forms will be distributed by January 31, 2023. After you receive your 2022 W-2 form, please verify that your name and social security number printed on the form match your name and social security number printed on your social security card. This ensures the Social Security Administration is able to post your Medicare earnings. If you find a discrepancy, please contact your departmental payroll clerk or Payroll Audit.

2022 FLOATING HOLIDAYS & ADMIN LEAVE ROLLOVER

Unused 2022 floating holidays and administrative leave balances will automatically roll over into vacation balances after the close of the pay period ending December 24, 2022. HOWEVER, the administrative leave rollover CANNOT result in a vacation balance in excess of eight weeks, or 320 hours, including the floating holiday rollover. This means that if you have a vacation balance of 320 hours on December 31st, unused floating holidays will convert to vacation, but not the administrative leave.

Please notify your departmental payroll clerk if you plan to use administrative leave between 12/25/22 and 12/31/22.

The 2022 floating holidays and admin leave accruals will be available January 1, 2023, and not before.

ADDITIONAL MEDICARE TAX ON EARNINGS OVER \$200,000

Individuals earning more than \$200,000 will pay an additional 0.9% Medicare tax on all wages over \$200,000. This additional tax only applies to wages above \$200,000. Thus, an employee who earns \$210,000 annually will pay Medicare tax of 1.45% on the first \$200,000, and Medicare tax of 2.35% on the remaining \$10,000.

STATE DISABILITY INSURANCE

Effective January 1, 2023, the State Disability Insurance (SDI) taxable wage limit increases from \$145,600 to \$153,164. The SDI withholding rate for 2023 decreases from 1.10% to 0.9%. The maximum amount withheld from each employee decreases from \$1,601.60 to \$1,378.48 per calendar year.

2023 MILEAGE RATE

The Internal Revenue Service has not announced the 2023 standard mileage rate for employees who use their personal vehicle for City business. The current rate is 62.50 cents per mile until December 31, 2022. You will be notified when the new rate is announced.

DEFERRED COMPENSATION UPDATE



The 457 deferred compensation annual contribution maximum is increased from \$20,500 to \$22,500 for 2023. Participants age 50 and older may contribute an additional \$7,500 above the maximum \$22,500 limit for a total of \$30,000. The maximum deferral allowed under the IRC catchup provision is double the normal contribution limit. In 2023, the maximum Special Three-Year Catch-Up contributions is \$45,000 depending on how much you under contributed in prior years.

Benefited employees who wish to participate in any of the three deferred compensation pre-tax plans should call Empower at (866) 816-4400, Prudential at (415) 693-6016, and/or CalPERS at 1-888-713-8244 (x6).

Currently enrolled employees may change their contribution amount by completing a change form available here:

[CLICK HERE](#)

or at the Payroll Audit Office at 2180 Milvia Street, 2nd Floor.

Contribution change forms received by the end of the month, take effect on the first check of the following month. Therefore, forms submitted by 12/31/22 will take effect on the 1/12/2023 paycheck.

If you have any questions about deferred compensation, please contact Heather Willis at 981-6785.

Have a safe and happy holiday, and a joyous New Year!



2023 CITY CALENDAR

JANUARY						
Sun	Mon	Tues	Weds	Thurs	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

FEBRUARY						
Sun	Mon	Tues	Weds	Thurs	Fri	Sat
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26	27	28				

MARCH						
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APRIL						
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30						

MAY						
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14	15	16	17	18	19	20
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28	29	30	31			

JUNE						
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JULY						
Sun	Mon	Tues	Weds	Thurs	Fri	Sat
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30	31					

AUGUST						
Sun	Mon	Tues	Weds	Thurs	Fri	Sat
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27	28	29	30	31		

SEPTEMBER						
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17	18	19	20	21	22	23
24	25	26	27	28	29	30

OCTOBER						
Sun	Mon	Tues	Weds	Thurs	Fri	Sat
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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

NOVEMBER						
Sun	Mon	Tues	Weds	Thurs	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

DECEMBER						
Sun	Mon	Tues	Weds	Thurs	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

2023 CITY OF BERKELEY RECOGNIZED HOLIDAYS

Jan. 1 New Year's Day - Obs. 1/2
 Jan. 16 Martin Luther King Jr.'s Birthday
 Feb. 12 Lincoln's Birthday- Obs. 2/13
 Feb. 20 Washington's Birthday

May. 19 Malcolm X's Birthday
 May. 29 Memorial Day
 June. 19 Juneteenth
 July. 4 Independence Day

Sept. 4 Labor Day
 Oct. 9 Indigenous Peoples' Day
 Nov. 11 Veteran's Day - Obs. 11/10
 Nov. 23/24 Thanksgiving Day/Day After

Dec. 25 Christmas Day
 Pay Day
 Observed Holiday
 Observed VTO Day

**City of Berkeley
Pay Schedule
2023**

Payroll #	Pay Period			Payday
1	12/25/22	THRU	01/07/23	1/12/2023 (Thu)
2	01/08/23	THRU	01/21/23	01/27/23
3	01/22/23	THRU	02/04/23	2/09/2023 (Thu)
4	02/05/23	THRU	02/18/23	02/24/23
5	02/19/23	THRU	03/04/23	03/9/23 (Thu)
6	03/05/23	THRU	03/18/23	03/24/23
7	03/19/23	THRU	04/01/23	04/07/23
8	04/02/23	THRU	04/15/23	04/21/23
9	04/16/23	THRU	04/29/23	05/05/23
10	04/30/23	THRU	05/13/23	5/18/23 (Thu)
11	05/14/23	THRU	05/27/23	06/02/23
12	05/28/23	THRU	06/10/23	06/16/23
13	06/11/23	THRU	06/24/23	06/30/23
14	06/25/23	THRU	07/08/23	7/14/2023*
15	07/09/23	THRU	07/22/23	07/28/23
16	07/23/23	THRU	08/05/23	8/11/2023*
17	08/06/23	THRU	08/19/23	08/25/23
18	08/20/23	THRU	09/02/23	9/8/2023*
19	09/03/23	THRU	09/16/23	09/22/23
20	09/17/23	THRU	09/30/23	10/06/23
21	10/01/23	THRU	10/14/23	10/20/23
23	10/15/23	THRU	10/28/23	11/03/23
23	10/29/23	THRU	11/11/23	11/17/23
24	11/12/23	THRU	11/25/23	12/01/23
25	11/26/23	THRU	12/09/23	12/15/23
26	12/10/23	THRU	12/23/23	12/29/23

VTO days for the second half of the year have not yet been determined

When a payday falls on a VTO day or a holiday, checks will be issued a day early

*These paydays are subject to be moved earlier depending on establishment of VTO days for FY24

Berkeley Matters

RECRUITMENT SUPPLEMENT



What's New

*Happy
Holidays*

RECRUITMENTS -
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TEMPORARY
VACANCIES - PAGE 6



For more information about what to expect during the hiring process and to apply online:



*Applications must be submitted no later than 5pm on the closing date.

Recruitment Title (Funding source and requisition/s)	Reason Needed	Type	Hourly Rate	Opening Date	Closing Date
Accounting Manager (req#2018-00319)	Retirement	Competitive	\$62.65 to \$76.15	Continuous	Continuous
Accounting Office Specialist Supervisor (req#2022-00652E, 2022-00961, and 2022-00830E)	Vacancy	Promotional	\$38.34 to \$46.16	December 19, 2022	January 3, 2023
Accounting Technician	Vacancy	Competitive	\$37.38 to \$45.00	December 19, 2022	Continuous
ADA Program Coordinator (req#2022-00703)	Resignation	Competitive	\$53.26 to \$64.40	December 19, 2022	January 23, 2023
Administrative and Fiscal Services Manager (req#2022-00958, 2022-00983)	Vacancy	Competitive	\$55.56 to \$70.85	November 21, 2022	January 3, 2023
Aquatics Facilities Supervisor (req#2022-00969)	Resignation	Competitive	\$29.98 to \$36.45	December 5, 2022	January 3, 2023
Assistant Civil Engineer (req#2022-00738E)	Promotion	Competitive	\$54.86 to \$66.35	November 11, 2022	Continuous
Assistant Recreation Coordinator (req#2020-00173)	Retirement	Competitive	\$31.83 - \$37.01	December 19, 2022	January 16, 2023
Associate Civil Engineer (req#2021-00332, 2022-00735E, 2022-00736E)	Promotion	Competitive	\$60.43 to \$73.02	November 11, 2022	Continuous
Associate Human Resources Analyst (req#2022-00922E)	Vacancy	Competitive	\$50.43 to \$60.72	December 19, 2022	January 16, 2023
Associate Management Analyst (req#2022-00831E, 2022-00869E, 2022-00657E, 2022-00912E)	Vacancy Transfer	Competitive	\$48.42 to \$57.49	December 19, 2022	January 16, 2023
Behavioral Health Clinician I	Vacancy	Competitive	\$41.55 to \$48.73	Continuous	Continuous
Behavioral Health Clinician II	Vacancy	Competitive	\$45.76 to \$53.45	Continuous	Continuous
Community Development Project Coordinator (req#2021-00439E, 2021-00341E, 2022-00777E)	Promotion	Competitive	\$50.42 to \$60.96	August 1, 2022	Continuous
Community Services Specialist I (req#2022-00784, 2022-00833, 2022-00874)	Vacancy Resignation	Competitive	\$38.84 to \$45.84	December 2, 2022	January 3, 2023
Deputy City Attorney II/III (req#2022-00485E, 2022-00506E)	Vacancy	Competitive	\$67.50 to \$95.43	Continuous	Continuous
Deputy City Manager	Vacancy	Competitive	\$90.82 to \$133.58	December 12, 2022	Continuous
Electrician (req#2020-00113E, 2021-00095E, 2021-00353E)	Vacancy	Competitive	\$48.29 to \$52.92	Continuous	Continuous
Epidemiologist	Vacancy	Competitive	\$41.70 to \$50.69	Continuous	Continuous
Fire and Life Safety Plans Examiner (req#2022-00965E)	Vacancy	Competitive	\$54.45 to \$64.63	December 19, 2022	January 16, 2023

Recruitment Title (Funding source and requisition/s)	Reason Needed	Type	Hourly Rate	Opening Date	Closing Date
Fire Prevention Inspector (Sworn)	To Establish a List	Competitive	\$60.13 to \$66.29	Continuous	Continuous
Firefighter Paramedic	Vacancy	Competitive	\$32.18 to \$40.54	Continuous	Continuous
Firefighter Paramedic Lateral	Vacancy	Competitive	\$32.18 to \$40.54	Continuous	Continuous
Information Systems Manager (req#2022-00799, 2022-00997)	Retirement	Competitive	\$69.37 to \$83.84	December 19, 2022	January 16, 2023
Landscape Gardener Supervisor (req#2022-00910)	Promotion	Promotional	\$46.11 to \$48.83	December 5, 2022	December 27, 2022
Marina Assistant (req#2020-00066)	Promotion	Competitive	\$32.96 to \$34.94	Continuous	Continuous
Mechanic (req#2021-00022E, 2021-00179E)	Vacancy	Competitive	\$44.60 to \$47.28	Continuous	Continuous
Mental Health Clinical Supervisor (req#2019-00213E)	Vacancy	Competitive	\$50.56 to \$62.08	July 4, 2022	Continuous
Mental Health Nurse (req#2020-00083E, 2021-00263E)	Vacancy	Competitive	\$57.22 to \$69.55	July 20, 2020	Continuous
Mid-Level Practitioner (req#2018-00129, 2019-00221, 2016-00265)	Vacancy	Competitive	\$58.04 to \$64.35	Continuous	Continuous
Paramedic	Vacancy	Competitive	\$30.00 to \$45.00	Continuous	Continuous
Police Officer Lateral	Vacancy	Competitive	\$52.76 to \$65.67	Continuous	Continuous
Police Officer Recruit (req#2021-00233E)	Resignation	Competitive	\$43.18	June 20, 2022	Continuous
Psychiatrist	Vacancy	Competitive	\$90.52 to \$133.73	Continuous	Continuous
Public Health Nurse (req#2021-00096E)	Vacancy	Competitive	\$53.36 to \$62.24	Continuous	Continuous
Public Safety Dispatcher I (req#2021-00280E, 2021-00251E)	Vacancy	Competitive	\$32.18 to \$35.17	April 25, 2022	Continuous
Public Safety Dispatcher II	Vacancy	Competitive	\$45.98 to \$49.90	Continuous	Continuous
Registered Nurse	Vacancy	Competitive	\$51.68 to \$57.28	Continuous	Continuous
Revenue Development Specialist I/II (req#2022-00891E, 2022-00890E, 2022-00889E, 2022-00888E)	Vacancy	Competitive	\$48.42 to \$57.49	December 19, 2022	January 9, 2023
Revenue Development Supervisor (req#2021-00085E)	Resignation	Competitive	\$51.63 to \$62.41	December 19, 2022	January 16, 2023

Recruitment Title (Funding source and requisition/s)	Reason Needed	Type	Hourly Rate	Opening Date	Closing Date
Senior Behavioral Health Clinician	Promotion	Competitive	\$49.95 to \$58.31	September 26, 2022	Continuous
Senior Human Resources Analyst (req#2022-00922E)	Resignation	Competitive	\$55.96 to \$67.63	December 19, 2022	January 16, 2023
Senior Information Systems Specialist (req#2022-00543E)	Retirement	Competitive	\$48.56 to \$57.87	Continuous	Continuous
Senior Management Analyst (req#2022-00976)	Vacancy	Competitive	\$53.26 to \$64.40	December 26, 2022	January 23, 2023
Senior Planner (req#2022-00822, 2022-00823)	Promotion	Competitive	\$54.22 to \$64.61	December 5, 2022	January 23, 2023
Senior Systems Analyst (req#2022-00995, 2022-00996)	Vacancy Retirement	Competitive	\$57.98 to \$70.62	December 27, 2022	Continuous
Service Technician	Vacancy	Competitive	\$37.44 to \$39.73	Continuous	Continuous
Supervising Public Health Nurse	Vacancy	Competitive	\$62.73 to \$73.65	Continuous	Continuous
Traffic Engineering Assistant (req#2022-00956E)	Promotion	Competitive	\$40.04 to \$43.90	November 21, 2022	January 3, 2023

For more information about what to expect during the hiring process and to apply online:



*Applications must be submitted no later than 5pm on the closing date.

To be considered for the vacancies listed below, employees must:

- 1) Have a career appointment in the specific classification listed AND be on the “Transfer List” **OR**
- 2) Have their name on an active “Eligible List” **OR**
- 3) Have their name on a “Reinstatement List”

Please call or email the department contact within one week of the job posting if you meet one of the above criteria

To have your name placed on the transfer list:



Classification Title (Funding source and requisition/s)	Reason Needed	Department	Contact
Accounting Office Specialist II (req#2022-00987)	Promotion	PRW	Denise Brown @ 981-6707 Dbrown@cityofberkeley.info
Assistant Planner (req#2022-00513E, 2022-00963)	Vacancy Promotion	Planning	Steven Buckley @ 981-7411 Stbuckley@cityofberkeley.info
Building Maintenance Mechanic (req#2022-00719E)	Retirement	Library	Francesca Neveu Gibson FNeveuGibson@cityofberkeley.info
Building Maintenance Mechanic (req#2022-00906E, 2022-00863E)	Resignation Retirement	PRW	Bruce Pratt @ 981-6632 Bpratt@cityofberkeley.info
Library Aide (req#2022-01004, 2022-01005)	Resignation Promotion	Library	Francesca Neveu Gibson FNeveuGibson@cityofberkeley.info
Mechanic (req#2022-00853E)	Vacancy	Public Works	Greg Ellington @ 981-6469 Gellington@cityofberkeley.info
Mental Health Clinical Supervisor (req#2022-01013)	Promotion	HHCS	Nancy Kriauciunas @ 981-5248 nkriauciunas@cityofberkeley.info
Office Specialist II (req#2022-00994)	Promotion	Fire	Stacie Clarke @ 981-5507 stclarke@cityofberkeley.info
Office Specialist III (req#2022-01010)	Vacancy	City Manager	Amelia Funghi @ 981-6603 Afunghi@cityofberkeley.info
Police Accountability Investigator (req#2022-00752E)	Resignation	Police Review Commission	Hansel Aguilar @ 981-4960 Haguilar@cityofberkeley.info
Recreation and Youth Services Manager (req#2022-00946E)	Retirement	PRW	Scott Ferris @ 981-6711 Sferris@cityofberkeley.info
Senior Information Systems Specialist (req#2022-00990)	Vacancy	Information Technology	Thomas Ray @ 981-6542 Tray@cityofberkeley.info
Supervising Library Assistant (Promotional Only) (req#2022-01006)	Retirement	Library	Francesca Neveu Gibson FNeveuGibson@cityofberkeley.info

Please note: The job information provided here is for the benefit of the City of Berkeley employees ONLY

Temporary vacancies with an eligible list

To be considered for the vacancies listed below, employees must:

- 1) Have a career appointment in the specific classification listed AND be on the “Transfer List” **OR**
- 2) Have their name on an active “Eligible List” **OR**
- 3) Have their name on a “Reinstatement List”

Please call or email the department contact within **one week** of the job posting if you meet one of the above criteria

Classification Title (Funding source and requisition/s)	Reason	Department	Contact	Duration
Accounting Technician (req#2022-00794E)	Vacancy	Auditor's Office	Brian Zandipour @ 981-6789 Bzandipour@cityofberkeley.info	NTE 2 years
Assistant to the City Manager (req#2022-00937E)	Vacancy	City Manager	Tasha Tervalon @ 981-5347 Ttervalon@cityofberkeley.info	NTE 3 years
Building Maintenance Mechanic (req#2022-00945E, 2022-00944E)	Vacancy	PRW	Bruce Pratt @ 981-6632 Bpratt@cityofberkeley.info	NTE 6 months
School Crossing Guard (req#2022-01009, 2022-01008, 2022-01007)	Vacancy	Public Works	Roger Mason @ 981-6465 Rmason@cityofberkeley.info	NTE 19 months
Senior Service Aide (req#2022-01030)	Vacancy	HHCS	Tanya Bustamanate @ 981-5178 Tbustamante@cityofberkeley.info	NTE 6 months

Temporary vacancies without an eligible list

If you have a career appointment in the specific classification listed apply to be on the "Transfer List" **AND** call or email the department contact person within **one week** of the job posting.

Classification Title (Funding source and requisition/s)	Department	Contact	Duration	Opening Date	Closing Date
Senior Management Analyst (req#2022-00957E)	HHCS	NTE 3 years	Tanya Bustamanate @ 981-5178 Tbustamante@cityofberkeley.info	December 26, 2022	January 23, 2023

If you would like to be considered for one of these vacancies please apply online:



To have your name placed on the transfer list:



For promotional only vacancies:



Please note: The job information provided here is for the benefit of the City of Berkeley employees ONLY

Berkeley Matters

THE BI-WEEKLY HR NEWSLETTER FOR THE CITY OF BERKELEY



What's New

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[EMPOWER WEBINAR -](#)
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Our Public Counter Will Reopen on Fridays Starting in January!

***We still encourage appointments to
avoid wait times.***



• **HR ADMINISTRATION**

ARAM KOUYOUMDJIAN, HR DIRECTOR

JESSICA LEWIS (ADMIN SUPPORT)
JELEWIS@CITYOFBERKELEY.INFO
510-981-6824

DAWUD BREWER, EMPLOYEE RELATIONS MANAGER
DBREWER@CITYOFBERKELEY.INFO
510-981-6821

MONICA WALKER, HUMAN RESOURCES MANAGER
MWALKER@CITYOFBERKELEY.INFO
510-981-6824

• **EMPLOYEE RELATIONS**
• **LRCC**

DAWUD BREWER (EMPLOYEE RELATIONS)
DBREWER@CITYOFBERKELEY.INFO
510-981-6821

KISMET TENG
KTENG@CITYOFBERKELEY.INFO
510-981-6804

• **BENEFITS**
• **LEAVES**

SOPHEA SHEPHARD
SSHEPHARD@CITYOFBERKELEY.INFO
510-981-6815

• **CITYWIDE TRAINING**

WILHELMINA PARKER
WPARKER@CITYOFBERKELEY.INFO
510-981-6823

LESLIE WALLACE
LWALLACE@CITYOFBERKELEY.INFO
510-981-6809

• **EEO MATTERS**

TAMELA HOPSON-DUDLEY
THOPSON-DUDLEY@CITYOFBERKELEY.INFO
510-981-6811

• **RECRUITMENTS**
• **EXAMS/TESTS**

NATASHA MARTINEZ
NMARTINEZ@CITYOFBERKELEY.INFO
510-981-6820

JENEEN MILLER-EDENBURG
JEMILLER@CITYOFBERKELEY.INFO
510-981-6817

MICHELLE YOO
MYOO@CITYOFBERKELEY.INFO
510-981-6802

• **SAFETY**
• **ERGONOMICS**
• **CAL/OSHA**

KEVIN WALKER
KWALKER@CITYOFBERKELEY.INFO
510-981-6825

TRISA "VENUS" THOMAS
VTHOMAS@CITYOFBERKELEY.INFO
510-981-6819

• **WORKERS' COMP**
• **ADA**

WORKERS' COMP (SUBMIT CLAIMS)
HRWORKERSCOMP@CITYOFBERKELEY.INFO

CARI MCDONALD (WORKERS' COMP)
CMCDONALD@CITYOFBERKELEY.INFO
510-981-6816

• **TRANSACTIONS**

VELMA WALLACE
VWALLACE@CITYOFBERKELEY.INFO
510-981-6808

RIO TESS MUSNI
RMUSNI@CITYOFBERKELEY.INFO
510-981-6805

TIANA DICKSON
TDICKSON@CITYOFBERKELEY.INFO
510-981-6814

For more information about what to expect during the hiring process and to apply online:



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Recruitment Title (Funding source and requisition/s)	Reason Needed	Type	Hourly Rate	Opening Date	Closing Date
Accounting Manager (req#2018-00319)	Retirement	Competitive	\$62.65 to \$76.15	Continuous	Continuous
Accounting Office Specialist Supervisor (req#2022-00652E, 2022-00961, and 2022-00830E)	Vacancy	Promotional	\$38.34 to \$46.16	December 19, 2022	January 3, 2023
Accounting Technician	Vacancy	Competitive	\$37.38 to \$45.00	December 19, 2022	Continuous
ADA Program Coordinator (req#2022-00703)	Resignation	Competitive	\$53.26 to \$64.40	December 19, 2022	January 23, 2023
Administrative and Fiscal Services Manager (req#2022-00958, 2022-00983)	Vacancy	Competitive	\$55.56 to \$70.85	November 21, 2022	January 3, 2023
Aquatics Facilities Supervisor (req#2022-00969)	Resignation	Competitive	\$29.98 to \$36.45	December 5, 2022	January 3, 2023
Assistant Civil Engineer (req#2022-00738E)	Promotion	Competitive	\$54.86 to \$66.35	November 11, 2022	Continuous
Assistant Recreation Coordinator (req#2020-00173)	Retirement	Competitive	\$31.83 - \$37.01	December 19, 2022	January 16, 2023
Associate Civil Engineer (req#2021-00332, 2022-00735E, 2022-00736E)	Promotion	Competitive	\$60.43 to \$73.02	November 11, 2022	Continuous
Associate Human Resources Analyst (req#2022-00922E)	Vacancy	Competitive	\$50.43 to \$60.72	December 19, 2022	January 16, 2023
Associate Management Analyst (req#2022-00831E, 2022-00869E, 2022-00657E, 2022-00912E)	Vacancy Transfer	Competitive	\$48.42 to \$57.49	December 19, 2022	January 16, 2023
Behavioral Health Clinician I	Vacancy	Competitive	\$41.55 to \$48.73	Continuous	Continuous
Behavioral Health Clinician II	Vacancy	Competitive	\$45.76 to \$53.45	Continuous	Continuous
Community Development Project Coordinator (req#2022-00756E, 2021-00439E, 2021-00341E, 2022-00778E)	Promotion	Competitive	\$50.42 to \$60.96	August 1, 2022	Continuous
Community Services Specialist I (req#2022-00784, 2022-00833, 2022-00874)	Vacancy Resignation	Competitive	\$38.84 to \$45.84	December 2, 2022	January 3, 2023
Deputy City Attorney II/III (req#2022-00485E, 2022-00506E)	Vacancy	Competitive	\$67.50 to \$95.43	Continuous	Continuous
Deputy City Manager	Vacancy	Competitive	\$90.82 to \$133.58	December 12, 2022	Continuous
Electrician (req#2020-00113E, 2021-00095E, 2021-00353E)	Vacancy	Competitive	\$48.29 to \$52.92	Continuous	Continuous
Epidemiologist	Vacancy	Competitive	\$41.70 to \$50.69	Continuous	Continuous

Recruitment Title (Funding source and requisition/s)	<u>Reason Needed</u>	<u>Type</u>	<u>Hourly Rate</u>	<u>Opening Date</u>	<u>Closing Date</u>
Fire and Life Safety Plans Examiner (req#2022-00965E)	Vacancy	Competitive	\$54.45 to \$64.63	December 19, 2022	January 16, 2023
Fire Prevention Inspector (Sworn)	To Establish a List	Competitive	\$60.13 to \$66.29	Continuous	Continuous
Firefighter Paramedic	Vacancy	Competitive	\$32.18 to \$40.54	Continuous	Continuous
Firefighter Paramedic Lateral	Vacancy	Competitive	\$32.18 to \$40.54	Continuous	Continuous
Information Systems Manager (req#2022-00799, 2022-00997)	Retirement	Competitive	\$69.37 to \$83.84	December 19, 2022	January 16, 2023
Marina Assistant (req#2020-00066)	Promotion	Competitive	\$32.96 to \$34.94	Continuous	Continuous
Mechanic (req#2021-00022E, 2021-00179E)	Vacancy	Competitive	\$44.60 to \$47.28	Continuous	Continuous
Mental Health Clinical Supervisor (req#2019-00213E)	Vacancy	Competitive	\$50.56 to \$62.08	July 4, 2022	Continuous
Mental Health Nurse (req#2020-00083E, 2021-00263E)	Vacancy	Competitive	\$57.22 to \$69.55	July 20, 2020	Continuous
Mid-Level Practitioner (req#2018-00129, 2019-00221, 2016-00265)	Vacancy	Competitive	\$58.04 to \$64.35	Continuous	Continuous
Paramedic	Vacancy	Competitive	\$30.00 to \$45.00	Continuous	Continuous
Police Officer Lateral	Vacancy	Competitive	\$52.76 to \$65.67	Continuous	Continuous
Police Officer Recruit (req#2021-00233E)	Resignation	Competitive	\$43.18	June 20, 2022	Continuous
Psychiatrist	Vacancy	Competitive	\$90.52 to \$133.73	Continuous	Continuous
Public Health Nurse (req#2021-00096E)	Vacancy	Competitive	\$53.36 to \$62.24	Continuous	Continuous
Public Safety Dispatcher I (req#2021-00280E, 2021-00251E)	Vacancy	Competitive	\$32.18 to \$35.17	April 25, 2022	Continuous
Public Safety Dispatcher II	Vacancy	Competitive	\$45.98 to \$49.90	Continuous	Continuous
Registered Nurse	Vacancy	Competitive	\$51.68 to \$57.28	Continuous	Continuous
Revenue Development Specialist I/II (req#2022-00891E, 2022-00890E, 2022-00889E, 2022-00888E)	Vacancy	Competitive	\$48.42 to \$57.49	December 19, 2022	January 9, 2023
Revenue Development Supervisor (req#2021-00085E)	Resignation	Competitive	\$51.63 to \$62.41	December 19, 2022	January 16, 2023

Recruitment Title (Funding source and requisition/s)	<u>Reason Needed</u>	<u>Type</u>	<u>Hourly Rate</u>	<u>Opening Date</u>	<u>Closing Date</u>
Senior Behavioral Health Clinician	Promotion	Competitive	\$49.95 to \$58.31	September 26, 2022	Continuous
Senior Human Resources Analyst (req#2022-00922E)	Resignation	Competitive	\$55.96 to \$67.63	December 19, 2022	January 16, 2023
Senior Information Systems Specialist (req#2022-00543E)	Retirement	Competitive	\$48.56 to \$57.87	Continuous	Continuous
Senior Management Analyst (req#2022-00976)	Vacancy	Competitive	\$53.26 to \$64.40	December 26, 2022	January 23, 2023
Senior Planner (req#2022-00822, 2022-00823)	Promotion	Competitive	\$54.22 to \$64.61	December 5, 2022	January 23, 2023
Senior Systems Analyst (req#2022-00995, 2022-00996)	Vacancy Retirement	Competitive	\$57.98 to \$70.62	December 27, 2022	Continuous
Service Technician	Vacancy	Competitive	\$37.44 to \$39.73	Continuous	Continuous
Supervising Public Health Nurse	Vacancy	Competitive	\$62.73 to \$73.65	Continuous	Continuous
Traffic Engineering Assistant (req#2022-00956E)	Promotion	Competitive	\$40.04 to \$43.90	November 21, 2022	January 3, 2023

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- 3) Have their name on a “Reinstatement List”

Please call or email the department contact within **one week** of the job posting if you meet one of the above criteria

To have your name placed on the transfer list:



Classification Title (Funding source and requisition/s)	Reason Needed	Department	Contact
Accounting Office Specialist II (req#2022-00987)	Promotion	PRW	Denise Brown @ 981-6707 Dbrown@cityofberkeley.info
Accounting Technician (req#2022-01001)	Vacancy	Finance	Rosario Riche @ 981-7334 x6431 Rriche@cityofberkeley.info
Assistant Planner (req#2022-00513E, 2022-00963)	Vacancy Promotion	Planning	Steven Buckley @ 981-7411 Stbuckley@cityofberkeley.info
Building Maintenance Mechanic (req#2022-00719E)	Retirement	Library	Francesca Neveu Gibson FNeveuGibson@cityofberkeley.info
Building Maintenance Mechanic (req#2022-00906E, 2022-00863E)	Resignation Retirement	PRW	Bruce Pratt @ 981-6632 Bpratt@cityofberkeley.info
Firefighter Paramedic (2022-01018, 2022-01019, 2022-01020)	Vacancy	Fire	Stacie Clarke @ 981-5507 stclarke@cityofberkeley.info
Library Aide (req#2022-01004, 2022-01005)	Resignation Promotion	Library	Francesca Neveu Gibson FNeveuGibson@cityofberkeley.info
Mechanic (req#2022-00853E)	Vacancy	Public Works	Greg Ellington @ 981-6469 Gellington@cityofberkeley.info
Mental Health Clinical Supervisor (req#2022-01013)	Promotion	HHCS	Nancy Kriauciunas @ 981-5248 nkriauciunas@cityofberkeley.info
Office Specialist II (req#2022-00994)	Promotion	Fire	Stacie Clarke @ 981-5507 stclarke@cityofberkeley.info
Office Specialist III (req#2022-01010)	Vacancy	City Manager	Amelia Funghi @ 981-6603 Afunghi@cityofberkeley.info
Office Specialist III (req#2022-01038, 2022-01039)	Promotion	City Clerk	Mark Numainville @ 981-6909 Mnumainville@cityofberkeley.info
Paramedic (req#2022-01021, 2022-01022, 2022-01023, 2022-01024, 2022-01025, 2022-01026, 2022-01027, 2022-01028, 2022-01029)	Vacancy	Fire	Stacie Clarke @ 981-5507 stclarke@cityofberkeley.info
Police Accountability Investigator (req#2022-00752E)	Resignation	Police Review Commission	Hansel Aguilar @ 981-4960 Haguilar@cityofberkeley.info
Recreation and Youth Services Manager (req#2022-00946E)	Retirement	PRW	Scott Ferris @ 981-6711 Sferris@cityofberkeley.info
Senior Information Systems Specialist (req#2022-00990)	Vacancy	Information Technology	Thomas Ray @ 981-6542 Tray@cityofberkeley.info
Supervising Library Assistant (Promotional Only) (req#2022-01006)	Retirement	Library	Francesca Neveu Gibson FNeveuGibson@cityofberkeley.info

Please note: The job information provided here is for the benefit of the City of Berkeley employees ONLY

Temporary vacancies with an eligible list

To be considered for the vacancies listed below, employees must:

- 1) Have a career appointment in the specific classification listed AND be on the "Transfer List" **OR**
- 2) Have their name on an active "Eligible List" **OR**
- 3) Have their name on a "Reinstatement List"

Please call or email the department contact within **one week** of the job posting if you meet one of the above criteria

Classification Title (Funding source and requisition/s)	Reason	Department	Contact	Duration
Accounting Technician (req#2022-00794E)	Vacancy	Auditor's Office	Brian Zandipour @ 981-6789 Bzandipour@cityofberkeley.info	NTE 2 years
Assistant to the City Manager (req#2022-00937E)	Vacancy	City Manager	Tasha Tervalon @ 981-5347 Ttervalon@cityofberkeley.info	NTE 3 years
Building Maintenance Mechanic (req#2022-00945E, 2022-00944E)	Vacancy	PRW	Bruce Pratt @ 981-6632 Bpratt@cityofberkeley.info	NTE 6 months
Community Development Project Coordinator (req#2022-00777E)	Vacancy	HHCS	Margo Ernst @ 981-5427 Mernst@cityofberkeley.info	NTE 6 months
School Crossing Guard (req#2022-01009, 2022-01008, 2022-01007)	Vacancy	Public Works	Roger Mason @ 981-6465 Rmason@cityofberkeley.info	NTE 19 months
Senior Service Aide (req#2022-01030)	Vacancy	HHCS	Tanya Bustamanate @ 981-5178 Tbustamante@cityofberkeley.info	NTE 6 months

Temporary vacancies without an eligible list

If you have a career appointment in the specific classification listed apply to be on the "Transfer List" **AND** call or email the department contact person within **one week** of the job posting.

Classification Title (Funding source and requisition/s)	Department	Contact	Duration	Opening Date	Closing Date
Senior Management Analyst (req#2022-00957E)	HHCS	NTE 3 years	Tanya Bustamanate @ 981-5178 Tbustamante@cityofberkeley.info	December 26, 2022	January 23, 2023

If you would like to be considered for one of these vacancies please apply online:



To have your name placed on the transfer list:



For promotional only vacancies:



Please note: The job information provided here is for the benefit of the City of Berkeley employees **ONLY**



<u>Type</u>	<u>Name</u>	<u>Classification Title</u>	<u>Department</u>
Appointments	Charles Mark Humbert	Council Member	City Council
	Michael Chang	School Board Director	School Board
	Julie Haslam	EMS Quality Improvement and Education Coordinator	Fire
	Kismet Teng	Associate HR Analyst	Human Resources
	Jennifer Shanoski	School Board Director	School Board
	Nathan Mizell	Rent Board Commissioner	Rent Board
	Vanessa Marrero	Rent Board Commissioner	Rent Board
	Ruben Hernandez Story	Legislative Assistant	City Council
	Tamela Hopson-Dudley	EEO & Diversity Officer	Human Resources
	Maverick Ng	Library Aide	Library
Opie James	Library Aide	Library	
Promotions	Lolisha Chaney	Accounting Office Specialist III	Library
	Jennifer Lovvorn	Economic Development Project Coordinator	City Manager's Office
Retirements	Emily Murphy	Police Sergeant	Police

CATASTROPHIC LEAVE REQUEST DONATION FOR CURTIS BRIAN

CURTIS BRIAN HAS BEEN DEALING WITH A SERIOUS MEDICAL CONDITION AND HAS EXHAUSTED ALL OF HIS AVAILABLE LEAVE. ANY DONATIONS OF LEAVE WOULD BE GREATLY APPRECIATED BY CURTIS.

CATASTROPHIC LEAVE REQUEST DONATION FOR DEON CATLETT

DEON CATLETT HAS BEEN DEALING WITH A SERIOUS MEDICAL CONDITION AND HAS EXHAUSTED ALL OF HIS AVAILABLE LEAVE. ANY DONATIONS OF LEAVE WOULD BE GREATLY APPRECIATED BY DEON.

CATASTROPHIC LEAVE REQUEST DONATION FOR WAYMAN BLOCKER

WAYMAN BLOCKER'S SPOUSE HAS BEEN DEALING WITH A SERIOUS MEDICAL CONDITION AND HE HAS EXHAUSTED ALL OF HIS AVAILABLE LEAVE. ANY DONATIONS OF LEAVE WOULD BE GREATLY APPRECIATED BY WAYMAN.

CATASTROPHIC LEAVE REQUEST DONATION FOR JONAH LOPP

JONAH LOPP'S FAMILY HAS BEEN DEALING WITH A SERIOUS MEDICAL CONDITION AND HE HAS EXHAUSTED ALL OF HIS AVAILABLE LEAVE. ANY DONATIONS OF LEAVE WOULD BE GREATLY APPRECIATED BY JONAH.

CATASTROPHIC LEAVE REQUEST DONATION FOR DAVID MONTES

DAVID MONTES HAS BEEN DEALING WITH A SERIOUS MEDICAL CONDITION AND HAS EXHAUSTED ALL OF HIS AVAILABLE LEAVE. ANY DONATIONS OF LEAVE WOULD BE GREATLY APPRECIATED BY DAVID.



IF YOU WOULD LIKE TO DONATE LEAVE, PLEASE CHECK YOUR MOU FOR ALLOWABLE DONATIONS AND COMPLETE THE LEAVE TRANSFER FORM.

[CLICK HERE](#)

LIST OF MANDATORY CITYWIDE TRAININGS - TO REGISTER

[CLICK HERE](#)

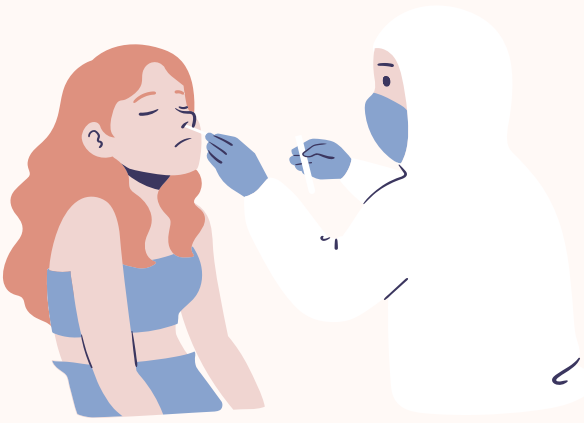
Training	Audience	Completion Deadline
Harassment Awareness (all staff)	All City Staff	December 31, 2022
Harassment (supervisors)	City of Berkeley supervisors and managers	December 31, 2022
Active Shooter Awareness	All City Staff	December 31, 2022
Code of Conduct: Ethical Role Modeling	City of Berkeley Supervisors & Managers	March 2023 (Please contact wparker@cityofberkeley.info for further instructions)

LIST OF UPCOMING CLASSES - TO REGISTER

[CLICK HERE](#)

Date & Time	Topic	Audience	Location
January 5th 12:30pm-2:00pm	Microsoft PowerPoint 2019	Skilled Workers Academy Only	Training Room - 1947 Center Street
January 5th 2:30pm-4:00pm	Microsoft PowerPoint 2019	Skilled Workers Academy Only	Training Room - 1947 Center Street
January 12th 9:00am-11:30am	Planning for Retirement - For Those Within 10 Years of Retirement	All City Staff	Zoom
January 12th 12:30pm-2:00pm	Microsoft PowerPoint 2019	Skilled Workers Academy Only	Training Room - 1947 Center Street
January 12th 2:30pm-4:00pm	Microsoft PowerPoint 2019	Skilled Workers Academy Only	Training Room - 1947 Center Street
January 12th 2:30pm-4:00pm	MSP: Team Dynamics Using the Whole Brain	PSC Staff Only	Tupelo Room - 1947 Center Street
January 19th 9:00am-11:30am	Benefits Basics - CalPERS	All City Staff	Zoom
January 19th 12:30pm-2:00pm	Microsoft PowerPoint 2019	Skilled Workers Academy Only	Training Room - 1947 Center Street
January 19th 2:30pm-4:00pm	Microsoft PowerPoint 2019	Skilled Workers Academy Only	Training Room - 1947 Center Street
January 25th 9:00am-12:00pm	3C's Advanced Conflict Resolution	All City Staff	Zoom
January 26th 12:30pm-2:00pm	Professionalism / Work Ethics (Baseline)	Skilled Workers Academy Only	Corp Yard - Green Room
January 26th 2:30pm-4:00pm	Professionalism / Work Ethics (Baseline)	Skilled Workers Academy Only	Corp Yard - Green Room

FOR QUESTIONS PLEASE CONTACT WILHELMINA PARKER AT WPARKER@CITYOFBERKELEY.INFO



In compliance with Senate Bill 114, from January 1, 2022 until December 31, 2022, the City is extending COVID-19 sick leave protections and addressing the effects of the coronavirus on City of Berkeley employees who are unable to work or telework for certain qualifying reasons.

The City will provide employees up to 80 hours of COVID-19 Supplemental Paid Sick Leave benefits to employees.

Full time employees may use Up to 40 hours (employees who work less than full time are entitled to the total number of hours normally scheduled to work in one week) for the following seven qualifying reasons:

- (1) The employee is subject to a quarantine or isolation period related to COVID-19 as defined by an order or guidelines of the California Department of Public Health ("CDPH"), the federal Centers for Disease Control and Prevention ("CDC"), a local health officer who has jurisdiction over the workplace, or by the City's COVID-19 Prevention Program; or
- (2) The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19; or
- (3) The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis; or
- (4) The employee is caring for a family member who is subject to a quarantine or isolation order as described in subparagraph (1), or has been advised to quarantine as described in subparagraph (2); or
- (5) The employee is caring for a child whose school or place of care is closed or otherwise unavailable for reasons related to COVID-19 on the premises; or
- (6) The employee is attending an appointment to receive a vaccine or a vaccine booster for protection against COVID-19; or
- (7) The employee is experiencing symptoms related to a COVID-19 vaccine or vaccine booster that prevents the employee from being able to work or telework.

The COVID-19 Supplemental Paid Sick Leave is in addition to any sick leave that may be available to the employee. An employee is not required to use other paid or unpaid leave before accessing leave under this policy.

Full time employees may be entitled to an additional up to **40 hours** (employees who work less than full time are entitled to the total number of hours normally scheduled to work in one week) of COVID-19 Supplemental Paid Sick Leave if the employee or a family member for whom the employee is providing care tests positive for COVID-19. An employee is not required to exhaust the initial COVID-19 supplemental paid leave (Section II of the attached policy) before accessing the additional hours provided a result of a positive COVID-19 test.

If an employee is requesting this additional leave for themselves or a family member for whom they are providing care, the employee must provide documentation of the positive test results in order to be approved for the leave. Employee should notify their supervisor of a positive test and provide documentation of the test result in one of the following two ways:

- A. Electronically by sending an encrypted message by typing "[ENCRYPT]" in to the Subject line of the email to covidreporting@cityofberkeley.info; or;
- B. In person through the confidential lockbox located at the Human Resources Department, 2180 Milvia Street, 1st floor, Berkeley, CA 94704.

COVID-19 Supplemental Paid Sick Leave is retroactive to January 1, 2022. This means that an employee can use Supplemental Paid Sick Leave for any absence since January 1, 2022, that falls within one of the above seven qualifying reasons. In order to expedite payment of retroactive Supplemental Paid Sick Leave, employees should review the [Administrative Regulation 2.24](#) and complete the Request for COVID-19 Supplemental Paid Sick Leave form and submit the form to their Department Payroll Clerk.



As we all know, COVID-19 continues to pose a serious health risk. Vaccinations and testing as well as other COVID prevention measures remain necessary to protect employees and limit COVID-19 illnesses in the workplace and the community.

The City of Berkeley remains sincerely engaged in providing a safe and healthy workplace for employees, contractors, and visitors that are consistent with COVID-19 health standards, guidance, and legal requirements.

In order to maintain a healthy workplace, a vaccination verification and testing policy has been adopted and presented in Administrative Regulation 2.25: Mandatory COVID-19 Employee Vaccination Policy. The policy was made effective on September 15, 2021, and is applicable to all City employees, interns, and volunteers.

A.R 2.25 requires verification of vaccination status of all COB employees and establishes diagnostic screening testing for employees that are unvaccinated or incompletely vaccinated. Proof of vaccination status was due for all City of Berkeley employees on October 15, 2021. If you have not already done so, please ensure you submit your vaccination status immediately. COB employees must, as a condition of employment, report their vaccination status to the City's Human Resources Department by turning in a hardcopy version of the Self-Certification of COVID-19 Vaccine Status form and a copy of vaccination card to the confidential lockbox located in the Human Resources office.

A.R 2.25 has details on exemptions, proof of vaccination and secure reporting methods as well as other helpful information on the vaccination policy.



FOR COVID-19 VACCINATION POLICY & FACE COVERING FAQs.



EMPOWER 457 - CITY OF BERKELEY DEFERRED COMPENSATION PLAN

HOW'S YOUR FINANCIAL WELLNESS STACKING UP?

FINANCIAL WELLNESS IS IMPORTANT AND MEANS DIFFERENT THINGS TO DIFFERENT PEOPLE. MANY INFLUENCES IN YOUR LIFE CAN AFFECT YOUR FINANCES – ESPECIALLY YOUR ABILITY TO SAVE FOR YOUR FUTURE. TO HELP KEEP YOUR LONG-TERM STRATEGY ON TRACK, CONSIDER HOW YOU CAN IMPROVE YOUR APPROACH TO THE FOLLOWING IMPORTANT AREAS:

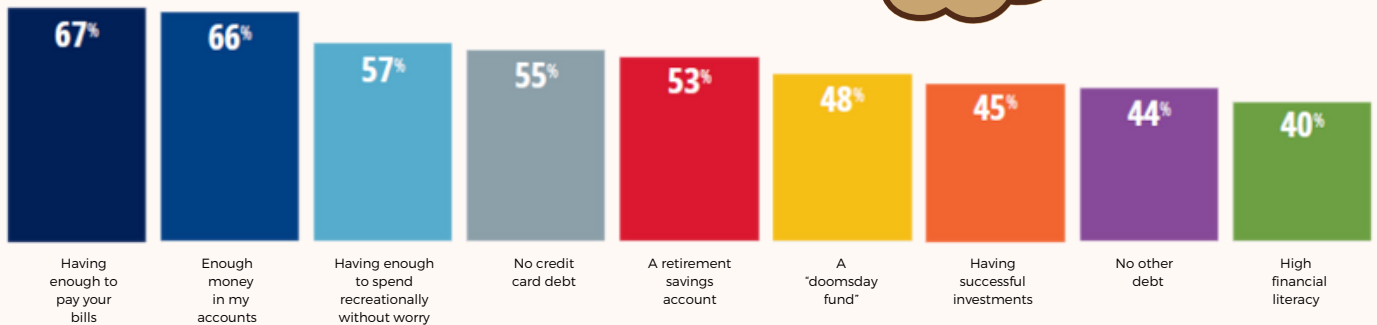
- CREATING AN EMERGENCY FUND
- REDUCING YOUR HIGH-INTEREST DEBT
- SAVING FOR LARGER PURCHASES

AS YOU BEGIN TO TAKE THESE STEPS, YOU MAY FEEL LESS STRESS RELATED TO YOUR FINANCIAL LIFE AND LIFE IN GENERAL. YOU CAN GET HELP WITH MANY AREAS OF YOUR FINANCIAL WELLNESS BY VISITING EMPOWER'S LEARNING CENTER. HERE ARE SOME FINANCIAL STRATEGIES PEOPLE RATE AS BEING THE MOST IMPORTANT TO THEIR PERSONAL FINANCIAL WELL-BEING.



Schedule an appointment today to discuss your retirement savings account or you can email jose.anaya@empower.com

[CLICK HERE](#)



WITH THE CALPERS 457 PLAN YOU BENEFIT FROM:

- CONTRIBUTIONS MADE THROUGH AUTOMATIC PAYROLL DEDUCTIONS
- PRE-TAX CONTRIBUTIONS AND TAX-DEFERRED GROWTH

LEARN MORE BY SCHEDULING A ONE-ON-ONE MEETING

TO SCHEDULE AN APPOINTMENT ONLINE

[CLICK HERE](#)

**OR YOU CAN EMAIL NANCY.GARRITY@VOYA.COM
OR CALL 888-713-8244 EXT.2**

Join us for a live webinar on Retirement Myths

Key takeaways:

- Account security, withdrawals, and more
- Fact vs. fiction on the following topics
 - Consolidating accounts
 - Loans

To schedule a coaching session



Register for a live session by scanning one of the QR codes below

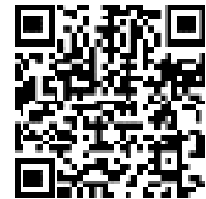
Tuesday, January 17, 2023

Thursday, January 19, 2023

English 12 p.m. ET



English 1 p.m. ET



English 3 p.m. ET



English 4 p.m. ET



Spanish 6 p.m. ET



***FROM THE PAYROLL AUDIT DIVISION OF THE AUDITOR'S OFFICE
2022 YEAR END VERIFICATION AND 2023 TAX RATES**

TAX WITHHOLDING STATUS

FILING STATUS CHANGES: If your filing status has changed since your last W-4 and/or DE-4 Forms were filed (married/divorced, gained/lost a dependent and/or exemption allowances have changed), this is the time to file amended W-4 (federal) and DE-4 (state) forms.

EXEMPT STATUS: If you claimed “**exempt**” status on your W-4 and/or DE-4 form in 2022, please note that your exemption from taxes expires February 15, 2023. If you continue to qualify for exempt status and would like to claim exempt in 2023, you must complete both a new 2023 W-4 Form and a DE-4 Form by February 15, 2023. Without the new W-4 Form, your tax status will automatically be treated as if you had checked the box for Single or Married filing separately in Step 1(c) and made no entries in Step 2, Step 3, or Step 4 of the 2023 Form W-4 and your state tax status will also be changed to “Single-0” effective with the February 24, 2023, payday.

For blank W-4 and DE-4 forms:



or you may contact Payroll Audit or your departmental payroll clerks to obtain blank forms.

W-2 MAILING VERIFICATION

Your name on your payroll check or direct deposit voucher MUST match your Social Security card. In addition, please verify the address on your payroll check or direct deposit voucher. The 2022 W-2 forms will be distributed by January 31, 2023. After you receive your 2022 W-2 form, please verify that your name and social security number printed on the form match your name and social security number printed on your social security card. This ensures the Social Security Administration is able to post your Medicare earnings. If you find a discrepancy, please contact your departmental payroll clerk or Payroll Audit.

2022 FLOATING HOLIDAYS & ADMIN LEAVE ROLLOVER

Unused 2022 floating holidays and administrative leave balances will automatically roll over into vacation balances after the close of the pay period ending December 24, 2022. HOWEVER, the administrative leave rollover CANNOT result in a vacation balance in excess of eight weeks, or 320 hours, including the floating holiday rollover. This means that if you have a vacation balance of 320 hours on December 31st, unused floating holidays will convert to vacation, but not the administrative leave.

Please notify your departmental payroll clerk if you plan to use administrative leave between 12/25/22 and 12/31/22.

The 2022 floating holidays and admin leave accruals will be available January 1, 2023, and not before.

ADDITIONAL MEDICARE TAX ON EARNINGS OVER \$200,000

Individuals earning more than \$200,000 will pay an additional 0.9% Medicare tax on all wages over \$200,000. This additional tax only applies to wages above \$200,000. Thus, an employee who earns \$210,000 annually will pay Medicare tax of 1.45% on the first \$200,000, and Medicare tax of 2.35% on the remaining \$10,000.

STATE DISABILITY INSURANCE

Effective January 1, 2023, the State Disability Insurance (SDI) taxable wage limit increases from \$145,600 to \$153,164. The SDI withholding rate for 2023 decreases from 1.10% to 0.9%. The maximum amount withheld from each employee decreases from \$1,601.60 to \$1,378.48 per calendar year.

2023 MILEAGE RATE

The Internal Revenue Service has not announced the 2023 standard mileage rate for employees who use their personal vehicle for City business. The current rate is 62.50 cents per mile until December 31, 2022. You will be notified when the new rate is announced.

DEFERRED COMPENSATION UPDATE



The 457 deferred compensation annual contribution maximum is increased from \$20,500 to \$22,500 for 2023. Participants age 50 and older may contribute an additional \$7,500 above the maximum \$22,500 limit for a total of \$30,000. The maximum deferral allowed under the IRC catchup provision is double the normal contribution limit. In 2023, the maximum Special Three-Year Catch-Up contributions is \$45,000 depending on how much you under contributed in prior years.

Benefited employees who wish to participate in any of the three deferred compensation pre-tax plans should call Empower at (866) 816-4400, Prudential at (415) 693-6016, and/or CalPERS at 1-888-713-8244 (x6).

Currently enrolled employees may change their contribution amount by completing a change form available here:



or at the Payroll Audit Office at 2180 Milvia Street, 2nd Floor.

Contribution change forms received by the end of the month, take effect on the first check of the following month. Therefore, forms submitted by 12/31/22 will take effect on the 1/12/2023 paycheck.

If you have any questions about deferred compensation, please contact Heather Willis at 981-6785.

Have a safe and happy holiday, and a joyous New Year!



2023 CITY CALENDAR

JANUARY						
Sun	Mon	Tues	Weds	Thurs	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

FEBRUARY						
Sun	Mon	Tues	Weds	Thurs	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

MARCH						
Sun	Mon	Tues	Weds	Thurs	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
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26	27	28	29	30	31	

APRIL						
Sun	Mon	Tues	Weds	Thurs	Fri	Sat
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23	24	25	26	27	28	29
30						

MAY						
Sun	Mon	Tues	Weds	Thurs	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

JUNE						
Sun	Mon	Tues	Weds	Thurs	Fri	Sat
				1	2	3
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18	19	20	21	22	23	24
25	26	27	28	29	30	

JULY						
Sun	Mon	Tues	Weds	Thurs	Fri	Sat
						1
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9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

AUGUST						
Sun	Mon	Tues	Weds	Thurs	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

SEPTEMBER						
Sun	Mon	Tues	Weds	Thurs	Fri	Sat
					1	2
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10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

OCTOBER						
Sun	Mon	Tues	Weds	Thurs	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

NOVEMBER						
Sun	Mon	Tues	Weds	Thurs	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

DECEMBER						
Sun	Mon	Tues	Weds	Thurs	Fri	Sat
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10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

2023 CITY OF BERKELEY RECOGNIZED HOLIDAYS

Jan. 1 New Year's Day - Obs. 1/2
 Jan. 16 Martin Luther King Jr.'s Birthday
 Feb. 12 Lincoln's Birthday- Obs. 2/13
 Feb. 20 Washington's Birthday

May. 19 Malcolm X's Birthday
 May. 29 Memorial Day
 June. 19 Juneteenth
 July. 4 Independence Day

Sept. 4 Labor Day
 Oct. 9 Indigenous Peoples' Day
 Nov. 11 Veteran's Day - Obs. 11/10
 Nov. 23/24 Thanksgiving Day/Day After

Dec. 25 Christmas Day
 Pay Day
 Observed Holiday
 Observed VTO Day

**City of Berkeley
Pay Schedule
2023**

Payroll #	Pay Period			Payday
1	12/25/22	THRU	01/07/23	1/12/2023 (Thu)
2	01/08/23	THRU	01/21/23	01/27/23
3	01/22/23	THRU	02/04/23	2/09/2023 (Thu)
4	02/05/23	THRU	02/18/23	02/24/23
5	02/19/23	THRU	03/04/23	03/9/23 (Thu)
6	03/05/23	THRU	03/18/23	03/24/23
7	03/19/23	THRU	04/01/23	04/07/23
8	04/02/23	THRU	04/15/23	04/21/23
9	04/16/23	THRU	04/29/23	05/05/23
10	04/30/23	THRU	05/13/23	5/18/23 (Thu)
11	05/14/23	THRU	05/27/23	06/02/23
12	05/28/23	THRU	06/10/23	06/16/23
13	06/11/23	THRU	06/24/23	06/30/23
14	06/25/23	THRU	07/08/23	7/14/2023*
15	07/09/23	THRU	07/22/23	07/28/23
16	07/23/23	THRU	08/05/23	8/11/2023*
17	08/06/23	THRU	08/19/23	08/25/23
18	08/20/23	THRU	09/02/23	9/8/2023*
19	09/03/23	THRU	09/16/23	09/22/23
20	09/17/23	THRU	09/30/23	10/06/23
21	10/01/23	THRU	10/14/23	10/20/23
23	10/15/23	THRU	10/28/23	11/03/23
23	10/29/23	THRU	11/11/23	11/17/23
24	11/12/23	THRU	11/25/23	12/01/23
25	11/26/23	THRU	12/09/23	12/15/23
26	12/10/23	THRU	12/23/23	12/29/23

VTO days for the second half of the year have not yet been determined

When a payday falls on a VTO day or a holiday, checks will be issued a day early

*These paydays are subject to be moved earlier depending on establishment of VTO days for FY24