

AGENDA ITEM

IIIB.JULY 2017

TO: Members, Board Executive Committee
Members, Board of Trustees

FROM: Gilda Muñoz, Director Human Resources

SUBJECT: Implementation of Classification and Compensation Recommendation for Existing Executive and Confidential Staff

EXECUTIVE SUMMARY

This agenda item requests that the Board Executive Committee authorize the implementation of CPS HR Consulting's classification and compensation recommendations for existing Executive and Confidential staff.

BACKGROUND

The State Bar retained CPS HR Consulting (CPS HR) to conduct an agency-wide classification and total compensation study for all positions in late 2015. The purpose of the study was to 1) review the State Bar's existing classification structure and recommend modifications as appropriate; and 2) provide salary recommendations for all classifications in the proposed classification structure based on a review of labor market data.

CPS HR surveyed 16 agencies (survey agencies) to develop classification specifications and to obtain base salary and total compensation data¹. In order to compare survey agency and State Bar salaries, CPS HR converted State Bar salaries to reflect a 40-hour work week; unlike the survey agencies², the vast majority of State Bar staff³ are only required to work 36.25 hours per week⁴.

¹ Alameda County, Alameda County Superior Court, Judicial Council, City of Anaheim, City of Long Beach, City of Los Angeles, City of Oakland, City of San Jose, City/County of San Francisco, Los Angeles County, Los Angeles County Superior Court, Los Angeles Unified School District, Orange County, San Francisco County Superior Court, Santa Clara County, and State of California, Executive Branch.

² Of the 16 survey agencies, all have a 40-hour work week other than the City of Oakland, which has a 37.5 hour work week.

³ Non-management attorney staff are currently required to work a 40-hour work week.

⁴ Questions regarding the origin of this practice have recently arisen. Former State Bar Deputy Director, Robert Hawley informed staff that the work hours pre-date his time at the State Bar, which began in 1978, and the specific origin is unknown.

At its April 10, 2017, meeting, the Executive Committee took action with respect to Confidential and Executive staff hired on or after April 17, 2017, in pertinent part as follows:

- 1) Executive and Confidential Rules were modified to reflect a 40-hour work week for all staff hired on or after April 17, 2017;
- 2) CPS HR recommended classifications used for all Executive and Confidential staff recruitments that are initiated on or after April 17, 2017; and
- 3) CPS HR recommended salary ranges, as adjusted to reflect a 40-hour work week where appropriate (for all positions other than non-management attorney classifications), used for all Executive and Confidential staff hires that occur on or after April 17, 2017.

The full April 10, 2017 agenda item is provided for reference as Attachment A.

Subsequent to the Executive Committee's action, three new Executive personnel have been hired; these employees' working hours, classification, and compensation levels all align with CPS HR's recommendations.

DISCUSSION

The April 10, 2017, agenda item regarding the implementation of classification and compensation recommendations for *new* Confidential and Executive staff reads in pertinent part:

"Staff will return to the Board of Trustees at an upcoming meeting to seek authorization to apply these changes to existing Executive and Confidential staff. The approach to implementation has been bifurcated in recognition of both the logistical challenges of changing work hours (and associated accruals) for existing staff and the need for the Bar to move forward expeditiously with those aspects of personnel practice reform that can be relatively easily accomplished."

This agenda item seeks to advance implementation of the 40-hour work week and CPS recommended classification and compensation recommendations as related to *existing* Confidential and Executive staff, pursuant to the approach outlined in April.

RECOMMENDATIONS

Staff recommends that:

- All Executive and Confidential staff transition to a 40-hour work week effective July 17, 2017;

- All Executive and Confidential staff be reclassified per CPS HR Consulting recommended individual position allocation recommendations effective July 17, 2017;
- CPS HR Consulting recommended salary ranges be applied to all Executive and Confidential classifications effective July 17, 2017;
- If an employee's current salary falls below the minimum of the recommended salary range that employee's salary will be increased to fall within the recommended range;
- If an employee's current salary falls above the maximum of the recommended salary range that employee's salary will be red-circled such that he or she will not be eligible for future annual anniversary increases unless the salary range increases; and
- The Executive Rules & Confidential Rules be amended to remove all references to grades as the new classification structure is not based on grades.

In addition, staff recommends that anniversary increases for Confidential employees that would have been granted between the period July 17, 2017, and December 31, 2017, be advanced. Specifically, staff recommends that all Confidential employees eligible for an anniversary increase in 2017 receive that increase prior to reallocation to CPS HR Consulting's recommended classifications and implementation of associated recommended salary ranges. Absent this step some Confidential employees will be negatively impacted simply by virtue of their anniversary dates with the State Bar falling after the reclassification date.

FISCAL/PERSONNEL IMPACT

After reviewing salary information for Confidential and Executive staff, only four employees will need to be adjusted up to the minimum of the new salary range for their new classification. The total increase will be \$10,740 annual in salary adjustments for these four employees. Currently, ninety-two employees are in the Executive and Confidential units with 32% of staff who will be red-circled in their new salary range.

RULE AMENDMENTS

Title Provide Title #., Division Provide Division #., Chapter Provide Chapter #.

BOARD BOOK IMPACT

Tab Provide Tab #., Article Provide Article #., Section Provide Section #., Page Provide Page #.

BOARD GOALS & OBJECTIVES

Goal 3: Improve the fiscal and operational management of The State Bar, emphasizing integrity, transparency, accountability and excellence.

- a. Implement an updated Classification and Compensation structure reflecting the results of classification and compensation analysis completed in February 2017.

BOARD COMMITTEE RECOMMENDATIONS

The Board Executive Committee recommends that the Board of Trustees approve the following resolution:

RESOLVED, that the Board of Trustees approve implementation of classification and compensation recommendations for existing Executive and Confidential staff ; and it is

FURTHER RESOLVED, The board directs staff to implement the CPS recommendations for existing Confidential and Executive staff.

ATTACHMENT(S) LIST

- A.** April 10, 2017 Agenda Item IIIE.
- B.** Enter brief descriptor for Attachment B.
- C.** Enter brief descriptor for Attachment C.
- D.** Enter brief descriptor for Attachment D.
- E.** Enter brief descriptor for Attachment E.
- F.** Enter brief descriptor for Attachment F.
- G.** Enter brief descriptor for Attachment G.