



MOVING THE CLASSIFICATION OF
CHIEF ASSISTANT CITY ATTORNEY
FROM UNIT 11 – MID-MANAGEMENT
CONFIDENTIAL TO UNIT 10 –
EXECUTIVE MANAGEMENT

City Council Meeting
August 27, 2019

Sue Gallagher, City Attorney

Analysis

It has been determined by the City Attorney in consultation with the Human Resources Department, that the Chief Assistant City Attorney classification should be moved to Unit 10 – Executive Management as the position is an “at-will” management position with an employment contract and not part of classified service.

City Code Section 2-36.110 sets forth criteria for determining appropriate Unit designation for City employees. Of most relevance here, the factors include:

- (A) The community of interest of employees;
- (B) The history of employee representation in the unit among other employees of the City and in similar employment; and
- (C) The effect of the unit on the efficient operation of the City and sound employee relations.

Analysis

The Chief Assistant City Attorney is an at-will management position serving pursuant to an employment contract. The individual serves at the will of the appointing authority and employment may be terminated at any time by either party without cause.

The position is not part of the classified service or subject to the City's Personnel Rules and Regulations. Other comparable full time at-will employees also serve pursuant to contract and are unrepresented. These include the Assistant City Managers, Department Directors and others. All are placed in Unit 10—Executive Management.

Recommendation

It is recommended by the Human Resources Department and City Attorney's Office that the Council, by resolution, amend the City Classification and Salary Plan to move the classification of Chief Assistant City Attorney from Unit 11 – Mid-Management Confidential to Unit 10 – Executive Management.

QUESTIONS?