



STAFF REPORT

Resolution Adopting Revised Personnel Rules and Regulations

Honorable Mayor and Council Members:

Summary

Staff recommends that the City Council adopt the attached resolution adopting the revised Personnel Rules and Regulations.

Background and Discussion

The City's Personnel Rules and Regulations were last revised in 1986, and therefore in need of updating to reflect current law and modern personnel practices. The proposed revisions to the Personnel Rules do the following:

- Bring the City's Personnel Rules into legal compliance;
- Ensure the Personnel Rules are consistent with the recently updated Personnel section of the Belmont City Code (Chapter 2, Article IV);
- Revise the Rules as appropriate to reflect modern practices;
- Consolidate the Employee Handbook into the Personnel Rules and Regulations, and eliminate the Employee Handbook as a separate document; and
- Incorporate all other stand-alone personnel policies into a single document (the Personnel Rules and Regulations).

In addition, there are three proposed changes to the Rules that are noteworthy. The first change is to no longer require pre-employment medical exams for all City positions. Instead, only those positions with significant physical requirements (police officers, public works maintenance workers, and parks maintenance workers), or which have a statutory or departmental requirement (police dispatchers, police office specialists, community service officers, and daycare teachers), will be required to pass a pre-employment medical exam. Pre-employment medical exams for employees with non-physical jobs are no longer viable, since employers are legally restricted from receiving employee medical information, and are required to reasonably accommodate the medical restrictions an employee may have.

The second notable change is to eliminate pre-employment drug screens for the majority of City classifications, with the exception of police department positions and commercial drivers (public

works maintenance workers and mechanics), for whom drug screens are required by statute or departmental policy. Pre-employment drug tests can be intrusive and unwelcoming to a prospective new employee, and the City's personnel practices contain enough safeguards to deal effectively with on-the-job substance abuse should it occur. In addition, this change is in keeping with current trends in other cities. A survey of San Mateo County cities shows that the majority do not require pre-employment drug screens, or pre-employment medical exams, for most job classifications.

The third major change to the Personnel Rules is the incorporation of a new Policy Against Violence in the Workplace (Section 26). This policy will comply with Cal/OSHA's Guidelines for Workplace Security. Employees will receive training on this new policy in early 2004.

The three employee bargaining units recognized by the City have met and conferred on the changes to the revised Personnel Rules and Regulations.

Fiscal Impact

There will be nominal savings in the range of approximately \$1,000 to \$3,000 per fiscal year, depending on the hiring volume in a given year, due to the elimination of pre-employment medical exams and drug screens for most City job classifications.

Recommendation

Staff recommends that the City Council adopt the attached resolution revising the Personnel Rules and Regulations of the City of Belmont.

Attachments

1. Attachment A – Revised Personnel Rules and Regulations (Council only)
2. Attachment B – Summary of Proposed Changes to Personnel Rules and Regulations
3. Resolution Adopting Revised Personnel Rules and Regulations

Respectfully submitted,

Deirdre C. Dolan
Human Resources Director

Jere A. Kersnar
City Manager

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT ADOPTING
REVISED PERSONNEL RULES AND REGULATIONS**

WHEREAS, the Personnel Rules and Regulations of the City of Belmont have been revised as attached in Attachment A; and

WHEREAS, the employee bargaining units recognized by the City have met and conferred on the changes contained therein; and

WHEREAS, the revised Personnel Rules and Regulations and this resolution act to supercede all resolutions and personnel rules in place prior to the date of its adoption, including but not limited to Resolution No. 6236, Resolution Adopting Revised Personnel Rules and Regulations of the City of Belmont and Repealing Resolution 3725 Dated September 13, 1971, Adopted May 27, 1986; Resolution No. 6820, Resolution Revising Rule XVII, Belmont Personnel Rules, Regarding Examinations, Adopted March 27, 1990; Resolution No. 7139, Resolution Adopting the Leave of Absence – Family Care Leave Policy, Adopted April 28, 1992; Resolution No. 7190, Resolution Adopting the Drug-Free Workplace Policy, Adopted September 8, 1992; and Resolution No. 8196, Resolution Approving Mandatory Alcohol and Controlled Substances Testing Policy and Administrative Procedures, Adopted January 13, 1998;

NOW THEREFORE, BE IT RESOLVED that the Personnel Rules and Regulations of the City of Belmont are hereby revised as attached in Attachment A, and all previous resolutions and personnel rules are superceded.

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Belmont at a regular meeting thereof held on November 25, 2003 by the following vote:

AYES, COUNCILMEMBERS: _____

NOES, COUNCILMEMBERS: _____

ABSENT, COUNCILMEMBERS: _____

ABSTAIN, COUNCILMEMBERS: _____

CLERK of the City of Belmont

APPROVED:

MAYOR of the City of Belmont