

REPORT

DATE ISSUED: February 9, 2009 REPORT NO: HCR09-006
ATTENTION: Chair and Members of the Housing Commission
For the Agenda of February 20, 2009
SUBJECT: Proposed Amendments to Personnel Policies Revision and Delegation of
Authority

REQUESTED ACTION:

Housing Commission approval, and recommendation of approval to the Housing Authority, of revisions to amend Housing Commission's Personnel Policies 102 (Employment at Will); 107 (Executive and Management Service); and 108 (President and Chief Officer as Appointing Authority) as described in the Summary of Revisions (Attachment 1). This report amends HCR08-135 that the Housing Commission approved on December 19, 2008.

STAFF RECOMMENDATION:

Housing Commission approval and recommendation of approval to the Housing Authority of proposed amendments to the Personnel Policy Handbook.

BACKGROUND:

On December 19, 2008, the Housing Commission approved HCR08-135, Personnel Policies Revision and Delegation of Authority with direction to staff and General Counsel to further modify Policy 102 in collaboration with Commissioner Adams-Brooks. After further review, and for consistency, Policies 107 and 108 are recommended for modification, as noted in the attached Summary of Revisions.

ENVIRONMENTAL REVIEW

This proposed action is not a project pursuant to the California Environmental Quality Act (CEQA); therefore, no CEQA environmental review is required. Because no federal funding is involved in this activity, processing under the National Environmental Policy Act is not required.

Respectfully submitted,


C. Terry Whitesides
Director of Business Services

Approved by,


Carrol M. Vaughan
Executive Vice President & Chief Operating Officer

Attachment 1: Summary of Revisions to Personnel Policy Handbook

Distribution of these attachments may be limited.

ATTACHMENT 1

Policy #102	Employment at Will
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Previous Policy:

Employment at-will means that the employee or the Commission may terminate employment, with cause, in accordance with these personnel policies along with any relevant collective bargaining agreement, where applicable.

Amended Policy:

Employment at-will means that the employee or the Commission may terminate employment without liability to the other, except as otherwise provided for in law or in any collective bargaining agreement, where applicable. In addition, the Commission or the employee may terminate employment in accordance with the terms of these personnel policies along with any relevant collective bargaining agreement, where applicable.

Policy #107	Executive and Management Service
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Previous Policy:

- A. The Executive and Management Service shall include the position of President and Chief Executive Officer and executive, managerial and administrative positions designated and approved by the Commission. Such Executive and Management Service positions shall be included in the Classification and Pay Plan, M Schedule.
- B. The President and Chief Executive Officer serves at the discretion of the Appointing Authority.
 - 1. The President and Chief Executive Officer shall have the authority to appoint and remove all officers, directors and employees in the Executive and Management Service of the Commission. Appointments made by, or under the authority of the President and Chief Executive Officer shall be based on the administrative ability, training and experience of such appointees in the work they are to perform. All such appointments shall be without definite term or conditions unless otherwise stated.
 - a. It shall be the duty of all Executive and Management Service employees to lead and be responsible to the President and Chief Executive Officer in administering or managing the work of the agency in a productive, efficient, and effective manner consistent with management expectations, agency mission, and sound business practices.
 - b. Executive and Management Service employees may be removed by the President and Chief Executive Officer or designee at any time with cause in accordance with applicable policies as may be necessary to effectuate such process.
 - 2. Executive and Management Service positions are designated based on their executive and managerial responsibilities for formulating, implementing, and/or administering policy consistent with the organizational values, leadership principles, managerial philosophy, performance expectations, and operational needs of the organization. Also included are designated positions having significant responsibility for formulating, administering policies and programs.

ATTACHMENT 1

The Executive and Management Service shall consist of the following:

- President and Chief Executive Officer
- Executive Vice President and Chief Operating Officer
- Director of Business Services
- Director of Policy & Public Affairs
- Director of Development and Asset Management
- Director of Financial Services
- Director of Housing Finance
- Director of Rental Assistance Programs
- Secretary to the President and Chief Executive Officer

Amended Policy:

- A. [The same as currently provided in the Handbook.]
- B. The President and Chief Executive Officer serves at the discretion of the Appointing Authority.
1. The President and Chief Executive Officer shall have the authority to appoint all officers, including vice presidents, directors and employees in the Executive and Management Service of the Commission, except as otherwise determined by the Board of Commissioners in accordance with the provisions of Policy 108. Appointments made by, or under the authority of the President and Chief Executive Officer shall be based upon administrative ability, training and experience of such appointees in the work they are to perform. All such appointments shall be without definite terms or conditions unless otherwise stated. All appointees and Executive and Management Service employees shall serve at the discretion of the appointing authority. The President and Chief Executive Officer shall have the authority to reorganize the Executive and Management Service of the Commission, as and when necessary, in the opinion of the President and Chief Executive Officer, with notice to the Board of Commissioners.
 - a. [Leave as is in the current version of the Handbook].
 - b. Executive and Management Service employees may be removed by the President and Chief Executive Officer or designee at any time in accordance with applicable policies, including without limitation Sections 107 C.1 and 107 C.3 among others, as may be necessary to effectuate the orderly and proper functioning of the Executive and Management Service of the Commission.
 2. [First paragraph leave as is.]

The Executive and Management Service, which may change from time to time as determined by the Chief Executive Officer with notice to the Board of Commissioners, currently consists of the following positions:

- The President and Chief Executive Officer
- The Executive Vice President and Chief Operating Officer
- The Directors
- The Secretary to the President and Chief Executive Officer

ATTACHMENT 1

Policy #108	President and Chief Executive Officer as Appointing Authority
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Previous Policy:

The President and Chief Executive Officer shall appoint all other personnel, except as those required by the Housing Commission Board.

Amended Policy:

The President and Chief Executive Officer shall appoint all other personnel, except as otherwise determined by the Housing Commission Board.