

City of San Pablo - Procedures for Public Hearings Under AB 2561

PURPOSE

This policy establishes the framework and procedures for holding public hearings and reporting on the City's workforce vacancies, recruitment, and retention efforts in compliance with Assembly Bill 2561 ("AB 2561") (Cal. Gov't Code § 3502.3). The purpose is to ensure transparency, accountability, and responsiveness to community needs regarding the City's staffing and employment practices.

DEFINITIONS

- A. **Authorized Full-Time Positions:** Full-Time (F/T) positions that have been officially approved, authorized and funded by the City Council during the budget adoption process via adopted Resolution(s) pursuant to Sections 2.04.180, 2.04.220, and 2.08.010 of the San Pablo Municipal Code requirements.
- B. **Recruitment:** The process of advertising, screening, interviewing, and selecting qualified candidates for employment within the City of San Pablo.
- C. **Retention:** Efforts to maintain a stable and satisfied workforce by addressing factors that contribute to stability in the workforce.
- D. **Vacancies:** Unfilled authorized positions with the City of San Pablo's workforce that require recruitment efforts to fill.

POLICY STATEMENT

In accordance with AB 2561 (Cal. Gov't Code § 3502.3) the City of San Pablo shall hold a public hearing at least once per fiscal year prior to the adoption of the final budget and give a report on vacancies, recruitment, and retention efforts.

POLICY PROVISIONS

The City shall conduct public hearings at least once per fiscal year prior to the adoption of the final budget to present information on vacancies, recruitment, and retention efforts and issues with the policies, procedures, and recruitment activities that may lead to obstacles in the hiring process.

Notice of the hearing to the public will be provided in accordance with the Ralph M. Brown Act. (Gov. Code §§ 54950-54963.)

Recognized employee organizations shall have the right to present information, concerns, and recommendations prior to the public hearing.

The City reserves the right to schedule separate public hearings for different bargaining units, and is not limited to one Public Hearing to address all vacancies and recruitment and retention efforts within the entire agency.

REPORTING REQUIREMENTS

The Human Resources Department of the City shall present information on the following at the public hearing:

1. The status of authorized and budgeted F/T position vacancies
2. Information on City recruitment and retention efforts
3. Identify obstacles in the City's hiring policies, procedures, and recruitment activities that may create challenges.

SPECIAL REPORTING REQUIREMENTS FOR HIGH VACANCY RATES

If the number of job vacancies within a single bargaining unit meets or exceed 20% of the total number of authorized full-time positions, then the City shall, upon the request of the recognized employee organization, include special reporting information at the public hearing as to that bargaining unit:

1. The total number of authorized and budgeted F/T vacancies within the bargaining unit.
2. The total number of applications received for vacant F/T positions within the bargaining unit.
3. The average number of days to complete hiring process from when a F/T position is posted.
4. Opportunities to improve compensation and other working conditions.

NOTICE TO EMPLOYEE ORGANIZATION REGARDING AB2561

The City will notify in writing each recognized employee organization that represents City employees that San Pablo City Council will hold a hearing pursuant to the obligations set forth under Government Code section 3502.3 (Assembly Bill 2561).

The City will notify in writing each recognized employee organization that represents City employees of the date, time and place of the hearing at least ten (10) working days in advance of the hearing.

In the notice, the City will inquire whether the employee organization intends to make a presentation to the Council. The City will request that, for planning purposes, the employee organization provides written notice to the Human Resources Department at least five (5) working days in advance of the public hearing indicating whether the employee organization intends to make a presentation at the public hearing.

The notice will also include information about the vacancy rate for each bargaining unit and the amount of time that the City Council has allotted to employee organizations for each bargaining unit that the organization represents for purpose of making a presentation at the public hearing.

The City and recognized employee organizations may agree to exchange presentation materials in advance of the public hearing.

ORDER OF THE HEARING:

The public hearing will proceed in the following order:

1. City Presentation: The City presentation will be limited to five (5) minutes for each bargaining unit that it represents. The City may choose to present on all bargaining units at once, or to present data for each bargaining unit separately followed by each applicable employee organization presentation.
2. Employee Organization Presentation: Following the agency presentation, each employee organization will have the opportunity to make a presentation for each of the bargaining units that the employee organization represents. For each bargaining unit, the employee organization presentation will be limited to five (5) minutes and should not contain bargaining proposals to the City on matters that have not been presented in bargaining.
3. Governing Body Questions and Discussion: City Council may ask questions of City staff and the employee organization presenters.
4. Final City Comments: Final City comments will be limited to three (3) minutes per bargaining unit.
5. Final Employee Organization Comments: Final employee organization comments will be limited to three (3) minutes per bargaining unit.
6. Public Comment: Public comment regarding the AB 2561 hearing will be limited to three (3) minutes per person.

MONITORING AND REVIEW

As part of the Annual Public Hearing, the City Council shall review the effectiveness of this policy on an annual basis and make revisions as necessary to ensure ongoing compliance with AB 2561 and alignment with best practices regarding public transparency. Notwithstanding the above, the City Manager or their designee is authorized to amend this policy for consistency with any changes in state law.

APPROVAL AUTHORITY: The City Council has delegated authority to the City Manager for future updates to this policy to remain in compliance with State law and all applicable SPMC requirements.