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REPORT NO. R 16 - 0 1 0 9
APR 0 1 2016

REPORT RE:

DRAFT ORDINANCE AMENDING LOS ANGELES ADMINISTRATIVE CODE SECTION 4.62.2 TO DELETE OBSOLETE LANGUAGE, ADJUST SUPERVISION DIFFERENTIAL FOR NON-REPRESENTED EMPLOYEES AND CLARIFY LANGUAGE REGARDING SALARY RANGES AND SUPERVISORY EMPLOYEES

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 N. Spring Street
Los Angeles, California 90012

Honorable Members:

Pursuant to your request, this Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. This ordinance amends L.A. Administrative Code Section 4.62.2 subsections (a) and (b), by deleting obsolete language, and clarifying language regarding salary ranges and supervisory employees; and adds subdivision (d) adjusting non-represented employees' supervision differential.

Council Rule 38 Referral

A copy of the draft ordinances was sent, pursuant to Council Rule 38, to the City Administrative Officer (CAO). The CAO recommends adoption of these ordinances.

If you have any questions regarding this matter, please contact Assistant City Attorney Vivienne Swanigan at (213) 978-7182. She or another member of this Office will be available when you consider this matter to answer any questions you may have.

Very truly yours,
MICHAEL N. FEUER, City Attorney

By DAVID MICHAELSON
Chief Assistant City Attorney

DM:VAS:sm
Transmittal

ORDINANCE NO. _____

An ordinance amending Section 4.62.2 of the Los Angeles Administrative Code, pertaining to supervision differential, to delete obsolete language regarding salary schedules, provide clarifying language regarding salary ranges and supervisory employees, and to adjust the supervision differential amount for non-represented employees.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Subsection (a) of Section 4.62.2 of the Los Angeles Administrative Code is amended in its entirety to read as follows:

(a) Notwithstanding any other provision of this chapter, a bonafide supervisory employee in a class which has its compensation fixed by salary range number shall be paid at a rate at the appropriate step of the range with a first step rate equivalent to the second premium level rate above the first step rate of the subordinate class. For the purposes of this section, “**bona fide supervisory employee**” means a full-time, regularly assigned supervisor with full administrative and technical authority to assign, review and approve work of his or her subordinates. The rates to be compared in determining the supervision differential shall be the maximum salary rates of ranges prescribed for the authorized and allocated classes of the bona fide supervisor and the subordinate, excluding any premiums, bonuses, or working condition differentials. When comparing positions with five-step, 12-step, and 15-step salary ranges, the 5th, 12th, and 15th step, respectively, of said salary ranges shall be considered the top step of a salary range for purposes of this section. The Director of the Office of Administrative and Research Services shall investigate all employment situations described by this section and shall notify the Controller whenever a supervision differential shall be paid pursuant to this section.

Sec. 2 Subsection (b) of Section 4.62.2 of the Los Angeles Administrative Code is amended in its entirety to read as follows:

(b) For purposes of this section a bona fide supervisory employee shall not include the manager, assistant manager(s), executive officer, or chief assistant of any department, bureau, or office of the City. In those cases where the civil service class title of the chief assistant is not designative of the incumbent’s assignment, the Director of the Office of Administrative and Research Services may consider working titles and organizational structure in determining whether an employee is a chief assistant.

Sec. 3. A new Subsection (d) is added to Section 4.62.2 of the Los Angeles Administrative Code to read as follows:

(d) Effective June 28, 2015, a non-represented employee in a classification with its compensation fixed by salary range, who is a bona fide supervisor as described above, shall receive additional compensation in the amount of 5.5% above the top step of the highest paid subordinate who is in a classification with its compensation fixed by salary range, where the top step differential of the supervisor's salary range is less than 5.5% above the top step of the subordinate's salary range. When comparing positions with five-step, 12-step, and 15-step salary ranges, the 5th, 12th, and 15th step, respectively, of said salary ranges shall be considered the top step of a salary range for purposes of this section.

Sec. 4. This ordinance shall be operative upon publication pursuant to Charter Section 252(g).

Sec. 5. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

HOLLY L. WOLCOTT, City Clerk

By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By 
VIVIENNE SWANIGAN
Assistant City Attorney

Date 4/1/14

File No. _____