

February 13, 2024

TO: City of Lincoln Personnel Board Members

SUBJECT: Personnel Board Meeting
Thursday, February 15, 2024
1:30 p.m., Council Chambers
County-City Building

AGENDA

ITEM 1: Approval of Minutes from the November 16, 2023 meeting.

ITEM 2: Request to create the following classification:

<u>CLASS CODE</u>	<u>CLASS TITLE</u>	<u>PAY RANGE</u>
5519	City Forester	M04 (\$82,744.48 - \$112,771.36)

ITEM 3: Request to revise and change the title the following classification:

<u>CLASS CODE</u>	<u>CURRENT CLASS TITLE</u>	<u>PROPOSED CLASS TITLE</u>
5509	Community Outreach Forester	Assistant City Forester (A11)

ITEM 4: Request to delete the following classifications:

<u>CLASS CODE</u>	<u>CLASS TITLE</u>
5146	Parks Welder (N50)
5407	Custodian (N08)
5520	Parks Electrician (N72)
5539	Parks Plumber (N64)

ITEM 5: Request to amend Lincoln Municipal Code – 2.76.220 – Age Requirements.

ITEM 6: Request to amend Lincoln Municipal Code – 2.76.340 – Appointments.

ITEM 7: Request to amend Lincoln Municipal Code – 2.76.370 – Authorized Holidays.

ITEM 8: Request to amend Lincoln Municipal Code – 2.76.380 – Sick Leave with Pay.

ITEM 9: Request to amend Lincoln Municipal Code – 2.76.495 – Early Retirement.

ITEM 10: Request to delete Lincoln Municipal Code – 2.76.500 – Normal Retirement.

PC: City Directors
City Clerk

ACCOMMODATION NOTICE

The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public's access to and participating in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln, please contact the Lincoln Commission on Human Rights, at 402 441-7624, or the City Ombudsman at 402-441-7511 as soon as possible before the scheduled meeting date in order to make your request.

CITY FORESTER

NATURE OF WORK

This is responsible professional, administrative and supervisory work directing the overall operations of the Forestry section in the planning, maintenance, removal and planting of all public trees within the City.

Work involves responsibility for the overall planning, directing and coordinating of a comprehensive urban forestry program for the City. Work also includes preparing and administering an annual section budget; monitoring the expenditure of a Capital Improvement Program budget; developing and implementing new programs; overseeing ongoing programs; developing grants; drafting new or revised ordinances, municipal standards and specifications pertaining to trees; and recommending equipment purchases and requisitioning necessary supplies. An employee in this class is expected to exercise considerable independent judgment and personal initiative within the framework of departmental policies, rules and regulations. General supervision is received from the Director of Parks and Recreation with work being reviewed through conferences, reports and appraisal of the overall effectiveness of work performed. Supervision is exercised over staff assigned to the Forestry section.

EXAMPLES OF WORK PERFORMED

Plans, assigns, supervises and evaluates through supervisors the work of Forestry personnel engaged in planting, maintenance and removal of public trees.

Oversees the work of contracted arborists involved in planting, maintaining and removing public trees.

Recommends Capital Improvement Program projects and prepares, monitors and directs the expenditure of the annual Forestry section budget.

Advises City departments, other governmental agencies, the Director of Parks and Recreation and the general public on matters pertaining to public and private trees.

Makes presentations to various civic, professional and other related groups on the care and maintenance of trees; responds to questions from licensed arborists and the public concerning tree planting and maintenance; explains City policies and ordinances pertaining to trees.

Enforces City tree ordinances, design standards and municipal specifications; recommends changes to such, when necessary, through the appropriate approval processes.

Acts as staff resource person for the Community Forestry Advisory Board.

Inspects both public and private trees to determine maintenance or removal work needed.

Submits reports of programs in progress, work completed, and needs for future programs; keeps records necessary to the efficient accomplishment of assigned duties.

Performs related work as required.

DESIRABLE KNOWLEDGE, ABILITIES AND SKILLS

Thorough knowledge of professional urban forestry and arboricultural principles and practices, particularly as applied to the planning, planting, care and maintenance of trees.

Thorough knowledge of the methods, materials, and care and use of tools and equipment used in arboricultural and general tree care.

Thorough knowledge of insects and diseases that infest trees, and the composition and use of insecticides, pesticides and fungicides used for their control.

Thorough knowledge of plant biology and the common and botanical names of trees in Nebraska or which may be transplanted in Nebraska.

Thorough knowledge of the occupational hazards of all phases of tree maintenance work and the proper safety precautions necessary to protect employees, the public and property.

Knowledge of supervisory and program administration practices, procedures and techniques.

Ability to determine the presence of tree diseases or harmful insects, to diagnose cause and to determine proper preventive or curative steps for control.

Ability to speak before civic and community groups, and to communicate effectively, both orally and in writing.

Ability to care for planted trees and perform duties necessary to their healthy care and establishment.

Ability to plan, assign and coordinate the activities of team members and volunteers.

Ability to establish and maintain harmonious relationships with government officials, civic organizations, co-workers and the general public.

MINIMUM QUALIFICATIONS

Graduation from an accredited four-year college or university with major coursework in forestry, urban forestry, forest management resources, horticulture or related field and four years of experience in urban forestry management plus two years of supervisory experience; or any equivalent combination of training and experience that provides the desirable knowledge, abilities and skills.

NECESSARY SPECIAL REQUIREMENTS

Possession of a valid driver's license when operating a vehicle is necessary to the satisfactory performance of assigned duties.

Possession and maintenance of a valid City of Lincoln First Class Arborist license *and* a Nebraska Certified Pesticide Applicator's license may be required within six months of appointment.

Certification and maintenance of such certification as an Arborist by the International Society of Arboriculture and the Nebraska Arborist Association may be required within twelve months of appointment.

2/24

PS5519

COMMUNITY OUTREACH ASSISTANT CITY FORESTER

NATURE OF WORK

This is responsible professional work in organizing, ~~and~~ implementing and supervising the operations, outreach and administrative activities ~~work~~ of the Community Forestry Section including planning, evaluating, maintenance, removal, planting and establishment of public trees.

Work involves significant interaction with community groups, organizations, and individuals in planning, scheduling, and coordinating community forestry work including removal, treatment, planning, planting, and establishment of public trees. Work also involves the preparation and administration of the biennial section operating budget and involvement in preparation and administration of the capital improvement plan. Work also involves administration of budget expenditures for contractual tree removal, contractual treatment, and contractual planting of trees on public property. Work also involves responsibility for review of potentially hazardous trees on private property in coordination with the City Law Department. An employee in this classification is expected to exercise considerable independent judgment within the framework of departmental policies, rules, and regulations. General supervision is received from the Community Operations City Forester with work being evaluated through meetings, reports, observation, and overall effectiveness of activities, programs, and projects. Supervision ~~may be~~ is exercised over regular and seasonal employees, and volunteers.

EXAMPLES OF WORK PERFORMED

Interviews, hires, develops training programs, evaluates and handles disciplinary matters of employees.

Schedules, plans, supervises, participates in and evaluates the dairy field operations of the Community Forestry Section related to trimming, removal, planting and establishment of trees on public property, and to activities related to identification and treatment of diseased, damaged, and insect infected trees; determines work priorities and communicates and coordinates assignment to crew leaders and other staff.

Interacts with community groups, organizations, and individuals providing information regarding planned removal, treatment, planning, planting, and establishment of trees of public property; and to activities related to identification and treatment of diseased, damaged, and insect infested trees.

Oversees operation and maintenance of equipment. Maintains small tool and equipment inventory; checks equipment for needed repairs and ensures that performance of scheduled preventative maintenance; orders necessary supplies and material; prepares requests for new vehicles and equipment.

Prepares projections and justifications of personnel, equipment and supply needs for budget purposes; monitors expenditures of the Section operating budget. Oversees planning of street tree planting projects and monitors expenditures of designated funding.

Develops informational materials regarding planning, selection, planting, establishment, and management of urban trees.

Coordinates response to storm damage and emergency trimming.

~~Coordinates with the Community Operations Forester in scheduling daily field operations of the Community Forestry Section related to removal, maintenance, and establishment of trees on public property.—~~

Develops bid documents necessary to contract with private companies to trim, remove, treat, and plan trees on City property.

Plans and monitors contractual work, reviews work in progress and resolves problems.

Administers the budget for tree planting, tree removal and treatment work.

Oversees use of electronic asset management and workflow system to manage public tree inventory and to organize work of the section.

Responds to public tree service requests assessing the condition of public trees and determining needed work related to trimming or removal; forwards recommended work to the ~~Community-~~OperationsCity Forester for scheduling and assignment to a section crew.

~~Assists Community Operations Forester in coordinating response to storm damage and emergency trimming.~~

Reviews street and utility construction plans to determine and to mitigate impacts on trees on City property.

Reviews potentially hazardous trees on private property in coordination with the City Law Department.

~~Coordinates the work~~Acts as a staff resource to-of the Community Forestry Advisory Board.

Develops and implements volunteer programs related to planting of public trees and to trimming of young public trees.

Enforces City tree ordinances, subdivision standards, and guidelines, design standards and municipal specifications.

Oversees the work of review of street tree plantings in new developments and establishing and releasing street tree sureties.

Seeks outside funding support; researches, prepares, and administers grants; researches and assists with establishment of street tree improvement districts.

Prepares and maintains records on tree planting activities, treatment, and removal.

Prepares annual report for community forestry operations in coordination with the ~~Community-~~OperationsCity Forester.

Performs related work as required.

DESIRABLE KNOWLEDGE, ABILITIES AND SKILLS

~~Considerable~~Thorough knowledge of urban forestry principles and practices, including methods, techniques, equipment, tools and materials used in inspecting, trimming, removing, treating, planting and establishment of urban trees.

~~Considerable~~Thorough knowledge of tree species common to Lincoln's geographic region.

~~Considerable~~Thorough knowledge of integrated pest management and tree-related insect and disease problems and proper control measures.

Knowledge of efficient personnel and equipment utilization techniques and practices.

Knowledge of occupational hazards of all phases of tree maintenance work and property safety precautions necessary to protect employees, the public and property.

Ability to plan, assign, and supervise and inspect the work of ~~subordinate personnel~~team members and volunteers.

Ability to utilize an electronic asset management system in managing the inventory of public trees, and in assigning, monitoring and reporting work of Section staff.

Ability to develop and coordinate volunteer programs related to tree planting and trimming of young trees.

Ability to develop and deliver training materials and sessions for staff and for volunteers.

Ability to determine the presence of tree diseases structural deficiencies, harmful insects, and to diagnose or access expertise to determine preventative or curative measures for control.

Ability to communicate effectively, both orally and in writing.

Ability to prepare clear and concise reports and to maintain accurate records.

Ability to establish and maintain effective working relationships with ~~subordinate~~team members, co-workers, City officials, community residents, agencies, and organizations.

MINIMUM QUALIFICATIONS

Graduation from an accredited four-year college or university with major coursework in forestry, urban forestry, horticulture or related field and two years of progressively responsible experience in urban forestry or commercial arboricultural work; or any combination of training, education and experience which provides the desirable knowledge, abilities, and skills.

NECESSARY SPECIAL REQUIREMENTS

Possession of a valid State of Nebraska driver's license when operating a vehicle is necessary to the satisfactory performance of assigned duties.

Possession and maintenance of a valid City of Lincoln First Class Arborist license within six months of appointment.

Possession and maintenance of a Nebraska Certified Pesticide Applicator's license within six months of appointment.

Possession and maintenance of certification as an Arborist by the International Society of Arboriculture (ISA).

Possession and maintenance of ISA Tree Risk Assessment Qualification (TRAQ).

Possession and maintenance of ISA Municipal Specialist certification within twelve months of employment.

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PS5508

2.76.220 Age Requirements.

- a. Civilian positions. All applicants for positions in the civilian classified and unclassified service shall not be less than ~~sixteen~~fifteen years of age or as otherwise required by state or federal regulation for specific positions.
- b. Uniform positions. All applicants for entrance level commissioned positions in the police department shall not be less than twenty-one years of age; and in the Fire and Rescue Department shall not be less than nineteen years of age.

2.76.340 Appointments.

a. Probationary appointments.

1. There is hereby established a probationary or working test period which shall normally be of six (6) months' duration after original appointment. During the probationary appointment, which is within the unclassified service, a probationary employee may be dismissed by the appointing authority without the right of the employee to review of any kind. Notification of any dismissal of a probationary employee shall be made in writing by the appointing authority to the employee and the Human Resources Director.
2. Prior to the expiration of an employee's probationary period, the appointing authority shall notify the employee in writing whether the services of the employee have been satisfactory and whether the employee will be continued in the position. A copy of this notice shall be placed in the employees personnel file by the appointing authority. Upon receipt of a favorable report, the employee will be appointed to a permanent status at the expiration of the probationary period with an effective date of pay increase the beginning of the pay period following the eligibility date. Failure of the appointing authority to accomplish such notice prior to the last day of the probationary period will result in the employee establishing permanent status automatically.
3. An employee's probationary period may be extended up to a maximum of one year from the employee's date of hire with the approval of the department head. A performance evaluation and reasons for the extension shall be submitted in writing to the employee prior to the expiration of the employee's probationary period.
 - i. The reasons shall include the length of time requested for the extension of the probationary period.
 - ii. A new eligibility date for review will be set to the extension date.
 - iii. Prior to the new eligibility date, a performance evaluation will be completed.
 - a) Upon completion of a satisfactory performance evaluation, the employee shall be removed from probation with an effective date of pay increase the beginning of the pay period following the new eligibility date. A new eligibility date shall be established one year from the current eligibility date. If a department head chooses to remove an employee from probation prior to the new eligibility date, the effective date of pay increase, if granted, will be the beginning of the pay period following the new evaluation date. A new eligibility date shall be established one year from the new evaluation date.
 - b) If the results of the performance evaluation are unsatisfactory, the employee will be dismissed in accordance with 2.76.340 a. 1.

- b. Temporary appointments. Whenever there are urgent reasons for temporary employment in any of the departments, and it is not practicable to secure the needed person or persons by certification from an eligible list, the appointing authority may make temporary appointments for a period not to exceed one year. Successive temporary appointments to the same position shall not be made. An employee under a temporary appointment which is within the unclassified service may be dismissed by the appointing authority without the right of the employee to review of any kind. Any person under temporary appointment must meet the minimum qualifications for the position.
- c. Full-time, seasonal, and part-time appointments. Appointments to fill vacancies in full-time, seasonal, and part-time positions shall be made only following certification from an eligible, reemployment, or promotional list. The director shall be notified in writing of the selection made by the appointing authority as provided in Section 2.76.335(b) of this code. If the eligible selected declines the

appointment, evidence of such refusal shall be transmitted to the director; and the director shall certify an additional eligible in place thereof.

- d. Provisional appointments. When there is no appropriate list available, when there is not a sufficient number of persons on appropriate lists who are willing to accept appointment, or for the purpose of filling the position of an employee in the classified service who is on extended leave of absence, the director may authorize the provisional appointment of a person meeting the prerequisites for the class to which the position is allocated. Any such provisional appointment shall terminate not later than ten working days after the establishment by the director of an appropriate list and the certification of available eligibles for the position from this list. Any time served by an employee under a provisional appointment shall not constitute a part of or be deducted from the probationary period if the employee is subsequently appointed from a list to the same or another position. Provisional appointments shall be limited to ninety calendar days in duration.

2.76.370 Authorized Holidays.

- a. The following, as well as any other days that may be designated by the Mayor, are paid holidays for probationary and regular employees with a pay range prefixed by 'M' or employees not represented by a bargaining unit: New Year's Day, Martin Luther King Jr.'s Birthday, President's Day, Memorial Day, Juneteenth, Fourth of July, Labor Day, Veteran's Day, Thanksgiving Day, day after Thanksgiving, and Christmas Day.
- b. In addition, eligible employees will be entitled to two noncumulative personal holidays each payroll fiscal year for employees with a pay range prefixed by "A", "C", "E", "M", "N", "W", or "X".
- c. These holidays may be taken at any time during the payroll fiscal year, provided the days selected by the employees have the prior approval of the appointing authority.
- d. Part-time employees shall earn personal holidays on a prorated schedule based upon the scheduled hours per work week.
- e. Personal holiday hours may be taken in any increment of not less than two hour blocks for those employees with a pay range prefixed by "M".
- f. Personal holiday hours may be taken in any increment for those employees with a pay range prefixed by "A", "C", "E", "N", "W", or "X".

Whenever a holiday falls on a Sunday, the following Monday shall be considered a holiday; whenever a holiday falls on a Saturday, the preceding Friday shall be considered a holiday. Holidays which occur during vacation, sick, funeral, or injury leave shall not be charged against that leave.

2.76.380 Sick Leave with Pay

This section shall apply to probationary and regular employees not represented by a bargaining unit.

~~a.~~—Amount. Unrepresented employees, except as provided in paragraph b, shall earn sick leave at the factored hourly equivalent of 3.69 hours per pay period, or 5.54 hours per pay period for an employee who works a fifty-six hour work week. Earnings shall be computed only for those hours when an eligible employee is in a pay status, ~~excluding overtime.~~ Maximum sick leave accruals are based on forty (40) hours of paid time per work week.

~~b.~~—Amount. For employees with a pay range prefixed by “N”, sick leave shall be earned at the factored hourly equivalent of 3.89 hours per pay period. Earnings shall be computed only for those hours when an eligible employee is in a pay status, ~~excluding overtime.~~ Maximum sick leave accruals are based on forty (40) hours of paid time per work week.

c. When taken. Sick leave may be requested when an employee is unable to perform work duties due to personal illness, medical care or to attend a personal medical appointment. Sick leave may be requested for an immediate family member’s, as defined in Section 2.76.040, illness, medical care or to attend the employee’s immediate family member’s medical appointment.

Sick leave must be earned before it can be granted, and advancing sick leave is prohibited. An employee may utilize no more than the employee’s accrued balance of sick leave. When an employee finds it necessary to be absent for any of the reasons specified herein, the employee shall provide information relating to the reason for the sick leave request to the employee’s department head in accordance with departmental rules and regulations. Such time off will be deducted from the employee’s accrued sick leave balance.

Sick leave shall be earned and may be granted during original probation. An employee must keep their department head informed of their condition. This shall be on a daily basis, unless waived by the department head or designated representative. An employee may be required by the Human Resources Director to submit a medical certification for any absence. Failure to fulfill these requirements may result in denial of sick leave. No refund of vacation time shall be allowed due to illness incurred while on vacation leave. Sick leave shall not accrue during any period of leave of absence without pay.

d. Accumulated sick leave. The accumulation of unused sick leave is unlimited.

e. Unused sick leave. Upon retirement, death or reduction in force, an employee with a pay range prefixed by “E”, “M”, “X” or “W” shall have sixty-five percent (65%) of the employee’s accumulated sick leave balance paid into the employee’s PEHP premium account. The rate of payment shall be based on the employee’s regular hourly rate of pay at the time the employee retires, is laid off, or at the time of the employee’s death.

Upon resignation, a regular employee with a pay range prefixed by “E,” “X” or “W” shall be paid thirty-five percent (35%) of the employee’s accumulated sick leave. The rate of payment shall be based on the employee’s regular hourly rate of pay at the time the employee resigns.

Upon retirement, death or reduction in force, an employee with a pay range prefixed by “N”, or the employee’s beneficiary, shall be paid fifty percent (50%) of the employee’s accumulated

sick leave balance paid into the employee's PEHP premium account.. The rate of payment shall be based on the employee's regular hourly rate of pay at the time the employee retires, is laid off, or at the time of the employee's death.

Upon resignation, a regular employee with a pay range prefixed by "N" shall be paid thirty-three percent (33%) of the employee's accumulated sick leave. The rate of payment shall be based on the employee's regular hourly rate of pay at the time the employee resigns.

Upon retirement or death, an employee with a pay range prefixed by "A" or "C", or the employee's beneficiary, shall be paid thirty percent (30%) of the employee's accumulated unused sick leave in cash, and an additional thirty percent (30%) of the employee's accumulated unused sick leave into the employee's [PEHP](#) premium account. The rate of payment shall be based on the employee's regular hourly rate of pay at the time the employee retires, is laid off, or at the time of the employee's death.

Upon reduction in force, an employee with a pay range prefixed by "A" or "C", shall be paid twenty-five percent (25%) of the employee's accumulated unused sick leave in cash, and an additional twenty-five percent (25%) of the employee's accumulated unused sick leave into the employee's PEHP premium account. The rate of payment shall be based on the employee's regular hourly rate of pay at the time the employee is laid off.

Upon resignation, a regular employee with a pay range prefixed by an "A", or "C" shall be paid thirty-five (35%) of the employee's accumulated sick leave in cash. The rate of payment shall be based on the employee's regular hourly rate of pay at the time the employee resigns.

2.76.495-~~Early~~ Retirement.

Any city employee, except those employees who are covered by fire or police retirement plans, may retire upon written request after ~~completing twenty five years of service and attaining age fifty. The early retirement date for employees employed prior to September 1, 2000, shall be the earliest date resulting from either completing twenty five years of service and attaining age fifty or completing twenty years of service and~~ attaining age fifty-five. ~~Such retirement shall be known as “early retirement.”~~

2.76.500 Normal Retirement.

~~Any city employee except those employees who are covered by fire or police retirement plans, may retire upon written request after attaining age sixty two. Such retirement shall be known as "normal retirement."~~