

## Item 41 Amendment – Council Member Tovo

June 6, 2019

Approve a resolution directing the City Manager to conduct an assessment of the City's employment practices and identify areas in which the City could improve to become a more family friendly employer.

### **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The City Manager is directed to conduct an assessment of the City of Austin's employment policies and identify areas in which the City of Austin could improve to become a more family-friendly employer. This assessment should seek the input of current employees, American Federation of State, County, and Municipal Employees (AFSCME) Local 1624, outside stakeholder groups, and benchmark against best practices nationally. This assessment should include the analysis of previous Council actions and existing City of Austin programs contained within Exhibit A.

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**EXHIBIT A**

**City Council Action as it Pertains to the “Early Matters Family Friendly Workplace Toolkit” and the City of Austin as a “Family Friendly Employer”**

**Living Wages**

RESOLUTION NO. 20141016-035 Approve a resolution establishing a City living wage policy that ties the living wage to an index consistent with a cost of living adjustment for non-sworn personnel on an annual basis during the budget process, directing the City Manager to ensure the City's purchasing policies reflect this annual increase and initiating a staff supported stakeholder group to evaluate the living wage rate.

RESOLUTION NO. 20141120-087 Approve a resolution directing the City Manager to prepare a report on the City's living wage policies with respect to social service contracts.

RESOLUTION NO. 20150521-023 Approve a resolution directing the City Manager to increase the City's minimum wage for City employees in the FY2015-2016 budget and future budgets.

RESOLUTION NO. 20150618-091 Approve a resolution directing the City Manager to analyze and bring forward policy options regarding implementation of the City's living wage policies for certain contractors and sub-contractors, including information about potential fiscal impacts for the fiscal year 2015-2016 budget.

RESOLUTION NO. 20160324-020 Approve a resolution adopting a living wage policy to apply to City non-construction procurement agreements.

**Paid Leave**

RESOLUTION NO. 20130606-047 Approve a resolution directing the City Manager to develop amendments to the City personnel policies to provide 30 days of paid parental leave to be used during Family and Medical Leave Act leave after all accrued leave is exhausted, and directing the City Manager to develop a paid leave bank for employees requiring leave for other family and personal health reasons.

RESOLUTION NO. 20130620-015 Approve a resolution amending to the City personnel policies, Section III.B.1.c, relating to FMLA including the establishment of a new Parental Leave Benefit and insertion of language that aligns City policy with Federally Mandated Military Exigency and Military Caregiver requirements.

RESOLUTION NO. 20130822-018 Approve a resolution amending the City personnel policies establishing a voluntary leave bank which would provide for paid time off to be available to eligible employees with approved FMLA leave and a system of prioritization for leave-takers accessing the leave bank.

RESOLUTION NO. 20180301-017 Approve a resolution directing the City Manager to update earned sick leave policies for City employees and to repurpose funds to implement Ordinance No. 20180215-049, relating to paid sick time.

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### **Health Benefits**

RESOLUTION NO. 20060911-007 Approve a resolution amending the Personnel Policies by increasing vacation accrual schedules for non-Civil Service employees; modifying policy language to allow for new domestic partner benefits; and adding longevity pay and increasing vacation accrual for peace officers of the Public Safety and Emergency Management Department.

RESOLUTION NO. 20140213-014 Approve a resolution amending the Personnel Policies, Chapter A, Section III.B.1. (9) a and b, to enhance the amount of Serious Injury Supplement benefits provided to non-sworn employees that are injured on the job.

RESOLUTION NO. 20141211-133 Approve a resolution directing the City Manager to incorporate transgender-inclusive benefits as part of the City employee benefits package in the Fiscal Year 2015-2016 proposed budget.

RESOLUTION NO. 20180809-060 Approve a resolution to explore an independent third party appeals process for municipal employees when certain healthcare claims are denied.

### **Flexible work hours and locations**

*(Telecommute)* RESOLUTION NO. 20181213-044 Approve a resolution directing the City Manager to develop recommendations regarding the creation of a pilot program that would address shifting modes of transportation by incentivizing transit use.

### **Supportive Services within the Workplace**

RESOLUTION NO. 20060420-055 Approve a resolution directing the City Manager to create a staff task force to recommend ways to improve childcare options during nights and weekends for City of Austin employees.

RESOLUTION NO. 20090806-037 Approve a resolution directing the city manager to review and amend contracting policies, economic development programs, and review personnel policies related to non-discrimination for lesbian, gay, bisexual or transgender individuals.

RESOLUTION NO. 20141211-132 Approve a resolution directing the City Manager to examine best practices in other cities regarding personnel policies for pregnant employees and develop recommendations for implementing improved City practices.

RESOLUTION NO. 20161103-047 Approve a resolution relating to community meetings and on-site supervision for children.

RESOLUTION NO. 20161201-018 Approve a resolution amending the City's Personnel Policies to revise definitions regarding discrimination, harassment, sexual harassment, retaliation, and employee conduct.

- Protected classes include pregnancy status, race, color, religion, creed, sex, gender, genetic information, sexual orientation, gender identity, national origin, ethnicity, age, disability, and veteran status or other legally protected class.
- The City prohibits the taking of any adverse employment action against an employee who, in good faith, reports discrimination, harassment, or retaliation; files a complaint regarding a law, policy,

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practice or procedure, testifies, assists or participates in an investigation, proceeding, or hearing, or exercises rights or avails themselves of any benefit authorized under the personnel policies, such as filing a worker's compensation claim, requesting Family and Medical Leave (FML), or requesting military leave.

RESOLUTION NO. 20180628-062 Approve a resolution directing the City Manager to investigate and report back to Council on best practices to enforce city civil rights and labor protections.

**Support or benefits for employees with caregiving responsibilities outside the workplace**

RESOLUTION NO. 20050609-039 Approve a resolution directing the City Manager to explore and implement a program by which employees may, within reasonable limits, be granted administrative leave time for the purpose of donating blood, bone marrow or organs for medical purposes.

RESOLUTION NO. 20130620-015 Approve a resolution amending to the City personnel policies, Section III.B.1.c, relating to FMLA including the establishment of a new Parental Leave Benefit and insertion of language that aligns City policy with Federally Mandated Military Exigency and Military Caregiver requirements.

RESOLUTION NO. 20160414-004 Approve a resolution directing the City Manager to develop recommendations and funding options for Child Care Continuity Services during the Fiscal Year 2016-2017 budget process.

RESOLUTION NO. 20180301-017 Approve a resolution directing the City Manager to update earned sick leave policies for City employees and to repurpose funds to implement Ordinance No. 20180215-049, relating to paid sick time.

RESOLUTION NO. 20190411-020 Approve a resolution directing the City Manager to provide council a report that provides a timeline for implementing the remaining recommendations from the High Quality Child Care and Pre-K3 Report.

RECOMMENDATION FOR ACTION 20190221-016 Authorize negotiation and execution of an interlocal agreement with Austin Independent School District for the provision of startup costs for up to five new Pre-Kindergarten classrooms to expand affordable childcare options for Austin residents.

**Community involvement strategies**

RESOLUTION NO. 20180830-056 Approve a resolution repealing resolutions related to economic development programs and adopting economic development Guiding Principles and a Chapter 380 Policy.

- Applicants to all Chapter 380 grant and loan programs shall provide written policies to support antiharassment and anti-discrimination practices for business operations and work environment in the City. Applicants to all Chapter 380 grant and loan programs shall be required to sign and comply with a City provided form specifying non-discrimination and anti-harassment policies and practices. Evidence of noncompliance may be grounds for terminating the agreement. At its discretion, the City may work with the recipient to develop a plan and timeline for becoming compliant.

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- The project will ensure all employees are paid no less than the City's living wage and as it may be adjusted annually, including full-time employees and contract employees, and if applicable to a project with capital expenditures in the form of construction, construction workers hired for construction work will be paid at least the City's living wage.
- Company shall provide health insurance benefits for all new full-time employees and extends benefits to domestic partners of employees and their dependents. The company's policy should reflect the definition of a domestic partner as an individual who lives in the same household and shares the common resources of life in a close, personal, intimate relationship with an employee if under Texas law the individual would not be prevented from marrying the employee on account of age, consanguinity, or prior undissolved marriage to another. A domestic partner may be of the same, or opposite, gender as the employee.
- Bonus Qualifier: The company will provide an on-site day care facility for employees and/or provide subsidized daycare for employees. The company will garner extra bonus qualifiers if the on-site day care facility is made open to the public.

ORDINANCE 20180215-049 Approve an ordinance establishing earned sick time for private employers, creating a civil penalty, and creating an offense.

- Earned sick time shall be available for an employee to use in accord with this Chapter as soon as it is accrued. Provided, that an employer may restrict an employee from using earned sick time during the employee's first 60 days of employment with the employer if the employer establishes that the employee's term of employment is at least one year.
- An employee may request earned sick time from an employer for an absence from the employee's scheduled work time caused by:
  - (1) the employee's physical or mental illness or injury, preventative medical or health care, or health condition; or
  - (2) the employee's need to care for a family member's physical or mental illness, preventative medical or health care, injury, or health condition; or
  - (3) the employee's need to seek medical attention, seek relocation, obtain services from a victim services organization, or participate in legal or court ordered action related to an incident of victimization from domestic abuse, sexual assault, or stalking involving the employee or employee's family member.

RESOLUTION NO. 20170406-030 Approve a resolution directing the City Manager to include labor peace agreement requirements in the terminal concessions solicitation and contracts at Austin-Bergstrom International Airport, and identify other City solicitations and contracts which may include labor peace agreement requirements.

- Existing labor agreements for concessions within ABIA's current facilities have further contributed to workforce stability by securing for workers desirable benefits such as good wages, affordable, quality health insurance, vacation days and sick days above local industry standards,

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and protection against discrimination based on gender identity, sexual orientation, and native language beyond the protections provided by applicable law.

### **Existing City of Austin Programs as it Pertains to the “Early Matters Family Friendly Workplace Toolkit” and the City of Austin as a “Family Friendly Employer”**

#### City of Austin Employee Benefits

- **Vision / Dental** The City of Austin provides vision coverage and a Dental Assistance Plan.
- **Life Insurance**
- **Disability – Short-Term and Long-Term Disability**
- **FLEXTRA - Health Care Account** is a Flexible Spending Account (FSA) Program, which allows you to pay for eligible Health and Dependent Care expenses on a pre-tax basis. By setting aside money in these accounts, employees can reduce their taxable income. These funds are not taxed at the time of distribution. It is a permanent tax savings. Participation in these programs is voluntary.
- **FLEXTRA - Dependent Care Account**
- **ARAG Group Legal Plan**
- COA H.R. Childcare The City / County Child Care Program works with Texas Rising Star 4-Star providers through Workforce Solutions Child Care Services (CCS) to provide subsidized child care for eligible families.
- **PerksConnect COA Employee Discounts** City of Austin PerksConnect is a comprehensive program designed to save money on many everyday purchases.
- **Deer Oaks Employee Assistance Program** Deer Oaks Employee Assistance Program provides access to counseling, legal and financial services in addition to Work/Life support.
- **Affordable Small Dollar Loans** City employees have access to apply for small dollar loans through the Community Loan Center of Austin (CLC) ranging from \$400 - \$1,000. You must be employed with the City a minimum of 90 days to be eligible. Payments can be deducted from an employee's paycheck or set up through automatic draft.
- **Additional Benefits**
  - 2019 Youth Camp Scholarships This program is available to all employees with children ages 5 through 12, regardless of household size or family income. The program provides scholarships worth up to \$50 a week at participating Parks and Recreation Department (PARC) Recreation Centers.
  - Public Service Loan Forgiveness

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- Childcare Assistance Program City employees with children under the age of 13 may be eligible for financial assistance of up to \$50 per week, per child for all-day, week-long care.
- Childcare Referral System City employees can receive free assistance locating and researching potential childcare providers by contacting the Childcare Coordinator in the Employee Benefits Division.
- Commuter Program - Bus, Rail, and Vanpool services offered at no cost to City of Austin employees.
- Veterans Assistance The City of Austin's Veterans Services Office provides support for City employees who are in the National Guard and Reserve or are veterans, as well as their families. Support is provided before deployment, during deployment and during reintegration into the workplace. City of Austin Veterans Services Office is a resource for individual employees, City departments and City management.
- Deferred Compensation
- Retiree Benefits
- HealthyConnections is the City's award-winning wellness program and incentives are offered for employee participation.
- **Career development opportunities**
  - City of Austin H.R. Career Center This web page is designed to help city employees find resources to help them take charge of their careers at the City of Austin.
  - Computer-based training courses
    - Training Registration and Administration on the IntraNet (T.R.A.I.N.)
  - Tuition reimbursement programs The Tuition Reimbursement Program promotes the City's goals of improving customer service and investing in the workforce by providing financial assistance to employees who take job-related, City career-enhancing credit courses at accredited, degree-granting schools and institutions.
  - Leadership, Education and Public Service (LEAPS) program: "LEAPS is a leadership development program designed by and for City of Austin employees. It was created to identify and provide development opportunities to City employees with demonstrated leadership abilities or potential. LEAPS graduates have been trained in key areas of leadership. They have worked to develop new and different problem-solving skills, which will ultimately lead to workable solutions. Through their public service projects, they have focused on sustainability, the City of Austin PRIDE values, and the Imagine Austin Plan and Strategic Direction 2023 programs, while reinforcing the theory that it helps us all when we help each other."