

DATE SUBMITTED 02/25/2025
 SUBMITTED BY Human Resources
 DATE ACTION REQUIRED 03/05/2025

COUNCIL ACTION (X)
 PUBLIC HEARING REQUIRED ()
 RESOLUTION ()
 ORDINANCE 1ST READING ()
 ORDINANCE 2ND READING ()
 CITY CLERK'S INITIALS ()

**IMPERIAL CITY COUNCIL
 AGENDA ITEM**

SUBJECT: DISCUSSION/ACTION: 1. Approval and adoption of the Public Hearing and Reporting on City of Imperial Vacancies, and Recruitment and Retention Efforts Policy in compliance with AB 2561 Local Public Employees: Vacant Positions.	
DEPARTMENT INVOLVED: Human Resources	
BACKGROUND/SUMMARY: The City of Imperial is requesting the Council's consideration in the adoption of the Public Hearing and Reporting on City of Imperial Vacancies, and Recruitment and Retention Efforts Policy in compliance with AB 2561 Local Public Employees: Vacant Positions. The purpose of this policy is to be compliant with with AB 2561 which requires agencies to present the status of vacancies, recruitment and retention efforts at a public hearing at least once per fiscal year.	
FISCAL IMPACT: NOT TO EXCEED There is no fiscal impact associated with this action.	FINANCE INITIALS <p align="center"><u>JMS</u></p>
STAFF RECOMMENDATION: Recommendation to approve and adopt the Public Hearing and Reporting on City of Imperial Vacancies, and Recruitment and Retention Efforts Policy in compliance with AB 2561 Local Public Employees: Vacant Positions.	DEPT. INITIALS <p align="center"><u>KWS</u></p>
MANAGER'S RECOMMENDATION: Approve Staff Recommendation	CITY MANAGER'S INITIALS <p align="center"><u>JHM</u></p>
MOTION:	
SECONDED: AYES: NAYES: ABSENT:	APPROVED () REJECTED () DISAPPROVED () DEFERRED () REFERRED TO:



CITY OF IMPERIAL
PUBLIC HEARING AND REPORTING
ON CITY OF IMPERIAL
VACANCIES, AND RECRUITMENT AND RETENTION EFFORTS POLICY

<p>POLICY NAME:</p> <p>Public Hearing and Reporting on City of Imperial Vacancies, and Recruitment and Retention Efforts Policy</p>	<p>AUTHORITY:</p> <p>City of Imperial</p>
<p>APPLICATION:</p> <p>City Council City Management Human Resources Staff</p>	<p>DATE APPROVED:</p> <p>Pending CC Approval</p>



CITY OF IMPERIAL
PUBLIC HEARING AND REPORTING
ON CITY OF IMPERIAL
VACANCIES, AND RECRUITMENT AND RETENTION EFFORTS POLICY

Purpose:

This policy establishes the framework and requirements for holding public hearings and reporting on the City of Imperial's workforce vacancies, recruitment, and retention efforts in compliance with Assembly Bill ("AB") 2561. (Gov. Code § 3502.3.) The purpose is to ensure transparency, accountability, and responsiveness to community needs regarding the City's staffing and employment practices.

Scope:

This policy applies to the City of Imperial, City management, and the City Council.

Definitions:

Public Hearing: A formal meeting open to the public, where City representatives present information and accept public comments on specific topics, as law requires.

Vacancies: Unfilled positions within the City's workforce that require recruitment efforts to be adequately staffed.

Recruitment: The process of attracting, screening, and selecting qualified candidates for employment with the City of Imperial.

Retention: Efforts to maintain a stable and satisfied workforce by addressing the factors that contribute to stability in the workforce.

Policy Statement:

In accordance with AB 2561 (Gov. Code § 3502.3), the City of Imperial is committed to holding a public hearing on vacancies at the City, the City's recruitment, and retention efforts, and any issues with the City's policies, procedures, and recruitment activities that may lead to obstacles in the hiring process.

The City will hold a public hearing at least once each fiscal year and provide reports on vacancies, recruitment, and retention efforts.



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Policy Provisions:

1. Public Hearing Requirements

The City shall conduct public hearings at least on an annual basis (once each fiscal year) 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.

Public hearings shall be announced in advance and provide an opportunity for members of the public to make comments.

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

Separate public hearings may be scheduled to address individual bargaining units or bargaining unit groupings.

The City Council shall ensure that each public hearing is adequately documented, with minutes and recordings made publicly available within 30 days of the hearing.

2. Reporting Requirements

The City shall present information on the following at the public hearing:

1. The status of vacancies at the City of Imperial.
2. Information on the City's recruitment and retention efforts.
3. Identification of any obstacles in the City's policies, procedures, and recruitment activities that may create challenges in the hiring process.

If the City prepares a report that includes the information described above, the City may elect to make the report available to the public via the City of Imperial's website or in print form prior to each public hearing.

3. Special Reporting Requirements for High Vacancy Rates

If the number of job vacancies within a single bargaining unit meets or exceeds 20% of the total number of authorized full-time positions, the City shall, upon request of



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the recognized employee organization, include the following information during the public hearing:

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

4. Responsibilities

City Council: The City Council is responsible for overseeing compliance with this policy and ensuring public hearings and reports meet the requirements outlined in AB 2561.

City Management: City management shall coordinate with the Human Resources department to gather necessary data and ensure accurate reporting.

Human Resources Department: The Human Resources Department is responsible for compiling vacancy, recruitment, and retention data, and preparing reports in collaboration with City management.

5. Monitoring and Review

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 in public transparency.

6. Compliance and Enforcement

The City will maintain records of all public hearings, reports, and related documents for a minimum of five years in compliance with public records requirements.



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Approval and Revision History:

Approved: [Date of Approval]

Revised: NA

Appendices (if applicable):

1. AB 2561 Text.



AB-2561 Local public employees: vacant positions. (2023-2024)

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Date Published: 09/23/2024 09:00 PM

Assembly Bill No. 2561

CHAPTER 409

An act to add Section 3502.3 to the Government Code, relating to public employment.

[Approved by Governor September 22, 2024. Filed with Secretary of State September 22, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2561, McKinnor. Local public employees: vacant positions.

Existing law, the Meyers-Milias-Brown Act (act), authorizes local public employees, as defined, to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on matters of labor relations. The act requires the governing body of a public agency to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations and to consider fully presentations that are made by the employee organization on behalf of its members before arriving at a determination of policy or course of action.

This bill would, as specified, require a public agency to present the status of vacancies and recruitment and retention efforts at a public hearing at least once per fiscal year, and would entitle the recognized employee organization to present at the hearing. If the number of job vacancies within a single bargaining unit meets or exceeds 20% of the total number of authorized full-time positions, the bill would require the public agency, upon request of the recognized employee organization, to include specified information during the public hearing. By imposing new duties on local public agencies, the bill would impose a state-mandated local program. The bill would also include related legislative findings.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement shall be made pursuant to these statutory provisions for costs mandated by the state pursuant to this act, but would recognize that a local agency or school district may pursue any available remedies to seek reimbursement for these costs.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**SECTION 1.** The Legislature finds and declares as follows:

(a) Job vacancies in local government are a widespread and significant problem for the public sector affecting occupations across wage levels and educational requirements.

(b) High job vacancies impact public service delivery and the workers who are forced to handle heavier workloads, with understaffing leading to burnout and increased turnover that further exacerbate staffing challenges.

(c) There is a statewide interest in ensuring that public agency operations are appropriately staffed and that high vacancy rates do not undermine public employee labor relations.

SEC. 2. Section 3502.3 is added to the Government Code, to read:

3502.3. (a) (1) A public agency shall present the status of vacancies and recruitment and retention efforts during a public hearing before the governing board at least once per fiscal year.

(2) If the governing board will be adopting an annual or multiyear budget during the fiscal year, the presentation shall be made prior to the adoption of the final budget.

(3) During the hearing, the public agency shall identify any necessary changes to policies, procedures, and recruitment activities that may lead to obstacles in the hiring process.

(b) The recognized employee organization for a bargaining unit shall be entitled to make a presentation at the public hearing at which the public agency presents the status of vacancies and recruitment and retention efforts for positions within that bargaining unit.

(c) If the number of job vacancies within a single bargaining unit meets or exceeds 20 percent of the total number of authorized full-time positions, the public agency shall, upon request of the recognized employee organization, include all of the following information during the public hearing:

(1) The total number of job vacancies within the bargaining unit.

(2) The total number of applicants for vacant positions within the bargaining unit.

(3) The average number of days to complete the hiring process from when a position is posted.

(4) Opportunities to improve compensation and other working conditions.

(d) This section shall not prevent the governing board from holding additional public hearings about vacancies.

(e) The provisions of this section are severable. If any provision of this section or its application is held invalid, the invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

(f) For purposes of this section, "recognized employee organization" has the same meaning as defined in subdivision (a) of Section 3501.

SEC. 3. The Legislature finds and declares that Section 2 of this act, which adds Section 3502.3 to the Government Code, furthers, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

It is in the public interest, and it furthers the purposes of paragraph (7) of subdivision (b) of Section (3) of Article I of the California Constitution, to ensure that information concerning public agency employment is available to the public.

SEC. 4. No reimbursement shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code for costs mandated by the state pursuant to this act. It is recognized, however, that a local agency or school district may pursue any remedies to obtain reimbursement available to it under Part 7 (commencing with Section 17500) and any other law.