

**RESOLUTION TO RECOGNIZE CERTAIN POSITIONS
AS EXEMPT FROM CIVIL SERVICE**

WHEREAS, Section 250 of the Memphis City Charter provides that the Director of Personnel shall classify all offices and positions in the City service; and

WHEREAS, Section 250, subsection (g) of the Memphis City Charter expressly exempts all staff employees of the offices of the Mayor and the Chief Administrative Officer; and

WHEREAS, the Workforce Investment Network (WIN) is a service department under the office of the Chief Administrative Officer; and

WHEREAS, the administration has determined that the employment positions within the WIN program were erroneously classified as civil service; and

WHEREAS, the administration deems it necessary and appropriate to reinstate the exempt status of each employment position included within the WIN program; and

WHEREAS, WIN is a one-hundred percent (100%) federally funded program established in accordance with the Workforce Investment Act (WIA) passed by Congress in 1998 and administered by the Tennessee Department of Labor; and

WHEREAS, the Tennessee Department of Labor has strongly urged the City of Memphis to exempt each employment position within the WIN program from civil service classification in light of past and recent audit findings related to WIN's failure to satisfy programmatic and fiscal performance measures as mandated by the Tennessee Department of Labor; and

WHEREAS, the administration has also been advised that no other local WIA program within the state of Tennessee is staffed by civil service protected employees; and

WHEREAS, the program's continued failure to satisfy mandatory performance measures and failure to reclassify such positions may result in the future de-obligation of existing funding or the total abolishment of the WIN program; and

WHEREAS, the administration deems it in the best interest of the City to comply with the guidance issued by the Tennessee Department of Labor and to comply with the City Charter;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEMPHIS, that the Council concurs with the recommendation of the Mayor and Interim Director of Human Resources that all positions within the WIN program, including all positions falling under the following titles, shall be classified as exempt pursuant to Section 250, subsection (g) of the Memphis City Charter:

WIN Executive Director	Office Coordinator
WIN Deputy Director	Senior Accountant
Fiscal Officer	Quality Assurance Analyst
Fiscal Manager	Workforce Development Specialist
Performance Manager	Business Services Analyst
Quality Assurance Manager	Contract Analyst
WIN Program Manager	Performance Analyst
Career Center Systems Manager	Youth Programs Specialist
Contracts Manager	Fiscal Technicians
Business Services Manager	Network Technician
Youth Services Manager	WIN Clerical Assistant
Public Affairs Manager	Career Center Specialist
Training Coordinator	Receptionist
Non-training Coordinator	Disability Program Navigator
Administrative Assistant	

BE IT FURTHER RESOLVED THAT, any future employment positions under the WIN program shall be classified as exempt in accordance with Section 250, subsection (g) of the Memphis City Charter.

Approved:

Council Chairman, Harold Collins

WHEREAS, the administration deems it in the best interest of the City to comply with the guidance issued by the Tennessee Department of Labor and reinstate such positions to the appointed classification.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEMPHIS, that the Council concurs with the recommendation of the Mayor and Interim Director of Human Resources that the following positions in WIN (Workforce Investment Network) shall be classified as appointed pursuant to Section 250 of the Memphis City Charter:

WIN Executive Director	Office Coordinator
WIN Deputy Director	Senior Accountant
Fiscal Officer	Quality Assurance Analyst
Fiscal Manager	Workforce Development Specialist
Performance Manager	Business Services Analyst
Quality Assurance Manager	Contract Analyst
WIN Program Manager	Performance Analyst
Career Center Systems Manager	Youth Programs Specialist
Contracts Manager	Fiscal Technicians
Business Services Manager	Network Technician
Youth Services Manager	WIN Clerical Assistant
Public Affairs Manager	Career Center Specialist
Training Coordinator	Receptionist
Non-training Coordinator	Disability Program Navigator
Administrative Assistant	

BE IT FURTHER RESOLVED THAT, in addition to the positions set forth above, any future employment positions mandated by the program shall also be classified as appointed in accordance with Section 250 of the Memphis City Charter.

Approved:

Council Chairman, Harold Collins