

Berkeley Unified School District
Personnel Commission Meeting Minutes

January 05, 2017 – 4:30 pm

1. Call to Order

Meeting was called to order at 4:33pm

2. Roll Call & Establishment of Quorum

Chairperson Carter, Vice-Chairperson Goldstein and Commissioner Ortiz were present and a quorum was established.

3. Public Comments

Marleen Sacks, Attorney with Atkinson, Andelson, Loya, Ruud & Romo, commented on her letter to the Personnel Commission about the upcoming appeal hearing process. She said that in the past a hearing officer was hired by the Commission to conduct the hearings. Javetta Cleveland, Deputy Superintendent, also supported the use of a hearing officer for the appeal hearing.

4. Approval & Adoption of Agenda

Vice Chairperson Goldstein made a motion to approve the agenda, Commissioner Ortiz seconded the motion.
Approved, 3-0

5. Closed Session (2 matters) Government Code § 54954.5

- a) Employee Discipline and Legal Matters
- b) Update status of PERB complaint

The Personnel Commission met in closed session to discuss a matter related to the termination and subsequent appeal hearing of a classified employee (2016-1-AH), and to receive an update on the status of a PERB complaint (2016-2-C).

6. Report from Closed Session

The Personnel Commission reconvened at 5:45 pm. Chairperson Carter reported that the Commission will use an experienced advisor to assist the Commission at the upcoming hearing. Chairperson Carter also said that a stipulation meeting was to be held before the hearing, He said that in regards to the concern about limiting witnesses or cross examinations- there will be no restrictions on relevant witnesses or relevant testimony.

7. Approval of Meeting Minutes

Approve the Personnel Commission Meeting Minutes for the following:

- a) November 01, 2016
- b) November 03, 2016
- c) December 05, 2016

Commissioner Ortiz commented that the minutes should reflect changes to the Commissioners new titles. Commissioner Ortiz made a motion to approve the minutes as amended, Commissioner Goldstein seconded.

Approved, 3-0

8. Consent Items

- I. Acknowledge receipt of email request for second legal opinion regarding reemployment rights.

Secretary Rogosin commented that the Union requested that the Personnel Commission get a legal opinion from a different entity.

II. Ratification of Eligibility Lists

- a) Instructional Assistant
- b) School Administrative Assistant, ECE
- c) Accounting Technician
- d) Maintenance Supervisor (brought back from December meeting)

Commissioner Ortiz made a motion to approve the eligibility lists. Vice-Chairperson Goldstein seconded the motion.

Approved, 3-0

9. Discussion Items

- a) Agenda Item Request: Erica Johnson

Secretary Rogosin noted that Ms. Johnsons' classification description references work is performed at an "alternative school," which covers her site.

Ms. Johnson requested an amendment to her classification description so that Berkeley Technology Academy can receive a School Administrative Assistant III position like Berkeley High School. Vice-Chairperson Goldstein commented that it is desirable to review the School Administrative Assistant II class description based on the complexity of the employee's current role. Chairperson Carter requested this be added to the next meeting agenda as a classification study.

- b) Informative Report

- c) Special Report on Limited Term Assignments

Secretary Rogosin said a request came from the Commission and the Union to provide information about limited term assignments. Secretary Rogosin indicated that Personnel Commission staff are reviewing assignment end dates and that the process of extending limited term assignments is being looked at to ensure that they are extended in conformance with the Education Code.

10. Conference Items

- a) Approval of Personnel Commission Meeting Dates for 2017

Vice-Chairperson Goldstein made a motion to approve meeting dates for calendar year 2017, Commissioner Ortiz seconded the motion.

Approved, 3-0

- b) Recruitment of Director, Classified Personnel

The Commission will contact CSPCA to begin recruitment for the Classified Personnel Director. Ms. Cleveland asked if there was a cost to hire CSPCA to recruit.

11. Reports

- a) Union

None.

- b) Commissioners Reports

None.

c) Personnel Director

- i. New Hires and Examinations administered in the month of December
Vice-Chairperson Goldstein commented that she is pleased to see shorter intervals between testing dates. She also commented that she finds it useful to see the standard boilerplate text in the bottom of the agenda.

12. Public Comments

None.

13. Next Meeting

The next Special Meeting was scheduled to be held on 1/12/17 at 4:30 pm.

14. Adjournment

Meeting adjourned at 6:55pm

Respectfully Submitted,

Peter Rogosin
Secretary, Personnel Commission

Date

Approved,

Timothy Carter
Chairperson, Personnel Commission

Date