

**Berkeley Unified School District**  
2020 Bonar Street, The Tech Lab, Room 126  
Berkeley, CA 94702

**Personnel Commission Meeting Minutes**

July 13, 2017 – 4:30 pm

**1. Call to Order**

The meeting was called to order at 4:30 pm.

**2. Roll Call & Establishment of Quorum**

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

**3. Public Comments**

Paula Phillips, BCCE President, inquired about the closed session items.

**4. Approval & Adoption of Agenda**

Chairperson Carter made a motion to approve the agenda,  
Approved, 3-0

**5. Closed Session (2 matters)**

- a) Employee Discipline and Legal Matters - Government Code § 54954.5

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).

- b) Public Employment - Government Code § 54957 (b)(1)

The Personnel Commission met in closed session to discuss the recruitment of Director, Classified Personnel and provide direction to staff.

**6. Report from Closed Session**

The Personnel Commission reconvened from closed session at 6:34 pm. Chairperson Carter requested to postpone receipt of the appeal hearing report until the special meeting to be held on July, 20<sup>th</sup>. Chairperson Carter said that the Commission has decided to make a job offer to Patty Duwel the next day and request to have her onboard as soon as possible.

**7. Approval of Meeting Minutes**

Approve the Personnel Commission Meeting Minutes for the following:

- a) May 31, 2017, Special Meeting Minutes
- b) June 2, 2017, Regular Meeting Minutes
- c) June 8, 2017, Special Meeting Minutes

Vice-Chairperson Goldstein requested to make a minor grammatical edit to the June 8<sup>th</sup> meeting minutes.

Commissioner Ortiz made a motion to approve the minutes as amended; Chairperson Carter seconded the motion,

Approved, 3-0

## 8. Consent Items

### I. Ratification of Eligibility Lists

- a) Director, Classified Personnel
- b) Vehicle & Equipment Supervisor
- c) Clerical Assistant III
- d) Instructional Tech- Before & After School

Chairperson Carter made a motion to approve eligibility lists a-d,  
Approved, 3-0

## 9. Conference Items

These items are presented for discussion and action and may be carried over from a previous meeting.

### a) Request for Advanced Salary Placement for Maintenance Engineer

Chairperson Carter said that for negotiable items, the bargaining agreement trumps the merit rules. Secretary Rogosin commented that step increases occur in July or January, and the BCCE bargaining agreement states that the employee can't advance sooner than that. President Phillips said that step advances have always been readily granted to management positions when they have been difficult to fill or when the person exhibits experience and knowledge that exceed the minimum required. Secretary Rogosin said that although the Supervisor supports the advanced step placement, the contract language for step advance placements are only for initial placements, and not for current employees. Chairperson Carter said the Merit Rules (70.100.3) are silent on what qualifies as a hard to fill recruitment and if the Union and District wanted to negotiate step placement they may do so. Vice Chair Goldstein commented that the way the rules are written, there is no way to grant him an advance step salary placement. Secretary Rogosin suggested that interpretation of "initial placement" language in the merit rules could be construed to refer to a new class, and not exclusively to a new hire to the District. Chairperson Carter requested to bring this item back to the next regular meeting.

### b) Establishment of New Class of Lead Accounts Payable Technician

Secretary Rogosin said that the Union had concerns about the class description duties having the employee evaluate other unit member's work. He revised the class description and replaced those duties to have the employee *direct* the day to day work of the Accounting Technicians instead. Vice-Chairperson Goldstein asked if the Board had approved this position. Secretary Rogosin responded that it hadn't yet. She asked if this salary range is comparable to the other lead positions and asked about gender equity issues because the lead jobs for the maintenance crews seem to be primarily male, and they tend to have a bigger increase for performing lead duties than in the clerical series. President Phillips suggested that the Personnel Commission should not approve this class before the Board approves a position.

Commissioner Ortiz requested a flow chart of the process to establish a new class description (merit Rule 30.200.7) and recommended tabling this item to get clarification of what the responsibilities are for the Board and the Personnel Commission. He added that just because class descriptions have gone to the Board does not mean that the Personnel Commission can't create a class before the Board approves a position in that class. Chairperson Carter said he does not see the downside to approving the class description first. Vice Chairperson Goldstein commented that she's hesitant about the placements of the salary ranges because she feels they may be too low.

### c) Establishment of New Class Restorative Justice Coordinator and Salary Range Allocation

Chairperson Carter requested to bring this back to the next meeting.

## 10. Discussion Items

This item is presented for discussion only and may be carried over from a prior meeting. No action will be taken on this item at this time.

a) Revised Agenda Item Request Form

President Phillips asked if this form was only meant for employees because it seemed that it wasn't required to be filled out by all, yet her members were being asked to use it. Secretary Rogosin said it's available to management and employees and is not a requirement.

b) Special Report on Step Increases

The item will be discussed at the next meeting.

c) Special Report on Establishment of a Position

Commissioner Ortiz requested to include this as part of the conference items in the next meeting.

## 11. Reports

a) Union

President Phillips said the Union is concerned over the lack of in-person meetings between the Interim Director and employees affected by the layoff process and she said there are ten employees who still want to meet.

b) District Reports

None

c) Commissioners Reports

None

d) Personnel Director

i. New Hires and Examinations administered in the month of June

Secretary Rogosin commented that work on summer school assignments has taken up a bulk of the work by the Personnel Commission staff in the past weeks, but, despite that, eligibility lists were still generated. He also added that plans are being made to utilize NeoGov to track extra support and sub assignments and to also help with determining cut scores for exams.

## 12. Public Comments

President Phillips said that she had received reports from employees that summer school substitutes were assigned to more work more hours than regular employees.

## 13. Next Meeting

The next special meeting was scheduled for July, 20<sup>th</sup> at 4:30 pm.

## 14. Adjournment

The meeting was adjourned at 8:57 pm.

Respectfully Submitted,

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Peter Rogosin  
Secretary, Personnel Commission

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Date

Approved,

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Timothy Carter  
Chairperson, Personnel Commission

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Date