

**Berkeley Unified School District**  
**Personnel Commission Meeting Minutes**

April 14<sup>th</sup>, 2022 – 4:30 pm

**1. Call to Order**

The meeting was conducted via Zoom meeting # 852 7339 2873 and was called to order at 4:30 pm.

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

Chairperson Goldstein, Vice-Chairperson Davis, and Commissioner Roter were present, and a quorum was established.

**3. Public Comments**

None.

**4. Approval & Adoption of Agenda**

Commissioner Roter requested to pull item 7. e., and Chairperson Goldstein asked to pull Item 7. i. for further discussion.

Chairperson Davis made a motion to approve the agenda; Commissioner Roter seconded the motion, Approved, 3-0

**5. Approval of Meeting Minutes**

a) February 16<sup>th</sup>, 2022, Special Meeting Minutes

Vice-Chairperson Davis made a motion to approve the February 16<sup>th</sup> meeting minutes; Commissioner Roter seconded the motion, Approved, 3-0

b) March 2<sup>nd</sup>, 2022, Special Meeting Minutes

Vice-Chairperson Davis made a motion to approve the March 2<sup>nd</sup> meeting minutes; Commissioner Roter seconded the motion, Approved, 3-0

c) March 3<sup>rd</sup>, 2022, Regular Meeting Minutes

Vice-Chairperson Davis made a motion to approve the March 3<sup>rd</sup> meeting minutes; Commissioner Roter seconded the motion, Approved, 3-0

**6. Reports**

a) Union

Mildred Scherr, BCCE Vice-President, expressed the union's concern over continued payroll department errors on staff paychecks. She commented that she was aware that the Business Services department had hired outside agency contractors to work in BCCE represented positions in the payroll department and that these contractors had not been vetted by Human Resources and had

bypassed the Merit System recruitment and testing processes. She asserted that she has verified the staffing agencies providing these consultants do not conduct background checks or fingerprint staff. She expressed concern that confidential information for all BUSD staff is being accessed by unvetted consultants. She asked that the Personnel Commission enforce the merit rules for limited-term assignments. Ms. Scherr said that she appreciated the information presented by Secretary Castillo at the most recent SBAC meeting regarding the classification and compensation study and requested that he involve BCCE in the future.

b) District Reports

Secretary Castillo said that Human Resources Director, Glendaly Gascot-Rios, let him know in advance that she would not be able to attend this meeting and that she had nothing to report.

c) Commissioners Reports

Vice-Chairperson Davis expressed his appreciation for the work being done to revise the Merit Rules. Commissioner Roter said he is pleased with the "workshop" special meetings to revise the merit rules. He said the Commission is committed to finalizing this project and that he has been working diligently every week with Secretary Castillo, who has researched items and consulted with colleagues for advice. He reminded that the public is always welcome to attend the workshop meetings and reported that the next workshop is scheduled for May 4<sup>th</sup>. Commissioner Roter shared that he attended the April 13<sup>th</sup> school board meeting, where Assistant Superintendent Pauline Follansbee presented the District's preliminary budget proposals, including \$200,000 to complete the classification and compensation study over two years. However, he noted that the budget is tight and, because the District would be exhausting one-time funds, it appeared that the District was relying on receipt of additional funding from the state revenue surplus. He reported that the School Board sent a letter to State Senator Pan expressing support for SB1479 which would allocate additional funds for continued COVID testing of K-12 students and staff.

d) Personnel Director

i. New Hires and Examinations administered in the month of March 2022.

Secretary Castillo reported that the Merit Rules revision project was moving along successfully and expressed his gratitude to the Commissioners for their involvement. He reviewed the examination and personnel activity for March and noted there were many eligibility lists coming forward this month, especially in high-need areas like Special Ed and the Afterschool program. Secretary Castillo said he recently presented plans for the Classification and Compensation study to the Superintendent's budget committee and commented that he intends to make sure that the Unions are involved in the process.

Secretary Castillo thanked Personnel Commission staff for their work, evidenced by production of nine eligibility lists; he shared that he was able to attend a nutrition services performance exam and was impressed by the content.

Commissioner Roter asked Secretary Castillo to address the matter brought forward by Ms. Scherr regarding the continued use of contractors in the Payroll Department. Secretary Castillo

said he spoke with Ms. Follansbee and she explained that the department was pressed to complete time-sensitive work. He said he agreed with Ms. Scherr that failing to fingerprint and background check contractors could create a liability for the District. Ms. Scherr said that she was aware of three contractors working in Payroll in the last two weeks. She advised that BCCE had issued a cease and desist letter to the District. She expressed concern that Payroll Specialist staff were training the contractors since the District had not yet hired a Payroll and Benefits Manager. Chairperson Goldstein noted that the recruitment for Payroll & Benefits Manager was proving to be a challenge that pre-dated Secretary Castillo's tenure at BUSD. She asked Secretary Castillo to determine whether the classification description for the role should be reviewed and requested he evaluate the scope of work assigned to the contractors to understand if it mirrored duties tied to payroll staff job classifications, or if it was special project type work not included in the relevant classified job descriptions. Secretary Castillo mentioned that the Personnel Commission recently finalized testing for Payroll & Benefits Manager and that the top three ranked candidates would be forwarded to business services shortly.

## 7. Consent Items

### Ratification of Eligibility Lists

- a) Evaluation and Assessment Analyst
- b) Instructional Assistant
- c) Instructional Assistant, ECE
- d) Instructional Assistant II, SPED
- e) Instructional Tech-BASP
- f) Maintenance Engineer
- g) Nutrition Services Satellite Operator I
- h) School Bus Driver
- i) School Safety Officer

Chairperson Goldstein made a motion to approve lists a, b, c, d, f, g, h; Commissioner Roter seconded the motion,

Approved 3-0

Commissioner Roter asked about a note included in list 7.e., Erin Arinez, Classified Personnel Supervisor explained that it was a typo and that she would arrange for it to be removed from the list.

Commissioner Roter made a motion to approve 7. e. with a correction; Vice-Chairperson Davis seconded the motion,

Approved, 3-0

Chairperson Goldstein said that HR Director Gascot-Rios had previously advised the Commission in March that a particular candidate included in the eligibility list was not eligible for re-hire. Because the candidate again appeared in list 7i, Chairperson Goldstein inquired as to how the lists are managed by Human Resources so that the hiring manager does not waste time interviewing

and onboarding a candidate that is not hire-eligible. She noted that Secretary Castillo had requested that someone from Human Resources leadership attend today's meeting to explain the process, but none were in attendance. Chairperson Goldstein expressed her disappointment at the lack of responsiveness and suggested deferring the item pending clarity from Human Resources on the question. Chairperson Goldstein asked if deferring action on the list would prevent vacancies from being filled. Ms. Arinez advised that there were no current School Safety Officer vacancies. Commissioner Roter cited merit rules 40.100.3, which allows for the elimination of unfit applicants and candidates from the eligibility list, and suggested that would be the mechanism in the current rules that would enable the Personnel Commission to remove unfit candidates.

Chairperson Goldstein made a motion to defer action on list 7. i., to the next regular meeting; Commissioner Roter seconded the motion,  
Approved 3-0

## **8. Conference Items**

### **a) 2022-2023 Personnel Commission Budget, 1<sup>st</sup> reading**

Secretary Castillo commented that in developing the 22-23 Commission budget he considered changes to recruitment and staffing post-Covid as activity ramped up in the next school year, He noted that work on the classification and compensation study would be extensive, and additional resources would be needed, therefore, the proposed budget includes an additional 0.50 FTE Human Resources Technician. Commissioner Roter asked about Commission budget expenditures to date. Chairperson Goldstein noted that the current year budget report appeared to be as of January 31st and that there was also a discrepancy between the BUSD 21-22 budget numbers which were lower than the 21-22 budget actually approved by the Personnel Commission. She requested that Business Services provide a representative to explain the discrepancy and provide a more up-to-date view of current year budget spending. In response to Secretary Castillo's request for questions to put to Business Services before the next Commission meeting, Chairperson Goldstein requested he secure a more current year-to-date report, further explanation as to why the 21-22 allocated budget is different from the 21-22 adopted budget, and clarity around the discrepancy in expense detail for the staffing totals.

## **9. Closed Session**

The Personnel Commission went into closed session at 5:58 pm.

## **10. Report from Closed Session**

The Personnel Commission came out of closed session at 6:15 pm. Chairperson Goldstein reported the Commissioners discussed the next steps for the Executive Director's performance evaluation.

## **11. Public Comments**

Denise Diggs, Administrative Assistant III, said if someone should not be re-hired by the District, there should be a list that shows such so that no one's time is wasted.

**12. Next Meeting**

The next regular Personnel Commission meeting will be held on May 5<sup>th</sup> at 4:30 pm. A special workgroup meeting is scheduled for May 4<sup>th</sup>, 2022, at 9:00 am to continue review and update the Merit Rules. Meetings will continue to be conducted via Zoom, following the Board's format.

**13. Adjournment**

The meeting was adjourned at 6:18 pm.

Respectfully Submitted,

Charles Castillo

Charles Castillo  
Secretary, Personnel Commission

05/02/2022

Date

Approved,

Heidi Goldstein

Heidi Goldstein  
Chairperson, Personnel Commission

05/05/2022

Date