

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

May 5<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**

Denise Diggs-Ray, Administrative Assistant III in Student Services, asked for a follow-up regarding the status of the compensation and classification study.

**4. Approval & Adoption of Agenda**

Vice-Chairperson Davis asked if item 7. i.'s approval would be contingent on having a representative from Human Resources present at the meeting. Chairperson Goldstein said that she hoped Human Resources staff would attend this meeting to discuss an item.

Commissioner Roter made a motion to approve the agenda; Vice-Chairperson Davis seconded the motion,

Approved, 3-0

**5. Approval of Meeting Minutes**

a) April 13<sup>th</sup>, 2022, Special Meeting Minutes

Vice-Chairperson Davis made a motion to approve the April 13<sup>th</sup> meeting minutes; Commissioner Roter seconded the motion,

Approved, 3-0

b) April 14<sup>th</sup>, 2022, Special Meeting Minutes

Commissioner Roter pointed out edits that needed to be made to pages 2 and 4.

Chairperson Goldstein made a motion to approve the April 14<sup>th</sup> meeting minutes as amended; Commissioner Roter seconded the motion,

Approved, 3-0

**6. Reports**

a) Union

Frank Hernandez, BCCE President, asked about the position control report that went to the Board meeting and why the Personnel Commission requested a .50 FTE Human Resources Technician position. Secretary Castillo said he would address the matter during the public hearing to approve the 2022-2023 Personnel Commission Budget.

b) District Reports

Samantha Tobias-Espinosa, Assistant Superintendent of Human Resources, explained that BUSD is an equal opportunity employer, and unless a job applicant has been convicted of a crime or assigned a settlement agreement with the District, BUSD cannot prevent a candidate from applying or going through the process of testing for a position. She explained that when an employee who has previously separated from the District due to questionable circumstances or discipline later appears on an eligibility list to be interviewed for a position, the District will address the matter at the point when a recommendation for hire is being formulated and would then determine the candidate's rehire eligibility. Commissioner Roter asked to continue this discussion during the District reports segment of the meeting.

Ms. Tobias-Espinosa reported that the District is actively working on securing budget approval for staffing adjustments. She said that one of the budget priorities is to secure funds to support additional staff work on the compensation and classification study. She commented that adjustments to hours for Instructional Assistant II, SPED staff at Berkeley High are being increased to allow for support for the entire school day.

c) Commissioners Reports

Vice-Chairperson Davis reported that a special meeting was held on April 13<sup>th</sup> to continue work to revise the Merit Rules. He said the next workshop is scheduled for 6/1 and that these are public meetings where the Commission encourages and appreciates members of the public attending to provide input to the review process. He thanked the other commissioners and the Executive Director and Personnel Commission staff for their collaboration in this effort.

Commissioner Roter said he had the opportunity to review the recording of Executive Director Castillo's presentation to SBAC about the compensation and classification study and found it to be excellent and helpful and felt it was well-received. He said that Pauline Follansbee, Assistant Superintendent of Business Services, appeared to support the recommendation, as well as Ms. Tobias-Espinosa. He asked Secretary Castillo to keep the Commission informed on the progress.

Chairperson Goldstein noted that the Governor's May revised budget had been released and that the COLA factor had been increased. She expressed her appreciation for the support for the classification and compensation study.

d) Personnel Director

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

Secretary Castillo reviewed the examination and personnel activity for April and commented that the Commission staff was preparing for another busy season and that he was currently working on four reclassification requests. He thanked Ms. Tobias-Espinosa and Ms. Follansbee for their support of the classification and compensation study. Secretary Castillo explained his rationale for requesting an additional 0.50 FTE Human Resources Technician position to support the Commission while focusing on the class and compensation study tasks and that he would revisit this staffing next year to see if there was a need to increase the FTE to a full-time position.

Secretary Castillo expressed his appreciation to staff that submitted classified performance evaluations. He reported that the in-person classified recognition event was being canceled due to collective concerns regarding health and safety related to the Covid-19 pandemic.

## 7. Consent Items

Ratification of Eligibility Lists

- a) Dining Room Supervisor
- b) Executive Chef
- c) Instructional Specialist (Athletics)
- d) Payroll & Benefits Manager
- e) School Campus Aide
- f) School Safety Officer

Commissioner Roter made a motion to approve lists a-f; Vice-Chairperson Davis seconded the motion,

Approved, 2-0 (Vice-Chairperson Davis, Commissioner Roter)

Abstain-1 (Chairperson Goldstein)

## 8. Public Hearing: Education Code § 45253 – Personnel Commission Budget, 2022- 2023

Ms. Follansbee thanked the Commission for the opportunity to be included in developing the budget. She explained that the Personnel Commission budget is unusual because it's managed by the Personnel Commission and approved by the Alameda County Office of Education (ACOE), but funds come from the District's general fund. She said she reached out to ACOE for guidance on collaborating with the Personnel Commission. Ms. Follansbee said the District started working on its budget in January and encouraged the Personnel Commission to get involved at that point. She said she asked all budget managers to reduce their budget by 5% due to the District's deficit spending. Commissioner Roter said he highly supported a collaboration to establish the budget for the Personnel Commission in the future but said it would be difficult to make modifications now because this budget would need to be approved at today's meeting to be submitted to ACOE by the May 30<sup>th</sup> deadline. He said he believes Board is very supportive of HR investment for recruitment and retention purposes and asked Ms. Follansbee if the District had reservations about an additional staff person for the Commission. Ms. Follansbee cautioned the Personnel Commission not to act in isolation and consider all other requests for additional staffing throughout the District.

Secretary Castillo remarked that in his first year in his role, he was continuing to gain familiarity with the District processes and asked that in the future, he be included in budget meetings earlier in the process. He noted that while the 2<sup>nd</sup> reading of the Commission's budget precluded changes, he looked forward to collaborating more closely with the District next year. Chairperson Goldstein said she was delighted to hear that Ms. Follansbee spoke to ACOE about the Personnel Commission budget process. She noted that staffing to support work on the class and compensation study was the main reason for this year's budget increase. Chairperson Goldstein asked why the past Commission budget years approved amounts, and actuals differ. Ms. Follansbee explained that a budget sweep approach is applied, and where funds have not yet been spent, they are reallocated in the 2<sup>nd</sup> interim budget review to other

District needs. Commissioner Roter suggested that a periodic interim report of the Personnel Commission spending actuals would be helpful and better enable the Commission to collaborate with the District on budget planning in the future. He also suggested a subcommittee to determine the Commission's reporting needs.

Chairperson Goldstein asked about the BERRA portion of budgeted salaries. Ms. Follansbee explained that Berra pays 7.5% of wages, but transfers for those costs are made four times a year, so adjustments are made to the budget out of synchronization with reporting. Commissioner Roter said the Commission is happy to be timely and collaborative about developing the budget; however, aside from staffing, there is minimal spending to reduce since the Personnel Commission budget is tightly tied to operational expenses. He noted that the only significant budget item was the part-time HR Technician, but that the role is necessary to improve recruitment results. Vice-Chairperson Davis agreed that the extra help was required because the class and compensation study would soon be implemented. Secretary Castillo thanked the Commission for their support; he added that the District has many vacancies for which the Commission must recruit and, under circumstances of high demand and rushed intervals, the turnaround timelines have improved immensely due to the staff's hard work.

Commissioner Roter made a motion to approve the 2022-2023 Personnel Commission Budget; Vice-Chairperson Davis seconded the motion,

Approved, 3-0

## **9. Closed Session**

The Personnel Commission went into closed session at 6:08 pm.

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

The Personnel Commission came out of closed session at 6:29 pm. Chairperson Goldstein reported that the Commissioners discussed the next steps for the Executive Director's interim performance evaluation and agreed to conduct a special meeting on May 25<sup>th</sup> to take further action on the matter.

## **11. Public Comments**

Denise Diggs-Ray, Administrative Assistant III, said that she believed many people could not attend the merit rules revision workshop meetings because they were conducted during work hours. Chairperson Goldstein said that when the Commission is ready to summarize the proposed rules, it will take care to arrange meeting times after working hours.

## **12. Next Meeting**

The next regular Personnel Commission meeting will be held on June 2nd at 4:30 pm. A special meeting is scheduled for May 25<sup>th</sup> at 4:30 pm, in addition to a special workgroup meeting scheduled for June 1st, at 9:00 am, to continue reviewing and updating the Merit Rules. Meetings will continue to be conducted via Zoom, consistent with the governing Board's practice.

## **13. Adjournment**

The meeting was adjourned at 6:18 pm.

Respectfully Submitted,

*Charles Castillo*

Charles Castillo  
Secretary, Personnel Commission

08/01/2022

Date

Approved,

*Heidi Goldstein*

Heidi Goldstein  
Chairperson, Personnel Commission

08/04/2022

Date