

Berkeley Unified School District

2134 Martin Luther King Jr. Way, Annex Conference Room
Berkeley, CA 94704

Personnel Commission

Ann Aoyagi Roy Doolan Dan Lee

Randy Perez, Secretary

Meeting Agenda

December 1, 2011, 3:00pm

Call to Order	Chairperson Lee
Roll Call & Establishment of Quorum	Secretary Perez
Closed Session 3:05pm – 4:00pm Evaluation of Director, Classified Personnel	
Report from Closed Session	Chairperson Lee
Approval & Adoption of Agenda	Chairperson Lee
Reports	
Union	Union Representatives
Public Comments This is an opportunity for the public to comment on Personnel Commission business not on the agenda. The time limit is five minutes per individual and a total of fifteen minutes per subject. No action can be taken by the Commission unless the matter is placed on a subsequent agenda.	Public
Commissioners'	Commissioners
Personnel Director <ul style="list-style-type: none">Classification and Compensation Study	Secretary Perez
Consent Items	
Ratification of Eligibility Lists <ul style="list-style-type: none">Budget Analyst p. 2School Secretary III p. 3Personnel Coordinator, Personnel Commission p. 4Student Welfare & Attendance Specialist p. 5Instructional Technician p. 6Instructional Assistant, Early Childhood Education p. 7Specialist, Interpretation & Translation p. 8	Chairperson Lee
Conference Items These items are presented for discussion and action, and may have been reviewed at a previous meeting. <ul style="list-style-type: none">Nominate and appoint Personnel Commission Chairperson & Vice-Chairperson	Chairperson Lee
Additional Action Items <ul style="list-style-type: none">Approve October 6, 2011 Meeting Minutes p. 9 & 10Approve September 1, 2011 Meeting Minutes p. 11 & 12Approve November 10, 2011 Meeting Minutes p. 13-15Approve request for Director, Classified Personnel to certify eligibility lists retroactively from November 11, 2011 to present and from present to June 30, 2012Approve Personnel Commission meeting dates after December 1, 2011.	Chairperson Lee
Next Meeting Follow up items for next Personnel Commission Meeting	Chairperson Lee
Adjournment	Chairperson Lee

Berkeley Unified School District

Merit System

Eligibility List for : **Budget Analyst
(Open & Promotional)**

Written Examination: **November 4, 2011**

Oral Fitness: **November 10, 2011**

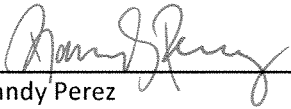
List Established by Personnel Commission: **November 28, 2011 to expire November 28, 2012**

Promotional:

1 Miguel Dwin

Open:

1 Craig Mann



Randy Perez
Secretary, Personnel Commission



Certification Date

Dan Lee
Chairperson, Personnel Commission

Ratification Date

Berkeley Unified School District

Merit System

Eligibility List for :

School Secretary III
(Open)

Written Examinations:

September 9, 2011

Performance Examination:

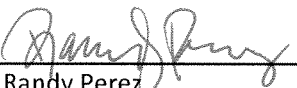
September 16, 2011 & October 7, 2011

List Established by Personnel Commission:

October 13, 2011 to expire October 13, 2012

Open:

- | | |
|-------------|-----------------|
| 1 Erica | Johnson |
| 2 Elizabeth | O'Connell-Gates |



Randy Perez
Secretary, Personnel Commission

10/13/2011

Certification Date

Dan Lee
Chairperson, Personnel Commission

Ratification Date

Berkeley Unified School District

Merit System

Eligibility List for : **Personnel Coordinator, Personnel Commission
(Open & Promotional)**

Oral Fitness: **October 11, 2011**

Written Examination: **October 17 & 18, 2011**

List Established by Personnel Commission: **October 18, 2011 to expire October 18, 2012**

Promotional:

1 Paula Phillips

Open:

1 Guadalupe Navarro-Ochoa



Randy Perez
Secretary, Personnel Commission

10/18/2011

Certification Date

Dan Lee
Chairperson, Personnel Commission

Ratification Date

Berkeley Unified School District

Merit System

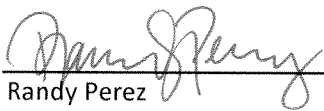
Eligibility List for : **Student Welfare & Attendance Specialist
(Promotional)**

Written Examination(s): **9/21/2011 & 9/22/2011**

List Established by Personnel Commission: **October 14, 2011 to expire October 14, 2012**

Promotional:

1 Jocelyn Forman



Randy Perez
Secretary, Personnel Commission

10/14/2011

Certification Date

Dan Lee
Chairperson, Personnel Commission

Ratification Date

Berkeley Unified School District

Merit System

Eligibility List for :

Instructional Technician
(Open)

Written Examination:

November 2, 2011

Oral Fitness Evaluation:

November 3, 2011

List Established by Personnel Commission:

November 10, 2011 to expire November 10, 2012

Open

1	Samantha	Bronson
2	David	Stager
2	Hassan	El-Tayyab
3	Sarah	Parsons
4	Debra	Moore
5	Anna	Wolfe-Pauly
6	Michelle	Ybarra
6	Ewa	Nassalska
6	Kamara	Brown
6	Curry	Ernst
7	Julian	Shipnuck
7	Lindsay	Guinan
7	Akyya	Mayberry
8	Andrew	Hogan
8	Jullyan	Green
9	Nasha	White
9	Wentworth	Houston
9	Jamal	Abdul-Musawwir
10	Mariam	Willis
11	Anna	Alvarado



Randy Perez
Secretary, Personnel Commission

11/10/2011

Certification Date

Dan Lee
Chairperson, Personnel Commission

Ratification Date

Berkeley Unified School District

Merit System

Eligibility List for : **Instructional Assistant, Early Childhood Education
(Open)**

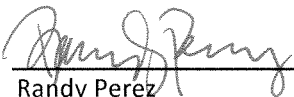
Written Examinations: **November 16, 2011**

Oral Fitness: **November 18, 2011**

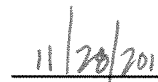
List Established by Personnel Commission: **November 28, 2011 to expire November 28, 2012**

Open:

- | | |
|-----------|------------------|
| 1 Peter | Connolly |
| 1 Katey | McCarthy |
| 2 Anna | Carling |
| 3 Teri | Adams-Carmichael |
| 4 Shondra | Dorton |



Randy Perez
Secretary, Personnel Commission



11/28/2011
Certification Date

Dan Lee
Chairperson, Personnel Commission

Ratification Date

Berkeley Unified School District

Merit System

Eligibility List for : **Specialist, Interpretation & Translation
(Open & Promotional)**

Written Examination: **November 17, 2011**

Oral Fitness: **November 18, 2011**

List Established by Personnel Commission: **November 28, 2011 to expire November 28, 2012**

Promotional:

1 Eric Rydman
2 Isabel Martinez-Parra

Open:

1 Yvonne Martin
1 Edilma Roulette



Randy Perez
Secretary, Personnel Commission



Certification Date

Dan Lee
Chairperson, Personnel Commission

Ratification Date

October 6, 2011, Meeting Minutes:

Approval and Adoption of Agenda:

There was a request to add Classification and Compensation Study as a standing item for future meetings

Union Reports:

BCCE - Have adopted professional development courses that we are excited about. Concerned about message the district sent to employees regarding the decertification of the eligibility lists. Union made District aware that the lists were problematic because of Commission staff.

Public Comments:

Denise Diggs-Ray, BCCE, agenda format changed from time to time. Page numbers are not in the agenda. Procedural changes in notifying staff – i.e. Agenda Request Form – did not know about this; was not aware of the posting directions beforehand.

Commissioner:

Roy Doolan – does not wish to be reappointed. BCCE wants to appoint a new commissioner

Consent Items:

BCCE – Paula Phillips would like to pull Program Assistant (Spanish Bilingual Required), since the list was not Open and Promotional, only Open

Site Coordinator, After School Program – approved 3-0

Occupational Therapist – approved 3-0

Program Assistant - change eligibility list to “Open” and remove “Promotional”

Approved as amended 3-0

Conference Items:

Specialist, Interpretation & Translation

Commissioner Aoyagi concerned with the line “Ensure excellent communication and relationships with customers” in how we evaluate employees in this regard

Delia Ruiz, explained that only duties that are measurable will be evaluated, if the duty was identified as one that would be evaluated on, then we would have to tie it to an objective that is measurable and to a standard. When we look at the abilities, we look at whether we have the right person. Delia confirmed that the evaluation document agreed to by the District and union would be used.

Approved 3-0

Clarification of salary placement for Interpreters for the Deaf

BCCE contends that all new hires should be hired at an accelerated step because of the difficulty in recruiting for hires.

Commissioner Doolan made a motion to place all hires of this classification at step 5.

Approved 2-0, Commissioner Lee abstained from vote

Clarification of assessments for Paraprofessionals

BCCE asked when was job description changed to reflect NCLB as a requirement?

Approved 3-0 with regard to having NCLB as a minimum qualification requirement, not an assessment to be scored.

Decertification of School Secretary I Eligibility List

Commissioner Aoyagi is asking for us to find a way to keep people in the assignments.

BCCE thinks that the scores should stand as they are. Remedy sought is that the District should hire from the three ranks with the two promotional and one from the open list.

Secretary Perez stated that there were discrepancies with scoring with some parts of the exam being scored for some and not for others. There were also errors in the mathematical averaging.

Chairperson Lee – motions to decertify both the promotional and open eligibility list and to re-score the examination and re-rank the eligibility list.

Approved 2-1

Vote to make incumbents provisional, keep leave intact, and keep benefits intact and salary intact.

Approved 3-0

Decertification of Instructional Assistant, Special Education Eligibility List

Problem is that no assessments were conducted, education was the only thing considered in the ranking for the eligibility lists.

Proposal by BCCE to agree to administer only one oral examination for this instance only and to all on the eligibility list.

Ruiz wants clarification that what Phillips is proposing is we conduct an oral assessment to establish an eligibility list at range 33 – Phillips consented.

Motion to decertify IA, Spec Ed Eligibility List

Approved 2-1

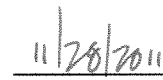
Meeting Adjourned 7:06pm

Respectfully Submitted,



Randy Perez

Secretary to the Personnel Commission



Date

Approved,

Dan Lee

Chairperson

Date

Meeting Minutes

Personnel Commission – BUSD

Date: September 1, 2011

1. Call To Order & Establishment of Quorum

The regular meeting of the Berkeley Unified School District Personnel Commission was held at the Annex Conference Room, 2134 Martin Luther King Jr. Way, Berkeley, CA on Thursday, September 1, 2011. Present for the meeting were Chairperson Dan Lee, Commissioner Roy Doolan and Commissioner Ann Aoyagi.

2. Approval & Adoption of Agenda

Approved unanimously 3-0

3. Commissioners' Reports

Commissioner Doolan suggested placing Union Reports before Commission Reports then Public Comments to follow. Public Comments are to follow. Chairperson Lee shared that Director Perez will be attending the Merit Academy in Southern California. Commissioner Doolan would like to resume work on the revision of the Merit rules.

4. Union Reports

BCCE is concerned the way that eligibility lists are created. Paula Phillips, president of BCCE, is concerned by the number of vacancies not being filled. Ms. Phillips also contends that the District is violating the contract with regard to eliminating or reducing vacant FTE. BCCE believes that a reduction or elimination of FTE is considered a layoff and has to go to Board for approval. Ms. Phillips also expressed concern with: no movement with the salary study of the Interpreters for the Deaf, involuntary transfers occurring, no movement with the compensation and classification study and no physical fitness examinations being done.

5. Public Comments

Denise Digsray of BCCE commented on having consistency in communication of information. New agenda format does not clearly distinguish action from information items. Ms. Digsray also stated that having process and procedure implemented is helpful in getting items on the agenda. Commissioner Doolan and Chairperson Lee agreed that spelling out action vs. information items would add clarity to the agenda. Tim Donnelly of BCCE wants Commission to address Rafael Adams' rehire rights. BCCE claims that Mr. Adams should have rights to the Pupil Accounting Technician that was at one time posted, and then taken down while a reclassification of the position is underway. Commissioner Doolan clarified that anyone can request an item be placed on a meeting agenda, but the item would be for discussion. Only the Director, Classified Personnel and the Commissioners can request an item for action. Chairperson Lee suggested having a follow-up section in the minutes for items to be discussed or revisited in the next meeting.

6. Approval of September 1, 2011 Minutes

Approved 2-0, Commissioner Aoyagi abstained from voting because she was not present for the meeting.

7. Ratification of Eligibility Lists

- School Campus Monitor – Approved 3-0
- Advisor, College & Career – Approved 3-0
- Site Coordinator, EDP – Approved 3-0

8. Old Business

The job description Personnel Coordinator, Personnel Commission – Approved 3-0 as amended with the removal of the word “selecting” in the first essential function and the removal of serving on oral interview panels.

9. Personnel Director’s Report

Director Perez reported he will attend a WRIPAC conducted training.

10. Closed Session

Commission discussed objectives and performance evaluation with the Director, Classified Personnel


11. Adjourned

Meeting adjourned at 6:28pm, September 1, 2011

Respectfully Submitted,



Randy Perez
Secretary to the Personnel Commission



Date

Approved,

Dan Lee
Chairperson

Date

November 10, 2011 Meeting Minutes

Approval and Adoption of Agenda

Commissioner Aoyagi requests that Consent Items be moved above Discussion Items

Approved amended agenda 3-0

Reports

Union

Paula concerned with format of agenda. Closed session does not list specifically what the items for discussion are in closed session. Union concerned with: job announcements, not posted at all sites, being posted inconsistently; Brown Act allows anyone to add item to agenda the day up to the meeting, can't require the two weeks advance notice for public to request item to be placed on agenda. BCCE has filed an Unfair Practice charge indicating that Commission has without validity changed the position of the Administrative Assistant position and created a management position. Also, BCCE also states that an appeal for resolving an issue regarding an employee that was laid off has not been resolved.

Public Comments

No comments

Commissioners'

No comments

Personnel Director

Has a lead to assist in mapping out the Comp & Class study project to bid for outside firms

Consent Items (as amended)

Parent Liaison and the Instructional Assistant, Special Education – BCCE wants to pull for discussion; Paula's concerned about consistency on certifying eligibility lists

Custodian II

Approved 3-0

Parent Liaison

Approved 3-0

Instructional Assistant, Special Education-Attendant

Approved 3-0

Discussion Items (presented by BCCE)

- Eligibility Lists – Sr. Records Clerk, why does Commission staff allow the person that failed the exam to remain as a sub in the assignment.
- Reemployment Rights – BCCE concerned that employees are not made aware of for reemployment opportunities in the District. District is not contacting people on the rehire list for opportunities they are qualified for.
- Admission to Examinations – union is receiving complaints that staff is not receiving enough advance notice of examinations. In the past, written notices were sent 7 days in advance of

- notice. Chairperson Lee - reasonable to ask folks what is the best communicative method, then communicate with the candidate through that means.
- Notice of Examinations – union states that noting what the exams will be comprised of would be helpful to the public.
- Annual Report – will be done in June of 2012
- Agenda Item Request Form – Doolan - any Commissioner and the Director can request an item be an action item.

Conference Items

- Chairperson Lee suggests that Commission approve Director to retroactively certify eligibility lists from November 10th retroactive to July 25th. At next meeting of December 1, 2011, approve from November 11 through June 30, 2012.
- Chairperson Lee more comfortable with time-bound dates. BCCE concerned with handing over its authority to the Director considering all the errors. Assistant Superintendent of HR, Delia Ruiz requests that we approve the bilingual need in order to staff people in classrooms as quickly as possible. Commissioner Doolan thinks that this authority remain with the Commission. All staff members are part of a collective bargaining unit, and there may be issues with conflicting bargaining unit work by members of different unions if we have only one bilingual/bi-literate employee at the site to meet the needs of community. BCCE states that the Commission would be giving the Director an “open checkbook” to determine positions that need to be bilingual.

Motion as it stands

Denied 2-1

Substitute/Friendly amendment to proposal, keep the rules as they are and call special meeting when needed to meet bilingual needs of District.

Approved 3-0

- Parent Liaison, Spanish Bilingual Required

Approve 3-0

- Specialist, Data Integrity

BCCE contends the comp is low considering other school districts. Assistant Superintendent of HR stated that while we await the compensation & classification study, it would be best to comp internally, then the position would go through the compensation study along with all the other classified positions. BCCE, the technology component, experience and education warrant a higher salary than what is proposed. Commissioner Doolan is concerned with getting comparables within District. Asst Sup of HR, Ruiz reminded Commission that Commission can recommend salary, but the Board approves the salary. The position does not require the same level of technical skill as other BCCE positions in Tech Services.

Approved 2-1

- School Secretary I Eligibility List

Approved Option B 3-0

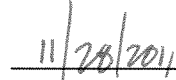
Meeting adjourned 7:00pm

Respectfully Submitted,



Randy Perez

Secretary to the Personnel Commission



Date

Approved,

Dan Lee

Chairperson

Date