

Berkeley Unified School District
Personnel Commission Meeting Minutes

November 5, 2015 - 4:30 pm

1. Call to Order

The meeting was called to order at 4:30 p.m.

2. Roll Call & Establishment of Quorum

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

3. Public Comments

None

4. Approval & Adoption of Agenda

Approved, 3-0

5. Meeting Minutes

Approve the Personnel Commission Meeting Minutes for the following:

a) October 1, 2015

Approved, 3-0

b) October 9, 2015

Approved, 3-0

c) October 13, 2015

Approved, 3-0

6. Consent Items

Ratification of Eligibility Lists

a) Instructional Assistant, Special Education, Attendant

b) Site Coordinator, Family Engagement and Equity

c) Senior Personnel Assistant

d) Compliance Officer and Title IX Coordinator

Paula Phillips, BCCE President, requested to pull the Instructional Assistant, Special Ed Attendant and Senior Personnel Assistant eligibility lists for further discussion. President Phillips commented that upon review of the Human Resources Board Personnel Report, there are too many employees that have been placed in provisional IA, Special Ed. assignments that are not on the current eligibility list. Secretary Perez responded that not all provisional assignments are regular vacancies but are extra support positions, and that some candidates on the list do not accept positions offered to them because they are not full-time positions. President Phillips said the District is circumventing the process by not making positions permanent, she also added that noon supervisors have been with the District for years, yet are not entitled to sick leave and medical benefits. Secretary Perez said the Special Education Department has requested more limited term assignments recently, perhaps because the goal has been to mainstream Special Ed. Students. He also indicated that per Merit Rule 50.300.1(a).2., provisional assignments are permissible even if there is an eligibility list, if candidates are not ready, willing and able to accept the position offered. Secretary Perez also commented that the noon supervisor classification is not a position in the classified service under the authority of the Merit Rules. Chairperson Aoyagi asked if it is the Personnel Commission's purview to decide if the FTE of noon supervisors can be added to their regular FTE employment. Assistant Superintendent of Human Resources, Delia Ruiz, commented that noon supervisors are not members of the classified service

and that's why the Personnel Commission does not have jurisdiction over them.

Chairperson Aoyagi made a motion to approve the Instructional Assistant, Special Ed. Attendant Eligibility List.

Approved, 3-0

In reference to the Senior Personnel Assistant eligibility list, President Phillips asked if the list would be used to fill the Personnel Commission vacancy. She also stated that since the position has been vacant, the Union has not been notified of information required in compliance with the writ agreement. Delia Ruiz, Assistant Superintendent, responded that the information has always been provided in the Board reports but that only the manner of notifications the Union received had changed.

Chairperson Aoyagi made a motion to approve the Senior Personnel Assistant Eligibility List,

Approved, 3-0

7. Discussion Item

a) 2014-2015 Personnel Commission Annual Report

President Phillips asked if demographics of district new-hires were being viewed by the Personnel Commission. Chairperson Aoyagi responded that she viewed that information several months ago, and she shared the data gathered at that time.

8. Reports

a) Union

President Phillips commented that BCCE is concerned with the status of bargaining with the District regarding the classification study. She commented that having job descriptions that require members sit in oral exam panels should not be part of their job duties. President Phillips said that Secretary Perez's role in negotiations is not neutral. Delia Ruiz responded that the District has never requested to change any of the job descriptions in negotiations, but that so far, the Union has requested 30-40 changes in a span of ten full days of bargaining, and the District has no option but to counter the changes. She added that the District has no interest in delaying the classification study, and that they wanted to implement it and give employees their new salaries as soon as possible as they did with Local 21 and non-represented employees.

b) Commissioners Reports

Commissioner Carter requested from Secretary Perez information from at least three other districts regarding what is done for noon directors and their benefits.

c) Personnel Director

Secretary Perez commented that the annual CSPCA conference is scheduled for February, and asked Commissioners to notify him before December 30th if they wish to attend.

I. New Hires and Examinations administered in the month of October

9. Public Comments

President Phillips asked what the status was for the joint appointed Commissioner. Secretary Perez said a special meeting was to be scheduled in November.

10. Next Meeting

A special meeting was scheduled for November 17th at 10:00 a.m., for the merit rules and regulations revision project. A special meeting was also scheduled for November 20th at 2:00 p.m., for the Personnel Commission Hearing.

11. Adjournment

The meeting was adjourned at 5:30 p.m.

Respectfully Submitted,

Randy Perez
Secretary to the Personnel Commission

Date

Approved,

Reynaldo Ortiz
Vice-chairperson, Personnel Commission

Date