

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

December 3, 2015 - 4:30 pm

**1. Call to Order**

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

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

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

**3. Public Comments**

Estella Cisneros, Library Media Technician, expressed concern about the length of time being taken to implement the compensation and classification study. She felt that employees were not adequately informed of the process and were not allowed to participate in it. She also commented that employees were invited by the Union to stand in solidarity with them on classifications, which the Union felt were problematic. The compensation changes for all classifications should not be delayed further by a few unresolved issues involving a few selected classifications. She added that some employees felt that their new job descriptions were acceptable because they worked diligently during the appeal process, and they are upset that their classification and associated compensation has not been implemented because of the tedious process of negotiations.

**4. Approval & Adoption of Agenda**

Approved, 3-0

**5. Approval of Meeting Minutes**

a) November 5, 2015

Approved, 3-0

b) November 17, 2015

Approved, 3-0

**6. Consent Items**

**Ratification of Eligibility Lists**

a) Executive Assistant I – Confidential

b) Instructional Technician

Paula Phillips, BCCE President, requested to pull this list for discussion.

c) Extended Day Program Coordinator

d) Administrative Secretary without Shorthand

e) Delivery Driver

f) Instructional Specialist, Garden

Approved, 3-0

Ms. Phillips requested clarification regarding how bilingual employees are being tested. Secretary Perez responded that the eligibility list is established first and those on the list that indicate bilingual proficiency in the targeted language are invited to take the bilingual exam. President Phillips asked how applicants will be hired from the Instructional Technician eligibility list. Secretary Perez responded that for bilingual positions, the Merit Rules allow administrators to pull out of order on the eligibility list to interview bilingual proficient candidates.

A motion was made to approve the Instructional Technician eligibility list.

Approved, 3-0

## 7. Conference Items

These items are presented for discussion and action.

### a) **Agenda Item Request: Bilingual Special Ed Instructional Assistant, LeConte Elementary**

Veronica Valerio, Principal of LeConte Elementary said that they are slated to be the the only two way immersion school in the District and that 50% of their students are receiving instruction only in Spanish. There are students in the Special Ed program that require bilingual instruction to support the instructional program. President Phillips said the Union is concerned because there has been difficulty filling the bilingual classifications, and that vacancies will go unfilled while substitutes are in classified positions. President Phillips asked if the position would be posted as vacancy and transfer for current bilingual staff. Secretary Perez agreed to post for vacancy and transfer. .

Approved, 3-0

### b) **Agenda Item Request: Bilingual Parent Liaison, Cragmont Elementary**

Secretary Perez commented that Cragmont is presently a two-way immersion school, and currently there is a vacant Parent Liaison position that requires communication with parents that speak Spanish as their primary language. President Phillips commented that BCCE is in support of this because the most recent race and ethnicity report shows that 25.4% of students are bilingual. She also commented that they are phasing out their two way immersion program, and that she is concerned about what will happen when that need goes away.

Approved, 3-0

### c) **Election of Personnel Commission Chairperson and Vice-chairperson**

Commissioner Aoyagi motioned for Reynaldo Ortiz as Chairperson, and Commissioner Carter as Vice-Chairperson. Commissioner Carter seconds the motion. In regards to the joint appointed Commissioner, Commissioner Ortiz commented that they have requested that Commissioner Aoyagi remain on the Commission for an additional ninety days until a final decision is made from the State Superintendent.

## 8. Reports

### a) Union

President Phillips commented that there have been billing issues regarding hearing officer invoices for employee hearings. She commented that the District is trying to charge the Union for conversations between Secretary Perez and the hearing officer. Secretary Perez stated that pursuant to Merit Rule 60.1000.6 Cost of Hearing, all costs for the services of a Hearing Officer are charged equally to the District and the employee's representative. President Phillips expressed concerned that the law firm being used is partial toward the District because they have informed the Union that they are in contract with the District. Secretary Perez stated that the contract was set up with the District only to process payment through the Business Services Office with expediency. Delia Ruiz, Assistant Superintendent, responded that they would request separate billing moving forward.

### b) Commissioners Reports

### c) Personnel Director

#### I. New Hires and Examinations administered in the month of November

#### II. Follow up to November 5, 2015 Personnel Commission meeting

Secretary Perez commented that after checking with Alameda Unified School District, the noon supervisor class is not part of the classified service. Regular employees can work in the class but are paid hourly on a timecard. In the Albany Unified School district the classification is not represented and not part of the classified service. In Emeryville Unified School District, the noon supervisor is part of the regular classified service. In Hayward unified

School District the noon supervisor class not part of the classified service; regular employees can work in the class but are paid hourly on a timecard. Commissioner Carted said he called West Contra Costa Unified School District and he was directed to Ed. Code 45103 (b)(4), which states that noon supervisors shall not be part of the classified service where the employee is not employed in the classified position. He requested including this item on the agenda for the next meeting.

**9. Public Comments**

None


**10. Next Meeting**

The next Special Meeting was set for December 17, 2015 to resume the Merit Rules revision process.

**11. Adjournment**

The meeting adjourned at 5:40 pm

Respectfully Submitted,

  
\_\_\_\_\_  
Randy Perez  
Secretary to the Personnel Commission

  
\_\_\_\_\_  
Date

Approved,

\_\_\_\_\_  
Reynaldo Ortiz  
Chairperson, Personnel Commission

\_\_\_\_\_  
Date