

Berkeley Unified School District
Personnel Commission Meeting Minutes

June 7, 2016 - 4:30 pm

1. Call to Order

The meeting was called to order at 4:39 pm

2. Roll Call & Establishment of Quorum

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

3. Public Comments

Mansour Id-Deen, NAACP Berkeley chapter President, asked what Ms. Ferguson had done to deserve a termination considering the fact that she had multiple medical issues. He also asked what Human Resources could have done to help her return to work.

4. Approval & Adoption of Agenda

President Phillips requested to add Marie Ferguson's item to the agenda. Vice Chairperson Carter responded that a 72 hour notice was required to add this item to the agenda. Commissioner Goldstein requested to schedule a special meeting to address this issue. Commissioner Goldstein requested to move item 10 to be addressed after item 5.

Approved as amended, 3 - 0

5. Approval of Meeting Minutes

Approve the Personnel Commission Meeting Minutes for the following:

a) May 5, 2016

Approved, 3-0

b) May 11, 2016 (1:15 pm Meeting)

Approved, 3-0

c) May 11, 2016 (5:45 pm Meeting)

Commissioner Carter commented that he'd like to add for the record, that he found it odd that in item 5c-nine sentences were attributed to comments made by Assistant Superintendent Ruiz.

Approved, 3-0

6. Consent Items

Ratification of Eligibility Lists

a) Accounting Technician

b) Facilities After Hours Operations Supervisor

c) Food Service Assistant

d) Grounds Gardener

e) School Secretary I

f) Senior Personnel Assistant

g) Student Welfare and Attendance Specialist

Approved, 3-0

7. Conference Items

These items are presented for discussion and action.

a) Agenda Item Request – Restoration to Eligibility List

Secretary Perez and President Phillips requested to restore two employees, impacted by recent layoffs, to their previous ranks on eligibility lists they were on prior to the layoff.

Approve request to restore employees to their previous ranks on former eligibility lists,

Approved, 3-0

8. Reports

a) Union

President Phillips commented that layoffs were not being done according to District seniority, and she would like a do-over of the whole process because several employees did not receive layoff notices. She said the District conducted layoffs according to site seniority.

President Phillips also commented that in regards to Marie Ferguson, the BCCE contract Article 11.1.10 states that if a union member cannot be placed in a vacant position upon their return to work, they have bumping and re-employment rights. She added that this would apply to Malcolm X Elementary School because that was the most recent School Secretary I vacancy filled.

Secretary Perez responded that the layoffs were not conducted by site seniority. He clarified that when there are enough vacancies that can be filled by employees impacted in layoff, there is no reason to notify other employees of potential layoff. He indicated that conducting layoffs in the manner suggested by President Phillips would cause undue stress to employees, as they would receive unnecessary layoff notices.

b) Commissioners Reports

Chairperson Ortiz said he was sorry to miss the classified recognition event.

c) Personnel Director

i. New Hires and Examinations administered in the month of May.

9. Public Comments

President Phillips commented that she received notice that a new employee won't complete probation until 2018 and that this violates the BCCE contract. She also commented that when questions are posed at Commission meetings, it takes too long to bring those items back to meetings.

10. Next Meeting

The next regular meeting was scheduled for July, 15, 2016 at 4:30pm. The next special meeting was scheduled June 13, 2016 at 4:30pm.

11. Adjournment

Meeting adjourned at 5:25 pm

Respectfully Submitted,



Randy Perez
Secretary to the Personnel Commission



Date

Approved,

Reynaldo Ortiz
Chairperson, Personnel Commission

Date