

**Berkeley Unified School District**  
2020 Bonar Street, The Tech Lab, Room 126  
Berkeley, CA 94702

**Personnel Commission Meeting Minutes**

June 2, 2017 – 4:30 pm

**1. Call to Order**

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

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

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

**3. Public Comments**

Antonio Drummond, commented that he wanted it on the record that he was at the meeting.

**4. Approval & Adoption of Agenda**

Chairperson Carter made a motion to bring item 10a. forward; Vice-Chairperson Goldstein seconded the motion, Approved, 3-0

**5. Closed Session (2 matters)**

a) Employee Discipline and Legal Matters - Government Code § 54954.5

The Personnel Commission met in closed session to discuss a matter related to the termination and subsequent appeal hearing of a classified employee (2016-1-AH).

b) Public Employment - Government Code § 54957 (b)(1)

The Personnel Commission met in closed session to discuss the recruitment of Director, Classified Personnel and provide direction to staff.

**6. Report from Closed Session**

The Personnel Commission reconvened at 5:30 pm. Chairperson Carter reported that steps are being taken to finalize the appeal hearing report, and that the Commission will be addressing it soon. Chairperson Carter also said that interviews are being scheduled with the Classified Director candidates.

**7. Approval of Meeting Minutes**

Approve the Personnel Commission Meeting Minutes for the following:

a) May 11, 2017, Regular Meeting Minutes

Paula Phillips, BCCE President, commented that on Item 9.g., the minutes reflected words she did not use. Secretary Rogosin said he will review the minutes.

Commissioner Ortiz made a motion to approve the minutes with potential amendments to Item D. g); Chairperson Carter seconded the motion,

Approved, 3-0

**8. Consent Items**

I. Ratification of Eligibility Lists

a) Attendance Technician

b) Instructional Tech- Cooking

Commissioner Goldstein asked if the Classified Director eligibility list would be ratified in this meeting, Secretary Rogosin responded that it will be included in the next regular meeting.

Vice-Chairperson Goldstein made a motion to ratify the eligibility lists a-b;

Approved, 3-0

**9. Discussion Items**

a) Request for Advanced Salary Placement for Maintenance Engineer

Roderick Carraway, Maintenance Engineer, commented that he has worked as a Maintenance Technician since 2009 and was on Step 5 of his salary range. After the Compensation and Classification study, he was placed at a Step 4. He explained that once he received his promotion as a Maintenance Engineer, he had to be placed at a Step 1 based on his current salary, and is requesting to start at a Step 3 because he won't receive a step increase for 15 months per the bargaining agreement. He said that he believes his background and experience qualify him for the step 3 placement. He noted that he has supplemented his education to take advantage of professional growth opportunities. Mr. Carraway said that he has the support of his Supervisor and the Maintenance Manager, Steve Collins.

President Phillips commented that the Union supports what Mr. Carraway is requesting and that he has been paid for working out of class for a year. President Phillips suggested that there was a bias against employee's when they submit requests because they're listed as discussion items and not action items.

The Commission requested that the Agenda Item Request Form be revised so that an employee can indicate whether they want it to be a discussion item or an action item, and to also include a requestor date to ensure they're processed in a timely manner. Vice-Chairperson requested a report to address the understanding of what the process is for advance step placements and whether it can be retroactive to the date of hire.

**10. Conference Items**

a) Request for Appeal of Removal from Eligibility List

Antonio Drummond requested that this matter gets resolved soon so he can commence work for the District once again. Vice-Chairperson Goldstein commented that if the criteria to remove someone from the list are two negative work performance reviews, she didn't think they had sufficient documentation. Chairperson Carter commented that a decision needs to be made that day. Secretary Rogosin added that even if Mr. Drummond is placed back on the eligibility list, because the District has determined that he is not re-hire eligible, he would not be able to be hired by the District or return to the substitute list.

Chairperson Carter commented that he recommends Mr. Drummond remain on the eligibility lists he was certified for, Vice-chairperson Goldstein seconded the recommendation.

A motion was made to reinstate Mr. Drummond's name to the eligibility lists he was removed from,

Approved, 3-0

b) Establishment of New Class of Lead Accounts Payable Technician

Secretary Rogosin said that the Business Service's request to establish this classification was to have a lead monitor the work of the other two Account Technicians and to perform the more complex work of the department. Chairperson Carter asked if the establishment of this position would displace anyone. Secretary Rogosin said no. Secretary Rogosin commented that establishing this classification would establish a criteria that hasn't been there before that would require that you have to lead at least two other employees to create the Lead position.

President Phillips commented that there are other classes that serve in lead capacities. She said that there is language in the proposed classification that is problematic for BCCE, particularly in the duties that direct the employee to have input on the evaluation of another unit member, which is a violation of BCCE's contract. She added that the recommended salary range is lower than other lead positions which are at least 4 ranges above the classes they are leading, and that there is no salary study information included. Secretary Rogosin responded that typically salaries for leads are 2.5%-7.5% above the classes they lead and that the recommendation would be a 5% increase. President Phillips commented that this position has not been approved by the Board yet. Secretary Rogosin said he will work with President Phillips to discuss some of the duties in the class, to compare the salary range with comparable classes in other Districts. Commissioner Ortiz commented that there should be an item added to the agenda for District reports so that the District can be present at the meetings.

## **11. Reports**

### **a) Union**

President Phillips commented that after researching the issue regarding the Computer Technician II employee who requested a voluntary demotion; she was concerned that many errors may have been made by the District, and that several employees did not know what their current class description is after the Compensation and Classification study. She added that she will work with the District and the unit member to ensure the member is not harmed.

### **b) Commissioners Reports**

Chairperson Carter commented that there was a question brought forward in the last meeting regarding the Classified Directors role in dealing with layoffs. He said that he received a copy of the letters that were sent via certified mail advising the employees being laid off of their status and letting them know that they can request to meet with Secretary Rogosin, and also a flyer sent to those employees inviting them to an informational meeting. President Phillips said that past practice has been to meet with each individual employee to give them all of their employment options. Chairperson Carter commented that he would like Secretary Rogosin to personally reach out to these employees to see if they still wanted to meet with questions about their bumping rights.

### **c) Personnel Director**

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

Secretary Rogosin commented that staff was working diligently on summer assignments. He also mentioned attending a WRIPAC conference and was able to network with other staff from Districts in California.

## **12. Public Comments**

None.

## **13. Next Meeting**

The next special meeting was scheduled for June 8<sup>th</sup>, and the next regular meeting is scheduled for Thursday, July 13<sup>th</sup>.

## **14. Adjournment**

The meeting was adjourned at 7:52 pm.

Respectfully Submitted,

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Peter Rogosin  
Secretary, Personnel Commission

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Date

Approved,

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Timothy Carter  
Chairperson, Personnel Commission

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Date