

Personnel Commission Meeting Minutes

September 7, 2017 – 4:30 pm

1. Call to Order

The meeting was called to order at 4:35 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

Brenda Johnson commented that she wants to bring attention to the need there is in Berkeley Technology Academy and requested that the District support the school.

4. Approval & Adoption of Agenda

Vice-Chairperson Goldstein made a motion to add a closed session agenda item after item 8.a.; Commissioner Ortiz seconded the motion,
Approved, 3-0

5. Approval of Meeting Minutes

a) August 11, 2017, Regular Meeting Minutes

Vice-Chairperson Goldstein requested revising a typo in Item 7.h. and rewording "School Administrative Assistant II's" to "School Administrative Assistant III's" in the last sentence of the second paragraph in Item 7.g. She also clarified that in paragraph 7h. there should be a correction of "...duties confined in..." to "duties assigned in..." the Human Resources Technician position.

Vice-Chairperson Goldstein made a motion to approve the meeting minutes as amended; Commissioner Ortiz seconded the motion,
Approved, 3-0

6. Consent Items

I. Ratification of Eligibility Lists

- a) Delivery Driver
- b) Nutrition Services Assistant
- c) School Bus Driver
- d) Custodian I
- e) Library Media Technician

Chairperson Carter made a motion to approve eligibility lists a-e,
Approved, 3-0

7. Conference Items

These items are presented for discussion and action and may be carried over from a previous meeting.

a) Establishment of New Class of Lead Accounts Payable Technician

Chairperson Carter commented that he preferred to approve this class description after the Board

approves it. Erin Arinez, Classified Personnel Supervisor, commented that the position was approved at the August, 23rd Board meeting. Brent Daniels, Human Resources Director, said that this position has not yet been negotiated with the Union. Secretary Duwel recommended tabling the item until the next meeting so the District and the Union can meet.

Commissioner Ortiz made a motion to table the item; Vice-Chairperson Goldstein seconded the motion, Approved, 3-0

b) Revision to Class Description for BSEP Program Specialist

Natasha Beery, Director of Berkeley of BSEP & Community Relations, commented that she wanted to update the class description because of more recent changes to the BSEP measure. She said that she met with President Phillips and they agreed to the changes.

Commissioner Ortiz made a motion to approve the revision to the BSEP Program Specialist class description; Chairperson Carter seconded the motion, Approved, 3-0

c) Report on Classification Study Implementation- E. Johnson

Secretary Rogosin recommended going back to when Ms. Johnson encumbered the School Secretary III position and give her the options that all employees receive when their position is abolished. He said that if she elects for a voluntary demotion, she can be placed on the 63-month re-hire list so that when there is a vacancy she would have rights to the vacancy. He also identified merit rule 60.800.1 (C) in further support of placement on a re-employment list because Johnson was involuntarily demoted from the School Administrative Assistant III class (the reclassified School Secretary III position) to her current School Administrative Assistant II role. HR Director Daniels brought copies of the Tentative Agreement between the District and BCCE to implement the Classification and Compensation study, and commented that Ms. Johnson retained her same rate of pay when she was placed in the School Administrative Assistant II position.

The Personnel Commission went into recess at 5:18 pm.

The Personnel Commission came out of recess at 5:26 pm.

HR Director Daniels commented that it would be inappropriate for the Commission to ask the District to give Ms. Johnson a layoff notice because no layoffs occurred as a result of the Study, but instead, negotiations took place. Mildred Scheuer, Administrative Assistant II at Berkeley Adult School, commented that she believes that Ms. Johnson just had a job title change. President Phillips commented that the Commission had not notified certain employees, including Ms. Johnson of their appeal rights during the Class Study.

Secretary Duwel said that the BCCE contract says that unit members shall have seniority and permanence in the class they held, and so anyone that holds permanence has the right to request a transfer. She added that per Merit Rule 50.200.5 a certification from a list for another class at the same or higher level can be made, and so Ms. Johnson, who had previously passed the examination for School Secretary III, and which is substantially the same test for the reclassified School Administrative Assistant III, has the right to request to interview, subject to District interest in her candidacy. Ms. Johnson pointed out that if the employee in the vacant School Administrative Assistant III position had retired before the Class Study, she would've been able to transfer to that position then. President Phillips made a request for Ms. Johnson to be given the appeal rights that she never received after the implementation of the class study.

Commissioner Carter made a motion to table this Item, subject to review after Ms. Johnson puts forward her request to be interviewed for the open School Administrative Assistant III position at BAS, pursuant to Merit rule 50.200.5; Vice Chairperson Goldstein seconded the motion,
 Approved, 3-0

d) Request for Advanced Step Placement – Educational Occupational Therapist

Mr. Rogosin said that the candidate requesting the advanced step placement person is extremely qualified, the District requested the advanced step placement, and that recruitment for this class has been difficult.

Commissioner Ortiz made a motion to approve the advanced step placement for the Educational Occupational Therapist; Vice-Chairperson Goldstein seconded the motion,
 Approved, 3-0

e) Agenda Item Request- J. Greco

Mr. Rogosin commented this does not appear to be a Commission issue. Secretary Duwel said she would contact this employee because he did not attend the meeting. Chairperson Carter expressed a preference to remove the item, subject to a new request for review.

f) Agenda Item Request- M. Ferguson

Mr. Rogosin noted that the employee was not present and asked that the item be tabled until she can be in attendance. Mr. Rogosin said he had not had a chance to do another desk audit with Ms. Ferguson because she is currently on leave. Chairperson Carter stated that this item would be tabled.

8. Discussion Items

This item is presented for discussion only and may be carried over from a prior meeting. No action will be taken on this item at this time.

a) Personnel Commission Meeting Dates for January – June 2018

Secretary Duwel commented that certain meeting dates must be changed in January, February, and April to not interfere with BUSD Holidays and the CSPCA conference.

9. Closed Session

The Personnel Commission went into closed session at 7:15 pm.

10. Report from Closed Session

The Personnel Commission came out of closed session at 7:35 pm. Commission Carter reported that the Commissioners had requested a refreshed list of hearing officers for upcoming appeals. He also noted that some information was shared regarding communication to the School Board about of the appointment of the Union representative to the Commission.

11. Reports

a) Union

President Phillips commented that the Union is excited to have Ms. Duwel back in Berkeley especially because she has a lot of historical experience from her years of employment at Berkeley High. She said

that the Union is concerned by potential process changes for testing and job applications and requests transparency in these matters. President Phillips said that the Union is also concerned about certain limited term placements and believes that two placements violate the Writ Agreement. She added that she has been able to work with her members and Nutrition Services staff to transfer employees into existing vacant positions; and added that the Union’s relationship with the District has improved. President Phillips commented that she would like Ms. Johnson to be placed in a School Administrative Assistant III vacant position but does not consider Ms. Johnson’s reclassification to have been a layoff.

b) District Reports
None.

c) Commissioners Reports
Vice Chairperson Goldstein commented that she wants to welcome Secretary Duwel as the new Classified Director formally, and thanked the rest of the Personnel Commission staff for their work over the summer. Chairperson Carter also officially welcomed Secretary Duwel and said that he thinks she will be a great fit.

d) Personnel Director
i. New Hires and Examinations administered in August were reviewed. Secretary Duwel commented that she intends to meet with BCCE on a regular basis.

12. Public Comments

Mr. Rogosin said that a new system (OPAC) was purchased to assist with testing, that will be a valuable tool for Personnel Commission staff.

13. Next Meeting

The next regular meeting will be held on October 5th.

14. Adjournment

The meeting adjourned at 7:48 pm.

Respectfully Submitted,

Patricia Duwel
Secretary, Personnel Commission

Date

Approved,

Timothy Carter
Chairperson, Personnel Commission

Date