

Berkeley Unified School District
Personnel Commission Meeting Minutes

November 8th, 2018 – 4:30 pm

1. Call to Order

The meeting was called to order at 4:32 p.m.

2. Roll Call & Establishment of Quorum

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

3. Public Comments

None.

4. Approval & Adoption of Agenda

Commissioner Carter made a motion to approve the agenda; Chairperson Goldstein seconded the motion, Approved, 2-0

5. Approval of Meeting Minutes

a) October 4th, 2018, Regular Meeting Minutes

Chairperson Goldstein requested to make a minor edit to the meeting minutes. Commissioner Carter made a motion to approve the meeting minutes with the edit; Chairperson Goldstein seconded the motion, Approved, 2-0

6. Consent Items

Ratification of Eligibility Lists

- a) After School Program Specialist, p. 7
- b) Custodian I, p. 8
- c) Director, Fiscal Services, p. 9
- d) Instructional Specialist, Athletics, p.10
- e) Interpreter for the Deaf, p. 11
- f) Nutrition Services Satellite Operator, p. 12
- g) Student Body Account Technician, p.13

Chairperson Goldstein asked why the Director of Fiscal Services eligibility list did not include examination information. Erin Arinez, Classified Personnel Supervisor, responded that the School Board requested an unranked list, therefore scored exams were not administered.

Commissioner Carter made a motion to approve the eligibility lists; Chairperson Goldstein seconded the motion,

Approved, 2-0

7. Reports

a) Union

No Union representatives were present; therefore, no reports were provided.

b) District Reports

No District representatives were present; therefore, no reports were provided.

c) Commissioners Reports

Chairperson Goldstein remarked that the Commission wished a speedy recovery for Vice-Chairperson Ortiz. She reported that she attended the teacher and staff Professional Development day sessions on October 8, 2018, and plans to follow up with James Wogan, Student Services Manager. While Chairperson Goldstein praised the first speaker, Dr. Jaiya John, she noted that he did not adequately address the topics required by the training: discrimination, bias, and sexual harassment. She observed that the second speaker, attorney Elizabeth Estes, who discussed the District's UCP complaint procedures, was not consistent across the sessions and presented outdated information. She thanked Mr. Wogan for arranging the training and asserted that additional training would be needed. She suggested that the district consider investing in an online learning management system for this purpose.

Chairperson Goldstein noted that the 2017 – 2018 Personnel Commission Annual Report reflects a year over year decrease in employee churn, suggesting improved efficiency and better processes, and commended the Personnel Commission staff for this work.

d) Personnel Director

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

Ms. Arinez reviewed examination and staffing information for the month of October. She also said that Commission staff posted winter recess opportunities and winter vacation leave requests. She advised that a large project is underway to implement AB-2160, recently signed into law, to bring the previously contracted Noon Director role into the permanent classified service. She noted that Noon Director positions are being identified throughout the District, and a new class description for this position has been drafted for review at the Nov 28th Board meeting and then at the Dec 6th, Personnel Commission meeting.

8. Conference Items

a) Request for Reclassification- F. Martinez, Attachment

Ms. Arinez reported that Patty Duwel, Classified Personnel Director, had conducted a desk audit for Francisco Martinez, Admissions Manager, and determined that his duties have materially increased. She recommends re-class to a new job classification entitled Student Admissions Program Manager and has arranged for the duties of this classification to be reviewed at the November 28th Board meeting.

Mr. Martinez advised that he requested a re-classification in 2014, which was denied. He mentioned that the duties dramatically increased because of board policy updates implemented in 2015, as demonstrated by the job analysis, and comparative management position scan he submitted for the Commission's review. Significant shifts in the role include responsibility for development of student enrollment models and multi-year projections which require a high degree of accuracy because other functions, such as HR and BSEP, base budget, staffing and programming investment on this information.

Angela Long, Local 21 Union Representative, indicated Union support for the re-classification and questioned whether the position should remain in the bargaining unit. She noted that the position duties closely match to those of the Director of BSEP.

Chairperson Goldstein asserted that there are substantial differences in scale, scope and complexity between the BSEP Director role and this proposed new classification, such as fiduciary responsibilities to steward public tax revenues. This, and similar responsibilities for bond measure funds, differentiate this role from other Director positions. Chairperson Goldstein said she was unclear on the implications of placing the new pay range above the other Local 21 ranges. Ms. Long suggested that the position should be unrepresented at such a level. Chairperson Goldstein agreed that a review of the classification may be needed.

Commissioner Carter said that he will rely on Director Duwel’s analysis and agrees with her recommendation to reclassify the position.

Commissioner Carter made a motion to approve the reclassification request for Francisco Martinez; Chairperson Goldstein seconded the motion,
Approved, 2-0

b) Request for Advance Step Placement- A. Herrera

Ms. Arinez advised that when this request was presented at the October Commission meeting more information was requested. Mr. Herrera has since provided a written request and an additional reference letter. She said that Director Duwel has recommended an advanced salary placement at step 2 based on the documentation that Mr. Herrera provided. Commissioner Carter said he would abstain from deciding until he can review a rubric that can justify an advanced salary step placement, demonstrating the added value the employee’s experience or skill set provides over and above the minimum qualifications.

Chairperson Goldstein asked that Commission staff work with individuals who request advanced step placement requests to provide concrete information that reflects their qualifications that are above those described in the classification description. She noted that Director Duwel might have done so, but was not present to confirm this. She said that the new Behavioral Intervention Specialist position might be an option for this candidate in the future if his skills and qualifications so warranted.

Chairperson Goldstein made a motion to abey this request until an explanation of how the recommendation was formulated can be provided; Commissioner Carter seconded the motion,
Approved, 2-0

c) 2017-2018 Annual Report, *Second Reading and Approval*

Chairperson Goldstein asked about the meaning of the two different transaction numbers in the layoff section of the report. Ms. Arinez advised that they represented a gross count of 11 positions laid off and a net total of 4 actual layoffs after employees were re-deployed to other vacant positions. Chairperson Goldstein suggested editing the section to reflect the net count.

Chairperson Goldstein made a motion to approve the 2017-2018 Annual Report; Commissioner Carter seconded the motion
Approved, 2-0

d) Request to Extend Eligibility List- School Administrative Assistant III and;

e) Request to Extend Eligibility List- Lead Maintenance Engineer

Ms. Arinez reported that candidates on the School Administrative Assistant III and the Lead Maintenance Engineer list submitted requests to extend the respective lists for a year and that Director Duwel supported the extensions.

Commissioner Carter made a motion to approve extending eligibility lists d and e for one year; Chairperson Goldstein seconded the motion,
Approved, 2-0

9. Discussion Items

a) 2019 CSPCA Annual Conference

Ms. Arinez advised that registration for the annual conference is now open and that she will contact the Commissioners to determine who plans to attend.

10. Closed Session (2 matters)

- a) Employee Discipline and Legal Matters - Government Code § 54954.5
(2017-D-01) (2018-D-01)

- b) Joint- Appointed Personnel Commissioner- Discussion
The Personnel Commission went into closed session at 5:27 pm.

11. Report from Closed Session

The Personnel Commission came out of closed session at 5:30 pm. Chairperson Goldstein reported that there was no update on employee discipline case (2017-D-01) and for case (2018-D-01), no documentation has been received to date. She said that because the two other Commissioners must appoint the joint-appointed Commissioner, this item will be deferred until the December meeting.

12. Public Comments (15-minute limit)

None.

13. Next Meeting

The next regular meeting will take place on December 6th at 4:30 pm.

14. Adjournment

The meeting was adjourned at 5:32 pm.

Respectfully Submitted,



Patricia Duwel
Secretary, Personnel Commission

12/3/2018
Date

Approved,


Heidi Goldstein
Chairperson, Personnel Commission

12-6-18
Date