

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

Personnel Commission

Dr. Reynaldo Ortiz, Chairperson

Mr. Timothy Carter, Vice-Chairperson
Patricia Duwel, Secretary

Ms. Heidi Goldstein, Commissioner

Meeting Agenda

March 7, 2019 – 4:30 pm

- 1. Call to Order** **Chairperson Ortiz**
- 2. Roll Call & Establishment of Quorum** **Secretary Duwel**
- 3. Public Comments (15-minute limit)** **Public**

This is an opportunity for the public to comment on Personnel Commission business not on the agenda. The time limit is five minutes per individual and a total of fifteen minutes per subject. No action shall be taken by the Commission.
- 4. Approval & Adoption of Agenda** **Chairperson Ortiz**
- 5. Approval of Meeting Minutes** **Chairperson Ortiz**

Approve the Personnel Commission Meeting Minutes for the following:

 - a) February 7th, Regular Meeting Minutes, p. 2 – 5
- 6. Consent Items** **Chairperson Ortiz**

It is recommended that the Personnel Commission consider approving a number of agenda items as a Consent list. Consent items are routine in nature, and can be enacted in one motion without further discussion. This procedure conserves meeting time for a full discussion of significant issues.

Ratification of Eligibility Lists

 - a) Behavioral Intervention Specialist, p. 6
 - b) Custodian I, p. 7
 - c) Employee Benefits Specialist, p. 8
 - d) Executive Chef, p. 9
 - e) School Administrative Assistant II, p. 10
- 7. Reports**
 - a) Union **Union Representatives**
 - b) District Reports **District Representatives**
 - c) Commissioners Reports **Commissioners**
 - d) Personnel Director **Secretary Duwel**
 - i. New Hires and Examinations administered in the month of February 2019, p. 11
- 8. Conference Items** **Chairperson Ortiz**

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

 - a) Agenda Item Request – E. Waller, **Attachment A**
- 9. Discussion Items** **Chairperson Ortiz**

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) Status Update – M. Ferguson
- 10. Closed Session (1 matter)** **Chairperson Ortiz**
 - a) Employee Discipline and Legal Matters - Government Code § 54954 (2015-D-xx).
- 11. Report from Closed Session** **Chairperson Ortiz**
- 12. Public Comments (15-minute limit)** **Public**

This is an opportunity for the public to comment on Personnel Commission business not on the agenda. The time limit is five minutes per individual and a total of fifteen minutes per subject. No action shall be taken by the Commission.
- 13. Next Meeting** **Chairperson Ortiz**

Follow up items for next Personnel Commission Meeting.
- 14. Adjournment** **Chairperson Ortiz**

Berkeley Unified School District
Personnel Commission Meeting Minutes

February 7th, 2019 – 4:30 pm

1. Call to Order

The meeting was called to order at 4:31 pm

2. Roll Call & Establishment of Quorum

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

3. Public Comments

None.

4. Approval & Adoption of Agenda

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

5. Approval of Meeting Minutes

a) January 10th, 2019, Regular Meeting Minutes

Commissioner Goldstein made a motion to approve the meeting minutes; Chairperson Ortiz seconded the motion,
Approved, 2-0

6. Consent Items

Ratification of Eligibility Lists

- a) Administrative Assistant I
- b) Instructional Assistant, ECE,
- c) Instructional Assistant II, SPED
- d) Instructional Specialist, Gardening
- e) Instructional Tech- Before and After School
- f) Nutrition Services Satellite Officer
- g) School Bus Driver

Commissioner Goldstein made a motion to approve the eligibility lists; Chairperson Ortiz seconded the motion,
Approved, 2-0

7. Reports

a) Union
None.

b) District Reports
None.

c) Commissioners Reports

Commissioner Goldstein expressed good wishes for continued healing for BUSD Board Member, Judy Appel, and her wife. She also thanked the District staff for organizing the Classified Staff Professional Development Day on January 28th and reflected that the listed session content seemed meaningful. Commissioner Goldstein commented that the Title IX NPRM comment period had closed and that the final version of the District's submitted comments could be found in the 1-23-19 School Board Packet. She also submitted her own independent comments. Commissioner Goldstein mentioned the special work session held on 2/6 prior to the regular School Board meeting, focusing on affordable educator housing approaches for BUSD staff.

d) Personnel Director

i. New Hires and Examinations administered in the month of January 2019

Secretary Duwel shared exam activity for the month of January. She said that as a result of AB 2160, which brought Noon Director positions into the Classified service, there were over 40 new employees hired and on-boarded in the month of January. She advised that Erin Arinez and Brain Westover, Personnel Commission staff, were currently attending the CSPCA conference in Southern California.

8. Conference Items

a) Step Advance Request- K. Miramontes

Secretary Duwel advised that Ms. Miramontes was recently hired as an Instructional Technician (Cooking) and recommended placement at Step 4 in support of Ms. Miramontes' request for advanced step placement. Chairperson Ortiz noted that, based on the documents Ms. Miramontes provided, he could tell she has an extensive background in teaching and cooking. Secretary Duwel recommended retroactive application of the advanced step rate effective to Ms. Miramontes start date. Commissioner Goldstein noted Ms. Miramontes' several years of relevant teaching experience as well. Secretary Duwel clarified that Step 4 placement would provide headroom for tenure reward in the role prior to the next longevity step at ten years from hire.

Chairperson Ortiz made a motion to approve the request for an advance salary placement at Step 4 for Ms. Miramontes; Commissioner Goldstein seconded the motion,
Approved, 2-0

b) Agenda Item Request- M. Ferguson

Ms. Ferguson said that her position at Berkeley High was previously titled Program Assistant with compensation range 50. She asserted that the work assigned to the role has not changed and therefore should be compensated at a higher range than is currently assigned. Ms. Ferguson also noted that new responsibilities were assigned to her role and expressed concern that the BHS School Admin Assistant III role does not have responsibilities that are as critical as those assigned to her role, yet is paid at a higher range.

Secretary Duwel reported that she had discussed a new job classification with Ms. Ferguson for position re-classification. She recommended that Ms. Ferguson work with BCCE leadership to give input on the proposed job description. Commissioner Goldstein asked Secretary Duwel if she and HR

Director Daniels had discussed approaches to the BHS front desk work distribution issues raised at the last meeting. Secretary Duwel replied that she had shared her recommendations with HR Director Daniels. Secretary Duwel reminded that she was prepared to process timesheets for additional working out of class compensation when Ms. Ferguson provides the necessary documentation. Commissioner Goldstein noted that an outstanding item remains regarding what HR can do to facilitate improvement of the workflow issue at Berkeley High based on Secretary Duwel's recommendations. Secretary Duwel shared information regarding a timeline for reclassification of Ms. Ferguson's current position.

c) Request for New Classification- District Services Assistant (DSA)

Secretary Duwel advised that the Board had approved the duties for the DSA classification at the 1/23/19 meeting. She noted that the District Office will be restructuring reception and support services work and that a reception area is planned for the first floor of the District Administrative building, including a station to enable observation of activity and visitor tracking.

Secretary Duwel noted that she attached job descriptions for the School Safety Officer and Facilities Safety Officer to illustrate the differences between the DSA role and these classes which, amongst other things, require guard card and SB 1626 mandated certification. Commissioner Goldstein noted that the DSA duty element including "enforcing district policy's rules and regulations" should not be construed to require intervention and this should be clarified during the on-boarding process for this position. Secretary Duwel agreed.

Commissioner Goldstein made a motion to approve the new District Services Assistant job classification; Chairperson Ortiz seconded the motion,
Approved, 2-0

9. Closed Session (1 matter)

- a) Employee Discipline and Legal Matters - Government Code § 54954. (2015-D-XX)
The Commission went into closed session at 5:10 pm.

10. Report from Closed Session

The Commission came out of closed session at 5:20 pm. Chairperson Ortiz reported that the Commission received a report from the Director of Classified service with no further action to be taken on the matter discussed.

11. Public Comments (presented before Closed Session)

Ellaray Waller, Employee Benefits Specialist, said that she had started subbing for the School District in 2014 and became permanent in 2016. Ms. Waller said after submitting a complaint in April 2018 about workplace circumstances she commenced a medical leave of absence in September 2018 due to a hostile work environment in the Benefits office. She asserted there were retaliatory workplace acts after she filed the complaint, and that she was subject to unaddressed retaliation from Human Resources, her supervisor, and from the other coworker at the Benefits office leading her workgroup, including excessively close scrutiny of her work products for the first time. She reported poor support from the District Human Resources group over the course of follow up to her complaint, and noted that during the interactive process that commenced after she was cleared for return to work the HR Director yelled at her and suggested that that she withdraw her initial complaint and instead accept a demotion. Ms. Waller said she has been released to return to work as of December 7, 2018, but has been denied

the accommodations recommended by her physician. She reported that she has been told that there are no available positions that match to her qualifications. She said she is asking to be treated fairly and asserted she is experiencing ongoing retaliation because of her complaint, which was never resolved. She added that her annual reviews to date show that her performance has been great.

12. Next Meeting

The next regular meeting will be held on March 7th at 4:30 pm.

13. Adjournment

The meeting was adjourned at 5:25 pm.

Respectfully Submitted,



Patricia Duwel
Secretary, Personnel Commission

3/4/19

Date

Approved,



Dr. Reynaldo Ortiz
Chairperson, Personnel Commission

3/7/19

Date

Berkeley Unified School District
Merit System

Eligibility List for : Behavioral Intervention Specialist
(Open and Promotional)

Written Examination: January 30, 2019
Oral Examination: February 14, 2019

List Established by Personnel Commission: March 7, 2019 to expire March 6, 2020

Promotional

- 1 Leo Siecienski *
- 2 Hataichanok Aksomboon

Open

- 1 Amarrah Dent

* Eligibility to expire January 9, 2020



Patricia Duwel
Secretary, Personnel Commission

3 / 4 / 19
Date



Reynaldo Ortiz
Chairperson, Personnel Commission

3 / 7 / 19
Date

Berkeley Unified School District
Merit System

Eligibility List for : **Custodian I**
 (Open and Promotional)

Written Examination: **December 21, 2018**

Oral Examination: **February 5, 2019**

List Established by Personnel Commission: **March 7, 2019 to expire March 6, 2020**

Promotional

1 Agripina Delgado*

Open

1 Samuel Kennan II

2 Ahku Mitchell

2 Adam Nardine**

3 Clarence Bailey

4 Brianna Williams*

5 Julian Cox III

6 Sherab Wangchuk

** Eligibility to expire November 7, 2019*

*** Eligibility to Expire July 11, 2019*

Patricia L. Duwel

Patricia Duwel
Secretary, Personnel Commission

3/4/19

Date

Reynaldo Ortiz

Reynaldo Ortiz
Chairperson, Personnel Commission

3/7/19

Date

Berkeley Unified School District
Merit System

Eligibility List for : **Employee Benefits Specialist**
(Open and Promotional)

Written Examination: **January 18, 2019**

Oral Examination: **February 4, 2019**

List Established by Personnel Commission: **March 7, 2019 to expire March 6, 2020**

- Open**
1 Brenda Johnson*
2 Toska McQueen
3 Eman El Kelani

** Eligibility to expire July 11, 2019*

Patricia L. Duwel

Patricia Duwel
Secretary, Personnel Commission

3/4/19

Date

Reynaldo Ortiz

Reynaldo Ortiz
Chairperson, Personnel Commission

3/7/19

Date

Berkeley Unified School District
Merit System

Eligibility List for : **Executive Chef**
(Open and Promotional)

Written Examination: **January 24, 2019**
Oral Examination: **February 20, 2019**

List Established by Personnel Commission: **March 7, 2019 to expire March 6, 2020**

Promotional

1 Gitara Spinks

Open

1 Jenny Huston
2 Lesa Nunes

Patricia L. Duwel

Patricia Duwel
Secretary, Personnel Commission

3/4/19

Date

Reynaldo Ortiz

Reynaldo Ortiz
Chairperson, Personnel Commission

3/7/19

Date

Berkeley Unified School District

Merit System

Eligibility List for : **School Administrative Assistant II
(Open and Promotional)**

Written Examination: **January 31, 2019**

Oral Examination: **February 26, 2019**

List Established by Personnel Commission: **March 7, 2019 to expire March 6, 2020**

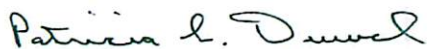
Promotional

- 1 Arhonda Caldwell
- 2 Sony Bhopal
- 3 Tania Hernandez

Open

- 1 Darrin Atkins*
- 2 Veronica Jones
- 3 Tanisha Wilson*
- 4 Renita Underwood-Hackett*
- 5 Luciana Morgan*

** Eligibility to expire September 5, 2019*



Patricia Duwel
Secretary, Personnel Commission

3/4/19

Date



Reynaldo Ortiz
Chairperson, Personnel Commission

3/7/19

Date

Examinations Administered in the Month of February:

<u>Classification</u>	<u>Written</u>	<u>Oral</u>	<u>Performance</u>
Employee Benefits Specialist	3	2	
Custodian I	6		5
Behavioral Intervention Specialist	3	2	
Executive Chef		5	3
School Administrative Assistant II	7	4	

New Hires/New Assignments/Promotions Processed in the Month of February:

<u>Name-</u>	<u>Employment Type-</u>	<u>Classification-</u>	<u>Location/Dept.</u>
Dilworth-Tooks, Deloris	Probationary	Instructional Assistant II, SPED	Cragmont
Follansbee, Pauline	Promotion	Assistant Superintendent of Business Services	Business Services
Gullatt-West, Antonette	Probationary	Director, Fiscal Services	Business Services
Khan, Shahnaz	Permanent	School Campus Aide	Malcolm X
Kornbluth, Keturah	Probationary	Instructional Specialist (Garden)	John Muir
Lopez-Caloca, Delia	Promotion	School Administrative Assistant, ECE	Hopkins
McClendon, Maya	Re-Hire	Instructional Assistant II, SPED	John Muir
Myong-Ah, Kim	New Assignment	Instructional Assistant II, SPED	Cragmont
Orosco, Anthony	Probationary	Custodian I	Sylvia Mendez

Agenda Item Request Form

You may fax this form to (510) 644-6151 attention to Personnel Commission, hand deliver it to the address above or scan and email to erinarinez@berkeley.net The Personnel Commission office is open Monday through Friday from 8:00am to 4:00pm.

The deadline for submitting a request for items to be included in a Personnel Commission Meeting is 4:00pm, 7 calendar days prior to the Personnel Commission Meeting you are considering. This form can be obtained from Personnel Commission staff or by downloading the form from the Berkeley Unified School District website under the Personnel Commission.

Name of Person Requesting Item: Ellaray Waller (Date) 01/28/2019

Telephone Number: (415) 261-3736 Email Address: bcce.ewaller@gmail.com

Place on agenda as: Discussion Item *(This item is presented for discussion only and may be carried over from a prior meeting. No action will be taken on this item)*
 Conference Item *(This item is presented for discussion and action and may be carried over from a previous meeting)*

Description of Item:

Work status changed as of 12/7/2018. Medical release to return to work, with ability to perform regular duties with accomodations.

Background Information:

(Please attach or include some background information to assist the Personnel Commission in determining appropriate action.)
I have met with HR Director Brent Daniels on 12/21/2018 and 1/16/2019 for an Interactive Process for accomodations that were denied.

Please see attached.

For Personnel Commission Use Only:

Date of Chairperson Review: _____

Determination: Place on agenda for meeting of _____ Date of Personnel Commission Meeting _____
 Place on agenda as _____ Type of Item _____
 Do not place on agenda