

**Berkeley Unified School District**  
**Personnel Commission Meeting Minutes**

August 6<sup>th</sup>, 2020 – 4:30 pm

**1. Call to Order**

The meeting was conducted via Zoom meeting #829 1309 2653 and was called to order at 4:32 pm.

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

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

**3. Public Comments**

None.

**4. Approval & Adoption of Agenda**

Vice-Chairperson Goldstein made a motion to approve the meeting agenda; Chairperson Carter seconded the motion,

Approved, 2-0

**5. Approval of Meeting Minutes**

a) July 9th, 2020, Regular Meeting Minutes

Chairperson Carter made a motion to approve the July 9th meeting minutes; Vice-Chairperson Goldstein seconded the motion,

Approved, 2-0

**6. Reports**

a) Union

Linnette Robinson, BCCE President, requested clarity on the process for increasing staff longevity payments, and also asked that the Personnel Commission conduct a comprehensive salary audit. She asked why a BCCE member who has been working as a substitute Custodian II in a higher classification, and is on the eligibility list for the role, has not been offered the available vacant position.

President Robinson expressed concern about comments made during a recent meeting with the Extended Day Program Manager, Aaron Jorgensen, who told Instructional Technician- Before and After School Program employees that the District will be hiring contractors to work in child care centers for children of essential employees. She observed that Administrators in the District Office were asking employees to come into work, but were not working at site themselves. She also commented that the Union has not received notification of the District's proposed plan to enact safety protocols at school sites. She asserted that there are no safety protocols enforced at sites and cited a recent incident where an employee at Malcolm X Elementary was diagnosed with Covid-19 and the District failed to notify other employees that worked closely with this person. She said that the Union had not been provided with a proposed MOU agreement, as was recently presented to the School Board for Certificated employees, and that the current "cut and paste" document

intended for Classified staff was insufficient and didn't reflect the real narrative necessary to develop an MOU to return Classified employees back to work safely.

b) District Reports

Glendaly Gascot-Rios, the new Human Resources Director, introduced herself to the Personnel Commission and said she looked forward to working together.

c) Commissioners Reports

Vice-Chairperson Goldstein noted that the District appears to be restoring the currently vacant Student Services lead position to Director level and asked staff to clarify if the Commission would revisit minimum qualifications for the role prior to recruitment. She said that she would like better ongoing communication with the District about the budget cuts that were initially proposed, then rescinded, by the Board this summer, which directly impacted the Personnel Commission budget. She encouraged support of a Brown Act Online petition to retain remote participation mechanisms for public comment after in-person meetings resume and thanked the Personnel Commission staff for their work in adapting the Commission's proceedings to virtual meetings. She commented that the virtual meeting information and the links posted on the Commission's website did not include a toll-free number for dial-in participation and suggested that in the future a toll-free dial in option also be provided with the meeting information.

d) Personnel Director

i. New Hires and Examinations administered in the month of July 2020

Secretary Sanders reviewed the examination and personnel activity for the month of July.

## 7. Conference Items

a) Request for Re-Classification- D. Diggs

Secretary Sanders reported, after conducting desk audits and meeting with Ms. Diggs, the current Administrative Assistant II, that she has concluded that Ms. Diggs was doing work at the Administrative Assistant III level for the Student Services department. James Wogan, the former Student Services Manager, said that Ms. Diggs was a great asset to the department because of her vast knowledge of federal and local regulations, which helped with compliance issues. He noted that Ms. Diggs was very thorough and an excellent reviewer and that her work, in quality and quantity, was impressive. Chairperson Carter thanked Ms. Diggs for her commitment, and Vice-Chairperson Goldstein, thanked her for being the continuity in a department that has experienced a lot of turnover.

Vice-Chairperson Goldstein made a motion to approve the reclassification for Ms. Denise Diggs; Chairperson Carter seconded the motion,

Approved, 2-0

b) Request to Extend Eligibility lists Affected by Shelter-In-Place Order

Secretary Sanders said that in consideration of the Shelter-in-Place (SIP) order and hiring freeze in the District, she recommends extending the eligibility lists that expire during the period March 16<sup>th</sup>

through August 30<sup>th</sup> for an additional six months. Damond Tims, Custodian I, said he has been substituting for the last two years as a Custodian II and was on one of the subject eligibility lists, which expired in May, and requested it be extended. Secretary Sanders explained that the Custodian II list had already been extended once before, for a year, which is permissible under the merit rules. Raymond Young, Facilities Maintenance Manager, explained that a Custodian II employee was on medical leave; therefore, the position had not been vacant, which is why he was not able to interview Mr. Timm, but that he supported Mr. Tims' candidacy. Vice-Chairperson Goldstein suggested that instead of setting a firm end date of August 30<sup>th</sup>, it would be possible to "toll" the eligibility lists during these kinds of extraordinary events to extend candidates' eligibility until the SIP is lifted or circumstances change

Chairperson Carter said that the merit rules should be adhered to at all times despite the circumstances. He expressed concerns about fairness to other similarly situated employees and he suggested reposting the Custodian II position and that Mr. Tims apply again. The Commission agreed that the Custodian II list would not be eligible for an extension since it was already extended once and that a further discussion would take place at a future meeting regarding the application of blanket extensions.

Vice-Chairperson Goldstein made a motion to extend all of the lists affected by SIP for a year, except for the Custodian II list, Chairperson Carter seconded the motion,  
Approved, 2-0

Vice-Chairperson Goldstein made a motion to bring back the discussion of tolling lists to the next meeting; Chairperson Carter seconded the motion,  
Approved, 2-0

## **8. Closed Session (1 matter)**

a) Legal Matters - Government Code § 54954.

The Personnel Commission went into closed session at 5:43 pm.

## **9. Report from Closed Session**

The Personnel Commission came out of closed session at 6:26 pm. Chairperson Carter reported that no actions had been taken.

## **10. Public Comments**

None

## **11. Next Meeting**

The next regular Personnel Commission meeting will be held on September 3<sup>rd</sup> at 4:30 pm via Zoom if on-site staff restrictions have not been lifted.

## **12. Adjournment**

The meeting was adjourned at 6:28 pm.

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*Approved at the Personnel Commission meeting held on  
9/03/2020 via Zoom*

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Respectfully Submitted,

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Kimberle Sanders  
Secretary, Personnel Commission

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Date

Approved,

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Timothy Carter  
Chairperson, Personnel Commission

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Date