

Berkeley Unified School District
Personnel Commission Meeting Minutes

February 2nd, 2023 – 4:30 pm

1. Call to Order

The meeting was conducted via Zoom meeting #852 7339 2873 and was called to order at 4:31 pm.

2. Roll Call & Establishment of Quorum

Chairperson Zenor-Davis, Vice-Chairperson Goldstein, and Commissioner Roter were present, and a quorum was established.

3. Public Comments

Frank Hernandez, Maintenance Engineer, followed up with comments from the last meeting regarding the posted Maintenance Engineer position that was not open for transfer. He said he filed a grievance, but nothing happened, and the job was reposted. He noted that employees currently in the classification had not been allowed to transfer, which is against the merit rules and union contract.

4. Approval & Adoption of Agenda

Vice-Chairperson Goldstein asked for a correction to the agenda to show the correct date of the meeting. Commissioner Roter made a motion to approve the meeting agenda; Vice-Chairperson Goldstein seconded the motion,
Approved, 3-0

5. Approval of Meeting Minutes

Vice-Chairperson made a motion to approve the 1-12-23 meeting minutes; Commissioner Roter seconded the motion,
Approved, 3-0

6. Reports

a) Unions
None.

b) District Reports
None.

c) Commissioner Reports

Commissioner Roter reported that he attended a cordial Zoom meeting with the parents and staff of Rosa Parks regarding the staff turnover in the school's after-school program. The parents are very pleased with the current staff but were surprised by the turnover in staffing and asked for better communication from the District. Glendaly Gascot-Rios, Director of HR, attended the meeting and explained that turnover occurs more in these positions than in others. Commissioner Roter reiterated the importance of maintaining robust eligibility lists as the best way to create stability for the students, especially the younger ones. Commissioner Roter asked that Chairperson Zenor-Davis and Secretary Castillo investigate why employees currently in the Maintenance Engineer classification are not allowed to apply for a transfer for the new daytime position.

Vice Chairperson Goldstein reported that she hopes to provide a Brown Act summary training for the Personnel Commission to highlight transition rules in returning to in-person/hybrid meetings next month. She and Secretary Castillo attended the annual CSPCA conference, where many topics focused on District and Commission relations. The conference provided helpful strategies to address when a District has difficulty seeing the value of its Personnel Commission.

Chairperson Zenor-Davis reiterated the importance of the Classification and Compensation Study. He asked that the District and the Unions do the utmost to encourage classified employees to actively participate in the Study. He said this Commission recognizes some issues and assures that these issues will be resolved. The Commission is working in a transparent manner that fosters faith and will eventually result in the system functioning how it was intended.

d) Personnel Executive Director

Secretary Castillo reviewed January's examination and personnel activity and congratulated the new hires and the Personnel Commission team for bringing new talent into BUSD. He agreed with Vice Chairperson Goldstein's comments about the CSPCA conference and said the District and Commission relations challenges are not unique to BUSD. He announced he would attend a District-wide job fair on March 18th. He outlined the plan for returning to in-person meetings for the remainder of the fiscal year and proposed moving the regular meetings to the last Wednesday of the month starting in July. He noted that the City of Berkeley has a standing agreement with BUSD to use the Board Room for special meetings without notice on Thursdays. Should that happen, the meeting would be postponed to the following Monday. He will work with Max Eissler, Director of Technology, to get the team-oriented on AV/tech for the room, including a hybrid option.

e) Classification & Compensation Study

Secretary Castillo agreed with Chairperson Zenor-Davis' comments regarding the importance of the Classification & Compensation Study for all classified employees. He called on the Steering Committee and the principals to outreach to employees and advocate for their full participation in the Study. He commended HR for their support in ensuring employees will have the time (either extra pay or clearance from Supervisors during regular work hours) to attend an orientation session, complete the questionnaire and participate in an interview if called upon. He announced that while attendance at the first employee orientations was lower than expected, all Phase 1 employees have access (private link) to a session recording on the Personnel Commission's YouTube channel. Director Gascot-Rios discussed the preliminary aspects of an MOU with the Union regarding employee time and participation in the Study.

7. Consent Items

- a) Instructional Assistant II, SPED
- b) Instructional Specialist (Athletics)
- c) Nutrition Education Program Supervisor
- d) Payroll Specialist
- e) School Campus Aide

Chairperson Zenor-Davis noted that lists a-c were not robust, but he believes it is because these positions are challenging to fill, which Secretary Castillo confirmed to be true. In response to Vice-Chairperson Goldstein's earlier request for more information, Secretary Castillo said that the Computer Tech I job does not have a salary attractive to most potential candidates, which should be addressed in the Classification & Compensation Study. He said another issue in the testing process is "no-shows," usually for the oral exams. Brian Westover, HR Technician, said specific recruitments receive a reminder call and mentioned that a new feature of the NeoGov system would be a text message reminder system that could be implemented in the future.

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

Approved 3-0.

8. Conference Items

a) Step Advance Request – T. Santiago

Secretary Castillo said Ms. Santiago is the talent BUSD needs, and the District should be lucky to have her. Between her education and her experience in Deaf Education, he strongly recommended her at Step 5. Commissioner Roter said he is pleased to have Ms. Santiago in the District. Vice Chairperson Goldstein said she is delighted to have such a qualified candidate supporting BUSD's deaf and hard-of-hearing students. Ms. Santiago said she is heartened by the comments regarding the recruitment process and the opportunities the Personnel Commission sees for change in the future. Denise Diggs Ray, Administrative Assistant III, asked if Ms. Santiago would be included in the Classification & Compensation Study. Secretary Castillo confirmed that all job classifications would be studied.

Commissioner Roter made a motion to approve Ms. Santiago's advance step request at Step 5; Vice Chairperson Goldstein seconded the motion,

Approved, 3-0.

9. Discussion Items

a) Limited Term Assignments / Contractors

Vice Chairperson Goldstein summarized her comments from the 1-12-23 meeting on limited-term assignments and the District's use of contractors when eligibility lists are available. She said it is important to understand why the District uses contractors instead of hiring from the eligibility lists to improve recruitment and retention of certain positions. Chairperson Roter suggested it would be beneficial first to understand the various terms used to describe a limited-term assignment, understand the rules associated with these types of assignments and then form a sub-committee within the Personnel Commission to establish a policy for enforcing the rules. Additionally, this sub-committee will conduct an informal audit of the District's contractors and the limited-term assignments to determine where there is an overlap and identify opportunities for people to be hired from the eligibility lists. Secretary Castillo was asked to gather data from HR and Business Services to share at the next meeting.

10. Public Comments

Ms. Diggs Ray had questions about the status of corrections to meeting minutes, asked for clarification on Mr. Castillo's various titles, and asked why the status of the reclassification requests for Mishern Bivens, Marie Ferguson and Margo Wilson were not reflected in the minutes.

Mr. Hernandez said he is frustrated that the District is trying to go around the merit rules to fill the Maintenance Engineer position. He reiterated that according to the merit rules, transfers should go by seniority, but that opportunity has not been provided to those currently in the classification. Secretary Castillo clarified that the District canceled the recruitment.

11. Next Meeting

The next regular meeting is scheduled for March 2nd, 2023, at 4:30 in the Board Room. In addition, Secretary Castillo will provide an update on scheduling Special Meetings.

12. Adjournment

The meeting was adjourned at 5:48 pm.