

Berkeley Unified School District
Personnel Commission Meeting Minutes

April 13th, 2023 – 4:30 pm

1. Call to Order

The meeting was held in a hybrid format, live in the Board Room and via Zoom meeting #852 7339 2873. The meeting was called to order at 4:32 pm.

2. Roll Call & Establishment of Quorum

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

3. Public Comments

None.

4. Approval & Adoption of Agenda

Commissioner Roter made a motion to approve the meeting agenda; Chairperson Zenor-Davis seconded the motion,

Approved, 2-0.

5. Approval of Meeting Minutes

Commissioner Roter made a motion to approve the March 2, 2023 and March 13, 2023 meeting minutes; Chairperson Zenor-Davis seconded the motion,

Approved, 2-0.

6. Reports

a) Unions

Mildred Scheer reported continued collaboration with the Personnel Commission staff on the vacancy list and tightening up the hiring process vis a vis the merit rules. She expressed concern that Margo Wilson's desk audit had not happened per the Personnel Commission's request at the December 15th meeting. She mentioned an upcoming membership meeting to discuss the Classification and Compensation study, in particular, member concerns and Phase 2. Finally, she expressed appreciation that the merit rules revision project continues to move forward.

b) District Reports

None.

c) Commissioner Reports

Commissioner Roter honored the late Karen Hemphill, former BUSD Board Member and Director, remembering her as an intelligent, wise and caring person with a very big heart; she will be missed.

Chairperson Zenor-Davis said that in conjunction with the recommendations coming in from the Classification & Compensation Study, he would like to consider bringing in another entity to look at the hiring process to be sure there are no unintended or artificial barriers in place. He said it is clear that the District is committed to doing consistent and timely evaluations and

assessments of all processes; he is confident this would have a meaningful impact on the District.

d) Personnel Executive Director

Secretary Castillo reviewed the March examination and personnel activity, highlighting triple the number of exams as in February. He anticipated many exams in the coming months and said the department is busy with a full complement of work.

Commissioner Roter asked the Executive Director why the Administrative Assistant I recruitment had so many applications. Mr. Castillo said that a thorough analysis still needs to be conducted, but his educated guess points to the fact that the classification has broader minimum qualifications than the Administrative Assistant II or Administrative Assistant III; new recruitment strategies are adequate; and also a market comeback after COVID. Commissioner Roter asked that the department keep up the excellent work, especially concerning new recruitment strategies.

e) Classification & Compensation Study

Secretary Castillo gave an update on Phase 1 of the Classification & Compensation Study. He said the Job Content Questionnaire (JCQ) response rate was 29%, and six classifications did not have any JCQ submitted. In addition, 75 employee or supervisor interviews were conducted by four Eric Hall & Associates (EHA) consultants, all via Zoom. Feedback was given for every classification through the JCQ or an employee or supervisor interview. EHA will present the second draft revisions to the Steering Committee for review. Phase 2 is scheduled to launch in early May. Recommendations will come to the Personnel Commission as each phase is completed via report or presentation. Phase 1 findings and recommendations should be delivered either in May or June.

Commissioner Roter asked how the 29% completion rate for the JCQ compares with other projects in EHA's project experience. Secretary Castillo said he would get more information at the Steering Committee meeting but wished the completion rate had been much higher. Jan Brannen from EHA told him that the people who did participate were quite impactful. Commissioner Roter commented that moving forward to Phase 2, from the District's perspective, employees and supervisors must be aware of the accommodations to encourage full participation. He hopes that BCCE will continue to encourage their members to participate in the Study as it is in the best interest of all members to have the most accurate job descriptions possible.

Chairperson Zenor-Davis asked if there was any indication as to why the six classifications without a completed JCQ did not participate. Secretary Castillo explained that there is still distrust of the process and that he continues to encourage every classified employee to participate.

7. Consent Items

- a) After School Program Site Coordinator
- b) Clerical Assistant III
- c) Computer Technician I
- d) Custodian I
- e) District Services Assistant
- f) Educational Occupational Therapist
- g) Instructional Assistant, ECE
- h) Nutrition Services Assistant
- i) School Administrative Assistant II

Commissioner Roter, speaking specifically about the District Services Assistant list, asked how common it is to approve an eligibility list retroactively. Erin Arinez explained that, per the merit rules, the Executive Director could certify the candidates on the eligibility list before being presented to the Personnel Commission for ratification. Once certified by the Executive Director, the candidate can be hired. However, some candidates will not accept an offer until they know if the Personnel Commission has granted their step advance request.

Commissioner Roter made a motion to ratify eligibility lists a-i; Chairperson Zenor-Davis seconded the motion,
Approved 2-0.

8. Conference Items

- a) Step Advance Request – J. Le
Secretary Castillo said that Ms. Le's credentials far surpass what is required for a Step 5 placement. Ms. Le has experience from the city of Hercules and the West Contra Costa school district. She understands how public sector systems work and has hands-on mechanical knowledge. Secretary Castillo strongly recommended Step 5 placement for Ms. Le because she is the kind of employee the District is trying to attract. Commissioner Roter acknowledged how important this position is and how difficult recruitment can be.
Commissioner Roter made a motion to approve Ms. Le's advance step request at Step 5; Chairperson Zenor-Davis seconded the motion,
Approved, 2-0.

- b) Step Advance Request – S. Rush
Secretary Castillo said that Ms. Rush is highly responsive and patient and always greets everyone with a smile; the District could not have a better person at the front desk. However, the advanced step process is not based on how well the employee performs but is designed to look at previous experience. Ms. Rush's experience shows similar but different skill sets. Secretary Castillo said that he recommends a Step 2 placement based on the documentation provided by Ms. Rush. Commissioner Roter agreed with Secretary Castillo's comments and said that Step 4 or Step 5 (as requested) would be an overreach because Ms. Rush's prior experience, while relevant, is not directly related. However, her service and expertise as a restaurant host pointed to an extensive customer service background and coupled with several glowing recommendations from the restaurant owners; he would recommend a Step 3 advance. Chairperson Zenor-Davis was also impressed by the letters of recommendation and believes Ms.

Rush's experience in the hospitality industry speaks volumes about who she is and how she operates. Secretary Castillo said his recommendation is restricted to what he finds in the documentation. Still, he reminded the commissioners they have the authority to go higher on the step advance placement than his recommendation.

Commissioner Roter made a motion to approve Ms. Rush's advance step request placement at Step 3; Chairperson Zenor-Davis seconded the motion, Approved, 2-0.

c) Request for Reclassification – M. Bivins

Secretary Castillo said that this recommendation is slightly unconventional. When the Classification and Compensation project was approved in October 2022, the Union asked him to examine Ms. Bivins' case because it preceded the Study. He said that this process had demonstrated good faith on the part of the Union, HR and his office, with all parties always working towards solutions even when they disagreed. He said no existing job classification captures all that Ms. Bivins does, but the student admissions specialist is the closest approximation. Ms. Bivins understands that EHA will look at her position during the Study, and may result in a job description that captures all her duties. He said that, as a whole, the admissions office needs to be looked at during the study. Ms. Scheer said that the Union supports the reclassification for Ms. Bivins and that the admissions office is overworked and understaffed. She hopes that Ms. Bivins will be reclassified at Step 5 because she has been working out of class for many years. In addition, she wants Ms. Bivins' safety to be ensured during her home visits. Commissioner Roter said this is a complicated situation and commended all parties for working together to find a solution. In response to Ms. Scheer's comments, he said that while it is more than appropriate for Union members to come before the commission to raise these issues, the Personnel Commission's role is limited. Ultimately, these are budget-related issues. As the District is in budgeting season, raising these concerns may be more effective during budget planning meetings in which the Union participates. However, advance step discussions are within the Personnel Commission's purview, and he wondered at what step Ms. Bivins will be reclassified. Secretary Castillo said no less than 5%. Chairperson Zenor-Davis commended all parties and reiterated that this situation demonstrates the need for a classification and compensation study.

Commissioner Roter made a motion to approve Ms. Bivins' reclassification to Student Admissions Specialist; Chairperson Zenor-Davis seconded the motion, Approved, 2-0.

d.) 2023-24 Personnel Commission Budget – 1st Reading

Secretary Castillo presented the first reading of the 2023-24 Personnel Commission Budget. He highlighted: the proposed addition of a 0.5 FTE Administrative Assistant III, which is consistent with the increasing workload and with the practice of the Executive Director to have an assistant to help with the workload; the proposed increase to the professional development and travel budgets for staff and commissioners; the proposed increase in professional services (camera

operator for the Board Room); and the proposed increase for technology (laptops need to be updated). The budget reflects the resources necessary to meet the Personnel Commission's goals. Commissioner Roter asked for clarification on the role of the Administrative Assistant III with the Classification and Compensation Study and beyond. Secretary Castillo explained that this position is currently temporary and was meant to help manage the project and will continue to do so if it becomes permanent. However, the position will ultimately support the entire department to help achieve the goals of the Personnel Commission. Mildred Scheer voiced her concern that the Administrative Assistant III position is not necessary considering the workload of the Executive Director and the department. Denise Diggs-Ray asked for clarification about how the position would be posted if approved. Secretary Castillo explained that the normal process would be followed and reiterated that the request to add this position was not being made with any particular person in mind. Commissioner Roter and Chairperson Zenor-Davis both said that it is important to remember that a lot of work goes on behind the scenes and reiterated that to meet the Personnel Commission's goals, the resources must be available.

Commissioner Roter made a motion to approve the first reading of the 2023-2024 Personnel Commission Budget and present the second reading of the budget to the next regular Personnel Commission Meeting; Chairperson Zenor-Davis seconded the motion,
Approved, 2-0.

e.) 2023-24 Personnel Commission Meeting Dates

Secretary Castillo presented the 2023/24 meeting dates. He said that the City of Berkeley shares the Board Room, and they use the room on Thursdays; therefore, the last Wednesday of the month was a consistent day that was not posing a conflict with the other groups using the Board Room. Denise Diggs-Ray suggested a hard copy communication to inform all employees of the change of day to the regular meeting and perhaps provide more information about the Personnel Commission.

Commissioner Roter made a motion to adopt the proposed 2023/24 Regular Meeting dates, with December 13th chosen for the December meeting; Chairperson Zenor-Davis seconded the motion,
Approved, 2-0.

9. Discussion Items

a) District/Personnel Commission Communications re: Washington

Secretary Castillo referenced page 20 of the agenda packet. He said that the testing and hiring process was followed, and a BUSD employee participated and is currently the promotional candidate on the eligibility list. Commissioner Roter said that it is vital that the public understand that this result is because the rules were followed and the employee participated in the testing process. Even though Ms. Jones is at the top of the list, an employee with seniority could still decide to transfer into that position; the Personnel Commission can only guarantee a fair and equitable process and that the rules are followed. Chairperson Zenor-Davis said that moving

forward, he hopes that the lines of communication continue to improve as it concerns rules and processes.

10. Public Comments

Denise Diggs-Raysaid that school safety officers are overwhelmed. She hopes that HR is doing more to enhance recruitment for this position. She said a safety officer sub-list would be beneficial, but only if those on the list could shadow other safety officers for a few days before stepping in to sub at a school site.

11. Next Meeting

Special meetings are scheduled for April 20th and May 3rd at 4:30 pm in Room 126 to continue work on the merit rules revision project. The next regular meeting is scheduled for May 4th at 4:30 pm in the Board Room.

12. Adjournment

The meeting was adjourned at 6:26 pm.