

BERKELEY UNIFIED SCHOOL DISTRICT
2134 Martin Luther King Jr. Way
Berkeley, CA 94704
PERSONNEL COMMISSION

Ann Aoyagi Roy Doolan Dan Lee

REGULAR MEETING AGENDA

June 2, 2011

4:00 p.m. Annex Conference Room

I. CALL TO ORDER

1. Welcome and Explanation of Format
2. Establishment of Quorum
3. Agenda-Deletions or Change of Sequence

II. REPORTS AND COMMENTS

INFO

1. Chairperson's Report
 - 1.1 Report on school visits, conferences or meetings attended, scheduled meetings, and public communications.
2. Commission Members' Reports or Comments
 - 2.1 Report on school visits, conferences or meetings attended, scheduled meetings, and public communications.
3. Union Reports

III. PUBLIC COMMUNICATIONS

INFO

The public is invited to address the Commission on matters not on the Agenda. The time limit for presentation of matters is three to five minutes per individual and fifteen minutes per subject.

IV. PUBLIC BUSINESS

INFO/ACTION

1. Consent Agenda
 - 1.1 Minutes of the May 5 & 10, 2011 meetings. (Pages 3-13)
Recommendation: It is recommended that the minutes for the meetings of May 5 & 10, 2011 be approved as submitted.
 - 1.2 Eligibility Lists Established (Pages 14-16)
Program Supervisor CNN
Custodian I
Custodial Services Supervisor (Promotional & Merged/Dual)
Recommendation: It is recommended that the classified employment actions be approved as submitted.
 - 1.3 Employee Action (Page 17)
Recommendation: Accept Director's reassignment per agreement.

V. NEW BUSINESS

INFO/ACTION

- VI. OLD BUSINESS** **INFO/ACTION**
1. School Secretary Eligibility List (Page 18-20)
Recommendation: Approve the Secretary eligibility list.
 2. Classification Study
- VII. CLOSED SESSION** **INFO/ACTION**
1. Personnel Matters
- VIII. REPORT FROM CLOSED SESSION**
- IX. INFORMATION AND FUTURE MEETINGS** **INFO**
1. Future Meetings
 - 2.1 The next regular Personnel Commission meeting will be in July 7, 2011, in the Annex Conference Room.
 - 2.2 The Personnel Commission will hold a panel and final interviews for the Director of Classified Personnel on dates to be determined in June.
- X. ADJOURNMENT**

**BERKELEY UNIFIED SCHOOL DISTRICT
PERSONNEL COMMISSION OF THE MERIT SYSTEM**

**Personnel Commission of the Merit System
Minutes of Meeting of Thursday, May 5, 2011
BUSD Admin Annex Conf. Room
2134 Martin Luther King Jr. Way
Berkeley, CA 94703**

Personnel Commission Members

Dan Lee, Chairperson
Roy Doolan, Commissioner
Ann Aoyagi, Commissioner

1. Call to Order

Commissioner Lee called the meeting to order at 4:03 PM.

2. Commissioner Roll Call

Roll call was taken by Commissioner Lee.
Present: Commissioners Lee, Aoyagi and Doolan.

Commissioner Lee reminded the public that comments/concerns from the floor are welcome during the public comment portion of agenda. The Commission will not comment, but a note will be made for consideration for a subsequent commission meeting. Discussion of the minutes is the only exception to this rule.

Denise Diggs-Ray, BCCE, would like classification study on every agenda going forward.

3. Agenda Approval

Motion to approve agenda:

Unanimously approved

Reports and Comments

Commissioner Lee announced the position for the Director of Classified Personnel was posted to EdJoin and other organizations with a closing date of May 20, 2011.

Commissioner Doolan reported the Commission has been working on the Merit Rules with recommendations from Dr. Hyland, Interim Director of Classified Personnel. The draft rules will be distributed to the unions and Board of Education for input and subsequently voted on by the Commission.

Tim Donnelly, BCCE, voiced the union's confusion regarding the Administrative Assistant position for the Personnel Commission. BCCE feels a permanent BCCE employee should be in a Limited Term position as opposed to a substitute.

Mr. Donnelly stated it is the union's position that the hiring at Jefferson for School Secretary was done incorrectly and wants someone hired from a legitimate eligibility list. Finally, BCCE feels BUSD owes the union dues for the year that a substitute was in this position at a time there was an active eligibility list.

Mr. Donnelly stated the union would like to see the issue of Rafael Adames' position at Berkeley Adult School remedied as soon as possible and stated the union feels he was treated abhorrently in the past.

Paula Phillips, BCCE President, is concerned she has not been able to meet regularly with Dr. Hyland. Ms. Phillips also asked who would be handling classified layoffs in Dr. Hyland's absence.

4. Approval of Minutes

Personnel Commission Meeting of April 7, 2011 corrections:

Tim Donnelly, BCCE, noted his name was misspelled two times on page #4. He also asked that the first sentence under public communications read as follows: "...eligibility lists had previously been listed..."

Denise-Diggs-Ray, BCCE, noted her name was spelled wrong on page #4.

Motion to approve minutes as amended:

Unanimously approved.

5. Public Comments

Herrieze Jones, King Middle School employee, stated she took the test for School Secretary and was the top candidate. She stated it is unfair that the wrong person was hired and asked for the mistake to be rectified.

Delia Ruiz, Assistant Superintendent, Human Resources, stated she would only be able to respond to issues under the jurisdiction the District and not the Commission.

Carol Niehus, School Secretary, asked that Summer School be placed on the agenda for the June 2, 2011 meeting.

6. Approve the Following Eligibility Lists:

School Secretary I
IA-Special Education

Paula Phillips, BCCE, asked for discussion regarding the School Secretary list prior to the vote. Ms. Phillips passed out a set of previously dated eligibility lists for people to refer to. Ms. Phillips asked the Commission to direct the District not to approve the list until the top three candidates are interviewed.

Commissioner Doolan stated Dr. Hyland admitted a mistake had been made; a person was hired into the position and this will not be reversed.

Ms. Phillips stated the union's request is to have the lists separated as they have previously been separated in the past.

Commissioner Aoyagi stated she wants to refer the list to Dr. Hyland to bring to the June 2, 2011 meeting.

Motion to pass eligibility lists:

The eligibility list for IA-Special Education passed with the following vote:

Commissioners Aoyagi and Lee voted yes and Commissioner Doolan abstained.

The eligibility list for the School Secretary did not pass with the following vote:

Commissioners Doolan and Aoyagi voted no and Commissioner Lee abstained.

The Commission will revisit the School Secretary eligibility list at the June 2, 2011 meeting.

7. New Business

The job description for Director of Classified Personnel was discussed.

The following changes were made to the description:

On the 2nd line it should read:business administration, education or a related field....(the word "closely" was taken out).

Throughout the document, "Board of Trustees" will be changed to "Board of Directors."

Motion to accept job description for Director of Classified Personnel:

Approval of Director of Classified Personnel Job Description passed 2 to 1. Commissioners Lee and Aoyagi voted yes and Commissioner Doolan voted no.

Paula Phillips, BCCE, requested a desk audit for Deaf Interpreters. She stated the district agreed to do a classification study and this has not been done. Ms. Ruiz stated she was waiting on information from Dr. Hyland to proceed on a desk audit.

Motion to approve desk audit for Deaf Interpreters:

Approval of a desk audit for Deaf Interpreters passed 2 to 1. Commissioners Aoyagi and Doolan voted yes; Commissioner Lee voted no.

Tim Donnelly, BCCE, asked for desk audits for two employees at Berkeley Adult School. They are Jemal A'Omer (Instructional Assistant II) and Rafael Adames (Instructional Technician-Computers). Further, he stated that the work of Mr. Adames, who was laid off, did not go away and asked that this be investigated. His understanding is that the work of the Instructional Technician-Computers is being done by Student Workers, an Independent Contractor, Byron Hewitt, and Vice Principal, Laranda Marr.

Mildred Scherr, Berkeley Adult School, supported Mr. Donnelly's statement by verifying that the work of Mr. Adames is still being done and that outside persons are being brought in to do the work. She stated that monies were shifted from classified to "other" in an effort to pay staff to complete the functions of this job.

Paula Phillips, BCCE, stated that Mr. Adames made an appeal to the Personnel Commission but it was not heard. She requested an investigation into this matter. Ms. Phillips further requested that the minutes from past Personnel Commission meetings be searched to ascertain what has been addressed as far as this appeal request.

Motion to request information from past documents regarding appeal of Mr. Adames:

Unanimously approved

Motion to conduct desk audit for Instructional Assistant II and Instructional Technician-Computer positions at Berkeley Adult School:

Passed 2 to 1: Commissioners Doolan and Aoyagi voted yes and Commissioner Lee voted no.

Motion to do an audit of work being done by Student Workers, Independent Contractor, Byron Hewitt, and Vice Principal, Laranda Marr:

Unanimously approved.

It was announced that any individual is allowed to put an item on the agenda of the Personnel Commission meetings; it is only the three Commissioners or the Classified Director that may make an item an action item. Further, there was a request that when making a motion or an agenda item to please be prepared and succinct when submitting to the Commission.

Motion to table item #4 –Request for Review of Secretary Eligibility List Process:

Unanimously approved.

8. Old Business

2011-2011 Personnel Commission Budget:

Commissioner Lee went over all three budgets that were proposed. There will be a hearing date set in May 2011. The budget needs to be to Javetta Cleveland by June 1, 2011.

Commissioner Lee added a line item for \$70,000 to hire a consultant to do a classification study. These monies will be moved from the Board of Education to the Personnel Commission.

There was discussion about staffing for the Commission. All three Commissioners agreed that adding one more person was necessary to have a better functioning commission.

Motion to accept budget proposed on page 14, subject to amendments:

Unanimously passed.

Meeting was set for May 10, 2011 at 2:00 PM for the budget hearing.

9. Public Comments

Commissioner Lee announced the next meetings which are being held on June 1, 2011 and June 2, 2011. There is also the classified employee recognition party on June 9, 2011 at 3:00 PM at Berkeley Adult School.

Paula Phillips, BCCE, asked the Commission to give authority to Delia Ruiz, Assistant Superintendent of Human Resources, to sign classified lay-off letters. This authority was granted.

Meeting adjourned at 7:20 PM.

**BERKELEY UNIFIED SCHOOL DISTRICT
PERSONNEL COMMISSION OF THE MERIT SYSTEM
SPECIAL SESSION**

Personnel Commission of the Merit System Minutes
Tuesday, May 10, 2011
BUSD Admin Annex Conf Room
2134 Martin Luther King Jr. Way- Open Session
Berkeley, CA 94703

Personnel Commission Members
Dan Lee, Chairperson
Ann Aoyagi, Commissioner
Roy Doolan, Commissioner

Special Hearing of Personnel Commission-Budget Hearing

Established a quorum at 1:00 PM

Dan Lee and Ann Aoyagi were present; Roy Doolan will be arriving late.

This meeting will deal with the Personnel Commission budget. The 1:00 pm meeting is to clarify/review and discuss budget.

Dan Lee passed out budget worksheet; he got numbers from Pauline Follansbee that represented the last two years and the year to date. Dan Lee stated things were not always categorized the same way from year to year. Mary Butler emailed a fiscal year 2010-11 document that is more specific.

Dan Lee noted there were not hourly expenses last year. This year they were there to pay for Toni Hyland and Cliff Wong.

Proposed changes in staffing were discussed.

Toni Hyland recommended three positions: Director of Classified Personnel/Personnel Coordinator and Personnel Assistant at Step 1. The numbers include statutory benefits, but not health and welfare. Dan Lee explained the Personnel Coordinator position will be the same range as a current Administrative Coordinator.

Paula Phillips, BCCE, asked if this will be a reclassification from the current Administrative Assistant to the new Personnel Coordinator classification. Dan stated that it would be a reclassification. Ms. Phillips also asked if a new position for Personnel Assistant will be created? Dan Lee replied yes.

Paula Phillips, BCCE, asked if the agenda had been approved. She asked about the order of the agenda and asked for clarification on open versus closed hearing. Mr. Lee

explained that the budget cannot be adopted until after the public hearing. Ann Aoyagi explained that the entire meeting is open; you just have to formally close it.

The agenda was adopted; voted on and passed unanimously.

Dan Lee explained that it will be after the budget is adopted that new job descriptions will be created; the budget needs to be adopted by the May 30, 2011 deadline.

Line items were discussed in detail.

Roy Doolan arrived close to 2:00 PM. Roy received all the documents regarding budgets at this time.

The main question on the floor is why should the Personnel Commission create a new classification called Personnel Coordinator at a higher level classification and not keep Administrative Coordinator position?

The Personnel Coordinator would have Human Resources experience to get this job. The Personnel Assistant would not necessarily have to have Human Resource experience.

The 2:00 PM hearing was called to order by Dan Lee.

Ann Aoyagi clarified that the Personnel Coordinator would be able to step in; the Personnel Assistant would be there to pick up the slack.

Dan Lee stated that this hearing is meant to be one way to get input.

Paula Phillips, BCCE, is concerned that new positions are being created prior to a classification study. This will not allow her members to bump into these positions that are being newly created in the event of a layoff. Paula Phillips, BCCE, is recommending that one of the new positions be a Clerical Specialist or Sr. Personnel Assistant. The union is opposed to creating a Personnel Coordinator at range 52 when we have an Administrative Coordinator at range 52.

Dan Lee states this is a re-organization and not a classification study.

Dan Lee states that the creation of the Personnel Assistant is not as important as Personnel Coordinator and would be fine with an existing position rather than creation of the Personnel Assistant. The position of Clerical Specialist was proposed by the union in lieu of Personnel Assistant.

Delia Ruiz, Assistant Superintendent, Human Resources, explained what the roles of each of the proposed classifications would be, based on conversation she had with Toni Hyland. Delia Ruiz stated she is not sure what the essential functions of the Personnel Coordinator would be.

Delia Ruiz also discussed persons who have been brought in to Human Resources to help with special projects; most often, persons who may appear to be "extra" in Human Resources are actually subbing for someone who is absent.

Delia Ruiz summarized Dr. Hyland's recommendation to upgrade the Administrative Assistant position to Personnel Coordinator, this position would require the incumbent to have expertise in Human Resources. Dr. Hyland would add a second position which would be a lower level, clerical position which would not require human resources expertise.

Paula Phillips, on behalf of BCCF, stated opposition to creation of new classifications at a time where the district has no money.

Bill Huyett, Superintendent, stated that any increase in the Personnel Commission budget would likely mean cuts to the Human Resources budget and asked that this be taken into consideration when making any decisions.

Dan Lee wanted to reiterate that the Commission's budget is independent of the District's budget. He also stated the commission understands the situation Human Resources faces as far as budget cuts.

Bill Huyett, Superintendent, stated he recognizes that the Human Resources department is currently understaffed and that this is most likely statewide.

Dan Lee mentioned other Merit Districts in the state have at least two staff with the same ADA as BUSD working for the commission. He would like the commission to have their own staff and not have to be dependent on Human Resources staff.

The Personnel Commission budget is ultimately approved by the Alameda County Superintendent. If the budget is not approved, then the budget from prior year is used.

Once the budget is voted on today, it will be sent to the district superintendent for comments; it then gets sent to the Alameda County Superintendent for final approval no later than May 30, 2011.

Discussion around dollar amount to keep Dr. Hyland on staff to help transition with the new Director took place. Dollar amount was dropped from \$30,000 to \$15,000. This will cover the overlap only.

Discussion to add \$70,000 to the budget to work on the classification study took place as well as other line items on the budget. Delia Ruiz, Assistant Superintendent, stated a number of items on the Personnel Commission budget were paid for from the Human Resources budget.

Office space was discussed for when we move to the new building. Some adjustments may need to be made as far as office space and a separate copy machine may be needed for the commission.

Discussion around pre-employment examinations took place.

Dan Lee stated the commission will go with the recommendation to adopt budget on page 14 of the agenda that Dr. Hyland recommended. This would be a Director, Personnel Coordinator and Clerical Assistant, as opposed to a Personnel Assistant or Clerical Specialist. It was voted on to add \$70,000 for consultancy to take care of classification study and to drop the overlap from Interim Director to new Classified Director from \$30,000 to \$15,000. Voted on and passed unanimously.

PUBLIC COMMENTS: there were none.

Hearing was closed by Dan Lee.

BERKELEY UNIFIED SCHOOL DISTRICT

MERIT SYSTEM

Eligibility List for: **CUSTODIAN I**

Written Examination: **April 11, 2011**

Performance Evaluation: **May 9-12, 2011**

Technical/General Fitness Oral: **May 9-12, 2011**

Lists established by Personnel Commission: **May 20, 2011 to expire May 20, 2012**

	<u>Date Certified To Position</u>	<u>Effective Date of Appointment</u>
1. Clinton Robinson	_____	_____
2. Kenneth Smith	_____	_____
3. Jai Kumar	_____	_____
4. James Boyd	_____	_____
Marcus Davis	_____	_____
5. Isidoro Condor	_____	_____
Trent Taylor	_____	_____
6. Maria Ruiz	_____	_____
7. Herman Porter	_____	_____
8. Stefan Gibson	_____	_____

TV. 2
14A

BERKELEY UNIFIED SCHOOL DISTRICT

MERIT SYSTEM

Eligibility List for: **CNN PROGRAM SUPERVISOR**

Written Examination: **n/a**

Performance Evaluation:

Technical/General Fitness Oral: **May 3-4, 2011**

Lists established by Personnel Commission: **May 5, 2011 to expire May 5, 2012**

	<u>Date Certified To Position</u>	<u>Effective Date of Appointment</u>
1. Leah Sokolofski Burstein	_____	_____
2. Rusty Hopewell	_____	_____
3. Adam Edell	_____	_____

IV.2.
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BERKELEY UNIFIED SCHOOL DISTRICT

MERIT SYSTEM

Eligibility List for:

**CUSTODIAL SERVICES SUPERVISOR (PUBLIC)
MERGED/DUAL LIST**

Written Examination:

N/A

Performance Evaluation:

n/a

Technical/General Fitness Oral:

May 26, 2011

Lists established by Personnel Commission:

May 26, 2011 to expire May 26, 2012

	<u>Date Certified To Position</u>	<u>Effective Date of Appointment</u>
1. Tracey Trotman	_____	_____
2. Jackie Ray*	_____	_____
2. Raymond Young*	_____	_____
3. Anthony Diaz	_____	_____

*Promotional

IV.2
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BERKELEY UNIFIED SCHOOL DISTRICT

MERIT SYSTEM

Eligibility List for:

**CUSTODIAL SERVICES SUPERVISOR (PC)
PROMOTIONAL**

Written Examination:

N/A

Performance Evaluation:

n/a

Technical/General Fitness Oral:

May 26, 2011

Lists established by Personnel Commission:

May 26, 2011 to expire May 26, 2012

	<u>Date Certified To Position</u>	<u>Effective Date of Appointment</u>
1. Jackie Ray	_____	_____
1. Raymond Young	_____	_____

*Promotional

IV.2
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IV. 1.3 Employee Action

The Personnel Commission is asked to approve the reassignment of the Director of Classified Personnel per his agreement with BUSD.

IV.1.3.

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VI. 1. School Secretary Eligibility List

The Director is asking the approval of the promotional and merged/dual eligibility lists for the classification of School Secretary. The Director assumed the promotional list had been brought to the Commission prior to her hire. The merged dual list dated 31 March is the corrected list. Any other lists would be null and void. The list presented at the last meeting dated 4 November 2010 through 4 November 2011 was reviewed when the 31 March list was compiled and was found to be expired as 2 ranks stale-dated on 5 November 2010, 1 rank withdrew, 1 rank did not have a passing score.

BERKELEY UNIFIED SCHOOL DISTRICT

MERIT SYSTEM

Eligibility List for:

SCHOOL SECRETARY – (Promotional)

Lists established by Personnel Commission: **March 3, 2011** to expire **March 3, 2012**

	Date Certified to Position	Effective Date of Appointment
1. Herrieze Jones	_____	_____
2. Tiffany Williams*	_____	_____

*Expires November 4, 2011

BERKELEY UNIFIED SCHOOL DISTRICT

PERSONNEL COMMISSION


Merged Dual Promotional/Open Eligibility List - PUBLIC

SCHOOL SECRETARY

RANK

1. Alnas-Benson, Tiana
2. Benson, Amy
3. Bentley, Noelle
4. Brandon, Joya
Chairez, Lyzanna
Graham, Vera
Harrison, Betty
Peterson, Jan
5. Fields, Erin
Friend, Carla
6. Jones, Herrieze (promotional)
7. Marshall, Kim
Woods, Deanna
8. Tidwell, Graham
9. Wooley, Ursala
10. Williams, Tiffany* (promotional)

*Expires 11/4/11



Approved -Director Classified Personnel

List established:

March 31, 2011 to expire March 31, 2012