

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

Timothy Carter, Chairperson

Personnel Commission
Heidi Goldstein, Vice-Chairperson
Peter Rogosin, Secretary

Reynaldo Ortiz, Commissioner

Meeting Agenda
March 2, 2017 – 4:30 pm

- | | |
|---|---------------------------|
| 1. Call to Order | Chairperson Carter |
| 2. Roll Call & Establishment of Quorum | Secretary Rogosin |
| 3. Public Comments (15 minute limit) | Public |

This is an opportunity for the public to comment on Personnel Commission business on the agenda. The time limit

10. Conference Items

Chairperson: **Frank Carter**

These items were carried over from a previous meeting:

- 1. **Advanced Salary Placement for Health and**
- 2. **Advanced Salary Placement for Health and**
- 3. **Advanced Salary Placement for Health and**
- 4. **Advanced Salary Placement for Health and**
- 5. **Advanced Salary Placement for Health and**
- 6. **Advanced Salary Placement for Health and**
- 7. **Advanced Salary Placement for Health and**
- 8. **Advanced Salary Placement for Health and**
- 9. **Advanced Salary Placement for Health and**
- 10. **Advanced Salary Placement for Health and**

Item	Chairperson	Author
1. Advanced Salary Placement for Health and	Frank Carter	Frank Carter
2. Advanced Salary Placement for Health and	Frank Carter	Frank Carter
3. Advanced Salary Placement for Health and	Frank Carter	Frank Carter
4. Advanced Salary Placement for Health and	Frank Carter	Frank Carter
5. Advanced Salary Placement for Health and	Frank Carter	Frank Carter
6. Advanced Salary Placement for Health and	Frank Carter	Frank Carter
7. Advanced Salary Placement for Health and	Frank Carter	Frank Carter
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**Berkeley Unified School District
Personnel Commission Meeting Minutes**

February 3, 2017 – 3:30 pm

1. Call to Order

The meeting was called to order at 3:30 pm.

2. Roll Call

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

3. Public Comments

Paula Phillips, BCCE President, commented that she would like to receive paper copies of the agenda packet.

4. Approval & Adoption of Agenda

Commissioner Ortiz made a motion to approve the agenda, Vice-Chairperson Goldstein seconded the motion.

Approved, 3-0

5. Closed Session (3 matters)

- a) Employee Discipline and Legal Matters - Government Code § 54954.5
- b) Personnel and Disciplinary Action - Government Code § 549547
- c) Public Employment - Government Code § 54957 (b)(1)

The Personnel Commission met in closed session to discuss a matter related to legal matters regarding the termination and subsequent appeal hearing of a classified employee (2016-1-AH) and received an update

8. Consent Items

I. Ratification of Eligibility Lists

[REDACTED]

c) Student Records Assistant

d) Health and Wellness Program Coordinator

e) School Service Assistant

Secretary Bergeron commended Personnel Commission staff for moving lists in a expeditious manner. President

[REDACTED]

President Phillips said that there are two employees who are sharing the duties of a higher class, but is not clear how they are being compensated. She requested to know how "working out class" is being determined. She also said that upon review of the latest vacancy report, she believes that 23 out of 39 vacancies have been on list for an inordinate amount of time.

b) Commissioners Reports

Vice- Chairperson Goldstein commented that she found the CSPCA conference very helpful. She also attended the District's classified meeting, and appreciated learning about the District's budget and said she would like to have heard more about other departments. She noticed that it was held on a professional staff development day and not all groups were scheduled to receive training. She mentioned that she would like to collaborate with the Union to determine what would be good training for classified staff.

Vice-Chairperson Goldstein also thanked Personnel Commission staff for posting meeting minutes on the website soon after she inquired about missing minutes. She also mentioned that she was glad to see in the report packet that there is an equal balance of promotions and new-hires.

c) Personnel Director

Secretary Rogosin commented that the Commission did not sign the WRIT agreement. He also added that it is good that employees are given the opportunity to work out of class so they can take on additional assignments. He said that working out of class is consistent with the Educational Code, and that it is under the Commission's purview.

11. Public Comments

President Phillips commented that hours worked as a Noon Duty Supervisor should be considered as regular FTE so that employees can receive benefits. She said that the job description should be reviewed because they are doing classified

job duties.

12. Next Meeting

The next regular meeting will be held on March 2, at 4:30pm. Commissioner Ortiz requested copies of the WRIT agreement and a further discussion added as an agenda item. Vice-Chairperson Goldstein suggested including a regular agenda item for the District to provide a report at every meeting.

13. Adjournment

The meeting was adjourned at 6:46 pm.

Respectfully Submitted,

Berkeley Unified School District
Merit System

Eligibility List for : Compliance Officer and Title IX Coordinator

(Open)

Written Examination: **January 31, 2017**

Oral Examination: **January 31, 2017**

List Established by Personnel Commission: **March 2, 2017 to expire March 1, 2018**

Open

1 Dana Clark

2 Robin Mills

Peter Rogosin
Secretary, Personnel Commission

Date

Merit System

Eligibility List for Student Body Account Technician

(Open)

Written Examination: January 4, 2017

Oral Examination: February 2, 2017

List Established by Personnel Commission: March 2, 2017 to expire March 1, 2018

Open

1 Renita Underwood-Hackett

Peter Rogosin
Secretary, Personnel Commission

Date

Berkeley Unified School District
Merit System

Eligibility List for : **Attendance Technician**
(Open)

Written Examination: **January 20, 2017**

Oral Examination: **February 2, 2017**

List Established by Personnel Commission: March 2, 2017 to expire March 1, 2018



Open

1 Dawn Scuteri

Peter Rogosin
Secretary, Personnel Commission

Date

Title

Date

Berkeley Unified School District
Merit System

03/28/2015 11:44 AM

03/28/2015 11:44 AM

(Open)

14/2/2015 11:44 AM

Berkeley Unified School District
Merit System

Eligibility List for : **Maintenance Technician**
 (Open)

Written Examination: **February 2, 2017**

Oral Examination: **February 15, 2017**

List Established by Personnel Commission: **March 2, 2017 to expire March 1, 2018**

Open

- 1 Bryce Berggren*
- 2 Anthony Hogue
- 3 Brent Moore

** Eligibility to expire May 5, 2017*

Peter Rogosin
Secretary, Personnel Commission

Date

Timothy Carter
Chairperson, Personnel Commission

Date

Berkeley Unified School District
Merit System

Eligibility List for : **Media Technology Technician**
 (Open)

Written Examination: **January 16, 2017**
Oral Examination: **February 21, 2017**

List Established by Personnel Commission: **March 2, 2017 to expire March 1, 2018**

Open

- 1 Jordan Anderson
- 2 Jeffrey Kimmich

Peter Rogosin
Secretary, Personnel Commission

Date

Timothy Carter
Chairperson, Personnel Commission

Date

Examinations Administered in the Month of February:

<u>Classification</u>	<u>Written</u>	<u>Oral</u>	<u>Performance</u>
Attendance Technician	14	2	
Student Body Account Technician	2	2	
Maintenance Technician	2		
Delivery Driver	1		
Clerical Assistant III	10	4	
Grounds Gardener		2	2
Maintenance Engineer	6		
Media Technology Technician	2	2	
Budget Analyst I	7		

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>
Lindsey Orbeta	New-Hire	Health and Wellness Program Coordinator	Cooking & Gardening
Nanna Mwalako	New-Hire	Instructional Tech.- Before and After School	BAM
Alexander Suttice	New-Hire	Instructional Tech.- Before and After School	Willard
Mehnaz Din	New-Hire	Instructional Assistant II, SPED	BAM
Yasir Ahmad	New-Hire	Instructional Assistant	King CDC

Jody Rosenthal	New-Hire	Instructional Assistant II, SPED	Oxford
Diana Bonilla	Promotion	Accounting Technician	Business Services
Karissa Cornett	New-Hire	School Services Assistant	Jefferson

ATTACHMENT A

To: The Personnel Commission

From: Peter Rinosin, Interim Personnel Director

Date: March 2, 2017

The Personnel Commission, at their meeting of February 3, 2017, requested an informative

MUTUAL SETTLEMENT AGREEMENT AND RELEASE

2. BCCE Obligations

a. BCCE waives and releases any and all claims, causes of action, lawsuits, obligations, damages, judgments and liabilities of any nature or kind whatsoever (including but not limited to declaratory and equitable relief), attorneys' fees and costs which in any way arise out of or relate to the

b. On the Court day following the date on which this agreement is executed by all Parties, BCCE shall file with the Court a dismissal of the Writ

- d. **Prospectively ensure that, except where allowed by the Education Code, individuals are appointed as provisional employees in BCCE classifications for periods not to exceed ninety (90) working days when no eligibility list exists for said classified position and in adherence to the procedures set**

- e. **Prospectively ensure that individuals are not appointed as probationary if those individuals' names do not appear in the first three (3) ranks of an eligibility list.**

- f. **Prospectively ensure that BCCE positions are contracted out only in adherence to the applicable Education Code sections that expressly provide for such contracting.**

- g. **Pay the sum of [REDACTED] to BCCE in full and final settlement of all potential**

5. Representation and Warranties

- a. Each party herein represents and warrants that as of the date of execution of this Release, no portion of any matter released hereby, nor any portion of any recovery or settlement to which they might be entitled, has been assigned or transferred to any other person or entity by operation of law or otherwise. In the event any party breaches this warranty and representation, the breaching party shall indemnify and hold the non-breaching party or parties harmless from any claims, suits, liabilities, losses or damages resulting from such breach.

- b. Each party herein represents and warrants that it has not filed, instituted or joined any claim in any state or federal court, administrative agency or any other forum arising out of, or relating in any way to any claim that is the subject matter of this Release which may exist against any party.

Further, each party herein covenants that it shall not file, institute or join the same.

6. General Provisions

This Release is the product of negotiation and compromise and the

- e. **If any provision or any part of any provision of this Release is for any**
purpose held to be invalid, unenforceable or contrary to any public policy

affected thereby and shall remain valid and fully enforceable.

- f. **Sections, titles and captions contained in this Release are inserted only as a**
matter of convenience and for reference and shall in no way be construed to

Dated: November 7, 2011

BERKELEY COUNCIL OF CLASSIFIED
EMPLOYEES LOCAL 6192, AFT, AFL-CIO

By: Paula A. Ph...
Title: President

Dated: 11/9/11

BERKELEY UNIFIED SCHOOL DISTRICT

To: The Personnel Commission

From: Peter Rogosin, Interim Personnel Director

Date: March 2, 2017

Subject: Abolishment of Rule 40.200.13 - Ties in Examination Scores

Personnel Commission Rule 40.200.13 was designed to break ties at the final stage in the

To: The Personnel Commission

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

ATTACHMENT D

Recommendation: It is recommended that the Personnel Commission concur with the District recommendation to place Ms. Dana Clark, Compliance Officer and Title IX Coordinator, at step five (5) of Range 74 on the Salary Schedule.

***Note:** Commission staff is, by Education Code, the exclusive supervisors of Commission staff.

To: The Personnel Commission

From: Peter Pappas, Interim Personnel Director

Subject: Initial Salary Step Placement for Health and Wellness Program Coordinator

The District of Columbia Office of the Auditor General, Department of Health and Human Services