

# TEMPLE CITY UNIFIED SCHOOL DISTRICT PERSONNEL COMMISSION



Merit System Overview

Rules and Functions of The Board of Education & Personnel Commission

By Juris Burgos

# A LITTLE HISTORY OF THE MERIT SYSTEM

- In the 1800's, the "spoils" system was a well established method of filling government jobs. Most public sector jobs were filled by "patronage" whereby a politician would win office and fill government jobs with friends, relatives and campaign contributors.
- Reacting to these abuses, the Federal Congress passed the Federal Civil Service Act in 1883.
- In 1935, the California Legislature amended the Education Code to make a Merit System structure available to its school districts following a public outrage at the firing of over 700 classified employees in the Los Angeles Unified School District to provide jobs for friends of newly elected Board members.
- Today, the authority of the Personnel Commission emanates from Education Code Sections 45240 to 45320 and 88060 to 88139. The Personnel Commission is charged with developing and maintaining a MERIT SYSTEM for classified employees of the school District.



ADMINISTERED BY THE PERSONNEL COMMISSION- INDEPENDENT BODY COMPOSED OF THREE PERSONS APPOINTED FOR A THREE-YEAR STAGGERED TERMS

**PERSONNEL COMMISSION**

**MEMBERS:**

- APPOINTED BY THE GOVERNING BOARD
- NOMINATED BY THE CSEA BARGAINING UNIT
- APPOINTED BY THE TWO OTHER COMMISSIONERS

CLASSIFIED SERVICE EMPLOYMENT & PROMOTION ARE BASED ON ABILITY AS SHOWN BY COMPETITIVE EXAMINATION

ASSURES FAIR & EQUITABLE TREATMENT IN ALL PERSONNEL MANAGEMENT, WITHOUT REGARD TO RACE, NATIONAL ORIGIN, ANCESTRY, AGE, RELIGIOUS BELIEFS, MARITAL STATUS, GENDER, DISABILITY, POLITICAL BELIEFS OR AFFILIATION

# MERIT SYSTEM PRINCIPLES

PROVIDES FOR AN OPEN AND NEUTRAL FORUM FOR CLASSIFIED EMPLOYEES' CONCERNS

EMPLOYEES ARE ENCOURAGED TO REMAIN WITH AND TO PROMOTE FROM WITHIN THE DISTRICT

PROVIDES EQUITABLE COMPENSATION BY RECOMMENDING SALARY SCHEDULES CONSISTENT WITH *"LIKE PAY FOR LIKE WORK"*

PROTECTS EMPLOYEES FROM ARBITRARY ACTION, PERSONAL FAVORITISM OR POLITICAL COERCION

PROVIDES FAIR AND IMPARTIAL RULES TO ENSURE THE EFFICIENCY OF THE CLASSIFIED SERVICE

ESTABLISHES WRITTEN JOB DESCRIPTIONS AND JOB CLASSIFICATION RELATIONSHIPS

# PERSONNEL COMMISSION MEMBERS



## PERSONNEL COMMISSION STAFFING

ASSISTANT SUPERINTENDENT  
OF PERSONNEL – 50%

DIRECTOR OF PERSONNEL –  
50%

PERSONNEL TECHNICIAN II –  
50%

PERSONNEL TECHNICIAN I –  
50%

**MARIA GARNER**

**Chairperson**

Joint Personnel  
Commission  
appointee, term  
expires 2021

**ANN SEITZ**

**Vice-Chairperson**

Nominated by the  
CSEA bargaining  
unit, term expires  
2022

**GINA APARICIO**

**Member**

Appointed by the  
Board of  
Education, term  
expires 2023

**BOARD OF EDUCATION  
and  
PERSONNEL COMMISSION**

*Roles and Responsibilities*



# Internal Management of Personnel Commission

- Prepares annual Personnel Commission budget; expends funds for training of Commission staff
- Appoints Classified Personnel Director
- Administers Classified Personnel System in accordance with Personnel Commission Rules and Regulations and Education Code
- Prepares annual Personnel Commission Report

# Responsibilities & Functions: Personnel Administration

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## Personnel Commission

- Adopts rules/regulations of the Classified Service
- Process resignations
- Approves Personnel Orders for Commission (Commission is approving the Personnel actions in the context of compliance with the Commission's rules & regulations, and the law.)

## Board of Education

- Process new employees after selection off eligibility lists
- Accepts resignations (with the exception of Commission employees)
- Approves Personnel Orders for Board (Board acting as the hiring authority or employer)

## Dual Board & PC Responsibilities and Functions

- Process: transfer requests, employee leave of absences requests, layoffs/rehires, medical returns to work
- Plan and implement classified in-service program and employee orientation

# Responsibilities & Functions: Recruitment and Selection

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## Personnel Commission

- Conducts recruitments and screening process for applicants
- Develops examination and interview process
- Establishes and certifies eligibility lists
- Selects Commission employees for employment

## Board of Education

- Selects employees for employment or promotion from certified eligible candidates

## Dual Board & PC Responsibilities and Functions

- Approve hiring, promotion or transfer of employees – Board hires, promotes and transfers based upon eligibility lists developed by the Commission





# Responsibilities & Functions: Job Classifications

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## Personnel Commission

- Establishes classifications, titles and qualifications of new and existing positions
- Oversees reclassification process
- Establishes and maintains internal alignments between occupational hierarchies
- Determination that an employee is “working out of classification”

## Board of Education

- Establishes new positions (except Commission positions)
- Fix and prescribe duties of positions (except Commission positions)

## Dual Board & PC Responsibilities and Functions

- Develop and maintain classification descriptions – Job duties determined by the Board; Job qualifications, experience, education requirements are Commission functions
- Working Out of Classification length of time determination – jointly decided by the Commission and the Board

# Responsibilities & Functions: Wage, Salary & Benefits

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## Personnel Commission

- Conducts salary surveys
- Recommends salary schedules
- Process merit step raises

## Board of Education

- Adopts salary schedules
- Coordinates health and welfare benefits program
- Coordinates workers' compensation program
- Coordinates Public Employees Retirement System
- Grants additional leaves of absence and leave benefits above that mandated by law



## Dual Board & PC Responsibilities and Functions

- Prepare salary schedules – Commission recommends; Board approves, amend, or reject PC recommendations but cannot amend without giving PC a chance to respond or make changes that disturb internal alignment

# Responsibilities & Functions: Employee Relations

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## Personnel Commission

- Process rules regarding grievances
- Establishes discipline procedures

## Board of Education

- Process grievances
- Conducts collective bargaining contract negotiations
- Initiates action to suspend, demote or terminate employee

## Dual Board & PC Responsibilities and Functions

- Analyzes collective bargaining proposals and agreements
- Handles Public Employment Relations Board (PERB) unfair practices charges

# Responsibilities & Functions: Hearing and Investigations

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## Personnel Commission

- Establishes procedures for hearings on subjects within the authority of the Commission
- Inspects District records, subpoena witnesses, administers oaths, and conducts hearings

## Board of Education

- Provides funds for legal counsel as needed for the Commission
- Allows the Commission access to legal counsel



**Regular Meetings  
of the Personnel Commission are held at the District  
Office or virtually  
on the 3<sup>rd</sup> Tuesday of each month  
with the exception of August  
when no meeting is held.**

# QUESTIONS ?

