

**PERSONNEL COMMISSION MEETING  
MINUTES  
SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT**

March 25, 2009

A meeting of the Personnel Commission was held in the Community Room at the Board of Education Building. Present were Mr. George Bohn, Chairperson; Ms. Rhonda Early, Vice-Chairperson; Gino Barabani, Member; and Mr. Jeff Josserand, Executive Director.

**I. CALL TO ORDER**

Mr. Bohn, chairperson, called the meeting to order at 5:35 p.m. and led the pledge of allegiance.

**II. APPROVAL OF THE MINUTES**

On the suggestion of Mr. Josserand, the Commission decided to defer the approval of the minutes of the Personnel Commission meeting on May 28, 2008 until the next meeting pending review from the Commission. Ms. Early moved to approve; Mr. Barabani seconded. The motion was approved unanimously. Ms. Early moved to approve the minutes of the January 28, 2009 Personnel Commission meeting; Mr. Barabani seconded. The minutes were approved unanimously.

On suggestion of Mr. Josserand, the Commissioners went into closed session at 5:40 p.m.

The Commissioners and Mr. Josserand returned from closed session at 5:55 p.m.

No action to report.

**IV. MATTERS BROUGHT BY THE PUBLIC**

There were none to report.

**V. EXECUTIVE DIRECTOR REPORT**

Mr. Josserand introduced the Commission's new staff; Irma Garcia, Alexis Jenks, and Lorena Aceves. Mr. Josserand is very grateful for the new staff that came from the District to help the Commission.

That concludes the Executive Director's Report.

**III. ACTION ITEMS:**

**A. Presentation on NEOGOV:**

Ms. Hillary Harris presented the NEOGOV, an applicant tracking system. The Commissioners as well as CSEA stated that they were very interested in NEOGOV and thought it was a very good program for the District in terms of budget and work production. The Commissioners showed they are interested in purchasing NEOGOV in the future.

**B. Discussion and necessary action regarding transition of Commission duties:**

Mr. Jossierand: Ms. Ortega has taken an opportunity to set a tone with the Commission and make a significant gesture of good faith in the negotiations between the Commission and the District and transfer certain duties as a first step, and has given us some staff and some monies to support that staff. In front of the Commission is a copy of that report. I've had an opportunity to go over this report with each of the Commissioners but I wanted to formally give it to you as a group. We have worked very hard for the last eighteen months or so to build trust and build a situation with mutual respect and where the dignity of everybody is maintained but also an atmosphere where we make progress. Progress has been slow in coming, but we have made significant progress, effective this Monday past, where we took over recruitment and testing. The staff to perform those duties has come over to us. We have an opportunity to transition duties without the usual stress of being over tasked as most public entities are. In the most recent meeting between the Commission staff and the District staff, I would ask the District representative to correct any matters of errors that I have, we have agreed to continue discussions related to the transition of duties. We may have some differences of opinion about transition of specific duties from the District to the Commission. We are working diligently to resolve those difficulties. My goal is to ensure a smooth transition to service the children's needs of the San Bernardino City Unified School District, the classified employees, and make the Merit System in this District a model Merit System. Recognizing that we come from a time of mistrust, miscommunication, and not the best service for the public, we move towards best practice and we move towards a bright shining future where everybody's happy. It's taken a while to get here, but this is a significance step and I would like to publicly thank Ms. Ortega for the courage and her boss Mr. Mel Albiso for his courage in taking the first step to transfer some duties back to us, some staff back to us, and some funds to support that staff back to us. I'd be happy to answer any questions.

Mr. Barabani: I have a question. Are these the number of positions we are receiving at this time and are they going to be able to handle the situation? I know we have a hiring freeze; it seems to me we don't have enough staff.

Mr. Jossierand: If the questions is do we have currently, with this good faith gesture, do we have enough staff to perform the Commissions function the answer is no. Do we have all the Commissions functions now willingly surrendered back to the Commission, the answer is no. I'm hopeful that through continued discussion and mutual education and team work we can accomplish that role.

Mr. Barabani: I think that is something we should work on and foster and move forward on. I don't think this is going to work unless we do move forward.

Mr. Jossierand: It all comes down to resources. In my last couple of meetings I tried to paint a picture that's very clear and recognize the situation that we are in. We have to have adequate resources to perform our functions and our mission. Now it's incumbent upon me to be responsible to you and to take appropriate assets, maximize their efficiencies and accomplish the mission that we are given as the Commission I'm happy to embrace that. It's also incumbent upon the Commission and staff to make sure that we have appropriate staff and resources to do the functions. I think the point we're at now is that we're still discussing functions and we're still discussing resources and that we are characterized that we still have some distance between

the District's position and the Commission's staff position. Perhaps the questions is how long do we go on in this state? I sense that some of our constituents would like us to resolve these questions in some timely manner.

Mr. Barabani: As long as this discussion is going on and we're keeping an eye on this and we're moving forward, I think this is the first step and moving forward to making it better.

Mr. Bohn: Hopefully by the end of the year June 30, 2009.

Mr. Barabani: I'd like to see some kind of movement within the next ninety days if that's possible.

Mr. Bohn: We are now doing testing and recruitment?

Mr. Josserand: We have the responsibility for that as of last Monday, but currently we are not running any recruitments.

Mr. Bohn: In a normal situation, the duties that the HR department has, had over a number of years, how much responsibility, in relationship to time and percentage, is there for recruitment for testing and those kinds of things?

Mr. Josserand: An excellent question Mr. Chairperson. My estimation is that 70-80% of the duties currently preformed in classified personnel are duties traditionally accomplished by the personnel commission. It would be Commission staff's opinion that there are two over riding issues in an answer to that question. The first is that when you split the duties to the Commission and split the duties to the District there are inefficiency that results in that. So if you have one entity doing the functions, and let's assume you are satisfied with that entities performance and their productions to meet those things, you could argue that you split those two offices up there is inefficiency that results that may cost more resources. We're still talking about what those functions are. Many functions are very clear that they are Commission functions, some functions open to contention. The fact that we moved to where we are today, I think everybody on all sides should pat themselves on the back. But there's a question about how long it goes on and I'll try to bring you a timeline to move that forward. It provides the resources to do the functions we want to do, and what we are supposed to do.

Mr. Bohn: As we come to the end of this financial crisis and we move off a hiring freeze and back into a normal operation, does the Commission have enough people to do the job that the District expects them to do? The District has a number of people to do the job, if we are going to be doing those things we need to have the support that the District had so that we could move through the recruiting process and fill positions that have been sitting vacant and do the testing, and all the things that the employees of the District and the members of the community expect to be done in a timely manner. That is my concern. I know we can't be there tomorrow and we can't be there next month, but I would sure hope that there is some process in mind so that when we are sitting here this time next year we have come to an agreement in an appropriate and timely manner. One of the things that I mentioned before is budget. Budget is due by June 30, actually budget must be prepared before that. We need to have some leeway in that budget so

that we could move forward. That is my concern. We're all here to make sure the District can function and provide education to students. We're all an ingredient part of providing that education and we need to make sure we can do that as we move along.

Ms. Ortega, Assistant Superintendent of Employee Relations/Classified Human Resources:

I want to start off by thanking Jeff and the Personnel Commission for being patient while we transition and get these duties moved over. It is a work in progress. The District fully understands that it's going to continue to change. We were making changes and attempted to do it as quickly as we possibly could, and making changes and decisions based on where we are currently. The dust hasn't settled from this nightmare we are facing right now with the budget and we know that. We're currently in a hard freeze and next year we anticipate facing even further issues. I don't know that we can ever say this will be done in six months or eight months because I think we have two years that we are going to face which are rather difficult. We are going to have to continue onward discussions and resolving them and making changes and adjustment as we go. We are well aware that this is just the start, we know that. Until it hits us in two years we really won't know till then. Right now I'm hoping that we continue, Jeff and I, to modify until we get to where we are at. I think that the important thing is to have that on going communication as we see needs and we adapt to those needs, we make the changes as we go. When I first moved into my new position and to these new responsibilities, there were certain expectations and from then till now those have changed. We had to add a position and we were doing a variety of things just based on communication. I think that this has to be on going certainly sooner than later is best. I don't know if we will know what the Personnel Commission will need until it actually gets back to normal but in the mean time there is no intend on the part of District to just stop, because I don't think we will be done for a long time. I think we need to continue with communication. Absolutely, the Personnel Commission has to succeed in order for us to be successful. We're in this together. We're a team. And if we have the belief that we're done with this from the beginning, nobody is going to win. Nobody is going to succeed and the employees are going to suffer. So I wanted to make sure that I share with the Personnel Commissioners that is not the intent. Thank you.

Ms. Early: I have a recommendation. My recommendation is that you continue your discussions and determine what amount of staff would be adequate for the Commission to carry out its function. My recommendation is that you provide us with a detailed written document on what our needs are and I would like to see personnel transfer over to the Commission prior to the fiscal year. We need to be in process of creating our budget for the next fiscal year and that needs be taken into consideration so we should have that information prior to our next Commission meeting. Also the union has expressed an interest in the rewriting the Commission Rules. I was hoping that that type of dialogue would have taken place since the last Commission meeting. I'm hoping that effort starts prior to our next Commission meeting also because some of this needs to be taken into consideration.

Mr. Jossierand: Yes ma'am.

Mr. Barabani: I agree. I would like to see the Commission Rules at least by June 30 if that is possible.

Mr. Josserand: Yes sir.

Mr. Bohn: You did get started on the Commission Rules and have done some of the sections, one and two, and had a lot of conversations on three and some of the other sections. I understand we need to move forward on that along with everything else. Do we all concur, Mrs. Early and Mr. Barabani?

Mr. Barabani and Mrs. Early: Yes we do.

Mr. Josserand: I would like to suggest the possibility of making a motion and perhaps approve tonight a motion that would read as follows: to accept the transfer of staff and funds from the District and thank them for this first step good faith gesture.

Mr. Barabani: I'd like a motion to provide a draft of the Commission Rules by June 30.

Mrs. Early: I second.

The motion passed with all three commissioners voting for the motion.

Mr. Josserand: Our chapter one and chapter two specifically outline the process by which we have to write and gain understanding with CSEA and with the District over Commission Rule. The Commission staff sees no problem with that, depending on their availability. They are busy and they are inside a crisis, I'm mindful of that, but Commission staff can meet that rule.

Mr. Barabani: Thank you.

Mr. Bohn: Do we have a motion on the first and the second. All those in favor say Aye.

Mrs. Early: Aye

Mr. Barabani: Aye

Mr. Bohn: So moved.

Mrs. Early: The one thing that wasn't covered in motion, I want to move that our Commission identifies the needs of the Commission and give us the result of the conversation that you have with the District staff on how you will carry out that function.

Mr. Josserand: Yes ma'am.

Mr. Bohn: I second that. All those in favor say Aye.

Mr. Barabani: Aye

Mr. Bohn: So moved.

## **VII. ACTION ITEMS**

### **C. Approval of the recruitments:**

Ms. Early moved to approve; Mr. Barabani seconded. The recruitment list was approved unanimously.

### **D. Approval of the eligibility list:**

Ms. Early moved to approve; Mr. Barabani seconded. The eligibility list was approved unanimously.

### **E. Consider and adopt two classifications:**

1. Human Resources Specialist (Personnel Commission)
2. Human Resources Technician (Personnel Commission)

Mr. Jossierand: As the Commission may recall this was an item that was brought to our last meeting that was tabled for consideration at this meeting. It is possible there could be people that want to talk on this. This is a recommendation by Commission staff, for the principle, that Commission staff needs to have job descriptions that reflects what it is that they actually do. The staff that has been provided to the Commission meets those minimum requirements on this my intent at if these classifications would be approved would be to take existing staff, open up a promotional recruitment internal with the District and if they meet those requirements accept them into that classification. That concludes my report on this matter.

### **Motion to approve Human Resources Specialist (Personnel Commission)**

Mr. Barabani moved to approve. Mrs. Early seconded. The job description for Human Resources Specialist (Personnel Commission) was approved unanimously.

### **Motion to approve Human Resources Technician (Personnel Commission)**

Mr. Bohn moved to approve. Mr. Barabani seconded. The job description for Human Resources Technician (Personnel Commission) was approved unanimously.

## **X. COMMISSIONERS REMARKS:**

Mrs. Early: I want to welcome the new Personnel Commission staff. I also want to thank Ms. Ortega for engaging into dialog with Mr. Jossierand to help things move forward.

Mr. Barabani: I agree with that and I hope this collaboration continues.

Mr. Bohn: I would like to thank Ms. Ortega too. I had an opportunity to meet with her a couple of times, I found her to be very collaborative and open in dialog about the needs of the District and concern for the District and I appreciate the good working relationship that we have in moving this whole process.

Mr. Jossierand: As the Director, I'm withdrawing the conference with legal counsel, anticipated litigation, initiation of litigation, that's been cancelled.

**XI. CLOSED SESSION:**

Personnel Commission moved into closed session with no action to report.

Adjourned: 7:00 p.m.