

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

August 3, 2010

A meeting of the Personnel Commission was held in the Personnel Commission Office at the Board of Education Building. Present were Ms. Rhonda Early, Chairperson; Mr. Gino Barabani, Vice Chairperson; and Mr. Michael Salazar, Member.

I. CALL TO ORDER

Ms. Early called the meeting to order at 5:34 p.m. Commissioner Salazar led the Pledge of Allegiance.

II. APPROVAL OF AGENDA

Ms. Early: Next agenda item is approval of tonight's agenda. I'd like to omit Action Item IV (A) and have it agendized for our next scheduled Commission meeting. I so move.

Mr. Barabani: Which item was that? I'm sorry.

Ms. Early: It's Action Item I V (A): The Personnel Commission will receive a status report from the firm of Gresham Savage Nolan & Tilden. They sent correspondence that their representative would not be able to meet with us this evening, but would provide a status report before the end of the week.

Mr. Salazar: That's item IV (A)?

Ms. Early: That's item IV (A).

Mr. Salazar: Yea I'll second.

Ms. Early: We have a motion to omit Action Item IV (A) with a second, all in favor signify with the voting sign of aye.

Mr. Salazar: Aye.

Mr. Barabani: Aye.

Ms. Early: Aye. Motion carries. This item will be placed on our next meeting's agenda. I move to approve tonight's agenda with the omission.

Mr. Barabani: I'll second that.

Ms. Early: We have a motion and a second to approve tonight's agenda with the omission of Action Item IV (A), all in favor signify with the voting sign of aye.

Mr. Barabani: Aye.

Mr. Salazar: Aye.

III. PUBLIC COMMENTS ON AGENDA ITEMS

Ms. Early: Aye. Motion carries. Next agenda item, Public Comments.

Kathy Kendrick, Retired Classified Employee: I recently got a letter from Mel Albiso, Assistant Superintendent, regarding my sub request among many others, but I see here you have it on your agenda under G, 2 G and H. Is that correct that you're going to move that Commission certify the District's appointment of any retired classified employees or any classified on a rehire list due to layoff to work as a limited term employee under section such and such or as a provisional employee provided that. Is that one of the things on the agenda today?

Ms. Early: That is one of the things on the agenda this evening.

Kathy Kendrick, Retired Classified Employee: I would like to; can I also address it after the voting is done? Would that be possible?

Ms. Early: Yes.

Kathy Kendrick, Retired Classified Employee: Thank you so much.

Ms. Early: Any other Public Comments?

Robert P. Lozano: I came just in time.

Ms. Early: Yes you did.

Robert P. Lozano, Retired Employee: Good evening Commissioners. I believe that I gave you all a copy of the letter that Mel Albiso sent to me. Also, when I spoke with him on Friday he stated that they really needed for us to be there to go back to work because they did have a lot of work for us to work as subs. Now when I was here at you last meeting CSEA told me that it was 86 people that were (inaudible), Mel Albiso said it was over a hundred, and when I came yesterday to the Personnel they told me that it was over 400 that are being affected by this. That's my concern now, it's not just the personal thing with me and my family it's the other people that I'm concerned about also. Mr. Mel Albiso stated that if anyone of the three of you could sign off on it, he said that if you sign off on it on Monday he said you could start work Tuesday, with what he told me. So whenever it can be signed off we would appreciate it.

Mr. Barabani: Robert, for the record we need your name, we know it but.

Robert P. Lozano, Retired Employee: No no I understand.

Mr. Barabani: We need you to state your name.

Robert P. Lozano, Retired Employee: My name is Robert P. Lozano.

Ms. Early: Thank you. Yes?

Patrick Maher: Just to clarify, 45310 only allows the Personnel Director to sign the certification of a (inaudible) of the assignment. Unless there might be some exceptions, you have some rules in place. The idea that any Commissioner could just sign the paperwork in lieu of the director, I believe is legally incorrect, and that information is given out to the people speaking about it, probably don't know what they're talking about is giving out bad advice. You have some issues on your agenda tonight that'll allow the approval of stuff and granted sometime in the past the Chair Commission to do some stuff, generally that may be permissible, but the idea that any Commissioner could just sign documents in lieu of Personnel Director I think is flat wrong. Again, the only reason you don't have a Personnel Director is because the District does not want you to have one, solely because the District does not want you to have one you don't have one that's the only reason.

Ms. Early: Did I see another hand?

Kathy Kendrick, Retired Classified Employee: Kathy Kendrick. I think it's amazing to me that Mr. Albiso would write this letter to us saying that; I don't think that he doesn't want you to have one, he says anybody could sign off on this, that's what he's telling me. In the past that has happened, I saw documentation for that in fact as well. Imelda Rojo was Abe Flory's secretary, she used sign off on eligibility lists in 2006 she signed off by herself. Joyce Lyons, Dennis Rodell, signed off on eligibility lists by herself in 2003 and 2004.

Mr. Barabani: Can I go back, who signed off? Dennis Rodell?

Kathy Kendrick, Retired Classified Employee: No, Joyce Lyons, by herself signed off. Joyce Lyons also was acting Director by the Commission, Personnel Director by the Commission, Commission gave her that in '03. In '07, I guess Rhonda you also signed off on some, in '07 he showed me one where you signed off on several eligibility lists

Ms. Early: Three.

Kathy Kendrick, Retired Classified Employee: Including Personnel Actions. You don't really need, I guess, a Personnel Commission to sign off on these things.

Ms. Early: I signed off in '07 during what was called a state of emergency when the Personnel Commission Director was out of town and telephoned called me, announced it in a meeting telephoned me saying he had already approved it, it was just waiting for a signature and I think it was three documents.

Kathy Kendrick, Retired Classified Employee: I (inaudible) the impression that you signed prior to that.

Ms. Early: No, only on one occasion and it was declared a state of emergency.

Kathy Kendrick, Retired Classified Employee: That was the only time that you signed?

Ms. Early: That was the only time frame and it was during that one occasion when the Commission Director then was out of town and I received a telephone call by him requesting that the Commission Chair come in, who was not available, and told me he had already reviewed the documents.

Kathy Kendrick, Retired Classified Employee: I'll get back with Mr. Albiso then because I understood that (inaudible) more times.

Ms. Early: Yeah, it was like that same time frame it's probably all got the same date on it. Yes.

Patrick Maher: Pat Maher. Just like to, again, clarify one of the issues that's causing the confrontation right now with the District is that for many many years this District totally disregarded the law they did whatever they wanted to, the Commission served as a rubber stamp for the District. All kinds of illegal acts are being committed people that weren't authorized of signing documents they weren't supposed to authorize. Mr. Flory came in and started trying to straighten the process out, Mr. Jossierand came in and tried to straighten the process out, and now the Commission is trying to straighten the process out because the District insists that the law does not apply to them, that they don't have to do whatever they don't want to, they can do whatever they want to, and that their law onto themselves an entity onto themselves and this is what's going on. So now that people are trying to make you a legal Merit System, and the laws are being followed, the rules are being followed, the procedures are being followed, the District is upset so they give you information that happened before that was illegal that they were a party to of many cases, and trying to say because we broke the law before, now you can brake the law again without telling them that they're breaking the law. They're dealing with the deception. Look up 45310 the Education Code, 45310 is very specific language and what it states is this, no pay warrant shall issue for any classified employee unless the assignment bears the certification of the Personnel Director that the assignment is in accordance with the Merit Systems laws and the Rules of the Commission, that's the basic wording for that section.

Kathy Kendrick, Retired Classified Employee: No designated person for the Personnel Director?

Patrick Maher: Is the Personnel Director that's got the responsibility, it does not allow the Commission, I would argue if the Commission passes certain rules that would allow somebody under certain circumstances to sign in lieu of the Director, that may be permissible that I don't know, I'm telling you what the law says right now. There are no

rules in place that allows anyone to sign in lieu of the Personnel Director. This Commission has taken some authority onto itself and has allowed the Chair to serve in a very limited circumstances the designated representative. If you have 400 hundred retired employees and aren't being put to work in this District, that sounds like an awful lot of retired employees that are looking for work, there's got to be more work than your employees; I never heard of that high number of people, I don't know what's going on with that.

Kathy Kendrick, Retired Classified Employee: No, what I got was that there are 278 positions.

Robert P. Lozano, Retired Classified Employee: When I brought my letter in so they can make copies for the Personnel Commission, the lady in the office stated, because I told her that it was 86 and Mel Albiso, when I talked to him on the phone, said that it was over 100 that was involved, and she said no it's over 400 hundred which it sounded extremely quiet a bit to me. Also, when I talked to Mr. Mel Albiso I made a personal call to Charlie LeChance, the CSEA Labor Rep for Chapter 183,

Ms. Early: I'm listening.

Robert P. Lozano, Retired Classified Employee: I spoke with her after I spoke with Mr. Mel Albiso and she said that what he was saying wasn't true. CSEA is off in conference now Sacramento so that's why they are not present here at this meeting. Like I said when I spoke with Charlie LeChance she said, "oh no what he's saying is not true", she is saying exactly what he's stating, I really don't know. Most likely I have to wait until CSEA comes out of their conference which will be probably next week because they'll be up in Sacramento all this week, they're on their state 184 year conference in Sacramento, they won't be back until next week. I spoke with her about the same that I had spoken with Mel on Friday, and that Mel said he was going to send me a copy of exactly what we had discussed over the phone. Whether it's bounded or not I have no idea myself, personally, but there's got to be a way to put these people back to work, that's my main concern not just my family but everybody that's involved.

IV. ACTION ITEMS

Ms. Early: Ok, thank you. Action Item IV (B), move that the Commission request legal assistance to compel the County Superintendent of Schools to: Comply with state statutes on the approval of the Commission budget, Exercise his fiduciary duty and authority to prevent the District from expending funds from the Commission's budgetary allocation that are not authorized by the Commission, To seek court intervention if the County Superintendent is not cooperative or claims a lack of authority to do so.

Mr. Barabani: I will second Action Item IV subsection B.

Ms. Early: We have a motion and a second in favor Action IV (B), any discussion? All in favor of the motion signify with the voting sign of aye.

Mr. Barabani: Aye.

Ms. Early: Aye. Any abstentions? Any nays?

Mr. Salazar: Nay.

Ms. Early: Motion carries. Action Item IV (C), move that that the Commission rescind the ratification of the eligibility list for Personnel Commission Director, job code 0115 due to incomplete compliance with all the Rules that pertain to recruitment announcements. I so move.

Mr. Barabani: I will second Action Item IV subsection C.

Ms. Early: We have a motion and a second in favor of Action Item IV (C), any discussion? All in favor of the motion signify with the voting sign of aye.

Mr. Barabani: Aye.

Ms. Early: Aye.

Mr. Salazar: Aye.

Ms. Early: Motion carries. Action Item IV (D), move that the recruitment for Personnel Commission Director, job code 0115 be reopened in accordance with the following: Persons who applied for the most recent recruitment for job code 0115 may not reapply and the results of their application and processing in the section, I'm sorry, in the selection process shall be retained for this reopened recruitment as specified in Rule 4.11 (K). I so move.

Mr. Barabani: No, you still have two.

Ms. Early: I'm sorry, do you want to vote on them individually or collectively?

Mr. Salazar: Individually.

Ms. Early: Individually ok, I so move.

Mr. Barabani: I will second Action Items number IV (D) item number 1.

Ms. Early: We have a motion and a second in favor of Action IV (D) (1), all in favor signify with the voting sign of aye.

Mr. Salazar: Hold on, can we have a discussion?

Ms. Early: Open for discussion.

Mr. Salazar: I just have a question, I'm looking at the wording and it's a little bit confusing to me, it says: persons who applied for the most recent recruitment for the job. This is persons who previously applied for that position, right? And it says, may not reapply?

Mr. Barabani: Yes, that's correct.

Mr. Salazar: The people like Mr. Maher here cannot reapply, and Mr. Viramontes and everybody else who applied they cannot reapply? That's what I'm reading.

Mr. Barabani: That is correct, you are reading that correct.

Mr. Salazar: Everybody who was on our list cannot reapply is what you're saying there.

Mr. Barabani: That's correct.

Mr. Salazar: Ok, Mr. Maher?

Patrick Maher: You're reopening the examination, those who are already in the process remain in the process, with whatever score they got whatever the results were. Those who did not apply before can then apply brand new and then go through the process and be re-ranked to be re-ordered based up on the scores or wherever they get cut out. Those that are already in the process and on the list will remain on the list.

Mr. Salazar: In other words, they don't need to

Mr. Barabani: Number 3 is supposed to take care of item number (inaudible).

Mr. Salazar: I just wanted to make sure that these people were still eligible, that was my concern the way I was reading this

Mr. Barabani: If you look at number 3 that's where, I guess should've took as a group. Number 3 will take care of that; that's what I called CODESP.

Mr. Salazar: I didn't want them to be kicked out; I'm thinking wait a minute we have some good qualified folks here, right?

Mr. Barabani: You are correct.

Mr. Salazar: Everybody keeps their same score?

Ms. Early: Correct.

Mr. Barabani: Yes?

Charles Viramontes: Charles Viramontes, I'm an applicant for the position. I just got a question for clarification. If we've got three ranks that are eligible and the protest was withdrawn, I would question why are we re-opening it?

Mr. Barabani: Because there were some issues on the application that they claimed weren't done properly, like the dates and things like this. Maybe somebody missed the application and this is just an opportunity to correct those errors and hopefully not cause any problems with people who've passed already. That's the opinion of CODESP, that is the fairest and the most legal way to do it. We've talked to them, I've talked to Mr. Lin over there and then he went through the process. Also, we had that problem with the wrong Personnel Commission Rules that were up that could've confused people. I understand that's been corrected now and I spoke with the staff before I came in, they said what we are operating on currently has been scanned in is in PDF, if anybody wants it we could also send it to them on email. I think they were all minor problems, but they accumulated there was some people that objected to it. We're trying to do the best we can with the process without hurting the people that were already on the list.

Charles Viramontes: I understand, I was just a little confused with protest been withdrawn, thank you for clarifying.

Mr. Barabani: The way they explained it to me it might've, I'm the one speaking on this because I called them, and they might affected somebody we don't even know. Let's give it a fair opportunity and step back.

Gladys Byrd, Acting Director for Human Resources Classified: Excuse me.

Mr. Barabani: Yes?

Gladys Byrd, Acting Director for Human Resources Classified: So then they can reapply right? I'm not talking about myself, and I'm not even talking to you. It says anyone that applied for it, I have no idea how many people applied.

Mr. Barabani: That's correct.

Gladys Byrd, Acting Director for Human Resources Classified: But what it says that anyone that applied cannot reapply, excluding myself, does that mean that anyone else that applied before that may not have made it to the list but made it to the (inaudible), can they reapply? Because I'm assuming there was more people.

Mr. Barabani: If they didn't, no because if they didn't

Gladys Byrd, Acting Director for Human Resources Classified: That's what it says.

Mr. Salazar: In other words if people were screened out for whatever reason they didn't make the cut there, they cannot reapply.

Mr. Barabani: If they haven't; people that didn't go through the process will be able to apply. Let me write these down these are good questions.

Mr. Salazar: If they signed up to do it and they were screened out for whatever reason that's applying, right?

Mr. Barabani: That's correct.

Mr. Salazar: So they cannot reapply.

Mr. Barabani: That's what it's saying.

Kristine E. Kwong, of Musick, Peeler & Garrett LLP: I agree with your interpretation of this, if they filled out an application and regardless of where it went they're excluded from taking the second bite of the apple. These are for people that have not even touched the application before.

Mr. Salazar: Right.

Kristine E. Kwong, of Musick, Peeler & Garrett LLP: It's the rest of the world.

Mr. Salazar: And those people may not have touched the apple because, maybe there was no entry date or closing date they felt like they couldn't make it in time.

Kristine E. Kwong, of Musick, Peeler & Garrett LLP: They were not notified of the opening date, that could be.

Mr. Salazar: Ok.

Mr. Barabani: The stuff that was missed on the original application.

Mr. Salazar: Ok, I understand.

Mr. Barabani: Who asked the original question? The way I understand they didn't go through the process, people who didn't go through the process.

Mr. Salazar: That didn't apply.

Mr. Barabani: Yes, when I'm saying apply I mean process.

Mr. Salazar: Because the process could be any where from A to Z it could be at point G. If they didn't complete the process that's the difference than starting the process.

Mr. Barabani: Thank you.

Mr. Salazar: Ok, I get it.

Ms. Early: Yes?

Patrick Maher: There are times; it's not unusual to have to reopen an examination for a number of reasons. When you had an examination you conduct it, you close, and re-open it again you don't have the people go back from scratch and reapply and do everything over again. If they have results because they participated certain parts of the process you don't have to go through the whole process again that's a common practice within the selection, within a short period of time. In this case you just did, if this was 6 months or a year ago and the list was still good you may want to reopen it and have other people apply, but when there's a short window it just creates a lot extra work, a lot of extra time, a lot of extra effort, and to require the candidates to have to retest everything again is also a burden on them. All you're doing is reopening, now if you do a new recruitment that would be a different situation, you're not doing a new recruitment you're reopening an existing recruitment.

Mr. Salazar: Thank you, for defining that for us, I appreciate it that's valuable.

Mr. Barabani: When I talked to them on the phone they basically said what he said and what I was trying to say it's a line was drawn. The people that already went through the process or applied have already been taken care of, we're going to open it just in case the dates not opening was confusing, give everybody another opportunity.

Mr. Salazar: Let me ask you something, what if nobody else applies?

Mr. Barabani: I asked that question, then I guess the process stands as it is, but they're pretty sure that more people will apply, they always do, but they can't guarantee that. They're going to fly it again, go through the same channels and have people; and sometimes there's people that didn't apply last time was what they told me that now might be in a position to apply.

Mr. Salazar: Sure, of course. Now if somebody gets a nice high score and ends up number one, then everybody on our list drops down.

Mr. Barabani: The two lists will be merged is what they told me.

Ms. Early: Any more discussion on this action item?

Mr. Salazar: No, but that was a good one, a good discussion a good lively one.

Ms. Early: All in favor of Action Item IV (D) subsection 1, signify with the voting sign of aye. Aye.

Mr. Barabani: Aye.

Mr. Salazar: Aye.

Ms. Early: Motion carries. Action Item IV (D) (2): the eligibility list will be a promotional and open list as specified in Rule 4.07A. I so move.

Mr. Barabani: I will second.

Ms. Early: Any discussion on the item?

Mr. Salazar: Nope, none here.

Ms. Early: All in favor of the motion signify with a voting sign of aye. Aye.

Mr. Barabani: Aye.

Mr. Salazar: Aye.

Ms. Early: Motion carries. Action Item IV (D) (3): persons currently on the eligibility list from the most recent recruitment will retain their existing score and will be placed on a new eligibility list based on the rank order of their scores with the final scores of any additional applicants as specified in Rule 4.11K. I so move.

Mr. Barabani: I will second that.

Ms. Early: Any discussion on the item? All in favor of the motion signify with the voting sign of aye.

Mr. Barabani: Aye.

Ms. Early: Aye.

Mr Salazar: Aye.

Ms. Early: Motion carries. Action Item IV (E), move that CODESP be authorized to conduct the reopened recruitment and selection process for Personnel Commission Director as an additional service of membership in CODESP for a cost of 3,500 dollars plus actual expenses not to exceed 500 dollars. I so move.

Mr. Barabani: I will second that.

Ms. Early: Any discussion on the motion?

Mr. Salazar: Just for the record, I want to say that I thought CODESP did not do a real good job the first time around. I know there's old Rules new Rules, I think it's their job to be able to interpret what the current Rules are and I just want to make sure that that's on record.

Mr. Barabani: I discussed that when I talked to Mr. Lin and basically they were following the procedures and we, I particularly I won't say we, we tried to be as independent as we could, we were trying to run the Merit System. Didn't want to be involved, didn't want to tell them exactly how to do things, they went out and got the information that was on the District website which were the wrong Rules, we the Commission didn't place them on there they didn't place it on there. Then they received the forms from HR and went with those because they thought they were appropriate and they weren't done correctly. We're going to have to spend a little more time in being somewhat more diligent looking at that. I think they did the best job they could with the information they were given and I think they did very good job.

Ms. Early: Any more discussion on this item? All in favor of the motion signify with the voting sign of aye.

Mr. Barabani: Aye.

Ms. Early: Aye.

Mr. Salazar: Nay.

Ms. Early: Motion carries. Action Item IV (F), move that the Commission appoint Patrick T. Maher as the provisional Personnel Commission Director effective July 29, with the appointment to expire upon ratification of the eligibility list for Personnel Commission Director. I so move.

Mr. Barabani: I will second Item F.

Ms. Early: Any discussion? All in favor of the motion signify with the voting sign of aye.

Mr. Barabani: Aye.

Ms. Early: Aye.

Mr. Salazar: Nay.

Ms. Early: Two ayes, one nay. Motion carries. Action Item IV (G), move that the Commission certify pursuant to Education Code Section 45310 the District's appointment of any retired Classified employee or any Classified employee on a rehire list due to layoff to work as a limited term employee under Section 45286 or as a provisional employee provided that: 1. The employee on layoff status or who has retired is working in a classification that they previously held when on active status as an employee of the District or in a lower classification within the same job family, 2. The District first obtain certification pursuant to Education Code Section 45310 to place any employee who is retired or on a rehire list due to layoff in a classification the employee does not have seniority in as a regular or permanent employee while employed on active status but the District, 3. The laws and Rules that pertain to such limited term or provisional

appointments are fully complied with, 4. Any such appointments comply with any negotiated Collective Bargaining Agreement. I so move.

Mr. Barabani: I will second that.

Ms Early: Any discussion on the motion? All in favor of the motion signify with the voting sign of aye.

Mr. Barabani: Aye.

Ms. Early: Aye. Any opposition?

Mr. Salazar: I'll abstain.

Ms. Early: One abstention. Motion carries. Action Item IV (H), move that Classified employees who have retired or who are on a rehire list due to layoffs must be given preference in any limited term appointment under 45286 or a provisional appointment before any other person who is not a regular or permanent Classified employee of the District. I so move.

Mr. Barabani: I will second it.

Ms. Early: Any discussion? All in favor of the motion signify with the voting sign of aye.

Mr. Barabani: Aye.

Ms. Early: Aye. Any opposition? Motion carries. Action Item IV (I), move that the Commission approve the agreement for legal services by Kristine Kwong of Musick, Peeler & Garrett for legal services as necessitated by the District's legal counsel's declaration of a conflict or failure to respond to the a written request for legal services in accordance with Education Code 45313. I so move.

Mr. Barabani: I will second.

Ms. Early: Any discussion? All in favor of the motion signify with the voting sign of aye.

Mr. Barabani: Aye.

Ms. Early: Aye.

Mr. Salazar: I'll abstain.

Ms. Early: One abstention. Motion carries. Action item IV (J), direct counsel to, 1. Ensure that the agreement for legal services by Kristine Kwong of Musick, Peeler & Garrett is presented to the Governing Board at the next regular meeting of the Governing Board, 2. To provide appropriate legal assistance to Commission staff to ensure that all

board policies and procedures are completed in gaining Board approval, 3. To take necessary enforcement action to compel the District to approve the agreement in the event it is not approved, 4. To take necessary steps that any efforts to delay the agreement as the result of alleged legal infirmities is limited only to that required by law pursuant to Education Code 45313 and by established Governing Board policies that apply to all such legal agreements.

Mr. Barabani: I will second that.

Ms. Early: Any discussion? All in favor of Action Item IV (J) signify with the voting sign of aye.

Mr. Barabani: Aye.

Ms. Early: Aye.

Mr. Salazar: Nay.

Ms. Early: One opposed. Motion carries. Any comments by the Commissioners?

Mr. Salazar: It's not on the agenda.

V. CLOSED SESSION

Ms. Early: Sorry. We will now adjourn into Closed Session, conference with legal counsel, Kristine E. Kwong, Musick, Peeler, and Garrett LLP: Existing litigation (Section 54956.9a): San Bernardino City Unified School District; Dr. Arturo Delgado vs. Personnel Commission of the San Bernardino City Unified School District Case No: CIVDS 916709. We will now adjourn into Closed Session we do not expect any comments out of Closed Session. One more comment.

Kathy Kendrick, Retired Classified Employee: I just wanted to say, I'm delighted that this past G (inaudible). Also, I'm happy to see that something's been done about the Personnel Director, the (inaudible) Personnel Director has been put in place I'm very pleased about this.

Ms. Early: Thank you, Ms. Kendrick and Mr. (inaudible). We are glad that you came to share with us. This is the stack that I was given, I haven't counted them, but this is the stack that I was given today I have no idea how many these are, but for everyone of you that came forward we know that there are several others that didn't come forward and we really want to assist and getting things moving for you and all concerned.

Kathy Kendrick, Retired Classified Employee: We appreciate it. Specially, I'm very happy for people (inaudible) situation of mine too. I know that there are other people, specially at our school site where I was before I retired where a young lady was not only transferred to another school had her hours cut and then went to a 10 month school from a 12 month school. Also, will that cover her request for sub?

Ms. Early: Has she retired?

Kathy Kendrick, Retired Classified Employee: No it's just a request for sub, I know I didn't mention anything about existing employees.

Mr. Barabani: They're covered under the Collective Bargaining; most of those are covered under the Collective Bargaining.

Kathy Kendrick, Retired Classified Employee: Ok.

Mr. Barabani: I would guess, I'm pretty sure without knowing the exact situation.

Kathy Kendrick, Retired Classified Employee: She's been told she can't sub, because there's no Personnel Director, but we got an Interim Personnel Director now hopefully her will also be able to.

Mr. Barabani: You're going to have to talk to Charlie on that.

Kathy Kendrick, Retired Classified Employee: Who?

Mr. Barabani: Charlie Le Chance the Rep. Is she a permanent employee?

Kathy Kendrick, Retired Classified Employee: Yes she is.

Mr. Barabani: She wouldn't be subbing she'd be working overtime, right?

Kathy Kendrick, Retired Classified Employee: No because she was an 8 hour 12 month, she was doing all this, she hadn't been here that long she was lucky to get the job she got over at Shandin Hills for 6 hours 10 months, it's quite a bit of a reduction. People like that you know I'm (inaudible), my heart goes out to them. I'm assuming that the appointment of the interim Personnel Director would be able to sign off their request to sub as well as others likely.

Mr. Barabani: You would hope so.

Kathy Kendrick, Retired Classified Employee: I hope so. Can they? You should have all the requests for subbing, right?

Mr. Barabani: Yes.

Kathy Kendrick, Retired Classified Employee: Ok, and with the Interim Personnel Director will they be able to sign off on those?

Mr. Barabani: Yes, but we've had issues with that too, so we'll see what happens.

Ms. Early: Mr. Maher?

Patrick Maher: Just for the record I'm willing to come to the work tomorrow morning and sign the paperwork. As soon as (inaudible) allow me to do that I'm willing to come to work and start doing the job.

Robert P. Lozano, Retired Classified Employee: I appreciate that, on behalf of all the other (inaudible). I'd like to thank the Personnel Commissioners for the (inaudible) work that you have done for Classified employees we really appreciate it very much.

Mr. Kendrick: I'm not a school employee nor have I been. I'm an interested party because she is and I need her to work.

Mr. Barabani: You're part of the public.

Mr. Kendrick: As outsider and on the inside, it was good to see that the system works, it's unfortunate that there is a communication problems between these two bodies; one needs to do something for the other one to move, seems it's been thrown around for a while. Someone's open the window for some fresh air in, but I think, I'd like to see with your new counsel now that things can move forward and you guys can actually have better communications which it's important between the School District and what you're trying to attempt. In the long run it's supposed to be for the betterment of the kids.

Mr. Barabani: Correct.

Mr. Kendrick: If they don't have the people in place to do the job it can't be done. In my own personal opinion with all the cuts that the School District (inaudible) budget, they haven't cut the workload, people are still doing the job and plus they're adding more, we need to know about this we need to know about that. It's a very difficult time and we need people in place that can control this situation and can control the expenditure of money and get the most for it (inaudible). As a state tax payer I appreciate seeing what I saw tonight amongst all the departments and all the, what's his name again?

Kathy Kendrick, Retired Classified Employee: Mr. Salazar? Mr. Albiso?

Mr. Kendrick: Mr. Albiso, and your department, it's good to see some things like this (inaudible) thank you.

Kathy Kendrick, Retired Classified Employee: Takes a load off our minds.

Mr. Barabani: Let us know what happens.

Kathy Kendrick, Retired Classified Employee: I'm sorry?

Mr. Barabani: Let us know what happens.

Kathy Kendrick, Retired Classified Employee: Ok. This request for subbing is pursuing what? What's passed here will be signed?

Ms. Early: The District will have to process.

VI. ADJOURNMENT

Meeting was adjourned at 6:13 p.m.