

SPECIAL PERSONNEL COMMISSION MEETING
SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT
PERSONNEL COMMISSION OFFICE

MINUTES

October 26, 2011

5:30 P.M.

I. CALL TO ORDER

- A. The meeting was called to order at 5:34 p.m. by Commissioner Barabani.
- B. Roll-Call
 - 1. Commissioner Gino Barabani, Chair (Present)
 - 2. Commissioner Rhonda Early, Vice-Chair (Present)
 - 3. Commissioner Michael Salazar, Member (Present)
- C. Pledge of Allegiance

II. APPROVAL OF AGENDA

Moved	Mr. Salazar	Seconded	Mr. Barabani
Vote: Barabani	Aye	Early	Aye
			Salazar
			Aye

III. PUBLIC COMMENTS

Steve Holt
1st vice President
of CSEA 183

Good evening Commissioners, 1st vice president of CSEA chapter 183. I just would like to say first of all I want to thank the Commission for doing a great job, a lot of positive feedback from the community, things are on track now.

I just like to say for the record today that I am encouraging the commission to go forward with the Rules; CSEA feels it has been about time and the district has had every opportunity to respond and no progression. As we move forward and I encourage you guys and we don't have any problems on our end. Thank you.

Dr. Harold
Vollkommer,
Assistant
Superintendent to
Human
Resources

Good evening commissioners, I am Harold Vollkommer from Human Resources. First, I want to officially welcome Mr. Maher to the district and say that I look forward working with him. Once again the district is very excited about resuming the hiring process. I want to literate to you all that I have expressed to the classified HR staff that we will work around the clock to facilitate the process for hiring from our end. The staff is very excited. The prospect of doing what is best and that is hiring people.

I have a couple comments about several agenda items. I am not going to go in order if that is ok. I am going to speak about Action Item IV (D). First is the existing eligibility list and I wanted to say our request was to move forward with the five existing lists, and I want to thank Mr. Maher for reviewing the list, and certifying them so far I am very encouraged by that. We are bringing staff up to speed and the new commission rules, we will be moving forward with new procedures as soon as we can. We want to thank the Staff, personnel commission staff and the commissioners for as noted as great cooperation on that.

I also just for your information delivered to Mr. Maher today I requested to open a number of recruitments that are critical of the district as you know we have over 100 classifications that have vacancies, and what we are trying to do is prioritize not overwhelmed the system in terms of what we can handle all at once and so I appreciate Mr. Maher's feedback on that, and will continue work with him to move those recruitments forward.

Excuse me on Item IV (C) in terms of scheduling meetings for the remainder of the year, it is my understanding that you may considering going into two regular meetings a month I do not know if that is a real possibility or not, but given the volume and amount of work that we are trying to accomplish in the next couple of months we would certainly encourage that if that is at all possible. That would just keep us on track to have things moving through the system more regularly. We know the meetings would be there rather than called the special meetings so if that is indeed your intent we are certainly in favor of that so. I thank you for it.

Finally in terms of Item IV (A) adoption of rules as you noticed I prepared comments, I will try to go through them briefly. I want to thank the commission again for the opportunity to present alternative language to the propose chapter 13 concerning classified employee discipline with regarding chapter 13 when it was first propose relationship between the district and Personnel Commission to be frank within channels, the parties have just concluded a lawsuit the commission was with out a director and direct communication within. Now things have changed the district and personnel commission have both committed themselves to build relationship and communication that you see as director now have indicated to fly the positions will be filed as quickly as we can, and there is a direct fine communication from personal commission director I include myself and Mr. Maher, it is against this traumatically changed background that the district asked the commission to consider tabling the matter and commencing discussions through myself and Mr. Maher to

create rules that are beneficial to the commission and workable for the district. I am confident that we will be able to do that.

In the alternative if that is not possible the district has proposed certain changes to the rules and I am glad that you have that before you this evening, and we know that is a tough task when you are looking at two sets and trying to come to alignment.

One position is the changes to damp the negative of the proposed rules will have on the ability of the district to run its operations. However as I repeat although the district has now proposed alternative language for chapter 3 it does not object its channel objective general objection and the personnel commission rules currently in place really need to end now the delay. The proposal alternative language currently presented by the district is present only in the event of personnel commission in terms to proceed with the adoption of chapter 13. I am not going to go through rule by rule, number by number. We have presented the alternatives to you. Again we hope that you consider those in some anxious we are hopeful that the commission will recognize the districts efforts in cooperate model in governance with the ability in some we hope that the commission, and table this rules for further review, thank you for your consideration.

Mr. Barabani Anybody else who would like to come up and speak.

Steven Holt Just once again commissioners I like to emphasize on behalf of the many classified employees that we represent. We highly encourage the commissioners to go forward with the rules, the district has had multiple opportunities but the rules I believe state for the record that everything is being sent to you for your consideration. I understand there is a leave way process for reviewing, but we have been going through this for a while, but I really encourage you to pass these rules, as soon as possible for classified workers. If you would consider that thank you.

Mr. Barabani Any further comments. I want to thank you all for the comments and we move on to section IV action item A.

IV. ACTION ITEMS

- A. The commission will consider taking action to adopt the proposed deletions additions or revisions to Chapter 6, current Rules 6.25-6.28 proposed as Chapter 13 as submitted for a second reading. Proposed motions are:
 1. It is moved that the commission adopt proposed Chapter 13 in its entirety as submitted.

Mr. Barabani	Requesting a second.
Ms. Early	I second.
Mr. Barabani	Open for discussion.
Mr. Salazar	<p>Good evening, I would like to echo some of the things that I heard already in respect of welcoming Mr. Maher. As everybody knows he brings extensive experience to our team here and we all look forward working with him. Now with that in mind we have being going over this rules, and as we heard Mr. Vollkommer says that we should take a look at them, and one versus going back and forth what the personnel commission is recommending versus some tuning if I may state in that fashion by the district and I think that now we are in a place where we have hired the expertise of Mr. Maher who is a rules expert approve rules and I think that would be really served well with him to take the time and I think it's a great collaborate opportunity for us to work with the district and make sure those rules are exactly what we want them to be before we adopt the proposed chapter, chapter 13, so just for the record I just wanted to put that out there and to say think to me sounds like a really good idea for Mr. Maher to again, use his expertise in this area and work with the district.</p> <p>I mean this is again, I agree with Mr. Holt, this has been a long time, and I think at the end of the day since it has been so long even if it takes a little bit longer I think we want to get it right and again, we did not have Mr. Maher to really look at this stuff for us before and maybe, who knows now maybe he will approve rules as is now. I would just again strongly urge that we lean on his expertise on this area on behalf of PC to work with the district and let's get this things right, thank you.</p>
Ms. Early	I reviewed them but I recommended alternative, I see some of the concerns were submitted by the district have been implemented so I am ready to move on.
Mr. Barabani:	Over all this is a tough choice because of the time period that has taken. We worked on this for a very long time and the rules that we have now appear to be very outdated today. It does not seem to work on doing on what is necessary. I do understand we like to get everything perfect but I don't think we can get everything one hundred percent that's just life, and we are starting out with these rules, they are not written in stone. The relationship develops between personnel commission and the district, and I hope that they and we can work together and modify things that don't work, and I think that is going to be possible so I think this is a good start and we put a lot of effort on this rules, and we put a lot of sweat, so

which is Wednesday.

Mr. Salazar For the record Nov. 17th at 5:30 p.m. works for me, November 30th which reschedule meeting for November 23rd will work, December 14th which is reschedule December 28th meeting will work for me. Thank you

D. The commission will discuss request by the district to approve eligibility lists created by Bryan Astrachan and provide direction as necessary to staff.

Moved Mr. Barabani Seconded Ms. Early
Vote: Barabani Early Salazar

Discussion:

Mr. Barabani We had a letter Dr. Vollkommer asking us if we can move on with this. Mr. Maher I will let him take over at this time to give us information on staffing.

Mr. Maher Ok, It was Mr. Astrachan that did the work; he made decisions and gave directions that were part of his concern.

There were four exams, five exams that were completed, and as Dr. Vollkommer indicated four of them had problems and to be able to promote the list, one of them -- the cafeteria worker -- the issue of the diploma and it was never corrected. We are going to reopen that recruitment to try to make it easy for those to apply. We will notify them that they can resubmit their application.

One of the things you have in testing in the selection is a stale list that happens with time, for people that are on the list, the more time goes by the more likely they would have a job somewhere else. But pretty soon what happens after a period, testing holds that the higher you score the better performer you are, so people qualify over a period of time.

This is supposed to be 6 months list, it has expired anyways, and this is a part time job, pretty much minimum wage. So we are working on opening for that recruitment next week, we are looking at Monday or Tuesday rather to open for that up for recruitment get that as quickly as possible if we take notify them on that to those that took examination that they can re apply and have choices so it helps to cut down on paperwork and process through so we can expedite that process and also trying to open up some special education kinds of positions.

The problem I am running into is most classifications have not been updated. What I am looking at for tutor with Special Education students it was last updated in 1997, and in 2002 No Child Left Behind posted new standards, which it does not reflect in the job description. As a consequence we should not be putting out examinations. In a bulletin the commission

does not approve on qualifications for the examination. So we are trying to work through some process to try to work ahead to get through this as quickly as possible, and still complying with the requirements with the commission and standards we are soon getting that out.

While we have the additional staff and resources it will be nice to get all the help we need and requirements of the application and rules sometimes it takes technical work. It takes longer that it would be, so it is working out, we have outstanding cooperation from the district and Dr. Vollkommer, we met and we are working on what we can. We hope to get some process in place over the next couple of weeks. Some of these are critical positions.

The other problems that you may have a need for a position here more than in another area. Is a lot less involved in examination while this is more critical it takes a lot more time to get that processed in the right form. We are doing some thing to try to get as many people as possible.

I have in some cases I have an exam to develop in prior exams. We have to start from scratch and that takes longer, and it is more time consuming. We are trying to get to them, I am looking at some other things that we can also do to take to them so we can get paraprofessional position to hire some master's of psychology program from the university, psychometrics, and give a simple exam to administer have maybe \$15.00 an hour each person can interview easily 20 people due to of nature of exam so five people can knock out a bunch of candidates each day.

These are the things we are looking at; we do have a couple problems because it has not been done in a proper way. What happened was have an open and promotion examination consist of one list promo candidate to bring at top and hopeful from list and open list -- nobody could be hired until promotion list is exhausted. Many are exhausted from the list, and then three people are hired from the list. That violates a number of status a few people got notified that they were on top of the list, they were both promotional, they are no longer on top of the list; you may get some dissatisfaction, that again was this application requirements are for longer promotion and so those are the ones we have to fix.

Mr. Barabani

So my understanding we move forward on four out of five the time the meeting is set. We have already started the process and move foreword is that going to give us time to vote on this.

Mr. Maher

Certification is the process you have information about the

process that the legal requirements of the rules and education code have been followed. Before you recite the vote the rules questions or concerns you have, go back and look at the exams, you may want to put them to work. I don't know what the time line is, it depends I guess if we need to do something about that.

Mr. Barabani We will deal with that when it comes. How long would it take us to do those class specs?

Mr. Maher Right now we are on a stage "let's get this fixed." We are changing class specs only when it's absolutely necessary like no child left behind that is required. We have to fix that.

Mr. Barabani Are we going to issue no child left behind?

Mr. Maher: This is the matter of getting class specs changed. I already talked with some people that deal with those positions; I will get feedback from that. I don't want to say there is some minor changes for some stuff I don't think it would be wrong. We do have to touch basis with the union that represent the classified and they have the right to have input. We open up communication with them and what we are working changes is what really requires anticipate the problems again the board sets duties we have no control and we have noted class specs on duties.

Mr. Barabani: Other two commissions will know that people that took that test you will send out that letter.

Mr. Maher We will send out letter and they will have option to resubmit or refill out application is again because the nature of the job is part time is more of work job a lot of people are not interested masters degree food service worker hopefully that person has job more student sand the process so those are no longer interested would not be notified and put then on the side and new people that are interested.

E. The commission will consider approving the following meeting minutes

1. Mr. Barabani moved to reagendaize all minutes for June 8, 2011, June 22, 2011 and July 14, 2011.

Moved	Mr. Barabani	Seconded	Mr. Salazar
Vote: Barabani	Aye	Early Aye	Salazar Aye

Discussion:

Mr. Barabani I would like to reagendaize the minutes for June 8, 2011, June 22, 2011 and July 14, 2011 until the next meeting. Mr. Salazar has to leave.

V. CLOSED SESSION

The commission adjourned into closed session at 6:20 p.m. for:

Conference with legal counsel, Kristine E. Kwong, Musick, Peeler & Garrett LLP

EXISTING LITIGATION (Section 54956.9a): California School Employees Association And Its San Bernardino City Chapter No. 183, v. San Bernardino City Unified School District; Governing Board Of The San Bernardino City Unified School District; Superintendent Arturo Delgado; Personnel Commission Of The San Bernardino City Unified School; And Does 1 To 10, Inclusive, Case No: CIVDS 1106215

Pursuant to Government Code Section 54957 to discuss:
PUBLIC EMPLOYEE APPOINTMENT
Title: Personnel Commission Director

The commission reconvened into open session at 7:30 p.m. and announced no action was taken.

VI. ADJOURNMENT

The commission adjourned the meeting at 7:30p.m..