

SPECIAL PERSONNEL COMMISSION MEETING
SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION COMMUNITY ROOM

MINUTES

August 13, 2014

I. CALL TO ORDER

A. The meeting was called to order at 5:31 p.m. by Commissioner Dixon.

B. Roll-Call

1. Commissioner Gino Barabani, Chair -- Absent
2. Commissioner Valeria Dixon, Vice-Chair
3. Commissioner Michael Salazar, Member
4. Karen Hoch, Provisional Personnel Commission Director

C. Pledge of Allegiance

II. APPROVAL OF AGENDA

Moved	<u>Ms. Dixon</u>	Seconded	<u>Mr. Salazar</u>
Vote: Barabani	<u>Absent</u>	Dixon	<u>Aye</u>
Ms. Dixon	<u>Discussion?</u>	Call for the vote.	<u>Salazar</u>
Mr. Salazar	<u>Aye.</u>		<u>Aye</u>
Ms. Dixon	<u>Aye.</u>		

III. PUBLIC COMMENTS

- NOTE:**
- Comments from the public on any agenda item may only be made at this time.
 - Public comment during the commission's discussion of an agenda item will not be permitted. Because it is a special meeting tonight we can only talk about what's on the agenda.
 - Each speaker may speak only once.
 - Each speak is limited to a maximum time of 5 minutes.
 - A request to speak form must be completed before the meeting is called to order and submitted to the Chair in order to speak.

Dr. Perry Wiseman, Assistant Superintendent for Human Resources Classified and Certificated Department	Good evening commissioners and community, I see on the agenda that we are going to possibly be appointing a Personnel Commission Director. I wanted to recognize Karen for her work; she has done a fantastic job and my hope is that we can work with the commission as well as the district and finding that capacity for Karen to transition and support the new Director. She has done a great job and we are proud of her work. Thank you.
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Andy Lovano, CSEA Labor Representative	We echo on what the district is saying we are also saying the commission has done a tremendous job and we want to continue with that so keep up the best job that you are doing.
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The union staff is here to assist to move forward.

Ms. Dixon Thank you.

IV. ACTION ITEMS

A. The commission will consider ratifying the eligibility lists. Proposed motions are:

It is moved that the commission ratify the eligibility lists for

- 1. Lead Painter
- 2. Personnel Analyst

Moved	<u>Ms. Dixon</u>	Seconded	<u>Mr. Salazar</u>
Vote: Barabani	<u>Absent</u>	Dixon	<u>Aye</u>
			<u>Salazar</u>
			<u>Aye</u>

Ms. Dixon Discussion? Call for the vote.

Mr. Salazar Aye.

Ms. Dixon Aye.

B. The commission will consider approving classification specification as submitted:

- 1. Community Relations Worker II (African American Parent Involvement)
- 2. Lead Painter
- 3. Personnel Analyst
- 4. School Police Chief

Moved: Ms. Dixon	<u>Ms. Dixon</u>	Seconded	<u>Mr. Salazar</u>
Vote: Barabani	<u>Absent</u>	Dixon	<u>Aye</u>
			<u>Salazar</u>
			<u>Aye</u>

Ms. Dixon Discussion?

Mr. Salazar None.

Ms. Dixon Call for the vote.

Mr. Salazar Aye.

Ms. Dixon Aye.

C. The commission will discuss the first reading of Personnel Commission rules revision for Chapter 7.08.

Mrs. Hoch The district has requested this. Presently this rule addresses promotional salary replacement for promotional people and it states that a promotional person can only go 4% above what they are currently earning based upon their based pay. For an outside person they can walk in to the district and request a higher salary and if they submit proper documentation it would be considered that they start at a higher pay rate. . I think it would be fair if that was possible for a promotional person. A lot of employees are working out of class and if they get promoted and if they get those jobs it can be possible that they get a pay decrease not based upon their base pay, it is based upon their

job that they would have been working out of class and so they would earn higher salary. So that is the rationale that we are using the fact it would be upon the discretion of the Assistant Superintendent of HR, he would review it, and if he felt that it was legitimate then this rule would allow him to make that adjustment.

Ms. Dixon You may have to answer this Dr. Wiseman. So would it be up to the employee to bring that up or would that happen automatically or how would that be affected?

Dr. Wiseman Traditionally any time you give employees promotion you want to look at their salary. You don't want people who are promoting to have a decrease in pay and the way the Personnel Commission rule is written, one rule addresses those that are coming from out of district on an eligibility list they are being hired, what they do is they come in with their documentation, here is what I have been paid for several months and then the Assistant Superintendent will determine where to place that candidate on the salary schedule.

The personnel commission is responsible for setting the salary schedule. The district is responsible for determining the placement of the new employee of the salary schedule. That is for outside and internal candidates who are promoting. We cannot determine where they are placed based on that rule we have to just place them on step number one on that salary schedule. So we might have people and especially right now with so many vacancies on the district. You have people that are working out of class all over the place and then what happens that they are making some salaries by working out of class then they are being promoted and they are actually taking a decrease in pay due to a promotion so that is where it stands. We just want to make sure we are consistent with those that are coming from out of district those that are coming in district so that is what we have requesting to change that rule. I would have to do some work in regards to negotiations on that particular item. So I was hoping to change the PC rule I know that our CBA agreement with the union supersedes the Personnel Commission Rules and that at some point I want to bring that up with CSEA to see that we can make sure that is even with those in district as well as those outside the district.

Ms. Dixon I would think but I don't want to speak for me but I would think that CSEA would really want to echo for their members.

Andy Levano
CSEA Labor
Representative Yes, absolutely and all of that has to do with CBA so we will have to discuss that further, that will hire people and promote people. That would be a discussion that we would have of how it would work within our contract and collective bargain agreement. The real issue is what happens when one is working out of class, promotes and ends up with less money. It's a discussion we will have to have. We will be working together with the district to work that out.

Dr. Wiseman The district stand is we have people that have been working out of class for several years and they are doing an absolute fantastic job. They go through a process and they are promoted then, we want to make sure they are recognized on the work by saying, "thank you for putting four years out of class and we are going to promote you and congratulate you but you will get a pay decrease." The district wants to have leverage and obviously its case by case to say you know what you are not going to get a decrease we value you as an employee. We want to have the ability to say we will place you at step 3 because of your salary we want to make sure you get a certain percentage raise with a promotion.

Which I know we have the rules on certificated side and is just common practice when someone is coming from in the district or out of the district we look at their pay and make sure they don't take that cut and pay. We want to give them that 4 or 5 percent raise if it is some sort of promotion which usually happens but we are unable to do that for people in our district coming from out of district that is a different story people from district no you start at the bottom.

Ms. Dixon Just one more question and so when you guys work together do you typically make commitments to the agreement even though it has been ratified? Is that a typical thing that happens and can you take it from the vote?

Andy Levano, CSEA Labor Representative We are negotiating constantly. As a matter of fact we have negotiation meeting tomorrow so what happens is that we arm wrestle for it and I usually win. (laughing)

Ms. Dixon We say yes we are going to do this and you say yes we are going to do this and take it back to your members and I guess does it go in to effect immediately?

Andy Levano, CSEA Labor Representative That is all part of the negotiation process. How the procedure works from your side is that we negotiate, we take it back to our membership for ratification, we take back to the board for ratification, when it takes into effect this part of negation process. It could be a number of weeks.

Ms. Dixon So I am an employee I go to Clerk 2 to Secretary I and I have been working out of class for 5 years but I realize if I take a Secretary I position at this time it will be cut in pay. Will you guys take into consideration that I just got hired in September the Personnel Commission changed the rules. I got hired in July they changed the rule in September can that employee go back to you and say "hey I took a pay cut can you look into my information"? Or is it just what is current?

Dr. Wiseman What we would do is go through negotiations and like I said we are going to the table for negotiations tomorrow and this might be something to say let's negotiate this language. Let's say you are doing the first reading and let's say you are amending it at the next meeting in two months later we come in and we negotiate a tentative agreement with the language on one of the

things that we could agree to is say, "you know from that date forward of your approval we will make sure to honor that." So we can go back and do some retro we just negotiate that and we can say the day that the board education tentative approves it ultimately we have the leverage to kind of negotiate that. We just want to treat our employees good we want to make sure they are compensated for the work that they do.

- Ms. Dixon Ok, thank you.
- Mr. Salazar I don't have any comments.
- Ms. Dixon Ok, thank you. Ladies in gentlemen that is the end of the public section we are adjourning into closed session at 5:45 p.m.

V. CLOSED SESSION

The commission adjourned into closed session at 5:45 p.m. for:

Pursuant to Government Code Section 54957 to discuss:

PUBLIC EMPLOYEE APPOINTMENT

Title: Personnel Commission Director (Provisional)

The commission reconvened into open session at 7:50p.m. and announced the following action taken in closed session.

- Ms. Dixon We are back to open session at 7:50 p.m. and announced the following action taken in closed session

The commission received a letter requesting reinstatement of a former employee number 2014-01. The Commissioners considered, discussed and voted on the reinstatement. The vote was 2-0 to deny the reinstatement on employee number 2014-01.

Be it resolved that the Personnel Commission appointed Gladys Byrd to the Personnel Commission Director position effective date and salary to be determine. This concludes the Personnel Commission meeting at 7:52 p.m.

VII. ADJOURNMENT

The commission adjourned the meeting at 7:52 p.m.