SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT PERSONNEL COMMISSION

District Office Board Room 1651 Sixteenth Street, Santa Monica CA 90404

MINUTES

<u>REGULAR MEETING</u> <u>March 13, 2012 @ 5:00 p.m.</u> District Office Board Room

Electronically Recorded

PERSONNEL COMMISSIONERS: Mrs. Barbara Inatsugu, Mr. Shane McLoud, and Mr. Michael Sidley

I. <u>General Functions:</u>

- A. <u>Call to Order:</u> The Regular Meeting of the Personnel Commission was called to order at 5:05 p.m.
- B. Roll Call: Commissioners Inatsugu, McLoud, and Sidley were present.
- C. <u>Pledge of Allegiance:</u> Commissioner Inatsugu led all in attendance in the Pledge of Allegiance.
- D. Motion to Approve Agenda:

Motion by:Michael SidleySeconded by:Barbara InatsuguVote:3-0

The agenda was amended. The agenda item IV.B.1. "Personnel Requisition Status Report – Executive Summary" was revised.

E. <u>Motion to Approve Minutes:</u> December 13, 2011; January 10, 2012

Motion by:Shane McLoudSeconded by:Personnel Commission Staff in Attendance at These MeetingsVote:6-0

The December 13, 2011 minutes were amended. The agenda item IV.A.2.a. "Action Item: Advanced Step Placement" was revised.

F. <u>Public Comments</u>: Public Comments is the time when members of the audience may address the Personnel Commission on items not scheduled on the meeting's agenda. All speakers are limited to three (3) minutes. When there are a large number of speakers, the Personnel Commission may reduce the allotted time to two (2) minutes per speaker. The Brown Act (Government Code) states that Personnel Commission members may not engage in discussion of issues raised during "Public Comments" except to ask clarifying questions, make a brief announcement, make a brief report on his or her own activities, or to refer the matter to staff.

- 1. Request to Speak on Agenda Items
- 2. Request to Speak on Non-agenda Items

Mrs. Beth Papp introduced herself as the new Human Resources Technician in the Personnel Commission replacing a former employee. Mrs. Papp has transferred from the Human Resources Department. She has been a District employee for the last seventeen (17) years. Her first assignment was the Personnel Assistant in the Personnel Commission, and then she worked in the Child Development Services and then Human Resources. Also, she has been serving on the Advisory Rules Committee revising the Personnel Commission Merit Rules for the last two (2) years. She expressed her pleasure to be part of the Personnel Commission team.

Commissioner McLoud welcomed Mrs. Papp and wished her the best on this new assignment.

G. <u>**Communications:**</u> The Communications section provides an opportunity for the Personnel Commission to hear from the individuals or representatives listed below. All reports <u>are</u> limited to 5 minutes or less.

1. SEIU Report

Ms. Keryl Cartee-McNeely, the Chief Steward, welcomed the new Personnel Commissioners, Mrs. Inatsugu and Mr. Sidley. She reported that SEIU continues its battle for a fair economy on local, state and national level for all working families. The international SEIU Convention in Denver will address this issue of a fair economy.

SEIU conducted a very successful Citizenship Workshop in December 2011. Due to the high interest, it will be offered again on March 24, 2012.

SEIU is mobilizing its membership through informational meetings, trainings, and turnaround trips to Sacramento to address the governor's proposed budget cuts that will impact student and child care services.

SEIU Local 99 Early Education Industry has conducted an early education conference on March 12, 2012 in Manhattan Beach. It was the first conference of this kind for union members who work with young children.

SEIU is currently conducting elections for executive board for the following term beginning in July 2012.

Board of Education Report

Ms. Debra Moore Washington, Assistant Superintendent of Human Resources, informed the Personnel Commission about the District processes that address the structural deficit including classified staff reductions in Human Resources and the Personnel Commission.

Ms. Washington also informed the Personnel Commission about centralized fund raising in the District. A committee was established to provide recommendations to the Board of Education as early as in June 2012.

The District Administration is preparing for negotiations with SMMCTA and SEIU in near future.

- **II.** <u>**Report from the Director of Classified Personnel:**</u> This is an opportunity for the Director of Classified Personnel to present informational items of interest to the members of the Personnel Commission, which are not action items on the agenda.
 - A. Welcome New Personnel Commissioners Commissioner McLoud officially welcomed Commissioners Inatsugu and Sidley to their new post wishing them his best. Dr. Young also expressed his gratitude to the new Personnel Commissioners for their willingness to serve the District.
 - B. Acknowledgment of Service for Commissioners Pam Brady and Suzanne Kim

Commissioner McLoud, Chief Steward Cartee-McNeely, and Dr. Young acknowledged Commissioners Brady and Kim's valuable contribution to the Personnel Commission and the District. Former Commissioner Kim personally accepted plaques from the Personnel Commission staff and also SEIU Local 99 as a thank you for her dedicated service. Former Commissioner Brady was not able to attend this meeting due to work obligations. These plaques will be delivered to her via messenger.

- C. Merit Rules Advisory Committee (A.R.C.) Update
 - Advisory Rules Committee Agendas January 12, 2012; January 26, 2012; February 9, 2012; February 23, 2012
 - Memorandum Regarding Merit Rules Revision Procedure January 31, 2012

Dr. Young drew attention to the A.R.C. agenda and sign-up sheet from January 12, 2012, January 26, 2012, and February 23, 2012 for the Personnel Commission's review. He also pointed out the Advisory Rules Committee memorandum addressed to Assistant Superintendent Washington regarding chapters XI and XII. Dr. Young provided a brief history of the revision process that led to this memorandum. He agreed to meet with Mrs. Washington to discuss the logistics of the revision process that the Advisory Rules Committee has used, not the actual content. Mrs. Washington was invited by the Committee to attend their meeting for discussion of the recommended changes in the language. Dr. Young met with Mrs. Washington on February 25, 2012. Based on that meeting, he presented to the Personnel Commission Mrs. Washington's proposed options regarding her preferences of the revision process. First option included discussion between Mrs. Washington and Dr. Young on proposed rules language change prior to the second reading. The agreed upon changes would go directly to the Personnel Commission for approval. The second option consisted of discussion among Mrs. Washington, Dr. Young, and Mrs. Cartee-McNeely if the revisions and the Merit Rules language extend beyond the SEIU Collective Bargaining Agreement. The agreed upon changes would go directly to the Personnel Commission for approval. The third option included discussion between Mrs. Washington and Dr. Young to agree to proposed revisions. If they are not in full agreement about the changes, they would meet with the Merit Rules committee. Then the agreed upon changes would be presented directly to the Personnel Commission for approval.

Mrs. Washington's preference is for option one. Dr. Young also provided a brief account of the past practice for the revisions and the Personnel Commission's direction for this process.

Mrs. Washington stated her concerns not only about the revisions, but also about the revision process.

Commissioner Inatsugu requested more background information regarding the Merit Rules revision committee, its composition and functions. Dr. Young provided history of the committee's creation, representation from various employee groups, and also the committee's responsibilities in alignment with the California Education Code, Government Code, Health Code, Collective Bargaining Agreement, and also examining past practices from this district as well as other agencies.

Dr. Young stated that the focus lies in defining the revision process itself. Currently, it is a committee process under which there are several steps for input from various interested parties. Dr. Young is a committee member; therefore, he will not be able to provide independent recommendations as the Director of Classified Personnel.

Commissioner Sidley inquired about the Administration's concern with the process that has been in place for several years. Mrs. Washington stated she was not privy to the background regarding the revision process, but that the District was concerned with chapter XI on vacation and leaves of absence. She understood that she and Dr. Young were supposed to discuss the revisions which would be given to the committee.

Commissioner Inatsugu suggested bringing this issue back to the Personnel Commission for a full discussion when properly agendized at a future regular Personnel Commission meeting.

Dr. Young stated that based on former Commissioner Brady's recommendation, the current process should remain until the completion of this first Merit Rules' revision for consistency and the same methodology. The process can be adjusted for future revisions.

- **D.** Disciplinary Hearings
 - Ref. Number: 7003 1680 0002 6368 3401
 - Ref. Number: 7003 1680 0002 6368 3517 - Hearings: TBD
 - Ref. Number: 7011 0470 0002 6451 4053 - Pre-hearing Conference: TBD

Dr. Young updated the Personnel Commission about the disciplinary hearings requesting the Personnel Commissioners' availability to conduct them.

Commissioner Sidley requested hearing procedures to become familiar with the disciplinary process.

Dr. Young expressed hope that the pre-hearing conference will be successful, and both parties will reach agreement, so there will be no need for a disciplinary hearing. Personnel Commissioners are not required to participate at the pre-hearing conference.

E. District-wide Administrative Assistant Classification Study

• February 24, 2012

Dr. Young informed the Personnel Commission about his meeting with Mrs. Washington and Mrs. Cartee-McNeely to discuss a new District-wide classification study. The District and SEIU will negotiate the timelines as well as implementation of such a study.

Commissioner Inatsugu requested documentation regarding the last classification study. Staff will provide her with the report and also the SEIU Contract language.

- F. District Leadership Team Update
 - January 11, 2012

Dr. Young reported that the District Leadership Team meeting on January 11, 2012 focused on communication.

- G. Approved Working Out of Class Request (90 working days per Personnel Commission Rule §3.2.8.(C): *Working Out of Class*) by the Director of Classified Personnel
 - Mr. Jesse Bunayog, Accountant, in the position of the Fiscal Services Supervisor from March 1, 2012 to May 31, 2012
 - Ms. Charesse Fuller, Cafeteria Worker I, in the position of the Cafeteria Worker II from February 1, 2012 to June 11, 2012
 - Mr. Arturo Gonzalez, Custodian, in the position of the Sprinkler Technician from March 5, 2012 to June 30, 2012

Dr. Young reported the Working Out of Class requests were due to either medical reasons or recruiting for vacant positions.

III. <u>Consent List</u>: It is recommended that the Personnel Commission consider approving a number of Agenda Items as a Consent List. Consent Items are routine in nature, and can be enacted in one motion without further discussion. This procedure conserves meeting time for a full discussion of significant issues.

A. Approve Classified Personnel – Merit Report - No. A. 21

January 19, 2012

Approve Classified Personnel – Merit Report - No. A. 15
February 2, 2012
Approve Classified Personnel – Merit Report - No. A. 20
February 16, 2012
Approve Classified Personnel – Merit Report - No. A. 16
March 1, 2012

B. Approve Classified Personnel – Non-Merit Report – No. A. 22
1. January 19, 2012
Approve Classified Personnel – Non-Merit Report - No. A. 16
2. February 2, 2012
Approve Classified Personnel – Non-Merit Report - No. A. 21
3. February 16, 2012
Approve Classified Personnel – Non-Merit Report - No. A. 17
4. March 1, 2012

C. Approve Classified Personnel Eligibility List(s):

<u>C</u>	<u>Classification</u>	<u> # Eligibles</u>
	ilingual Community Liaison us Driver	3 2

Children's Center Assistant	89
Custodian	22
Health Office Specialist	8
Instructional Assistant – Bilingual	6
Instructional Assistant - Classroom	41
Instructional Assistant - Special Education	13
Reprographics Operator	2
Senior Buyer	6
Specialized Instructional Assistant	5
Stock and Delivery Clerk	7

Motion by:Barbara InatsuguSeconded by:Michael SidleyVote:3-0

Commissioner Sidley requested information reflecting fiscal impact on these items as well as the Working Out of Class.

Commissioner Inatsugu inquired about the role of Board of Education in granting the Advanced Step Placement requests.

Dr. Young provided an explanation of the Board of Education merit reports. A preliminary discussion about the value of Merit and Non-Merit reports on the Personnel Commission agenda took place since these items were already approved by the Board of Education. Dr. Young recommended placing them under Information Items. He will renew the discussion with Mrs. Washington on this subject.

Mrs. Cartee-McNeely stated that the Working Out of Class as well as the Advanced Step Placement requests are included in the Merit Rules and SEIU Collective Bargaining Agreement, so employees have right to make such requests. The Working Out of Class request is usually associated with a long term absent employee or a vacated position, so the position is already funded. A lower level classification employee is substituting on the lowest level of the higher level classification to assure the least financial impact.

Dr. Young explained the Position Control Form system and its levels of approvals-- a mechanism for fiscal control of a specific personnel action.

To address Commissioner Sidley's concern, Dr. Young will present the topic to the District's CFO, Ms. Jan Maez, for her response.

IV. Discussion/Action Items/or Other Information:

A. Action Item(s):

- 1. Election of Personnel Commission Officers (Pursuant to Personnel Commission Rule 2.1.5.)
 - a. Nomination of Chair

Nomination:Shane McLoudMotion by:Michael SidleySeconded by:Barbara InatsuguVote:3 - 0

b. Nomination of Vice-Chair

Nomination:Michael SidleyMotion by:Barbara InatsuguSeconded by:Shane McLoudVote:3-0

2. Advanced Step Placements:

Health Office Specialist Classification

a. The Director of Classified Personnel recommends that the Personnel Commission approve Advanced Step Placement for new employee Magdalena Ayala in the classification of Health Office Specialist pursuant to Personnel Commission Rule §12.2.4.(B): *Salary on Employment* based on criteria for the minimum experience and education.

Director's Recommendation: Approve

Motion by:	Barbara Inatsugu
Seconded by:	Michael Sidley
Vote:	3 – 0

b. The Director of Classified Personnel recommends that the Personnel Commission approve Advanced Step Placement for new employee Christina Hobkirk in the classification of Health Office Specialist pursuant to Personnel Commission Rule §12.2.4.(B): Salary on Employment based on criteria for the minimum experience and education.

Director's Recommendation: Approve

Motion by:Barbara InatsuguSeconded by:Michael SidleyVote:3 - 0

c. The Director of Classified Personnel recommends that the Personnel Commission approve Advanced Step Placement for new employee Eva Villalobos in the classification of Health Office Specialist pursuant to Personnel Commission Rule §12.2.4.(B): *Salary on Employment* based on criteria for the minimum experience and education.

Director's Recommendation: Approve

Motion by:Barbara InatsuguSeconded by:Michael SidleyVote:3 - 0

d. The Director of Classified Personnel recommends that the Personnel Commission approve Advanced Step Placement for new employee Bibiana Villegas in the classification of Health Office Specialist pursuant to Personnel Commission Rule §12.2.4.(B): Salary on Employment based on criteria for the minimum experience and education.

Director's Recommendation: Approve

Motion by: **Barbara Inatsugu** Seconded by: Michael Sidley Vote: 3 - 0

Instructional Assistant Classifications

e. The Director of Classified Personnel recommends that the Personnel Commission approve Advanced Step Placement for new employee Alia Tate in the classification of Instructional Assistant - Classroom pursuant to Personnel Commission Rule §12.2.4.(B): Salary on Employment based on criteria for the minimum experience and education.

Director's Recommendation: Approve

Motion by: **Barbara Inatsugu** Seconded by: Michael Sidley Vote: 3 - 0

f. The Director of Classified Personnel recommends that the Personnel Commission approve Advanced Step Placement for new employee Julia Barnett in the classification of Instructional Assistant - Music pursuant to Personnel Commission Rule §12.2.4.(B): Salary on Employment based on criteria for the minimum experience and education.

Director's Recommendation: Approve

Barbara Inatsugu Motion by: Seconded by: Michael Sidley 3 - 0Vote:

g. The Director of Classified Personnel recommends that the Personnel Commission approve Advanced Step Placement for new employee April Gonzalez in the classification of Instructional Assistant - Special Education pursuant to Personnel Commission Rule §12.2.4.(B): Salary on Employment based on criteria for the minimum experience and education.

Director's Recommendation: Approve

Motion by: **Barbara Inatsugu** Seconded by: Michael Sidley Vote: 3 - 0

h. The Director of Classified Personnel recommends that the Personnel Commission approve Advanced Step Placement for new employee Leslie Howard in the classification of Instructional Assistant – Special Education pursuant to Personnel Commission Rule §12.2.4.(B): Salary on Employment based on criteria for the minimum experience and education.

Director's Recommendation: Approve

Motion by:	Barbara Inatsugu
Seconded by:	Michael Sidley
Vote:	3 – 0

Physical Therapist Classification

i. The Director of Classified Personnel recommends that the Personnel Commission approve Advanced Step Placement for new employee Lauren Cowan in the classification of Physical Therapist pursuant to Personnel Commission Rule §12.2.4.(B): *Salary on Employment* based on criteria for the minimum experience and education.

Director's Recommendation: Approve

Motion by:Barbara InatsuguSeconded by:Michael SidleyVote:3-0

Reprographics Operator Classification

j. The Director of Classified Personnel recommends that the Personnel Commission approve Advanced Step Placement for new employee Moises Casillas in the classification of Reprographics Operator pursuant to Personnel Commission Rule §12.2.4.(B): *Salary on Employment* based on criteria for the minimum experience and education.

Director's Recommendation: Approve

Motion by:Barbara InatsuguSeconded by:Michael SidleyVote:3-0

Mrs. Cartee-McNeely commented that the significant number of these requests at higher step placements were a direct result of classification and compensation studies that were not implemented in the past fifteen (15) years.

Commissioner Inatsugu commended the high professional level of the new employees. She also inquired about the process after the Advanced Step Placement requests are granted. Dr. Young stated that the information is presented in the Merit Report for the Board of Education.

Mrs. Washington expressed her concern regarding the high number of approved Advanced Step Placements. Dr. Young agreed that this issue should be further examined.

Mrs. Cartee-McNeely stated that this issue has been addressed during furlough discussions with the District's Administration. SEIU has generated a comprehensive report including the fact that thirty-three percent (33%) of new hires are coming in at advanced step placement in the past three years. This out of alignment situation would be resolved by the implementation of a classification and compensation study.

- 3. Working Out of Class Requests: Director's Recommendation: *Approve*
 - a. Mr. Jose Lopez, Gardener, in the position of the Equipment Operator-Tree Trimmer from January 4, 2012 to May 14, 2012 (First Extension)

Motion by:	Barbara Inatsugu
Seconded by:	Michael Sidley
Vote:	3 – 0

b. Mr. Abel Orozco, Gardener, in the position of the Equipment Operator-Tree Trimmer from July 1, 2011 to March 9, 2012 (First Extension)

Motion by:	Barbara Inatsugu
Seconded by:	Michael Sidley
Vote:	3 – 0

B. Discussion Item(s):

1. Personnel Requisition Status Report

Ms. Stephanie Perry, Personnel Analyst, welcomed new Personnel Commissioners. She provided a brief overview of the vacancies. There were six (6) vacancies on a certification list (meaning that the Personnel Commission staff has submitted a list of candidates who qualified and ranked in the first three (3) ranks) and nine (9) were currently open (meaning that the hiring authority has not received a certification list because the recruitment is still in process) as of March 7, 2012. The Month-to-Month Comparison Report showed forty (40) vacancies on file in January 2012. The Personnel Commission has received twenty-six (26) vacancies of which forty (40) positions have been filled, and eleven (11) positions were cancelled and/or placed on hold. Ms. Perry provided a monthly comparison over the past year as well as a detailed description of individual vacancies and their current status.

In the graphic representation: forty percent (40%) of positions have been certified to managers; sixty percent (60%) of positions are open; ninety-three percent (93%)

of positions are more than twenty (20) hours a week; twenty-seven percent (27%) of positions are new and seventy-three percent (73%) are vacant; one hundred percent (100%) positions are located in Santa Monica.

Commissioner Sidley inquired about the concept of "three plus ranks." Ms. Perry stated that the top three ranks of candidates on the eligibility list will be sent to the hiring authority for a selection interview.

Commissioner Sidley inquired about the length of time it takes for a position to be filled from when listed to hiring. Dr. Young provided a detailed explanation of various stages of the hiring process, including the selection period by the hiring authorities, and the processing time by the Human Resources department.

Commissioner McLoud suggested covering this subject during the new Personnel Commissioners retreat. Dr. Young will provide documentation clarifying the recruitment process.

Mrs. Washington shared with the Personnel Commission that Commissioner Sidley's inquiry is being examined with recruitments for Instructional Assistant-Special Education by Special Education, Human Resources, and the Personnel Commission. A committee representing these departments is studying the timelines.

Dr. Young clarified the focus of the committee. One focus has been to look at the substitute pool and timelines related to the availability of classified substitutes instead of using certificated staff. The other focus was filling Specialized Instructional Assistant positions, which are all currently filled.

Dr. Young explained individual steps in the position control form cycle as well as the pre-employment process. He emphasized the possibility of using NEOGOV, recruitment software, for the position control process replacing paperwork. It would be a more effective and precise way of tracking position control forms at any given time.

Dr. Young brought the Personnel Commission's attention to the detailed report of vacancies including specific comments for each opening.

- 2. Personnel Commission's Twelve-Month Calendar of Events
 - Personnel Commission Retreat
 - 2011 2012

Personnel Commission retreat is scheduled for April 17, 2012 at 2 p.m. The next regular Personnel Commission meeting was rescheduled from April 10, 2012 to April 17, 2012 due to spring break.

Dr. Young offered to inquire about possible trainers from California Schools Personnel Commission Association to provide instruction for the new personnel commissioners at the retreat.

- 3. Recruitment for the Director of Classified Personnel at Santa Monica-Malibu Unified School District
 - Letter from Mr. George Cole, Executive Director of California School Personnel Commissioners Association

Commissioner McLoud announced Dr. Young's retirement. Dr. Young suggested inviting Mr. Cole, the Executive Director of California Schools Personnel Commission Association to conduct the recruitment with assistance of other Personnel Commission directors.

Mrs. Washington expressed her best wishes for Dr. Young's retirement. She suggested using it as an opportunity for reorganization of the Human Resources and Personnel Commission, including staff reductions. Dr. Young stated that Mrs. Beth Papp, Human Resources Technician is transferring from the Human Resources to Personnel Commission to fill a vacant position of an employee who did not pass probation. Mrs. Papp would serve as a resource for Human Resources staff members who assumed her former duties. However, it is essential for her to complete the transfer and undertake recruitment responsibilities as soon as possible. Chief Steward Cartee-McNeely shared her concern about the length of time for this transfer. She stated that Merit Rules stipulate the transfer shall take 10 days unless agreed otherwise by all parties including the employee.

Dr. Young invited the District Administration to participate in the Personnel Commission budgetary process that will begin in April 2012 which will include public discussions regarding reorganization and organizational alignment.

Commissioner Sidley inquired about a list of recruitment agencies for reference. Commissioner McLoud recalled the Board of Education recruitment practices.

C. Information Item(s):

1. Merit Rules Review Tracker

No changes

Dr. Young informed the Personnel Commission about the status and timelines of individual rules.

2. Workforce Organization Development and Strategic District Partnership Tracker

No changes

Dr. Young notified the Personnel Commission about the purpose for the Workforce Organization Development and Strategic Partnership. He also mentioned specific workshops presented by the Human Resources and Personnel Commission for District employees' professional advancement.

V. <u>Personnel Commission Business:</u>

A. Personnel Commissioner Comments

Commissioner Inatsugu expressed her appreciation of being appointed into her role and is looking forward to working with Personnel Commission staff, District and SEIU.

B. Future Items

Subject	Action Steps	Tentative Date
Career Advancement Training		April 2012
Merit Rules Revisions	Second Reading of Changes to Merit Rules: Chapter XI: Vacation, Leaves of Absence and Holidays Chapter XII: Salaries, Overtime Pay, and Benefits	April 2012

	First Reading of Changes to Merit Rules: Chapter XIV: Disciplinary Action and Appeal Chapter XV: Resignation and Reinstatement Chapter XVI: Grievance Procedure	
Preliminary Budget – Fiscal Year 2012-2013	First Reading	April 2012
Classified Employees Appreciation Reception		May 2012

VI. <u>Closed Session:</u>

• Public Employee, to consider appointment, employment, performance evaluation, or dismissal of employee pursuant to GC §54957 as cited in the Brown Act

None

VII. <u>Next Regular Personnel Commission Meeting:</u> Tuesday, April 10, 2012, at 5:00 pm - *District Office Board Room*

The next regular Personnel Commission meeting was rescheduled to April 17, 2012 due to Spring Break.

VIII. <u>Adjournment:</u> There being no further business to come before the Personnel Commission, it is recommended that the meeting be adjourned.

Motion by:Michael SidleySeconded by:Shane McLoudVote:3 - 0

TIME ADJOURNED: 7:39 p.m.

Submitted by:

Wilbert Young, Ph.D. Secretary to the Personnel Commission Director, Classified Personnel

If you wish to receive a full copy of the Personnel Commission Agenda Packet, please contact the Personnel Commission Office at (310) 450-8338, ext. 70-279.