



## **PERSONNEL COMMISSION MEETING MINUTES**

Electronically Recorded (AUDIO ONLY)

**June 14, 2016**

**PERSONNEL COMMISSIONERS:** Mrs. Barbara Inatsugu, Mr. Joseph Pertel and Mr. Peter Lippman

A regular meeting of the Santa Monica-Malibu Unified School District Personnel Commission will be held on **Tuesday, June 14, 2016**, at the **Webster Elementary School**: 3602 Winter Canyon, Malibu, CA.

- ❖ **Instructions on Public Comments:** Persons wishing to address the Personnel Commission regarding an item scheduled for this meeting must submit the "Request to Address" card before consideration of that item. Persons wishing to address the Personnel Commission regarding an item within the Commission's subject matter jurisdiction but not scheduled on this meeting's agenda may speak during the Public Comments section by submitting the "Request to Address" card before the Commission reaches that section of the agenda.

### **OPEN SESSION**

#### **I. GENERAL FUNCTIONS:**

- G.01 Call to Order: The Open Session of the Regular Meeting of the Personnel Commission was called to order at 4:02 p.m.**
- G.02 Roll Call: Commissioners Inatsugu, Lippman, and Pertel were present.**
- G.03 Pledge of Allegiance: Mr. Jerry Gibson, Facility Use Manager, led all in attendance in the Pledge of Allegiance.**
- G.04 Motion to Approve Agenda: June 14, 2016**

**It was moved and seconded to approve the minutes as amended – the meeting will be adjourned in the memory of 49 Orlando shooting victims. The motion passed.**

If you will require an accommodation to participate in the Commission meeting, please notify the Personnel Commission Office at least 48 hours prior to the meeting.

Commissioner	M	S		Yes	No	Abstain	ABSENT
Barbara Inatsugu				✓			
Peter Lippman	✓			✓			
Joseph Pertel		✓		✓			

**G.05 Motion to Approve Minutes: May 10, 2016**

**It was moved and seconded to approve the minutes as submitted. The motion passed.**

Commissioner	M	S		Yes	No	Abstain	ABSENT
Barbara Inatsugu				✓			
Peter Lippman		✓		✓			
Joseph Pertel	✓			✓			

**G.06 Report from the Director of Classified Personnel:**

This is an opportunity for the Director of Classified Personnel to report on items relevant to Personnel Commission.

- Classified Employee Appreciation Week
  - **Director Cool updated the Personnel Commission about the Classified Employee Appreciation Week that took place from May 15 to May 21, 2016, to honor classified employees' contribution to the District and its students. This year, the reception took place on a separate day than in the past when it was always followed by the regular Personnel Commission meeting.**
  - **It was a successful celebration, attended by approximately 100 classified employees and administrators. The Personnel Commission raised approximately \$1,500 in donations to purchase gift cards and refreshments. Director Cool especially thanked the most generous donors- SEIU, PTA, and Schools First Federal Credit Union.**
  - **Commissioner Inatsugu, Superintendent Lyon, and Board member Mechur expressed their great appreciation for classified employees' service to the District.**
- General Comments
  - **Director Cool updated the Personnel Commission about summer recruitments so that the schools are fully staffed for the next school year.**
  - **Director Cool expressed his appreciation for Ms. Cindy Johnston, Human Resources Technician, who tirelessly coordinates summer assignments for classified employees who work less than 12 months a year. Ms. Johnston has been managing the entire process for many years, and it is obvious that this workload has to be shared. Hence, some cross-training will take place in the next fiscal year.**
  - **Director Cool informed the Personnel Commission about the conclusion of salary negotiations between SEIU and the District. The**

Tentative Agreement was ratified by bargaining unit members, and it is going to be submitted to the Board of Education for approval on June 22, 2016.

- Director Cool updated the Personnel Commission on the hiring of the new Human Resources Technician, Mrs. Rosalee Merrick on June 16, 2016. She is currently working as the Administrative Assistant at Point Dume Marine Science Elementary School. Mrs. Merrick will be introduced to the Personnel Commission at the July Personnel Commission meeting.
- Director Cool also provided an update on the Personnel Analyst recruitment as Ms. Lamping will be leaving the District at the end of July. The first written test was administered on June 13, 2016, and the second session will take place on June 15, 2016, to ensure a healthy applicant pool. The qualification appraisal interviews are tentatively scheduled for June 21, 2016. The final selection interviews will take place on the first week of July so that the new Personnel Analyst can have some overlap with Ms. Lamping for training purposes.
- Director Cool announced his vacation in mid-July – a trip to Japan. Ms. Lamping will be supervising the office in his absence.
- Personnel Commission Budget – Fiscal Year 2016-2017
  - Director Cool informed the Personnel Commission about the Personnel Commission budget being approved by the Los Angeles County Office of Education. The confirmation was received on May 20, 2016.
- Advisory Rules Committee Update
  - Director Cool informed the Personnel Commission about completing revisions to Chapter XI: *Vacation, Leaves of Absence and Holidays*, which is going to be presented during Discussion for the first reading in the near future.
  - The Advisory Rules Committee has begun revising Chapter XII: *Salaries, Overtime Pay, and Benefits*, with the sole emphasis on the section regarding Advanced Step Placement. It is an urgent topic considering the outcome of SEIU and District negotiations.

#### **G.07 Personnel Commissioner Comments/Reports:**

This is time during which a Personnel Commissioner may make a brief announcement or report on his/her own activities relative to Commission business. This is not a time for discussion.

- Commissioner Lippman welcomed everyone to Malibu.
- Commissioner Pertel expressed his gratitude to Webster Elementary School administration for hosting the Malibu Personnel Commission meeting.
- Commissioner Inatsugu expressed her gratitude to the Personnel Commission staff for arranging the Classified Employee Appreciation celebration. She complimented the staff on the set up including a spin wheel with prizes, which was different from previous years. Commissioner Inatsugu's rescue Chihuahua mix "Chibi," the Personnel Commission mascot, also participated in the festivities.

- **Commissioner Inatsugu shared her experiences attending the Santa Monica High School graduation for her first grandchild. She was pleased to see Director Cool on the stage with other administrators and honored guests.**

#### **G.08 Communications:**

The Communications section provides an opportunity for the Personnel Commission to hear from the individuals or representatives listed below. All reports are limited to five (5) minutes or less.

- SEIU Report
  - **None**
- Board of Education Report
  - **Dr. Mark Kelly, Assistant Superintendent of Human Resources, congratulated the Personnel Commission staff for organizing a successful celebration to honor all the District classified employees and their contribution to students' quality education. He also enjoyed the new set up for awarding prizes.**
  - **Dr. Kelly informed the Personnel Commission about the complex District budget report that was presented to the Board of Education at their last meeting. The District has a sizeable reserve; however, there is a structural issue of spending more money than receiving. In fall, the District will convene a multi-stakeholder committee to examine new ways for reduction of the deficit spending.**
  - **Dr. Kelly updated the Personnel Commission on hiring activities for the new school year. Also, the Superintendent search is underway. The Board of Education is seeking an interim, working closely with Leadership Associates, a recruitment agency, interviewing potential candidates on June 16, 2016. The goal to select a new superintendent is by January 1, 2017.**
  - **Dr. Kelly shared his experience attending all three high school graduations, the Malibu middle school promotion, and three elementary school promotions.**
  - **Commissioner Inatsugu reminded her fellow commissioners about a farewell reception for Superintendent Lyon that will take place on June 21, 2016 at the Victorian.**

#### **G.09 Public Comments:**

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 five (5) minutes. When there is a large number of speakers, the Personnel Commission may reduce the allotted time to three (3) 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.

- **None**

**II. CONSENT CALENDAR:**

Items are considered routine, require no discussion, and are normally approved all at once by the Personnel Commission. However, members of the Personnel Commission, staff, or the public may request an item be clarified and/or discussed.

C.01 Approval of Classified Personnel Eligibility List(s):

<u>Classification</u>	<u># Eligibles</u>
Instructional Assistant – Physical Education	3
Physical Activities Specialist	2

**It was moved and seconded to approve the Consent Calendar – II.C.01 Approval of Classified Personnel Eligibility List(s) as corrected. The motion passed.**

Commissioner	M	S	Yes	No	Abstain	ABSENT
Barbara Inatsugu			✓			
Peter Lippman	✓		✓			
Joseph Pertel		✓	✓			

**REPORT AND DISCUSSION**

- **None**

C.02 Advanced Step Placement:  
Approval of the Advanced Step Placement for new employee Rex Aclan in the classification of Accounting Technician at Range: 29 Step: E

C.03 Advanced Step Placement:  
Approval of the Advanced Step Placement for new employee Jerry Gibson in the classification of Facility Use Manager at Range: M-50 Step: C

C.04 Advanced Step Placement:  
Approval of the Advanced Step Placement for new employee Janice Mangangey in the classification of Paraeducator-3 at Range: 26 Step: B

C.05 Advanced Step Placement:  
Approval of the Advanced Step Placement for new employee Steven Zander in the classification of Instructional Assistant - Music at Range: 20 Step: D

**It was moved and seconded to approve the Consent Calendar – II.C.02-05 Advanced Step Placements as submitted. The motion passed.**

Commissioner	M	S	Yes	No	Abstain	ABSENT
Barbara Inatsugu		✓	✓			
Peter Lippman					✓	
Joseph Pertel	✓		✓			

## REPORT AND DISCUSSION

- **Commissioner Lippman voiced his opposition to the policy of advanced step placement (ASP) by abstaining from the vote.**

### **III. ACTION ITEMS:**

These items are presented for ACTION at this time.

#### A.01 Classification Revision:

Approval of the revisions to the Campus Security Officer classification within the Student Services job family.

**It was moved and seconded to approve the Director's recommendations for item III.A.01 as submitted. The motion passed.**

Commissioner	M	S		Yes	No	Abstain	ABSENT
Barbara Inatsugu				✓			
Peter Lippman	✓			✓			
Joseph Pertel		✓		✓			

## REPORT AND DISCUSSION

- **Director Cool informed the Personnel Commission about the latest revision adding the ability to ride a bicycle in order to perform the required duties in this classification. The Campus Security Officers were already utilizing bicycles while patrolling the District campuses; it was not reflected in the classification specification.**
- **Commissioner Inatsugu recommended adding bicycle ringers for safety. Director Cool assured the Personnel Commission that the District Risk Manager, Mr. Gary Bradbury, has said that the bicycles meet the safety standards. However, he will double check with Mr. Bradbury.**

#### A.02 New Classification:

Approval of the new classification Theater Operations Supervisor within the Facility Services job family.

**It was moved and seconded to approve the Director's recommendations for item III.A.02 as submitted. The motion passed.**

Commissioner	M	S		Yes	No	Abstain	ABSENT
Barbara Inatsugu				✓			
Peter Lippman	✓			✓			
Joseph Pertel		✓		✓			

## **REPORT AND DISCUSSION**

- Director Cool informed the Personnel Commission about the ongoing reorganization of the Facility Use Department. As part of the process, the need for developing this specific classification arose, in order to meet the department's wide range of responsibilities. Most recently, the department has incorporated new classifications of a Facility Use Manager and a Sports Facility Supervisor that are aligned with this new classification of a Theater Operations Supervisor in terms of salary and internal structure.
- Director Cool expressed his gratitude to Mr. Carey Upton, the subject matter expert, for his professional input during the classification development.
- Mr. Jerry Gibson, the Facility Use Manager, provided an organizational chart explaining the role and significance of this new classification for the Facility Use Department. It will allow for a production manager to manage the scheduling of the Technical Theater Technicians for all the rental venues as well as for assigning their overtime.
- Commissioner Lippman inquired about determining the salary range to be M-45. Director Cool explained the process that includes market research as well as considering the internal alignment with the other management classifications of similar work characteristics within the Facility Use Department.
- Commissioner Pertel inquired about the reporting structure of this classification. Mr. Gibson explained that an incumbent in this classification will report directly to him, just as it is the case with the Sports Facility Supervisor.

#### **IV. DISCUSSION ITEMS:**

These items are submitted for discussion only. Any action that might be required will generally be scheduled for the next regularly scheduled meeting of the Commission.

##### **D.01 Implementation of the Salary Survey Recommendations**

## **REPORT AND DISCUSSION**

- Director Cool provided a brief background to the salary study recommendations that were conducted by the previous Director of Classified Personnel, Mr. Brandon Tietze. The outcome of the study indicated that the salaries associated with most classifications were below market median. The issue was addressed in the negotiations between SEIU and the District, and it resulted in an effective remedy.
- Director Cool explained that every classification across the board is going to receive the six percent (6%) increase, retroactive to January 1, 2016, which is crucial for bringing classifications to market, and, in some cases, above market. Despite the increase, many classifications remain below market median. The bargaining teams developed a strategy to bring all classifications to market. For classifications that were still below market by five percent (5%) or more, upward range

adjustments in increments of two (2) would be applied. It would bring all remaining classifications to within five percent (5%) of the labor market median. Unlike the initial six percent (6%) increase that will affect all classified employees at the same time, the range adjustment will take place according to the employees' anniversary dates in order to spread the financial impact on the District.

- Director Cool illustrated the process using specific numbers for Cafeteria Worker II.
- Commissioner Inatsugu commended the negotiation teams for their dedication to resolve this complex and difficult subject in such an equitable way that will ultimately benefit the District students.
- Commissioner Lippman inquired about funding this budgetary increase.
- Dr. Kelly explained that the District was in a position to negotiate the salary study due to a great reserve trying to balance interests. The District recognizes the necessity to appropriately compensate its employees to retain them. This comprehensive salary study was instrumental in this process. The deficit spending should not resolve it at the expense of the District employees. Both negotiation teams are comfortable with the resolution. In fall, the Board will establish a fiscal committee to address deficit issues.
- Dr. Kelly added that a similar salary recommendation will be presented to the Board for classified management and confidential employees.
- Commissioner Lippman expressed his concern regarding different stipends for salary increase available in the District. He asked Director Cool to prepare a report addressing the various ways to increase a new employee's salary.

#### D.02 Temporary Suspension of Advanced Step Placement

##### REPORT AND DISCUSSION

- Director Cool provided a brief background to the practice of Advanced Step Placement as it is outlined in the Collective Bargaining Agreement and the Merit Rules. Due to the past concern that the program was not awarded equitably, the previous Director of Classified Personnel, Mr. Brandon Tietze, developed guidelines to make the process fair. No changes were made either to the Collective Bargaining Agreement or to the Merit Rules. The Personnel Commission has the authority to set the parameters, and the current guidelines are more objective from the past practice. Now that salaries have been increased as a result of negotiations, these guidelines need to be reviewed by the Advisory Rules Committee to determine if changes are needed. At the Full Cabinet meeting, Director Cool invited management to join the committee for more diverse representation. Until further analyses are completed, the Advanced Step Placement program will be temporarily suspended. If any Advanced Step Placement requests are received, they will be addressed once the guidelines are finalized. Requests by new employees hired before July 1, 2016 will be reviewed based on the current guidelines. Requests of new employees hired after the date will fall under the new guiding principles.

- Commissioner Inatsugu inquired about the timeline for developing these new rules. Director Cool stated that he would bring a proposal to the July Personnel Commission meeting.
- Commissioner Lippman asked whether the program can be abolished at the next union negotiations and after changing the Merit Rules. Director Cool agreed that the article can be abolished as a result of negotiations. Until then, it is a part of the Collective Bargaining Agreement. The program receives support from both SEIU and the District administration.

D.03 First Reading of Changes to Merit Rules:

*Chapter XI: Vacation, Leaves of Absence and Holidays*

- Director Cool provided a brief background to the chapter's revisions. It was a lengthy chapter containing complex concepts that required extensive discussions by the Advisory Rules Committee to achieve clarity. Some of the language is a direct quotation from the California Education Code to ensure that the District is not in violation of any rules; however, it is not easy language to read.
- Director Cool pointed out that a disclaimer stating that the Rules are not in violation with the Collective Bargaining Agreement and the Education Code was removed from the beginning of each section. References to the Collective Bargaining Agreement were made replacing repetitive language, and the formatting of Education Code references was revised.
- Director Cool stated that the overall formatting of the Merit Rules will be addressed in the process of standardizing the document in the near future.
- Commissioner Lippman commented on the chapter's complexity.
- Director Cool stated that the most labor intensive part was conscientious inspection of the Education Code references.
- Dr. Kelly, on behalf of the Advisory Rules Committee, assured the Personnel Commission that the revisions were complex and thorough in order to clarify the content.
- Commissioner Inatsugu expressed her appreciation of cross-reference with the Collective Bargaining Agreement instead of rule duplication.
- Commissioner Inatsugu inquired about rule 11.2.1. H regarding an employee on leave of absence not being allowed to accept other gainful employment. Director Cool clarified that if an employee is not fit for duty at the District, he or she may not accept another employment elsewhere.
- Dr. Kelly added that the Human Resources department will evaluate each individual situation, especially when it concerns a limited employment.
- Commissioner Inatsugu made inquiries regarding rule 11.3.2. when an employee is absent due to an industrial accident, injury, or illness for not less than sixty (60) working days. Director Cool will present it to the Advisory Rules Committee for an additional review.
- Commissioner Inatsugu asked about pregnancy being defined as a disability. Dr. Kelly confirmed that the state law uses this terminology.
- Commissioner Inatsugu also inquired about rule 11.7.1. addressing general provisions for unpaid child rearing leave for a maximum period of one (1) year as an employee submits a leave request four (4) weeks

prior to the commencement of the leave as it pertains to adoption of a baby.

Dr. Kelly replied that the rule, in practice, refers to making preparations at the work place rather than focusing strictly on the four (4) weeks.

- Commissioner Inatsugu also asked if paid release time for personal activities, such as attending a teacher-parent conference in the District, is a part of the Board policy rather than of the Merit Rules. Dr. Kelly stated that this section relates to the personal activities directly connected to the employment, such as participation at examination or an interview, or attending a Board meeting rather than personal activities in general. He will refer to the Board policies as well as to the Collective Bargaining Agreement to see if the issue of employees who are also parents in the District is addressed there as leaves of absence are under the CBA purview.

**V. INFORMATION ITEMS:**

These items are placed on the agenda as information and do not require discussion.

- I.01 Advanced Step Placement Status Report
- I.02 Open Personnel Requisitions Status Report
- I.03 Filled Personnel Requisitions Status Report
- I.04 Classified Personnel – Merit Report - No. A.20 (for SMMUSD School Board Agenda)
  - June 2, 2016
- I.05 Classified Personnel – Non-Merit Report – No. A.21
  - June 2, 2016
- I.06 Personnel Commission’s Twelve-Month Calendar of Events
  - 2015 – 2016
- I.07 Board of Education Meeting Schedule
  - 2015 – 2016

**VI. PERSONNEL COMMISSION BUSINESS:**

B.01 Future Items:

<b>Subject</b>	<b>Action Steps</b>	<b>Tentative Date</b>
Merit Rules Revisions	- Second Reading of Changes to Merit Rule: <i>Chapter XI: Vacation, Leaves of Absence and Holidays</i>	July 2016

**VII. NEXT REGULAR PERSONNEL COMMISSION MEETING:**

Tuesday, July 12, 2016, at 4:00 p.m. – *District Office Board Room*

**VIII. PUBLIC COMMENTS FOR CLOSED SESSION ITEMS ONLY:**

Persons wishing to address the Personnel Commission regarding an item scheduled for closed session must submit the "Request to Address" card prior to the start of closed session.

- **None**

**IX. CLOSED SESSION:**

The Commission adjourned to closed session at **5:07 p.m.** pursuant to Government Code Section 54957 to discuss:

**A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Title: Director of Classified Personnel

**B. CANDIDATE'S APPEAL**

Title: Facilities Technician

The Commission reconvened into open session at **6:09 p.m.** and reported on the following action taken in closed session:

**The Santa Monica-Malibu Unified School District Personnel Commission met in closed session to hear a candidate's appeal regarding interviews for Facilities Technician and determined that due to insufficient evidence the Commission must deny the appeal.**

**X. ADJOURNMENT:**

There being no further business to come before the Personnel Commission, it is recommended that the meeting be adjourned.

**It was moved and seconded to adjourn the meeting.**

Commissioner	M	S	Yes	No	Abstain	ABSENT
Barbara Inatsugu			✓			
Peter Lippman	✓		✓			
Joseph Pertel		✓	✓			

**TIME ADJOURNED: 6:10 p.m.**

Submitted by:

\_\_\_\_\_

Michael Cool  
 Secretary to the Personnel Commission  
 Director, Classified Personnel

The meeting was adjourned in memory of the 49 Orlando shooting victims.

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.