

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT**  
**PERSONNEL COMMISSION**  
District Office Board Room  
1651 Sixteenth Street, Santa Monica CA 90404

**MINUTES**

**REGULAR MEETING**  
**December 13, 2011 @ 5:30 p.m.**  
**District Office Board Room**

Electronically Recorded

**PERSONNEL COMMISSIONERS:** Mrs. Pam Brady and Mr. Shane McLoud

**I. General Functions:**

- A. Call to Order: The Regular Meeting of the Personnel Commission was called to order at 5:32 p.m.**
- B. Roll Call: Commissioners Brady and McLoud were present. Commissioner Kim has moved out of the Santa Monica-Malibu Unified School District boundaries; hence, she became ineligible to remain as a commissioner.**
- C. Pledge of Allegiance: Commissioner Brady led all in attendance in the Pledge of Allegiance.**
- D. Motion to Approve Agenda:**

Motion by: **Shane McLoud**  
Seconded by: **Pam Brady**  
Vote: **2 – 0**

**The agenda was amended. The agenda item IV.A.3. “*Second Reading of Changes to Merit Rules*” was tabled. Additionally, the agenda item IV.A.1.”*Personnel Commission Election of Officers*” was included, and the rest of the agenda items in section IV were relabeled.**

- E. Motion to Approve Minutes: October 11, 2011; October 18, 2011**

Motion by: **Shane McLoud**  
Seconded by: **Pam Brady**  
Vote: **2 – 0**

- F. 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 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

**G. 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 5 minutes or less.

1. SEIU Report

**Ms. Keryl Cartee-McNeely, the Chief Steward, reported that SEIU negotiation team met to review the issues and concerns expressed by unit members over the past two (2) years. A survey will be developed to assist in negotiations with the District Administration. She also informed the Personnel Commission about SEIU Local 99 Early Education Industry hosting an early education conference on March 12, 2012 in Manhattan Beach. It is a first conference of this kind for union members who work in early child education. Also, SEIU continues its battle for a fair economy on local, state and national level. SEIU Local 99 members were in Washington D.C. to communicate this initiative. Ms. Cartee-McNeely, on behalf of SEIU, extended best wishes for a happy holiday season to the Personnel Commission as well as to all SEIU community members.**

2. Board of Education Report

**Ms. Debra Moore Washington, Assistant Superintendent of Human Resources, informed the Personnel Commission about the District's preparations for negotiations with SEIU and SMMCTA as both contracts are open for full successors. The Board of Education passed a unanimous decision to evaluate fundraising and centralize it. The Superintendent, Ms. Lyon, formed a committee to assist in the process. The Superintendent, Ms. Lyon, also founded the District Leadership Team represented by all employee units in order to focus on communication issue as well as to obtain various perspectives on District's services.**

**II. Report from the Director of Classified Personnel:** 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. Acknowledgment of Service for Commissioner Suzanne Kim**

**Dr. Young acknowledged Commissioner Kim's valuable contribution to the Personnel Commission and the District. In near future, staff will invite her to a celebration honoring her services.**

**B. Search for the New Personnel Commissioner Update**

- Filling the Expired Term of Commissioner Brady
- Filling the Unexpired Term of Commissioner Kim

**Dr. Young updated the Personnel Commission on the recruitments for new personnel commissioners.**

Selection interviews have been scheduled for December 17, 2011 including three (3) candidates for the expired term of Commissioner Brady and five (5) candidates for the unexpired term of Commissioner Kim.

Commissioner Brady asked Commissioner McCloud to represent the Personnel Commission on the selection panel in her place since she is not available due to a scheduling conflict. Commissioner McCloud requested to conduct the selection interviews via conference call since he would be out of town on December 17, 2011.

**C. Approved Professional Experts Request (less than 90 working days or total of 720 work hours per Personnel Commission Rule §3.1.5.(C): *Professional Expert Program*) by the Director of Classified Personnel**

- Ms. Lindsey Cloud, Technical Specialist II, Voice Coach, from December 1, 2011 to May 31, 2012, Educational Services/Music, Grant Elementary School, Rogers Elementary School
- Ms. Amanda Duran, Technical Specialist II, English Language Learners Instructor, from October 3, 2011 to June 20, 2012, Educational Services
- Ms. Bobbi Ross-Neier, Technical Specialist I, Community Coordinator, from August 30, 2011 to June 30, 2012, Malibu High School

**D. Approved Working Out of Class Request (less than 90 working days per Personnel Commission Rule §3.2.8.(C): *Working Out of Class*) by the Director of Classified Personnel**

- Mr. Bruno Anderson, Custodian, in the position of the Gardener from October 20, 2011 to March 6, 2012
- Mr. Barton Burdick, Gardener, in the position of the Equipment Operator/Sports Facilities from October 5, 2011 to February 1, 2012
- Mr. Stevie Davis, Custodian, in the position of the Equipment Operator from July 1, 2011 to September 30, 2011
- Mr. Rick Deanda, Gardener, in the position of the Skilled Maintenance Worker from August 1, 2011 to August 31, 2011
- Mr. Art Gonzalez, Custodian, in the position of the Sprinkler Repair Technician from October 19, 2011 to March 5, 2011
- Mr. Lateef Howard, Instructional Assistant – Physical Education, in the position of the Physical Activities Specialist from September 12, 2011 to September 12, 2011
- Mr. Tom O'Rourke, Custodian, in the position of the Gardener from November 9, 2011 to March 12, 2012
- Ms. Maria Ruiz de Cortez, Cafeteria Worker I, in the position of the in the position of the Cafeteria Worker II from August 29, 2011 to November 10, 2011
- Ms. Leticia Tirado, Cafeteria Worker I, in the position of the Cafeteria Worker II from October 21, 2011 to October 31, 2011

**E. Merit Rules Advisory Committee (A.R.C.) Update**

- Advisory Rules Committee Agendas – October 13, 2011; October 27, 2011; November 10, 2011; December 1, 2011

Dr. Young drew attention to the A.R.C. agendas and sign-up sheets from October 13, 2011 to December 1, 2011 for the Personnel Commission's review.

**F. Disciplinary Hearings**

- **Ref. Number: 7003 1680 0002 6368 3401**
- **Ref. Number: 7003 1680 0002 6368 3517**  
- **Hearings: tentatively January 2012**
- **Ref. Number: 7011 0470 0002 6451 3988**
  
- **Ref. Number: 7011 0470 0002 6451 3995**
- **Ref. Number: 7011 0470 0002 6451 3964**  
- **Failed to Return “Request for Hearing before Personnel Commission” by October 28, 2011**
- **Ref. Number: 7011 0470 0002 6451 4053**  
- **Pre-hearing Conference: TBD**

**Dr. Young updated the Personnel Commission about the disciplinary hearings that will be conducted either before a hearing officer or Personnel Commissioners. The employees who failed to return the proper documentation are not eligible for hearing before the Personnel Commission.**

**G. District Leadership Team Initiated by Superintendent Lyon**

**Dr. Young drew attention to an enclosed e-mail by Superintendent Lyon to the District staff inviting them to participate in this effort. She also disclosed the purpose and goals of the District Leadership Team.**

**III. Consent List:** 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. 13**

1. October 20, 2011

**Approve Classified Personnel – Merit Report - No. A. 11**

2. November 3, 2011

**Approve Classified Personnel – Merit Report - No. A. 13**

3. November 17, 2011

**B. Approve Classified Personnel – Non-Merit Report – No. A. 14**

1. October 20, 2011

**Approve Classified Personnel – Non-Merit Report – No. A. 12**

2. November 3, 2011

**Approve Classified Personnel – Non-Merit Report – No. A. 14**

3. November 17, 2011

**C. Approve Classified Personnel Eligibility List(s):**

<b><u>Classification</u></b>	<b><u># Eligibles</u></b>
Administrative Assistant	44
Cafeteria Worker I	20
Children's Center Assistant	110
Computer Operator	13
Elementary Library Coordinator	10
Fiscal Program Supervisor – Child Development Services	4
Health Office Specialist	10
Instructional Assistant – Special Education	13
Physical Activities Specialist	14
Physical Therapist	3
Senior Office Specialist	8
Specialized Instructional Assistant	9

Motion by: **Pam Brady**  
Seconded by: **Shane McLoud**  
Vote: **2 – 0**

**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 McLoud**  
Motion by: **Pam Brady**  
Seconded by: **Shane McLoud**  
Vote: **2 – 0**

- b. Nomination of Vice-Chair

Nomination: **Pam Brady**  
Motion by: **Shane McLoud**  
Seconded by: **Pam Brady**  
Vote: **2 – 0**

2. Advanced Step Placements:

Director's Recommendation: *Approve*

- a. The Director of Classified Personnel recommends that the Personnel Commission approve Advanced Step Placement for new employee Gerardo Cruz in the classification of Fiscal Program Supervisor – Child Development Services pursuant to Personnel Commission Rule §12.2.4.(B): *Salary on Employment* based on criteria for the minimum experience and education.

Motion by: **Shane McLoud**

Seconded by: **Pam Brady**

Vote: **2 – 0**

- b. The Director of Classified Personnel recommends that the Personnel Commission approve Advanced Step Placement for new employee Farimah Sinai in the classification of Accounting Assistant II pursuant to Personnel Commission Rule §12.2.4.(B): *Salary on Employment* based on criteria for the minimum experience and education.

Motion by: **Shane McLoud**

Seconded by: **Pam Brady**

Vote: **2 – 0**

3. Classification Revisions:

Director's Recommendation: *Approve*

- a. The Director of Classified Personnel recommends that the Personnel Commission approve the revision to the Production Kitchen Coordinator classification specification within the Food and Nutrition Services

Motion by: **Shane McLoud**

Seconded by: **Pam Brady**

Vote: **2 – 0**

- b. The Director of Classified Personnel recommends that the Personnel Commission approve the revision to the Site Food Service Coordinator classification specification within the Food and Nutrition Services

Motion by: **Shane McLoud**

Seconded by: **Pam Brady**

Vote: **2 – 0**

**Ms. Keryl Cartee-McNeely acknowledged the good work on the classification revisions done by the Personnel Analyst, Ms. Stephanie Perry.**

4. Second Reading of Changes to Merit Rules: **tabled till March 13, 2012**

Director's Recommendation: *Approve*

- a. *Chapter XI: Vacation, Leaves of Absence and Holidays*
- b. *Chapter XII: Salaries, Overtime Pay, and Benefits*

Ms. Washington provided suggestions for revisions of the Merit Rules. They would be communicated to the Advisory Rule Committee for consideration. She articulated the proposed changes in detail for rules 11.1.6.A.2. - adequate notice for illness or bereavement during vacation, 11.3.1.A.1 - licensed health care professional, 11.3.1.B.I. - deleted section regarding eligibility to return to work, 11.3.3.A. – verified illness leave, 11.3.3.B. – deleted paid or unpaid leave, 11.4.2. – bereavement for other than immediate family, 11.5.1.A. – deleted section regarding personal necessity, and 11.5.1.B. – deleted examples of events justifying personal necessity leave.

Commissioner Brady shared her concern with inserting too many specifics which will reverse the premise of the revisions.

She proposed to complete the initial revisions for the entire Merit Rules and begin with new revisions right the way.

Ms. Washington expressed her reservations regarding the revision process itself. Commissioner Brady recommended her to work with Dr. Young and Ms. Cartee-McNeely to explore more efficient ways for the revision process. It was designed in the current manner to promote public discussion, fairness and transparency.

Ms. Washington requested this agenda item to be tabled. Commissioner Brady stated that the deadline will be in March 2012.

The Superintendent, Ms Sandra Lyon, shared her main concern with having a clear distinction between what the District wants to refer to in the collective bargaining agreement and the Merit Rules themselves. She recommended that the revisions are done with this focus- stating the bargaining language and clear references to it in the Merit Rules even if it involves repetition. It will help employees and also administrators to understand where the language comes from, what is agreed upon in the collective bargaining agreement, with the Merit Rule attached, and the Ed. Code citations.

Commissioner Brady stated that this revision would be done in the new stage of revisions once the Merit Rules' initial revisions are completed.

Commissioner McLoud moved that this agenda item would be presented to the Personnel Commission at the February 14, 2012 regular meeting as a status report with the possibility of approving it- given it is the final version, not a status report ready for action. If the agenda item is not finalized then, it will be approved at the March 13, 2012 meeting.

Motion by: **Shane McLoud**

Seconded by: **Pam Brady**

Vote: **2 – 0**

5. Working Out of Class Requests:

Director's Recommendation: *Approve*

- a. Mr. Damon Kratz, Custodian, in the position of the Utility Worker from November 9, 2011 to March 12, 2012 (First Extension)

Motion by: **Shane McLoud**

Seconded by: **Pam Brady**

Vote: **2 – 0**

**B. Discussion Item(s):**

1. Personnel Requisition Status Report

**Stephanie Perry, Personnel Analyst, provided a brief overview of the vacancies. There were twenty-two (22) 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 seventeen (17) were currently open (meaning that the hiring authority has not received a certification list because the recruitment is still in process) as of December 7, 2011. The Month-to-Month Comparison Report showed forty-four (44) vacancies on file in October 2011. The Personnel Commission received twenty-six (26) vacancies of which twenty-seven (27) positions have been filled and four (4) positions were cancelled and/or placed on hold.**

**In the graphic representation: fifty-six percent (56%) of positions have been certified to managers; forty-four percent (44%) of positions are open; sixty-seven percent (67%) of positions are more than twenty (20) hours a week; forty-four percent (44%) of positions are new and fifty-six percent (56%) are vacant; ninety-seven percent (97%) positions are located in Santa Monica, and three percent (3%) are from Malibu.**

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

**Commissioner Brady suggested scheduling New Personnel Commissioners' Orientation open to public. Dr. Young offered to invite a speaker from California Schools Personnel Commission Association to the Orientation.**

**C. Information Item(s):**

1. Merit Rules Review Tracker

**No changes**

**Ms. Cartee-McNeely requested the title columns to be added to each page of the report for clarity.**

2. Workforce Organization Development and Strategic District Partnership Tracker

**No changes**



**V. Personnel Commission Business:**

**A. Personnel Commissioner Comments**

Commissioner Brady expressed her gratitude to the Personnel Commission staff and their hard work emphasizing the great progress the department achieved since the time she had become a Personnel Commissioner.

Commissioner McLoud expressed his appreciation of Commissioner Brady's zealous dedication to the District as a former Board Member and also the Personnel Commissioner. He commended Commissioner Brady for her leadership and being a great voice of the Personnel Commission and classified employees as well as a serious problem solver.

**B. Future Items**

<b>Subject</b>	<b>Action Steps</b>	<b>Tentative Date</b>
Merit Rules Revisions	First Reading of Changes to Merit Rules: Chapter XIV: <i>Disciplinary Action and Appeal</i> Chapter XV: <i>Resignation and Reinstatement</i> Chapter XVI: <i>Grievance Procedure</i>	February 2012
District-wide Administrative Assistant Classification Study	Consultations with the District Administration and SEIU	December 2011

Ms. Keryl Cartee-McNeely stated that District-wide classification study for all classifications is due and should take place in near future since it is a contractual obligation.

Dr. Young provided a brief overview of the future items.

**VI. Closed Session:**

- Public Employee, to consider appointment, employment, performance evaluation, or dismissal of employee pursuant to GC §54957 as cited in the Brown Act
  - Performance Evaluation of Director, Classified Personnel

Motion by: **Shane McLoud**

Seconded by: **Pam Brady**

Vote: **2 – 0**

**TIME ADJOURNED TO CLOSED SESSION: 6:30 p.m.**

**TIME RETURNED TO OPEN SESSION AT: 7:10 p.m.**

**The Commission reported out of Closed Session at 7:10 p.m. The performance evaluation of the Director of Classified Personnel was completed.**

**VII. Next Regular Personnel Commission Meeting:**

Tuesday, January 10, 2012, at 5:30 pm - *District Office Board Room*

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

Motion by: **Shane McLoud**

Seconded by: **Pam Brady**

Vote: **2 – 0**

**TIME ADJOURNED: 7:12 p.m.**

Submitted by:

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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.