

**MINUTE RECORD OF MUSD Personnel Commission Meeting
REGULAR MEETING HELD ON AUGUST 16, 2010**

The Personnel Commission of the Madera Unified School District convened in a Regular Board Meeting in the Madera Unified School District Boardroom, 1902 Howard Road, Madera, California on Monday, August 16, 2010 at 5:00 p.m.

ROLL CALL

William Colston, Personnel Commission Chairman, absent
Robert Blazer, Personnel Commission Vice - Chair
Al Galvez, Personnel Commissioner

Mary Siegl, Human Resources Technician II, Personnel Commission
Sandra Edwards, Human Resources Technician II, Personnel Commission
Alice Rios, Administrative Assistant III, Personnel Commission

Peter Denno, Esq., Atkinson, Andelson, Loya, Ruud & Romo

Mike Lennemann, Director of Human Resources
Rachel Cam, CSEA President

There were approximately 7 visitors/district employees in attendance
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1. CALL TO ORDER OF PUBLIC MEETING

Commission Vice-Chairperson, Robert Blazer, called the Public Session of the Personnel Commission Meeting to order at 5:00 p.m.

2. PLEDGE OF ALLEGIANCE, OPENING, AND ACKNOWLEDGEMENT OF VISITORS AND MEDIA,

Commissioner Blazer led the flag salute and welcomed Mr. Peter Denno, Esq. and acknowledged the Personnel Commission staff.

3. ADOPTION OF AGENDA MOTION NO. 04- 2010/11

Mr. Perea stated that he would like to add a change to the Spanish Translator/ Interpreter to item 6C on the agenda. The change was reducing the typing speed from 65 wpm to 45 wpm.

It was moved by Personnel Commissioner, Robert Blazer, seconded by Commissioner, Al Galvez, and unanimously carried to adopt the Agenda.

Ayes: Commissioners, Robert Blazer, Al Galvez
Noes: None
Absent: Commissioner William Colston
Abstained: None

4. COMMUNICATIONS

**MINUTE RECORD OF MUSD Personnel Commission Meeting
REGULAR MEETING HELD ON AUGUST 16, 2010**

Rosalinda Lopez, 2063 Lemon Ave., Madera, CA 93637 addressed the Commission and stated that on Wednesday, August 4, 2010 she had received a letter from Henry Perea, Director of Classified Personnel, stating that the open Administrative Assistant III position at Millview was going to be rescinded due to Classified employees being laid off. Ms. Lopez stated this was the first time Ms. Lopez had heard that she was not going to be hired. She had already been offered the position from the Principal at Millview school and completed all new hire paperwork. Ms. Lopez believed her start date would be August 10, 2010. She did not understand why she did not receive a letter from the MUSD HR Dept- Human Resources Director, Mike Lennemann. She felt it was unfair of the district to not hire her for the position when other positions were being filled at the same time hers was rescinded.

Ms. Lopez met with Mr. Perea on Monday, August 9, 2010 and he told her that she would be not be hired for the position and that she could not file a complaint Mr. Perea apologized for the inconvenience and if there was any way the Commission could compensate me for time loss and any other expenses incurred during this unfortunate situation.

Ms. Lopez stated that CSEA President, Rachel Cam and Labor Representative, Melissa Honeychurch had refused to represent her in this matter. She requested a Hearing before the Commission Board pursuant to PC Rule 18.1.16 (Level 4 Complaint) due to the fact that her reemployment rights have been violated pursuant to Ed Code 45298, 45308, PC Rule 20.1.5.6, 20.1.6.1, 20.1.7.1 20.1.10 and case law – Tucker V. Grossmont Union High School District.

Ms. Lopez requested that the Commission place her in the Administrative Assistant III position pursuant to Ed Code, PC rules and Tucker Case previously cited. She understands that once she is placed in this position she would be the least senior in the class and there is a possibility of being displaced.

Mr. Perea suggested that the Personnel Commission schedule a Special meeting for Ms. Lopez to discuss her situation with the District and its counsel as soon as possible. Commissioners Blazer and Galvez were in agreement with this.

Commissioner Galvez stated he would like to know why the district had allowed other positions to move forward during the time of layoffs, but Ms. Lopez' positions was not. Commissioner Blazer stated he would like clarification on the relationship between the Union not representing Ms. Lopez and Ms. Lopez coming before the Commission.

5. APPROVAL OF CONSENT AGENDA MOTION NO. 05-2010/11

It was moved by Personnel Commissioner, Al Galvez , seconded by Commissioner Robert Blazer to adopt the Consent Agenda.

Ayes: Commissioners, Robert Blazer, Al Galvez
Noes: None
Absent: Commissioner William Colston

**MINUTE RECORD OF MUSD Personnel Commission Meeting
REGULAR MEETING HELD ON AUGUST 16, 2010**

Abstained: None

6. OLD BUSINESS

A. Update of Classification Study

Ms. Alice Rios, Personnel Commission staff, stated that 718 draft job descriptions were sent out for the Classified employees to review. As of this date, the Personnel Commission office has received 588 draft job descriptions, 130 still to be returned. The Personnel Commission staff will be contacting supervisors and incumbents and re-distributing the drafts if needed in order to get all draft job descriptions completed. The PC office has 25 requests for reclassifications. All requests for reclassification will be subject to a desk audit by the Personnel Commission staff and then will be evaluated by Mr. Perea. Mr. Perea will meet with CSEA leadership and District administration to present his recommendations regarding the Classification Study. After this meeting, the final recommendations will be presented to the Personnel Commission.

7. NEW BUSINESS

A. Certification of District Seniority List

Rachel Cam, CSEA President, stated that she was not involved in the decision that had been made regarding approval of the Seniority list and there were still errors on the list.

Mike Lennemann, Director of Human Resources, stated that he had met with CSEA a couple of Fridays ago and today and there were a few things that needed to be checked on but could be resolved before the 45 days. The District is ready to proceed.

Rachel Cam, CSEA President stated that there are job titles missing, seniority dates and hire dates are combined and job titles are disappearing. This is occurring in the Aides, Administrative Assistant II and Administrative Assistant III. Ms. Cam stated there are approximately 6 corrections that needed to be made.

Alice Rios, CSEA member, stated that she would like the Commission to wait upon approval until there is an accurate list. She also would like clarification from Mr. Lennemann as to what the process will be if the list is not approved tonight, then the District will not send out the notices tomorrow?

Mike Lennemann, Director of Human Resources, addressed the Commission and stated that he had met with CSEA on two different occasions and that there were a few discrepancies as there were some positions that were eliminated and people could not bump into those. Due to the current budget situation, the District can not wait another week as this will cost additional money to the District. He had met with CSEA today and there were just a few minor corrections to be made after clarification from CSEA. He urged the Commission to approve the list tonight.

**MINUTE RECORD OF MUSD Personnel Commission Meeting
REGULAR MEETING HELD ON AUGUST 16, 2010**

Henry Perea, Director of Classified Personnel, asked Ms. Cam if the issue how people going to be bumping into the positions or the actual dates of seniority. Mr. Perea stated that the Commission's role in this process is to make sure the actual dates are correct. Rachel Cam, CSEA President, stated that there were hire dates where the initial date and the current hire date were combined and the job titles for those positions disappeared.

Sylvia Mulherin, CSEA member, urged the Commissioners to not approve the list tonight until all questions are straightened out.

Mr. Perea suggested that the Seniority list be brought back at a Special Meeting for approval in a few days. Commissioner Galvez agreed, he would not be approving the tonight as CSEA leadership was not in agreement with the accuracy of the Seniority List. Commissioner Blazer agreed that a Special meeting should be held for approval of the Seniority List. Mr. Mike Lennemann stated that for the record the Human Resources department believes the current list is accurate.

B. Approval of changes to job description – Preschool Classroom Aide

It was moved by Personnel Commissioner, Al Galvez, seconded by Commissioner Robert Blazer, to add the requirements of 3 of the 6 units of Child Development classes must be in Infant and Toddler education; if the opening is for CAL- SAFE program under the Education requirements of the Classroom Aide Preschool job description. MOTION NO. 06-2010/2011, DOCUMENT NO. 02-2010/2011

Ayes:	Commissioners, Robert Blazer, Al Galvez
Noes:	None
Absent:	Commissioner William Colston
Abstained:	None

C. Discussion of Spanish Translator- Interpreter job description

Mr. Perea stated that according to research done by the Personnel Commission office, the typing standard, 65 wpm is too high compared to the standard within the District, which is currently 45 wpm. It was agreed that the approval of the changes would be added to the agenda for the Special Meeting to be scheduled for the following week.

8. ANNOUNCEMENTS

No announcements were made.

9. MISCELLANOUS

No items were presented.

10. ADVANCED PLANNING

**MINUTE RECORD OF MUSD Personnel Commission Meeting
REGULAR MEETING HELD ON AUGUST 16, 2010**

Next Personnel Commission Regular Meeting:

**Thursday, September 23, 2010 at 5:00pm
Madera Unified School District Board Room
1902 Howard Road
Madera, CA 93637**

13. SUGGESTED FUTURE AGENDA ITEMS

None were suggested

14. ADJOURNMENT – MOTION NO. 07 – 2010/2011

Commissioner Blazer adjourned the Public Session at 5:32 p.m. Motion made by Commissioner Galvez and seconded by Commissioner Blazer.

Ayes:	Commissioners Robert Blazer, Al Galvez
Noes:	None
Absent:	Commissioner Colston
Abstained:	None

Dated: August 30, 2010

Mary Siegl
Human Resources Technician II

Henry Perea
Director of Classified Personnel