

**MINUTE RECORD OF MUSD Personnel Commission Meeting
REGULAR MEETING HELD ON OCTOBER 28, 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 Thursday, October 28, 2010 at 5:00 p.m.

ROLL CALL

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

Henry Perea, Director of Classified Personnel,
Mary Siegl, Human Resources Technician II, Personnel Commission
Sandra Edwards, Human Resources Technician II, Personnel Commission
Alice Rios, Administrative Assistant III, Personnel Commission

David Soldani, Esq., Atkinson, Andelson, Loya, Ruud & Romo
Mike Lennemann, Director of Human Resources

Rachel Cam, CSEA President

There were approximately 6 visitors/district employees in attendance
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1. CALL TO ORDER OF PUBLIC MEETING

Commission Chairman, William Colston, 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 Colston led the flag salute and Commissioner Colston welcomed Mr. Soldani.

3 COMMUNICATIONS

There were no public comments made.

4. APPROVAL OF CONSENT AGENDA MOTION NO. 18- 2010/2011

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

Ayes: Commissioners William Colston, Robert Blazer

**MINUTE RECORD OF MUSD Personnel Commission Meeting
REGULAR MEETING HELD ON OCTOBER 28, 2010**

Noes: None
Absent: Al Galvez
Abstained: None

5. OLD BUSINESS

A. Update status of complaint filed by Rosalinda Lopez

Mr. David Soldani stated that the initial complaint filed by Ms. Lopez did not fall under the Commission's jurisdiction. The second revised complaint raised the issue of discrimination, which does fall under the Personnel Commission rules, although there was no factual basis stated. The Commission would have the ability to listen to a complaint regarding discrimination. The second part of the revised complaint dealt with the issue of reemployment, which would fall under the Collective Bargaining agreement and therefore would not be under the Commission's jurisdiction.

Mr. Henry Perea stated that he had been in communication with Mr. Lopez and in the interim there have been further negotiations with the District and CSEA regarding the layoff process and how it would be affecting people. These negotiations did not change anything for Ms. Lopez' situation at this time. Mr. Perea spoke with Mr. Lopez regarding the changes that had been negotiated between the District and CSEA and advised Mr. Lopez to contact Mr. Lennemann with any questions he may have regarding those issues.

B. Update regarding Addendum to Spanish Translator- Interpreter

Mr. Perea reported that the Commissioners received an outline of the testing process for the Spanish Translator- Interpreter position as requested by Mr. Galvez. Mr. Galvez came in to the Personnel Commission office and met with staff regarding the testing processes for the Spanish Translator- Interpreter position and was comfortable with the testing processes that were established.

6. NEW BUSINESS

A. First Reading – Classified Employee Handbook

Mr. Perea stated that there are no new policies or procedures included in the handbook. The handbook is an informational item for employees so that basic employment rules are clear to all new employees.

Commissioner Colston stated on page 5 of the handbook, he would like to see an entry that the evaluation shall be submitted prior to the completion of the probationary period and some language that the evaluation shall be submitted to

**MINUTE RECORD OF MUSD Personnel Commission Meeting
REGULAR MEETING HELD ON OCTOBER 28, 2010**

permit appropriate administrative review and decision prior to the probationary period expires.

Regarding Personnel File Contents, no matter should be placed into an employees file until that employee has been made aware of it. Also some language should be added that stated the personnel file is the District's official file.

On page 6, regarding overtime compensation, Commissioner Colston would like to see language which states for employees to refer to the CBA. Same thing regarding longevity, Commissioner Colston would like the year information removed and it stated that employees should refer to the CBA regarding longevity.

On page 6 regarding Transfers and Promotions, it was agreed that the sentence: The Personnel Commission will take applications, test and create an Eligibility list (change from Employment list).

Under Health and Welfare benefits, Commissioner Colston would like information added regarding COBRA benefits.

Regarding Holidays and Sick Leave, Commissioner Colston would like the handbook to state to refer to the Collective Bargaining Agreement.

Regarding the wording under Injury, "see that you receive medical attention" may need to be reworded. Injured employees may not always need to seek medical attention.

Under the Child Abuse Reporting section, Commissioner Colston would like to see that the employee should also report the suspected abuse to an Administrator or Director.

The language under the Dismissal section on page 14 does not include probationary releases (which is not a termination). Mr. Perea stated that a disclaimer would be added that states this does not apply to probationary releases.

Commissioner Colston stated that the last sentence under Dismissal regarding due process is not correct. Mr. Perea stated that he would look at cleaning up the language in this section.

Commissioner Blazer stated that under the Holiday section, "Changes to Holidays are subject to change," may want to consider changing the wording on that sentence.

**MINUTE RECORD OF MUSD Personnel Commission Meeting
REGULAR MEETING HELD ON OCTOBER 28, 2010**

B. First Reading of Substitute Employee Handbook

Commissioner Colston stated that nowhere in the Personnel Commission rules is the word "substitute" included so it should be either taken out of the Handbook or added to the Personnel Commission rules.

Mr. Perea stated that this Handbook applies to temporary employees who are not covered by the CBA.

Commissioner Blazer had no comments regarding the Substitute Employee Handbook.

C. Approve new minimum qualifications for Head Custodian II

Mr. Perea stated that currently the Personnel Commission is recruiting for Head Custodian II and that position requires a High School Diploma. We have a situation where employees who have worked for the District for extended periods of time as Custodians, who do not have High School diplomas. Commission staff did some research and found that the entry level Custodian position did require a High School diploma in 1997; this was changed in 2005 and is currently not required according to the job description. Some of these employees were hired during the 1997 period during the time a high school diploma was required but the District did not enforce these requirements. The changes are being proposed tonight so that the current employees who have years of experience in working as Custodians be allowed the opportunity to apply for the position.

Mike Lennemann, Director of Human Resources, stated that he feels that all employees working for the school district should have the minimum of a high school diploma or G.E.D. Any one who does not have a G.E.D. can go and obtain one within nine months. This particular job, Head Custodian II, involves supervision of other employees and therefore Mr. Lennemann feels a high school diploma should be required.

Rachel Cam, CSEA President, stated that she had forwarded the information to the CSEA Labor Representative and that CSEA was not opposed to the changes to the job description. Ms. Cam stated that in her personal opinion she felt a high school diploma should be required.

Mr. Perea stated that this is a District created situation due to inconsistencies in the District job descriptions. This position is a lead worker and not a supervisor position. The Head Custodian II has no supervisory authority. Mr. Perea believes that the employees who have worked for several years as Custodians have experience that will trump the High School education requirements.

**MINUTE RECORD OF MUSD Personnel Commission Meeting
REGULAR MEETING HELD ON OCTOBER 28, 2010**

Commissioner Colston questioned whether all current Head Custodian II's have the required high school education. Mr. Lennemann stated that he believes that they all do, but was not certain on the matter.

Mr. Perea stated that in the future, the Personnel Commission will make sure that the patterns are consistent from class to class regarding the job descriptions.

It was moved by Personnel Commissioner, William Colston and seconded by Commissioner Robert Blazer to maintain the education requirement listed in Head Custodian II job description as it currently is.

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

7. INFORMATION AND REPORTS

Commissioner Blazer reported that he had attended the NSPCA conference several weeks ago. He has information that he had received from the conference that he will be turning over to the Commission office, if anyone is interested in looking at it.

8. ANNOUNCEMENTS

Mr. Perea announced that the Personnel Commission Rules Booklet has been completed and has been distributed to all the school sites and administrative offices.

9. MISCELLANOUS

No items were presented.

10. ADVANCED PLANNING

Next Personnel Commission Regular Meeting:

**Monday, November 15, 2010 at 5:00pm
Madera Unified School District Board Room
1902 Howard Road
Madera, CA 93637**

**MINUTE RECORD OF MUSD Personnel Commission Meeting
REGULAR MEETING HELD ON OCTOBER 28, 2010**

11. SUGGESTED FUTURE AGENDA ITEMS

12. ADJOURNMENT – MOTION NO. 17 – 2010/2011

Commissioner Colston adjourned the Public Session at 6:02p.m. Motion made by Commissioner Blazer and seconded by Commissioner Colston.

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

Dated: November 5, 2010

Mary Siegl
Human Resources Technician II

Henry Perea
Director of Classified Personnel