

**MINUTE RECORD OF MUSD Personnel Commission Meeting
REGULAR MEETING HELD ON Tuesday, May 29, 2012**

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 Tuesday, May 29, 2012 at 5:30 p.m.

ROLL CALL

Al Galvez, Personnel Commission Chair
Philip Janzen, Personnel Commission Vice -Chair
Herman Mitchell, Personnel Commissioner

Henry Perea, Director of Classified Personnel
Mary Siegl, Human Resources Technician II, Personnel Commission
Sandra Edwards, Human Resources Technician II, Personnel Commission

Mike Lennemann, Director of Human Resources and Labor Relations
Lynn Cogdill, Madera Unified Board of Trustees

Bill Coate, Madera Tribune

There were approximately 7 visitors/district employees in attendance

1. CALL TO ORDER OF PUBLIC MEETING

Commission Chairperson, Al Galvez, called the Public Session of the Personnel Commission Meeting to order at 5:30 p.m.

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

Henry Perea, Director of Classified Human Resources, led the pledge of allegiance. Commissioner Galvez welcomed Lynn Cogdill from the Madera Unified Board of Trustees, and Director of Human Resources, Mike Lennemann

Henry Perea, Director of Classified Human Resources, recommended that item E be added to the agenda under New Business. This item would discuss the School Board of Trustees recommendation to change the minimum qualifications on the Classified Director positions from degree required to degree preferred.

ADOPTION OF AGENDA - MOTION NO. 58-2011/12

It was moved by Personnel Commissioner Philip Janzen, seconded by Commissioner Herman Mitchell to adopt the agenda with the addition of item E under New Business.

Ayes: Commissioners Al Galvez, Philip Janzen, Herman Mitchell
Noes: None

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Absent: None
Abstained: None

3. COMMUNICATIONS

Sylvia Mulherin, 2856 Ward St. Madera, CA requested that the Commission review the job description for the Maintenance and Operations Supervisor. The current job description for Maintenance and Operations Supervisor only requires a high school diploma. Ms. Mulherin would like to see the Commission consider requiring at least an A.A. for the supervisor position. The Maintenance Director position requires 5 years of increasingly responsible experience of maintenance and construction of buildings. The Supervisor of Maintenance job description requires 4 years of increasingly responsible journeyman level of experience of maintenance and construction of buildings. Ms. Mulherin feels that the journeyman level should be required for the Director or remove the journeymen level of experience for the Maintenance Supervisor so these job descriptions will match more.

Chuck Genseal, 1659 Road 19, Madera, CA stated he wanted to discuss what he believes to be a breach of board ethics by the Madera Unified School District Board of Trustees at the School board meeting last Tuesday night. There was an attempt made by the Board of Trustees to change something that this board, the Personnel Commission has established. I understand that the Commission is a duly authorized agency that acts on behalf and in the best interest of a group, in this case MUSD, and has the sole discretion. Last Tuesday, the School Board of Trustees attempted to change job description qualifications that you had already established. The first attempt resulted in a tie 3 to 3. The tie constituted a legal action on the agenda of the Board. However, that did not suffice, a parliamentary move was enacted where the subject was breached a second time. On the job description the requirement of college degrees was change to preferred. After discussion, a second vote was taken on the same identical subject matter. This time the vote was 4 yes to 2 no. It was already an illegal vote in the first place. It was passed at that point. I maintain that you are not an advisory board; you are the Commission, the authorized party to make these decisions. This Commission is here for an important reason. You have the experience and I understand that you took a year and one half to put these job descriptions together. The School Board's actions are completely unacceptable to me and I hope you will take action.

Rosie Tovar, 18746 Arbor Way, Secretary of Maintenance and Operations stated that she was appalled at the School Board's decision last Tuesday. She works with Maintenance and Operations department and everyone in that department is required to have specific certifications or licenses to work in their trade. For the School Board to give the Directors and Supervisors the allowance

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to only have a high school diploma was appalling. We are here to educate. We are running a multi million-dollar office; we need someone to take over Lupe and Raul's jobs. It is good to promote from within, but at the same time we have to have these educational qualifications. In the last three years, we have lost 3 supervisors. We may not get a full director again; it could be a partial director. I have been waiting for my reclassification. I ask you to please look into the School Board's decision last Tuesday.

Lynn Cogdill, 2300 W 3rd St., MUSD Board of Trustees, stated that he agreed with the two ladies here who previously spoke. It only seems fair that the Supervisor of Maintenance should have a minimum of an AA degree when those working below the Supervisor are required to have certificates and licenses. This Personnel Commission and a lot of other groups outside of this District are going to bring Madera into the 21st century. The rules and regulations that you are creating are going to take Madera and line it up with the rest of the State. I would ask that you take these two ladies recommendations into consideration for the Director and Supervisor of Maintenance job descriptions.

It was acknowledged that Bill Coate from the Madera Tribune arrived at the meeting.

4. APPROVAL OF CONSENT AGENDA – MOTION NO. 59- 2011/2012

It was moved by Personnel Commissioner Philip Janzen, seconded by Commissioner Herman Mitchell to adopt the consent agenda.

Ayes:	Commissioners Al Galvez, Philip Janzen, Herman Mitchell
Noes:	None
Absent:	None
Abstained:	None

5. OLD BUSINESS

A. Discuss and approve Personnel Commission initial salary placement for Ms. Ybarra and Ms. Rutledge

Henry Perea, Director of Classified Human Resources, stated that he felt Ms. Ybarra had been properly placed on her initial salary step, which was step 3. He recommends that Ms. Ybarra's initial placement remain at step 3. This recommendation is based on the current Merit policy and criteria, not the past procedure.

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It was moved by Personnel Commissioner Herman Mitchell, seconded by Commissioner Philip Janzen, that Ms. Ybarra's initial salary step placement remain at Step 3 of the salary schedule. MOTION NO. 60-2011/12

Ayes: Commissioners Al Galvez, Philip Janzen, Herman Mitchell
Noes: None
Absent: None
Abstained: None

Henry Perea, Director of Classified Human Resources, stated that after reviewing Ms. Rutledge's qualifications and following the Commission rules, Ms. Rutledge should have been placed on the initial salary step 4 not step 7. Ms. Rutledge has left her position at Madera Unified. Mr. Perea will prepare a recommendation letter to the Board of Trustees regarding this matter.

It was moved by Personnel Commissioner Al Galvez, seconded by Commissioner Philip Janzen, that Ms. Rutledge's initial salary step should have been placed on Step 4 of the salary schedule. MOTION NO. 61-2011/12

Ayes: Commissioners Al Galvez, Philip Janzen, Herman Mitchell
Noes: None
Absent: None
Abstained: None

Lynn Cogdill, 2300 W 3rd St., MUSD Board of Trustees commented on this matter that he hopes that the Personnel Commission states in their recommendation to the school board that the District should go back and collect the funds that were overpaid to Ms. Rutledge.

Janet Pavlovich, MUSD Position Control, stated that it has been past policy that if any employee at Madera Unified was overpaid, Madera Unified would pursue the matter in small claims court. She hopes that the Personnel Commission will recommend that this matter be pursued in small claims court.

A. Discuss need for legal counsel at Personnel Commission meetings.

It was moved by Commission Janzen, seconded by Commissioner Herman Mitchell to develop a policy to determine when legal counsel would be needed at regular or special Personnel Commission meetings.

Ayes: Commissioners Al Galvez, Philip Janzen, Herman Mitchell
Noes: None
Absent: None
Abstained: None

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8. NEW BUSINESS

A. Discuss and approve new position and job descriptions for After School Program- Site Coordinator, After School Program 21st CCLC Parent Literacy Coordinator, After School Program Activities Assistant- Enrichment, After School Program Assistant- Academic

Sandra Edwards, Personnel Commission, presented the new job descriptions. It was noted that all of the new after- school job descriptions would be NCLB complaint as was required in the grant.

It was moved by Personnel Commissioner Phil Janzen, seconded by Commissioner Herman Mitchell Janzen, to approve the new job descriptions for After School Program- Site Coordinator, After School Program 21st CCLC Parent Literacy Coordinator, After School Program Activities Assistant- Enrichment, After School Program Assistant- Academic MOTION NO. (62-65)-2011/12

Ayes: Commissioners Al Galvez, Philip Janzen, Herman Mitchell
Noes: None
Absent: None
Abstained: None

B. Approval of Resolution No. 1- 2011/12 Classified School Employees Week – May 20, 2012 – May 26, 2012

It was moved by Personnel Commissioner Philip Janzen, seconded by Commissioner Al Galvez to approve Resolution No. 1-2011/12 declaring May 20, 2012 through May 26, 2012 Classified School Employees week. MOTION NO. 66-2011/12

Ayes: Commissioners Al Galvez, Philip Janzen, Herman Mitchell
Noes: None
Absent: None
Abstained: None

C. First reading PC rule – 7.5.5 – 7.5.7 – Summer Employment/ Rules & Procedures

Mike Lennemann, Director of Human Resources, stated that the District had an issue with the School Safety officers, who have more seniority, and work at the middle school would be able to work at the high school where they have no experience.

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It was agreed that the Summer Employment / Rules & Procedures would not go into effect for this year's summer school due to time constraints.

**D. PUBLIC HEARING – Approval of Personnel Commission 2012/
2013 Budget**

Henry Perea, Director of Classified Human Resources, presented the 2012/2013 Budget. He recommended that the budget remain the same as the previous year's budget.

It was moved by Personnel Commissioner Philip Janzen, seconded by Commissioner Herman Mitchell to approve the Personnel Commission 2012/2013 Budget. MOTION NO. 67-2011/12

Ayes: Commissioners Al Galvez, Philip Janzen, Herman Mitchell
Noes: None
Absent: None
Abstained: None

E. Discussion of Madera Unified School District Board of Trustees recommendations regarding minimum qualifications on classified job descriptions.

Henry Perea, Director of Classified Human Resources, stated that the new job descriptions had gone to Madera Unified Board of Trustees for approval. At the last School Board meeting, where the job descriptions were up for a 2nd reading, the School Board discussed changing the minimum qualifications for the Director positions. The School Board felt that the requirement of Bachelor's degrees should be preferred and not required. We are bringing this issue back to you, so you can reaffirm your decision or to change your decision.

Commissioner Philip Janzen stated that a lot of time was spent on this decision and he felt that the Commission's decision should be reaffirmed.

Sylvia Mulherin, 2856 Ward St. Madera, CA stated that she hoped the Commission would reaffirm their decision and the days of people being hand chosen to lead the district would be gone allowing the best possible candidate to be chosen to lead the District.

Lynn Cogdill, 2300 W 3rd St., MUSD Board of Trustees shared California Education code that supports that the Commission has ultimate authority over this matter.

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Chuck Genseal, 16759 Road 19, Madera, CA stated this is clearly an abuse of parliamentary procedures by the President of the Madera Unified School District Board of Trustees. You cannot allow this abuse to continue. You gave the School Board the recommendations and three years of your hard work. They cannot change your recommendations. You need to send them a message in the strongest language that is allowable that this is your policy and procedures and they can either accept them or reject them.

Rosie Tovar, 18746 Arbor Way, Secretary of Maintenance and Operations asked the Commission to reaffirm their decision and also review the job description for the Supervisor of Maintenance and Operations.

Henry Perea, Director of Classified Human Resources, stated that he would be working with the Superintendent to schedule a meeting with the Board of Trustees and the Personnel Commission in July to discuss the Personnel Commission's duties.

The Commissioners unanimously agreed that Mr. Perea should send a letter to the Board of Trustees to let them know that the Commission would reaffirm the minimum qualifications for the Director positions that were previously developed.

9. INFORMATION AND REPORTS

None were presented

10. ANNOUNCEMENTS

None were made.

11. ADVANCED PLANNING

Commissioner Janzen stated that he had a conflict with the June meeting date. It was agreed that the June meeting would be rescheduled.

12. SUGGESTED FUTURE AGENDA ITEMS

Commissioner Galvez suggested revisiting the job description for Supervisor of Maintenance and Operations.

Henry Perea, Director of Classified Human Resources, stated that the salary recommendations for the new structure would be presented soon.

13. ADJOURNMENT – MOTION NO. 68 – 2011/ 2012

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Commissioner Galvez adjourned the Public Session at 6:43 p.m. Motion made by Commissioner Janzen and seconded by Commissioner Mitchell.

Ayes: Commissioners Al Galvez, Philip Janzen, Herman Mitchell
Noes: None
Absent: None
Abstained: None

Dated: June 18, 2012

Mary Siegl
Human Resources Technician II

Henry Perea
Director of Classified Personnel