

SONOMA COUNTY OFFICE OF EDUCATION
Personnel Commission
Regular Meeting Minutes - Adopted
June 20, 2016, 3:00 p.m.

Present - Commissioners: Theresa Cunningham, Gail Whooley (Chair), and Fran Elm (Alternate); Staff: Michael Juric, Ed.D., and Patti Springer; Guests: Yolanda Galvez, Erin Graves, Debbie Shepherd, and Susan Wood

Regular Meeting

1. **Call to Order** – Ms. Whooley called the meeting to order at 3:00 p.m.
2. **Approval of the June 20, 2016 Regular Meeting Agenda** – Dr. Juric requested that the agenda be amended with the addition of Item 7a. Personnel Commission attendance at June 30 Board meeting. On motion by Ms. Cunningham, seconded by Ms. Elm, the motion carried to approve the amended agenda.
3. **Approval of the May 16, 2016 Regular Meeting Minutes** - On motion by Ms. Elm, seconded by Ms. Cunningham, the motion carried to approve the minutes.
4. **Public Comment** - Ms. Shepherd shared her concerns in regards to letters of recommendations written for promotional only job applicants from their direct supervisors who then also sit on the hiring panel for the position that their employees are applying for; which she deemed as a conflict of interest. Ms. Shepherd added that interview panels have recently consisted of staff from just the hiring departments rather than past practice of interview panels consisting of staff from a variety of departments. Ms. Whooley commented that if a position is in-house only, it seems like the letters of recommendation should come from in-house staff, and perhaps the author of the letter of recommendation should hold back from interviews. The Commissioners asked clarifying questions pertaining to industry standards, recruitment and interview practices and procedures, including the requirement for letters of recommendation, etc.; which Dr. Juric addressed.
5. **Action Items**
 - a. **Approval of Reclassification of SEIU Classified Library/Media Clerk/Driver .80 to Library/Media Clerk/Driver .6125/Accounting Technician II .1875, with salary increase retroactive to July 1, 2015** – Dr. Juric reminded the Commissioners that this issue was presented to them as a Working Out-of-Class request at the May meeting. The request was denied because it was decided that a permanent solution, such as the splitting of the employee’s assignment between two job classifications, would be brought before the Commission at the June meeting.

Dr. Juric presented the reclassification request, stating that from a consistency standpoint a position recruitment would have occurred; but this employee has been performing the Accounting Technician II duties for nearly two years. Ms. Cunningham inquired about the retroactive date of July, 1, 2015, which Dr. Juric confirmed. Additionally she asked if the accounting duties are within the employee’s Library/Media Clerk/Driver position. In response, Ms. Graves said that the employee is an AV driver in his Library position and that he was the Business Services’ courier driver. In September 2014, when Business hired a professional courier service, they assigned Accounting Technician II duties to the employee to retain his .1875 FTE position in Business. On motion by Ms. Elm, seconded by Ms. Cunningham, the motion carried to approve the reclassification of the SEIU Classified Library/Media Clerk/Driver .80 to Library/Media Clerk/Driver .6125/Accounting Technician II .1875, with salary increase retroactive to July 1, 2015.

Included in the agenda packet that was provided to the Commission was the SEIU salary allocation chart highlighting the placement of the Library/Media Clerk/Driver on Range 18 and the placement of the Accounting Technician II on Range 30. In accordance with Merit Rule 70.200.8A Salary on Reclassification of Position “the employee shall be compensated at the same step of the salary range for the new class as the step at which s/he was compensated for in the former class.”

6. Information/Discussion Items

- a. **Classified Recruiting Update May 7, 2016 – June 3, 2016** – Dr. Juric reviewed the update with the Commissioners.
- b. **An Employee Would like to Share Information Regarding the Superintendent’s Decision for Y-Rating** – Susan Wood, Confidential Administrative Assistant, introduced herself as the recipient of the Y-rating denial. Referring to the packet of information she had submitted to the Commission, she noted that she received a Notice of Layoff informing her that she was entitled to displace (bump) into an SEIU Division Support Assistant position in SELPA in lieu of layoff, which she accepted. Ms. Wood said she would like to call the Commissioners’ attention to the importance of consistency of past practice, which has been to automatically y-rate those employees who have chosen to exercise their bumping rights in lieu of layoff.

Ms. Wood continued, stating that she had first received a letter informing her that she would be y-rated, and then she was told she had to submit a written request in accordance with the Merit System Rules. She submitted her written request and in good faith felt that she was going to be y-rated; but instead her request was denied, which she found very disturbing.

Ms. Wood said that Dr. Herrington denied her request for y-rating because he said he does not oversee the SELPA budget; but she believes that Dr. Herrington did not even present her request to the SELPA Superintendent’s Council for their consideration. Ms. Wood added that other requests for y-rating, that were made at the same time as hers, were approved; and she asked if perhaps another budget or a SCOE contribution could be used to make her salary whole. Dr. Juric stated that SCOE does not have oversight over the SELPA budget; and yes, there has been an inconsistency in regards to y-rating – automatic applications, written requests, approvals, etc. Ms. Wood commented that she is not disputing her move into SELPA, but she is disputing the denial of her request for y-rating.

Additionally, Ms. Shepherd said that the employee Ms. Wood is bumping in SELPA is bumping back into Special Education, and her y-rating request was approved; she feels that approvals should flow both ways between departments. Dr. Juric said that, as another good example of inconsistency, he has found that past practice has failed to adhere to the Merit System Rules regarding written requests for y-rating; and he is now requiring that the Rules be followed and employee’s submit written requests.

Dr. Juric also referred to the results of the classification study, which recommended that the Confidential Administrative Assistant be moved to the SEIU unit. This is what enabled Ms. Wood to bump into an SEIU Division Support Assistant; which is essentially the same position as the Confidential Administrative Assistant but with a different title and lower SEIU salary range placement. Dr. Juric then reviewed the Estimated Employee Compensation Comparison, stating that if Ms. Wood’s y-rating request were approved it would have an increase to the SELPA budget of \$16,791; adding that SCOE does not make arbitrary transfers to the SELPA budget Ms. Wood commented that the SELPA budget does in fact receive contributions from SCOE and Ms. Shepherd stated that the SELPA employees are allocated to the SEIU and classified management salary schedules and they receive COLAs along with all other employees who are not assigned to the SELPA department.

Dr. Juric said that Dr. Herrington did present the request to the retiring SELPA Director who decided that they could not absorb the cost of y-rating. Ms. Shepherd called the Commissions attention to the fact that Ms. Wood, because of her years of service, is allocated to a higher salary step than the person she is bumping; and Ms. Galvez commented that a person who is rehired from the 39-month list in a like job is to be paid at the same salary range from which they left.

Ms. Wood asked if her request was presented to the new director or the SELPA fiscal analyst. She stated that it does not feel right to be punished for nothing that she did. Ms. Galvez suggested that Ms. Wood present this issue to the Superintendent's Council and the new SELPA Director after July 1 when she is officially placed in an SEIU position. Discussion ensued as to what, if any, recommendations the Commission could make for Ms. Wood to pursue this issue with SELPA. Dr. Juric commented that the correct course of action would be for Ms. Wood to bring this to the attention of the new SELPA Director, who would then bring this issue before the Superintendent's Council; and he suggested that Ms. Wood schedule an appointment with the new director. Dr. Juric added that the County Superintendent does have the final say on the approval or denial of y-rating requests. MS. Shepherd stated that this is a very uncomfortable situation with Ms. Wood adding that her reduction in pay is affecting her entire family. Ms. Cunningham commented that it is very unfortunate that Ms. Wood would receive a letter that says she is being y-rated, then - oh, by the way - you have to apply for it, and then - oh, by the way - you are not going to get it. Ms. Shepherd stated that in the past the office has done what would benefit the staff, with Ms. Wood adding that she has seen a lot of special concessions made that benefit staff. Ms. Cunningham asked if there is a long of going back and forth between SELPA as far as bumping is concerned. Ms. Wood responded that 13 years ago a person who bumped into SELPA was y-rated; Ms. Shepherd added that there were two other more recent instances where the employees were y-rated as well. She also stated that because employees are aware that SCOE has approved y-rating into SELPA in the past, the morale of the office is truly being affected. Being that this item was presented as informational, the Commissioners were not requested to take any action. They thanked Ms. Wood for taking her time to come to the meeting and explain her situation.

7. Announcements

- a. Personnel Commission attendance at June 30, 2016 Board Meeting** – Dr. Juric said that he had shared the 2015-16 Personnel Commission Annual Report with the Business & Personnel Services Standing Committee, which will be presented to the full Board at its June 30 meeting. The two members of the Standing Committee asked if the Personnel Commissioners would like to attend so they may speak to the annual report or answer questions the Board may have. The Board meeting will be held at 4:00 p.m., Dr. Juric will be the speaker/presenter, and the Commissioners can speak to items in the report. Ms. Cunningham and Ms. Whooley agreed to attend the Board meeting together; and Ms. Springer will provide them with the Board agenda and the Annual Report.

- 8. Next Meeting** - The next meeting is scheduled for Monday, July 18, 2016, at 3:00 p.m. in the Human Resources Conference Room.

2016-17 meetings are normally scheduled for the 3rd Monday of each month. she scheduled meeting dates are July 18, August 15, September 19, October 17, November 21, December 19, January 23 (fourth Monday), February 27 (fourth Monday), March 20, April 17, May 15, and June 19. All meetings will begin at 3:00 p.m. and will be held in the Human Resources Conference Room.

- 9. Adjournment** – Ms. Whooley adjourned the meeting at 4:00 p.m.