

GARDEN GROVE UNIFIED SCHOOL DISTRICT

PERSONNEL COMMISSION MEETING

10331 Stanford Avenue

Garden Grove, CA

MINUTES

of the Meeting of

February 11, 2015

CALL TO ORDER

Commissioner Tortolano called the meeting of February 11, 2015 to order at 5:00 p.m. Commissioner Franks led the audience in the Pledge of Allegiance.

COMMISSIONERS PRESENT

Ms. Marilyn Tortolano

Mr. Jim Franks

STAFF MEMBERS PRESENT

Ms. Suzy Seymour

Mr. Pat Collison

Ms. Jenni Smith

Ms. Maribel Cantoran

APPROVAL OF MINUTES

It was moved by Commissioner Franks, seconded by Commissioner Tortolano to approve the minutes of the December 3, 2014 Personnel Commission meeting. The motion passed 2-0.

AUDIENCE

The audience was given the opportunity to discuss items not on the agenda.

David Lizzarago, auto parts clerk, has been working out of class as the machinist for the last fourteen months. He stated he has stepped in to help the machinist for the last fourteen years. He requested a reclassification survey of his position and for the postponement of the Machinist examinations. Mr. Lizzarago stated there is no incentive for him to do a good job if the job will eventually be given to someone else despite him having worked as the machinist for over a year.

Commissioner Tortolano clarified with Mr. Lizzarago that his request was to discontinue the Machinist recruitment and forego the merit system procedures entirely. Commissioner Tortolano inquired of staff as to the status of this recruitment. Analyst Smith stated the recruitment has been posted and the period for filing applications has closed. Applications have already been screened, but no examinations have been performed.

Commissioner Franks asked Mr. Lizzarago if he had previously spoken to the personnel office and the union. Mr. Lizzarago had not addressed the concern with personnel, but did address it with the union.

CSEA President, Chris Leon, reiterated that Mr. Lizzarago has been working out of class. Mr. Lizzarago is requesting a survey of his current position. Mr. Lizzarago has been performing the duties of the job and is wondering how much more time before it gets taken away. CSEA President Leon also requested the testing for Machinist be put on hold and/or to make this recruitment promotional.

Commissioner Franks requested confirmation that November of 2013 is when Mr. Lizzarago began working out of class as well as stating he is being compensated at the Machinist rate. Commissioner Franks informed Mr. Lizzarago that the testing process does not determine who will be chosen. Commissioner Franks has personally been in this situation as well. However, the commissioners are unable to make a determination on his request at this time. Commissioner Franks himself prefers promotional recruitments when and if there are enough viable candidates.

Director Seymour informed the commission and audience that for a person to be reclassified their job must gradually change over time and ultimately the position morphs into something else. Whereas when working out of class, a position is vacant or someone is on medical leave and administration wants an existing employee to temporarily work in that designated position. With working out of class assignments, the district is paying someone appropriately to perform higher level duties. In Mr. Lizzarago's case, the auto parts clerk position still exists. For example, if Mr. Lizzarago were to get the Machinist position staff would still need to back fill the auto parts clerk as auto parts clerk.

CSEA President Chris Leon stated that many employees have concerns over working out of class assignments. The district currently has many qualified people. Director Seymour has offered to work with CSEA and suggested putting parameters on the length of working out of class assignments. Clear set parameters would allow staff to monitor assignments and would help determine when recruitments would need to be conducted. Working out of class employees get more on the job experience, however it does not warrant ownership of the job by the working out of class employee. Employees must promote via an eligibility list or by reclassification. Currently there are no parameters on who gets selected for working out of class assignments.

Director Seymour has had multiple conversations with CSEA regarding Mr. Lizzarago's situation. These conversations have not indicated that Mr. Lizzarago is entitled to the Machinist position. This is the first time Director Seymour has heard about possible accretion of duties in Mr. Lizzarago's auto parts clerk position. Staff is currently working on a number of recruitments where we know the vacancies can be filled internally. Staff typically will first do those recruitments for which no existing employee is available to do that job. Director Seymour acknowledged there is a disagreement with some members of CSEA as to the legal parameters of working out of class assignments. She suggested that perhaps a disclaimer should be added to the working out of class Authorizations to Start Work paperwork.

Employee Joseph Ragusa addressed the commission and referred to educational code 45285, which he believes states that if a job is worked out of class for more than two years then job accretion applies. Mr. Ragusa believes that the auto parts clerk position has gradually become the machinist position. He believes the district has not been following the education code properly. Mr. Ragusa stated there are also CalPERS issues relating to working out of class assignments. Although Mr. Lizzarago's official current position is auto parts clerk, he will be getting the retirement benefits based on the machinist compensation. Mr. Ragusa believes the machinist position belongs to Mr. Lizzarago and does not agree with how he is being treated by the district. Mr. Ragusa knows Mr. Lizzarago likes his job and the machinist position should be Mr. Lizzarago's.

Assistant Director Collison added that the district is just getting out of a seven or eight year hiring freeze. The hiring freeze, in large part, contributed to positions being inhabited by individuals much longer than desired. He agrees with rotating working out of class assignments among employees whenever possible. The working out of class assignments should also be viewed as training opportunities. Staff is working hard and filling many vacancies as fast as possible.

Commissioner Tortolano added that Mr. Lizzarago's situation is not an isolated case and yet another reason for establishing clear parameters on working out of class assignments.

Assistant Superintendent Armitage stated that staff is developing a protocol with CSEA and the district on working out of class parameters. She added that staff is working extra hours just to get recruitments done.

Many employees in attendance expressed concern over the number of recruitments being conducted as "open" when they believe there are an adequate number of qualified employees. In those instances the recruitments should be open to district employees only. Commissioner Tortolano believes there are qualified people both internally and externally. Although we have qualified people internally, it is possible to find an equally qualified person externally.

Commissioner Tortolano asked staff if there is any data on how many people have been promoted versus how many have been hired externally. Director Seymour stated it would be possible to obtain this data. Employee Jana McIver suggested such data be run on maintenance and operations positions.

Commissioner Tortolano asked Mr. Lizzarago if further discussion between him and staff would be beneficial. Director Seymour stated this would be possible although there are several other matters staff is currently working on at commission's request.

Commissioners Tortolano and Franks agreed to a postponement of the Machinist examinations. They requested a discussion take place between Mr. Lizzarago and staff before the next personnel commission meeting.

Director Seymour added that she would also facilitate a meeting with maintenance management.

Commissioner Franks offered comments on working out of class assignments. Employees can always refuse working out of class assignments. He agreed that as job duties expand employees tend to take on new responsibilities. Employees are getting more training and education which understandably can necessitate the need to keep recruitments promotional.

CORRESPONDENCE AND COMMUNICATIONS

- Classified Personnel Report – 12/16/14
- Classified Personnel Report – 01/06/15
- Classified Personnel Report – 01/20/15
- Classified Personnel Report – 02/03/15

APPROVAL OF CLASSIFICATION ACTIONS

6.1 Classification Description Revisions – Accounting Technician I, Accounting Technician II, Assistant Buyer, Buyer, Purchasing Clerk

Director Seymour stated the classifications in 6.1 are all part of the fiscal series. All classification descriptions have been updated except School Accounting Technician, which has changed the most. Staff will be bringing the salary study and any recommendations on salary range revisions for School Accounting Technician next month. Staff is in discussions with the business office as well. Staff will be sending out classification description revisions to incumbent School Accounting Technicians before they get presented to the commission.

It was moved by Commissioner Franks, seconded by Commissioner Tortolano to approve the revised classification descriptions for Accounting Technician I, Accounting Technician II, Assistant Buyer, Buyer, and Purchasing Clerk effective February 11, 2015. The motion passed 2-0.

6.2 Classification Descriptions Revisions – Director of Facilities, Assistant Director of Facilities, Manager of Facilities, Manager of Maintenance and Operations

It was moved by Commissioner Franks, seconded by Commissioner Tortolano to approve the revised classification descriptions for Director Facilities, Assistant Director of Facilities, Manager of Facilities, and Manager of Maintenance and Operations, effective February 11, 2015. The motion passed 2-0.

6.3 New Classifications – Director of Maintenance, Operations, and Transportation, Assistant Director of Maintenance and Operations

It was moved by Commissioner Franks, seconded by Commissioner Tortolano to approve the new classifications of Director of Maintenance, Operations, and Transportation (salary range 89) and Assistant Director of Maintenance and Operations (salary range 84), the corresponding classification descriptions, and that the incumbent Assistant Director be reclassified with the position, effective February 11, 2015. The motion passed 2-0.

6.4 Classification Description Revision – Painting Supervisor

Director Seymour stated that the revised classification description for Painting Supervisor includes comments and suggestions provided by Tina Franks who previously occupied the position.

It was moved by Commissioner Franks, seconded by Commissioner Tortolano to approve the revised classification description for Painting Supervisor. The motion passed 2-0.

6.5 New Positions – Intensive Behavioral Instruction Assistant (5 positions)

It was moved by Commissioner Franks, seconded by Commissioner Tortolano to approve the classification of the new positions listed above. The motion passed 2-0.

6.6 New Positions – Instructional Aide II – Special Education (2 positions)

It was moved by Commissioner Franks, seconded by Commissioner Tortolano to approve the classification of the new positions listed above. The motion passed 2-0.

6.7 New Position – School Community Liaison Worker – (Bilingual Spanish) - (1 position)

It was moved by Commissioner Franks, seconded by Commissioner Tortolano to approve the classification of the new position listed above. The motion passed 2-0.

ORDERING OF EXAMINATIONS

7.1 Central/School Office Clerk I	Open
7.2 Claims Assistant	Open
7.3 Director of Maintenance, Operations, and Transportation	Promotional
7.4 Health Assistant	Open
7.5 Instructional Aide (Spanish Speaking)	Open
7.6 Instructional Aide (Vietnamese Speaking)	Open
7.7 Instructional Aide II – Special Education	Open
7.8 Intensive Behavioral Instruction Assistant	Open
7.9 Machinist	Open
7.10 Painting Supervisor	Open
7.11 Records Supervisor	Open
7.12 School Community Liaison Worker	Open
7.13 Translator-Interpreter (Bilingual – Korean)	Open

Employee Keith Forsythe inquired as to the reason the Director of Maintenance, Operations, and Transportation recruitment is being flown as promotional. Mr. Forsythe has observed that all recruitments have been open to the public even though there are plenty of employees that have placed on the eligibility list and are not being hired.

Director Seymour stated that when determining whether recruitment will be conducted as promotional or open, district administration is asked for their input and staff forecasts the number of possible vacancies during the life of the eligibility list. Additionally, while a person may be qualified on paper they may not be seen as a strong candidate by the hiring supervisor.

Employee Glen Wantz provided the example of the Mechanical Repair Supervisor eligibility list where there were several existing employees within the top ten ranks that were not selected and an external candidate was selected.

CSEA President Chris Leon inquired as to how many people are needed on an eligibility list. Employees are requesting clarification on how open positions are being handled and what their chances are of being promoted. The hiring authority can request the top three ranks, but may also see less if so desired.

It was moved by Commissioner Franks, seconded by Commissioner Tortolano to approve the ordering of examinations 7.1 through 7.8 and 7.11 through 7.13 listed above and the ratification of the resulting eligibility lists. The motion passed 2-0.

It was moved by Commissioner Franks, seconded by Commissioner Tortolano to not approve the ordering of examination of item 7.9 (Machinist) and place on hold until further notice. The motion passed 2-0.

Commissioner Franks motioned for Painting Supervisor to be a promotional recruitment. Commissioner Franks believes there are enough qualified employees that can fill this position. There are sufficient employees who continue their education and have been getting training in preparation for a position such as this one.

It was moved by Commissioner Franks, seconded by Commissioner Tortolano to make item 7.10 (Painting Supervisor) a promotional recruitment. The motion passed 2-0.

RATIFICATION OF ELIGIBILITY LISTS

8.1 Athletic Equipment Attendant/Male	Open
8.2 Elementary/Intermediate School Secretary	Open
8.3 Groundskeeper/Gardener (Revised)	Open
8.4 Health Assistant	Open
8.5 Library Media Technician I	Open
8.6 Special Education Assistant	Open
8.7 Sprinkler Repair Technician I	Open
8.8 Technology Assistant	Open

It was moved by Commissioner Franks, seconded by Commissioner Tortolano to ratify the eligibility lists as listed above. The motion passed 2-0.

ADMINISTRATION AND POLICY

9.1 Director's Report

Director Seymour updated the commission on the status of the third commissioner. The Board of Education still needs to announce their intended person at a meeting to be held at least 30 days but within 45 days before a meeting where the person would be officially appointed. It is possible to not have the third commissioner in place until the May Personnel Commission meeting.

Director Seymour updated the commission on employee Frank Dominick's position. After gathering data and input from maintenance and operations and Mr. Dominick, the district has decided to create a new position. The new position will be in charge of pest control application as well as the disposal of animals. The new position will encompass those extra duties that Mr. Dominick has been performing thus far. Once the classification description for the new position has been solidified, staff will make a salary recommendation to the commission.

OTHER BUSINESS

10.1 Commissioners

Commissioner Franks commented on this meeting's attendance. He thanked everyone for their interest in this meeting. Commissioner Franks attended the supervisory dinner which turned out to be a success and thanked the supervisory group for the invitation.

Commissioner Tortolano also attended the supervisory dinner and thanked the supervisory group for the invitation. She also thought it was great to see so many people at this month's commission meeting. Commissioner Tortolano acknowledged that while emotions get high, discussions should be kept professional.

10.2 Next Personnel Commission Meeting

The date of the next regular meeting of the Personnel Commission will be Wednesday, March 4, 2015 at 5:00 p.m. in the 5th floor Board Room of the Education Center.

ADJOURNMENT

The meeting was adjourned at 5:58 p.m.

Accepted by: Marilyn Tortolano, Chairperson

Minutes Recorded by: M. Cantoran