



PERSONNEL COMMISSION

PLEASE POST

MEETING AGENDA

Testing Room
Personnel Commission Office
999 Atlantic Avenue, Third Floor
Long Beach, California 90813

August 22, 2013
THURSDAY
8:15 A.M.

1. CALL TO ORDER

2. ROLL

Linda Vaughan, Chairperson
Stacey Lewis, Vice-Chairperson
Terry Ulaszewski, Member

Present _____
Present _____
Present _____

3. PRELIMINARY

3.1 Pledge of Allegiance to the Flag

3.2 Introduction of Guests

4. HEARING OF PUBLIC TESTIMONY AND QUESTIONS
FROM THE FLOOR ON ITEMS NOT LISTED ON AGENDA

5. REPORT FROM THE EXECUTIVE OFFICER

6. HEARINGS

None

7. MINUTES

7.1 Approval of Minutes for August 8, 2013

Action

8. ITEMS FOR DISCUSSION AND/OR ACTION

8.1 Classification/Restructure Recommendations per
Education Code 45246

None

8.2 Revisions to the Rules and Regulations of the
Classified Service, Chapter VIII (First Reading)

Discussion

8.3 Appointment of a Chair to preside over the Hearing of
an appeal of a disciplined classified employee

Action

9. BULLETINS AND TESTING ACTIONS

9.1 Bulletins – Per Personnel Commission Rule 4.6.B

None

9.2 Eligibility Lists – Per Personnel Commission Rule 5.1.A

Action

10. OTHER ITEMS
11. The next regular meeting of the Personnel Commission will be held on September 5, 2013 at 8:15 a.m. in the Testing Room of the Personnel Commission Office at 999 Atlantic Avenue, Long Beach, California.
12. CLOSED SESSION
13. ADJOURNMENT

ACCESS TO PUBLIC DOCUMENTS

Public records related to the open session agenda, that are distributed to the Personnel Commission members less than 72 hours prior to a regular meeting, may be inspected by the public at the Personnel Commission Office, 999, Atlantic Avenue, Third Floor, Long Beach, CA 90813, during regular business hours (Monday through Thursday, 8:00 a.m. to 4:40p.m.).

Persons requiring accommodation in order to view the agenda or participate in the meeting, may make the request for accommodation to the Executive Officer, Personnel Commission at 562-435-5708 at least 24 hours in advance of the meeting pursuant to Government Code 54954.2 (a) 1.

Personnel Commission
LONG BEACH UNIFIED SCHOOL DISTRICT

SUBJECT: Minutes for August 8, 2013

PAGES: 7.1.1 – 7.1.4

Date: August 22, 2013

Reason for
Consideration: Action

Testing Room
Personnel Commission Office
999 Atlantic Avenue, Third Floor
Long Beach, CA 90813

Chairperson Linda Vaughan called the meeting of the Personnel Commission to order at 8:15 a.m. and led the Commissioners, staff and audience in the pledge of allegiance.

COMMISSION MEMBERS PRESENT

Linda Vaughan, Chairperson
Stacey Lewis, Vice-Chairperson
Terence Ulaszewski, Member

STAFF MEMBERS PRESENT

Gail McMahon, Executive Officer
Dale Culton, Certification Services Manager
Maria Lynn Braunstein, Associate Personnel Analyst
Mary Cates, Human Resources Supervisor
Adriana Araujo-Honorio, Staff Secretary
Esther Martinez, Human Resources Assistant

PRELIMINARY

Guests: Adrienne Rambo, CSEA Chapter 2 President

**HEARING OF PUBLIC TESTIMONY AND
QUESTIONS FROM THE FLOOR ON
ITEMS NOT LISTED ON THE AGENDA**
None

HEARING OF PUBLIC TESTIMONY AND
QUESTIONS FROM THE FLOOR ON
ITEMS NOT LISTED ON THE AGENDA

REPORT FROM THE EXECUTIVE OFFICER

REPORT FROM THE EXECUTIVE OFFICER

Gail McMahon, Executive Officer, reported she was invited to serve as a speaker at the CSEA conference in Las Vegas last week. She said it was good experience and it gave her the opportunity to hear CSEA's perception of Personnel Commissions. She also said it was enlightening to hear some of the challenges other districts are facing. She thanked CSEA for the opportunity.

Ms. McMahon requested each Commissioner indicate their preference for the

delivery of their agendas. Chairperson Vaughan indicated her preference is U.S. mail, Vice-Chairperson Lewis indicated e-mail would be acceptable, unless it is a large agenda and Commissioner Ulaszewski indicated delivery of the agenda would be acceptable.

Executive Officer McMahon also informed the Commission according to the Rules and Regulations a Chair would need to be selected for the upcoming hearing scheduled on September 6 and September 9th. This item will be listed on the next agenda for action.

Dale Culton, Certification Services Manager, reported two lead custodians and a campus security officer who were laid off have been offered positions. He also reported planning has begun to invite, interview and process Instructional Aide-Specials to fill several vacancies prior to the start of school.

Mary Cates, Human Resources Supervisor, informed the Commission that although summer school is over Operations will continue to use the substitutes they requested until August 30th. She also reported many transfer assignments for Instructional Aide-Specials are being processed.

Chairperson Vaughan inquired if all Instructional Aide- Special aides transfer with their student as they progress in through grades. Ms. Cates indicated that generally the aide does move with their student.

Valeeta Pharr, CSEA Chapter 2 President, commented there has been an issue with Instructional Aide-Specials due to compensation for the time they ride on the bus with the student. Due to funding the aide is now being compensated only for the actual time they are on the bus which may put a hardship on them as they must travel to the site.

Executive Officer McMahon reported the Long Beach Unified School District has been granted a waiver to implement the School Quality Improvement System in place of No Child Left Behind accountability rules. The waiver gives LBUSD the flexibility to direct funds towards resources they feel are more effective interventions to help students achieve success.

Ms. McMahon updated the Commission on the status of the Administrative Secretary vacancy in the Personnel Commission office. Currently the Associate Personnel Analyst is providing administrative support along with working in the Recruitment and Testing unit. As the recruitment and testing activities continue to increase the idea of bringing in administrative support will need to be explored.

MINUTES

MINUTES

The Commission approved the minutes of the July 25, 2013 Personnel Commission meeting. It was moved by Commissioner Ulaszewski to approve the minutes. Chairperson Vaughan seconded the motion. The motion was carried and approved.

BULLETINS

BULLETINS

Personnel Commission Rule 4.6.B.1, states that the Personnel Commission Executive Officer shall be responsible for issuing job announcement bulletins to publicize recruitment and examination processes. It was moved by Commissioner Ulaszewski to approve the minutes. Vice-Chairperson Lewis seconded the motion. The motion was carried and the bulletins were ratified.

TITLE

TYPE

NUMBER

Grounds Supervisor – High School

Promotional

14-0017-5032

Pool Attendant

Dual

14-0016-0290

Senior Health Assistant

Dual

14-0014-5174

ELIGIBILITY LISTS

ELIGIBILITY LISTS

Personnel Commission Rule 5.1.A, states that the Personnel Commission Executive Officer shall be responsible for establishing eligibility lists as a result of examination processes authorized by these rules. Commissioner Ulaszewski moved for approval of the lists. The motion was seconded by Vice-Chairperson Lewis. The following eligibility lists were approved.

Executive Secretary

Promotional

13-0094-0678

List Valid: 08/01/13 – 08/01/14

Total applications received: 19

Total invited to exam: 14

No. Passed: 7

No. Failed: 6

No. Withdrew: 1

No. Screened Out: 5

Job Developer

Dual

13-0092-0463

List Valid: 07/31/13 – 07/31/14

Total applications received: 149

Total invited to exam: 21

No. Passed: 8

No. Failed: 8

No. Withdrew: 5

No. Screened Out: 128

EXTEND ELIGIBILITY LISTS

Groundskeeper (Amended)

Dual

12-0077-0172

Extended list expiration date: 06/12/14

Extend list period: 1 year

Total candidates on list: 55

No. of Candidates Extended: 33

No. of waivers or removals: 22

OTHER ITEMS

Commissioner Lewis expressed that she appreciates the thoughts and support she has received from the Commission, CSEA and staff as she is caring for her ill mother. She also expressed her commitment and appreciation for her role as a Commissioner.

CSEA President Valeeta Pharr said the CSEA conference was very good and provided many training opportunities for members. She thanked Ms. McMahon for her participation in the ACE event in May and reported she will be presenting a plaque to Superintendent Steinhauser for his participation.

NEXT MEETING

NEXT MEETING

The next regular meeting of the Personnel Commission will be held on Thursday, August 22, 2013, at 8:15 a.m. at 999 Atlantic Avenue, Third Floor, Long Beach, California.

ADJOURNMENT

ADJOURNMENT

There being no further business, at 8:50 a.m. Chairperson Vaughan adjourned the meeting.

Respectfully submitted,

Gail McMahon

Gail McMahon, Ed.D.
Executive Officer

GM/mb

Personnel Commission
LONG BEACH UNIFIED SCHOOL DISTRICT

SUBJECT: Revisions to the Rules and
Regulations of the Classified Service,
Chapter VIII (First Reading)

PAGES: 8.2.1- 8.2.5

Date: August 22, 2013

Reason for
Consideration: Discussion

One of the specific requirements of Education Code 45260 is that "The Commission shall prescribe, amend and interpret, subject to this article, such rules as may be necessary to insure the efficiency of the service and the selection and retention of employees upon a basis of merit and fitness." In accordance with the Personnel Commission Rules, staff submits the attached revisions, for the first reading and discussion.

REVISION OF RULES AND REGULATIONS

PAGE

Chapter VIII (First Reading)

2

CHAPTER VIII - TRANSFERS

8.1. TRANSFER PROCEDURES

~~EDUCATION CODE 45261 SUBJECTS OF RULES. The rules shall provide for the procedures...regarding... transfers...~~

A. ADMINISTRATIVE TRANSFER

- (1) **TRANSFER WITHIN THE SAME CLASS.** An employee may be transferred administratively from one position to another position in the same class to meet the needs of the district as determined by the district. Such transfer shall be at the discretion of the division head(s) where the positions are located. The Personnel Commission shall be notified in writing of such transfer ~~within three working days- prior to the effective date of the transfer.~~
- (2) **TRANSFER TO A RELATED CLASS.** Transfer of an employee to a position in a related class at the same ~~or lower~~ salary level may be authorized by the Personnel Commission upon the request of the division head(s) indicating the circumstances that necessitate the transfer.
- (3) **TRANSFER NOT TO ALTER LAYOFF.** Transfer shall not be used to alter the incidence of an impending layoff. However, when the elimination of a position at a worksite necessitates a transfer, the transfer will be accomplished as follows:
 - a. If there is only one person assigned to the class at the site where the position is eliminated, that person will be transferred.
 - b. If there are two or more people assigned to the class at the site where the position is eliminated, the manager will ask for volunteers for transfer.
 1. If two or more people volunteer for transfer, the employee with the most District seniority in the class will be transferred.
 2. If there are no volunteers for transfer, the employee with the least District seniority in the class at the site will be transferred.
 - c. In the event there is no vacant position in the class available, layoff procedures for lack of work/lack of funds will be initiated.

Comment [GD1]: While it is not a necessity to limit the time of notification to 3 days, it is necessary PC staff are notified in a timely manner to allow for changes in the personnel system. Timely notice will ensure the employee's work time is recorded at the correct location and paycheck (if the employee still receives an actual check) is sent to the correct location.

Comment [GD2]: Past practice has been to allow voluntary demotions.

- #### B. REASONS FOR ADMINISTRATIVE TRANSFER.
- Reasons for any transfer which is not originated by the employee shall be discussed with the employee by the appropriate division head or designee at least (10) working days prior to the transfer, except in the case of extenuating circumstances.

C. TRANSFER REQUEST BY EMPLOYEE

- (1) Transfer to same class—An employee with permanent status may request a transfer from one position to another within the same class. Such request shall be in writing and submitted to the Personnel Commission office~~personnel director~~. A transfer request shall remain active through November 30 at which time the request must be renewed. No obligation shall exist to fill a position by transfer rather than by any other methods of appointment; however, each employee will be notified that his/her transfer request has been received and will be considered as openings occur.
- (2) Transfer to a related class—An employee with permanent status may also request a transfer from one position in a given classification to a related classification at the same or lower salary level. Such request shall be submitted in accordance with paragraph C (1) above. However, the request must be approved by the Personnel Commission staff prior to certification as an available transfer eligible.

D. RELATED CLASS CRITERIA

- (1) ~~The~~ Personnel Commission staff shall determine whether or not classes are related based on similarity of:
 - (a) Duties
 - ~~(b) Requirements to take an open examination~~
 - ~~(be)~~ Examination content
 - ~~(cd)~~ Suggested qualifications for successful performance~~Experience and education qualifications~~
 - ~~(de)~~ Promotional field (above and below)
 - ~~(f) Occupational service~~
- (2) The extent to which the two classes are must be related will be considered~~depends upon outside factors~~. In general, more latitude in approving transfers is allowed:
 - (a) As the employee's length of service with the school district increases.
 - (b) When the request for transfer is based on layoff, reclassification, or health.
 - ~~(e)~~ When there is no eligibility list for the class to which transfer is requested.
 - (d) When the employee's education and experience verifies~~show~~ he/she meets the requirements of the new class.

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- E. **STATUS ATTAINED BY TRANSFER.** A permanent employee, upon transfer to another position in the same class or to a related class, shall assume permanent status in the new position.
- F. **TRANSFER OF PROBATIONARY EMPLOYEE.** Probationary employees are not eligible to request voluntary transfers except under unusual circumstances, and then only with the concurrence of their immediate supervisor. A probationary employee transferred to another position in his/her class shall acquire permanent status in the class upon the completion of the balance of the probationary period. A probationer may not be transferred to a position in a related class but must be appointed from an appropriate eligibility list.
- G. **SALARY AND BENEFITS UPON TRANSFER**
- (1) Receive the same step in the salary range for the new position.
 - (2) Retain his/her anniversary date for receiving salary increments.
 - (3) Retain his/her accumulated sick leave and vacation credits.
- H. **SENIORITY RIGHTS.** A transferred employee shall retain seniority credits already earned in accordance with Education Code 45308.

~~EDUCATION CODE 45279 REASSIGNMENT OF REGULAR EMPLOYEE BECAUSE OF ILLNESS OR INJURY. A regular employee who is determined by the governing board to be incapable of performing the duties of his class because of illness or injury may, at the discretion of the governing board, be assigned duties which he is capable of performing. The position to which he is assigned shall be subject to classification by the personnel commission, but the employee shall receive no increase in wage or salary because of his assignment to the position unless he is appointed from an eligibility list resulting from a competitive examination. In the event that the position is classified and allocated to a higher wage or salary than that previously attained by the employee, he may be assigned to the position without competitive examination, but shall continue to receive the wage or salary of his former classification. If the position is classified and allocated to a lower wage or salary than that attained by the employee, he shall be paid the wage or salary appropriate to the position.~~

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- I. **PHYSICAL INCAPACITY.** When an employee becomes physically incapacitated for the performance of any of his/her duties as determined by the Personnel Physician, the department head may, with the approval of the Commission, transfer him/her to a position in a class of the same or lower salary level which he/she has the ability to fill or for which he/she may be expected to acquire the necessary ability after a reasonable program of in-service training. In case of transfer to a lower level, the employee shall receive the same salary he/she is receiving in his/her former class but not to exceed the

maximum of the salary of the class to which he/she is transferred. He/she shall retain his/her anniversary date.

J. PRECEDENCE OF TRANSFERS.

- (1) No obligation shall exist to fill a position by transfer rather than by other methods of appointment.
- (2) When there are fewer than three (3) transfer requests on the eligibility list, each employee requesting a transfer will be interviewed for the available position. When there are more than three (3) transfer requests on the eligibility list, the person responsible for filling the position will select at least three (3) employees requesting a transfer to be interviewed.
- (3) When a manager is interviewing concurrently to fill more than one vacant position in the same classification, a single interview of a candidate shall fulfill the requirements of interviewing for all such positions.
- (4) A manager shall not be required to interview a candidate again if that manager has interviewed that candidate for another vacant position in the same classification within the previous sixty (60) calendar days.

**Personnel Commission
LONG BEACH UNIFIED SCHOOL DISTRICT**

SUBJECT: Appointment of a Chair to preside
 over the Hearing of an appeal of a
 disciplined classified employee

PAGES: 8.3.1

Date: August 22, 2013

**Reason for
Consideration:** Action

The Personnel Commission shall decide whether it will conduct the hearing itself or appoint a Hearing Officer to conduct it and inform the District and the Appellant/Employee of this decision in writing. Should the Personnel Commission decide to conduct the hearing itself it shall appoint one of its members as Chair to preside over the hearing.

Personnel Commission
LONG BEACH UNIFIED SCHOOL DISTRICT

SUBJECT: Bulletins

PAGE: 9.1.1

Date: August 22, 2013

Reason for
Consideration: Action

Personnel Commission Rule 4.6.B.1, states that the Personnel Commission Administrator shall be responsible for issuing job announcement bulletins to publicize recruitment and examination processes. All job bulletins issued are then to be ratified at the first reasonable opportunity at a Personnel Commission meeting. Accordingly, staff submits the following bulletin(s) for the consideration of the Personnel Commission:

<u>TITLE</u>	<u>TYPE</u>	<u>NUMBER</u>	<u>PAGE</u>
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None

Personnel Commission
LONG BEACH UNIFIED SCHOOL DISTRICT

SUBJECT: Eligibility Lists

PAGES: 9.2.1

Date: August 22, 2013

Reason for
Consideration: Restricted Action

Personnel Commission Rule 5.1.A, states that the Executive Officer shall be responsible for establishing eligibility lists as a result of examination processes authorized by these rules. All such eligibility lists shall then be certified at the first reasonable opportunity at a Commission meeting following the protest and review period. Accordingly staff submits the following eligibility lists for consideration of the Commission:

Custodian (Amended)

Dual

13-0075-0139

List Valid: 06/03/13 – 06/03/14

Total applications received: 491

No. Passed: 102 No. Failed: 33

Total invited to exam: 193

No. Withdrew: 58 No. Screened Out: 298

Instructional Aide Interpreter –

Deaf/Hard of Hearing

Dual

14-0001-3272

List Valid: 08/13/13 – 08/13/14

Total applications received: 17

No. Passed: 2 No. Failed: 0

Total invited to exam: 2

No. Withdrew: 0 No. Screened Out: 15

Instructional Assistant Intensive

Behavioral Treatment

Open/Continuous

13-0095-5035

List Valid: 08/12/13 – 08/12/14

Total applications received: 110

No. Passed: 15 No. Failed: 16

Total invited to exam: 45

No. Withdrew: 14 No. Screened Out: 65

Job Developer

Dual

13-0092-0463

List Valid: 07/31/13 – 07/31/14

Total applications received: 149

No. Passed: 9 No. Failed: 8

Total invited to exam: 21

No. Withdrew: 4 No. Screened Out: 128

Nutrition Services Worker

Dual

13-0087-5068

List Valid: 08/01/13 – 08/01/14

Total applications received: 137

No. Passed: 53 No. Failed: 6

Total invited to exam: 108

No. Withdrew: 49 No. Screened Out: 29

Nutrition Services Worker

Dual

13-0089-5068

List Valid: 08/19/13 – 08/19/14

Total applications received: 174

No. Passed: 51 No. Failed: 22

Total invited to exam: 135

No. Withdrew: 62 No. Screened Out: 39

Senior Accounting Assistant

Dual

14-0012-0760

List Valid: 08/20/13 – 08/20/14

Total applications received: 49

No. Passed: 7 No. Failed: 9

Total invited to exam: 23

No. Withdrew: 7 No. Screened Out: 26

CERTIFIED TO BE CORRECT: *Said Mohamed*

DATE: 8/16/13