

**San Dieguito Union High School District
PERSONNEL COMMISSION**

Regular Meeting Minutes

3:30 P.M., June 11, 2019
710 Encinitas Blvd., Encinitas, CA 92024
San Dieguito Union High School District Office - Board Room

REGULAR MEETING/OPEN SESSION

1. CALL TO ORDER
The meeting was called to order at 3:33 p.m. by JOHN BAIRD.
2. PLEDGE OF ALLEGIANCE
Commissioner Baird led the pledge of allegiance.

Members in Attendance

John Baird
Jeff Charles
Justin Cunningham

Staff in Attendance

Susan Dixon, Director
Barbara Bass, Human Resources Analyst
Kathy Potter, Human Resources Technician

Guests

Carmen Blum	Debbie Johnson
Dawn Campbell	Margy Lara
Diane Caron	Agustin Lopez Clemente
Matt Colwell	Dan Love
Tina Douglas	Tina Peterson
Sheila Graciano	Joann Schultz
Alex Guerrero	Joel Van Hooser
Robert Haley, Ed.D.	

3. APPROVAL OF THE AGENDA FOR THE JUNE 11, 2019, PERSONNEL COMMISSION REGULAR MEETING.
It was moved by JUSTIN CUNNINGHAM, seconded by JEFF CHARLES, to approve the agenda for the June 11, 2019, Personnel Commission Regular Meeting (with the change to move Item 7B. from an action item to a discussion item) CSEA Labor Representative, Paul Valen requested this change because he could not attend due to illness.
Passed unanimously with 3 Ayes
4. APPROVAL OF THE MINUTES FOR THE MAY 14, 2019, PERSONNEL COMMISSION REGULAR MEETING.
It was moved by JEFF CHARLES, seconded by JUSTIN CUNNINGHAM, to approve the minutes for the May 14, 2019, Personnel Commission Regular Meeting.
Passed unanimously with 3 Ayes

ACTION ITEMS

5. ELIGIBILITY LISTS TO BE APPROVED

- A. It was moved by JUSTIN CUNNINGHAM, seconded by JEFF CHARLES, to approve an Eligibility List for HUMAN RESOURCES TECHNICIAN, SR-42, Open/Promotional-Dual Certification, eligibility from 5/10/19.
- B. It was moved by JEFF CHARLES, seconded by JUSTIN CUNNINGHAM, to approve an Eligibility List for INSTRUCTIONAL ASSISTANT SpEd-BEHAVIOR INTERVENTION, SR-36, Open/Promotional, eligibility from 5/17/19.
Both passed unanimously with 3 Ayes

6. ELIGIBILITY LISTS TO BE ESTABLISHED

- A. It was moved by JUSTIN CUNNINGHAM, seconded by JEFF CHARLES, to establish an Eligibility List for ACCOUNTING ASSISTANT, SR-40, Open/Promotional-Dual Certification, six months eligibility.
- B. It was moved by JEFF CHARLES, seconded by JUSTIN CUNNINGHAM, to establish an Eligibility List for CUSTODIAN, SR-32, Open/Promotional-Dual Certification, six months eligibility.
Both passed unanimously with 3 Ayes

7. CLASSIFICATION REVIEWS

- A. District Office Secretary to Receptionist
It was moved by JUSTIN CUNNINGHAM, seconded by JEFF CHARLES, to reclassify the position assigned to the District Office Reception Area from Secretary, Range 36 to Receptionist, Range 32. *Director Dixon presented an overview of this assignment including current representative duties, duties which had been anticipated and the need for staffing the assignment at the front area from 8 AM to 4:30 PM during District Office hours. In addition, she informed the commission that the employee had been advised about choices available to her per the Rules & Regulations for Classified Service. Commissioner Baird inquired about “Y” or “Star” Rating as well as the definition of “reclassification” per Ed Code 45101(e)and(f). Director Dixon stated that one of the options offered to the incumbent was to accept employment as a Secretary in a vacant position at the same rate of pay and same work year as her current assignment so she will not experience any change in earnings.*
Passed unanimously with 3 Ayes
- B. The Visual Communications Specialist was moved to a Discussion Item (See Item 3 for context).
- C. Payroll Technician
 - 1. It was moved by JEFF CHARLES, seconded by JUSTIN CUNNINGHAM, to revise the class description for Payroll Technician as proposed.
 - 2. It was moved by JUSTIN CUNNINGHAM, seconded by JEFF CHARLES to recommend to the SDUHSD Board of Education reallocation of Payroll Technician from Range 44 to Range 46 based on newly assigned duties with a higher level of responsibility.
Both passed unanimously with 3 Ayes

DISCUSSION/INFORMATION ITEMS (See Supplements)

- 7. B. Visual Communications Specialist (moved from Action Items)
Director Dixon provided background on the need for a communications position as well as an overview of the process used to draft the job description. She explained that there are many types of communications positions and that this one is a hybrid of production and management-level responsibilities. Commissioner Cunningham acknowledged the need for this type of assignment based on his experience as a superintendent and what he has seen in the media. Commissioner Baird stated he thought there had been a position previously specific to communications which had been eliminated due to lack of funds. Director Dixon suggested he was referring to a position which had been eliminated

in 2010 which had responsibility related to technical aspects of updating the website and other forms of media. Commissioner Baird stated the position is clearly not a management position and further stated that there are definitions for “management positions” in the Educational Employment Relations Act, PERB decisions and court cases. In addition, the title suggests it is not management and there are no supervisory duties. Commissioner Baird also believes that definitions under FLSA and federal law would not exclude it from the bargaining unit. He also stated it’s been brought to his attention that a contracted employee is performing these duties and he would like to have that investigated because it could be a circumvention of the purpose of a merit system. Commissioner Cunningham asked about modifying the title and whether negotiations, specifically being privy to information, is part of the definition of management under the EERA. He suggested the role may be more consistent with a “coordinator” or “developer” title. Director Dixon responded to concerns expressed by explaining that she applied the job description to criteria outlining what constitutes management and exempt positions but that she would review the criteria listed under the EERA. Her understanding of the assignment is that it will be responsible for managing the communications program and that managing people is not a criterion for management designation. She explained her application to the FLSA criteria and believes that the position meets all three criteria and that the pay is fair and consistent with the spirit of the intent of exemption from overtime. She suggested that the unique hours of the assignment would be problematic for a bargaining unit position. Additionally, the individual will be part of the superintendent’s cabinet so he/she can hear and understand the issues and priorities of the District to develop and implement a communications plan. Commissioner Charles said after reading the description many times, he kept coming back to the cross purposes/confusion of the two roles - there are both managerial and production/contributor elements. He also commented on the use of “Visual” in the title because when looking at the managerial pieces of the assignment it would be Director of Communications or Communications Manager. Commissioner Charles also spoke about districts staffing an Associate Superintendent of Public Affairs and acknowledged the difficulty in finding comparisons to a hybridized assignment like this one. He believes the assignment will grow over time and may result in the need for a director but ultimately at this point the job seems like two people. Commissioner Charles also pointed out that given the responsibility for regulatory compliance, the education requirement does not seem to match. Commissioner Baird provided follow up from the discussion stating that other bargaining unit positions such as Theater Technician and Custodian Floater have varying hours so the need for flexible hours does not mean it cannot be a bargaining unit position. Director Dixon stated that the discussion provided her with information in which to follow up and that she would try to meet with Mr. Valen to find out his reason for wanting to attend this meeting. She clarified for Commissioner Baird the role of the Classification Advisory Committee and how although only the three management appointed members vote on management recommendations, the three CSEA members are presented with the recommendation and participate in the discussion to provide input in advance of the recommendation being brought to the commission. Superintendent Haley provided additional information and addressed several points from the discussion. He explained that an individual was contracted to perform some communications duties in light of the immediate need for communications improvement which was expressed to him by all individuals with whom he met upon starting in his role as superintendent as well as knowing the anticipated length of time it takes to establish a classification through our process. He spoke to the wide variety of communication roles in districts including those that have a communications department. Superintendent Haley acknowledged Commissioner Cunningham’s statement related to the need to have someone on staff to convey the district’s message or someone else will. He provided the reasons he considers the assignment to be management-level. He further spoke to the continuing evolution of this type of assignment. Superintendent Haley explained that in our organizational structure, he considers himself the public information officer or he may have occasion to delegate that role to an associate superintendent; however, we need an individual to ensure that the correct information gets to the media. The discussion ended with further comments about the title and how that needs to be reconsidered (e.g. Communications Coordinator).

8. PROPOSED RULE REVISION 14.3

Director Dixon informed the commissioners that this was a last minute addition to the agenda based on phone calls she had received during the previous week from potential School Bus Driver applicants and wanted to be clear that Mr. Colwell had not had an opportunity to give the revision consideration so she was not representing that he was in support of the revision. The biggest issue she has experienced in terms of salary placement with recruiting is due to the portion of the existing rule which specifies that if someone is brought in at a step higher than 1, everyone not at that step needs to be advanced to the new hire's step. Commissioner Baird would like to see the revision be more clear that higher step placement can be considered. Director Dixon stated the proposed revision mirrors the existing language in the bargaining unit agreement. Commissioner Cunningham brought up how competitive the market is for bus drivers and how this revision would be beneficial. Commissioner Charles walked through scenarios to determine whether the language would be injurious to existing employees. Distinctions between the board, superintendent and commission's role were discussed. Director Dixon will meet with Matt Colwell and the District and report back next month.

9. STAFF COMMENTS ON PERSONNEL ACTIVITIES

- A. Vacancy Report
- B. Personnel List Report
- C. Other

10. CORRESPONDENCE

Director Dixon distributed the 2020 CSPCA Conference flyer sent by George Cole

11. PUBLIC COMMENTS

The Public Comments Section of the meeting provides the opportunity for individuals to address items that are not on the agenda. In accordance with the Brown Act, Personnel Commissioners may not engage in a discussion of non-agenda items or issues raised during public comments except to 1) acknowledge receipt of the information, 2) refer to staff for further study, or 3) refer the matter to the next agenda.

- A. California School Employees Association – CSEA President, Matt Colwell thanked Director Dixon, the commissioners and everyone else involved for a great, well-attended Employee of the Year event.
- B. San Dieguito Union High School District – Tina Peterson received many comments from Classified employees praising a “great” Employee of the Year celebration. Tina also commented that Director Dixon has spent a lot of time on classification work.
- C. Public – Carmen Blum inquired about Rule 13.1. which remains in the discussion stage.

12. NEXT PERSONNEL COMMISSION MEETING

The next regular meeting of the Personnel Commission is scheduled for Tuesday, July 9, 2019, at 3:30 P.M. at San Dieguito UHSD office, 710 Encinitas Boulevard, Encinitas, CA 92024.

13. ADJOURNED – 5:10 PM