



# VENTURA COUNTY COMMUNITY COLLEGE DISTRICT PERSONNEL COMMISSION

## PERSONNEL COMMISSION MEETING MINUTES FOR NOVEMBER 17, 2011

Ventura County Community College District  
255 West Stanley Avenue, Suite 150  
Ventura, CA 93001

### FOUR HUNDRED AND FORTY-ONE

The four hundred and forty first meeting of the Personnel Commission of the Ventura County Community College District was held on Thursday, November 17, 2011, at 6:00 p.m.

#### 1. CALL TO ORDER

Commissioner Gonzales called the meeting to order at 6:13 p.m.

#### 2. ROLL CALL

In attendance were Commissioners David Gonzales, Barbara Harison, and James King. Michael Arnoldus, Director of Employment Services/Personnel Commission and Secretary to the Personnel Commission, was also present.

#### 3. PUBLIC COMMENTS REGARDING AGENDA ITEMS

None

#### 4. MINUTES

On motion by Commissioner King and seconded by Commissioner Harison, the minutes of the Thursday, October 27, 2011 meeting of the Personnel Commission were unanimously approved.

#### 5. CORRESPONDENCE

None

#### 6. REPORTS

##### A. CLASSIFIED EMPLOYEES REPRESENTATIVE'S REPORT

None

##### B. BOARD OF TRUSTEES MEETING REPORT

Mr. Arnoldus noted that his attendance at the November 8<sup>th</sup> Board Meeting was intermittent. Commissioner King stated that he attended a considerable portion of the meeting. He noted there were over two hours of public testimony related to discontinuance of programs at the colleges which has been a regular occurrence in the past few months. His agenda item was moved up and he did not attend the full meeting. Commissioner King stated that his appointment to the Personnel Commission for another three year term was confirmed.



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Ms. Patricia Parham, Vice Chancellor of Human Resources, was in attendance as a member of the audience and stated that she attended the meeting in its entirety. There was public testimony regarding possible program reductions and discontinuance as there had been at the previous three meetings, and it is anticipated to continue until recommendations are presented for final action to the Board of Trustees. She stated that a presentation was made by the Vice Chancellor of Business and Administrative Services regarding the budget and unfunded full-time equivalent students (FTES). The purpose of the presentation was to educate the Board and the public regarding the budget. Ms. Parham also said that the Vice Chancellor of Business and Administrative Services, the Chancellor, and herself travelled to each of the three colleges to present budget information. Commissioner King noted that he read an article in the newspaper regarding the trigger cuts. Ms. Parham stated that this applies to the current fiscal year and the effects of the cuts will be covered by reserves. Commissioner Gonzales stated that the CSU and UC systems are increasing fees. Ms. Parham stated that we are not the same as those institutions, and that we cannot independently raise our fees.

### C. DIRECTOR'S REPORT

Mr. Arnoldus reviewed the monthly *Current Recruitments Report* that included six open recruitments and five closed recruitments. The *Positions Filled and Pending Report* reflected no positions filled and three pending selection.

### D. COMMISSIONERS' REPORTS

Commissioner King reported that he spent half a day at Moorpark College and had a meeting with President Eddinger. Dr. Eddinger and Commissioner King discussed classified hiring regulations and recent changes to Personnel Commission rules pertaining to removing employees from eligibility lists. .

## 7. OLD BUSINESS

None

## 8. AMENDMENT AND ESTABLISHMENT OF PERSONNEL COMMISSION RULES

- A. Amendment of Personnel Commission Rule 192 – Permanent Employees (first reading)
- B. Amendment of Personnel Commission Rule 193 – Rating Performance (first reading)
- C. Establishment of Personnel Commission Rule 195 – Performance Evaluation Record (first reading)

Mr. Arnoldus stated that the impetus for this change was a discussion with Daniel Casey, SEIU Chief Steward, regarding the meaning of the current language. Mr. Arnoldus indicated that Mr. Casey's opinion was that the rule required that employees be evaluated every fiscal year prior to the end of the fiscal year. This would require that the evaluation be delivered before June 30<sup>th</sup>. Mr. Arnoldus stated that he believed the evaluation period could cover the entire fiscal year in which case the meeting with the incumbent would need to be held in the subsequent fiscal year following the end of the evaluation period. In discussion with Mr. Casey, Mr. Arnoldus said that he would draft a change to this rule to clarify the intent of the language. Mr. Arnoldus said that the proposed changes were discussed with Mr. Casey, and he is satisfied with the changes.



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Mr. Arnoldus noted that additional changes were made to the rules to align the rule language with the sequence of events that occur during the administration of the performance evaluation process. In addition, the proposed changes also provide additional time to administer the evaluation process.

Mr. Arnoldus recommended an additional change to PC Rule 195 that was not reflected in the printed copy to state, "...to the Human Resources Department ~~no more than~~ within 60 days following the end of the evaluation period."

Commissioner King commented that the wording of the beginning of Personnel Commission Rule 192 struck him as almost negative. He stated that he views the purpose of an employee performance evaluation as to provide feedback both positive and negative relative to expected performance standards. This was not as positive as he hoped it would be. Mr. Arnoldus stated that his intent when revising these rules was to clarify the language around which there was some confusion. He acknowledged his understanding of Commissioner King's concern and stated that it will take additional time to address his concerns should the Commission wish him to revise that language. The Commission did not request further action regarding this language.

Commissioner King referred to the last sentence of the first paragraph of Personnel Commission Rule 192 and asked how the performance ratings are considered with regard to promotions and transfers. Mr. Arnoldus stated that in the event someone is promoting or transferring, we allow the hiring supervisor to review the incumbent's previous performance evaluations. Commissioner King stated that it would be in the realm of a reference check, and Mr. Arnoldus replied in the affirmative. Commissioner King noted that for years he has struggled with managers that hate conducting performance evaluations and employees that hate receiving them. They have a stigma to them that they are bad. He acknowledged the district does not operate that way but he expressed that perhaps this may have contributed to the SEIU's perspective regarding how and when we conduct evaluations.

Commissioner King inquired if increasing from thirty days to sixty days from the end of the evaluation period would result in unanimous or nearly unanimous compliance with supervisors submitting the evaluations. Mr. Arnoldus stated that he could not provide a guarantee. He stated that the increase is to provide more time following the evaluation period for the supervisor to complete the evaluation and meet with the employee. Ms. Parham stated that this does not mean we will have unanimous compliance, but she anticipates that over time we will get closer. She also stated that the timely evaluation of employees was identified as an accreditation concern.

Commissioner Harison confirmed that the end of the fiscal year for the district is June 30<sup>th</sup> and questioned if this is common knowledge or should be implicitly stated. She also stated that by implicitly stating the date of the end of the fiscal year as June 30<sup>th</sup> also implicitly puts the date of the sixty day deadline at August 30<sup>th</sup>. She inquired about the impact summer has on conducting the evaluations because some employees may not be present. Ms. Parham stated that the summer does not necessarily impact the evaluations but assignments less than 12 months may. For example, employees not working during the month of July would be affected. She indicated that the District is moving toward spreading out the time over the 12 month period so this is becoming less of an issue. Commissioner Harison reiterated her question pertaining to whether the June 30<sup>th</sup> date should be included.



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Commissioner Gonzales asked what happens when an employee refuses to sign an evaluation because they disagree with it. Ms. Parham replied that it can be submitted without the employee's signature. Commissioner Gonzales asked how we manage enforcement of the rule and whether we contact the appropriate offices when the evaluations are outstanding. Ms. Parham stated that we run a report on outstanding evaluations that is provided to the college presidents. It is their responsibility to contact the supervisors and ensure the evaluations are completed and submitted to the Human Resources Department. After the report goes out to the college presidents, we receive most of the outstanding evaluations. Ms. Parham again stated that timely evaluations is and continues to be an accreditation issue and that there will continue to be reminders about them.

Commissioner King asked what happens when a supervisor retires or leaves precipitously without having performed the evaluations. He stated that a whole fiscal year could come and go and all their direct reports could be left with nothing. Ms. Parham acknowledged that is a good question, and a related issue precipitated the revision of the rules being discussed. Ms. Parham indicated that we are not requiring exiting supervisors to conduct evaluations prior to leaving and acknowledged that this can create problems.

Commissioner Gonzales inquired about how the absence of an evaluation in a given year or series of years is viewed. Does it mean that the performance is acceptable? He stated that in his experience, this is an issue that comes up frequently in hearings. Ms. Parham stated that her experience is congruent with Commissioner Gonzales's statement. She noted that there is typically more diligence in regards to those who need improvement. Commissioner King commented that to only ask a supervisor to evaluate a high performing employee once a year is not asking a lot. Ms. Parham indicated that the evaluation process is very time consuming especially as it relates to the evaluation of faculty and that this sometimes leads to burn out.

Commissioner Gonzales asked if there is any mention at all about performance evaluations in the collective bargaining agreement and if yes, what does it say. Ms. Parham stated that without having the agreement in front of her, it discusses probationary evaluations and their timing (2/4/5.5 months), that the document is part of their file, she noted that they just renegotiated the actual instrument and what the meaning of the words are (it is on form), also at the last round they expanded the self-evaluation and development plan language, narrative about timing, and associated forms. She expressed that the major focus was to revamp the process to make it more interactive. Commissioner Gonzales asked if any employees ask to be represented in these conferences with their supervisors. Ms. Parham stated that they rarely do, it is generally not appropriate to ask for representation unless discipline is involved. Commissioner Gonzales asked whether the request is accepted if it is made. Ms. Parham replied in the affirmative.

Commissioner Gonzales stated that re-inclusion of the date of the end of the fiscal year as June 30th is a good idea. A brief discussion ensued and it was agreed to add the date of June 30<sup>th</sup> in parenthesis in the second paragraph of Personnel Commission Rule 192 after the first sentence "...end of each fiscal year (June 30<sup>th</sup>)." The Commissioners also agreed to Mr. Arnoldus's recommendation to change "no more than" to "within" in Personnel Commission Rule 195.



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No action was taken as this was the first reading of the proposed rule amendment.

### 9. POSITION RECLASSIFICATION

- A. Reclassification of an Information Technology Support Specialist I position occupied by Guy Campbell located in the Information Technology Department.
- B. Reclassification of an Information Technology Support Specialist I position occupied by Reuben Asahan located in the Information Technology Department.

Matthew Escobedo, Human Resources Analyst II, discussed the distinction between the class concepts of Information Technology Support Specialist I (ITSSI) and Information Technology Support Specialist II (ITSSII). Mr. Escobedo stated that the genesis for this transpired in mid 2009 when the district implemented a new system server. The change in technology resulted in a gradual change in how some job functions were performed. Mr. Escobedo further elaborated on the specific duties each incumbent has been performing that are out-of-class and also explained how these duties were accrued in a gradual nature. He recommended the two positions be reclassified and that the incumbents be reclassified with their positions on the basis of having gradually accrued the higher-level out-of-class responsibilities.

Discussion ensued between the Commissioners, Mr. Escobedo, Mr. Rick Shaw, and Mr. Arnoldus pertaining to the locations, responsibilities, and reporting relationships of related positions in the district. Commissioner King noted that he has supervised technology people and that it is the nature of the animal that they are problem solvers and they they become more capable with each experience. Commissioner King inquired if the ITSSI classification concept promotes reclassification by gradual accretion. Mr. Escobedo replied that there is considerable conceptual overlap within the classification series and that it is typical for incumbents in classes such as these to gradually accrue higher-level responsibilities as they develop their knowledge and skills. Commissioner King acknowledged that in a merit system there is a very formal structure for people to be promoted. He stated that he does not have a problem with the reclassification proposed; his concern is with some of the other ladder series of jobs, that this reclassification could be cited as how we favor one group of class specifications over another. Director Arnoldus stated that there are certain classification series in which it is normal for personnel to assume additional responsibilities as they become more proficient due to the nature of the job. He acknowledged Commissioner King's prior statement that it is the nature of job to be a problem solver and therefore it is not unexpected that the incumbent would gradually accrue responsibilities and then at some point it is realized the incumbent is working out of class. Mr. Arnoldus emphasized that this is why gradual accretion is looked at very carefully to ensure the reclassification process is not used to circumvent the formal hiring process.

Commissioner Harison asked for confirmation that the incumbents have the education and experience required of ITSSII as listed on the classification specification. Mr. Escobedo replied in the affirmative. Commissioner Harison noted that the classification specification for ITSSI has a revision dated of August 2011 and asked what the revision was. Mr. Escobedo stated the revision was to lower the minimum qualification of experience from three to two years. Commissioner Harison asked if there have been any hiring of ITSSI positions since the revision. Mr. Shaw replied in the affirmative and noted that they were provisional hires.



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Commissioner King stated that he does not have a problem with the proposed reclassifications, but he wanted to have the conversation. Commissioner Gonzales reaffirmed Commissioner King's statement and added that the situation can be viewed as a question of fairness to an employee. He further stated that it can be harsh if someone has been doing higher-level work literally from day one in the lower classification. Commissioner Gonzales emphasized the need of the Commission to be careful in these actions and take them on a case-by-case basis.

On motion by Commissioner King and seconded by Commissioner Harison the reclassification of incumbents Guy Campbell and Reuben Asahan with their positions from Information Technology Support Specialist I to Information Technology Support Specialist II were unanimously approved.

### **10. APPROVAL OF PERSONNEL COMMISSION ANNUAL REPORT**

A discussion ensued regarding the changes to the annual report noting the time change from 7 p.m. to 6 p.m. and the information encompassed in "Classified Actions."

On motion by Commissioner Harison and seconded by Commissioner King the Personnel Commission Annual Report was unanimously approved.

### **11. PUBLIC COMMENTS REGARDING NON-AGENDA ITEMS**

None

### **12. RECESS TO CLOSED SESSION**

None

### **13. RECONVENE IN OPEN SESSION**

None

### **14. DATE AND TIME OF NEXT PERSONNEL COMMISSION MEETING**

The date and time of the next regularly scheduled meeting of the Personnel Commission is Wednesday, December 21, 2011, at 6:00 p.m. The meeting will take place in the Dr. Thomas G. Lakin Boardroom at the District Administrative Center at 255 West Stanley Avenue, Suite 150, in Ventura, California.

### **15. ADJOURNMENT**

On motion by Commissioner Harison and seconded by Commissioner King, the meeting of the Personnel Commission adjourned at 7:19 p.m.

Written materials relating to a Commission meeting item that are distributed to at least a majority of the Commission members less than 72 hours before a noticed meeting, and that are public record not otherwise exempt from disclosure, will be available for inspection at:

District Administrative Center  
255 West Stanley Avenue, Suite 150  
or at the Personnel Commission meeting.



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Pursuant to the Federal Americans with Disabilities Act, if you require any special accommodation or assistance to attend or participate in the meeting, please direct your written request, as far in advance of the meeting as possible, to the office of Michael Arnoldus, Director of Employment Services/Personnel Commission  
Ventura County Community College District  
255 West Stanley Avenue, Suite 150, Ventura, CA 93001  
(805) 652-5521