

VENTURA COUNTY COMMUNITY COLLEGE DISTRICT
Special Meeting of the
PERSONNEL COMMISSION
September 24, 2001
MINUTES

**THREE HUNDRED AND
THIRTY NINTH MEETING**

The three hundred and thirty-ninth meeting of the Ventura County Community College District Personnel Commission was held on Monday, September 24, 2001.

1. CALL TO ORDER

Mr. Grey called the meeting to order at 4:06 p.m.

2. ROLL CALL

Commissioners Tony Grey, Robert Saynay, and James King were present. Patricia Parham, Director of Personnel, and Secretary of the Personnel Commission, was also present.

3. PUBLIC COMMENTS REGARDING AGENDA ITEMS

None

4. OLD BUSINESS

Professional Experts (4-58)

Ms. Parham introduced the subject and distributed a revised list of all professional experts hired to date and a revised list of those working at the present time. The commissioners discussed the open-ended time frame indicated for some of the professional experts. Referencing District legal counsel's letter, Mr. King pointed out that professional experts are not "short term" but, rather, "temporary." He asked Ms. Parham about "permanency" in the classified service and a discussion of permanent, provisional, and limited term status ensued.

At this point, Ms. Parham paused to introduce John Matulich, interim Vice Chancellor of Human Resources.

She then reviewed past meetings and discussions regarding the definition of "professional expert," which Mr. Grey said the District has identified as "those with special skill or knowledge of a particular subject matter derived from specialized training or experience, often involving intensive academic preparation or representing mastery of the subject."

Mr. King said it appears District staff and counsel begin with the preposition that the Commission has no standing. He said that is a viable position based on the code but, if the Commission has no standing, the issue of whether or not the District is following the letter of the law must be considered. Taking that expansive a view of the code, there is nothing preventing the disintegration of the merit system and its philosophy altogether because (1) no one is hired in permanence, (2) everybody has some limited training, and (3) everybody is hired to do a specific job. It concerns him that, when you apply those broad interpretations, there is nothing to prevent the District from hiring everybody as a professional expert. He said what concerns him the most is that S.E.I.U. has said they are going to file a lawsuit and, if they file a lawsuit, he believes the commissioners will be named as codefendants. He said it has been his hope that the commissioners could sit down with the trustees and discuss the issues and concerns in a publicly-noticed meeting.

After further discussion, the commissioners directed Patricia Parham to write a letter to the trustees stating their concerns, as well as their availability and willingness to meet with them in the month of October. They directed her to include the following points in her communication:

- The number of times professional experts have been used since January.
- Testimony to the Commission from S.E.I.U. indicates their intention to file a lawsuit.
- Having received Jack Lipton's analysis, the commissioners concern that such a broad interpretation on so many points might cause serious detriment to the merit system.

Jack Lipton addressed the commissioners and said the board is generally interested in having a good dialog with them. He suggested there be a closed session joint meeting to discuss the threat of a lawsuit by S.E.I.U. Mr. King said he believed a discussion in closed session would be more limiting than a discussion in open session but the directors agreed to wait to see if the trustees request a meeting with them. He suggested staff begin to think about alternative procedures to staff up short-term programs.

5. PUBLIC COMMENTS REGARDING NON-AGENDA ITEMS

None

6. ADJOURNMENT

Mr. Grey adjourned the meeting at 4:55 p.m.