

# **PERSONNEL MANAGEMENT**

## **Summary of Findings and Recommendations**

The study team for Personnel Management spent two days in early February 2004 to review 25 personnel standards that included 67 recommendations. The study team interviewed 27 individuals including all of the Human Resources leadership team and reviewed numerous documents provided.

The Human Resources Division (HR) had 49 full-time equivalent (FTE) positions in February 2000. In August 2003 the division had 65 FTEs that included the New Teacher Support and Training Unit and the Organizational Development Unit. Both these units no longer exist in the Human Resources Division. The remaining personnel units are: Employee Staffing, Employment, Area Network Services, Labor Relations, and Information Systems/Compensation/Benefits (Operations)

At the time of the February 2004 visit, the 49 FTE authorized positions in Human Resources included five vacant positions and seven employees who were in various stages of progressive discipline. During the past few months, five full-time and two part-time HR staff members were completely devoted to the Bi-Tech system installation. The Operations Unit provided reduced services during this period (closed for two hours each day for Bi-Tech work). Shifting division resources to complete the essential Bi-Tech system implementation meant that a number of personnel management standards were not addressed.

The Human Resources Division has room for considerable improvement in the area of recruitment and selection of both certificated and classified employees. The number of vacancies in the district in February 2004 greatly exceeds what one would expect at this time of year. There were 37 certificated positions unfilled, 17 of which were special education vacancies. It was also reported that approximately 82 classified and management positions remained unfilled. The number of district vacancies reflects poorly on the Human Resources operations.

The Human Resources Division plans to reorganize services to address a number of perceived needs. Three proposed positions when resources become available include 1) a Systems Analyst to address Bi-Tech conversion issues along with the development of modules for credentials monitoring, seniority tracking, tuberculosis monitoring, evaluation tracking, and longevity tracking; 2) a Benefits Analyst to provide Workers' Compensation assistance, leave of absence tracking, Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1986 tracking, and absence and substitute pay automation; and 3) a Compensation Analyst to work with job descriptions and Americans with Disabilities Act (ADA) issues, pay considerations, such as temporary upgrades, stipends, compensation time, and vacation accrual, and monitoring nonexempt/exempt positions.

The Human Resources Division, like other divisions in the district, has been directed to reduce expenditures by twenty percent. The Human Resources Division must reexamine how it delivers services, determining which services are appropriate and essential and reviewing the work flow process to streamline operations.

Other than the accomplishment of implementing Bi-Tech to integrate a position control system in the district, the division has not made significant progress in implementing the standards. In some cases, the district has regressed.

### **Organization, Planning and Communications**

In the previous six months, the Human Resources Division began a process to determine and establish the core functions for each of the units within the division. These core functions will determine the division's goals and objectives, as well as influence individual staff members' individual goals and objectives for the 2004-05 school year.

The Human Resources Division has developed a directory of services that is in the process of being distributed to schools and offices and has been placed on the Human Resources Web page. This directory will be of great assistance in determining who to contact in Human Resources for specific issues or services.

The division now schedules weekly meetings with the leadership team to improve internal communications and problem solving within the division. The support provider teams meet at regularly scheduled intervals. All meetings are conducted with agendas and accompanying minutes.

### **Employee Recruitment, Selection and Orientation**

The HR Division needs to establish uniform guidelines and procedures for employee recruitment and selection that are consistently applied to ensure that the classified selection process operates in a fair, consistent and defensible way and results in the best hire. Administrators involved in selecting employees must be held accountable for adherence to the established process. Each step of the process needs to be documented and reviewed to ensure adherence. The division needs to expand its role in the process by screening and interviewing applicants for higher level classified and management positions. The selection process can be strengthened by using written and performance testing materials whenever possible to determine skill levels of applicants.

There was no comprehensive written summary of the division's 2003 recruitment activities provided to the board or state administrator.

A status report is compiled on a daily basis of all classified and certificated vacant positions. As of February 3, 2004, there were 17 special education teacher vacancies and 20 regular classroom teacher vacancies.

Reference checks are not completed for all new hires. Procedures have not been developed for completing the reference checks. The division is giving consideration to outsourcing the responsibility for completing the reference checks.

All required orientation/induction materials are provided to new employees. A draft of a handbook for new classified and certificated substitutes has been developed and is expected to be finalized and distributed by April 1, 2004. Handbooks have not been developed for new classified employees.

## **Human Resources Operational Procedures and Use of Technology**

The Human Resources Division, in conjunction with the Business Services Division, has completed the first stage of converting to the Bi-Tech system for its business and personnel applications. The new software includes an integrated position control module that ties authorized budgeted positions with payroll and personnel. Documentation is currently being developed for use with the module. The division needs to continue its efforts to get the credentials, seniority and automated substitute calling system interface modules installed as soon as possible. A focused and planned approach to providing technology training to the division's staff is needed.

The district has done little to bring its job descriptions into order. No system is in place to review, revise and adopt job descriptions. The Ewing Study of 1999 was never implemented. Job descriptions form the bases for all hiring, promotion, discipline and other job-related functions. The Human Resources Division should immediately address this crucial area, with the support of the Legal Department.

The federal Family and Medical Leave Act (FMLA) and related state laws affect the district extensively when it comes to employee leaves of absence. The district has not developed procedures and forms regarding the FMLA. In addition, there is a critical need to schedule the implementation of the leave of absence component for the Bi-Tech data system to allow the district to track all leaves of absence. While guaranteeing employees their rights under FMLA, an effective data system will protect the district against costs for extra leave of absence pay. The Human Resources Division must work with the Legal Department to get the FMLA procedures in place and work with the Business Department to get the leave of absence component of the Bi-Tech data system running.

The Americans with Disabilities Act (ADA) affects the district in numerous ways. Job descriptions, employment vacancy postings, employment applications, physical examinations and personnel files are all subject to ADA guidelines. The district is working to make administrators aware of the ADA requirements through training provided by the district's Compliance Officer. Employment vacancy postings are becoming more standardized, and the HR Division is working to establish separate files for employee medical records. More work should be done to standardize employment applications, job descriptions, and pre-employment procedures to ensure ADA compliance.

## **Staff Training and Evaluation/Due Process Assistance**

The Human Resources Division must identify the areas of training most needed by its staff. The responsibility for training the HR staff should be assigned to a division administrator.

Training has been provided for administrators in the areas of evaluation, employee discipline and due process. The HR Division needs to identify the specific areas of training that is the responsibility of the HR Division to provide to district staff.

The Human Resources Division provides sites and departments with an annual list of employees who need to be evaluated and the appropriate time lines. There are currently no procedures to follow up on sites that fail to complete the required evaluations or to report to the

Superintendent's Cabinet those sites and departments that did not complete the required evaluations. There is also no process to monitor the timely completion of evaluations for probationary classified employees.

### **Employer/Employee Relations and Benefits**

The Human Resources Division oversees the district's employer-employee relations of the district. The extensive amount of administrative time it takes to negotiate with employee bargaining units and to administer collective bargaining agreements cannot be overlooked. Negotiations, grievances, arbitration and hearings before the Public Employment Relations Board (PERB) dealing with unfair labor practices, require extensive amounts of time from district HR staff, site-level administrators released from their schools to participate in negotiations, and district legal staff.

The Human Resources Division is working to include site-level administrators on each of the district's negotiating teams. A couple of bargaining teams have no administrator representative, which should be addressed in the future. The Executive Network meetings have become an excellent forum for HR Division staff to communicate with district administrators prior to, during and following various bargaining unit negotiations. The district has begun to utilize written surveys to determine the aspects of the various contracts that should be addressed by the district. This should be made an annual event that covers all bargaining units.

The district has an extensive employer-employee relations program and much of the work is very technical and often legal in nature. The district must develop and maintain staff with the proper skills to carry out the various aspects of this program. Experienced legal counsel must be available to assist the district staff.

In the past, detailed reports to Cabinet on the district's Workers' Compensation program, describing accident history by location, job type and associated costs, were not provided. A few periodic reports were made by the district's insurance broker. The district does not have a modified duty program to facilitate the early return to work of injured employees. The district's recent employment of a Risk Manager should enable the periodic reporting of activities and the establishment of a modified duty program.

Although the Human Resources Division has in the past provided the district's third-party claims administration with job descriptions, a review of what is available at the third-party administrators' offices is warranted to ensure that the most accurate and current job descriptions are in place.

## **1.5 Organization and Planning**

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### **Professional Standard**

The division has established goals and objectives directly related to the district's goals that are reviewed and updated annually.

### **Progress on Implementing the Recommendations of the Recovery Plan**

1. FCMAT was provided a document entitled "Human Resources Objectives 2003-2004" that listed four areas for attention:

- A qualified teacher in every classroom
- Rigorous monitoring and support for teachers on the credentialing continuum of Bi-Tech's human resources module
- A classified training program

Since the previous visitation, new administration is in charge of the Human Resources Division and some organization planning has taken place. The new administration, working with the State-Appointed Administrator, has approached organization planning by establishing core functions to be performed within each division. The Human Resources Division's core functions have been established in general terms in the following five identifiable units:

- Employee staffing
- Employee employment
- Area network services
- Labor relations
- Information systems/compensation/benefits

The Human Resources Division employees reportedly will have completed division goals and objectives before the scheduled June 2004 reorganization.

### **Standards Implemented:**

January 2000 Rating:	2
September 2003 Rating:	2
March 2004 Self-Rating:	3
March 2004 New Rating:	3

### **Implementation Scale:**

## **1.6 Organization and Planning**

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### **Professional Standard**

Individual staff members have developed goals and objectives in their areas of responsibility and also a personal professional development plan.

### **Progress on Implementing the Recommendations of the Recovery Plan**

1. The planning taking place in the Human Resources Division centers on implementing a new reorganization effective June 2004. Staff members' new responsibilities, new reporting relationships and implementation of the division core functions will influence the development of individual goals and objectives. This necessary task should be completed by June 2004.
2. The district plans to use a standardized format.

### **Standards Implemented:**

January 2000 Rating:	1
September 2003 Rating:	1
March 2004 Self-Rating:	2
March 2004 New Rating:	2

### **Implementation Scale:**

## **1.7 Organization and Planning**

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### **Professional Standard**

The division has a monthly activities calendar and accompanying list of ongoing human resources activities to be reviewed by staff at planning meetings.

### **Progress on Implementing the Recommendations of the Recovery Plan**

1. The Human Resources Division holds division leadership planning meetings, and the various units within the division have staff planning meetings. FCMAT was provided with both division and unit meeting agendas and minutes for a large number of planning sessions.
2. During the past few months, the Human Resources staff has been involved in many activities that required the establishment of key dates and time lines. Examples of such activities include:
  - Planning school closures (effects of certificated personnel)
  - Determining important dates/developing to do lists
  - Developing a recruitment calendar for 2004-2005
  - Performing workforce planning for 2004-2005
  - Determining the key dates of activities
3. The division has a systems approach to problem solving. This includes organizing activities, determining the person responsible, promoting personnel involvement, scheduling benchmark dates, determining the resources needed, and identifying other significant planning criteria.

Recent implementation of the Bi-Tech program in human resources took considerable planning and resources, and the task was completed within stated time lines.

### **Standards Implemented:**

January 2000 Rating:	3
September 2003 Rating:	3
March 2004 Self-Rating:	3
March 2004 New Rating:	3

### **Implementation Scale:**

## **2.2 Communications: Internal/External**

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### **Professional Standard**

The Human Resources and Business divisions have developed and distributed a menu of services which includes the activities performed, the individual responsible, and the telephone numbers where they may be contacted.

### **Progress on Implementing the Recommendations of the Recovery Plan**

1. The Human Resources Division has developed a Directory of Services for the division. The directory lists all the division's various services and identifies a contact person, telephone extension and e-mail address for each identified service.

The new Directory of Services has been e-mailed to each site administrator. In addition, a copy of the directory has been forwarded to each office/school site in the district mail.

A copy of the directory has been provided to the district's Web master and is now included on the Human Resources Division Web site.

The Human Resources Division should proceed with its plans for distributing the directory as quickly as possible and ensure that there is a process to keep the directory current once it is distributed.

### **Standards Implemented:**

January 2000 Rating:	0
September 2003 Rating:	3
March 2004 Self-Rating:	6
March 2004 New Rating:	6

### **Implementation Scale:**

## **2.5 Communication: Internal/External**

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### **Professional Standard**

The Human Resources Division holds regularly scheduled staff meetings.

### **Progress on Implementing the Recommendations of the Recovery Plan**

1. The Human Resources Division leadership team has established a weekly meeting schedule. Agendas are prepared, and minutes are developed that identify issues discussed and person(s) responsible for follow up. The new meeting agendas should include an item requiring individuals to report to the leadership team when the required follow up has occurred and identifying who was present at each meeting.
2. The Administrative Assistant to the Human Resources Assistant Superintendent receives the meeting schedules for each of the division leadership teams. The Administrative Assistant also receives copies of all agendas and minutes.
3. Most of the Human Resources Division leadership teams have established meeting schedules with agendas and minutes. This process should be implemented for all leadership teams. The value of meeting will be enhanced by requiring all minutes to reflect decisions made, parties responsible and key dates.
4. Except for periodic divisionwide meetings and the leadership team's weekly meetings, employees do not formally meet with other human resources staff members outside their service units.

### **Standards Implemented:**

January 2000 Rating:	4
September 2003 Rating:	4
March 2004 Self-Rating:	5
March 2004 New Rating:	5

### **Implementation Scale:**

### **3.7 Certificated Recruitment and Selection**

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#### **Professional Standard**

A summary or evaluation of the results of the year's recruitment efforts is provided in written form.

#### **Progress on Implementing the Recommendations of the Recovery Plan**

1. An annual written summary or evaluation of the results of recruitment efforts has not been completed for the 2002-2003 school year. The district cabinet did receive information on recruitment from the human resources staff reporting the status of recruitment.

Staffing functions have been reorganized to increase accountability and enhance data collection. A status report is compiled daily for all classified and certificated positions. The status report as of February 3, 2004 indicates that there are 17 special education openings and 20 certificated teacher openings.

The district still needs to develop a fully integrated recruitment system. The Bi-Tech system can contain an applicant tracking system.

#### **Standards Implemented:**

January 2000 Rating:	0
September 2003 Rating:	4
March 2004 Self-Rating:	4
March 2004 New Rating:	4

#### **Implementation Scale:**

### **3.9 Certificated Recruitment and Selection**

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#### **Professional Standard**

The district systematically initiates and follows up on experience and reference checks on all applicants being considered for employment.

#### **Progress on Implementing the Recommendations of the Recovery Plan**

1. No written procedures exist for the completion of reference checks. Some reference checks have been completed by the human resources staff, however, there is no indication that this is the regular practice. The Human Resources Division has requested bids to outsource the task of completing reference checking on all new employees. The division has a reference checking form available and is considering using this form beginning March 1, 2004. Discussion is taking place about training and utilizing retired administrators to provide reference-checking services.

#### **Standards Implemented:**

January 2000 Rating:	2
September 2003 Rating:	3
March 2004 Self-Rating:	3
March 2004 New Rating:	3

#### **Implementation Scale:**

## **4.2 Organization and Planning**

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### **Professional Standard**

Employment procedures and practices are conducted in a manner that ensures equal employment opportunities. Written hiring procedures are provided. Education Code 44100-44105.

### **Progress on Implementing the Recommendations of the Recovery Plan**

1. The Human Resources Division's role in the classified selection process is focused on ensuring that the appropriate paperwork is submitted, verifying that a vacancy exists, posting and advertising the vacancies in accordance with contractual requirements and verifying that submitted applications met the minimum requirements. Except in limited instances when a site administrator requests assistance, the process used by each selecting administrator/supervisor to screen and interview candidates is left to each site. The existing process makes it difficult or impossible for the Human Resources Division to adequately monitor or ensure that consistent and fair selection practices are being used throughout the district. The Human Resources Division needs to establish a selection process that is fair, consistent, and defensible and allows the division to be held accountable for the process. This can be accomplished by implementing written procedures, fostering greater reliance on written tests to establish technical skill levels, using forms to document each selection, and promoting greater involvement by the division in screening and testing.
2. The Human Resources Division has established a practice for posting vacancies that includes internal posting at district locations, the district's Web site and Ed-Join. The advertising process could be enhanced particularly for hard-to-fill vacancies by using local newspapers and individual school parent newsletters.
3. The district lacks written selection procedures or forms for the classified selection process. A fact sheet is provided to all administrators at the beginning of the school year on "Interviewing Questions—Do's and Don'ts." A comprehensive set of selection procedures should be developed that minimally describe the following parts of the process:
  - Advertising vacancies and how advertising interfaces with the re-employment and surplus lists
  - Screening for minimum qualifications
  - Paper screening candidates who meet minimum qualifications
  - Interviewing, including questions and required documentation
  - Notifying the Human Resources Division of recommended candidate(s) and required supporting documentation
  - Performing reference checks
  - Notifying successful and unsuccessful candidates
4. No formal in-service training is provided to administrators and supervisors on the classified selection process except in a few instances where training has been requested by individual

sites. In order to establish consistency and fairness, administrators must be trained and held accountable for adhering to the required process.

5. The Human Resources Division is seldom directly involved in paper screening to determine the best qualified candidates to be interviewed. To add credibility and promote effective monitoring, the Human Resources Division should take a more active role in the process. Involvement is particularly important in the higher-level classified positions and in the management selection process, including paper screening and chairing selection panels.

**Standards Implemented:**

January 2000 Rating:	6
September 2003 Rating:	6
March 2004 Self-Rating:	3
March 2004 New Rating:	4

**Implementation Scale:**

## **5.2 Employee Orientation**

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### **Professional Standard**

The Human Resources Division provides orientation handbooks for new employee orientation in all classifications: substitutes, teachers and classified employees.

### **Progress on Implementing the Recommendations of the Recovery Plan**

1. Handbooks have not been developed for new classified employees, although some of the information is provided in the orientation packets issued at the orientation/induction. Orientation/induction packets are issued to all new certificated and classified employees as a part of the employment processing. A checklist of all employment requirements is signed by the employee and retained by the district. The document, titled "Evaluation Handbook for Classroom Teachers, Special Education Teachers, Psychologists, Counselors and Nurses," was provided this year.
2. The New Teacher Handbook, developed by the new teacher support and development staff, has been revised and distributed to all new certificated teachers. The draft of the Substitute Handbook for new certificated and classified substitutes has been updated. The draft is scheduled to be submitted to the legal staff for final approval and issued to new employees March 1, 2004.

### **Standards Implemented:**

January 2000 Rating:	2
September 2003 Rating:	4
March 2004 Self-Rating:	4
March 2004 New Rating:	5

### **Implementation Scale:**

## **6.2 Operational Procedures**

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### **Professional Standard**

Human Resources Division nonmanagement staff members have individual desk manuals for all of the personnel functions for which they are held responsible.

### **Progress on Implementing the Recommendations of the Recovery Plan**

1. The employees in the Human Resources Division have not been responsible for developing desk manuals that identify specific responsibilities, job functions or time lines. They have not been required to complete this task. Managers and the supervisory staff should implement the process, including the development of a time line for completion of desk manuals for all the human resources staff.
2. Desk manual development has not been a priority for the division. Time on staff meeting agendas has not been devoted to beginning the development of desk manuals for each employee.
3. Several staff members within the Human Resources Division have assumed some responsibility for completing work usually assigned to positions that have remained unfilled for a long period of time. Some informal cross training is taking place.
4. A limited amount of staff development activities has taken place for most of the Human Resources Division's nonmanagement staff. The labor relations staff annually attends the County Education and Labor Law Consortium and the workshop for Current Law for Educators.
5. No chart of responsibilities for staff members has been developed that identifies desk manual development, cross training or training opportunity.

### **Standards Implemented:**

January 2000 Rating:	0
September 2003 Rating:	0
March 2004 Self-Rating:	0
March 2004 New Rating:	0

### **Implementation Scale:**

### **6.3 Operational Procedures**

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#### **Professional Standard**

The Human Resources Division has an operations procedures manual for internal department use in order to establish consistent application of personnel actions.

#### **Progress on Implementing the Recommendations of the Recovery Plan**

1. Individual managers within the Human Resources Division have developed some procedures for the use of the district and site managers on an ad hoc basis. No manager has been assigned to develop and maintain a human-resources-procedures manual for internal use by division employees and external use by managers and supervisors.
2. Individual managers within the division have developed written procedures that are included in handout materials and in a handbook format. The Labor Relations Office developed procedures for Managing Employee Attendance on October 7, 2003. These procedures were included in workshops presented for administrators in the areas of discipline and due process on November 6 and 20, 2003.
3. Contractual time lines for certificated employee evaluations are in compliance, but with some exceptions. Classified evaluations have not had the same success in meeting the requirements of the contract or time lines. There is no documentation or calendar of the activities and time lines for ensuring compliance with legal and contractual directives. This area will be addressed after reorganization of the division.

#### **Standards Implemented:**

January 2000 Rating:	0
September 2003 Rating:	0
March 2004 Self-Rating:	0
March 2004 New Rating:	1

#### **Implementation Scale:**

## **6.4 Operational Procedures**

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### **Professional Standard**

The Human Resources Division has a process in place to systematically review and update job descriptions. These job descriptions should be in compliance with the Americans with Disabilities Act (ADA) requirements.

### **Progress on Implementing the Recommendations of the Recovery Plan**

1. No systematic process exists for reviewing and updating job descriptions. Newly proposed job descriptions are developed and submitted to the Governing Board for approval. The previously developed job descriptions were not negotiated or approved for use. Job postings are merely reviewed and modified by administrators and managers and used as official job descriptions. The job descriptions in the Ewing & Company study for classified employees should be reviewed, modified and submitted for approval. All certificated job descriptions should be developed and updated to comply with current laws (ADA) and regulations and adopted by the Governing Board.

The district does not have a compensation philosophy. This philosophy should be formalized and linked to the job evaluation process. An Executive Cabinet compensation study is to be completed by Abbott Langer & Associates beginning March 1, 2004.

2. The Fair Labor Standards Act's exempt or nonexempt status must be added to district job descriptions as a part of the review process prior to their adoption.

### **Standards Implemented:**

January 2000 Rating:	5
September 2003 Rating:	1
March 2004 Self-Rating:	2
March 2004 New Rating:	1

### **Implementation Scale:**

## **6.6 Operational Procedures**

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### **Professional Standard**

The Human Resources Division has procedures in place that allow for both personnel and payroll staff to meet regularly to solve problems that develop in the processing of new employees, classification changes and employee promotions.

### **Progress on Implementing the Recommendations of the Recovery Plan**

1. The district is converting its technology processes to a Bi-Tech system, which has necessitated daily ad hoc meetings with human resources/budget/payroll staffs. The conversion process has highlighted numerous areas for improvements. An integrated business process design is scheduled for 2004-2005. Regularly scheduled meetings will occur to review audit reports. A process has been established to transfer data from the old system to the new system every day between 10 a.m. and 2 p.m. The Human Resources Division staff is responsible for resolving any problems.
2. The district expects data to be entered into the new system accurately and immediately. The first round of “live” check distribution occurred with the January 15, 2004 payroll. The payroll conversion process is in its beginning phase and will continue to be addressed over the next few months. The Bi-Tech conversion has been labor intensive. The business process design, job responsibilities, desk manuals, etc., will be addressed under the new reorganization.

### **Standards Implemented:**

January 2000 Rating:	0
September 2003 Rating:	0
March 2004 Self-Rating:	2
March 2004 New Rating:	1

### **Implementation Scale:**

## **7.6 State and Federal Compliance**

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### **Professional Standard**

Duties to be performed by all persons in the classified service and other positions not requiring certification are fixed and prescribed by the Governing Board (Education Code § 45109).

### **Progress on Implementing the Recommendations of the Recovery Plan**

1. The district received the Ewing Study in October 1999. During FCMAT's review in January 2000, the team rated the standard relatively high, anticipating that the Ewing Study would be implemented during the 2000 calendar year. To date, no action has been taken to implement the Ewing Study, leaving the district without a comprehensive set of job descriptions. Because of these circumstances, the score for this standard has been significantly reduced.

The district must decide what action to take on the Ewing Study. If it decides to abandon implementation, it is necessary for the district to begin immediately to systematically review all positions and determine the status of job descriptions related to each position.

2. The district lacks a system to identify job descriptions that were not developed during the Ewing Study. While the district has developed and adopted new job descriptions, no system has been established to organize them so that they could be examined as a whole. The district must review the proceedings of all past Governing Board meetings to identify adopted job descriptions. A filing system must then be established to organize the adopted job descriptions for review by the Human Resources Division, in conjunction with an analysis of the job descriptions developed under the Ewing Study.
3. The district lacks written procedures or guidelines covering periodic review of job descriptions. The current process allows individual managers to develop new job descriptions and forward them to the Governing Board for adoption at any time. The Human Resources Division's role in this process is undefined. Therefore, no separate files are maintained in the Human Resources Division offices that relate to district job descriptions.

The Human Resources Division must take the lead to review the current practices associated with review and adoption of job descriptions. It must then act to develop written procedures and guidelines to address this area.

4. The district lacks a schedule for the Governing Board to periodically review and adopt job descriptions. Individual job descriptions have been developed by the administration and forwarded to the Governing Board for adoption on an as-needed basis.

The Human Resources Division must develop procedures and a schedule to periodically review job descriptions. These procedures should include the involvement of all stakeholders as each job description is reviewed and adopted. The schedule of periodic review should be organized so that it addresses job families and related classifications during the same cycle of review.

The adopted job descriptions must bear the Governing Board adoption date and be placed in a file specifically designated as the official district job description repository.

**Standards Implemented:**

January 2000 Rating:	6
September 2003 Rating:	6
March 2004 Self-Rating:	2
March 2004 New Rating:	2

**Implementation Scale:**

## **7.8 State and Federal Compliance**

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### **Professional Standard**

Current position descriptions are established for each type of work performed by certificated and classified employees (Education Code § 35020).

### **Progress on Implementing the Recommendations of the Recovery Plan**

1. The district received the Ewing Study in October 1999. During FCMAT's review of this standard in January 2000, the team scored the standard relatively high, anticipating the implementation of the Ewing Study during the 2000 calendar year. To date, no action has been taken to implement the Ewing Study, leaving the district without a comprehensive set of job descriptions. Because of these circumstances, the score for this standard has been significantly reduced.

The district must decide what action to take on the Ewing Study. If it decides to abandon implementation of the study, it is necessary for the district to begin immediately to systematically review all positions in the district and determine the status of job descriptions related to each position.

2. The district lacks a system to identify job descriptions that were not developed during the Ewing Study. While the district has developed and adopted job descriptions, no system exists to organize them so they can be examined as a whole. The district must examine all past Governing Board meetings to identify job descriptions that have been adopted. A filing system must then be established to organize the adopted job descriptions for review by the Human Resources Division, in conjunction with an analysis of the job descriptions developed under the Ewing Study.
3. The district lacks written procedures or guidelines covering periodic review of job descriptions. The current process allows individual managers to develop new job descriptions and forward them to the Governing Board for adoption at any time. The Human Resources Division's role in this process is undefined. Therefore, no separate files are maintained in the Human Resources Division offices that relate to district job descriptions.

The Human Resources Division must take the lead to review the current practices associated with review and adoption of job descriptions. It must then act to develop written procedures and guidelines to address this area.

4. No schedule has been established for the Governing Board to periodically review and adopt job descriptions. Individual job descriptions have been developed by the administration and taken to the Governing Board for adoption on an as-needed basis.

The Human Resources Division must develop procedures and a schedule for periodic review of job descriptions. These procedures should incorporate the involvement of all stakeholders as each job description is reviewed and adopted. The schedule of periodic review should be

organized so that it addresses job families and related classifications during the same cycle of review.

The adopted job descriptions must bear the Governing Board adoption date and be placed in a file specifically designated as the official district job description repository.

**Standards Implemented:**

January 2000 Rating:	6
September 2003 Rating:	6
March 2004 Self-Rating:	2
March 2004 New Rating:	2

**Implementation Scale:**

## **7.12 State and Federal Compliance**

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### **Professional Standard**

The district is in compliance with the Family and Medical Leave Act (FMLA), including posting the proper notifications.

### **Progress on Implementing the Recommendations of the Recovery Plan**

1. During FCMAT's visit for the September 2003 review, the Human Resources Division presented a draft of procedures related to the Family and Medical Leave Act (FMLA). However, the FMLA procedures still need to be finalized and reviewed by the Legal Department. The score for this standard has been reduced to reflect the current status of this project.

The Human Resources Division should meet as soon as possible with the Legal Department to jointly develop all necessary procedures and forms related to the FMLA.

2. The district recently completed the transition to the district's new data system (Bi-Tech). At this time, basic payroll-personnel functions are operational. Modules for specific human resources functions, such as the tracking of leaves of absence, must still be added to the system. The district has not determined the time frame during which such modules will be operational.

It is important for the district to install all modules related to human resources. The new data system must be utilized so that district can effectively track FMLA leaves, ensure the employees' rights to such leave and strengthen the district's ability to account for concurrent leave time.

### **Standards Implemented:**

January 2000 Rating:	2
September 2003 Rating:	4
March 2004 Self-Rating:	2
March 2004 New Rating:	2

### **Implementation Scale:**

## **7.13 State and Federal Compliance**

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### **Professional Standard**

The district is in compliance with the Americans with Disabilities Act (ADA) of 1990 in application procedures, hiring, advancement or discharge, compensation, job training and other items, conditions and privileges of employment.

### **Progress on Implementing the Recommendations of the Recovery Plan**

1. The district uses a consistent nondiscrimination policy statement on all position vacancy postings. Inconsistencies continue to exist among the statements on district employment applications. As applications and other district publications are revised and/or developed, the district's departments must work with the Legal Department to ensure that a consistent statement falling under the purview of the Americans with Disabilities Act (ADA) is included on such documents.
2. Current employment applications for certificated positions (dated 1-2-2003) and for classified positions (dated 4-02) contain different nondiscrimination policy statements, especially as they relate to disability. Neither application contains a section that provides for the collection of any ADA-related information from the applicant.

The Human Resources Division should work with the legal office to review all employment applications. Nondiscrimination policy statements on all applications should be uniform and comply with current ADA requirements. Legal counsel should advise the Human Resources Division on what information it may collect under ADA guidelines, and the division can incorporate such information into new application forms.

3. The district has changed its practice of requiring all new employees to undergo a physical examination. The district now reviews individual job duties and considers requiring physical examinations for new employees who will be assigned work where physical demands warrant the examination.

It is crucial that the Human Resources Division work closely with the risk management office in this area. The need for accurate job descriptions with appropriate physical demands is crucial. Legal counsel should be included in all decisions to implement new physical examination requirements to ensure that ADA guidelines are met.

4. The status of current district job descriptions is difficult to determine. The Ewing Study of 1999 has never been implemented. The job descriptions developed during that study contained ADA-related analyses of each position. Newly-developed job descriptions are not maintained in a separate job description file. Review of some recently adopted job descriptions shows that at least some contain ADA-related analyses, listed under "Physical Demands."

Many employees in the district consider employment vacancy postings and job descriptions synonymous. Some current postings contain “Physical Demands” while others do not. No standardized form appears to exist for either job descriptions or employment vacancy postings.

It is important for the district to work through the Human Resources Division and the district legal office to resolve the job description problem. As part of the review, ADA compliance must be maintained.

5. FCMAT had been informed of compliance training scheduled to take place in August 2003. The district’s Compliance Officer and the district’s Ombudsperson did provide an hour of training for district administrators on August 14, 2003, at Holy Names College. As a part of this training, the Compliance Officer presented materials and information on state and federal laws governing people with disabilities, including ADA. The district’s Reasonable Accommodation Policy and related forms also were included in the training packet and presentation. Staff members in the Human Resources Division will be trained on ADA requirements in 2004-05.

The district should determine which employees were present at the August 2003 training, and schedule any necessary training for the others. The Human Resources Division should provide its staff with ADA-related training as early as possible during 2004-05.

6. The district personnel files have historically contained medical records, but these records should have been kept in separate files. The Human Resources Division has begun to take measures to review and correct personnel files by putting medical information in separate files. To date, approximately 1,000 personnel files have been completed. Because of time limitations on the staff, this process has not been fully accomplished. The Human Resources Division has also continued to monitor processing of new employee files to prevent medical information from being included in the personnel files.

The Human Resources Division should develop plans and a schedule to review and correct the personnel files of all employees concerning medical records. While this is a time-consuming process, the legal requirements are clear, and the district must comply as soon as possible.

7. The district no longer uses the document titled, “Interviewing Manual for Supervisors,” which was documented during the initial January 2000 comprehensive review. The Human Resources Division is developing new pre-employment questions, including a list of things to do and avoid. This document includes a section related to the candidate’s ability to perform the work for which he/she has applied. As this document is distributed to district managers, an in-service training session should be provided by the human resources staff. The in-service session should provide managers with specific direction and the reasons behind the information. Prospective employees can be asked only certain questions under the ADA, and this should be explained to prospective interviewers so they understand the rationale behind any limitations.

**Standards Implemented:**

January 2000 Rating:	4
September 2003 Rating:	5
March 2004 Self-Rating:	4
March 2004 New Rating:	5

**Implementation Scale:**

## **8.1 Use of Technology**

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### **Professional Standard**

An online position control system is utilized and is integrated with the payroll/financial systems.

### **Progress on Implementing the Recommendations of the Recovery Plan**

1. The district has completed the first phase of its transition to the new Bi-Tech software for budget, payroll, some parts of personnel and position control.

The new position control software allows the Budget Department to set full-time equivalent (FTE) authorizations by job class at the district and site level. The personnel department can enter into the system only employees whose FTE falls within the limits set by the Budget Department. Only employees who are entered into an authorized position can be paid through the monthly payroll system.

Once the new position control module is deemed fully operational, the Human Resources Division needs to develop written procedures that incorporate the use of the position control module into the selection process. These procedures should specify how requests to fill positions are verified with position control.

### **Standards Implemented:**

January 2000 Rating:	0
September 2003 Rating:	0
March 2004 Self-Rating:	4
March 2004 New Rating:	5

### **Implementation Scale:**

## **8.4 Use of Technology**

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### **Professional Standard**

The Human Resources Division has in place a program of providing funds and time for staff training and skill development in the use of computers.

### **Progress on Implementing the Recommendations of the Recovery Plan**

1. The Human Resources Division has made minimal progress in developing programs to enhance the staff's computer and technology skills except in the following instances:
  - The staff members assigned to the Bi-Tech implementation have been provided with training in the new system. Once the system is fully operational and user documentation is developed, other human resources staff members will be trained.
  - Two employees have been approved to attend training at the county office on the use of Microsoft Excel.
  - The staff is encouraged to enroll in courses to improve skill levels.

The Human Resources Division's efforts to provide training and skill development in the use of technology would be enhanced by a more formalized plan for identifying needs and providing training opportunities.

### **Standards Implemented:**

January 2000 Rating:	0
September 2003 Rating:	1
March 2004 Self-Rating:	1
March 2004 New Rating:	1

### **Implementation Scale:**

## 9.7 Staff Training

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### Professional Standard

The division develops handbooks and materials for all training components.

### Progress on Implementing the Recommendations of the Recovery Plan

1. The Manager of Training position was eliminated due to budget cuts. The Labor Relations Office has revised the Managing Employee Attendance Handbook that was distributed at the October 2003 workshop for administrators. On October 30, 2003, the Compliance Officer provided training for administrators in various compliance areas including complaint procedures, equal opportunity, sexual harassment and child-abuse reporting. Appropriate materials were distributed to participants. Discipline and due process workshops for administrators were held on November 6 and 20, 2003. Appropriate material was provided to all participants.

### Standards Implemented:

January 2000 Rating:	3
September 2003 Rating:	3
March 2004 Self-Rating:	3
March 2004 New Rating:	4

### Implementation Scale:

## **10.1 Evaluation/Due Process Assistance**

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### **Professional Standard**

The Human Resources Division provides a process for the monitoring of employee evaluations and the accountability reporting of their completion.

### **Progress on Implementing the Recommendations of the Recovery Plan**

1. The Human Resources Division needs to establish internal procedures for monitoring completed evaluations that include the following at a minimum:
  - Tracking by location that evaluations are received.
  - Notifying sites at specific intervals of the names of employees for whom an evaluation has not been received with copies of the notice provided to the supervisor of the site manager.
  - Tracking by name and location those employees who receive less-than-satisfactory evaluations.
  - Providing a report to cabinet that identifies those schools and departments that have failed to complete required evaluations and statistics on less-than-satisfactory employees.
2. A process has not yet been developed that incorporates into the performance evaluations of supervisors and managers an assessment of how well they fulfilled their responsibilities regarding staff evaluation.
3. The Human Resources Division currently provides administrators with a list of employees who need to be evaluated. The Human Resources Division needs to ensure the accuracy of this list to maintain credibility with sites. A procedure also needs to be established for notifying administrators of due dates for classified probationary evaluations and ensuring such evaluations are completed.

### **Standards Implemented:**

January 2000 Rating:	0
September 2003 Rating:	4
March 2004 Self-Rating:	4
March 2004 New Rating:	4

### **Implementation Scale:**

## **12.2 Employer/Employee Relations**

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### **Professional Standard**

The Human Resources Division involves site-level administrators in the bargaining and labor relations decision-making process.

### **Progress on Implementing the Recommendations of the Recovery Plan**

1. The labor relations office within the Human Resources Division has been working to include site administrators on district negotiating teams. While only two bargaining unit teams still appear to lack site-level administrative representation, the labor relations office faces ongoing problems keeping the district teams intact. The extensive time requirements of collective bargaining pit the daily demands of a manager's regular job against the labor relations office's need for continuity on the district team. These time demands, as well as cutbacks in management positions, result in diminished attendance at bargaining sessions by management representatives. There is no easy answer to this problem. As long as bargaining sessions are conducted during regular working hours, the dilemma of how managers can fulfill both roles will continue.

The study team has received very positive reactions concerning the inclusion of site-level administrators on the district negotiating teams. Such a practice needs to continue and expand so that it becomes an expectation for all bargaining unit negotiations.

2. The labor relations office used an e-mail system to solicit information from district administrators in March 2002 for the Oakland Educators Association negotiations. For other bargaining units, various methods, such as discussions during administrative meetings, are also used. However, the district lacks a standardized annual written survey that is used for all bargaining units.

The labor relations office has recently been affected by the retirement of one Labor Relations Analyst and the absence of a second analyst due to illness. This has left only two analysts to assist the director with negotiations and contract administration. These three managers have been using the Administrative Institute, Executive Network meetings and e-mail to receive input and provide updates on various bargaining unit negotiations.

The Human Resources Division should continue to work toward developing an annual written survey that solicits ideas from site-level administrators regarding all bargaining units. The results of this survey should then be shared with the district administrators and managers.

3. The most effective forum for the Human Resources Division to present information and to receive feedback from site-level administrators appears to be the Executive Network meetings. Two Executive Network meetings occur each month, one focused on curriculum and the other on operations. Representatives from the Human Resources Division expressed their desire to continue using such meetings to reach the site-level administrators on various

topics. Since this forum has periodically been used by labor relations staff to exchange ideas with site-level administrators, the district should develop the Executive Network to include regularly-scheduled presentations by labor relations staff on each month's agenda.

4. The labor relations staff should be prepared each month to present written summaries of arbitration decisions and current grievances. In addition, written survey questionnaires should be provided for upcoming negotiations as well as summaries of tentative agreements. Site-level administrators that are on the district negotiating teams also should be prepared to present information and receive comments from their peers regarding collective bargaining issues.

**Standards Implemented:**

January 2000 Rating:	4
September 2003 Rating:	4
March 2004 Self-Rating:	4
March 2004 New Rating:	4

**Implementation Scale:**

## **13.9 Employee Benefits/Workers' Compensation**

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### **Professional Standard**

The district's Workers' Compensation experiences and activities are reported periodically to the Superintendent's cabinet.

### **Progress on Implementing the Recommendations of the Recovery Plan**

1. In the past, the district's insurance broker, Keenan and Associates, has made presentations to the Governing Board on the district's Worker's Compensation program. The Business Services Division has not developed any annual reports for the cabinet or the Governing Board that review the district's Worker's Compensation experience.

A Risk Manager was hired in December 2003, and one of his duties will be preparing periodic reports covering problem areas, experience data and possible corrective measures.

### **Standards Implemented:**

January 2000 Rating:	0
September 2003 Rating:	0
March 2004 Self-Rating:	0
March 2004 New Rating:	0

### **Implementation Scale:**

## **13.12 Employee Benefits/Workers' Compensation**

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### **Professional Standard**

The district has provided the third party administrator with a copy of all current job descriptions and updates them, if needed, quarterly.

### **Progress on Implementing the Recommendations of the Recovery Plan**

1. The Human Resources Division has provided JT2, the district's Worker's Compensation claim administrator, with copies of all job descriptions. As of September 2003 and as additional updates occur, they are also sent to JT2. The division has not been able to produce a set so that FCMAT can review the Human Resources Division's status and the availability of job descriptions for all job classes. Some job descriptions are maintained in the computerized job vacancies files in the form of vacancy notices, while some are maintained in copies of prior Governing Board materials. Some job descriptions also include "Examples of Duties" and some contain "Essential Duties."

The Human Resources Division needs to ensure that it has on file a set of current job descriptions and that JT2 has a copy of these materials.

### **Standards Implemented:**

January 2000 Rating:	2
September 2003 Rating:	2
March 2004 Self-Rating:	3
March 2004 New Rating:	3

### **Implementation Scale:**

### **13.13 Employee Benefits/Workers' Compensation**

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#### **Professional Standard**

The Workers' Compensation Unit is actively involved in providing injured workers with an opportunity to participate in a modified duty program.

#### **Progress on Implementing the Recommendations of the Recovery Plan**

1. The Business Services Division has not formally established a "bridge program" or modified duty program. Efforts are made to assist employees in returning to their positions on some form of light duty, however, this is not a major practice. A Risk Manager was hired in December 2003, and one of his first major tasks will be to develop a formal program that will provide opportunities for returning employees to work in a variety of modified jobs. The Human Resources Division is also exploring alternative ways to support the district's efforts in Worker's Compensation.

#### **Standards Implemented:**

January 2000 Rating:	0
September 2003 Rating:	0
March 2004 Self-Rating:	0
March 2004 New Rating:	0

#### **Implementation Scale:**