

CODESP NEWS

VOLUME 29, ISSUE 10

JUNE, 2001

BOARD ELECTION RESULTS

The results from the recent Board election were announced by Committee Chairperson Glenn Siegel at the June 1st Board of Director's Meeting. The three incumbents, Pat Heineke, John Absmeier, and Jack Haney were all reelected to three year terms. We appreciate the work of the Nomination and Election Committee and for all of the members who took time to vote.

DIRECTOR FROM FRESNO APPOINTED TO THE BOARD

The Board also made an appointment to fill the remainder of the term (one year) previously held by George Cole who left Victor Valley Union High School District for another position. Our new Director is **Jeff Jossierand**, Director of Classified Personnel at **State Center Community College District in Fresno**. We are very pleased to add a Director from the Central Valley who is also from a community college district.

Prior to becoming Director at State Center, Jeff worked for Cutler-Orosi Joint Unified School District. He also has 20 years service as an officer with the Marine Corps in civil service management and is all but a dissertation away from his Ed.D. from USC. Jeff is also on the Board for the California State Personnel Commissioner's Association. We welcome him to the CODESP Board and appreciate his willingness to travel so far to attend our meetings.

Currently, CODESP's Board is compiled of Directors from Ventura, Los Angeles, Orange, San Diego, San Mateo and Fresno counties. They represent unified school districts, an elementary school district, a county office of education, and now a community college district. Three members of the Board of Directors are up for re-election each year and all interested members are encouraged to participate in the election process.

UPCOMING MEETINGS

Violence in the Workplace will be the topic of the meeting held at the **San Diego County Office of Education, Monday, July 30 from 10 – 12 noon**. The speaker will be an attorney, Mike Dolidi, from Best Best and Krieger LLP. This will be our final training meeting on this important subject this year. There is no charge for the meeting and membership is not a requirement.

SUMMER REGIONAL TRAINING

During the week beginning July 16, Executive Director, Marianne Tonjes will be visiting member districts and those that may be interested in membership along the coast, Bay Area, Sacramento and the Central Valley. If you would like to have individual training or assistance on using CODESP services, give us a call to set up an appointment.

THANKS TO TRAINING HOSTS

CODESP staff has been extremely lucky this year with gracious hosts whom have extended their hospitality during this past program year:

State Center Community College District
Ocean View School District
Hanford Unified School District
Tulare County Office of Education
Tehama County Office of Education
Chico Unified School District
Westminster School District
Vista Unified School District
Victor Valley Union High School District
Mt. Diablo Unified School District
Sacramento County Office of Education
Charter Oak Unified School District
Newport-Mesa Unified School District

Interested in hosting a meeting? Please contact us. The 2001-2002 calendar is on the website.

ASSEMBLY BILL 2222

On May 11, Kristine Kwong, attorney for Liebert Cassidy and Whitmore provided participants at the Membership Training Meeting at Charter Oak Unified School District with a presentation entitled, “*New Legal Issues You Need to Know*”. The discussion included information on this new legislation.

Governor Davis expanded the rights of the disabled in California when he signed this legislation. Among other things, the Bill modifies the definition of “mental disability,” “physical disability” and “medical condition” under the Fair Employment and Housing Act; limits an employer’s ability to require medical or psychological examinations or make certain medical or disability-related inquiries; and requires an employer to engage in a good faith, interactive process to determine reasonable accommodations for a disabled employee or applicant.

The Bill’s authors sought to make it clear to California courts that California’s disability protections are greater than those of the ADA. They also sought to clarify that California disability law provides protections independent from the ADA and that the ADA provides a floor of protection to Californians with disabilities, but not a ceiling.

Specifically, this bill modifies California law in the following ways:

Government Code Section 12926(h) defines “medical condition” to include any health impairment related to or associated with a diagnosis of cancer “or a record or history of cancer.”

Government Code Section 12926(l) which defines “mental disability” was also modified. It includes any mental or psychological disorder or condition that “limits” a major life activity. The definition of “physical disability” and “medical disability” require a “limitation” upon a major life activity, but not a “substantial limitation,” as required by the ADA. This distinction is intended to result in broader coverage under FEHA than under the ADA.

A mental or psychological disorder or condition limits a major life activity if it makes the achievement of the major life activity difficult. The Bill provides that the phrase “major life activities” shall be broadly construed and shall include physical, mental, and social activities and working.

The Bill provides that the determination of whether an individual has a “mental disability” or a “physical disability” will be determined without regard to “mitigating measures” such as prosthesis, corrective lenses, or medications. In this regard, the Bill deviates from three recent U.S. Supreme Court decisions.

Like the ADA, employers may make inquiries into the ability of an applicant to perform job-related functions, and may respond to an applicant’s request for reasonable accommodation. Unlike the ADA, once a conditional job offer has been made, an employer may make disability-related inquiries or require medical or psychological examinations so long as such inquiries or examinations are job-related and consistent with business necessity and all entering employees in the same job classification are subject to such inquiries and examinations.

Once an employee is on the job, this bill tracks the ADA and similarly provides that an employer may not make disability-related inquiries or require a medical or psychological examination unless job-related and consistent with business necessity.

From “Legal Update on School Employment Law”, Liebert Cassidy Whitmore, 2001.

POSITION OPENINGS

PERSONNEL DIRECTOR

\$67,600— \$79,058

(M.A. add \$900/yr.) & Ph.D. (Add \$1,400/yr.)

Under the administrative direction of the Assistant Superintendent of Personnel, the Personnel Director is responsible for the general administration of the personnel program for all employees. Duties will include planning, organizing, directing and coordinating personnel recruitment, selection, assignment and classification of employees. The Director will also serve as a principal member of the management negotiating team in employer-employee relations, including contract development and management.

The required qualifications include knowledge of Education Code requirements for employment laws relating to equal employment opportunity, wages, hours, and labor relations. Also, knowledge of principles of public administration and techniques of job analysis, classification and wage determination, recruitment and selection.

Education requirements include any combination of a Bachelor's Degree or equivalent experience; a minimum of three years of responsible, professional experience, including supervision. Experience with a school or state agencies is desired. Such alternatives to the above qualifications as the Board may find appropriate and acceptable.

Experience: Increasingly responsible professional experience in personnel administration, including contract and labor law, worker's compensation reporting, employee evaluation and discipline, job analysis techniques, position classification, and wage and salary administration.

Pittsburg Unified School District, 2000 Railroad Avenue, Pittsburg, CA 94565. Applications, resumes, and responses to supplemental questionnaire must be submitted in person by or received in the Personnel Office, no later than 4:30 p.m. July 6, 2001.

DIRECTOR OF HUMAN RESOURCES

\$83,568-\$101,580

Under direction of the Executive Dean, Human Resources and the Personnel Commission, provide day-to-day administration of the classified and academic human resources program including the development and implementation of human resources policies and procedures involving classified and academic staff; serve as secretary and Executive Officer to the Personnel Commission; act as chief Human Resources Administrator in the absence of the Executive Dean, Human Resources.

Position Openings cont.

Education and Experience: Any combination equivalent to graduation from an accredited college or university with a bachelor's degree in public, business or personnel administration, industrial relations, social science or a related field and five years of recent professional personnel experience.

Applications may be obtained from: Office of Human Resources, Long Beach Community College District, 4901 E. Carson Street, Long Beach, CA 90808. Contact Les Allen at 562-938-4396. Application, Supplemental and Resume must be received no later than 4:00 p.m. July 18, 2001.

C-CIB ITEMS

This past month CODESP staff added multiple choice test items in the Clerical (Community College Codes), Statistics, Personnel (Liability Insurance), and Data Processing item banks.

Staff has also updated figures in the Custodian, Electrician, Electronic Technician, Food Service, HVAC, Warehouse, Instructional Aide, Maintenance, and Transportation Item Banks.

CODESP.COM

Thank you for being patient while our web server was updated. Our C-CIB Request Form is up and running again! Because of the possibility of power outages, etc., always look for a verification (other than the one you receive after you hit "submit") from one of the CODESP staff members to ensure we have received your request. We encourage you to use the request form on-line, but if you can't you may always fax requests to our office.

Due to the many changes in staff at our member districts we are continually updating our member list on our site. Please notify us if there are any errors or changes that need to be made.

WELCOME NEW MEMBERS

This has been an exciting year for CODESP as we have increased our membership substantially and already have new members signed up for 2001-2002. Many of our new districts have joined based upon recommendation from current members. We appreciate all of our supporters. New members for 2000-2001 were:

Ukiah USD; Los Banos USD; Jefferson SD; Mountain View SD; Santa Clara COE; El Centro ESD; San Gabriel USD; Contra Costa CCD; Adelanto SD; Ventura County CCD; Escondido UHSD; Coachella Valley USD; Barstow CCD; West Contra Costa USD; Fullerton JUHSD; Baldwin Park USD; West Covina USD; Pittsburg USD; Taft City SD; Grant JUHSD; Etiwanda ESD; Fairfield-Suisun USD; Fallbrook UHSD; Glendale CCD; Atwater ESD; Tehama CDOE; McFarland USD; and Santa Cruz COE.

So far we have received checks from the following new districts for 2001-2002:

Huntington Beach City SD; Jefferson UHSD; William S. Hart UHSD; Marin COE; and Santa Paula UHSD. We have received purchase orders from San Ysidro ESD; Delano UESD; and Calaveras USD. Several other new districts are in the process of completing membership paperwork

CODESP is a consortium, and as members we hope that you share ideas with each other. You can access members' names, addresses, phone numbers and e-mail addresses on our website or post questions on the Message Board at www.codesp.com.

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