

Personnel Committee Meeting Minutes of October 28, 2020

- I. CALL TO ORDER at **12:03 PM**
- II. ROLL CALL
Present: Euridice Pamela Sanchez, Hoang Dao, Omer Shakoor, Brittney Golez, Anjelica De Leon, Kabir Dhillon, Martin Castillo, Erik Pinlac, Kris Disharoon.
- III. ACTION ITEM - **Approval of the Agenda**
Motion to approve the agenda of October 28, 2020 by **A. De Leon**, second by **K. Dhillon**, motion **CARRIED**.
- IV. ACTION ITEM - **Approval of the Minutes of October 21st, 2020**
Motion to approve the minutes of October 21, 2020 by **B. Golez**, second by **O. Shakoor**, motion **CARRIED**.
M. Castillo states he was absent in the last meeting.
Motion to strike out Martin Castillo under present and add absent, Martin Castillo on section two roll call by **K. Dhillon**, second by **M. Castillo**, motion **CARRIED**.
Motion to approve the minutes of October 21, 2020 by **ALL**, motion **CARRIED**.
- V. PUBLIC COMMENT – **Public Comment is intended as a time for any member of the public to address the committee on any issues affecting ASI and/or the California State University, East Bay.**
No public comment.
- VI. UNFINISHED ITEMS:
No unfinished items.
- 9:45**
- VII. NEW BUSINESS ITEMS:
- A. DISCUSSION ITEM – **University Wide Committees Delegations Concerns**
The Personnel Committee will discuss concerns regarding the delegation of Board members and Senators to University Wide Committees.
K. Dhillon states we can strike this item. There is a concern in delegating how many members are put into each committee. At the moment, E. Pamela Sanchez has eight or nine, Vice Presidents have four or five, and Senators have three. Some board members have stated that



they have back to back meetings. Other members were confused as to what they were sent to delegate for. I feel that they were not properly informed to what a University Wide Committee is and why it is important to have ASI representatives. **Martin Castillo** states if there is a winter retreat, then you should all have an open discussion with these issues. Hopefully by then, you will all know your schedule and see if you are able to attend the University Wide Committee meetings. These meetings are already on a set schedule, if someone cannot make it during a meeting, then they can try to switch with someone else. **H. Dao** states I will place this item during our winter retreat. **E. Pamela Sanchez** states it was very overwhelming to delegate eight or nine meetings. As President, I know it is my duty to represent students at these meetings, however, I feel with the Vice Presidents they should delegate some of these committees to other people. We have lost a lot of time this semester trying to have committees ready. If we can have all committees finalized before the beginning of next semester, I think it will benefit us. Also, we can see how often all meetings happen, for instance one of my meetings happen every week. This could help to ensure we spread out meeting delegates. At the moment, does anyone have any specific concerns or wanting to switch meetings? **K. Dhillon** states that there was much confusion about the process and many Board of Directors members are new to ASI. There are members of the Board that are familiar with the University-wide committees. When the email was received, many people did not know what to do and the email was sent randomly, instead of at the beginning of the year. **E. Pinlac** states that some type of communication needs to be had with the Board of Directors. The Board members are student representatives of the student voice in all of the committees. H. Dao should send a clarifying message to the Board of Directors. The administrative manual is descriptive to all the committees. When I spoke to H. Dao about delegations, we began delegating those that are already in the administrative manual. Some positions were previously delegated to committees that did not make sense. There are other people that may be interested in other committees. **E. Pamela Sanchez** states that hardest part was completed and she met with the committees. I had a transition with Daisy Maxion to determine what committees I would be on. If we could do the same for incoming members, it would be helpful. Some people are unaware that during the meetings, notes should be taken and reported back to ASI. We have to ensure that we have knowledge of our jobs. H. Dao could send a message to clarify things for the Board of Directors. Would it be easier for H. Dao to find a delegate or should each Director find a replacement? **K. Dhillon** states that it would be the responsibility of the Executive Vice President. **B. Golez** states that the College of Business and Economics' Dean Student Advisory Board is not an official University-wide committee. This was something my predecessor began and I continued as a side project. It was meant to find a meeting time for Deans of the College of Business and Economics to have discussions. Daniel Olguin is on a GAG committee and it was the only committee I was delegated to last year. Four of the Academic Senators were assigned. What is the general number of how many



people can be on a committee? Having this information may help with over-applications. How you decide the amount of people will be on each committee? **H. Dao** states that the Senate shared information regarding how many people should be on the Academic Senate. I have delegated more students to each committee to have more student representation. **M. Castillo** states that E. Pamela Sanchez eluted that Daisy Maxion was on many committees. Usually, we use the committees from last year and transition new members into those committees. Many people do not share the same class schedule as their predecessor. Even if you dedicate half an hour during a Board of Directors meeting to walk through with people on which committees work, it would provide clarity. Although the Executive Vice President is responsible for assuring that everyone is assigned as contacts, everyone should be checking in with the people in each committee to understand their roles on the University-wide and other committees. Last year, during K. Dhillon term, it was the only year that delegations were completed early and every year prior, representatives have been assigned around this time of year. K. Dhillon set a goal last year and it will be difficult to match it. **E. Pamela Sanchez** states that she served on the Board of Directors when K. Dhillon was the Executive Vice President and assumed that delegations would be done sooner. Even though M. Castillo stated that our timeline is similar to past years, this year should be better. The availability for each person makes the delegation difficult. I know that when H. Dao was sending information to the chairs of the committees, a couple of them mentioned that a meeting was not necessary. Were the emails deleted or are they still listed? **H. Dao** stated that whether committees will be meeting or not, they are still listed. **E. Pamela Sanchez** asks if it is possible to create a note that states which committees will not be meeting in the fall. **M. Castillo** states that for the Communication committee, he created a note that states that the committee is currently inactive. H. Dao could use it as an example. If a note is placed under committee policing, people will have a better understanding. **E. Pamela Sanchez** states that as E. Pinlac said, they should not wait until the spring semester to explain the committees. Should we have a brief presentation at the Board of Directors meetings? The presentation should focus on the positives of the committees and not the issues behind it. If we keep the discussion positive, it would be great. **H. Dao** states that he will send an email regarding the importance of the University-wide committees and the item can be placed on the next Board of Directors meeting agenda. To K. Dhillon and A. De Leon, can I join on one of the Senate meetings to review the University-wide Academic Senate meetings? Would it be okay? **A. de Leon** states that it would be okay and H. Dao should inform K. Dhillon of the item when the agenda calling is sent. **K. Dhillon** states that H. Dao should send an email before the deadline to post the agenda. If you would like to discuss it at the next Board of Directors meeting, I would need it tomorrow before 5:00 p.m. For the Senate meeting, please send that as soon as possible. **H. Dao** asks if he should send the item in the Board of Directors agenda calling or will it be sent out in the Senate agenda calling as well. **K. Dhillon** states that



H. Dao can leave a note specifying that the item will also be placed on the Senate agenda. **H. Dao** states that with the current University-wide committees that are assigned to the Board of Directors, could everyone look for the email that was sent and copy it to E. Pinlac. This will inform us of who will not be meeting this fall. I can document and a replacement can be found immediately. **K. Dhillon** asks for H. Dao to repeat his question. **H. Dao** states that everyone should send a formal email to inform that they will not be able to serve on that committee and to find a replacement **K. Dhillon** asks if the delegations will be redone or should people email H. Dao if the committee meetings do not correspond with our availability. **H. Dao** states that an email should be sent to find a replacement. I will try to restructure the delegations. **K. Dhillon** states that he would need to be informed of what time the University-wide committees will be meeting. I am delegated to committees and I am unaware of what time they are meeting and where. **H. Dao** states that there will be an email sent regarding the meeting times. **E. Pinlac** states that H. Dao sent the emails to the Chairs for three reasons. The first is to notify people of who will be serving on the committees. The second reason is to inform people of a new Chair and the third reason is to inform if there will be meetings. I am copied to every email and there are people that do not respond. H. Dao was stating that if anyone believes that they are not the best person for a certain committee, it should be mentioned. We want to ensure that everyone has a balanced schedule. The University-wide committees can be difficult to handle each year. There is not a single department that maintains all of the committees. It is unfair to have this pressure, but we will have to work with it. **H. Dao** states that those that are unable to meet with the delegated committees due to availability, should email him and E. Pinlac, so new delegations can be made. **E. Pinlac** states that K. Disharoon has to leave the meeting. Can anyone make a motion to take up the Employee manual before the next agenda item. **Move** to suspend the rules in the proper order to take up Discussion Item C, Review ASI Employee Handbook by **B. Golez**, second by **K. Dhillon**.

34:52

B. DISCUSSION ITEM – **Review ASI Code of Conduct Section 1.11**

The Personnel Committee will discuss the ASI Code of Conduct Section 1.11.

M. Castillo states that he listened to the audio from the meeting that sanctions were discussed. It is from my understanding that this information was discussed, but I would like to ensure that everyone is on the same page. During that Personnel Committee meeting, there was a comment made that a bypass can be made for the violation codes. The comment was made for the reason that it was done last year. But to provide context on that, the member had been apart of the Executive Committee for a while and the sanction was made in February. No sanctions had been provided throughout the fall, despite the fact that tabling had not been coordinated and



more. The committee realized that it was far into spring that it was late and a level two sanction was given. This discussion was mentioned in early October, when we were one month into the semester. I encourage everyone to listen to the audio and listen to Mykale Clark. When it comes to certain people, sanctions are given and others are not provided with sanctions. If this continues to be the first instinct, people will feel like outsiders. I have been apart of the Board of Directors for some time and there have been years where these situations occurred. I encourage everyone to think about it. This will be voted on next week. I wanted to have a discussion here to make sure everyone is on the same page. Listening to the audio, it appears that the idea of sanctioning was taken out of context. **E. Pamela Sanchez** states that there is tension that should not be there. There have been three instances where sanctioning was taken to the Personnel Committee. Two were given sanctions and one did not result in a sanction. Listening to the audio, emotions did change. Why was the leveling up allowing in the past twice and now, it is claimed to be wrong? If it is based on either the number of violations or severity, we must stick to it. I noticed that there has been inconsistency throughout the years. I agree that we should not justify the leveling up of sanctions because it was done in the past. We should follow the rules. It is difficult to make decisions if there is confusion.

Move to extend the meeting by five minutes by **K. Dhillon**, second by **A. de Leon**.

E. Pinlac states that he can display the Code of Conduct from 2013. In 2013, the language stated that “cases can be elevated or lowered based on severity of violation”. The sanction was given correctly, but the language was removed. The most current policy does not have the same language. I would rather find the mistake and continue to correct the actions. **B. Golez** states that she was the one who made the motion. I was aware of what I did and took into consideration the leveling up of sanctions that had been done previously. I only had one concern, which was the Point of Contact policy, but I listened to everyone’s concerns. Going into the action item, I decided to level up the sanction, which would yield the best results and H. Dao would receive support. E. Pinlac mentioned that leveling up of a sanction could not happen. We voted it up and I believe that it would yield the best results. I need everyone to be on the same page. I am unsure if bringing the item to the Board of Directors made the situation worse. I hope at the end everyone understands that work cannot be completed if we are not on the same page. I apologize if I caused any bad action.

Move to extend the meeting by ten minutes by **K. Dhillon**, second by **A. De Leon**.

M. Castillo states that he understands what B. Golez mentioned. My goal is to advise and stir everyone to follow the bylaws. I heard in the audio that B. Golez did try to take the sanction back. H. Dao had already received an email stating the items that had not been completed. The level one sanctioning is supposed to come from the entire committee and not one member of the Board. Formal action had not been taken from this committee and it was the first opportunity to do so. It should have been a first sanction instead of elevating it to a second sanction. My



intentions are not to blame anyone and if I was in the meeting, the conversation would have gone differently. We would not be in this situation. This exacerbates things and people who feel like outsiders begin to feel even more out of place. Hopefully, it can be voted on again and it will end on a good note. **E. Pamela Sanchez** states that everyone must find a way to hold people accountable without it being a personal attack. I do believe in accountability and was considering the email being a warning. **M. Castillo** mentioned that it was not. How do we go about this and follow the process? If a person receives a sanction for multiple issues, can each issue receive a sanction? There were many issues and they were gathered together to issue a level two sanction. **M. Castillo** states that the code mentions that a level one sanction is given by the Personnel Committee and not from one member. **B. Golez's** goal was to create a performance improvement plan. We are trying to avoid legal issues. Each issue can be discussed. One question I asked last year was how do you want your year to go? Do you want it to be an opportunity for learning and growth? Discussion does help and I appreciate everyone for sharing their thoughts. **K. Dhillon** states that it was stressful sharing the item and there is tension on the Board. I am on the same page with **B. Golez** to find the best support. I believe in accountability and the results speak for itself. The issues were wide spread. **E. Pamela Sanchez** asks if the second violation needs to be related to the first violation. It is confusing. If the severity does not matter, it is an issue. How does the written warning help the second violation? How does the performance improvement plan help with the issue from the first violation? **M. Castillo** states that the violations are based on the person's overall performance. There are different things that can be considered. **K. Dhillon** states that last year in the spring, tabling was not done in. The consequences should reflect actions.

Move to extend the meeting by five minutes by **K. Dhillon**, second by **A. de Leon**.

B. Golez asks **H. Dao** if the sanction feels like a personal attack. How did it come off? **H. Dao** states that he felt it was most appropriate and the code should have been followed, starting off with level one and proceeding from there. There is nothing that states the ability to level-up a sanction. **M. Castillo** asks if **H. Dao** felt as though the sanction was personal. Did you understand it? If it is awkward, I apologize. **H. Dao** states he is unsure. **E. Pamela Sanchez** asks what is done when an issue is addressed? For example, the Senate is already appointed. What would the performance plan consist of? What do you do if the issue is resolved, but still wants to be addressed? **K. Dhillon** states that this item needs to be another discussion item. More time needs to be allocated for this discussion. **H. Dao** asks if the discussion item should be continued. **K. Dhillon** states that on the Board of Directors agenda, this item was intended to be an action item. If the discussion is based on the idea of sanctioning, it should be added to the next Personnel Committee meeting.

1:18:16



C. DISCUSSION ITEM – **Review ASI Employee Handbook**

The Personnel Committee will discuss the revised ASI Employee Handbook.

K. Disharoon states that the ASI Employee Handbook is in response to federal and state laws that govern labor codes. Since we reside in California, there are many codes. There are many items in the book and each item is a response to the laws. There are areas that are unique to ASI specifically. The Educational Assistance Program was not clearly mentioned in the handbook. This program is for full-time employees who want to take classes or courses that correspond to their positions in order to further their education. For example, M. Lee is taking courses for his doctorate program. I expanded the policy to provide for guidance and context on how to apply for courses, reimbursements, where courses can be taken, as well as the procedure for it. I have created a program to apply for educational assistance reimbursement form. It talks about repayment provisions and it states that if someone takes part in the program, the person must stay a year with ASI. If not, the person must repay the money to ASI. Most businesses invest in their employees and it would be detrimental if the employee leaves after a month of receiving a degree. I added notes that the program is contingent on the budget and decision of the Executive Director. The information was in the handbook previously, but not expansive. This handbook is different from the university's handbook. Last week, I took a health and benefits leave class and, in the class different leaves were discussed. I have included leave programs in the leave of absence category. If an employee expresses difficulty with literature, ASI will allow the employee to take literacy programs. This time is not paid, but they will have the ability to take time to engage in those programs. There are some programs that are not common such as the California Wing of the Civil Air Patrol Emergency Response leave. The FMLA is the Family Medical Leave Act is federally mandated and is mirrored by the California Rights Act. Previously, there was no information on family leave and that was added. The Organ and Bone Marrow Donor leave is also mentioned in the handbook. The lawyers noted that the numbering for vacation accrual did not add up based on information stated in the paragraph. I took time to review and rephrase that portion to mimic what the university has stated. Unless the lawyers mention any changes, I did not update some areas. The entire manual has been reorganized because items were not in place. Everything has been alphabetized in order to make searching simple. Everyone should familiarize themselves with the manual. The full-time staff and student assistants are subjective to these laws and benefit from the laws that California has. State of California employment laws change frequently. State of California employment laws change and there was a change made July 1st when COVID-19 appeared. The employment laws typically change January 1st of each year. Being members of the Personnel Committee, the manual will be seen every year a month after January 1st. This manual will need to be revised every year and it has not been revised since 2012. I am aware that there will be changes that will take place in January based on the Senate or Assembly, who revised the California Family



Rights Act. The only impact is the amount of business that will engage with the act, as well as how it will impact the employees. **E. Pinlac** states that the handbook will be sent to the Board of Directors for approval. **K. Disharoon** states that K. Dhillon received an email last week to place it on the agenda for the approval portion. **E. Pinlac** states that he would like to give K. Disharoon credit. The reason for the handbook not being updated for some time was due to the lack of HR staff. On top of my other duties, the handbook was one of the items I should have worked on. K. Disharoon has been taking courses concurrently. **K. Disharoon** states that the information on employee leave was not included until last week. **B. Golez** states that the format is clean and easy to read. Was there an email sent to read this document? **K. Disharoon** states that the information was sent last week and I understand that the document is long. Please feel free to read it and voting for this will be next week. If there are any questions, I will answer them to my best ability. I have a Communications staff meeting at 1:00 p.m. and will be leaving early.

49:52

VIII. SPECIAL REPORTS:
No Special Reports.

IX. ROUND TABLE REMARKS
No Round Table Remarks

X. ADJOURNMENT at **1:22 PM**

Minutes Reviewed by:
Executive VP/ Chief of Staff
Name: Hoang Dao

Minutes Approved On:
11-16-2020
Date:

