

PERALTA COMMUNITY COLLEGE DISTRICT

Board of Trustees Agenda Report

For the Trustee Meeting Date of: January 14, 2009

ITEM TITLE: Request Board Authorization to Increase Independent Contractor's Agreement for Investigative Services for Mr. Mark Paschal

Consider Approval of Employee Relations Department's request to increase the annual Independent Contractor's Agreement of Mr. Mark Paschal.

BOARD ACTION REQUESTED: District Employee Relations Department requests Board approval to increase its current independent contractor's agreement for Mr. Mark Paschal who provides confidential fact finding for investigations managed by the District's Employee Relations Director. We are requesting an additional \$75,000 to cover upcoming matters that will require final investigative reports and findings.

ITEM SUMMARY: The Employee Relations Department responds to a number of personnel matters including discrimination complaints, grievances, administrative and general issues, many which require the expertise of a professional investigator with experience and knowledge of Title V Regulations, Titles VII, and IX anti-discrimination legislation. Because of the volume and time sensitivity of cases (45-day limitation on discrimination cases and 90 days response for other matters requiring investigation), the Employee Relations Department has utilized the services of this investigator to assure District compliance in responding to numerous complex matters brought to the Employee Relations Department.

BACKGROUND/ANALYSIS: The current agreement has reached the Chancellor's approved limit of \$25,000; with this request, the agreement would increase to an amount not to exceed \$100,000 through fiscal year ending June 30, 2009.

ALTERNATIVES/OPTIONS: Not Applicable

EVALUATION AND RECOMMENDED ACTION:

SOURCE OF FUNDS (AND FISCAL/BUDGETARY IMPACT): The source of funds to accommodate the increased contract would be split from Cost Centers 133 (Employee Relations) for \$35,000 and Cost Center 131 (Administrative Services) for \$40,000. Splitting the funds would not adversely impact the District in that a contractor is needed to provide ongoing investigative services and other services for the multitude of EEO and other cases handled by the Employee Relations Department. The other choice is to transfer funds from other operating expenses within Employee Relations.

OTHER DEPARTMENTS IMPACTED BY THIS ACTION (E.G. INFORMATION TECHNOLOGY):

YES _____ NO _____ X _____

COMMENTS: Providing investigative services assists the District by maintaining equal employment opportunity compliance and the Board mission and goals to “Remain committed to affirmative action and maintain employment practices that assure a superior and diverse workforce and faculty.”

WHO WILL BE PRESENTING THIS ITEM AT THE BOARD MEETING?

Karen Ulrich, Director of Human Resources Services and Employee Relations

DID A BOARD STANDING COMMITTEE RECOMMEND THE ITEM?

YES _____ NO _____ X _____

IF “YES”, PLEASE INCLUDE THAT INFORMATION IN YOUR SUMMARY.

(*****Board contract approval is subject to negotiation and execution by the Chancellor.)

PLEASE ACQUIRE SIGNATURES IN THIS ORDER:

DOCUMENT PREPARED BY:

Prepared by: Karen Ulrich Date: 01/08/09
[Karen Ulrich, Director of Human Resources Services and Employee Relations]

DOCUMENT PRESENTED BY:

Prepared by: Karen Ulrich Date: 01/08/09
[Karen Ulrich, Director of Human Resources Services and Employee Relations]

FINANCE DEPARTMENT REVIEW

Finance review required Finance review *not* required

If Finance review is required, determination is: Approved Not Approved

If not approved, please give reason: _____

Signature: Thomas Smith / KHM Date: 1-8-2009
Thomas Smith, Vice Chancellor for Finance and Administration

GENERAL COUNSEL (Legality and Format/adherence to Education Codes):

Legal review required Legal review *not* required

If Legal review is required, determination is: Approved Not Approved

Signature: _____ Date: _____
Thuy T. Nguyen, General Counsel

CHANCELLOR'S OFFICE APPROVAL

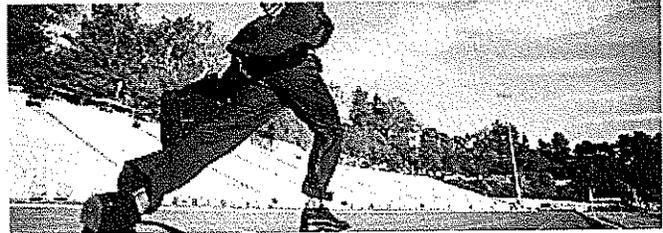
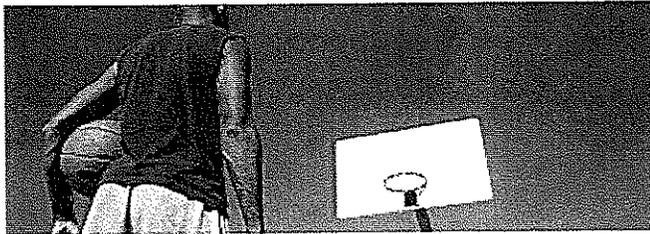
Approved, and Place on Agenda Not Approved, but Place on Agenda

Signature: Elihu Harris Date: 1-8-09
Elihu Harris, Chancellor

Mission		HR Help		
Training Diverse Teams			Compliance	
Clients		Contact Us		
 <p><i>Paschal & Associates</i></p>				
Preparing Organizations			Human Resource Related Investigations	



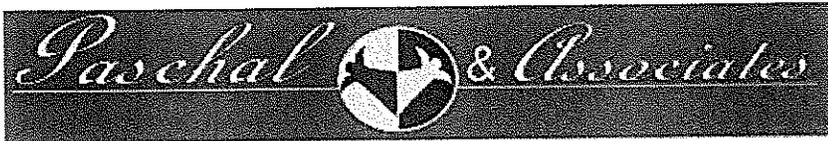
[Home](#) | [Mission](#) | [HR Help](#) | [Training Diverse Teams](#) | [Compliance](#) | [Clients](#) | [Contact Us](#)



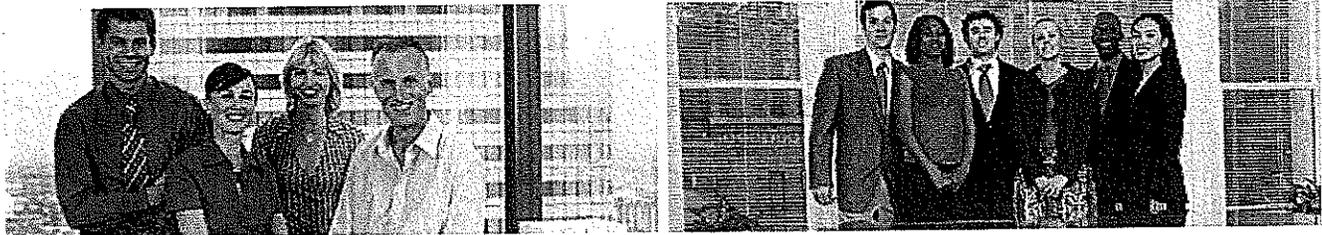
Helping organizations in their endeavor to demonstrate, foster, and ensure an atmosphere of acceptance and integration of diverse employees.

Helping organizations maximize the potential and business advantages that exist in a diverse work force. This is achieved by:

- ❑ Reducing workplace conflict that may arise from differences in race, culture, religion, mental and physical disabilities, heritage, age, gender, sexual orientation, work style and other characteristics.
- ❑ Utilizing a myriad of human resource related mediation skills to provide case specific intervention and coaching in areas where problem areas may exist.



[Home](#) | [Mission](#) | [HR Help](#) | [Training Diverse Teams](#) | [Compliance](#) | [Clients](#) | [Contact Us](#)



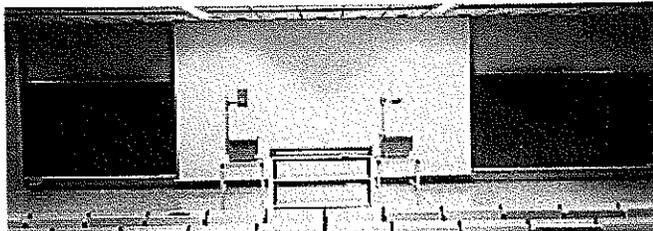
Paschal and Associates provides human resource departments of any size, consultation and training for most human resources-related matters.

Specific areas of expertise include:

- ❑ Investigations of all types of internal and external agency discrimination complaints (Department of Fair Employment and Housing, Equal Employment Opportunity Commission and the Office of Civil Rights) to include sexual harassment.
- ❑ Expedient investigation, intervention in top priority human resource matters to include hiring, terminations, grievances, misconduct, theft, risk management, etc.
- ❑ Conflict resolution and mediation.
- ❑ Salary analysis to ensure compliance with State and Federal Equal Pay Act Laws.
- ❑ Case specific training to managers and supervisors to address identified problem areas.



[Home](#) | [Mission](#) | [HR Help](#) | [Training Diverse Teams](#) | [Compliance](#) | [Clients](#) | [Contact Us](#)



Workshops are tailored to meet the individual needs of the organization. Training schedules can range from a 1-hour to a 3-day program spread over several weeks.

The length of each program depends on a variety of factors. We will analyze the goals and expected outcomes and give you options.

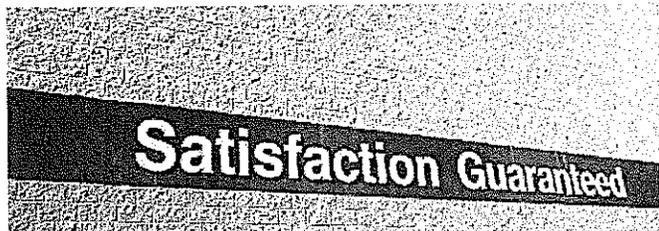
Workshops can be designed to meet a variety of concerns such as:

- ☒ Diversity of Work Style
- ☒ Conflict Resolution
- ☒ Team Building
- ☒ Cross-cultural Communication
- ☒ Non-discrimination/Equal Opportunity
- ☒ Affirmative Action Plans
- ☒ Harassment Prevention/Sexual Harassment Prevention
- ☒ Business Affirmative Action
- ☒ Cross-cultural Academic Issues
- ☒ New Employee Orientation
- ☒ Performance Management
- ☒ Manager's Performance Evaluation Training
- ☒ EEO Plans at Community Colleges
- ☒ Problem Solving Approaches
- ☒ Confidentiality

Ideally, our workshops are designed to be highly participatory and experiential in a small group setting. However, large audience-based programs are also available.



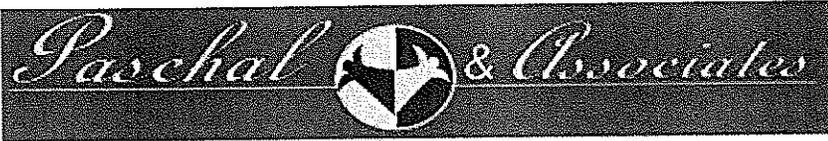
[Home](#) | [Mission](#) | [HR Help](#) | [Training Diverse Teams](#) | [Compliance](#) | [Clients](#) | [Contact Us](#)



Meeting (and keeping current with) government regulations can be a time-consuming task. Paschal and Associates has the experience and expertise to assist with compliance with state and federal requirements.

Services Include

- Developing Affirmative Action Plans
- Planning and conducting orientation to Affirmative Action for management and employees
- Performing adverse impact analysis
- Identifying problem areas within the organization
- EEO Plans
- Development of specific action plans based on needs assessment



Home | Mission | HR Help | Training Diverse Teams | Compliance | Clients | Contact Us



What our clients are saying:

- ▣ "Interactive."
- ▣ "Very informative, motivating, humorous."
- ▣ "Excellent opportunity to discuss issues."
- ▣ "Very useful and thought-provoking."
- ▣ "Great facilitators."

charles SCHWAB



UC SANTA CRUZ





[Home](#) | [Mission](#) | [HR Help](#) | [Training Diverse Teams](#) | [Compliance](#) | [Clients](#) | [Contact Us](#)



Paschal and Associates Home Office:

727 Peralta Avenue
San Francisco, CA 94110-5739
415-265-8119
Mark_Paschal@hotmail.com

Name:

City:

Email:

Inquiry:

Submit