

PERALTA COMMUNITY COLLEGE DISTRICT Item No. 40

Board of Trustees Agenda Report

For the Trustee Meeting Date of: June 12, 2012

ITEM TITLE: Request Board Authorization to Increase Independent Contractor's Agreement for Legal Services for Larry Frierson, Attorney at Law.

Consider Approval of the Office of Human Resources and Employee Relations request to increase the annual Independent Contractor's Agreement of Mr. Larry Frierson.

BOARD ACTION REQUESTED: District Office of Human Resources and Employee Relations requests Board approval to increase its current independent contractor's agreement for Larry Frierson, Attorney at Law, who provides legal advice for the District for personnel and employee relations matters under the administrative responsibility of the District's Vice Chancellor for Human Resources. The District is requesting an increase to the contract of \$100,000 or for a total contract of \$240,000.

ITEM SUMMARY: The Vice Chancellor for Human Resources and Employee Relations responds to a multitude of issues with potential legal impact to the District related to personnel, employee relations, and collective bargaining. The Law Offices of Larry Frierson has over 41 years of experience advising educational institutions on all matters related to personnel and employer/employee relations. He has provided legal advice to Chief Human Resources Officers, Superintendent/Presidents and Chancellors to 54 of the 72 California community college districts.

BACKGROUND/ANALYSIS: On November 15, 2012, the Board authorized a contract for \$140,000. However, this contract will soon approach the Board approved limit; therefore, the Vice Chancellor for Human Resources & Employee Relations requests an increase to the agreement for an additional amount of \$100,000 or a contract amount not to exceed \$240,000 through fiscal year ending June 30, 2012.

SOURCE OF FUNDS (AND FISCAL/BUDGETARY IMPACT): **General Funds.** The source of funds to accommodate the increased contract would be from Cost Centers 133 (Employee Relations). Funding for this contractor would not adversely impact the District in that a contractor is needed to provide ongoing legal and other services for the multitude of Equal Employment Opportunity and other cases handled by the Vice Chancellor for Human Resources.

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

YES _____ NO X

COMMENTS: Providing legal professional 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?

Trudy Largent, Vice Chancellor for Human Resources and Employee Relations

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

PLEASE ACQUIRE SIGNATURES IN THIS ORDER:

DOCUMENT PREPARED BY:

Prepared by: Trudy Largent Date: 6/5/2012
Trudy Largent, J.D., Vice Chancellor for Human Resources & Employee Relations

DOCUMENT PRESENTED BY:

Prepared by: Trudy Largent Date: 6/5/2012
Trudy Largent, J.D., Vice Chancellor for Human Resources & 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: Ron Gerhard Date: 6-7-12
Ron Gerhard, 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: Wise Allen Date: 6-5-12
Wise Allen, Chancellor