

Marshall University Classified Staff Council
November 19, 2009, John Spotts Room (MSC 2E37)

Members Present: Nina Barrett, Amber Bentley, Barbara Black, Johnny Bradley, Bernice Bullock, Betty Cook, Ronnie Hicks, Carol Hurula, Darrell Kendrick, Diana Lewis, William Lewis, Leonard Lovely, Okey Napier, Jan Parker, Kris Standifur, Mary Waller, Joe Wortham

Members Absent: Tootie Carter, Virgil Crockett, Mike Dunn, Toni Ferguson, Annalisha Johnson, Lu Ann South

Guests: Ms. Michelle Douglas, Ms Jennifer Jimison, Ms. Sherri Noble, Mr. Jim Stephens

The meeting was called to order by Chair Nina Barrett.

Approval of Minutes:

The October 15th minutes were approved with a correction.

Mr. Jim Stephens – Human Resources

Mr. Stephens discussed the University's Catastrophic Leave Policy:

- Prior to the meeting Mr. Stephens provided a handout of the Catastrophic Leave Bank report to Council members via e-mail. He distributed hardcopies at the meeting. A copy of this handout is on file in the Staff Council Office:
 - The Catastrophic Leave General Bank has a balance of 2775.908 hours (370.12 days) as of the end of October 2009
 - Previous balance ending August 2009 was 2923.04 hours (389.73 days)
 - Donations received September/October 2009 equal 108.50 hours (14.46 days)
 - Donations used in September/October 2009 equal 255.632 hours (34.08 days)
 - Active Catastrophic Leave Applications for September/October 2009 equal 3
- Mr. Stephens provided a packet of Catastrophic Leave materials including the State Code section which establishes the Catastrophic Leave Bank, the Board of Governors policy, and the University's current procedure for Catastrophic Leave. He stated that in the past HR has been viewed as being either too stringent or too lenient. In order to get an additional review of and additional recommendation on applications submitted by classified employees, a member of the Classified Staff Council was added to the committee reviewing the applications submitted by classified employees. This staff member is involved in reviewing classified applications only. Non classified and leave-accruing faculty applications are reviewed by Mr. Stephens; the staff representative has no input. The main users of catastrophic leave, however, have been classified employees.
- Mr. Stephens referred to Paragraph 2C "***For purpose of this section a catastrophic illness or injury is one that is expected to incapacitate the employee and create a financial hardship because the employee has exhausted all sick and annual leave and other paid time off.***" The definition also indicates the catastrophic illness can befall a family member. The difficulty is in determining what is a catastrophic illness or injury. Mr. Stephens expressed his understanding of Catastrophic Leave as "bridge" leave to help the employee to either returning to work and resuming normal activities or to go on disability retirement (if he/she is a member of the long-term disability program) or take conventional retirement (if retirement eligible). Mr. Stephens has been hesitant to approve chronic illnesses because, when the employee returns to work, he/she still has the illness.

Mr. Stephens opened the floor to questions.

What if an employee has no sick leave or annual leave and they contract H1N1, would he/she be eligible for Catastrophic Leave?

Mr. Stephens said if he received the abovementioned application he would (1) consider H1N1 to be a non chronic ailment (the employee will have a period of time in which they suffer the effects of the flu and, hopefully, recover) and (2) he would review and consider their record. If they had been a careful steward of their leave, he would probably look favorably on the request. Mr. Stephens indicated, however, that he cannot make a blanket statement in regard to the question because circumstances may vary from person to person.

If someone has a condition like spurs (a chronic condition) or high blood pressure, is that eligible?

Mr. Stephens said if the condition is chronic and the person will not recover, the committee would have to decide if they would help and for how long. A lengthy discussed ensued involving various conditions and circumstances and whether or not they would qualify for a grant of Catastrophic Leave.

If an employee has a family member who has been incapacitated, what type of documentation is needed? Does the employee have to show that they are the sole provider for that incapacitated family member?

Mr. Stephens said he would look for a doctor's certificate which identifies what has happened to the family member and includes the doctor's statement that it is medically necessary for the employee to be present with his/her family member.

What if it is a shared responsibility with another family member?

It, again, would depend upon what the doctor indicates on the medical certificate as to the relationship to the patient and the care needed.

If an employee with a catastrophic illness, like cancer, chooses to continue working and runs out of sick leave and annual leave, although while continuing to work, they will accrue leave, could they apply for catastrophic leave to cover what is needed when they are off for treatment?

Mr. Stephens stated that catastrophic leave can potentially be granted for a condition requiring intermittent absence. It does not have to be for an illness/injury that requires continuous absence.

Mr. Stephens commended Betty Cook for doing an excellent job in her position as the staff representative on the Catastrophic Leave Committee. Betty stated that she does not make the final decision, she provides input. Mr. Stephens mentioned that he has been delegated by the President with the responsibility for approving or denying requests for catastrophic leave. The President could override a HR decision on an application if he wished to do so.

After Mr. Stephens' departure the question of how many applications have been denied was raised. Betty Cook indicated that very few have been denied. Nina added that the guidelines by which catastrophic leave is awarded have been followed to the "T". Nina also complimented Betty on the job she is doing by serving on the Catastrophic Leave Committee.

A lengthy discussion followed concerning the policy, suggestions for the policy and the original Staff Council recommendation concerning the Catastrophic Leave Policy. That recommendation (CSR-05-06-05 FAP) concerning recommendations for changes to the policy was approved by President Kopp on October 25, 2006 with changes set forth in the attached page titled Catastrophic Leave Process. That

policy and attachment are on file in the Staff Council Office. The last paragraph of the President's attachment states:

I am directing that a review be made of this arrangement after one year to determine (1) whether the Classified Staff Council is comfortable with the process and the type of approvals for classified employee (sic) that have been granted, and (2) whether or not confidential medical information is being protected. If there is evidence at any time that medical information from an applicant for catastrophic leave has been compromised through sharing outside the committee, we may need to suspend or discontinue the committee process. Thank you.

A review in the following year has never taken place. Betty asked all Council members to provide their definition of catastrophic leave and also what a "middle ground" application would be. After much discussion, Nina created an ad hoc committee composed of Nina, Johnny Bradley, Betty Cook, Okey Napier (Personnel Committee representative), Jan Parker, and Sherri Noble, ex officio member to address this issue.

Staff Council Committees

- **Election/Communications Committee** - Joe Wortham – The committee will meet in early December to develop an election schedule for the first of the year to fill the three vacant Council positions.
- **Legislative Committee** - Mike Dunn & Carol Hurula (Co-Chairs) – The committee will meet on the 24th.
- **Personnel/Finance Committee** - Lu Ann South- No Report
- **Physical Environment Committee** –Bill Lewis- **I am unable to pick up Bill's report on the recording. I've e-mailed him, requesting a copy of his notes or report.**
- **Staff Development/Service Committee** - Amber Bentley – Six cards and one floral arrangement were sent this month. Amber finalized the e-course waiver application form and guidelines through Dr. Jan Fox today. Regular tuition waiver guidelines are still in process. The deadlines for next semester and summer have been set; they will be the same as Financial Aid's deadlines. The e-course waivers provided by Dr. Fox will be for staff only.

Faculty Senate Committees

- **Physical Facilities** – Bill Lewis – The committee discussed developing a survey to evaluate custodial staff. It was not clear if the employees in question are Marshall University employees or contract employees. It was suggested Bill speak to the committee chair to determine the purpose of the survey.
- **Legislative Affairs** – Carol Hurula – The committee held their town hall meeting; local members of the Legislature were invited and those attending answered questions from the floor. The issue of higher education employees serving in the Legislature was discussed at length and all the ramifications involved in the type of employee higher education employees are (Board of Governors, Governor's, etc).

Safety Committee – Ronnie Hicks

- The Cabell-Huntington Health Department will hold a free H1N1 Swine Flu Clinic from 10 a.m. until 6 p.m. on December 1 & 2 in the Henderson Center (E-level). The flu vaccine will be available to those 6 months to 24 years of age and those 24 to 64 years of age with a chronic illness.
- A stop sign was installed at Elm Street.
- The carpet on the stairs of the Yeager Entrance in Old Main has been evaluated. An estimate has been made for the cost of installation of new carpet and disposal of the old.

- On-line submission of injury reports is up and running. The form is now routed to Human Resources and Safety Director Brian Carrico.
- An abatement project on the east end of the Student Center will begin on the 23rd. It should take about 6 weeks.
- The committee's next meeting is scheduled for January 11.
- The most reported injuries on campus are slips, trips and falls. Ronnie encouraged Council members to report anything they see that could be a possible safety hazard.
- The committee would like to have a Cabell-Huntington shuttle bus for students who need a ride to the medical center. The shuttle would make five trips a day to the medical center.
- The Student Center Plaza benches are not in good shape. The committee will address this issue at the next meeting.
- The new elevator in Harris Hall should be up and running by December 1.

Announcements – Nina Barrett

A special Council meeting will be called for Speaker Richard Thompson's visit to campus on December 1 at 1:30 p.m. A notice will be sent to all staff members, faculty and students will be invited and a request for staff release time will be made to the President.

Nina recognized Amber Bentley, who is leaving Marshall, and thanked her for her service to Council and the Staff Development Committee.

The PEIA Board is holding an open meeting this evening at 6:00 p.m. at the Marshall Med School (Hal Greer location).

New Business

The University's recycling project was discussed at length. It was suggested that Margie Phillips, Energy Analyst, be invited to a future Council meeting to discuss recycling.

There being no more business, the meeting adjourned at approximately 2:59 p.m.

Minutes taken & prepared by: _____
Charlene R. Hawkins, Program Assistant, Staff Council

Minutes approved by: _____
Nina Barrett, Chair, Staff Council

Minutes read by: _____
Stephen J. Kopp, University President