

## **Marshall University Classified Staff Council Minutes**

December 15<sup>th</sup>, 2016, John Spotts Room MSC 2E37

**Members Present:** Chris Atkins, Nina Barrett, Amber Bentley, Missy Browning, Patty Carman, Tootie Carter, David Childers, Carol Hurula, Jennifer Jimison, Leonard Lovely, Becky Lusher, Lisa Maynard, Shay McComas, Donna Megquier, Tim Melvin, Amad Mirzakhani, Larry Morris, Nancy Tresch-Reneau, Rachel Williamson, Joe Wortham, Miriah Young

**Members Absent:** Marcos Serrat

**Members Absent (Excused):** Jason Baldwin, Toni Ferguson, Tony Waugh,

**Guests:** Brandi Jacobs-Jones, Mark Robinson, Bruce Felder, Cedric Gathings, Matt James, Karen Fischer

The meeting was called to order by Chair Nina L. Barrett. Parliamentarian Joe Wortham confirmed there was a quorum.

### **Brandi Jacobs-Jones**

Brandi reported that President Gilbert was unable to attend as he is serving on the Governor's Transition Team, but he sent his best wishes for the holiday break.

- Marshall is in the process of doing a continuity of operations plan and is preparing to announce the successful bidder for the project. The plan will include how campus would continue operating if something like an active shooter would occur on campus. The work on that plan will begin either over the summer or in the fall. In the interim, due to concern of active shooter events across the country, there will be three Active Shooter Response events the week of January 23<sup>rd</sup> for the campus community. Those events will be led by in-house professionals from the Public Safety and Health and Safety departments.

### **Mark Robinson, Interim CFO**

Mr. Robinson reported that there was a 2% mid-year budget reduction which translated to about \$1.2 million. They have plans to try and address the cut with vacancy savings and energy savings.

- Mr. Robinson followed up on some topics of conversation from the previous meeting when he was unable to attend:
  - Since 2013 Fiscal Year, Marshall has lost \$11.5 million, or 16%, due to budget cuts from the State. The amount is broken down into \$9.7 million from Marshall and \$1.8 million from the School of Medicine.

*Has there been any discussion to waive the electronic course fee for classes that are ONLY offered online, due to the fact that the students have no other option to take it on campus? –* Mark responded that the fee is due to the extra costs associated with online courses. It has been brought up during discussion of restructuring fees that it could go away, but that wouldn't

be simply because it's the only way to take the course. That is a problem to be addressed with the scheduling of courses.

*What percentage of our budget is now received from the State due to the budget cuts?* – Mark replied that the operating budget this year is approximately around \$119 million, and our allocation was \$61 million between both main campus and School of Medicine.

### **Bruce Felder – Human Resources**

- Bruce also followed up on questions from the previous meeting that he was unable to attend:
  - Is there a particular dollar amount that has been allocated to cover potential raises or overtime as a result of the FLSA changes December 1<sup>st</sup>? – Not at this point. Some departments have already submitted employees they anticipate will need raised, and Bruce said their estimated ballpark amount needed to fix everyone is \$750,000. However, FLSA is currently on hold until further notice from the federal government.
- Marshall offered a severance pay option for qualifying individuals in October, and employees have until January 30<sup>th</sup> to submit the preliminary paperwork. As of that day 16 employees had submitted the paperwork.
- The freeze committee is currently on hold until January.
- Tax Form 1095C, a result of the Affordable Care Act, will be required to file taxes this year. Marshall's deadline for getting it to employees is January 30<sup>th</sup> and Bruce said they are working with an outside company to get them sent to employees.

*Will there be another meeting for the severance pay information?* – Yes, there are 3 scheduled for January.

*Carol Hurula said that Bruce Cottrell of HEPC said that Mercer is no longer recommending a "point factor methodology" for the salary schedule update, but rather a "pure market driven" model. She went on to ask if Bruce Felder could explain how a pay grade is determined for an employee with the pure market driven model.* – Bruce said he could give some terminology based upon what he knows. He elaborated to say that Mercer has determined that our current pay grades are lower than employees doing the same jobs in other markets. So now they are trying to find a good method for keeping up with what other markets are paying for the same positions. They must put something in place to survey other markets at least every two years. Bruce added that it's good to have at least 3 other markets to look at, the most important being the Bureau of Labor Statistics. This is what the government uses when people file their tax returns and associates income with occupations. Others can be purchased from consulting firms, such as Mercer. Once surveys have been done on other markets, you do a pay range and determine a minimum, maximum and median of what other markets are paying for each job title. Performance and annual evaluations can also play into salary. Also, a standard job description would replace the PIQ.

### **Cedric Gathings – VP Student Affairs**

- Mr. Gathings said that he has been with the University since July 1<sup>st</sup> 2016. He added that he is looking forward to Student Affairs and Staff Council getting to work together and help students be successful. Mr. Gathings added that it's his priority to help with student development, student success and working with students to help them meet their goals.
- In the next few months Mr. Gathings said there will be a series of Student Affairs "sit downs" and a January workshop on "unconscious bias" that he would love input from Faculty and Staff as well.
- Carla Lapelle has put together a speaking series called "CED Talks."
- In the long term, Student Affairs is interested in creating a mentorship program with the students, and Mr. Gathings said they are interested in partnering with Staff Council for that.

### **Approval of Minutes**

November 17<sup>th</sup>, 2016 minutes approved as written.

### **Miriah Young – BOG**

The Board met on December 7<sup>th</sup>.

- Approvals:
  - Approved addition of degree program for the Master of Pharmaceutical Science.
  - Approved campus compact.
  - Approved the investment earnings updates.
  - Approved the Finance and Budget report.
  - Renovations to Smith Music Hall
    - Based on the findings from the accrediting body, Marshall has to fix sound problems in Smith Music Hall in order to keep accreditations.
  - Renovations to Jenkins Hall
    - The previous waterproofing of Jenkins Hall has proved successful, so they can now move forward with renovations in the building.
- The Academic Committee heard a well put together presentation from the College of Liberal Arts by Dean Bookwalter on their degree programs. He will also present at the main Board meeting in February.
- Academic Affairs Update
  - There have been discussions with Bridge Valley regarding their limited number of 2 by 2 programs offered at the Montgomery location. Their President approached Marshall about partnering for more programs.
  - Discussed the Transition Team for Governor Elect Jim Justice, who reached out to Marshall and WVU for particular individuals to be put on those teams.
  - The counseling center has hired a women's counselor.
  - There will be a Martin Luther King Jr. service on that holiday.
  - On December 13<sup>th</sup> Amy Saunders did a conference on campus for "Reducing Harm – Innovative Solutions to the Opioid Epidemic."

- The IFC collected donations for Toys for Tots, and the Greek Council did a “Merry Lilly” fundraiser for Lilly’s Place to raise money for a new fire door.
- The Women’s Center continues to do Green Dot training, which is bystander intervention training.
- Director of Recruitment Beth Wolfe said we’re up 12% in apps and 22% in admits for spring.
- The next Student Affairs “sit down” is January 12<sup>th</sup> with the topic of “What’s Next: Women in Trump’s America.”
- School of Medicine
  - New Director of Addiction Services Bob Hansen is working to obtain a fellowship for primary care and internal medicine for a year of training and addiction due to the problems in the area.
- LCME for Accrediting
  - Miriah reported that we were compliant in all areas but three, which will require monitoring and follow-up that is due August 2017. Those three areas were:
    - Cultural Diversity
    - Study Space
    - Debt

The next Board of Governor’s meeting will be in February 2017.

### **Carol Hurula – ACCE**

ACCE met November 16<sup>th</sup> at Glenville State.

- The Vice Chancellor of HR and Director of Classification and Compensation were both unable to attend the November meeting.
- ACCE worked on their annual PowerPoint presentation to give to LOCEA, HEPC and CCTCE.
- They met with Dr. Barr, President of Glenville State, and discussed how things are on the Glenville campus.
  - Dr. Barr spoke about the tough economy in West Virginia and issues with recruiting students, faculty and staff.
  - Discussed problems related to staff members taking on additional duties as vacant positions go unfilled to help with the budget shortfalls.
  - The group spoke with Dr. Barr about how despite the tough economic times in the State, we need to show the State that they need to still invest in Higher Education.
- Glenville’s Staff Council Chair, a staff member of 36 years who works for their Physical Plant, stopped in to discuss problems at Glenville that stem from the budget cuts. Those problems include a very minimal physical plant crew.
- At the end of the meeting ACCE discussed issues relating to each campus in particular.
  - WV State closed for the week of Thanksgiving, but were given less than 5 days of Holiday pay resulting in them being required to use annual time.
  - Discussed issues with FLSA Rules and bi-weekly pay.

ACCE met December 7, 2016 at West Virginia State University.

- Mr. Thomas Bennett, Chief of Staff and VP of Legislative Affairs welcomed ACCE representatives. Provided a very thorough overview of West Virginia State on the subjects of;
  - Legislative reduction at the state and federal level.
  - How the mid-year 2% reduction impacts WVSU
  - How tuition increases impacts enrollment as well
  - Economy of the State
  - Protecting the branding of WVSU
  - Partnership with China University and possible growth in that market with other universities
  - Growth in ESL program
  - Student affairs initiative on student retention
  - Increase in research dollars
  - PEER – Promoting Excellence in Education through Research
  - Total of 4 fully online programs
  - Center for Online Learning to support online programs
  - National Accreditation due to quality of faculty & staff
  - Council of President's hired a lobbyist to focus on regional issues. Number one item is budget. Asking if we can move to more of an informational agenda to converse with the legislative offices.
- Legal Counsel Bruce Walker, VCHR Trish Clay and Director of Class & Comp Bruce Cottrill attended.
- ACCE asked Mr. Walker if the HEPC is working on a RIF (reduction in force) policy because half of the institutions have a RIF policy or are working on one, while the other half do not. ACCE asked if there will be a policy at HEPC or if they will give direction to the institutions on furlough.
  - Mr. Walker said that HEPC has met with the senior leadership at the institutions and given them options and provided guidance. They recommend not doing a furlough but recommends eliminating a position or reducing the FTE (full time equivalency). Mr. Walker also agreed that the wording in State Code for RIF and Furlough is not correct. You do not have seniority rights during a furlough.
  - CHROs are advised to contact HEPC for guidance.
  - HEPC is working to change the furlough language in WV State Code during the upcoming legislative session since the way it's currently written does not match the definition of a furlough.
  - Mr. Walker provided historical data on a layoff proposal rule that took place in 1994 and again in 2000. Both proposals were tabled by LOCEA because no one wanted a rule as someone always loses, no matter how it's written.
  - Non-classified positions can change at any time by reducing salary or eliminating the position.
  - Reducing classified staff and faculty are different because they are defined by rules in State Code.

- According to Series 9, Faculty can have their release time reduced or be laid off, even if tenure-track faculty. This has to be done with financial exigency. Although, financial exigency is not defined in state code.
- Grant funded employees have bumping rights if they're on the state payroll as classified staff.
- Mr. Walker spoke of job sharing when reducing FTE.
- There can also be severance package initiatives.
- An ACCE member stated the faculty argument on salary reduction is that they are not paid based on hours but on SCH (student credit hour). Therefore you would have to reduce the number of courses they're teaching to reduce salary. Is there a difference in how you treat exempt and non-exempt classified staff? - The BOG has to advise how they want to reduce FTE, but they wouldn't want to reduce the FTE of an exempt employee since they have no limit to the number of hours they can work.

### **Legislature**

- One ACCE member noted that they expect to see 18B being opened for WV Osteopathic School as they want to be exempted. They also assumed that Senator Sypolt to introduce a similar bill as last year.
- Mr. Walker noted that WVU has already stated they want control of personnel.
- We will possibly see more Right to Work type proposals.
- There will probably be more gun legislature introduced.
- There may be a push to change the classified to non-classified ratio from 25%.
- There has been talk in the news about whether we should consolidate schools.
- Mr. Walker said that when the legislature was made to separate the 2 year institutions it wasn't written to make them also have separate offices.
- Could we consolidate services, i.e. Physical Plants cover a couple of institutions?
- Mr. Walker feels that senate education leadership will change as this usually happens with change in higher leadership. However he does not foresee a change in house education leadership.
- Chancellor Hill has been meeting regularly with leadership, in particular Senator Carmichael.
- Chancellor Hill has said he would give up personnel to gain control of academic program reviews.
- Mr. Walker commented that the HEPC has authority to request information but no authority if the institution does not provide that information.
  - ACCE member commented, what authority does HEPC want? Mr. Walker replied that they want the authority to do what we want of them.

### **Transition team for Governor.**

- HEPC is not on the transition team but Marshall and WVU are.

## **Market Study**

- The new compensation program will allow for more flexibility for the institutions.
- Ms. Clay has a draft and the commission is meeting the next day to draft a report.
- On December 9th they hired a temp employee (MU grad student) to assist with data.
- They will begin drafting guidelines for moving forward.
- They have met with WVNET on ePRISM software and will be moving forward.
- Proposed implementation by July which will give flexibility to institution to do compensation whether they have funding to change compensation or not.
- The executive committee met with Bruce Cottrill and Trish Clay independently and spoke about the market study for a better understanding.
  - They will compare job titles comprehensively regarding education, knowledge, nature and scope.
  - The JCC will be used to look up job titles and how duties match with the market.
  - Question: How can you prevent internal equity issues? – Guidelines will be written to watch for internal equity, and there will be HR report cards.

## **FLSA Update**

- FLSA is on hold but some institutions went ahead as they had already done the work.
- Some employees moved from exempt to non-exempt and now tracking hours.

## **ACCE Members Further Discussion:**

- The LOCEA presentation was well received and there were particular questions from members. The Board of Education Superintendent presented similar presentation.

## **Committee Reports**

***Staff Development Committee – Miriah Young*** – Miriah reported that we had a successful Holiday Project.

***Election Committee – Becky Lusher*** – No report.

***Legislative Committee – Chris Atkins*** –

***Personnel/Finance Committee*** – No report.

***Physical Environment Committee – Nancy Tresch-Reneau*** – No report.

***Ad Hoc Scholarship Fundraising Committee – Tim Melvin*** – Tim reported that the fundraising committee has been meeting and planned a silent auction going on that night at the faculty and staff holiday party as well as a 20/20 Raffle.

## **Announcements**

Minutes taken and prepared by: \_\_\_\_\_  
Katie M. Counts, Program Assistant, Staff Council

Minutes approved by: \_\_\_\_\_  
Nina L. Barrett, Chair, Staff Council

Minutes read by: \_\_\_\_\_  
Dr. Jerry Gilbert, University President