

Marshall University Classified Staff Council Minutes

September 19th, 2013, MSC 2E37 – John Spotts Room

Members Present: Chris Atkins, Nina Barrett, Amber Bentley, Amanda Dailey, Stacy Good, Carol Hurula, Noah Lamb, Amy Lorenz, Lisa Maynard, Jan Parker, Marcos Serrat, Valerie Smith, Nancy Tresch-Reneau, Lisa Williamson, Joe Wortham, Miriah Young

Members Absent: Toni Ferguson, Teresa Wellman

Members Absent (Excused): Tootie Carter, Leonard Lovely

Guests: Kelli Sobonya, Carol Miller, Dr. Kopp, Matt Turner, Michelle Douglas, Tanya Ramsey

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

Kelli Sobonya & Carol Miller – House Delegates

Delegate Sobonya introduced herself as having served on the House of Delegates for 11 years, and said that they are a “part-time” legislature with a legislative session of 60 days beginning the second week of January.

Kelli reported that her major committee assignments are Judiciary, which sees more than half of the bills that go through, and Health Committee. She’s the minority chair of Energy, Industry and Labor. She’s on the Legislative Rulemaking and Review Committee and she added that rules have the same effect as law and the rule book is incredibly large and has rules for all types of professions. She’s also on Senior Citizen Issues Committee.

Delegate Carol Miller introduced herself as having served on the House of Delegates for 7 years. She stated she is on the Finance Committee, which is the other committee that many bills come through before hitting the floor. Before Finance Carol stated she spent 4 years as minority chair on Government Organization which studies all of the agencies in the State. Carol also asked to be put on the Health Committee as it was moving toward being a major committee. Carol is also the minority vice chair of Energy, Industry and Labor Committee and the Agriculture Committee.

Kelli talked about how they like to get a firsthand glimpse of what people in different vocations go through before passing bills that will affect them, such as doing a mining tour to get a better understanding of a bill on belt-air ventilation. They also like to stand against abuses of our tax dollars such as a bill that passed without their votes to give \$10 Million a year for 10 years to casinos/race tracks in WV that are out-of-state owned so they can buy shiny new slot machines each year.

Kelli reported that she and Carol had spoken about what issues they could bring to Council’s attention and discuss and that they would also like to hear what Council’s concerns are. She added that while Council was probably interested in what was happening on the Education side,

neither of them were on the Education Committee and were not privy to their conversations during the legislative process so they have to catch up with that is going on during their caucus.

Kelli added that some of the issues that will probably come up during the next legislative session are highway funding due to the crumbling roads and dilapidated bridges and suggestions such as increased DMV fees and continuation and rising of the Turnpike Tolls. Another issue that will probably surface is that Senate President Kessler wants to create a “future fund” modeled after North Dakota, which has turned its state around. Kelli pointed out, however, that North Dakota can’t appropriately be compared to West Virginia because they have the oil and gas that we don’t have and our revenues are so much lower. For the “future fund” President Kessler wants to set a floor for the Shale revenue production and anything generated beyond that floor would be put away for 20 years and the legislature couldn’t touch it. Kelli and Carol, however, don’t believe they can ask their constituents to accept cuts in Higher Education, Veterans Services, Crimes Against Children Unit, etc. while they put away money and at the same time you see government waste.

Carol added that they want to hear what we think our government should be doing and what our issues are. They want to hear suggestions and problems.

Carol Hurula brought up that what we as Staff Council would like to see is going to take a Constitutional Amendment. Marshall is trying to grow our enrollment but our budget is being cut, while the K-12 enrollment is decreasing but their funding remains the same. However, they are constitutionally protected to not be cut. The other thing that Council and ACCE is watching is for deadlines in SB 330 to be met.

Dr. Kopp pointed out that the legislature passes legislation that has very significant funding requirements attached such as SB 330, but without an attached cost for implementation. If these bills are going to be passed without any State funding how are we going to pay them?

Kelli mentioned that they are pushing for an independent Fiscal Budget Office for the State similar to how Congress has a budget office that looks at all the legislation and determines costs for each entity so a more educated decision can be made about bills.

Kelli brought up the fact that people often ask her why she isn’t doing anything about a particular issue, only to have her respond that she has introduced a bill about it for multiple years but it’s never put on the agenda. She then pointed out that after everyone is elected the number of Democrats and Republicans are counted and whoever has the majority gets the House Speaker and that Speaker chooses all of the committee chairs. After that point each chair has the decision of which bills are put on the agenda and which aren’t.

Delegate Miller mentioned that 6 years ago she helped sponsor a bill that would randomly drug test people on welfare that wouldn’t take money away from their kids and would offer help to those on drugs. After several years of not having the bill pass they had their democrat friends sponsor the bill with the same result. Carol pointed out that this indicated a leadership issue, not a party issue.

Kelli stated that in order to most effectively contact your legislators that picking up the phone and calling is best. She stated that 10 phone calls from her constituents will get her attention much more effectively than 100 form letters. She suggested more effective communication by calling and leaving a message with your issue and why it will affect you.

Are they looking at doing anything with unemployment? – Amber Bentley – Carol Miller stated that statistics show that most people wait until 30 days before their unemployment expires to look for a job. She also added that a few years ago they had to raise the amount of money that business owners put into the fund so that the State wouldn't have to borrow money from the Federal Government. Kelli added that the business community is very apprehensive about cracking open the code that deals with unemployment because they're afraid of something more liberal being introduced.

Kelli stated that if anyone ever hears that they voted against something that there was a well-researched reason why and they would be more than happy to explain it.

Michelle Douglas – Human Resources

Michelle stated that Human Resources sent out an email and US Mail about the Affordable Care Act Health Insurance Marketplace. There is guidance in the notification and it has a link to the Market Place, and it's important to note that for benefit eligible employees at Marshall nothing has changed with regards to coverage. If an employee wants to seek other coverage they can go to the Marketplace in the correspondence from Human Resources.

Is it additional coverage? – Amanda Dailey – Michelle responded that it's not additional, but offered under the Affordable Care Act commonly referred to as Obamacare. It's something that could potentially affect individuals and will particularly affect the institution in 2015 when all employees who work 30+ hours are required to be eligible for Health Insurance. It will affect how we do business with regards to extra help, student employees, etc. There will probably have to be some sort of timekeeping method implemented at that time.

Michelle stated that there has been much discussion about the Pay Card, which is the new method of being paid in lieu of a physical check when an individual declines to do direct deposit. It's beyond Marshall's control and is something that has come down from the State Auditor's Office. This will go into effect October 1st.

Michelle stated a reminder about training opportunities, and to check out the training website. Anyone in a new supervisory position is encouraged to sign up for supervisor training.

The Benefits Fair is coming up and is sponsored by Marshall and Marshall Health. Flu shots will be offered at that time.

Series 38, Leave Policy for the State, is currently under review by the HEPC and was recently sent out for comments. There may be minor changes made soon to this policy.

Recommendations/Resolutions

CSR-13-14-01 SCEC

The Staff Council Executive Committee recommends that any funds available for FY14 be distributed among all Classified Staff who are beyond one year of service as of July 1st, 2013 without excluding the classified staff members who have more than 15 years of service. We ask that the raises will be at least \$600.00 across the board and will be part of our base salary.

RATIONALE:

An across the board raise to all employees, including those above 15 years of service, provides the fairest salary enhancement to all.

- Amanda Dailey made a motion to pass the Recommendation CSR-13-14-01 SCEC. Motion was seconded. Recommendation passed.

Dr. Kopp – University President

Dr. Kopp reported that they've been having conversations with different constituent groups regarding the idea of holding a series of public forums on the future of public funding for public higher education in the State. They would like to do one on Marshall's campus, one in Point Pleasant at the MOVC campus, and one on the South Charleston campus.

If we held this forum Dr. Kopp would like to see as many people from the Marshall community and surrounding communities to come as possible and have the opportunity to talk to the legislators. The idea is to present the case for no further reductions in public Higher Education and he would like to have the first one scheduled at the end of October. By the time mid-November and December come around the leadership is established and if we can plant seeds early on we may have a better chance to influence what happens.

The Governor has asked that Marshall turn in two budgets: one with flat funding and one with a 7.5% reduction. The State Budget Director said over the summer that we can almost count on another reduction because he couldn't see any way around it after looking at the numbers.

Dr. Kopp reported that the State does have choices with regards to the budget situation. The State can begin to look at improving or creating alternate revenue streams. There are tax breaks out there that benefit certain industries and parties that don't really affect the average person in the State. Dr. Kopp mentioned that if they closed some of those tax loop holes it would be interesting to see how much additional revenue the State could generate. One large area would be to begin charging sales tax on internet purchases.

Dr. Kopp reported that inventory taxes and other taxes have begun to drive people away from our State. What many states have done, South Dakota in particular, is to redo their tax structure

and eliminate legacy taxes based on a different type of economy and they have rebuilt their tax code and modeled it after the predominant economic activities in the state which are largely the service industry. So they begin to tax serviced like you would on a sales tax for a commodity purchase. South Dakota has significantly turned their state around with these changes around 10 years ago, and there are models out there that the State could use if they really want to attack and solve the problems we're currently dealing with.

Dr. Kopp stated that his number one priority in the next legislative session will be to maintain funding for Higher Education and not sustain any more cuts. At the same time they will be planning realistically for the future.

Dr. Kopp reported that last year Marshall almost sustained about a 10% reduction in State appropriations and this coming year could be an additional 10% approximately. If we end up with a bill for performance funding for Higher Education we could lose an additional 5% every year for 5 years (after the first year) if we don't meet certain criteria. This would mean that you can't budget for recurring expenditures using the 25% of funding that is at risk every year. This would include personnel and would have to be treated as one-time money.

Have they determined what Performance Funding will be defined as with regards to retention rates and graduation rates? – Nancy Tresch-Reneau – Dr. Kopp replied that in the previous bill introduced it didn't have certain criteria and would be determined in the rules. When that happened Dr. Kopp stated he started to ask questions of what benchmarks they would be using. Dr. Kopp also objected to the legislature wanting to look at all students with regards to the criteria because he stated that state appropriations are supposed to be to support in-state students and non-resident students shouldn't be considered within the criteria. *Miriah Young added that the legislature has said they will not consider developmental education at all when looking at the criteria we would have to meet which will also be detrimental to Marshall.*

Dr. Kopp stated that many states are looking at performance funding or have already implemented it, but no state has demonstrated that performance funding actually improves outcomes.

Will performance funding only be applied to undergraduates? – Nancy Tresch-Reneau – Dr. Kopp replied that is correct.

Is performance funding definitely going to be implemented? – Nancy Tresch-Reneau – Dr. Kopp replied that the bill was introduced in both the House and Senate last year and that he continues to hear that it is favored by people in leadership.

Dr. Kopp stated he would like to get a working group together to have a day-long working session to plan for 10 years from now to have 10% of the public funding it had in FY13, which would be a \$50 Million reduction in public funding. Dr. Kopp believes this could be a distinct possibility when looking at the trends that are happening nationally and considering that the Higher Education Act is up for reauthorization at the end of this current fiscal year. This is the act that has all of the federal financial aid in it such as the Pell Grant.

Dr. Kopp added that what happens in Washington is going to have a trickledown effect on the states, and will be interesting to watch. If there is no change to the Affordable Care Act then in FY18 the cost shifting from the Federal Government to the State Government will really begin to happen. Currently, the Federal Government is subsidizing the State's additional Medicare eligible individuals due to the Affordable Care Act. In West Virginia there are somewhere around 80,000 individuals who are eligible that weren't eligible before, and there is a significant cost involved. Currently the Federal Government is covering that cost but in a few more years it will begin to come back on the states and West Virginia has no plan for how it will pay for it.

During the legislative session last year a bill sat in Senate Finance that would have generated around \$138 million in tax revenues by increasing the tax on tobacco, but they had no plans of moving it anywhere due to Governor Tomblin's "no new taxes" promise.

Dr. Kopp stated that the Recommendation that Council had just approved would be used for a template for a change to Board Policy that they're going to ask the Board to act on the following week. They will schedule a special Board of Governor's meeting the following Thursday to take up this issue as well as a few others.

Nina asked Dr. Kopp what his opinion was on the new State Pay Card being implemented. Dr. Kopp responded that he's looked at the State Code and while it's permissive on the right to issue paychecks by pay card or direct deposit he doesn't believe it says State employees can be required to choose one or the other.

Our last budget cut was a little higher than the anticipated 7.5% because of the HEPC's desire to keep financial aid funding whole. Do you think that helps or hurts us? – Chris Atkins – Dr. Kopp responded that he thinks it hurts us because there's about \$13 Million in the State need-based grant program and the Promise Scholarship that went to private higher education institutions. However, this year the HEPC has declined to voluntarily backfill the financial aid.

Minutes

The August 15th, 2013 minutes were approved with amendments by Carol Hurula.

Board of Governors – Miriah Young

Miriah reported that the Board will have a special meeting the following week to vote on the classified staff raises among a few other things.

Will there be legislators also talking at the open forums Dr. Kopp is talking about having? – Carol Hurula – Miriah responded that she doesn't know anything additional to what Dr. Kopp had already stated. She believed they were still trying to determine who will be the speaker and run the forum. She also stated they would like for legislators to be there and added that the goal will be for them to be open to ideas before they have their minds made up.

Miriah reported that while the Performance Based Funding has not passed it seems something the legislature is really going to push for this coming year. She added that the problem with it lies in the criteria they intend to use to determine if funds will be cut or received.

Committee Reports

Election Committee – Joe Wortham –. Joe reported that an election was currently being conducted and electronic voting would be available until Friday the 20th at midnight. He added that there had been some issues with voting within the new myMU portal and suggested employees vote in the old myMU portal. Vacancies and candidates are as follows:

- One vacancy in EEO 10 – Executive, Administrative & Managerial;
 - Nominees are: Catherine Lawson – COHP
Tanya Ramsey – Finance
- One vacancy in EEO 40 – Technical and Paraprofessional;
 - Nominees are: Whitney Lawson – Autism Training Center
Rebecca Lusher – Facilities
- Two vacancies in EEO 50 – Clerical;
 - Nominees are: Jason Baldwin – Accounting
Nicole Perkins – Admissions
- Three vacancies in EEO 60/70 – Service & Development
 - Nominees are: Donna Megquier – Physical Plant

Legislative Committee – Chris Atkins – Chris reported that in addition to having Delegates Kelli Sobonya and Carol Miller at the meeting he was also trying to get Senator Plymale to attend a meeting in the coming months. Senator Plymale is the chair of the Senate Education Committee.

Chris added that there aren't many members on the Legislative committee and if anyone is interested to let him know. He also asked Council to let him know if there's anyone in particular they would like to have at a meeting.

Personnel/Finance Committee – Leonard Lovely –

Physical Environment Committee – Lisa Williamson – Lisa reported that since they only have 3 members at this time they have not met yet in hopes that they will acquire more members at the conclusion of the ongoing election. Nina confirmed that they will.

Staff Development Committee – Miriah Young – Miriah reported that the committee will be meeting in the next few weeks to discuss the upcoming Holiday Project. She also mentioned that it will soon be time to work on Spring Tuition Benefits and that there will probably be a Recommendation coming out of the committee soon to request an increase in on-campus hours available to award.

Announcements

Carol Hurula reported that the October ACCE meeting will be on the Marshall Campus on Thursday, October 24th and Senator Plymale will be in attendance. She encouraged everyone to attend if possible.

There being no more business, the meeting was adjourned.

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

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

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