

Marshall University Classified Staff Council Minutes October 17th, 2019, MSC 2E37 John Spotts Room

Members Present: Chris Atkins, Nina Barrett, Amber Bentley, Lacie Bittinger, Patty Carman, David Childers, Timothy Cline, Carol Hurula, Dena Laton, Becky Lusher, Mitzi Meade, Teresa Meddings, Missy Morrison, Rodney Sanders, Marcos Serrat, Samantha Stalnaker, Crystal Stewart, Eric Wallace, Tony Waugh,

Members Absent:

Members Absent (Excused): Karena Burriss, Lisa Maynard, Denise Parks, Justin Tyler,

Guests: Dr. Gilbert, Bruce Felder, Jaime Taylor, Mark Robinson, Megan Archer, Meg Cyrus, Amy Saxton

Chair Chris Atkins called the meeting to order. Parliamentarian Becky Lusher verified there was a quorum.

Dr. Taylor – Provost

- Enrollment – at the beginning of the semester the freshmen were up 4.6% and are now up 5.3%. The increase is because last year we lost more students after the semester started for various reasons. Overall enrollment is still down 400 students.
- Will be doing forecasting to see what revenue appears to look like over the next 3-4 years and try to do some long range planning based on different potential increase numbers.
- The Aviation initiative is moving forward in a positive way.

Mark Robinson – CFO

- Due to students being down, our operating budget sources are down \$950,000 this year. Although that is better than last year when we were down \$2 million at this point. This is probably an indicator that the students lost were not full time/full paying students.
- Our bond rating was reaffirmed from Fitch at AA-.
- Still monitoring the possibility that the State may give us a bid-year budget cut. The State is still down \$28 million through the September projection.

Bruce Felder – Human Resources

- Bruce said they held the Marshall Health Fair for Faculty, Staff and Students and had a good turnout. He thanked everyone who attended and also the Premiere Sponsor, Marshall Health, who donated a raffle prize that was an Apple iPad.
 - Around 350 flu shots were given, and an additional flu shot clinic was yesterday at the Rec Center.
 - PEIA has been covering flu shots in full.
- Fair Labor Standards Act – Back in 2016 they tried to raise the minimum threshold to be considered an exempt employee from \$23,660 to \$47,568. Shortly before the bill was passed it was halted and killed. It has resurfaced with a new minimum of \$35,568. This is the minimum salary that a person must have in order to maintain an exemption status.

- Bruce stated they are going through a lot of reviews currently, and we will see some information come out in the next few weeks surrounding that salary number.
- If an employee's salary is less than \$35,568 and they are currently exempt, then they have to either be raised to that salary amount, or be converted to an hourly employee and eligible for overtime.
- The changes will be made by position title, not by individual employee.
- There is also something called the "duties test", which plays a role in the exemption status as well.
- There are about 72 employees affected by this change, which is significantly less than in 2016 when it would have been around 360 employees affected.
- Homecoming activities will be going on next week.
- Bruce said that if anyone hears of someone having trouble with their change from Empower/Great West to TIAA-CREF to let him know. This will only affect a small number of employees as TIAA-CREF has been named the sole record keeper, but most employees were already using them anyways.
- The Aviation Director job has been posted on the website. They're trying to get that top position hired first before hiring other employees for the program.
- Still working on the Compensation Guidelines, and hope to have a draft by the next meeting.

Has the Fair Labor Standards Act change in pay for exempt employees already been passed? And when will it go into effect? – Crystal Stewart – Yes, it has passed and will go into effect January 1st. We will be ready for the changes by December 23rd.

When will employees affected by the FLSA changes be informed? – Crystal Stewart – Over the next few weeks they will start contacting the supervisors of the 72 employees affected. They will find out if it would be more cost effective to bump salaries up to the minimum, or change them to non-exempt and begin to pay them overtime. The changes will be made by position title, not by individual employee.

Just to clarify, we will be looking at the base pay of the job titles for everyone who falls within the job title, and everyone would be adjusted accordingly because of this FLSA change? – Chris Atkins – Correct, they will be adjusted by job title, not by individual.

The Comp Time Form that came from HR and must be signed by employees says both Comp Time and Overtime. The handbook and State Code both refer to Comp Time needing a written agreement, but doesn't say anything is required for Overtime. Because that form that was sent out says both, is it required for both? – Carol Hurula – The form is designed for an agreement with Comp Time, but includes overtime as well to give the department the opportunity to also have more control of that as well. It's up to the department how they want to use that.

Chris made a request to have forms dated by their revision date to ensure employees are using the most current form.

Sometimes a physical plant employee is called in to work on a day that the University is closed because the day is being observed for a holiday that has already passed on the calendar. For example, Christmas break is when we observe other holidays that actually were worked, such as Columbus Day. If an

employee worked the real date of Columbus Day, and then is also called to work the "observed" Columbus Day holiday, can they receive Comp Time for that work? With the idea being that they already worked that "day" once. – Eric Wallace – The employee would be paid based upon the "holiday pay" guidelines found in the handbook, which would be regular pay for hours worked plus either 1) additional pay at the rate of one and one-half (1 1/2) times the number of hours actually worked or 2) Substitute Time Off (STO) for hours worked.

Dr. Gilbert – University President

- Aviation Program
 - Talking with Mountwest CTC about partnering to jointly offer an Associate's Degree relating to a program for Aircraft Maintenance. That would be based at the Tri-State Airport.
 - Also looking to have a flight school program at Yeager, which would be a 4 year degree we would offer on our own.
- Dr. Gilbert stated that he had recently traveled to Japan and Korea and signed some agreements there for a student exchange.
 - Travelled with the Department of Commerce and AEP, which are very interested in our aerospace programs. Also travelled with Toyota, and visited the Toyota facilities as well as others, trying to look at ways to help stimulate the regional economy in the State.
- Currently down about 400 students from this time last year.
- Notified by HEPC about a month ago to anticipate possible 4-5% mid-year budget cut.
 - Some of the cost savings will hopefully be achieved from vacant positions. They will also be seeing how the staffing levels of our faculty stack up against national averages to see if positions can go unfilled either temporarily or permanently.
- The Ombudsman position has been filled. The 1 year temporary position will be filled by Lacy Ward, and will be half Ombudsman and half Community Outreach. This will be an experiment to see if it's a way we can fill both positions, but may need to be reevaluate in a year.
 - Will serve both faculty and staff.
 - Resource person who will be available to faculty and staff on a confidential basis.
 - Will not be a "lawyer" or representative on behalf of a staff or faculty member. They will help an employee find resources to resolve a situation, but not a mediator. Hopefully this will result in small issues being addressed and kept from escalating.
 - There will be some educating of employees on what this position will do.
- Looking forward to Homecoming the following week. They will be making an announcement about the Capital Campaign.
- They will be announcing the baseball stadium the following week. They hope to have a ceremonial groundbreaking on homecoming morning.

Did the Ombudsman position come out of a recommendation from the John Marshall Fellowship? – Yes, it did, although it had been talked about for many years prior.

Will the Ombudsman's office be in a discreet area that can be visited confidentially? This was suggested by one of the other interviewees for the position. – Carol Hurula – Dr. Gilbert stated that he believes the office will be on the 4th floor of the Engineering Building in an area where there aren't many people.

Megan Archer – United Way Workplace Campaign

- Last year, as a campus of over 2,000 employees we raised a little over \$18,000.
- Megan encouraged our employees to do even better this year, especially for a campus of our size.
- United Way helps local organizations such as Big Brother Big Sister, Harmony House, Boys and Girls Club, etc. that make our community better.
- Employees can give online at www.marshall.edu/unitedway

Minutes

September 19th, 2019 Minutes approved as written.

Teresa Meddings – ACCE

Teresa stated that there had been a few guests from the legislature at the ACCE meeting including Senator Bob Beach and Delegate Linda Longstreth. They stayed and spoke with the group for a while, answering many questions. They talked about potential budget cuts, and added that education was a large side of the budget they could go after.

- Bob Long, ACCE, asked about the turnover in the House and Senate Education committees. Senator Beach said that new members and leadership of Education committees aren't open to staff input and don't have backgrounds in Higher Ed. Bob added that only one member of LOCEA has education experience. (LOCEA is the legislative oversight committee on education.)
- Senator Beach urged the group not to give up and emphasized that building new connections and educating new members of the Education Committees is a slow process.
- Senator Beach thinks that the legislative session may address the restructuring of HEPC as a way to save money, ranging from mild changes to a complete abolishment.
 - Many pieces of legislation have weakened the HEPC, which has led to a lack of statewide oversight.
- Amy Pitzer, Chair of ACCE, made a presentation to the HEPC after that ACCE meeting.
- The JCC (Job Classification Committee) has not met since October 2018, although there's been relevant business to discuss. The Vice Chancellor of Human Resources doesn't feel like there has been a need.
- Staff employees are losing their voice at institutional and State levels. Many staff employees at different institutions across the state are facing the possibility of retaliation, up to and including dismissal, for filing grievances. There are no protections for staff who are no longer classified staff.

- Some schools that received money for raises did not use the funds for that purpose, and staff members didn't get any raises.
- Some schools are not advertising positions at all anymore, and if they are they don't advertise whether they're classified or non-classified because there is no differentiation.
- One college president provided new by-laws to staff, saying that staff council will only exist as long as the legislature recognizes it.
 - Higher Learning Commission criterion for accreditation includes input from staff, faculty and students so this decision puts the school's accreditation at risk.

Chris encouraged Staff Council to reach out now and form connections with State Legislators when they're not in the middle of their busy legislative session.

Marshall is hosting ACCE on the Charleston Campus in February.

Committee Reports

Election Committee – Nina Barrett – No report.

Legislative Committee – Carol Hurula – No report. Either Chris or Carol will send out a link to find who your legislators are.

Personnel/Finance Committee – Lacie Bittinger – No report.

Physical Environment Committee – Crystal Stewart – No report.


Service/Staff Development Committee – Missy Morrison –

- Coats are coming in for the current coat collection taking place. The event to distribute the coats will be on November 2nd, so they need to be in a few days before then.
- The Thanksgiving Dinner planning committee met to continue with plans.
- The November mission project will be to help supply the Marshall Student Food Pantry. More information on particular needs will come out after November 1st.
- 2019 Holiday Project – Staff Council agreed to take donations to distribute between the Food Pantry, the Veteran's Home, and the Street Ministry.

Announcements

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

Minutes approved by: 
Chris Atkins, Chair, Staff Council

Minutes read by: 
Dr. Jerry Gilbert, University President

