North Dakota University System Human Resource Council
Bismarck State College
Alumni Room in the Student Center

February 13, 2007 at 1:00 p.m. – 5:00 p.m.
February 14, 2007 at 8:00 a.m. – 12:00 p.m.

Present:
Rita Lindgren  BSC
Angie Friez  BSC
Gail Ebeltoft  DSU
Joann Kitchens  LRSC
Steve Bensen  MASU
Wes Mathews  MISU
Peg Torrance  NDSCS
Broc Lietz  NDSU
Diane Nelson  UND
Jean Altepeter  UND
Erin Klingenberg  VCSU
Barb Slagle  WSC
Colette Erickson  NDSU
Laura Glatt  NDUS (Tuesday)
Pat Seaworth  NDUS (Tuesday)
Teri Thorsen  NDUS (Wednesday)

February 13, 2007

SB2047 – Auto-enrollment in Deferred Comp
Linda Robinson, Tom Olson, Howard Greene

TIAA-CREF representatives joined the group by telephone. Senate Bill 2047 would require all state employees, including higher education employees, to join a deferred compensation program at the minimum rate of $25 per month unless they specifically opted out of the plan. The SBHE has asked that higher education be excluded from the bill, but the bill was passed by the Senate without an amendment to that effect. The HRC has been asked to reconsider its recommendation to the SBHE based on this Senate action, so the SBHE can consider what position it should take now as the bill proceeds to the House. It as moved by Broc Lietz, seconded by Wes Mathews that “The HRC opposes SB2047 as written.” Some members believed employees should be able to opt in (as they are now) as opposed to being forced to opt out, since some employees need every possible dollar of their check, and shouldn’t be tied into a deferred comp plan they can’t get out of because they missed an opt-out deadline. Other members believe deferred comp is important for all employees and that this bill will help them prepare for their future. The motion passed 6-5.
Pat wished to revisit amendments proposed by the HRC at earlier meetings:

**NDUS HRPM Section 4**
Accepted as proposed

**NDUS HRPM Section 6.**
It was moved by Wes Matthews, seconded by Peg Torrance, to change that portion of policy 6.10 to “...any annual leave taken in advance of accumulation may be deducted from the employee’s last paycheck provided the employee has signed an agreement authorizing the deduction.” The motion passed, 11-0.

**NDUS HRPM Section 7**
It was moved by Wes Matthews, seconded by Erin Klingenberg, to adopt similar language to the sick leave policy: “...any sick leave taken in advance of accumulation may be deducted from the employee’s last paycheck provided the employee has signed an agreement authorizing the deduction.” The motion passed, 11-0.

**NDUS HRPM Section 20**
Clarification from Pat Seaworth: “Twenty work days” in 20.3.1 is by specific work days; “first thirty days” in 20.3.2 should be as calendar days.

**SBHE Policy 608.2**
Peg Torrance moved, seconded by Wes Matthews, that the proposed policy be changed to, “...service” means employment at the same institution or agency.” The motion failed 3-7.

**NDUS HR Section 25.3**
Diane Nelson asked for discussion on applying the policy when an employee abandons the job. The consensus, with Pat Seaworth’s concurrence, was that a dismissal notice under 25.3 should be given with pre-action review offered.

**NDPERS Nine-Month Employees/Paid over Twelve**
Barb Slagle asked if nine-month employees who are on NDPERS are allowed to choose the “pay-over-12” option. Answer: Payment of NDPERS 9-month employees paid over 12 months is allowed if an agreement is in place. See NDPERS Memo #2003-1. The agreement is between the employer and the employee.

**Wednesday, February 14**

**SBHE Policy 820, Section E**
Laura has asked how tuition waivers are counted for 12 credit courses. Answer: All courses are counted as one course, regardless of the number of credits. At one point in the history of employee tuition waivers, the policy was based on a number of credits instead of number of courses. There were complaints about that method; thus the policy was changed to the present method. It was known at the time of the change that there would be times when a course was one credit (i.e. science lab classes) and other times classes were 12 credits (i.e. doctoral dissertations). **Action Item:** Since Laura could not be at the meeting, she should ask to have this on the next agenda if she wants more discussion.

**SBHE Policy 603.2 Equal Employment Opportunity**
Rita Lindgren
Rita had raised a question about whether or not there is a conflict between SBHE policies 603.1 and 603.2. The question is that sexual orientation is in the former, and not in the latter.

**Section 603.1 Harassment**

*Each institution and the system office shall:*

*Adopt a policy, consistent with applicable state and federal laws and regulations, prohibiting harassment that may be sexual, racial, based on gender, national origin, age, disability, religion or a person's sexual orientation, in connection with any activities associated with the institution;*

**Section 603.2 Equal Employment Opportunity**

*Every vacant position shall be filled by considering all applicants with regard to the qualifications and performance requirements of the job. Discrimination based upon sex, race, color, religion, age, physical or mental disability, status with regard to marriage or public assistance, or participation in lawful activity off the employer's premises during nonworking hours in appointment, promotion, salary, or conditions of employment is prohibited.*

Pat Seaworth responded to Rita that 603.1 is simply broader and reflects an NDUS policy, as opposed to policy 603.2, which is federal law.

**IRS Section 409A**

Peg Torrance

This IRS regulation is about deferred comp in non-qualified plans. Early retirement buyouts can be considered non-qualified deferred comp plans and payments may be taxable at the time the agreement is entered into, not at the time the payment is made. **Action Item:** Peg will follow up with the conference presenter who shared this information.

**Early Retirement Buyouts**

Group

Should these be done through Accounts Payable or Payroll? There has also been email circulating about the NDSU tax case no longer being valid (social security). **Action item:** need opinion from Pat Seaworth (would need to go through payroll to apply Social Security; employees are still liable to pay income taxes and receive notification by 1099 form if it goes through Accounts Payable, but Social Security is not applied if that method is used).

**Electronic Signatures**

Peg Torrance

Peg reported that the CIO committee has had discussions regarding electronic signatures. There are questions concerning whether or not these are acceptable now in North Dakota, and he does not yet have an answer on this question. Teri reported that electronic signatures are available in PeopleSoft through workflow technology. This is not currently on the to-do list because of lack of resources to implement the technology.
Adding a WSI code
Gail Ebeltoft

Gail asked what the process is for adding a new WSI code. Answer: WSI codes can be added by submitting a Remedy ticket to the CND HRMS team. However, it is not that simple when the WSI code is needed to attach to a Job Code in the 8000 or 9000 band, since for those bands, there is a one-to-one relationship between the WSI code, the Job Code and the Job Family. Those Job Families were set up that way after the WSI audit to ease the administration of Job Codes for temporary and student employees on campuses where this work is done in a decentralized manner. **Action item:** Diane will ask Joy for additional clarification as to why she doesn’t create new Job Families in the 8000 and 9000 bands when this comes up. Colette recommended Gail also contact Bill Kelly at WSI about the code she was advised to use.

Internal Controls for Payroll Process
Gail Ebeltoft

There is a State Auditor opinion from May, 2004 stating that there is a need for more guidance for internal control for payroll forms. The NDUS response to that audit item was that the controllers group and HRC would work together to develop the guide. This has not yet been done,

Gail asked for volunteers to serve on the group. The committee will be chaired by Colette Erickson. Other members will be Pat Hanson (UND), Tricia Johnson (NDSU) and either Linda Fossum or Carla Sivesand from BSC. **Action Item:** Gail will contact Tamara Barber, chair of the Controller’s group, to ask for two controllers to serve on the committee. **Action item:** Colette will convene the group.

Criminal Record Disclosure Guidelines/Background Checks  Wes Matthews

Wes asked what process campuses will use for conducting background checks if legislation passes this session authorizing the NDUS to utilize the BCI to conduct FBI background checks. How thorough is the check? What do you do with the information? How will you make your hiring decision? On which types of employees will the check be made? Erin reported that VCSU has investigated these issues extensively. The cost to VCSU will be $45-60 per background check, and they will conduct the check on benefited and non-benefited employees, but not student employees. **Action item:** Ask Pat Seaworth to bring any signed legislation about this to the May meeting for thorough discussion. Peg suggested Pat research information from Minnesota since they’ve been doing background checks for certain occupations for 20 years.

February 14, 2007

Headcount Report
Teri Thorsen

The Head Count report needs some consensus about Job Family use if it is to be accurate for every campus. Most categories of the report are accurate, but the columns dealing with Faculty, Temp Instructional and Temp Non-Instructional seem to still present problems. Diane suggested that a group be formed to provide definitions for the 2000 band. Colette volunteered to chair the group, along with Wes Mathews and representatives yet-to-be-named from UND, NDSCS. She will also ask Sandy Holbrook, NDSU, to participate. **Action Item:** Campuses will look at detail data for NDU_HR_EmployeeCount (NDU_HR_EmployeeCount_Dtl), especially concentrating
on the 2000 job families and report any concerns to Colette within the next two weeks.  
**Action Item:** Diane and Peg provide Colette with names of campus representatives.

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**IPEDS Ethnicity/Race Data Collection**
Teri Thorsen
Sandy Holbrook, NDSU, joined the group by telephone. Teri handed out the Federal Register proposed regulations which discuss changes to information gathered about ethnicity and race for educational institutions. There isn’t much that can be done until the final regulations are issued, but campuses should be aware that sometime yet this year, they will need to re-survey their employees about ethnicity and race, and also change the information requested for future employees. **Action item:** Gail will place this on the May agenda.

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**NDUS HRPS 10.1.2**
Gail Ebeltoft
Gail asked if an employee who moved from a PERS eligible position to a TIAA-CREF eligible position previously, and declined TIAA-CREF at that time could request it now as they are moving to a different TIAA-CREF-eligible position. Answer: No, the choice needs to be made at the time of the original change.

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**Extended Grace Period Implementation**
Gail Ebeltoft
Laura Glatt has asked Gail to chair a group of campus people to implement the extended grace period on the Medical Flex Spending accounts. Along with some campus volunteers, Gail has drafted a form which she will route to the HRC for feedback. She is trying to get everything in place by March. The group advised her to work with Elaine Wieser (NDSCS), Linda Fossum (BSC), Cheryl Arntz (UND), Becky Lang (LRSC), Brittnee Steckler (NDSU), and Carla Vail (CND), to ensure she had someone from each of the campuses served by the various flex vendors.

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**Miscellaneous discussion at end of meeting:**

**SBHE policy 608.2 – Non-renewals and dismissals**
The group suggested a subcommittee be set up to look at this policy to see how it parallels HRC policy 25. Peg volunteered to chair the group. Diane and Rita will assist.

**Employer-required Direct Deposit**
Broc asked about requiring ACH for payroll. The HRC believes a law change last session authorizes employers to choose to require ACH. MISU is requiring direct deposit for all regular employees. Diane reported that UND is looking at ACH for most employees and paycards for people who don’t have bank accounts (students, international employees).

Should we have a system wide contract for check cards? This is an issue more for the Administrative Affairs Council. **Action item:** Those campus HRC representatives who supervise payroll should talk to their controller and/or Business VP and express their need to be involved. **Action item:** any campus pursuing paycards should submit a written development request for an interface to ConnectND through the Remedy system.
Rehire probationary periods
If someone terminates employment for a short time, do they start over on probation? Answer: Yes, and this could affect the person’s eligibility for a July salary increase, depending on the timing of the rehire. However, the person’s salary could be set higher at the time of hire, or be given a July raise after the completion of the probationary period.

CMI
Peg shared with the group her experience at NACUBO’s Collegiate Management Institute and urged campuses to consider attending. This is not just for controllers or other financial staff, and is a good way to build good working relationships with other campus leaders.

Change of meeting date
The next meeting is changed from May 1-2 to May 3-4 at NDSCS in Wahpeton.