NDUS Human Resources Council
Minutes
November 04, 2008
Mayville State University

Voting Members
Rita Lindgren        BSC        phone
Gail Ebeltoft       DSU
Joann Kitchens      LRSC       Chair
Becky Lang          LRSC       2-year representative
Steve Bensen        MASU
Wes Matthews        MISU
Broc Lietz          NDSU
Jen Baker           NDSU       Doctoral representative
Diane Nelson        UND
Erin Klingenberg   VCSU
Lindsey Vanthuyne   VCSU       4-year representative
Barb Slagel         WSC        phone

Non-voting Members
Joy Johnson         UND
Colette Erickson    NDSU
Laura Glatt        NDUS       phone
Teri Thorsen       NDUS
Pat Seaworth        NDUS       phone

Not attending
Dave Lindberg      NDSCS

Minutes
October 14, 2008 conference call minutes: Two changes were made:
1. Lindsey was on the conference call and voted.
2. Added “Pat Seaworth advised us that when a coach travels with the team and
   they have a meal as a team, it is not taxable. That it would be excluded under
   the de minimus rule.”

Broc moved to approve the October 14 minutes as corrected/amended. Gail
seconded the motion. The motion passed.
Succession Planning

Laura Glatt

This item was a follow-up to the discussion Laura started at the last meeting. Broc said it’s an excellent planning tool, but there are considerable EEO/AA issues. Perhaps the best way is to train/develop all who are interested and then let them compete for open leadership positions.

Some campuses expressed that because of their size, succession planning is difficult. Others have used it in the faculty area only. Others felt it was case-by-case.

Laura’s thought in raising the issue is that there are EEO issues, but they could be worked around. Her question is: does the HRC want to be involved in this? The demographics moving forward are grim, so if we don’t look to succession planning to fill our open leadership positions, what will our plan be?

Wes pointed out it can’t be a one-size fits all approach because of the differences in the campuses.

Broc asked about implied contracts in naming an heir-apparent. Pat responded that there is, so this needs to be done carefully. There can be no guarantees or promises of advancement.

Laura: Is this important enough to for HRC to spend time on? If so, the concept/idea would have to be framed better to bring forward to the Chancellor’s cabinet. A sub-committee could be formed to work on this.

Colette volunteered to chair. Committee members will include Rita, Gail, Joann and David. Laura would like to be kept in the loop via copies of emails/correspondence and/or notes of meetings.

Retiree Health Insurance Benefits

Joann Kitchens

Joann talked about the CUPA Webinar being put on by TIAA-CREF November 20. Find more details on the CUPA website (http://www.cupahr.org/conferences/upcomingevents.asp). The session will be at 2:00 pm CST, 1:00 pm MST.

A subcommittee to study this issue will be formed as well. Wes volunteered to chair. Committee members will include someone from NDSU (benefits specialist?), UND (Pat Hanson?), and Linda Fossum from BSC. Laura would like to be kept in the loop via copies of emails/correspondence and/or notes of meetings.
Dependent Sick Leave

As was decided at the last conference call, the group has committed to working on researching expanding dependent sick leave, gathering information to prepare for draft legislation for the 2011-2013 session.

Broc asked if the parental leave shared leave issue would still be under consideration as well. It could, but Pat pointed out that this would need to be a separate piece of legislation.

Wes suggested we be open to considering a comprehensive review of leave policies, as opposed to simply tweaking what is already in statute. Joann asked if we need to include the state in these discussions at some point.

A sub-committee to pursue this issue was formed. Erin will chair. Other members include Wes, Carla Sivesand, Joy and Barb. Pat Seaworth will be available for consultation.

The Chancellor’s office has a dedicated conference call line in their office. Subgroups above can call the board office to check to see if the line is available. Contact 328-2960 for help.

State Posters

Joann asked what people are doing for legally-required employment posters, especially for HIPPA. She also asked if campuses have specified HIPPA policies and procedures. Many campuses responded that they do. Lois.Christianson@ndsu.edu would be a resource for any campus that has HIPPA compliance questions. Pat Seaworth will also research.

Generally, if a campus has no health center, no electronic billing for medical care or other medical information transactions, the campus should not need HIPPA policy. If you do administer your own flex medical spending accounts, you do. NDSCS does because of their dental hygiene program. MISU has one for their developmental disability program. NDSU and UND do for multiple reasons. Other campuses have limited exposure.

Posters are free off of government websites, but some campuses order commercial all-in-one posters for convenience.

Equity and Market/Annual Salary Budget Process

Diane pointed out differences between HRC Pay Policy 5, and a budget handout from UND's campus. The definitions about market and equity are different.
Did that budget handout originally come from the Chancellors office (Cathy McDonald)? Jim noted the budget handout is identical to Schedule 3 of the budget documents. The HRC agrees with the wording in Policy 5.

**Action Item:** Diane will come up with new budget definitions to become consistent with HRC policy 5, send them to the HRC for comment, and then talk with Cathy.

Related to annual salary increases, Wes brought up the trouble he’s had with administering salary for probationary employees due to the language that is usually in the statute and corresponding SBHE guidelines. The language usually includes a clause like the following:

> Probationary employees are not entitled to the general increases. However, probationary employees may be given all or a portion of the increases effective in July, paid in August, or upon completion of probation, at the discretion of the appointing authority.

HRC members responded that they often give the probationary employees their “annual” increase after the completion of the probationary period.

Wes wanted to explore what the definition for the “general increase” is. There was disagreement about whether it applied just to the across-the-board increase, or all increased dollars. **Action Item:** Laura will clarify with Cathy McDonald.

Joann asked about hiring ranges in ads. Can you bring a new employee in over the advertised salary? The group consensus was that you can, but it adds risk to an EEO claim. Most campuses just state the minimum with a “plus” to avoid that risk.

**Summer health insurance Sub-Committee**

Wes, Broc and Diane reported that the Academic Affairs group voted to keep things just as they are at their October 7 meeting. However, Pat Seaworth voiced concern with that approach. Academic Affairs met again today. Laura reported that at today’s meeting, Academic Affairs asked the HRC to come up with a fiscal note of how much each approach would cost.

The matrix of campus approaches to this was distributed. Several campuses reported changes to be made. **Action Item:** Laura will redistribute the revised matrix.

There will be a special Academic Affairs meeting on December 2 to discuss, including HRC and financial representatives. **Action Item:** Laura will notify invitees with contact information.
Background Checks

Pat asked how campuses were coming along in complying with background checks. There were a number of questions that Pat addressed.

Policy talks about BCI or FBI checks. Is a 3rd-party vendor acceptable?
   Yes, other than for law enforcement/security positions.
Are janitors who check whether or not doors are locked considered “security” for the purposes of this policy?
   Possibly. If others rely on them for “security,” then yes.
If a 3rd-party vendor is desirable, can it be a system-wide vendor?
   Yes.
If a 3rd party vendor is sought, does the search require a formal RFP?
   At least an informal RFP should be done.
Are background check records subject to the Open Records law?
   If 3rd-party, yes (redact private data, like SSN, etc.)
   If FBI/BCI, no.
Are background checks on students who are not employees subject to Open Records?
   No, that is protected by FERPA.
Are background checks on student employees subject to Open Records?
   It depends. If the student employee is on work study, or has the position because of their student status, the records are protected by FERPA. If not the records are open.
Can arrest, not just conviction information be requested?
   Yes, but how would that information be used? The risk may outweigh the benefit. Most employers stay away from asking about arrests.

MISU has contracted with Castle Branch as a background check vendor. They are promising 24-72 hour turn around.

Inquiries into getting billing and training set up with BCI for background checks has yet to be successful. Risk Management will do background checks for state agencies, but not for Higher Ed. There will be a conference call with Judy Volk, BCI, tomorrow, November 5.

Broc surveyed the group on their current practice, as far as how far their background checks go. Wes noted that private vendors look back 7 years because they fall under the Fair Credit reporting act.

HRMS Self-Service/eApps

Teri reported that attendees can go in and test in the Development environment. HRC members plus at least one other person on each campus have been given security access. Jim Borkowski has viewed the pages. Action Item: Teri will send
out detailed information to those with security access to the pages and ask for feedback.

**Exit Surveys**

Colette Erickson

Colette asked the group if there was interest in an on-live exit survey. There was, so Colette will pursue.

**Health Insurance**

Sparb Collins

Sparb handed out a document about the health insurance plan, retiree health plan and anticipated legislation.

The health insurance premium renewal bid was a 28.65% increase, even higher than anticipated. The new rate was bid at $846.64 per month, but is still being negotiated through changes in plan design (possibly to include the Wellness program). Part of the large increase is because Blue Cross Blue Shield experienced a loss on the PERS plan this year.

The bid for retiree prescription coverage was $63.70, a 12.9% increase.

The bid for retiree supplemental health insurance fell in all categories (around 18%), and may provide an opportunity to change the plan to mirror Medicare Supplement Plan F.

**Legislation (legislative Council numbering)**

- 90111.02 governance plus graduated benefit option for retirement plan
- 90112.02 2% increase for PERS retirees paid through employer contributions for 2 years.
- 90118.03 Peace officer plan – supplemental plan to be funded by an increase in employer funding. Would affect campuses that have licensed police officers.
- 90206.01 sets up health care savings plan for judges
- 90114.01 increase in retiree health care credits
- 90113.01 reduces pre-Medicare family rate for 2 years.
- 90033.03 Healthy ND
- 90084.01 Increases prosthetic devices coverage
- 90124.01 Colon screening, would increase rates $4.04
- 90125 Opens up PERS to general public

Joann asked why people who were on PERS through another employer can’t have the family option upon hire – they have to wait until the open enrollment. Sparb asked Joann to send him the details, and they can examine the issue.

At the last meeting, Diane had outlined a case where a UND employee did not have his care covered during an emergency while out of state, because he had ended up at
a non-participating provider. Are our employees not covered when they’re out of state?

Sparb responded that generally, employees are covered, but the issue is, how much? We get spoiled in ND, because every single provider contracts with BCBS. However, in other states, there are non-BCBS participating providers.

For example $1500 worth of services are performed. If one gets care at a participating provider, and the scheduled fee is $1000 for those services, then, that’s what would be covered, subject to deductibles and co-insurance. An employee who had met their deductible already and was covered 85%/15% would pay $150.

At a non-participating provider, an employee’s out-of-pocket cost would be $650 (the $150 co-insurance plus $500 in “high charges” – the difference between the scheduled fee and the actual fee). In an EMERGENCY situation, if you have “high charges” then appeal.

The group felt more communication with employees is needed. They could get hit with an unexpectedly high bill because they unknowingly used a non-participating provider while out-of-state.

Sparb said the PERS board will also take a look at this issue. Options they’ll explore are if there is a stop-gap plan for overseas or other non-participating US providers, and/or a brochure alerting employees to how to find participating providers when traveling.

Higher Ed understood that premiums were all supposed to be divisible by 2, so there would be no rounding issues with our semi-monthly payroll. Sparb responded that is their intent. **Action Item:** Members should send examples to Joann, and she will compile them and forward them to Sparb.

**NotiFind  Joann Kitchens**

Joann asked members to review the email she had forwarded from David Klein. The group will talk about it after the Judy Volk call tomorrow.

Conference call tomorrow at 10:30 a.m. – Colette will take minutes

Next meeting Jan 11-12 at Bismarck. Joann Will not be there; Wes will chair.