Human Resources Council  
March 22, 2011  
Teleconference (9:00 – 12:00pm, CST)

In attendance:
(BSC) Rita Lindgren  
(DSU) Gail Ebeltoft, Chris Heringer-Staff Representative/4 yr. campus  
(LRSC) Joann Kitchens, Becky Lang  
(MaSU) Steve Benson  
(MiSU) Wes Matthews  
(NDSCS) Dave Lindberg  
(NDSU) Colette Erickson, Tricia Johnson, Jill Spacek  
(NDUS) Laura Glatt, Cyndi Goulet, Pat Seaworth, Karin Stinar  
(UND) Diane Nelson, Joy Johnson  
(VCSU) Derek Hughes  
(WSC) Michelle Borlaug

Committee or other reports

1. General Counsel/Legislative Update – (Glatt/Goulet)

Diane Nelson asked about SB2213- Increase family medical leave from 40 to 80 hours per year. The House amended the bill to allow the use of an additional 10% of the employee’s sick leave balance on top of the 80 hours. Diane asked if everyone was aware of the amendment and said that the administration of it, if passed, will not be easy. She said campuses monitor family medical leave usage closely so employees do not exceed the 40 hour limit (or the prorated limit for employees who are less than full-time). Diane asked, besides the difficulty of administering the family medical leave policy, what are the other implications on Higher Ed? She asked that HRC members think about it.

Cyndi asked if there was any further feedback on policies 605.1, 605.3 and 605.4. She said that there are also updates to policy 605.5 on Mediation. Information on faculty contract dates will be presented in the Chancellor’s cabinet meeting tomorrow. Any further feedback to any of these polices should be submitted to Cyndi by April 5th.

2. At-Large Representatives (Lindberg/Matthews/Nelson – No report at this time.

3. Broadband dates and descriptions on NDUS website (Johnson/Lindgren) – No update.

4. Faculty Sick leave – Goulet/Matthews

Cyndi and Wes will be meeting with the Chancellor’s Cabinet tomorrow, Wednesday, March 23rd. They will be presenting a number of options and asking for further direction:

1. Allow each campus to retain its own unique policy. While this option respects self-governance of each campus, it does not resolve the inconsistency issue.
2. Expand current policy to allow for individual campus policy as long as each policy meets defined criteria. Some inconsistencies would remain but this may resolve some and reduce risk.
3. Draft a single, consistent system-wide policy. This would require change at most if not all campuses.
4. Purchase a short-term disability plan for entire NDUS, campuses pay proportionate share. Need to address the major issue of how long to continue regular salary for the faculty employee on sick leave.
5. Incorporate same sick leave policy for faculty as for staff.

Laura stated that HRC will want to work with Academic Affairs and faculty at the appropriate time on options that move ahead. Pat stated that it is important to keep the cabinet informed before it goes out to other committees.

Karin added that if campuses want to track faculty sick leave in PeopleSoft, it will be important to adopt one consistent, system-wide plan.

Any additional feedback is due to Cyndi on the draft report and options by 3:00pm today.

Steve Bensen made a motion authorizing Wes and Cynthia to represent the HRC at the Chancellor’s Cabinet regarding faculty sick leave. Additionally, HRC members will review the subcommittee document from Cynthia and provide feedback by 3:00pm. It was seconded by Joann Kitchens. The motion passed.

**Carry – Over Agenda**

1. 2010 employee satisfaction survey results (Glatt)

Laura was absent for this agenda item so Dave led the discussion. Dave asked if everyone had reviewed the results of the survey and if there was interest in viewing a demonstration of Wimba. Wimba has been discussed as a possible resource to use system-wide for annual employee training. There was discussion about a variety of methods used for annual training. The majority responded that they favored a non-standardized approach and there wasn’t a lot of interest in viewing a Wimba demonstration.

The group discussed the validity of the survey. Some feel the results listed for employee training and recognition seemed skewed because the two items are combined into one score. Some said the overall scores would be different if each item was scored separately. Diane said analysis of individual items is available and she offered to ask UND’s Institutional Research office for the data. The group agreed to continue the discussion at the next meeting.

2. Staff Transfer to Faculty – Sick leave balance (Hughes)

VCSU hired a new faculty member who was previously a staff employee at another NDUS campus. The employee does not have 10 years of service so no payout of sick leave was issued by the former campus. The employee asked if they could keep the sick leave balance should they ever return to a staff position. Since faculty at VCSU do not accrue sick leave, the request was denied. It was suggested that it might be possible to negotiate reinstating the sick leave balance at the time the employee is considering a transfer back to a staff position.
The current NDUS HR Policy 7.7 is:

“7.7 Accrued sick leave is transferable from any state agency to the employing institution if employment with the institution occurs within one calendar year of termination of service with the state agency.”

Derek reviewed ND Century Code and asked if the NDUS policy could be amended to add “provided the employing institution allows sick leave accrual within the employee’s new position”. He also proposed updating the leave balance transfer form to have the original institution confirm vacation and sick leave policies with the new institution before completing and mailing the form.

There was discussion from most campuses that they consider these issues on a case-by-case basis. Payout of 10% of the sick leave balance occurs when eligible for such payout then the sick leave balance goes away.

Derek decided to withdraw his proposal stating that the situation seems to be rare. He will consider these types of issues on a case-by-case basis, following other campus’s business practice.

**Agenda**

1. Faculty sick leave

See #4 in the Committee and Other Reports section.

2. Faculty Hiring – Equal Opportunity Compliance (Hughes)

Derek inquired about faculty tenure track appointments and if other campuses required a national search or if there were exceptions when a tenure track appointment could be offered to faculty on special appointment. Wes responded that it can happen at MiSU but most tenure track appointments are filled by using a national search. Steve at Mayville said they open the tenure track appointment for a competitive search though it may not be national. BSC, DSU, LRSC and NDSCS said they have promoted a special appointment to a tenure track position if the employee had a favorable employment record with the campus.

3. Flood Prep 20.4 (Lindberg)

In light of the recent “Flood Related Personnel Issues” memo circulating throughout ND government, NDUS policy 20.4 was re-opened for discussion. NDUS policy seems to be opposite state policy with the state’s policy being more employee-friendly. Cyndi stated that is does seem odd to request employees to take leave when the institution is closed. Dave asked if there was any interest to change Higher Ed’s policy to more closely match the state’s. Colette said NDSU was okay with leaving the policy the way it is currently stated. Joann said we should change ours to match the state policy. Other discussion included: 1) NDUS policy was “punishing” employees for trying to stay safe; and 2) why does policy allow employees to change annual leave to sick leave but not allow changing annual leave to closure pay? Gayle suggested the policy to be changed to a wider approach such as when a state of emergency is proclaimed.

The discussion was tabled and will be included in the agenda for the next meeting. Dave will send an email asking for more feedback prior to the next meeting. Diane reminded the group that this policy has
been discussed and approved since January but the changes have been slow to implement. Joann mentioned the reason we’ve had trouble stating this policy is we’ve been trying to put in the piece about having to take annual leave even though the institution is closed. Changing to match the state policy would alleviate that problem.

4. Exit Survey (Nelson)

Diane asked if other campuses are using paper or electronic versions of an exit survey. BSC, MiSU and NDSU all use the electronic version but said they do not know the response rate. DSU, MaSU and VCSU responded saying they use both paper and electronic, again the response rate in unknown.

5. Code of Conduct Compliance (Ebeltoft)

Gayle asked what procedure other campuses were following to comply with certification requirements for SBHE Policy 308.1 Officer and Employee Code of Conduct? The responses were: BSC – done during annual review. NDSU- new employees certify with new hire paperwork and an annual notice is distributed. SCS – with the annual training process. VCSU- during annual contract distribution.

6. FMLA 22.7 (Hughes)

Derek recently learned that comp time can also be used before granting unpaid FMLA. He asked if NDUS Policy 22.7 could be amended to include language about comp time. Most campuses responded that they were in favor of this update. Wes made a motion to amend 22.7 to add comp time. Diane seconded. Wording/language changes were discussed. The motion passed. Derek will re-edit the language and submit it to Cynthia.

Additional Items for Discussion

1. NDUS Staff Senate (Nelson)

Diane reported that legislation passed to allow one NDUS Staff Senate member to serve on the State Board of Higher Education as a non-voting member. Members of NDUS Staff Senate were excited about this appointment. The next NDUS Staff Senate meeting is scheduled for June 15th in Dickinson.

2. Reduction in Force (Benson)

Steve expressed concern over NDUS HR policy 24.8.2 stating that HRC shall maintain a list of employees who were terminated due to a reduction in force. Since HRC is not maintaining such a list, he suggested that it should be removed from the policy. He said it is not practical for HRC to maintain a list and that state government is maintaining it. Diane said that UND sends an email to Maureen Vossberg at the state HR office for notification. Steve volunteered to investigate it further and give a report at the next meeting.

3. Short-term Disability (Hughes)

Derek inquired about short-term disability policies for expectant mothers. Since it’s not required at VCSU’s campus for faculty to take sick leave, he is looking for something to bridge the gap in benefits.
between faculty policy and staff policy. Wes said that it is handled at a campus level and all employees have an option of purchasing AFLAC short-term disability.

The meeting adjourned at 11:10am.