Human Resources Council  
June 13, 2011  
Teleconference (8:30 – 11:30am, CST)

In attendance:
(BSC) Rita Lindgren
(DCB) Anne Bergeron
(DSU) Gail Ebeltoft, Chris Heringer-Staff Representative/4 yr. campus
(LRSC) Joann Kitchens
(MaSU) Steve Benson
(MiSU) Wes Matthews
(NDSCS) Dave Lindberg
(NDSU) Colette Erickson, Tricia Johnson, Jill Spacek, Brittnee Steckler
(NDUS) Cynthia Goulet, Karin Stinar, Teri Thorsen
(UND) Diane Nelson, Pat Hanson
(VCSU) Derek Hughes
(WSC) Michelle Borlaug

Committee or other reports

1. General Counsel/Legislative Update
   New legislation for veteran’s preference (Cynthia Goulet/Joann Kitchens)

   Joann Kitchens asked for more clarification of the changes to veteran’s preference. Cynthia Goulet
   is in contact with the ND HR office to get clarification and will issue a memo when she has more
   information.

Agenda

1. Flood prep
   OMB’s policy concerning the flood was discussed. Joann Kitchens made a motion to update NDUS
   policy 20.4 to mirror OMB’s policy. The motion was seconded by Steve Benson. The motion
   carried.

2. Distance Hiring (Gail Ebeltoft)
   Gail Ebeltoft asked how other campuses are handling I-9 verifications for employees who work a
   great distance from the campus. The responses included: the employee obtains a notary signature to
   authorize the I-9, and; employees have gone to another NDUS HR office to complete the required
   verification.

3. President’s involvement in personnel actions (NDSU)
   Colette Erickson asked how other institutions have implemented SBHE Policy 305.1-President’s
   Responsibilities; Collaboration. Each President shall: d. Approve all personnel actions, except the
   award or change in tenure status, involving all faculty members and other institution employees.
The responses included: Wes Matthews stated at MiSU the President signs everything and the administrative assistant can stamp it; NDSCS – signs all benefited employee forms but not terminations or funding changes. Dave Lindberg stated the president can delegate authority to someone else for minor changes; Diane Nelson at UND said the president signs only those that are under him directly. Others have been delegated to VP’s, who may delegate to Deans or Directors. Diane mentioned streamlining will be necessary to implement Manager Self Service; At Mayville, Steve Benson said the president and VP’s sign off on all requests to hire, recruit and annual contracts.

Colette stated that she will recommend that NDSU follows procedures similar to UND’s.

4. HB1029 Implementation/TIAA-CREF oversight (Laura Glatt)
A copy of House Bill No. 1029 was included with the agenda. It creates four new sections to chapter 54-06 of the North Dakota Century Code relating to state employee service awards, employer-paid tuition, employer-paid professional organization membership and service club dues. The new legislation includes a statement; “Any other agency, department, or institution of the executive, legislative, or judicial branch may adopt similar rules or policies to ensure uniformity and consistency in state government.”

The agenda included a copy of the final bill tracking summary for the 2011 legislative session and a summary of the HR related bills.

The agenda included the TIAA-CREF Oversight Committee Report. The report includes the following recommendations:

- Brief the SBHE on fiduciary responsibilities and risks.
- Encourage SBHE members, and others, as necessary, to consider purchasing fiduciary liability insurance, if adequate protection is not currently in place.
- Consider establishing a new system wide committee to perform the following functions, as it relates to the various retirement plans administered through TIAA-CREF:
  1.) Develop investment policy statement.
  2.) Serve in an advisory role to senior councils and the Chancellor’s Cabinet for periodic review of plan design, investment menu, services and employee education.
  3.) Monitor plan performance, including investments and costs. This would be contingent upon having the resources in place to provide adequate staff and/or consulting advice to the committee. Although TIAA-CREF has volunteered to provide assistance and information as needed, it will still require other resources to coordinate and prepare objective information.

Laura was not able to participate in the meeting due to other commitments and, thus, these items were not discussed.

5. Authorized Disclosures (Joann Kitchens)
Joann Kitchens asked what information can be given out for an employee who is sick and is unable to call to ask questions. In situation like this, Cynthia Goulet suggested some sort of paper trail to authorize someone else to receive information. This could be something like an ‘Attorney-in-fact’
which is a person authorized to act for someone else or to make decisions on someone else’s behalf. Gail Ebeltoft said NDPERS requires Power of Attorney. Teri Thorsen cautioned against establishing a “sub” power of attorney but to educate our employees that they need a power of attorney.

6. Campus Quality Survey (Dave Lindberg)
Dave Lindberg stated that when combining topics, such as with the campus quality survey, the results can be misleading. Dave provided data to show how this can happen. His suggestion was to base survey questions on topics separately, instead of doing one all-inclusive question that can skew results. Diane Nelson stated that the same survey may not be used again. The topic was put on hold in order to wait for Laura Glatt’s participation.

7. Honor Guard Leave - AN ACT to create and enact a new section to chapter 54-06 of the North Dakota Century Code, relating to honor guard leave for state employees.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1.** A new section to chapter 54-06 of the North Dakota Century Code is created and enacted as follows:

**Honor guard leave.**
Honor guard leave is an approved absence from work, with pay, of up to twenty-four working hours per calendar year for an employee to participate in an honor guard for a funeral service of a veteran. A governmental entity may grant a request for honor guard leave even if the absence of the employee might interfere with the normal operations of the agency. This section applies to each governmental entity that employs an individual in a position classified by human resource management services.

Diane Nelson predicted that there will be requests for honor guard leave and campuses are mixed on how they treat it now. Some require annual leave while others do not.

Wes Matthews made a motion to include in NDUS HR policy 20 to include details for honor guard leave. The motion was seconded by Joann Kitchens. The motion passed unanimously.

Discussion: Wes suggested including language that matches ND policy as close as possible and suggested some verification that the person is detailed to participate in the honor guard. The policy change requires Board approval. A request will need to be submitted to the ConnectND HR team to set up a new earnings code for use in PeopleSoft. Dave asked for a volunteer to draft a policy and send it to Cynthia at the System Office. Wes volunteered.

8. Question from Colette Erickson
With the change to dependent health insurance coverage, what are campuses using for criteria for tuition discount? Wes Matthews said FAFSA guidelines are used. Dave Lindberg said if a person qualifies as being on the employees benefits, then they also qualify for the tuition waiver. This includes dependents who have their own health insurance. Lake Region uses age criteria. At NDSU, the issue is much larger. UND has not addressed the change in age for health insurance yet. UND is still following current practice.
9. NDPEA deduction for graduate students
    Colette Erickson asked for a memo from HRC to state that we don’t allow payroll deduction for voluntary deductions for non-benefited employees. Voluntary deductions for non-institutional debts are not advised for payroll deductions. The memo was drafted by Dave Lindberg. HRC members reviewed it and Dave submitted it to Colette.

    NDSU allows a deduction from the final paycheck if an employee is negative for vacation and/or sick leave. Job Service says this is not legal. HR policy allows negative vacation and sick leave. A suggestion was to have the employee sign a form before taking the leave stating the amount will be deducted from the last check if they do not come back.

11. Dependent sick leave increase from 40 hours to 80 hours.
    Cynthia Goulet said the Board is considering it this week.

12. Increase in NDPERS retirement contributions - Sparb Collins
    Increase in contributions for Retirement, total of 8% increase phased in over next 4 years, split 50/50 employer/employee. The increase starts January 1, 2012. Net pay will decrease due to retirement and reinstatement of employee social security tax to 6.2%. Pat Hanson asked about additional retirement deductions – will they be before-tax or after-tax deductions. Sparb says he does not know yet but should have an answer in the next couple of months. As it stands right now, it will be after-tax.

    Wes stated that TIAA-CREF is going up in addition to NDPERS.

13. Clarification of Flood Fighting efforts – Chris Heringer.
    Chris asked for employees who are not affected by the flood but want to volunteer to help, how are other institutions handling this? Rita stated that they are following the governor’s policy. Annual leave should be used if not directly affected.

14. Dave Lindberg stated that NDSCS sent out contracts on May 13th and 99% have been signed and returned.