In attendance:
BSC – Rita Lindgren, Carla Sivesind
DCB – Anne Bergeron, Kara Bowen
DSU – Gail Ebeltoft
LRSC – Becky Lang, Joann Kitchens
MaSU – Karen Amundson, Jane Grinde
MiSU – Wes Matthews
NDSCS – Ann Hiedeman
NDUS – Colette Erickson, Matthew Hammer, Tricia Johnson, Jill Spacek, Brittnee Steckler
NDUS – Cynthia Wagner Goulet, Karin Stinar, Teri Thorsen
UND - Pat Hanson, Joy Johnson
VCSU - Derek Hughes
WSC - Michelle Remus

Old Business

1. Code of Conduct and Annual Policies Sub-Committees

Derek reported that he requested the Code of Conduct to be included on the agenda for the next SBHE meeting. Laura told him that she would request to include it on January’s (2013) agenda. A request will be made to add additional language to the code of conduct to address civility in the workplace.

Joy reported that committee members met with the SITS Advanced Learning Technology team and learned more about Moodle. They think it will work for the annual policies and hope to meet with ALT again over the Christmas break to learn more about it and receive more training.

2. Overtime – NDUS Policy 12.3 – Wes Matthews

Wes reported that he and Derek met with state auditor Cory Wigdahl to discuss and finalize the changes to NDUS policy regarding overtime. Current annual and sick leave policies do not plainly state how the leaves are counted or paid and overtime policy 12.3 is the only place that states how annual and sick leave is counted as “hours worked”. They decided that the way annual/sick leave hours are counted should be addressed in their respective polices. The following updates were drafted for each policy and the updates meet the audit recommendation by the State’s Auditor’s Office:

6. ANNUAL LEAVE
6.1 Annual leave with pay is earned by staff employees. Upon approval, annual leave may only be used in place of regularly scheduled work hours and shall not cause overtime. Institutional operations govern annual leave periods. Consideration is given first to the convenience of the administration, departmental needs, then the employee's departmental seniority and finally to employee's preference.

7. SICK LEAVE
7.1.1 Employees who use sick leave are responsible for informing their supervisors prior to the start of their scheduled work period. The employing department may require satisfactory medical verification as deemed necessary by the department head prior to the payment of sick leave. Sick leave may only
be used in place of regularly scheduled work hours and shall not cause overtime.

12. OVERTIME

12.1 Overtime compensation at a time-and-one-half rate shall be provided to all non-exempt employees when hours worked exceed forty hours in a work week. Compensatory time off at a time and one-half rate may be provided in lieu of cash overtime payments upon prior agreement. Upon approval, compensatory time may only be used in place of regularly scheduled work hours and shall not cause overtime.

12.2 Each campus is responsible for periodic review of positions to insure proper identification as exempt or non-exempt pursuant to definitions provided within the Fair Labor Standards Act.

12.3 Official closings and holidays shall be counted as hours worked during work week. In establishing a forty-hour work week, annual leave, sick leave, official closings and holidays shall be counted as hours worked. Annual leave, sick leave, other forms of paid leave, and compensatory time shall not be counted for overtime purposes.

Wes Matthews made a motion to accept the proposed changes to NDUS policies 6, 7 and 12 and forward the recommendation to the SBHE for approval. The motion was seconded by Ann Hiedeman. The motion passed.

3. Exit Survey – Link in PeopleSoft HRMS Self Service – Karin Stinar

Karin showed a mock-up of the exit survey to the group. Pat asked how the employee’s anonymity will be assured. Karin said it could be addressed through a disclaimer statement and possibly remove the employee’s name from the screen. Brittnee asked if the link would be available all the time or only for employees who have a termination entered in Job Data. Karin said that the majority of the campuses want the link only available upon entry of the termination. Brittnee expressed concern for that approach because the termination is often not entered into PeopleSoft until after the employee has left. She said this may result in a low participation rate for the survey. Both Teri and Karin stressed that campuses need to change business processes and move towards deadlines that are service driven rather than payroll driven. A question was raised about employees who are terminated due to dismissal and are not asked to complete an exit survey. The link to the survey can be blocked based on the action-reason entered into Job Data.

4. Bone Marrow Donation – Cynthia Wagner Goulet

There were no concerns brought forward regarding the twenty workdays of paid leave for organ or bone marrow donation. The following policy with revisions was voted on:

Bone Marrow and Organ Donation Leave - is an approved absence from work, with pay, not to exceed twenty workdays, to an employee for the purpose of donating an organ or bone marrow. An employee may request and use donated annual or sick leave for the purpose of donating an organ or bone marrow but cannot exceed the limitations of donated leave as stated in the Leave Sharing Program section (NDUS HR Policy 20.6). If an employee does not receive the full amount of leave needed for the donation, the designated authority may grant a paid leave of absence for the remainder of the leave up to the maximum total of twenty days. Human Resources may require verification by a physician regarding the purpose and length of the leave requested. Any paid leave of absence granted under this section may not result in a loss of compensation, annual leave, sick leave, or accrued overtime for which the employee is otherwise eligible.
A motion was made by Pat Hanson to recommend the policy to the SBHE. The motion was seconded by Gail Ebeltoft. The motion passed. Cyndi said she would forward the changes to the Chancellor’s Cabinet.

5. NDUS HR Policy Manual Consolidation with SBHE 600 & 700 – Update - Cynthia Wagner Goulet

Cyndi reported that the committee had not met yet. She said the System Office recently created a new position and hired a compliance officer, Kirsten Franzen, who will be reviewing and updating several HR policies. She suggested that the topic be tabled for now. Joy suggested that we should invite the new compliance officer to the next HRC meeting. **Derek said he will invite Kirsten to the next HRC meeting (February 5-6, BSC).**

6. Reduction in Force – Joy Johnson

Joy requested the following statement to be added to NDUS HR policy 24, Reduction in Force:

> Prior to taking a reduction in force action, each department shall submit written documentation of the required analysis to the institution’s human resources official for review and approval.

Pat Hanson made a motion to approve the statement. The motion was seconded by Karen Amundson. The motion passed.

New Business

1. NDPERS Update – Sparb Collins

Sparb presented the following updates:

- Health insurance rates for the next biennium, the cost of implementation and administration of the Affordable Care Act and administration of the High Deductible Health Plan.
- Forecasted rates and trends of the ND Public Employees Retirement plan.
- PERSLink and deployment of Member Self Services.
- Flexible Spending Account – the state has contracted with ADP for calendar year 2013 for administration of the state’s flex plan. Sparb indicated that they would be willing to share the RFP process with Higher Ed to assist with Higher Ed’s study of a system-wide flex provider.

2. System-wide RFP for Flex

Pat H. requested the topic be tabled until the sub-committee (Derek, Pat and Becky) has met with NDPERS to review their RFP process for a FSA vendor.

3. Background Checks System-wide – Joy Johnson

Joy had recently sent a request to Laura Glatt asking for her support of a system-wide vendor for criminal background checks. Laura said she would support a joint RFP system-wide and asked Joy to add the topic to HRC’s agenda. While Wes M. said he would prefer not to change the vendor MiSU uses for the background checks, he said he would go with what the majority decides. Pat H. stated that CastleBranch can take 2-3 weeks before responding to a background check and she was concerned about the lag. Other vendors have reported that the checks take only a few hours rather than days. No campus voiced opposition to moving forward with a system-wide RFP for a criminal background check provider. **Derek will ask Laura to move ahead with the RFP.**
4. Choice Bond Fund TIAA-CREF – Derek Hughes

Derek said that there has been some talk on their campus about the Social Choice fund with TIAA-CREF. Brittnee S. said the NDUS already offers the Social Choice fund. Wes M. stated that we currently do not offer the Social Choice bond fund. He said it was recently added and there is no account history. Wes said that there appears to be five others that have been added recently and he volunteered to contact Paul Hovelsrud at TIAA-CREF.

5. Hiring back and forth with SITS and Universities – Karin Stinar/ Teri Thorsen

Teri shared with the group that NDUS SITS is becoming its own company as of December 16, 2012. Teri reported that she found in the September 2008 HRC minutes that campus employees are to be treated as internal applicants in the recruiting process. She said some campuses have internal recruitment policies while some do not. She asked if campuses that have an internal process, would they treat NDUS SITS employees as internal candidates.

Wes M. said MiSU does not have an internal recruitment process. Pat H. asked what campuses have an internal process. UND, NDSU, DSU, MaSU, VCSU, and BSC have an internal process (BSC gives internal applicants 3 additional points only). 4 of the campuses open internally first (if chosen) but not points. UND gives additional points for internal applicants.

The consensus was that SITS employees would not be considered as internal applicants at any of the campuses. Teri said she would inform SITS employees of the decision.

6. Appraisal tools and software – Ann Hiedeman

Ann asked what software other campuses are using for the application process. Mayville is home-grown. NDSU uses PeopleAdmin (at a cost of $32000/year). Jill reported that their applicant pool tripled the first year using PeopleAdmin. UND is home grown but is talking with EERC to build something. Pat H. expressed an interest in sharing the cost with other campuses if others are interested. Ann stated that she is also looking for electronic performance and appraisal software. Teri T. stated that there is functionality available within PeopleSoft and if anyone is interested in looking further into it they should contact her.

7. Employees Drinking on Campus – Colette Erickson

Colette and Brittnee asked what other campuses currently do if they suspect or have reports of employees drinking on campus. Ann H. said they call campus police and ask to administer a breathalyzer test. Gail E. said they call the police and the person is taken to the ER to conduct a test. Anything reported after the fact is possibly an EAP referral. Wes M. asked what the employee’s rights are regarding a random test and Cyndi G. asked if campuses have a policy in place. Colette asked if a disciplinary letter could be issued or the employee be given the Drug-free workplace policy. The employer cannot force someone to get treatment or make it a condition of employment. Any disciplinary action must be totally performance based.

The topic was tabled pending further review upon BSC’s request to Cyndi about a policy. Joy said she would look for written documentation on critical incidents from previous HRC minutes.

8. Infants at Work – Karen Amundson

MaSU sent a question to Risk Management based on OMB’s policy regarding infants at work. The question was forwarded to Cynthia G. Cynthia said there is an assessment of the work environment involving the infant which must be done by Risk Management and there is a cost for that assessment and accommodations for the presence of the
The consensus was infants in the workplace are not a good idea if not exercising rights to feed the child at work.

9. State Employee Liabilities – Karen Amundson

Karen asked if anyone is still providing a copy of the Liability of State Employees to new hires. It is a Risk Management form not Higher Ed. Other campuses said they do not distribute it and Cyndi said it is within the campuses discretion to provide it or not. The form has not been updated since 2009. Suggestions included referencing it on the designated medical provider form or Code of Conduct, or include it with annual notification of policies.

10. Leave Policy – Gail Ebeltoft

Gail asked how other campuses administer NDUS HR polices 20.6.5 and 20.6.7 on Leave sharing. She asked if an employee receives donated leave and resigns before s/he uses it all, does this leave become part of their annual and/or sick leave payout? Others stated that they do not allow the leave to be added to the recipients leave balance. They only get what they use and the donated leave is subtracted from the person who donated it only if it is used by the recipient.

11. Web-based Budgeting – Karin Stinar

Karin gave an update on the web-based budgeting project and informed the group of new functionality being built to identify permanent changes in PeopleSoft that would automatically load into the web-based budgeting module. She informed the campuses that there would be some initial clean-up required and more information would be released soon.

The next HRC meeting is scheduled to be held at Bismarck State College on February 5th and 6th. Rita L. stated she would provide hotel information.

The meeting adjourned at 5:00pm, December 3rd.