NDUS Human Resource Council (HRC) Minutes  
March 3-4, 2015  
Dickinson State University – Student Center Ballroom  
Start time is 11:45 Mountain Time/12:45 Central Time on March 3  
Start Time is 8:00 Mountain Time/9:00 Central Time on March 4  
Call-In number: 701-328-1620 or 8-1620 (208972#)

**Attended**

BSC  
Rita Lindgren, Carla Sivesind (NDUS Staff Senate Rep),

DCB  
Laura Pfeifer

DSU  
Gail Ebeltoft

LRSC  
Sandi Lillehaugen, Becky Lang

MaSU  
Noah Fischer

MiSU  
Wes Matthews, Jessica Smestad

NDSCS  
Ann McGary

NDSU  
Brittnee Nikle, Colette Erickson, Jill Spacek, Tricia Johnson

NDUS  
Laura Glatt, Cynthia Wagner Goulet, Tracy Kolb

NDUS-CTS  
Karin Stinar, Terri Thorsen

UND  
Pat Hanson, Joy Johnson, Donna Smith

VCSU  
Jennifer Larson

WSC  
Michelle Remus, Jame Rehak

**Unable to Attend** – Colette Erickson, Jane Grinde

**Call to Order**

Roll Call

Approval of Minutes – Pat Hanson moved and Sandy Lillehaugen seconded to approve the December 3, 2014 minutes. Motion carried.

**Old Business**

1. **Employee Tuition Waiver Campus Contacts (Matthews)**

Employee Tuition Waiver contacts list was sent to the HRC—let Wes know if there are any contact changes.

2. **NDUS HR Policy 8, Workers Compensation (Wagner-Goulet/Kolb)**

The proposed revision would be part of 8.8. Tracy said it would be appropriate. Background for thinking that is: two year limitation period comes from within this policy, reviewed the history of this policy for the explanation—did not find anything, this policy has been in place since 1997, nothing to tell us why.

In 1995 Workers Comp made significant changes to return to work, etc. Tracy thinks that was the result of the changes in 1997.

Tracy agrees we need to make a finer point of when an employee can be terminated. She thinks the proposed revision is appropriate. She also recommended changing the name of the policy to Workforce Safety and Insurance.
The proposed language shared at the last HRC meeting is:

When reviewing 8.8, you need to also refer to 8.6.

Suggested revision for 8.8: For Workforce Safety purposes, North Dakota Public Employees Retirement System (NDPERS) maintains employee records for two years. If the employee is not able to return to work in any capacity after two years, he/she forfeits his/her rights to be considered for placement into position at NDSU except to participate in regular recruitment procedures.

Cynthia Wagner Goulet will review and prepare suggestions.

It was agreed that recommended clarification revisions of name of the policy and section 8.8 will be on the HRC agenda for our May meeting.

3. Criminal History Background checks (Laura Ann Schratt and Laura Glatt)

Reviewed and discussed the summary document. FBI check is not going to be changed at this point. It was agreed:

- Will send additional policy revision by email and discuss by conference call for the HRC (Laura G).
- Discuss using one vendor for CHRC for the whole NDUS?
- Do a Request For Proposal (RFP) to see if it is advantageous. Will resolve/discuss the requirement of a criminal history disclosure after the RFP process.

It was agreed to have Laura Ann separate the credit history check from the CHRC to be discussed at a later date. Laura Ann will also update the summary document and will update the policy for suggested revisions.

4. NDUS HR Policy 5, Pay Policy (Johnson/Matthews)

Wes shared and discussed the recommended revisions. After discussion, a few changes were made. The HRC will review (by email) the changes before finalizing the policy for moving forward for approval.

The HRC will discuss at a later date the SBHE salary guidelines that stipulate if an employee is in probation, they are not eligible for an annual salary increase.

5. SBHE Procedure 514, Employee Behavioral Intervention Teams (Matthews)

After discussion on how the campuses are structuring their BIT teams and review of SBHE Procedure 514, the group agreed campuses are following SBHE Policy 514 and some campuses are including employee representation for the employee side in their BIT structure.

New Business

1. NDPERS/Health Insurance (Sparb Collins on the Phone) (Noon Mountain Time, March 3)

Rebecca from NDPERS gave an overview of the process that was followed. Last summer the NDPERS Board authorized the NDPERS Health Insurance Plan to go out for bid. Issued a bid for 1.) a fully insured product (our current type of plan) and 2.) a self-insured product (risk associated with projecting the
funds to pay for the plan). Reviewed the bids they received. BCBS and Sanford submitted bids for both types of plans.

After the first review, the PERS Board made changes and opened for rebids. Thought the risk in moving to a self-insured product was too risky. So, they were left with the BCBS and Sanford proposals for the fully insured plan. The rebid included the company that received the bid to secure the designated preferred providers.

New cards will be sent to members prior to July 1, 2015. If we get questions, we can’t fully answer, please send to Rebecca and/or NDPERS.

2. NDUS Legislative Review (Glatt)

HB 1080 – Had the original 1% employer and employee increase for retirement contribution on 1/1/16. That has been removed. Retirement benefit changes: employees who enroll in the plan after 12-31-2015 the benefit would be 1.9% instead of 2%, changes the standard retirement dates-minimum age 65 and the rule of 90 with the minimum retirement age of 60. Agreed – neutral position.

HB 1131 – All of the positions within the NDUS would be eligible for the ND Veterans’ Preference Law. Administration and faculty positions were exempt. Expands our risk for noncompliance, rapid hiring process before classes starts more difficult, administrative work will increase with the added eligible positions. Academic affairs and athletic directors may have a concern with the timeliness of the ability to fill positions. May testify to share concerns with timeliness of the ability to fill some positions.

HB 1244 – Employee can take SL for the adoption of a child. The bill’s provisions conflict with another bill. NDHRMS is aware and working through the conflict. Agreed – neutral position.

HB 1246 – All salary comparisons, for state classified employees, must be in comparison of total compensation dollars (include salary and dollar value of benefits). No direct impact, may impact our salary comparisons down the road.

HB 1403 – Employee or family members involved in domestic violence allows for sick leave and does not limit the amount of time off. Not sure we will take a position on this bill.

HB 1444 – Every employment or personal services contract of a definite term with any state agency, including the SBHE and institutions under the control of the state board, must contain a provision that allows for early termination for cause, without incurring any obligation for payment through the end of the term of contract. Severance payment may be provided, in the event of early termination, only as provided under this section.

NDCC 54-14-04.3. Severance pay – Definition – Settlements. Have to be able to document increased efficiencies or reduced expenses.

Agreed – neutral position unless the SBHE wants to provide testimony.

HB 1463 – Accommodations for pregnant employees. Don’t see it as problematic.

HB 2134 – Performance evaluations of Presidents and the Chancellor. Would give the ability for the Board to go into executive session for the hiring of Chancellor, similar to current provision for presidents. Since emergency clause did not pass, it would not apply to the Chancellor Search process prior to July 1.
HB 2258 – AL, SL or both for the items identified in 1.a. through d., expands the number of days permitted for those items. Currently 80 hours plus 10%, now it would be 12 weeks. Broadly expands the use of SL and AL for employees for these items. Business concern would be how we cover extended absences, the costs of doing that, personnel costs, employees depleting their leave balances for the care of others and then they go to the shared leave bank. If we would take a position on one of these bills, this may be one we would want to take a position on. We could provide testimony on the implications of what this bill would mean for the institutions, rather than oppose it. Employees having low leave balances because of caring for other family members. Can contact Ken Purdy (NDHRMS) to see where they are at and work together on the implications. Discuss the differences of the pieces of legislation that are similar. In conflict with:

80% plus 10%
Limit of 6 weeks
Limit of 12 weeks

Brittney (NDSU) volunteered to work with Ken Purdy—who will ask for information if needed and keep the HRC informed. Thursday, March 5, 9 am this bill will be heard.

Brittney spoke with Ken Purdy. Discussed our concerns with contradicting policies as related to some proposed Bills. Are we limiting some leave use, not qualifying for FMLA but able to use this policy, doesn’t address unpaid time—HRMS is not worrying if they qualify for FMLA if they have the leave balance they should be able to use it. HRMS will be less inclined to use the full 12 weeks. HRMS has contacted those who proposed the bill to make consistent with the other related bill.

HB 1003 – Appropriation Bill for NDUS – proposed transfer of legal and audit position funding to the Attorney General’s office and State Auditor’s Office—entry level salaries—filled through a competitive process, audit position—allocated 6 new positions in the state auditors’ office—entry level salaries—filled through a competitive process, fairly high risk we would lose our current legal and audit staff, and would not have an internal audit function. Also added a provision that restricts the number of state general fund FTE positions during the biennium. We could not go over without getting interim approval through the legislative process. Also, included requirement for SBHE to address inconsistencies in policies/procedures—financial recording, bio-demo sync which is done, budget table deduction, payroll funding source info, tuition waivers, faculty SL, shadow accounting systems, etc. Bill also requires 360 degree performance evaluations for VP, Presidents, Chancellor, V Chancellors, if been in their position three years as of 7/1/15. Further, would require the NDUS to submit its biennial budget request similar to state agencies in the future.

3. FTE Counts (CTS) (Glatt/Thorsen)

Laura—FTE counts—continual requests we get about information related to employee counts and changes from year to year. The annual snapshot we take on 10/31 each year of the headcount and FTE. Talk about the ways we count employees and which is the best and most reflective methodology for counting employees. If we change the methodology there would be a one year adjustment and we would have to explain the change, etc.

Teri—Earlier this year, one campus identified there was data missing. The FTE report only included the primary job and did not include secondary jobs. An FTE, line headcount should include all the person’s jobs.
The group agreed that primary and secondary jobs should be counted in the FTE. These queries are based on job data, not payroll. We need to ensure positions are cleaned up as well when we run the
October 31 snapshot. Teri will run the query for the last 10 years including all jobs. Laura noted the difficulty of extracting CTS numbers out of NDSU and UND in prior years.

It was requested that CTS run the report by band and distribute to HRC for future consideration. Teri will send it to the HRC listserv when they have information to share.

4. **Employee Tuition Waiver (Glatt)**

Update from Administrative Affairs – looking at possibly recommending an alternative model in the future. Tailored more to your place of employment. Looking at two options: 1.) for any course regardless of the delivery type, offered by your institution as your employer you would receive 100% tuition waiver; if you take a course at another institution regardless of delivery type, it would be 50% paid by employer and 50% by the employee 2.) for any course regardless of the delivery type, offered by your institution as your employer you would receive 100% tuition waiver; employee I receive a 100% waiver for a face to face course at another institution, employee takes a course OTHER than a traditional course at another campus would be 50% paid by the employing institution and 50% paid by the employee.

Other discussion of criteria for the policy--successful completion, probationary period complete, do you need to continue employment for a certain time after completion of course(s), etc.

Laura said we need to keep this discussion moving ahead in order to have any changes in place for fall 2015. Laura will keep the HRC updated.

5. **Nepotism (SBHE Policy 603.3 and NDUS HR Policy 13) (Erickson/Nikle)**

Discussion on the definitions of Employment of Relatives in NDUS HR Policy 13. and SBHE Nepotism 603.3 Policy. The definitions are currently inconsistent. After discussion, it was agreed to revise NDUS HR Policy 13 to be consistent with SBHE Nepotism 603.3 Policy definition of immediate family.

6. **TIAA-CREF Multi-Class Structure Change effective April 24, 2015 (Grinde/Glatt)**

Started regrouping the TIAA accounts and creating the revenue credit. The CREF accounts had to be handled separately. They are now doing the same on the CREF accounts—R1, R2 or R3 portfolio. NDUS will be in the R3 class, it reduces our overall expense ratio. It will eliminate the revenue credit we have been receiving the past couple of years. They were crediting us back those revenues and crediting it back to the employees, it does it on the front end now. The revenue credit also helped pay part of Jane Grinde’s salary. We won’t have those dollars any longer. Jane is going FT now with the CTS so she will not have time to serve as retirement plan coordinator. The NDUS will need to determine how to handle this now. Julie Kalvelage, our relationship manager, is being replaced by Paul Krajcir out of the Denver office.

Pat Hanson noted there had been questions on Foundations and how they fit within the new classes. More research will be done to see if they can be consolidated with the NDUS TIAA/CREF Plan.

The items that were previously discussed by TIAA-CREF with the HRC will be handled by the Retirement Plan Oversight Committee now, but the HRC could continue to have an annual discussion with TIAA-CREF representatives about service/employee needs, etc. We could time it around an oversight committee meeting so they would be here anyway.
Pat Hanson (UND) and Brittnee Nikl (NDSU) are on the oversight committee. Discussed if employees should have an ability to withdraw funds on the 401a plan. Currently, can withdraw, at separation, if their accumulation is below $10,000. If above that amount, they have to wait until age 55. The HRC suggested that some expansion may be warranted, by either increasing the $10,000 limit or permitting access to the employee share of contributions.

7. Sick Leave Payouts (NDSU)

In a leave accruing appointment and move into a 9 month non-accruing leave appointment. They would like to change it that they would pay out at the time they move into the 9 month position and not leave the SL on record. It was agreed to make the recommended change.

8. NDUS HR Policy 2, Appointments (UND/NDSU)

Shared and discussed updates to some definitions within Policy 2. and updates regarding ACA. It was agreed to move forward with the recommended changes.

9. Entering disciplinary “Leave of Absence” in PeopleSoft (NDSU)

Agreed it was a User Group agenda item. Gail (DSU) will add it to the next User Group meeting agenda.

Future Meeting Schedule

May 20 & 21 North Dakota State University