NDUS HRC Meeting Minutes
Minot State University
Administration Building – 3rd Floor - Jones Room
September 15th & 16th, 2015
Start time is 1:00pm, Sept. 15th • Start time is 8:00am, Sept 16th

Call to Order
Meeting was called to order at 1:12 p.m.

Roll Call
Attended

BSC Rita Lindgren, Carla Sivesind (NDUS Staff Senate Rep)
DSU Gail Ebeltoft
LRSC Sandi Lillehaugen, Beck Lang
MaSU Karen Amundson (by phone)
MiSU Wes Matthews, Jessica Smestad
NDSCS Sandi Gilbertson
NDSU Tricia Johnson, Noah Fischer, (Jill Spacek and Collette Erickson—by phone)
NDUS Laura Glatt, (Nick Vaughn, Noah Brisbin—by phone)
NDUS-CTS Karin Stinar, Jane Grinde
UND Pat Hanson, Joy Johnson, Donna Smith
VCSU Jennifer Larson
WSC Michelle Remus, Jamie Rehak
Unable to attend--DCB

Introductions / New members

Approval of Minutes
Matthews motioned to approve minutes from the May 2015 meeting and Ebeltoft seconded. Motioned carried.

Old Business
Sick Leave Policy Legislation and Tracking of Hours
Discussion
J. Johnson asked how FMLA is tracked and how the additional specific ‘other’ FLMA is tracked as defined in the new legislation. We need a mechanism to track FMLA. Suggestion was to add earning codes. Stinar recommended that she would visit with campuses regarding this suggestion.

NDUS HR Policy 5, Pay Policy Update (Matthews) – see attachment
Still on the attorney’s agenda, hopefully will be done by September 30, 2015.-date updated on 12/16/15
Matthews recapped the updates recently made to NDUS Pay Policy 5, with AG approval (slight change). It appears that this policy is ready to move forward to the SBHE. Johnson asked who brings it forth, Vaughn confirmed the Chancellor’s staff would bring it to the SBHE board meeting. The next meeting is scheduled for September 30, 2015. Brisbin added that AG legal staff would be available at the meeting to answer any questions regarding the policy.

Nepotism (SBHE Policy 603.3 and NDUS HR Policy 13) Update (Matthews) – see attachment
Matthews provided a brief overview regarding HR policy 13 in alignment with 603.3 (regarding definition of immediate family)—nothing has changed since the last HRC discussion. This policy change would be ready for the September 30, 2015 SBHE meeting. Johnson questioned the definition of direct
supervisor and whether directives could be deferred upward or downward. The policy states ‘under their control or direction’—is this clear? Matthews recommended that we take a further look at this—tabled at 1:25 p.m. on 9/15 for further discussion later in the meeting.

Day 2, 9/16
Discussed indirect supervisors at an upward level as related to instances where an immediate family member is involved. One remedy would be to remove that line of indirect supervision and reassign, if there is a conflict to NDUS policy 13.

Recommended changes to wording:
As used in this section, “supervisory capacity” means the authority to appoint, employ, hire, assign, transfer, promote, evaluate, reward, discipline, demote, or terminate.
When reassigning supervisory authority the reassignment will be to a higher level of authority unless otherwise advised by legal counsel. Matthews will send this out to the HRC via email.

NDUS HR Policy 2, Appointments (UND/NDSU) (Matthews)
Brisbin asked if there are any questions regarding the recent update to NDUS Policy 2.
Lillehaugen asked for an update and if we can change our definition to 30 hours. The 20/20 rule is mandated by state statute and will not be changing to 30. The 30 hour rule only applies to the ACA. State law does not require providing benefits to PT employees; the ACA law does require providing health coverage under the 30 hour rule. Matthews provided a brief history regarding the 20/20 rule as it relates to a ‘regularly funded position’. Brisbin asked for any specific examples of positions. Matthews suggested adjunct faculty as one example. Brisbin noted that the ‘limited duration’ verbiage from the statute would align with the schedule of an adjunct faculty member. T. Johnson noted that there are consistent temporary positions that re-occur year over year. Hanson asked if there is a liability to the NDUS. Brisbin said the only liability is if you are NOT offering the health insurance to the individual that meets the criteria. Glatt asked the group if they were ready to move forward from a definition standpoint. In 2.2.1 the words ‘approved and regularly funded’ are listed—from a Higher Education standpoint what is our interpretation of this? Spacek asked if other funding sources apply. The following definitions were provided:

Regular funded—anticipate the position goes year over year.
Approved funded—someone, presumably the President, approves the position each year.

At what point do pool positions become regular? Assumption is that they move out of the pool when they make the 20/20 rule. UND defers to the definitions in Policy 2. They track and notify supervisors when PT/temporary employees meet the 20/20 rule.

Glatt asked if the group would consider how we can better define ‘approved and regularly funded’. Matthews suggested that the conversation be tabled and move forward with the agenda in light of the legal staff availability on the phone.

Further discussion on day 2, 9/16:
Continued discussion regarding approved and regularly funded. Further discussion is needed to explore this definition. SBHE Policy 2 changes should move forward as planned and this topic should be placed on the December HRC meeting agenda. Matthews and J. Johnson said they would be willing to do further research on this topic.

NDUS HR Policy 8, Workers Compensation (Kolb/Ebeltoft) (Draft changes attached)
SBHE approved second reading on 9/3/15. Final version will be distributed via list serve soon. Ebeltoft provided an update: policy changes were presented at the March meeting. It went forward and was approved by the board. No further discussion is needed.
New Business

SBHE Policy 820 - Tuition Waivers/Tuition Assistance (Sandi Lillehaugen)
Please send updates/changes to tuition waiver contact list to Sandi Lillehaugen.
Hanson asked if other campuses have deadlines for dependent and employee waivers.
UND has a 30 day deadline prior to classes beginning for dependent. This is mostly due to financial aid awards and timelines as it may have a negative effect on the students overall award.
Glatt mentioned that internships were removed from the tuition policy definition and this has created some angst. Spacek from NDSU noted that some employees on their campus feel they had something removed from them. Overall, employees are excited about the changes. Glatt mentioned the next step in this area is whether or not a universal tuition waiver is applied for dependent and spouses across the system. Data gathering and statistical research on this topic is in process at the system office.

SBHE 601.0 Veteran’s Preference (Laura Glatt / Pat Hanson) – see attachment for additional edits
New procedure was approved and put in place on 8/5/15: http://www.ndus.edu/makers/procedures/ndus/default.asp?PID=283&SID=58.
Glatt provided an update on Veteran’s Preference 601.0 as it relates to recent updates made as per new legislation effective August 1, 2015. The next step is to look at additional questions on 601.0 that were brought forth as a result of the updates.
Hanson asked if Veteran’s Preference apply to students. The AG office will research that.
Hanson reviewed the document submitted with the agenda entitled ‘UND edits Veterans preference doc’.
Lengthy discussion regarding the edits.
Lillehaugen tracked the edits from the discussion and will send out to the HRC for review and comment.

602.3 Job Applicant and Employee Criminal History Background Checks – Policy and procedure updates were made in June 2015, effective 7/1/15 at: http://www.ndus.edu/makers/procedures/sbhe/default.asp?PID=209&SID=7
RFP Update (Laura Schratt)
16 RFP’s were received. The committee did a technical review (level of meeting criteria). Laura Schratt put the review into a tiered format. The committee is discussing a further review of up to (top) 4 companies. Question was raised regarding number of days in break of service for employees within a state agency to process another background check. Originally intended to be 9 months, but the policy states 120 days. Glatt will check on this.

603.1 Harassment Policy (Laura Glatt)
HB1428, passed during the 2015 session addressed harassment policies. The legislation is as follows:
SECTION 1. A new section to chapter 54-06 of the North Dakota Century Code is created and enacted as follows:
Harassment policies.
   Each state agency, department, and institution shall adopt and enforce a policy on employee harassment, including sexual harassment. The policy must clearly define harassment and specify the responsibilities of the employee, supervisor, and the agency, department, or institution. If an agency, department, or institution does not adopt a harassment policy, the agency, department, or institution must be subject to the policy adopted by the North Dakota human resource management services division.

Currently, policy 603.1 requires each institution and system office to have a policy.
Glatt provided an overview of the current harassment policy as it relates to recently passed state legislation. The legislation, as noted above, was sent to all campus HR departments with a request to review campus current policy and ensure the items are addressed in current policy. Lengthy discussion
on the definition of harassment and bullying. BSC has a bullying statement in their current policy. CTS has developed a proposed statement on bullying. Lindgren and Grinde will send those sections to Laura. The committee will continue to work on a draft. Committee members are: Sandi Lillehaugen, Noah Fischer, Gail Ebelfttof, Jane Grinde and Laura Glatt

703.1 Early Retirement (Pat Hanson)
Question regarding TIAA-CREF and phased retirement guidelines. Another outstanding issue is rule of 70. When asked if anyone objects to honoring cumulative years of service within the NDUS, there were no objections. Upon further review of the policy there were no clarifying statement recommendations for purpose of years of service.
Lengthy discussion regarding transfer of sick leave between state agencies i.e. within the NDUS.

NDUS Policy 02, Appointment (Laura Glatt) - Changes to this policy as per AG’s office.
Revisited the discussion regarding approved and regularly funded positions. Consensus was that we continue with the agenda and if there is time at the end the definition will be discussed.

NDUS Policy 5.6.2, Pay Policy & NDCC 54-06-24-.5, Incentive Program (Pat Hanson) – conflicting policies 54-06-24 states a different level of compensation than NDUS 5.6.2. Update to NDUS 5.6.2 is necessary. Change to 20% of any savings realized to a maximum of $4000. Change was reflected in the draft.

NDUS Policy 7, Sick Leave (Wes Matthews) – Review new policy for complete understanding Discussion regarding new legislation as it relates to our sick leave tracking procedures. Various scenarios were discussed. It was determined that we need to give this some more time in order to compile real examples to discuss. This discussion led to a discussion on the shared leave program. Clarification was given on NDUS policy 7 regarding guidelines for annual leave and sick leave donations. 54-06-14.2 is the century code. Matthews recommended that this group may want to suggest changes for the next legislative session. Section C----‘well -being’ in the definition is gone. Currently dependent sick leave is tracked by earnings code and there is no limit. The additional 40 hours for domestic violence related sick leave will fall under employee sick leave. There will not be an earnings code for that. This leave request will be between the supervisor and employee.

End of day 1

NDUS Policy 19, Holidays (Wes Matthews) – Establishing a religion discussion
Referring to policy 19 Matthews asked the HRC to give thought to other possible approaches to religious holidays (specifically), other than the current option to take annual leave. Campuses weighed in on the subject of diversity and the current policy. A recommendation was made to implement a ‘floating holiday’. This discussion will be ongoing as members give further thought to the topic.

Pre-Action Hearing Procedures Discussion (Joy Johnson)
J Johnson asked if campuses have procedures laid out to conduct a pre-action hearing. Matthews pointed out he does have a process for pre-action review, and deferred to NDUS Policy 25. Documents allowable for review are the intent to terminate letter and employee rebuttal letter. The reviewer may contact either party for questions and may look at the personnel file as it is an open record.
UND does a pre-action ‘hearing’ as the pre-action review where both sides are heard. MiSU, BSC, LRSC, CTS, VCSU—send the intent letter, do a pre-action review, and share the final decision. In addition to the above, NDSU also provides a summary of the pre-action review.

NDPERS Same Gender Marriages Open Enrollment (Laura Glatt) –this item was placed on the agenda in error and was stricken.
**Affordable Care Act (ACA Committee)**

Karin Stinar provided the following update:

ACA tracking in PeopleSoft automatically creates only with the first hire/job data record.

1. The HRM team feels a modification is necessary to create or update that page according to ACA status change as it relates to job code. In the case where someone is temporary and they meet the definition for full-time that is still a manual process. The page needs to be updated manually to eligible for the ben admin to be created.

2. Last Oct/Nov a mass spreadsheet was created for temp employee—there is clean up that needs to occur—working on this process.

3. A process to automate the verification of teaching credit hours. Working on running that query out of campus solutions. Working on updating summary query for the calculation process based on the credit hours by campus.---after discussion—there is no need for this due to potential discrepancies.

Question—what if we don’t want the query brought in from Campus Solutions?

NDSU credits taught are being verified by the provost office and graduate school. NDSU HR enters the data to ensure accuracy. They are entering standard hours in job data based on the calculation. They found a discrepancy as it relates to sections taught.

NDSU—MaSU, LRSC, NDSU, WSC, BSC and DSU—either enters into Job data and processes additional pay or does one of the two.

NDSCS (possibly), and MiSU—are prepared to do the calculations once per year.

UND—requested that a new job data form be sent with updated information with the number of credits taught.

Update on 1095 – C reporting. Stinar has been paying close attention to the availability of information. Oracle has been communicating that EVERYONE needs a 1095C—within the last couple of days there has been new communication regarding this. Currently, it is unconfirmed.

Envelopes will be available through RR Donnelly.

There will be a consent process to receive the 1095C electronically—**THIS WILL BE A SEPARATE CONSENT FROM THE W2**

Hanson asked if it was possible to get additional fields in the query. Stinar will follow up.

Another look back period is coming up soon. Nov 1st 2014 – October 31 2015

Offer health coverage to eligible employees prior to January 1, 2016

Deductions need to begin coming out of pp 11/30 – 12/15.

Stinar will send out a reminder email with the query names.

Question—is there any way a specific notification can be sent as a ben admin event when the ACA page is updated? Stinar will check on this.

**RA Workgroup Recommendations 2015, Laura Glatt**

Update provided by Glatt:

Laura Schratt is leading this group. The group has been working on a framework and drafts of policies and procedures. When those are ready they will come back to this group. The purpose on working on this is not to dictate how and what forms of compensation campuses provide to students. We don’t want to limit or prescribe, rather identify and define options for payment and how they should be recorded.

Tabled

**NDUS Share Services Discussion (Laura Glatt)**

The Chancellor recently sent out to each president a list of assignments made for 6 study areas

- Governance
- Costs
- Mission (duplication of services)
- Tuition and Fees
- Shared Services—identified a few areas to explore; Payroll, H1B visa, Construction Mgmt., IPEds Reporting/Institutional Research.
- Student Retention

Tasked Presidents to chair each group, they will develop a committee to conduct the study and report back to the Chancellor. Timeframe is not available at this point.

**SAC Representation on State Staff Senate (Pat Hanson)**

Discussion regarding HR representation at State Staff Senate meetings. Originally, it was requested to have HR representation at State Staff Senate meeting. Grinde asked if the HR representation was in the State Staff Senate by-laws. Sivesind verified that the by-laws state an HR representative can be invited to the meetings. Currently Sivesind serves as an HRC representative on the State Staff Senate. Hanson proposed that Sivesind represent the HRC at the meetings. Discussion.

Hanson made a motion that Sivesind represents HRC at the State Staff Senate meetings, Grinde seconded.

Matthews requested more discussion.

Motion went to a vote:

- NDSU—abstain
- YES—UND, BSC, VSCU, CTS, DSU, NDSCS, LRSC
- NO—2 (MiSU)

Motion passed

**HRMS Onboarding Process (Jennifer Larson)**

Larson asked who is using MSS onboarding.

BSC, CTS, System Office, UND has started with departmental roll-outs.

MSS Onboarding is turned on for people to use. If you want to pursue, please contact Karin Stinar so that the correct roles can be assigned within PeopleSoft.

A key stressor of onboarding must be done in real time. Everything about the MSS process is contingent upon the first date of hire.

Training materials are in UPK. If you are in PeopleSoft—click the help link to see the section on MSS.

Fischer asked if there was a way to see progress of where the new employee is at in the process, Grinde mentioned activity log, Hanson said departments don’t have access. Stinar will check on this.

MSS is a proactive approach to hiring. Stinar noted that it’s been out there for 1 ½ years. Enhancement requests have been received; unfortunately the team is working on other priorities and new projects. As time warrants, those requests will be follow-up on.

Lengthy discussion on how to implement the process into current campus culture and the struggles with getting departmental buy-in as it relates to the critical timelines.

**CCF request regarding faculty oath of office (Laura Glatt)**

Faculty brought this matter forth at the September board meeting. There has been an opposition taken by CCF on the current faculty oath with regard to notification of signing and what’s included in the oath.

There are two options to consider:

1. Change legislation to include updates/changes to what’s included in the oath
2. At a minimum when we advertise and post for faculty positions we are clear about this requirement.

Leave this topic on the agenda for future reference.

**Update on executive search firm RFP (Laura Glatt)**
Thank you to those members who served on this committee—Rita Lindgren, Wes Matthews, Pat Hanson, and Collette Erickson. A status update/summary was sent to the HRC as part of the agenda packet. There were four firms pre-approved as optional for future use. Campuses may choose an alternative vendor, however they would have to go through the RFP process. Three of the four vendors have signed agreements (at the time of the HRC meeting). Master agreements have been set with each, so all campuses have to do is complete one participation form to initiate services (page 14). Scope of services available is part of the draft agreement on pages 3 and 4. Pages 5 – 13—don’t need to worry about, this is the master agreement. Page 14—is the one page participation addendum that campuses fill out. Page 18 – 24 is the specific pricing for each of the 4 firms. These are maximum prices—negotiation for less is still an opportunity.

A website will be created with all of this information and communicated to the HRC. Initial contract has been locked in for 3 years, with options to terminate as a standard procedure.

**Future Meetings:**
Add to agenda---ND State Staff Senate Update
Grinde asked for clarification concerning call for agenda items. All New Business is not necessarily placed on the next agenda as old business. Lillehaugen and Grinde will watch for tabled items and place on next meeting agenda along with call for agenda items.

- December 1 – 2, 2015  NDSCS
- March meeting location BMK

Meeting adjourned 11:21 a.m.

Meeting minutes taken by Jane Grinde, HRC Secretary.