NDUS HRC Meeting Minutes
May 24th 1:00 – 5:00 p.m.
NDSCS
Hektner Student Center Red River Valley Room
Dial in from a campus: 8-7950 or the full number is 701-328-7950
Call in information for Tuesday: NDUS MeetMe 1412001#

Attendance

BSC—Rita Lindgren
DSU—Gail Ebeltoft
LRSC—Becky Lang, Sandi Lillehaugen
MaSU—Crystal Beggs
MiSU—Jessica Smestad
NDSCS—Elaine Weiser and Ann McGray
NDSU—Noah Fischer, Jill Spacek
NDUS—Jane Grinde
NDUS-CTS—Jena Reno, Teri Thorsen, Karin Stinar, Jane Grinde
UND—Donna Smith, Pat Hanson, Joy Johnson
VCSU—Jen Larson
WSC—Michelle Remus, Jamie Rehak
State Staff Senate—Lisa Braun
AG office—Noah Brisbin

Unable to Attend

DCB

Call to Order

Lillehaugen called the meeting to order at 1:09 p.m.

Roll Call

Grinde took roll call

Approval of Minutes

Motion: Motion to Approve--- Grinde
Second: Smith
Outcome: March 2016 meeting minutes approved

Old Business

NDUS Pay Policy 5

The following changes (in blue) were approved via email by the HRC in March. Administrative Affairs Council recommends the edit in red:

Employee Suggestion Incentive Program All employees except presidents, vice presidents, deans, department chairs, and department heads are eligible to participate in the Suggestion Incentive Program.

5.5 Employee Suggestion Incentive Program All employees except presidents, vice presidents, deans, department chairs, and department heads are eligible to participate in the Suggestion Incentive Program.

5.5.1 An employee may submit a recommendation or proposal to reduce expenditures within the university or the employee's work area with the appropriate campus official or directly and concurrently to the State Suggestion Incentive Committee. All recommendations or proposals presented by an eligible employee will be forwarded to the State Suggestion Incentive Committee. The State Suggestion Incentive Committee shall review all recommendations or proposals and forward its recommendation to the institutional president. The president shall make the final decision on acceptance or rejection of a recommendation or proposal.
A university employee whose recommendation or proposal to reduce expenditures is approved by the State Suggestion Incentive Committee and the institutional president, is entitled to receive twenty percent of any savings realized, to a maximum of four thousand dollars. The institutional savings must relate directly to the employee's proposed change. The suggestion incentive must be computed on the actual savings for a twelve-month period beginning from the time that the proposed change is instituted. The employee is entitled to the suggestion incentive payment at the end of the twelve-month period in a lump sum payment which is in addition to the employee's regular salary. Employees who qualify for the suggestion incentive are entitled to an award for the first year's savings only and not for any subsequent years.

Motion:
Motion to move forward with changes to 5.5.2 and reject changes to 5.5.1—Grinde
Second—Ebeltoft
No discussion
Motion Passed

NDUS Human Resource Policy Manual: Section 18 Rest Periods—Pat Hanson
18.1: Employees may be allowed a rest period of fifteen minutes each half day to be arranged by the department head. The work day may not be shortened and hour lunch periods may not be lengthened by omitting rest periods. Hanson will look into this more and we will revisit at the next meeting.

SBHE Policy 608.2: Policy is confusing – clarify the policy and discuss re-wording the policy.—Pat Hanson
Move section 5 to section 1 to clarify which employees the policy applies to.
Discussion regarding the 90 day notice offered to non-banded employees where campuses are facing a budget crisis. Is there risk to rehire at a lower level?
Campuses have discretionary authority to make these decisions in extenuating financial circumstances.
Hanson will take the policy back and make some necessary edits and present at the next meeting.

24.5 The department shall maintain written documentation of the required analysis and review in Section 24.4.

24.8 Employees not on probation when terminated as a result of a reduction in force shall, for two years following the reductions, be provided the following additional services:

1. To the extent possible, institutions will assist terminated employees in searching for other employment.
2. Each institution The Human Resource Council shall maintain a list of employees, including their qualifications, who were terminated due to a reduction in force. This list shall be made available to all institutions for employment considerations. Individuals from this list shall be treated as internal applicants by the hiring institution.
3. To assist in retraining efforts, employees terminated due to a reduction in force may continue to utilize the North Dakota University System’s employee tuition waiver as defined in Section 33 of this manual.
4. Employees that are terminated as a result of a reduction in force who are rehired within two years are no longer eligible to receive the above services.
Ebeltoft asked for clarification regarding NDUS 24 and if other campuses do the required analysis if an entire unit is dissolved. Group consensus was yes. She also asked to what extent we need to perform 24.8 (1) searching for other employment. UND maintains a list of RIF’d employees. They recently implemented a 6 month program where they look at qualifications to see if there is anyone on the RIF list to contact for the vacancy before doing an internal placement. UND also offers internal training opportunities to RIF’d employees.

Brisbin provided an overview of the Administrative Code. There are some differences between state agencies and Higher Education in the areas of maintaining lists of RIF’d employees and length of rehire. State agencies are only required to maintain a list within their agency.

Send list of RIF’d employees to Jane Grinde. She will ask CTS to create an HRC folder on a SharePoint site. This folder will house a list of RIF’d employees within the University system. After discussion the following motion was made which places accountability on each campus to maintain a list of RIF’d employees, rather than the HRC as a whole.

Ebeltoft moved to accept the revised changes as stated above in 24.8 be made to NDUS 24
Smith second
Discussion none
Motion Carried

Earnings Code for FMLA Leave—Pat Hanson
Discussion regarding tracking FMLA leave through an earnings code. An earnings code would domino into new leave codes which would be much bigger to implement. This is difficult to commit to now with the TLAB pilot. There is an FMLA module within PeopleSoft which may be rolled out in the near future. It may be in the best interest for campuses to maintain their process now and wait for this module to become available. We need to weigh technical solutions vs. need as it relates to cost. Historical Data: Lifetime of PeopleSoft for the NDUS (14 years)—total entries for FMLA is 800, but those are not including employees on FMLA that are not updated in job data. Trouble areas include intermittent FMLA, FMLA concurrent with leave and calendar options.

New Business
DOL Change to Overtime Exemption Threshold Effective December 1, 2016—ALL
- Discussion on process and fiscal impacts
- If the position is less than 12 months (for example FT 9 months), can the salary be converted to 12 FT for the review? Calculate the weekly rate and if it meets the $913 per week they are ok to remain exempt.
- Have you considered lowering the hourly rate to would pay someone from going from exempt to non-exempt to absorb the anticipated overtime hours that the position would be required to work. In effect keeping the annual salary approximately the same. Would they be able to grieve this by policy? see point #1 below. This is the least preferable approach.
- Are all your non-exempt positions paid hourly and therefore do they all submit their hours worked in some form or fashion?
- If you have non-exempt positions paid on a salary basis, how do you plan to manage and make sure they are following the intent of the law and tracking their time?
- How do you plan to educate your supervisors and employees that will be affected by the change to non-exempt? NDSCS met with Cabinet and communicated the impact level. They have also started the education process with supervisors.
• Coaches—coaches fit into the teaching category so long as your documentation and duties on the position description appropriately match percentages of teaching/coaching.
• Recruiters—non-exempt, gets paid overtime, tracks hours, gets paid for travel time.

Brisbin provided an overview of the overtime exemption changes for FLSA.
Options to approach:
1. Recalculate hourly salaries downward so that the OT is now—
   $30,000 annual salary @ 50 hours per week—$12 per hour or $600 per week
   $600 per week—at 55 hrs per week is $10.60 per hr—this approach could be grieved
2. Budget for the OT
3. Discourage OT
4. Increase salary to $47,600

Data Inconsistency Objective 7.1: Standardize HR Data Elements—Karin Stinar
Stinar provided an overview of a Data Inconsistency Problem Statement handout and asked for specific (fact finding) information regarding shadow systems. She used IPEDS reporting as an example and asked if any campus is not using the custom report in PeopleSoft. Three responded with a no. VETS-4212 report. DOL reports, FMLA, Evaluations, Media Requests (created a dashboard), Salary/Market Data are all examples of shadow systems.
MSS onboarding—is Vets information a prompt? Karin will check. This information can be entered by the employee in self-service.
Data Inconsistency is part of a legislative mandate. HR Data Elements are a part of the Data Inconsistencies objective where recommendations must be provided by the end of this year and implemented by the start of the next legislative session.

Modifications and IT costs going forward—Teri Thorsen
Thorsen provided an overview of what it takes for the HRMS/FIN team to respond to requests, bug fix, request enhancement to Oracle and request enhancements to NDUS. She walked through the process of response, cost and maintenance from a global perspective.

Discussion—Joy Johnson
How do campuses handle the sick leave balance for employees that transition from staff to faculty, who do not accrue sick leave? NDSU—pays it out at 10% of balance and zeros out balance, DSU—carried over the sick leave balance and paid out the 10% Legal compliance—wait to make any payouts until ultimate separation of employment.
NDCC § 54-06-14 is the statute governing the payout of accrued leave. It specifies that “the pay attributed to the accumulated, unused sick leave must be computed on the basis of the employee’s salary or wage at the time the employee leaves the employ of the state.”

Email Addresses for Employees—Joy Johnson
Do campuses mandate campus emails be set up for all employees? Consensus was yes, NDSU says it’s the official vehicle of communication.
Which email address do campuses send business correspondence? Who requests an email be set up on campuses? 027 report is automatically sent from HR to IT. This is an overnight process.
When are email accounts closed for terminated Faculty? Staff? Who makes that request?
**Shared Services for Safe Colleges online training—Crystal Beggs**
Discussion around training available to all NDUS campuses. Lillehaugen recommended to contact Patti Heisler at NDUS/CTS.

**NDUS Defined Contribution Retirement Plan (401a)—Jane Grinde**
On average how many complaints are received per year from former employees who cannot process a rollover due to the $10K limit as per guidelines within plan document? Response from disgruntled employees is very minimal. Not enough to prompt a plan document change.

**Discussion—Gail Ebeltoft**
When does each campus close a position? After an offer has been accepted.
   a. Post offer/pre criminal history record check
   b. After the results of the check have been returned and are favorable
   Other?

**Annual Review Forms for Staff—Jen Larson**
- Discussion—what are you currently using? What has worked/not worked?
  - Please bring a copy of your current review form, if possible, or send electronic copy to Jen.
HRC shared staff evaluation forms with Jen.

**OTHER DISCUSSION:**

Discussion on administrative costs report

Circle back to questions not answered above in the DOL section.
Place unanswered questions on September HRC agenda.

At Large Memberships:
LRSC
NDSU
VCSU

Please invite at-large members to the September meeting.

Johnson shared draft changes to the background check policy #?---regarding definition of new hires. Grinde will follow up with Laura Schratt regarding revised language.
What do we do with the current policy regarding—camps, academic staff, temporary staff and the cost.

Agenda for next meeting—add Background Checks—RFP and draft language for procedure.

**Future Meetings:**
September 20th and 21st
December 6 and 7 conference call