P&A CONSULTATIVE COMMITTEE (PACC)
January 25, 2016
Minutes of the Meeting

These minutes reflect discussion and debate at a meeting of a committee of the University of Minnesota Senate; none of the comments, conclusions, or actions reported in these minutes represent the view of, nor are they binding on the Senate, the Administration, or the Board of Regents.

[In these minutes: Reports; Discussion of Proposed Changes to the OHR Administrative Policies; Approval of the Senate Agenda; Discussion with President Kaler]

PRESENT: Susanne Vandergon (Chair), Sherri Boone, Etty DeVeaux, Katherine Dowd, Linda Eells, Kevin Haroian, Candice Kraemer, Ian Ringgenberg

GUESTS: Patti Dion, Director, Human Resources; Liz Eull, Deputy Chief of Staff, President’s Office; Ken Horstman, Senior Director, Human Resources; President Kaler; Nicole Salm, Human Resources

1. CHAIR’S REPORT

Susanne Vandergon reported that she attended the Faculty and Staff Affairs Committee meeting on December 10 at which time Vice President Brown provided updates on the Job Family Study, the Upgrade, and diversity and composition of the workforce. She also attended the Regents meeting on December 11. Topics included the University’s supplemental budget request in four areas and the Office of the Vice President for Research’s annual report, which stated that grants increased by $13 million.

She has been reviewing the administrative policy changes that are being sent for review and has a lunch on January 29 between consultative committee leaders, Vice President Brown, and her senior staff members.

2. SUBCOMMITTEE UPDATES

Benefits and Compensation (B&C)

Ian Ringgenberg said that the last B&C meeting focused on parental leave issues and responses from the 9 and 10 month contract P&A survey of vacation. The survey was sent to 499 people and 102 responses have been received. There has been some surprising details to the open-ended questions. The responses are being coded now and will be shared with PACC and the P&A Senate.

B&C is also working on a report on the Job Family Study. It will be a synthesis of the work that B&C has done on this topic and the issues that have been forwarded to the chairs for consideration. The paper is not meant to lead to further action, but provide a summation of the work done by B&C.

Communications

Linda Eells noted information from past Outstanding Unit Award winners will be in the next newsletter. Other topics from the last meeting include updating the NEO presentation, sending a survey of communication methods and demographic information, and keeping new tweets on the Twitter feed.
Outreach
Kevin Haroian stated that the Outreach Subcommittee is working on the thank you letter for service in the Senate. They want a copy to be sent to the senator’s supervisor and dean/director/chancellor.

Professional Development and Recognition (PD&R)
Sherri Boone said that PD&R held two brown bags since the last meeting. One was a webinar on Google Docs in December and the other was strategies for improving happiness in the workplace in January. The January brown bag had 57 people in the room and 119 online. The next brown bag is planned for Morris. For those who travel for the event, Morris will be offering a sustainability facility tour. Lastly PD&R is finishing work for this year’s Outstanding Unit Award.

3. DISCUSSION OF PROPOSED CHANGES TO THE OHR ADMINISTRATIVE POLICIES

Ken Horstman, Senior Director of Employee Benefits in OHR, joined the meeting to provide an update on three proposed policy changes.

Family and Medical – FMLA Leave
He stated that there are many changes to this policy, but most are non-substantive. Instead the changes have been made to simplify the language and remove redundancies with federal and state laws. The definitions have been updated and some information was moved from the policy statement to the FAQ section.

The one substantive change involves how the policy is applied. Federal regulations require FMLA leave to be offered based on a 12 month period. Currently, the University administers FMLA leave based on the fiscal calendar. This allows an employee to have 12 weeks of unpaid leave in each fiscal year, and permits someone to use up to 12 weeks by June 30, and then have another 12 weeks starting on July 1. The change being proposed is that the University will now administer FMLA leave based on a rolling 12-month period. This change will go into effect on July 1. Any current applications for FMLA leave will still be administered under the current policy. OHR will require different record-keeping for this change and a training process is being developed.

Q: How does FMLA differ from unpaid leave from the University?

A: Anytime an employee is requesting a leave due to medical necessity, or to serve as a caregiver in a medical context, it should be considered under FMLA, which by itself is always an unpaid leave. However, FMLA can run concurrently with other leaves, like medical or parental leave, that are paid. Unpaid leave from the University could then start after the unpaid FMLA leave and any paid medical or parental leaves are exhausted. One difference is that FMLA leave only requires the University to provide a similar job upon re-entry instead of access to the same job one was doing before the leave.

Parental Leave for Employees
Ken Horstman said that the changes to this policy are to simplify and clarify language. The policy will also apply equally to all employee groups to provide equity in parental leaves.

Paid Leave for Specific Circumstances
Ken Horstman said that this policy incorporates three current policies into one to make it easier for employees to find information on accommodations for other types of absences. No parameters of the various leaves have been changed.
In closing Ken Horstman said that any further questions or comments can be forwarded to Nicole Salm, salm0078@umn.edu. He was also happy to have Mary Rohman Kuhl on board as the new Senior Manager for Compensation and Classification.

4. NEO VOLUNTEER FOR FEBRUARY 17

Kevin Haroian agrees to present at NEO on this date.

5. SPRING SENATE MEETING SCHEDULE

Susanne Vandergon asked members to consider pending items for spring semester P&A Senate meetings and if it might be more useful to use one of the Senate meeting dates for subcommittee work instead. Specifically, she is considering the March date, as no ITV rooms are available. Also, one topic mentioned by a senator in December, research funding for P&A, is not something that the Office of the Vice President for Research can address centrally as these decisions are made at the college level instead.

Members discussed another room option (3-180 Keller Hall) and a list of potential speakers/topics: Vice President Wheelock, Vice Provost Furco, Title IX and Equal Opportunity, Faculty Consultative Committee Chair, Senate committee updates, possible unionization of faculty and some P&A, and a legislative update.

Susanne Vandergon said that she would consider using this list for speakers/topics at future meetings, including space available in the February 5 agenda.

6. APPROVAL OF SENATE AGENDA

The agenda was approved as presented.

7. DISCUSSION WITH PRESIDENT KALER

President Kaler then joined the meeting to discuss a variety of topics that had been submitted.

Regents Scholarship Program changes
This issue cannot be discussed at this time, as status quo needs to be maintained due to the unionization effort.

P&A Senate Resolution on bankable vacation hours
This issue was sent to OHR, but cannot be discussed at this time, as status quo needs to be maintained due to the unionization effort.

Budget Request and the Legislature
President Kaler said that the University has had a pretty good start to the capital budget request process this year. The University’s request consisted of HEAPR dollars and funding for five projects. The Governor released his budget and the University received:

- HEAPR: $55 million of $100 million requested; this is up from the usual 40 percent and might be due to a long conversation that he had with the Governor to provide more education regarding spending in this area
- Health Sciences Education Building: fully funded at $66.7 million with University contributing the last third of $33.4 million
- Chemistry and Advanced Materials Science Building at Duluth: fully funded at $27.2 million with University contributing the final third of $13.6 million
- Plant Growth Research Facility: fully funded at $4.4 million with the University contributing the final third of $2.2 million.
The two areas not funded by the Governor include $16 million system-wide to convert obsolete space for academic and student experiences and $22 million for Pillsbury Hall renovation.

He is confident that the House Democrats bill will be favorable for the University. The Senate bill will likely not be released until early March since the session does not begin until March 8 this year, but he has heard that Senator Stumpf will advocate for the Health Science Education Facility.

The Governor’s capital bill totals $1.4 billion and Republicans have said that they do not want to spend more than $1 billion. There was also $150 million awarded last year, which they may count towards the cap. Factors favoring a large capital bill include lots of cash in the state, interest rates which are still low, and Twin Cities construction projects, the US Bank Stadium, ending. However, as there were no tax or transportation bills last session, funds could be spent in those areas instead.

President Kaler said that there are two other issues regarding the legislative session. One is that there may be a supplemental budget due to the surplus, therefore the University has submitted a request for four areas:

- Health Training Restoration: UCare financially supports two areas, Family Medicine and a mobile dental clinic. When it was not selected as one of the three Medicare providers by the state, revenues to these two areas were reduced. The shortfall is expected to be $10.5 million recurring.
- Cyber Security: a one-time cost of $19 million will allow the University to upgrade its network. Cyber security is one of the Governor’s priorities for the state network
- Mining Innovation Minnesota: $3.6 million in recurring funds to revitalize mining in the state
- Healthy Minnesota: $3.25 in recurring funding and $2.5 million in one-time funding to improve health care across the state

The second issue relates to fetal tissue use in University research. There are approximately 10 researchers using fetal tissue on campus, in accordance with federal and state law. There has been a vocal legislative minority stating their moral objection and asking the University to stop. The University believes that this is an academic freedom issue and does not plan to stop this research. This might become an issue during the session, as it is an election year.

Q: What is the future of Pillsbury Hall if it does not receive funding this year?

A: While it appeared last on the University’s request list this year, it is President Kaler’s favorite building. If not funded this year, it will still be renovated but in a longer timeframe. The programmatic aspects of this building and its historical significance should help it achieve funding at some point.

Campus Climate
President Kaler said that campus climate work continues with open discussions on racial issues, hiring conditions, diversity requirements in hiring pools, and bias training. The University also started an initiative, CORE 2025, to reach out to 8th grade students so they start considering higher education, and possibly the University, at an early age. Campus climate work is slow, and will never end, but needs to be done.

Job Family Study
President Kaler said that the focus needs to remain on why this project was done. The University had a situation in which employees were in different areas, doing the same work but classified differently which lead to pay and job trajectory differences. He knows that it was a messy
process, but it was an opportunity for the University to be better. He does not want to minimize
the pain felt by employees, but the process was the right thing to do.

Q: Some employees were moved between classifications, which have different sets of benefits
and produced pain. How will the University move forward?

A: The pain only exists for current employees; new employees come in knowing only the current
system, which will help alleviate some issues. The University has the two classifications, but
that is not standard at other institutions. He has spoken with Vice President Brown regarding the
pros and cons of just relying on the federal definition to classify employees, but he thinks that the
cons might outweigh the pros. He also believes that not reducing pay for those above the
maximum was one way to help employees move forward.

Concerns regarding OHR
President Kaler said that he has not heard these concerns previously and therefore has not had an
opportunity to talk with Vice President Brown. He does take these concerns seriously and will
look into the issue.

Vice President for Budget and Finance
President Kaler stated that Vice President Pfutzenreuter has expressed to some people that he
intends to step down at the end of the year, but a public announcement has not yet been made.
When this happens, it is a chance for him to rethink his administrative structure as he has already
eliminated vice presidential positions held by Diana Harvey and Robert Jones as well as one
associate chief of staff in his office. He will be examining his 22 direct reports to see what the
best alignment is to do the work.

Outside Recruitment for Administrators
President Kaler said that he does not completely agree that the University’s reliance on search
firms to fill high-level administrative positions does not allow for grooming internal candidates
or does influence state support. Search firms are used as there is a need for additional human
capacity during a search and firms have ways of finding other candidates for positions. He noted
that search firms found himself, Provost Hanson, and Amy Phenix, but that they all have
Minnesota connections.

The University needed to look outside to find candidates in some key areas, such as Vice
President for Health Science and Dean of the Medical School, Director of Athletics, and Vice
President for Information Technology. There is a difference between getting the best person for
the position or finding someone in Minnesota. As the only research institution in the state, there
are not other higher education institutions from which the University can recruit Minnesota
candidates. Also, higher education is not good at grooming the upcoming candidates, as there is
slow turnover in these positions which forces many people to leave to move up, even at the dean
level.

A member noted that an outside search firm can flush out possible candidates with a perspective
to drive change, but that it is important that candidates come to campus and meet with faculty,
staff, and students to make sure that they are a fit.

President Kaler agreed, stating that the University of Minnesota is a different type of institution,
which can make it challenging to find the correct person.

Q: The media has scrutinized the University over the lack of background checks for Norwood
Teague and Scott Studham. Is there anything that the University could have done differently?
A: It is a sad state that media reports can be untrue and yet are believed since they are driven by a 20 minute news cycle. The University undertook an outside evaluation of Norwood Teague’s hiring and the athletics department. The conclusion was that the search process was correct and he was appropriately vetted since the previous incident was not filed until after he was hired by the University. For Scott Studham, the University did not request a data privacy request of his previous employment records, but even if it had, he is not sure that the University would have received anything since there was nothing in the public record to suggest any issues.

Q: How can the University make sure that candidates are a fit yet have a desire to affect change?

A: This balance is hard and is more important in some areas than others. The University received change under Scott Studham, but there were other issues during his time here.

Q: Can the University set better expectations for new hires and check-in more?

A: Possibly, except in the two recent cases, the behavior that was ultimately exhibited was not predicted.

A member then said that he appreciates the central support and continuity for the Duluth campus during challenging times.

President Kaler said that it is important to support this campus, and its leadership, during difficult times.

8. OTHER BUSINESS

With no further business, Susanne Vandergon thanked the members for attending and adjourned the meeting.

Becky Hippert  
University Senate