

**Civil Service Consultative Committee (CSCC)  
October 20, 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:** Discussion with the Bias Response Team; Discussion of the November CS Senate Meeting]

**PRESENT:** Duane Orlovski (Chair), Terry Beseman, Patti Dion, Cynthia Lawson, Bobbie Lundberg, Ray Muno, Becky Nelson, Jean Otto, Kim Schultz, Alan Van den Berghe, Terri Wallace.

**ABSENT:** Gary Willhite.

**GUESTS:** Ann Freeman, senior consultant, University Relations; Stef Wilenchek, director, Gender and Sexuality Center for Queer and Trans Life

### **1. DISCUSSION WITH THE BIAS RESPONSE TEAM (BRT)**

Two members of the Bias Response Team (BRT) - Ann Freeman, senior consultant, University Relations, and Stef Wilenchek, director, Gender and Sexuality Center for Queer and Trans Life - joined the meeting to discuss the work of their group. They noted that their group is just for the Twin Cities. There is a separate BRT at Morris and Duluth is working on campus climate issues.

Ann Freeman said that after grassroots groups came together fall 2015 regarding campus climate issues a recommendation was made to the Campus Climate Work Group to create a separate group. The BRT was charged in January 2016 with up to two members from specified campus units along with representatives from three campus communities focused on campus climate.

The BRT's first duty was to develop a protocol for campus responses that works in partnership with established offices and organizations. The BRT can fill the gaps between these offices and organizations, and records each incident to see if it is isolated or how many people are impacted. The BRT does not investigate or discipline individuals or groups, but instead responds to people who have been harmed and recommends a response to leaders when incidents arise. 31 incidents have been sent to the BRT to date.

Ann Freeman said that next steps for the BRT are a web page to explain the group and provide another mechanism for reporting, which will be in addition to UReport and a phone line.

Stef Wilenchek said that incidents were being tracked and addressed before the BRT started, but there is now a central group which provides value. To get buy-in from the campus, BRT members met with leadership from various Senate committees this summer: Social Concerns, CSCC, P&A Consultative, Student Affairs, Student Senate Consultative, Academic Freedom and Tenure, and Equity, Access, and Diversity. They are now following up with the full committees and student groups.

There have been several takeaways from these meetings. One is that more faculty input and involvement is needed on the BRT. Second is that the BRT must ensure that there is a free exchange of ideas and that views are not stifled. Last is that the BRT is welcome and needed. There were also negative comments expressed. One is that the BRT needs to be more proactive instead of just reactive. Another is that the BRT should provide more education. The BRT has

no resources for education so it is working with other units to provide these opportunities. Last is that complaints against faculty in the classroom can be hard to address.

Q: What is the faculty reaction when forwarded to the BRT?

A: Of the 31 BRT incidents, two focused on faculty in the classroom. Ultimately the students decided not to pursue further action. For faculty, there is a sense that BRT involvement could infringe on their academic freedom or lead to students ganging up against them. These are all reasons to get faculty more involved with the BRT work.

Q: What is the BRT's response in a case of discrimination?

A: The BRT would connect the individual with correct offices on campus and alert the Office for Equal Opportunity and Affirmative Action (EOAA) and the Office of the General Counsel (OGC) members on the BRT.

Q: From the reports is it possible to tell if there are more reports from students or employees?

A: It is not easy to tell from the reports, since they can be anonymous, but the sense is that most reports are from students.

Q: How is the BRT letting campus know of its existence and purpose?

A: The BRT will be marketing through all possible channels once their website is ready

Q: Will the Twin Cities be working with the BRTs at the system campuses?

A: The BRT will reach out to each campus to get information on work that they are doing and to share best practices.

Q: What is the definition of bias?

A: The definition being used reflects the University's nondiscrimination policies. The BRT responds to all reports but should not be viewed as thought police.

Q: Is the Writing Center responsible for reporting an incident it finds while proofing a student paper?

A: There is no requirement that anyone make a report. If the reviewer found content that was violent or harassing, that person could make a report to EOAA.

Q: What is the scope of EOAA's work?

A: EOAA investigates reports of discrimination, harassment, and Title IX. They also offer consultations and training, and work with the Office for Conflict Resolution (OCR).

Q: Will the campus conversation that was interrupted be offered again?

A: A decision has not been made if there will be a similar session or if another topic will be chosen. Recent incidents have had a real impact on many students who have been made invisible by language, therefore the campus conversation was a chance to provide a voice.

Members then made the following comments:

- The bias definition should be included on all materials as it provides an understanding for the work of the group
  - Ann Freeman noted that the definition will be included on the website
- BRT interface is a valuable resource for helping people know where to go
- Many people think that today's students are very resilient which means that it can take quite a bit before someone is willing to speak out or fight back
- Marginalized groups face issues everyday and everywhere

## **2. CHAIR'S REPORT**

Duane Orlovski reminded members to ask their CS colleagues about possible issues for this year. He said that he will be adding information on the BRT to the CS blog, once the BRT website is active.

## **3. SUBCOMMITTEE REPORTS**

### Compensation and Benefits

Terri Wallace said that the in-range salary adjustment issue was discussed at the last meeting, along with FLSA numbers and a BAC update on new wellness options for this year.

### Rules

Jean Otto noted that her petition to the Office of Conflict Resolution regarding changes to vacation accrual is still in place. She is continuing to work on changes to the Rules, including waiting on proposed language from OHR for some sections.

Patti Dion said that she has a list of possible changes needed in the Rules, which she would forward to Jean Otto.

Members then discussed the changes being made to CS employees due to FLSA changes. V-class employees under the salary minimum will now be overtime-eligible which creates a new category of employee that is not contained in the Rules. Also, V-class employees were formally responsible for their own time, as they were compensated with extra vacation for any hours over 40 per week. Now, with paid overtime, these employees will need supervisor approval before working overtime. This changes the nature of their job and effectively removes the exempt status from this class of CS employees.

Members said that any proposed change that impacts the Rules should be presented to this committee in advance. They also noted that there was no advance consultation with this committee or the P&A Consultative Committee before a decision was made by OHR.

Patti Dion replied that all P&A and CS employees below the salary minimum were treated the same; they were included on a list sent to the unit and the unit determined if those employees would have their salaries raised or be overtime-eligible. For V-class employees, she said that OHR did not want to eliminate this classification but to comply with FLSA, it needed to make employees below the salary minimum overtime-eligible. A change in federal or state law supersedes any language in Rules or contracts.

A member then noted that there has been a lack of communication to individuals employees, at least in one area. OHR should make sure that communication to all levels is taking place.

## **4. REQUEST FOR VOLUNTEERS TO WORK ON A POSITION STATEMENT WITH RAY MUNO**

Ray Muno said that at the last CSCC meeting he volunteered to write a position statement about the completion of the Job Family Study (JFS) as it relates to civil service employees. However, he would prefer that a small group work on this issue so that it is not just his views being expressed. Becky Nelson and Terry Beseman agreed to serve. Chris Herbst from the Compensation and Benefits Subcommittee, would also be invited to participate.

## **5. DISCUSSION OF NOVEMBER CS SENATE MEETING**

Duane Orlovski said that the draft agenda for the November CS Senate meeting includes reports from him and the subcommittee chairs, a discussion with Julie Showers from the Office of Conflict Resolution, election of one senator from the Provost area to serve on CSCC, and asking senators how to get feedback on topics from civil service employees. Members had no one items to add to this agenda.

## **6. OTHER BUSINESS**

Members discussed the proposed one to three percent salary increase for the next academic year. When the percentage is this low, members felt that it should be provided as a cost of living increase instead of a merit increase. Members also wondered if the University has considered providing all employees a set number increase instead of a percent increase which is more equitable across salary levels. Merit increases could then be provided as a lump sum.

Patti Dion responded that OHR had discussed a set number increase instead of a percent increase but there was not agreement on this approach.

With no further business, Duane Orlovski thanked the members for attending and adjourned the meeting.

Becky Hippert  
University Senate