

**P&A Consultative Committee (PACC)
November 16, 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 views of, nor are they binding on, the senate, the administration or the Board of Regents.

[In these minutes: Chair's Report; Subcommittee Reports; Fair Labor Standards Act (FLSA) Update; P&A Representation on the Senate Committee on Committees; Unionization Update; Approval of December 2, 2016 P&A Senate Agenda]

PRESENT: ETTY DeVeaux (chair), Peter Angelos, Austin Calhoun, Shannon Farrell, Ann Hagen, Ian Ringgenberg, Elizabeth Schwartz, Catherine St. Hill, Susanne Vandergon

REGRETS: Shannon Farrell

GUESTS: Patti Dion, director, Employee Relations and Staff Compensation, Office of Human Resources; Mary Rohman Kuhl, director of Compensation, Total Compensation, Office of Human Resources

OTHERS: Vickie Courtney, director, University Senate Office

1. Chair's Report

Chair ETTY DeVeaux began her report with an update on the audit of the PeopleSoft upgrade. She said that Gail Klatt, associate vice president, Internal Audit, provided a report to the Board of Regents Committee on Faculty and Staff Affairs and the committee is well aware of staff concerns and frustrations, as are the central human resources and compliance offices.

Next, DeVeaux informed members about the System-Wide Strategic Planning Committee that was recently formed. She asked whether anyone was available to attend the forum on system-wide strategic planning on December 1, 2016, as she was unable to attend. Ann Hagen and Ian Ringgenberg said they planned to attend. DeVeaux said that she had contacted Vice Provost for Academic and Faculty Affairs Rebecca Ropers-Huilman regarding P&A and Civil Service representation on this committee, but had not yet heard back.

DeVeaux said that President Eric Kaler will be attending the February 15th, 2017, PACC meeting and encouraged members to begin thinking about questions for him.

She then shared her experience presenting at the P&A Women's Council. The P&A Women's Council has no relation to the P&A Senate or other governance bodies, but rather is affiliated with the Office for Equity and Diversity. They offer networking, professional development, and advocacy, and DeVeaux commented that partnering with the P&A Women's Council would be a good way to get the word out about the P&A Senate. She directed members to the [P&A Women's Council website](#) for more information. Ann Hagen added that their annual conference is always excellent.

DeVeaux said that she, Chair-elect Catherine St. Hill, and leadership from the Civil Service Senate would visit the Duluth campus on December 14th, 2016, and planned to visit the other system campuses in the spring.

Finally, she said that a number of persons had reached out to her after the presidential election, requesting a statement from the P&A Senate reaffirming the senate's commitment to diversity and inclusion. DeVeaux asked for feedback from members and Vickie Courtney, director, University Senate Office. Courtney said that a number of senate committees were interested in making such a statement, and that the University Senate Office would work with interested committees to coordinate efforts.

2. Subcommittee Reports

- Professional Development and Recognition (PD&R): Subcommittee co-chairs Peter Angelos and Elizabeth Schwartz said that they now had 16 subcommittee members, as a result of new senate membership. The first Brown Bag Lunch & Learn, "The Leader as Host," was held in October. Attendance was below expected level based on robust attendance at past Brown Bag sessions. Angelos said that better promo is needed. The next Brown Bag is scheduled for December 15, 2016, and the topic is "Sleep Wellness." PD&R is also in the planning stages for their second annual Professional Development Forum, which will take place in March or April. It will focus on intercultural learning.
- Benefits and Compensation (B&C): Co-chair Ian Ringgenberg reported that the subcommittee was in the process of researching tuition remission and parental leave data from peer institutions, which they received from Ken Horstman, senior director, Total Compensation, Office of Human Resources (OHR). The intent is to see where the University ranks in terms of these benefits, and to use this data to inform decisions going forward. The subcommittee also plans to draft a letter to Horstman and Kathy Brown, vice president, Human Resources, requesting that information regarding leaves be more publically available on the OHR website, instead of only available through unit HR leads.
- Outreach: Chair Ann Hagen informed members that the subcommittee was in the process of re-shooting their commercial, and revamping the welcome kit.
- Communications: Chair Austin Calhoun said that the November newsletter was in progress and that social media continues to be a challenge.

3. Fair Labor Standards Act (FLSA) Update

Mary Rohman Kuhl, director, Compensation, Office of Human Resources, reported that on November 14th, 2016, FLSA changes were implemented, meaning new non-exempt P&A staff began tracking hours, and raises went into effect for those whose salaries were bumped up to meet the new threshold. Employees have been notified and changes have been made in the system. A biweekly report has been initiated in the system to track any changes (pay raises, new hires, decreased hours, etc.) to ensure continued compliance with the new rules. Rohman Kuhl reported that OHR has not heard any serious complaints; the transition seems to be going smoothly.

Hagen shared that she manages several postdocs, the largest group affected by the FLSA changes, and said that the National Institute of Health (NIH) has requested that they bring postdocs in job code 9520 up to the threshold, even though, technically, job code 9546 (Postdoc

Associate) is the only one subject to the new rules. She said that NIH is giving institutions a chance to *apply* for increased funding to cover these costs. Furthermore, said Hagen, their local HR leads have not communicated this information to them-- Hagen only knows through her involvement with the P&A Senate. Rohman Kuhl said that a formal communication plan was developed for sharing results with managers and employees and that she knows of many sites that did share this information according to that plan. She encouraged people to let her know if their area did not receive this information. The strain caused by the new rules are not insignificant, she acknowledged, and reiterated that OHR appreciates hearing any feedback so that they know what is happening in the larger University community.

4. P&A Representation on the Senate Committee on Committees

Hagen informed members that one of the P&A representatives on the Committee on Committees had retired, leaving an empty seat. She said the ideal candidate to fill the seat would be someone who knows a lot of people at the University, and asked members for suggestions. Members offered suggestions and Hagen said she would reach out to the nominees.

5. Unionization Update

Patti Dion, director, Employee Relations and Staff Compensation, Office of Human Resources, joined the committee to provide an update on the faculty unionization effort. She began with a brief history of the effort:

- January 2016: The Service Employees International Union (SEIU) filed cards for the Public Employees Labor Relations Act (PELRA) Unit 8 faculty election. The Bureau of Mediation Services (BMS) determined that there were enough cards to proceed. (30% of units must have signed cards.)
- February 2016: A pre-hearing conference was held and SEIU asked BMS to add ten classifications from PELRA Unit 11 to Unit 8.
- March 2016: The University administration argued that adding the ten classifications is contrary to law. However, BMS ruled in favor of SEIU's request and ordered a Community of Interest Hearing.
- May-June 2016: BMS held hearings regarding the issue of Community of Interested and ordered SEIU and the University to submit legal briefs.
- September 2016: BMS decided to include four of the ten requested classifications, excluding extension employees.
- October 2016: The University appealed BMS's Community of Interest decision.
- November 2016: The Court of appeals agreed to hear the case, but BMS has been asked to reconsider, so the hearing is on hold.

The next steps are for the Court of Appeals to hear the case (unless BMS reconsiders their Community of Interest decision) and render a decision and for BMS to determine an eligible voter list. Then BMS would order an election, set the date, and conduct the election. Dion said she was not sure when an election would be called. Angelos commented that the Maintenance of Status Quo (MSQ) order precluded discussion of a lot of P&A concerns, and wondered when these discussions could be resumed. Dion said that a request could be made to BMS to allow discussion of certain big topics, and encouraged the committee to contact OHR with any such requests. Dion then pointed members to three websites for further information: [The Office for Human Resources Faculty Election website](#), [SEIU's Faculty Forward website](#), and the [University Minnesota Faculty Excellence website](#).

6. Approval of December 2, 2016 P&A Senate Agenda

DeVeaux outlined the planned agenda for the December 2, 2016 P&A Senate meeting. She said that it would focus on wellness. Members approved the agenda.

In the interest of time, DeVeaux adjourned the meeting.

Amber Bathke
University Senate Office