

P&A Consultative Committee (PACC)
April 19, 2017
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 reflect 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; Social Concerns Resolution on Equal Opportunity and Title IX Education; Senate Research Committee Central Pool for Unexpected Leaves; P&A Representatives to the Benefits Advisory Committee and the Senate Committee on Committees; Conflict Resolution]

PRESENT: Etty DeVeaux (chair), Peter Angelos, Ann Hagen, Ian Ringgenberg, Elizabeth Schwartz, Catherine St. Hill, Susanne Vandergon

REGRETS: Shannon Farrell

GUESTS: Randy Croce, member, Social Concerns Committee; Corinne Komor, incoming co-chair, P&A Senate Benefits and Compensation Subcommittee; Julie Rashid, incoming co-chair, P&A Senate Professional Development and Recognition Subcommittee; Julie Showers, director, Office for Conflict Resolution

OTHERS: Ray Muno, vice chair, Civil Service Consultative Committee

1. Chair's Report

Chair Etty DeVeaux called the meeting to order, and welcomed incoming PACC members Corinne Komor, incoming co-chair of the Benefits and Compensation Subcommittee and Julie Rashid, incoming co-chair of the Professional Development and Recognition Subcommittee. She congratulated Komor and Rashid, as well as incoming PACC members who were not present, and thanked Ann Hagen for the well-run election. She reported that she recently attended a meeting of the Benefits and Compensation Subcommittee and thought that it was a very engaged group. She thanked Ian Ringgenberg and Shannon Farrell for their leadership of that subcommittee. DeVeaux then informed members that Austin Calhoun, previous chair of the Communications Subcommittee, had resigned, and that Ann Hagen would take over leadership of that subcommittee.

Next, DeVeaux said that as she ends her year as chair, she invited the PACC to think about extending the chair position to a two-year term and the benefits to the P&A Senate. In terms of implementation she suggested the past chair would stay on in an advisory role, and the second year the past chair would rotate off and a chair-elect would be identified. DeVeaux said that as chair, she found the mentorship of past chairs essential. She noted that this was not intended to be a discussion item for today's PACC, but a later discussion of the PACC.

2. Subcommittee Reports

Benefits and Compensation (B&C)

Co-Chair Ian Ringgenberg said the subcommittee discussed proposing that the Regents Scholarship benefit be increased to 85% or 90% in future years, if 100% is not an option. The subcommittee also received updates from Ken Horstman, director, Total Compensation, Office of Human Resources, regarding Requests for Proposals for benefits. Ringgenberg reported that Medica will remain the insurance provider, but [RedBrick Health](#) will replace StayWell as the wellness program administrator. Whether the University will continue to partner with ADP for flexible spending accounts was still under discussion at this time.

Communications

Acting Subcommittee Chair Ann Hagen reported that she and DeVeaux had met on the previous Friday regarding the newsletter, which was slated to go out late April. They decided to introduce some new features, such as highlighting a campus resource in addition to a P&A employee.

Outreach

Chair Ann Hagen informed members that unit elections were in progress, and that there were four nominations for the two Academic Health Center seats, and that the Medical School had held a successful election.

Professional Development and Recognition (PD&R)

Co-Chairs Elizabeth Schwartz and Peter Angelos reported that the Brown Bag on financial wellness was a success. About 30-40 people attended in person, and about 100 online. The recording is available on the [P&A Senate Brown Bag website](#). DeVeaux added that she had attended this event and found it excellent. She congratulated PD&R on a job well done.

Schwartz said that the recipient of the 2017 [P&A Senate Outstanding Unit Award](#) would be announced in the newsletter and honored at the P&A Senate meeting on May 5.

3. Social Concerns Resolution on Equal Opportunity and Title IX Education

DeVeaux introduced Randy Croce, a member of the Social Concerns committee and P&A employee in Labor Education Service in the Center for Human Resources and Labor Studies in the Carlson School of Management. Croce was in attendance in order to present the Resolution on Equal Opportunity and Title IX Education that the Social Concerns Committee had passed, and which was on the docket for the May 4, 2017 University Senate. Croce explained that the resolution urged the administration to require all University employees to complete training around Title IX issues and reporting. Currently all students are required to take a similar training, he said, and when the new sexual misconduct policy is rolled out, all University employees will be mandatory reporters. Members made some suggestions and voted to endorse the resolution.

4. Senate Research Committee Central Pool for Unexpected Leaves

Croce also provided an update on another issue the Social Concerns Committee had been working on with the Senate Research Committee (SRC). He explained that although employees are entitled to parental leave, there are difficulties around paying leaves for some employees, notably grant-funded researchers. He said that there were concerns about the practical ability to

take leave, pressure not to take leave, and unintended hiring discrimination as a result. Therefore, SRC had been in discussion with the Office of Human Resources (OHR) regarding possible solutions, and was in the process of writing a letter to Vice President Kathy Brown, OHR, suggesting that the University implement a central fringe pool to cover unexpected leaves. According to this data, implementing a central pool for leaves would increase the fringe pool about 1% and become cost-neutral in 3-4 years. Hagen pointed out that this is a particular problem for fellows, who are not considered students or employees, and who also are not covered under the Family Medical and Leave Act (FMLA).

DeVeaux thanked Croce and he departed.

5. P&A Representatives to the Benefits Advisory Committee and the Senate Committee on Committees

DeVeaux announced that Aurelio Curbelo would be the new P&A representation to the Benefits Advisory Committee. Hagen nominated DeVeaux for the Senate Committee on Committees, and DeVeaux accepted the nomination. Members voted to approve this appointment.

6. Conflict Resolution

DeVeaux welcomed Julie Showers, director, Office for Conflict Resolution (OCR). Showers explained that OCR is a resource established by the University for non-bargaining unit faculty, staff, and student employees (including teaching and research assistants) to assist those experiencing employment-related conflicts. She clarified that the bargaining units have labor relations processes built in, so it is not appropriate or legal for the University to set up a separate process for members of that employee group. She said that OCR is independent, impartial (actually multi-partial), and confidential (a few limits apply). When an employee enlists OCR's assistance, said Showers, the ombudsman does not become the employee's advocate, but neither does she have an obligation to defend the University. She is there to advocate for a fair process. Rather than impartial, Showers refers to the services as multi-partial, meaning that there is a commitment to be honest to both sides. Finally, the services are confidential unless there is a court order or the ombudsman feels that the client is a danger to themselves or others.

Showers went on to explain that OCR assists in resolving work-related conflict through either informal (through support and skill-building, brainstorming, facilitated discussion, mediation, etc.) or through a formal resolution process that includes a hearing with a panel of peers. The formal process used to be known as the "grievance process," and occurs when University policy has been violated. The request for a formal process must be made within six weeks of the incident in question. The formal process involves a hearing with a panel of three peers and a hearing officer, and witnesses may be called. Decisions must take place within 30 days of the hearing. Final decisions in the peer hearing process are made by the provost. In academic year 2016, OCR conducted 186 informal consultations. Of those, 65 were with faculty, 65 with P&A staff, 34 with Civil Service employees, 17 with graduate and undergraduate student workers, and five were retirees or people in other employment categories. This represents a 20% increase over 2015. Ten of the 186 matters resulted in the filing of a petition.

Catherine St. Hill asked what the legal implications are of a formal process. Showers answered that disputes are often adjudicated internally, as this leads to a fewer financial implications and a faster resolution for the petitioner, as well as giving the University an opportunity to resolve conflicts amicably. The petitioner can choose to be represented by an attorney, and in that case the University would enlist legal counsel also. Alternatively, the petitioner can choose to have simply an advisor, rather than an attorney, to represent their interests in the hearing. In this case, the University cannot choose to be represented by an attorney. Angelos asked whether the University supplies advisors, and Showers said that the OCR provides a roster of advisors, but the petitioner is not required to use someone from that list.

St. Hill then asked how the power differential is managed in the informal process when power is unequal between the parties involved. Showers acknowledged that there is almost always a power differential, and said that theory indicates that humans tend to overestimate the risk of speaking up, and underestimate the impact of letting the matter go unresolved. She added that University policy prohibits retaliation, and the University takes this very seriously. However, she said, most issues can be resolved in a way that avoids a defensive reaction.

Ray Munro, vice chair, Civil Service Consultative Committee, asked how OCR works with the system campuses. Showers responded that she visits Morris twice a year. System campus employees can call any time.

Schwartz asked what types of issues OCR deals with. Showers said that the most common issues stem from poor communication from leaders, the inability or unwillingness of management to hear employee concerns, disrespectful behaviors, the refusal to recognize the value in opposing opinions, and the fear of retaliation. Showers said that the tension of difference is a necessary part of human interaction; conflict in the workplace is inevitable. Because conflict is uncomfortable, however, and because most are not trained or supported in addressing it, the most common response is avoidance. Unfortunately, unaddressed conflict festers and often erupts periodically and unpredictably in ways that damage individuals and departments. She added that OCR's [annual report](#), in addition to many other resources, is available on their [website](#).

In the interest of time, DeVaux thanked Showers and adjourned the meeting.

Amber Bathke
University Senate Office