
The University Senate

FACULTY · STUDENT · P&A · CIVIL SERVICE

UNIVERSITY OF MINNESOTA

Senate Consultative Committee (SCC)

April 11, 2022

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:** Administrative Policy: *Effort Certification*; Compensation at the University; Administrative Policy: *Background Checks*; Graduate Assistant Fees; April 21 University Senate Docket Approval; Committee Business]

PRESENT: Ned Patterson (chair), Colleen Flaherty Manchester (vice chair), Mark Bee, Phil Buhlmann, Adolfo Carillo Cabello, Tom Chase, Carol Chomsky, Scott Creer, Carl Flink, Tony Fussy, Missy Juliette, Monica Luciana, Sarani Millican, Tania Mitchell, Nam Nguyen, Tracy Twine, Nicholas Wallenhorst

REGRETS: Tatianna Enget, Liz Davis, Les Drewes, Jayne Fulkerson, Jennifer Goodnough, Grace Hiltner, Zenzele Isoke, Brendan King, Michael Kyba, Keith Mayes

GUESTS: Mary Rohman Kuhl, senior director, Total Rewards, Office of Human Resources (OHR); David Hagen, director, Office of Cost Analysis; Nicole Salm, program manager, Talent Acquisition, OHR; Andrea Yanegom, director, Talent Acquisition, OHR

OTHERS ATTENDING: Amber Bathke, Moinak Choudhury, Rachel Croson, Richard Gonigam, Erin Heath, Chris Kwapick, Scott Lanyon, Rielle Swanson, Megan Sweet, Noah Wexler

1. Administrative Policy: *Effort Certification*

David Hagen, director, Office of Cost Analysis, joined the committee to present the following administrative policy documents for review and comment.

- [Administrative Policy: *Effort Certification*](#)
- [Administrative Procedure: *Effort Certification for Certifiers*](#)
- [Administrative Procedure: *Documenting Effort Outside of ECRT*](#)

The Administrative Policy: *Effort Certification*, he explained, is under a comprehensive review (as outlined in the Administrative Policy: *Establishing Administrative Policies*). He told members that there are no proposed changes to the policy, but there are some minor changes that are not substantive in nature that have been proposed to the procedure titled *Effort Certification*

for *Certifiers*, The edits simply reflect changes previously made to the process for accessing the effort reporting system, he said.

Hagen said the proposed changes to the procedure were also reviewed by the Senate Research Committee and the P&A Consultative Committee. The Faculty Senate is scheduled to vote on the changes on April 21, 2022.

2. Compensation at the University

Mary Rohman Kuhl, senior director, Total Rewards, Office of Human Resources (OHR), joined the committee and provided the following updates regarding compensation at the University:

- Currently, there is a 3.85% salary increase pool budgeted for FY23.
- After meeting with HR leads and chief financial managers, the decision was made to recommend that the compensation pool be distributed as a merit increase (vs. an across the board increase).
- Inflation is currently 8%, which was considered when deciding how to distribute the pool.
- OHR has developed a new strategic plan to help adjust salaries to the market.
- OHR will recommend that units/departments reserve .25% of their 3.85% salary pool and use those funds to adjust salaries that are furthest behind market.

Rohman Kuhl told members that OHR has been discussing whether to establish a permanent market adjustment pool for the past few years, but had planned to make a decision about whether to do so after the Market Refinement Project was completed. Many departments have completed the market refinement analysis, she said, but there are five units left and they are the largest and most complex. Given the volatility in the marketplace (e.g., retention issues, inflation), OHR decided that a strategy to adjust salaries would be needed sooner, and that led to the recommendation that units and departments reserve .25% of the compensation pool for market adjustments.

Members asked the following questions (answers provided by Rohman Kuhl are below each question):

- There is a perception that since we have generous benefits at the University, employees should be satisfied with lower wages or salaries. In particular, there are Board of Regents members that may consider cutting benefits as a way to pay employees more. What discussions have happened related to this perception?
 - We have recently done an analysis of employee benefits, focusing primarily on the two most expensive offerings: medical insurance and retirement funds. As part of this analysis, we benchmarked our offerings against other markets.
 - For faculty and senior leaders, we benchmarked against other higher education institutions, given that these employees tend to move within this market. Our data shows that we have a slightly better medical plan offering than other institutions, but not significantly.
 - For civil service and P&A employees, we benchmarked against the Twin Cities Metro market. Our data shows that we are offering about 3.89% more for retirement offerings. Regarding the health plan, when based on our average annual salary (\$71K) and assuming that the employee utilizes the average plan, we are offering about 3.89% more than the Twin Cities Metro market.

- Have there been discussions about creating a cost of living pool to replace or add to the merit pool? There are civil service and P&A supervisors at the University making less than the employees they supervise and a cost of living adjustment would address some of the salary compression issues.
 - It is often implied that when you distribute a merit increase, it typically is somewhat close to the annual increase in the cost of living. However, when inflation rates are high, as they are right now, the University's merit increase cannot be matched to the inflationary rate as it would be unaffordable to move all salaries by that amount. This issue is not unique to the University and survey data shows that national and local organizations are not planning to raise employee increase percentages to cover inflation. However, the rate of inflation was heavily considered when determining, and positively influenced, this year's annual merit increase.
- Given that cost of living increases disproportionately impact individuals that are closer to the poverty line, has consideration been given to a needs based or scaling model for wage or salary increases?
 - Consideration has not been given to a scaling model in regards to the annual salary pool. However, the pool this year is 3.85% for all salaries, whether it is 3.85% on a 32K per year salary, or a 230K per year salary, so there is nothing preventing a unit or department from allocating their compensation pool in a different way to increase lower salaries.

Rohman Kuhl told members that OHR will be bringing a total compensation report to the Board of Regents in June.

3. Administrative Policy: *Background Checks*

Nicole Salm, program manager, Talent Acquisition, OHR, and Andrea Yanegom, director, Talent Acquisition, OHR, joined the committee to present the following administrative policy documents for review and comment.

- [Policy: Background Checks and Verifications](#)
- [Summary of Policy Changes](#)
- [Procedure: Conducting a Background Check or Verification](#)
- [FAQ: Background Checks Program](#)
- [Appendix: Background Checks for Non-Employees](#)
- [Appendix: Positions for Which Background Verification is Advisable](#)
- [Appendix: Senior and Other High-Level Leader Positions for Background Checks and Verifications](#)
- [Appendix: Types of Background Checks](#)

Salm gave an [overview](#) of the proposed policy changes and the consultation done with regard to the changes.

Members asked for more information about the social media check outlined in the policy, which Salm said was a relatively new process. She told members that there have been some social media checks done during recent senior leader searches. Those social media checks, she said, were conducted by a vendor, in partnership with the OHR. Scott Creer suggested that the policy specifically state what conduct OHR is searching for on social media when doing a background check on a potential employee to avoid bias.

4. Graduate Assistant Fees

Patterson gave members a brief overview of the consultation done on the [Resolution Concerning Graduate Assistant Mandatory Fees](#) authored by Professor George John, faculty senator, and Scott Petty, student senator. He told members that the authors had previously requested that the resolution be brought to the Faculty Senate for discussion and vote. The FCC leadership, Patterson reported, tried to encourage the authors to bring the resolution to the University Senate rather than the Faculty Senate, given that it impacts more constituents than faculty. The authors told FCC leadership that they had broadly consulted on the language and wanted the resolution to be forwarded to the Faculty Senate.

Patterson told members that the resolution was then discussed by the Faculty Consultative Committee (FCC) on February 17 and March 17, 2022, and the FCC subsequently approved adding the item to the March 31, 2022, Faculty Senate docket, for discussion. Following that vote, the FCC leadership was made aware of some concerns with the resolution, particularly from graduate students that said they were not consulted and did not support the resolution, and administrators that had concerns about implementation. As a result, said Patterson, the resolution was removed from the March 31, 2022, Faculty Senate docket and referred to the SCC. Despite removing the resolution from the docket, it was introduced at the March 31 Faculty Senate meeting as a new business item, Patterson reported. The Faculty Senate took a vote on the resolution, which did not pass by a narrow margin.

Despite the failed vote, Patterson said, the senate leadership is committed to working on passing a resolution that all constituents are properly consulted on and support, and that the administration can implement. To aid this work, Patterson invited representatives from the Council of Graduate Students (COGS), the Council of International Graduate Students (CIGS), and the dean of the Graduate School, Scott Lanyon, to give feedback regarding the resolution.

Scott Lanyon, vice provost and dean, Graduate School, explained that from an implementation standpoint, there are issues with the “be it resolved” clause, which states:

Be it resolved that the Faculty Senate requests that Faculty Senate Chair and University President Joan Gabel and her administration adjust University policies and procedure so as to treat the mandatory fees required of graduate assistants employed by the University **in a manner analogous to how tuition costs are currently handled** such that the claw back issue is eliminated with efforts being made to achieve this through cost neutral means and with tax implications kept in mind.

Specifically, he said, the issue is with the request to treat fees “in a manner analogous to how tuition costs are currently handled.” Lanyon explained that this specificity is difficult to execute because there are so many unique situations at the University. The issue outlined in the resolution is important, he said, and likely should be broadened to include more than just graduate assistants. He told members that he is working with Executive Vice President and Provost Rachel Croson to find a solution that helps students. The solution will likely not align with the exact language in the resolution, but it should be implemented by the 2022-23 academic year, he said.

Rielle Swanson, president, and Richard Gonigam, speaker, COGS, told the committee that there has been a lot of animosity among graduate students regarding the resolution as it is written, specifically, some students feel that the language is ambiguous and exclusive. There are also

concerns about increased complexity and decreased transparency that may result from an implementation of the resolution as written, they said. The concerns stem from a distrust among students about graduate student fees, generally. Swanson and Gonigam suggested that an alternative solution may be to allow graduate students to enter the pay program that is already offered to undergraduate students. They also recommended that the fee to use the pay program be waived.

Moinak Choudhury, representative, CIGS, expressed concern that there could be unintended consequences for international students if the resolution was passed as written. He also noted that CIGS has not been consulted on the resolution.

The committee then discussed how to move the resolution forward. Patterson told members that the FCC leadership had preliminary discussions about this. He reported that prior to the April 11 SCC meeting, he invited the authors to join in hopes that they would participate in the discussion and potentially accept a friendly amendment to the language. Given that the authors chose not to attend, Patterson suggested the following options:

1. Draft a separate resolution in the SCC and bring it to the University Senate for discussion and action.
2. Draft a separate resolution in the SCC and bring it to the University Senate for discussion and action *and* forward the original resolution to the Faculty Senate docket for discussion and action.

Members made the following comments:

- Sarani Milican told the committee that it would be helpful if all of the relevant stakeholders were in the same room at the same time to discuss. Milican suggested that, for this reason, she would support the current resolution going to the University Senate, for discussion. This path would be preferred over proposing amendments prior to any senate meeting, she said.
- Milican also expressed frustration that the resolution was delayed due to small language issues. The resolution is advisory, she reminded members, and the administration can agree to implement some or all of the resolution.
- Scott Creer agreed with Milican and recommended that the resolution be forwarded as requested by the authors. The administration can then work on it and respond, he said.
- Carol Chomsky explained that, while resolutions are advisory, it is still important to properly consult and collaborate on a resolution before voting in the senate. This improves the proposal because it is inclusive, and it increases the chances of the request being executed.
- Mark Bee suggested that perhaps Provost Croson and Dean Lanyon could propose the plan that they could commit to implementing to the University Senate. That way, the committees would not have to litigate small language changes, and could possibly come to an agreement with the administration about what works for everyone.
- Colleen Flaherty Manchester told members that she drafted new language for review and discussion, if the SCC is interested in pursuing that path. The new language, she said, is more in keeping with the SCC leadership's goal to forward resolutions that identify issues rather than propose a solution to a problem. This is important, she said, because it gives the administration the room to determine how to implement changes that the senates have asked for. Ultimately, this may make it easier for administrators to agree to changes.

Colleen then proposed the [new language](#) as an amendment for consideration. Members made the following comments:

- Chomsky said that the original language is a little confusing, whereas the amended language is simpler and focuses on what the senate would like to see accomplished. She proposed that the SCC forward the amended language to the University Senate for discussion and vote.
- Milican proposed that the SCC forward the original resolution to the University Senate and then propose the alternative language in the docket as well.
- Tracy Twine suggested using the new language, but removing the third “be it resolved” clause, which states:

University Senate requests that the administration model moving towards not charging graduate student positions mandatory fees by 2027.

Twine said that the original goal of the resolution was to discontinue the clawback, and this additional language distracts from that original request.

Members discussed, at length, how to frame the issue for the University Senate docket. Ultimately, members agreed to hold two votes: (1) whether to add the original language to the docket along with the three amendments, or (2) whether to add only the new language as three new resolutions.

A majority of members voted to add only the new language, as three new resolutions to the docket.

Chomsky recommended that the comment section on the docket reference the original resolution so that senators can see the progression of the issue.

5. April 21 University Senate Docket Approval

Members voted and approved the [April 21 Docket](#).

6. Committee Business

Flaherty Manchester told members that she planned to hold a discussion about the emails members received regarding the perceived impartiality of the FCC chair at the March 31, 2022, [Faculty Senate meeting](#). However, given that the meeting had run past the scheduled two hours, she moved to add the item to a future agenda.

Bobbie Erichsen
University Senate Office