



Staff Senate Agenda
Wednesday, April 20th, 2016
12:00 p.m. – 1:30 p.m.
Malott Room, 6th Level, Kansas Union

Rules of Engagement

Be on time

Be respectful

Ask questions

State your name for the Senate before initiating conversation

Call to Order

11:59 am

Approval of Minutes

Debbie Forsyth motions, Anna Paradis seconds, no discussion, all in favor, none opposed, approved 12:00pm

Reports

President – Chris Wallace

- Thank you to current senators for hard work and committee involvement.

Secretary – Tim Spencer

- No report.

Treasurer – Susan Shaw

- \$1,223.50 ending balance in general funds

Legislative Affairs – Dawn Shew & Precious Porras

- No report.

Professional Development Chair – Debbie Forsyth

- Mini Wheat State Tour. Cancellations have left 5 spots open. If interested email Debbie Forsyth. If there are not senators who are interested, may need to send out request to all staff.

Personnel Affairs Chair – Steven Levenson

- Thanks to all committee members. Decided committee should move on information for appeals process for non-reappointment. Will sit down with new committee chair to discuss details.

Public Relations Chair – Cody Case

- Not present. No report.

Elections Chair – Andy Jackson

- Amended code to add job category and elections were successful.

HRM – Ola Faucher

- State of Kansas is doing a random audit on dependent eligibility, it is legit and from a 3rd party audit company hired by the State of Kansas.

Unfinished Business

Nominations for President Elect – Chris Wallace

- Nominee will be president elect for 2016-17, and president in 2017-18. Call for nominations, senate silent. Chris state for senators to think about it and will bring up at next meeting. Send email to Liz Phillips if self-nominating.

End of AY 2015-16 Session

- 2015-16 senators dismissed.

Begin AY 2016-17 Session

- Refreshments available from interim provost Sarah Rosen.
- Gavel presented to Liz Philips by Chris Wallace
- Steve Levenson introduces senator Sean Festag from third shift, an underrepresented group.
- Liz Phillips mentions that meetings will now be recorded, as they are public record. Will need Secretary to note names in record. This is an open meeting by law and staff must be identified; cannot be anonymous.

New Business

Nominations and Elections for Committee Chairs & University Senate Voting Representatives – Liz Phillips

- Committee Chairs information presented by Andy Jackson. Notes that senators from last session cannot vote.
- Secretary – Tim Spencer nominated, no other nominations. Votes tallied, Tim Spencer is the new Secretary.
- Treasurer – Chris Wallace, Debora Deering, Michelle Ginavan-Hayes, and Tanya Spacek nominated. Votes tallied, Michelle Givan Hayes is the new Treasurer.
- Public Relations Chair – Nathan Chamberlain nominated, no other nominations. Votes tallied, Nathan Chamberlain is the new Public Relations Chair.
- Legislative Affairs Chair – Lorne Jordan and Robert Waller nominated. Votes tallied, Robert Waller is the new Legislative Affairs chair.
- Personnel Affairs Chair – Annette Delaney nominated, no other nominations. Votes tallied, Annette Delaney is the new Personnel Affairs Chair.
- Elections Chair - Andy Jackson nominated, no other nominations. Votes tallied, Andy Jackson is the new Elections Chair.
- Professional Development Chair - Jana Tuttle nominated, no other nominations. Votes tallied, Jana Tuttle is the new Professional Development Chair.
- University Senate Voting Representatives – 11 positions available. Would meet with University Senate as our staff representatives, alongside the President and President-Elect. Chairs can also run for the representative positions. Abby Ehling, Anna Paradis, Brian Moss, Charlotte Goodman, Chris Wallace, Connie Jordan, David Day, Debora Deering, Emily Gullickson, Holly Shriner, Jill Mignacca, Keah Cunningham, Lee Ann Adee, Lorne Jordan, Michael Chavez, Peggy Robinson, Tanya Spacek nominated. Votes tallied, Connie Jordan, Michael Chavez, David Day, Emily Gullickson, Keah Cunningham, Anna Paradis, Brian Moss, Peggy Robinson, Abby Ehling, Charlotte Goodman and Lorne Jordan are the new University Senate Voting Representatives.
 - Nominations for one University Senate Voting Representative to attend University Senate Executive Council, alongside the President and President-Elect. Anna Paradis and Charlotte Goodman nominated. Votes tallied, Charlotte Goodman is the New University Senate Executive Council member.

Nominations for Diversity and Inclusion Chair – Liz Phillips

- Position is by application only, will work with President to meet goals set by Senate. For nominations, send a resume outlining why you are interested in this position and why you would be a good fit. This new chair is open to all staff on campus. If a non-senator is accepted, they would need to become a member of Senate, as individuals holding chair positions must be members of senate.
- Precious Porras expresses that this chair and committee are to represent all disenfranchised and marginalized groups on campus. The chair will work with Student Senate's Diversity and Inclusion Chair to collaborate and address concerns on campus.
- Once interested parties respond, Liz Phillips will discuss at the next Staff Senate Executive Council meeting. Please send Liz Phillips your resume if interested.
- Brian Moss asks a question regarding an announcement of this chair position to campus. Liz Phillips responds that she will review and send a mass email for interested members. Originally this chair and committee were approved as a special committee and then was changed to a standard committee, so Liz Phillips will clarify once the University Code is reviewed.
- If there are multiple nominees, the President will review with Diversity and Equity, and then put the nominees up for vote by Full senate. This chair will have a two-year term.

Technology Officer – Liz Phillips

- If interested in this position, email Liz Phillips, as the President chooses this position, or can volunteer today. Eddie Munoz self nominates, and Liz approves. Eddie Munoz is the new Technology Officer.

KBoR USS & UPS Council Members – Liz Phillips

- Two UPS and two USS members needed for state-wide councils. State of Kansas has regional board councils for both UPS and USS. KU is the only Regents institution that has a combined UPS and USS senate. KU to host these council meetings this coming academic year, as well as attend regents meetings and coordinate digital or phone meetings. Chris Wallace states that USS and UPS councils discuss longevity, bonuses, etc. Currently there are only five USS in the Staff Senate. Regent schools are slowly hiring more UPS staff, and USS staff are dwindling across the state. One major issue between UPS and USS positions is the vacation leave accruals, discussed in the New Business section. Another issue is that 183 of the university's USS staff are not covered by A Memorandum of Agreement (MOA), and this issue is discussed between the President of Staff Senate and the interim Provost on a monthly basis. Before the USS and UPS senates were combined, the USS President told the state USS Council that they were leaving, as the new arrangement has the Regent University Presidents and Chancellors meeting on behalf of the USS and UPS staff. When the transition document for combining senates was created, participation in this state council was transferred into the new code, so the KU Staff Senate is obligated to participate and host these council meetings. Liz Phillips states that this issue can be tabled for the next meeting.
- Chris Wallace motions to remove participation in this council from the Staff Senate code, Section 3, Special Committees, Deb Deering seconds this motion, Peggy Robinson comments that she is against removing the code in order to keep a seat at the state council, Chris Wallace responds that the Regents has already removed our seat, as each Regent school only had one seat for council but the arrangement was changed so that staff now meet with Regent university Presidents and Chancellors who represent the staff at the state council meetings. UPS council still exists, and Liz Phillips can be our representative if need be, however she cannot represent the USS at the USS council. KU is down from 1600 to 600 USS staff. Ola interjects that leave changes are currently being reviewed by KBoR, and that this removal of the USS seat was a technicality. State level UPS council will represent both USS and UPS at KU. Scott Durham asks for clarification on if the 186 USS staff that do not have representation through a MOA union can be officially represented, Liz Phillips responds that UPS board can represent both USS and UPS, just not exclusively. Liz asks for all those in favor to amend the code and remove participation from the state-wide USS council, all in favor, none oppose, motion carries 1:14pm.
- UPS council reaching out to all UPS staff that this is an appointment, will take lead this year to coordinate monthly meetings via phone calls. If interested in statewide UPS council, send email to Liz Phillips. David Day question on if Liz can represent UPS but not USS, if a future president was USS could they represent UPS, Liz response in that scenario that the appointment would come back to the senate body for volunteers. UPS council called Liz Phillips two weeks ago to notify her that these meetings were going to happen and that KU would host, so this does not given KU Staff Senate much time.

Kansas Board of Regents, USS and UPS Vacation Leave – Ola Faucher

- Changes to vacation leave. By May KBoR board meeting, KU will know if new vacation leave plan will be approved, which is likely. Biggest change is for USS employees. USS will get more vacation, and will equalize the balance limits between the two. Previously vacation leave was applied to all but two pay periods (the third pay period in a month would not apply vacation leave and generally the last two pay periods of the fiscal year would not accrue leave), but now leave will be applied to every pay period until a maximum fiscal year accrual of 176 hours is met. Both USS and UPS will be able to maintain a maximum of 304 vacation hours each pay period. Previously USS were able to move 40 hours of vacation leave if they were over their maximum accrual limits to sick leave at the end of the fiscal year, but this will no longer occur. UPS and USS will now have a 176 maximum accrual of vacation leave within a fiscal year. Once 176 hours are reached, staff will stop accruing hours for the given fiscal year, so when 176 is accrued, no further accrual will occur during the fiscal year.
- Sick leave not affected by new vacation leave proposal. Leave payout for retirement, sick leave will continue to have a maximum based on the chart provided on HR website. With a portion, and not all,

paid out, staff have the option to donate their remaining sick leave hours to HR for distribution to other employees for the shared leave program. Cannot convert overage of vacation to sick leave. Question from Peggy Robinson on leave restrictions, response from Ola that there would not be issues.

Fair Labor Standards Act, New Salary Minimums – Ola Faucher

- Fair Labor Standards Act (FLSA) establishes annual salary minimums. Staff must have that minimum salary to be salaried, otherwise they must be employed as hourly. Regulation in Office of Management and Budget (OMB) will distribute the information for implementation. The annual minimum salary currently proposed would be \$50,440, or \$970 a week. This proposed minimum is very expensive, there will be pushback nationally, as this proposed amount is nearly double the current minimum. During open comment period for FLSA, over 300,000 comments were received, well above the usual amount of comments. In addition to the new salary minimum, a portion of law proposes an annual escalator clause, which will increase based on the consumer price index. Based on February numbers, 430 employees (about 330 with the revised figure) who would be affected by the new proposal (may reduce from salary to hourly), with the research post docs affected the greatest in terms of numbers, and the second would be student services area. If approved, the university could either increase an employee's salary or switch them to hourly, which would mean overtime eligibility. This new minimum would be a federal requirement.
- Question from Rita McFadden on if staff would lose benefits, Ola Faucher responds only affected if staff are lower than 48% FTE. HR does not anticipate an impact on benefits.
- Question from Emily Gullickson on difference between hourly vs. salary sick leave, Ola responds that this is not the case, sick leave for salary based on % of time, hourly based on hours worked.
- Question from Robert Waller on difference between full and part time, Ola states there is no difference.
- Question from Lorne Jordan over concern about research staff post-docs working over 40 hours a week, Ola responds if salary is changed to hourly, all hourly time applies, which would mean overtime (time and half). University builds comp time up to 90 hours, and if the employee exceeds 90 hours of comp time, the balance is paid down to the 90 hour balance.
- Question from Huili Yao on requirement for post-docs to work over 40 hours, Ola responds that if employees must work over 40 hours in a work week, anything over 40 hours is calculated at the time and half rate, and put in a comp time balance. However, if this change is made for post-docs, there will be some management changes, such as positions disallowed for working over 40 hours, but the important reminder is if the position is changed to hourly, the employee will need to accurately report the hours worked. If an employee will work over 40 hours in a week, they will need advanced authorization from their supervisor to do so, and if this authorization is not obtained, it could be problematic.
- Question from Michael Chavez on who will make the determination if an employee will be moved from hourly to salary or vice-versa, will it be department heads or HR, Ola responds that the decision is currently under discussion.
- Question from Peggy Robinson on if employees have to accurately report time, Ola responds that employees are to accurately report time or they are misrepresenting. If an employee misrepresents their time, this is considered misconduct. If a boss misrepresents the employee's time, this is considered misconduct.
- Question from Keah Cunningham on when HR will expect to hear back about the decision, Ola responds that the proposal is currently in OMB. If the United States Department of Labor follows the usual procedures, they will post the new register sometime between May and July, and designate the mandatory 60 day window for businesses to implement the changes. HR is hoping that this will be a graduated implementation beyond the 60 days. HR is talking with university leaders on the impact. Opinion is that this is an archaic set of timelines, and legislature can step in and push/change the implementation deadlines.
- Question from David Day on minimum number of hours for exemptions, Ola responds that OMB criteria for determining exemptions would not change. Will wait for OMB response.
- Question from Rita McFadden on how the process works for a post-doc to request an advanced authorization, Ola responds that if this proposal passes, HR will need to educate supervisors and staff. The current methodology ranges by department, and is a supervisory decision. Some managers request email, verbal, forms, etc in advance. The concern for post-docs is a national issue. HR will focus on these affected staff and supervisors, No answer today, but HR will assist.

- Question from Lorne Jordan on if a current form exists, as he would prefer that this kind of request not be done verbally. Ola responds that HR would hold a town hall on the subject, and that staff who would be switched would receive a letter from HR outlining the details, keeping an open line of communication.
- Question from Huili Yao concerning NIH grants and the decision of how salaries that are already written in the active grants would be affected. Ola response is that this is a national issue, and NIH remains silent on this, they are waiting to see what happens. Jim Tracy (Vice Chancellor for Research) is aware of the issue, and there are some legislative actions currently in motion to potentially overturn this. There will be an open comment period at the federal level. This is very expensive but is needed, as there are not been any changes since 2004. Currently there is no grandfather clause, but OMB could stagger/stage the implementation due to the grant situation.
- Question from Peggy Robinson on breakdown of federal comments, Ola states no for or against designation.
- Liz Phillips interjects that this meeting does go until 1:30, and supervisors are aware we can stay that long.

President Elect – Liz Phillips

- Michael Wade Smith, Robert Pogorek and Brian Moss nominated. All three requested to email bio to Andy Jackson and Liz Phillips for candidate position, and then university-wide voting will take place.

Additional New Business

- Andy Jackson mentions that he send out email for committee volunteers.
- Tim Spencer mentions that pictures for the KU Staff Senate website will be taken at the next full Staff Senate meeting on May 18.
- Andy Jackson mentions that the Operations and Research job families currently have at least one empty seat. Nominations to fill those seats will go to Staff Senate Executive Council, then once accepted the names will be passed on to full Staff Senate. Speak with your peers, if you have question on job families ask Andy or HR.

Call to Adjourn

- Greg Smith motions, Andy Jackson seconds, all in favor, none opposed, adjourned 1:32pm.

Upcoming Meeting Schedule

Executive Council

Wednesday, May 11, 2016, 12:00 p.m. – 1:30 p.m., English Room, 6th Level, Kansas Union

Full Senate

Wednesday, May 18, 2016, 12:00 p.m. – 1:30 p.m., Malott Room, 6th Level, Kansas Union

Senators excused from meeting: Mike Denning, Jenny Flinders, Mary Murphy

Senators absent from meeting: Delores Barnard, Mishelle Denton, Jane Gnojek, Peter Haney, Jami Jones, Lisa Kreie, Kristine Latta, Margaret Mahoney, Jill McMillan, Michael Rivers, Dawn Shew, Georgina Spear

Revised May 18 by Tim Spencer