



STAFF SENATE

Wednesday, June 7, 2017
Meeting Minutes

CALL TO ORDER

President Fraser called the Tech Staff Senate to order on Wednesday, June 7, 2017, at 10:07 a.m. in Baz Tech 204.

ROLL CALL

Senators Present:

Sandra Anderson
Brandi Collins
Andrea Eubanks
Brittany Flippo
Lindelle Fraser
Tammy Guarino
Tiffany Henry
James Higgs

Margie Link
Brittany Martin
Jeff Nichols
Julia Pope
Rhonda Rodgers
Heather Taylor
Hope Vilavanh
Bettye Williamson

Senators Absent:

Rachel Alexander
Pam Cooper
Shawna Davis
Jeff Mumert

Visitor(s):

Bruce Curl, Interim Director of Human Resources
Robert Freeman, Director of Human Resources
Thomas Pennington, University Counsel
Christine Shuffield, Human Resources Representative
Jennifer Thomas, Ozark Campus Representative

On June 7, 2017, the minutes from the May 3, 2017, meeting were distributed electronically and approved.

NEW BUSINESS

Senators welcomed Rhonda Rodgers from the Academic Advising Center as the replacement for Senator Fleming, representative for Admissions and Registrar's Office.



Mr. Thomas Pennington, University Counsel, introduced Mr. Robert Freeman, as the new Director of Human Resources and all Senators welcomed Mr. Freeman.

Grievance Procedure and Salary/Payroll Policy

Mr. Thomas Pennington, University Counsel, distributed the Grievance Procedure and Salary/Payroll Policy to be discussed at the next Staff Senate meeting. Mr. Pennington indicated that the Grievance Procedure, while intended to be used less than 95% of the time, is extremely important when needed. The intent of the Grievance Procedure is to allow the employee to “tell their side of the story.” The majority of grievances filed up to this point have been in regards to a pay increase or termination.

It is important to establish a time limit for each party to speak with the understanding that the time can be extended, if applicable. It is also important to establish who will pay for the grievance hearing, if applicable (court reporting can be expensive, but is necessary if the case goes to litigation). Senator Eubanks indicated that Human Resources or the employee’s supervisor has paid for court costs in the past, but this needs to be reevaluated so that one department does not bear the financial burden. Mr. Pennington indicated that while an informal grievance procedure is less defined, it is still necessary to have both informal and formal grievance procedures to facilitate resolution of the grievance.

Senator Eubanks asked that the number of employees in each department be considered, in that it may be very easy to identify the parties involved in a Grievance Procedure if there are only three (3) employees. Senator Collins requested that supervisory and peer evaluations be considered, especially for areas with high employee turnover. Staff Senate will work with Human Resources and Mr. Pennington to establish protocol for supervisory and peer evaluations as it relates to the Grievance Procedure.

Mrs. Jennifer Fleming, Coordinator of Affirmative Action and Title IX, along with Mr. Will Cooper, Student Conduct Advisor, in addition to several other qualified members will review the Grievance Procedure and provide comments. Mr. Pennington stressed the importance of a committee and Staff Senate in revising the Grievance Procedure in order to maintain the highest level of integrity.

OLD BUSINESS

Old Tennis Courts/Brown Hall Parking Lot – Senator Martin asked about the possibility of fixing numerous large pot holes that create safety issues for employees, especially during times of heavy rain. While previously discussed by Staff Senate and put on hold until the new parking lot was approved, Senator Higgs



suggested submitting a work order to Plant Maintenance to request that the pot holes be filled.

Phishing and Fraud Data Security Policy

It was noted that the current practice of announcing phishing and fraud “scams” through campus-wide email and/or on One-Tech should be continued and/or included in the policy. No additional changes, pending approval from Faculty Senate.

Camera Acceptable Use Policy

Senator Pope asked for clarification regarding the statement that “no audio will be recorded.” Does this mean that no audio will be captured, as there is nothing indicated in the proposed policy that no parties will be listening?

Questions were raised regarding the log that “shall be maintained” as to who will be responsible for maintaining the log and will the log be electronic or paper? No additional changes, pending approval from Faculty Senate.

Staff Handbook

Mr. Thomas Pennington, University Counsel, along with Mr. Robert Freeman, Director of Human Resources, Mr. Bruce Curl, Interim Director of Human Resources, and Mrs. Christine Shuffield, Human Resources Representative, addressed Staff Senate regarding proposed revisions to the Staff Handbook. The following areas were discussed and feedback provided:

- Annual Leave – Senator Pope asked for clarification of “hourly employees” – is this the same as a classified employee? Need to make sure it is clear that both classified and non-classified employees are covered. Senator Flippo asked for additional clarification under accrual of annual leave, in that the accrual of annual leave is based on days worked not just whether the employee is semi-monthly or monthly. The accrual rates should be as follows: 1st working day of the month = full accrual, 2nd through 16th working day of the month = half accrual, and after the 16th working day of the month = no accrual. Mr. Pennington will work with Senator Flippo, Payroll Office, and Human Resources to revise and report back to Staff Senate.
- Catastrophic Leave – Mr. Freeman asked to change the wording under Dependent Child Certification to state “birth of a child or adoption” versus “if the child was acquired.” Mrs. Shuffield asked about the indication that an employee must have (80) hours of combined sick and annual leave under eligibility requirements, as this could be confusing in regards to classified and non-classified employees. In addition, eligibility should be based on any employee who is benefits eligible? Mr. Freeman and Mrs. Shuffield also asked about changing “the President” as the initial point of contact versus the



existing catastrophic leave committee. In addition, clarification is needed regarding the one (1) hour designation of donated leave (doesn't allow for .25, .50, etc.) and that the committee shall be comprised of at least five (5) members who are appointed by the President – is the committee limited to five members and want to avoid undue burden on the President as solely responsible for selecting committee members? It was noted that “the President” is also the first point of contact under Prohibition of Coercion. Senators unanimously agreed that the first point of contact should be Human Resources. Mr. Pennington will look at requested revisions and report back to Staff Senate.

- Court and Jury Leave – no changes
- Educational Leave – President Fraser asked about the designation of permanent employee and whether it should say full-time employee? Mrs. Shuffield stated that there is nothing in place to request educational leave and suggested using one form to include all types of leave. In addition, there is no mechanism currently in place to administer any agreement/contract between the employee and University. Mr. Pennington will check on the state definition of permanent employee and will work with Human Resources to develop an agreement/contract and add to the standardized leave form.
- Emergency Paid Leave, Disaster Service Volunteer Leave, Emergency and Rescue Service Leave – Mrs. Shuffield stated that there is nothing in place to request emergency paid leave and suggested using one form to include all types of leave. Mr. Pennington will work with Human Resources to develop an agreement/contract and add to the standardized leave form.
- Family Medical Leave – Senator Eubanks asked if FMLA leave can be intermittent with doctor's approval and needs to be addressed in the policy (can take two weeks at one time and rest of leave at another time, if approved). Mr. Freeman asked about the 12-month period used to determine eligibility. Mr. Pennington indicated that the calendar year is part of the statute and eligibility is not based on a rolling year for stacking purposes. Senator Rodgers asked to clarify that catastrophic leave can be used, if approved, once FMLA leave is exhausted. Mr. Pennington will look at requested revisions and report back to Staff Senate
- Holidays – days transferred to Holiday Break are an issue for employees who have not earned the holiday pay (leave without pay is used).
- Leave of Absence Without Pay – Mr. Pennington opened the discussion with the standard of 3 to 5 unexcused absences per year with possible termination for excessive absences. Mr. Curl indicated that employees are choosing to take off without pay and not reporting to work, impacting office operations and there must be a disciplinary clause included in the policy so that supervisors have something to enforce for excessive absences. Mr. Curl also stated that approved and unapproved absences need to be clearly defined.



Senator Nichols suggested using a point system similar to the one used by Physical Plant (point system may work better, with warnings first before termination). Senator Vilavanh asked if the points would start over per calendar year and while Mr. Pennington indicated yes, specifics still need to be determined. Senator Flippo indicated that currently, the “no call/no show” policy is different for classified and non-classified employees (should be standardized and is a very important piece of the policy). President Fraser asked about the “undue hardship” definition as it is written to deter employees from using (language needs to be carefully evaluated). Mrs. Shuffield pointed out that “the President” is listed as the first point of contact and as stated previously needs to be Human Resources. Staff Senators unanimously agreed that revisions need to make sure employees are protected while discouraging repeated absences without pay. Mr. Pennington will look at requested revisions and report back to Staff Senate.

- Leave for Bone Marrow or Organ Donation - nothing in place to request leave for bone marrow or organ donation and needs to be included on standardized leave form. Mr. Pennington will work with Human Resources to develop an agreement/contract and add to the standardized leave form.
- Leave for Participating in Children’s Educational Activities (CEAL) – Mr. Curl indicated that sports events/practices are not included under “interscholastic activities” and needs to be clarified. Senator Martin asked about determination of a child’s age as stipulated under pre-kindergarten “at least three (3) years of age.” Many children start pre-school at the age of two (2) and are not currently eligible (need to consider adjusting the age requirement to include all pre-school age children). Senator Flippo added that eligibility must be determined by the employee’s supervisor, as the Payroll Office can’t administer for entire campus (statement needs to be added to policy). Mr. Pennington will look at requested revisions and report back to Staff Senate.
- Maternity Leave – Mr. Curl asked that the Catastrophic Leave for Maternity Purposes be cross-referenced and add that the employee must be employed for at least one year to be eligible.
- Military Leave – Mr. Freeman asked if the University is part of ESGR (employer support of the Guard and Reserve). Mr. Pennington indicated a “Green-Zone Training” program for faculty and staff that is under development, but he does not think the University is part of ESGR. Mrs. Shuffield added that military leave needs to be approved by the employee’s supervisor along with submission of leave orders. Mr. Pennington will find out about ESGR and report back to Staff Senate. Mr. Pennington will work with Human Resources to develop an agreement/contract and add to the standardized leave form.
- Sick Leave – Senator Collins asked for clarification on (3) shared leave, as this is not currently being used. Senator Martin asked that exhaustion of sick and annual leave be added to (5) leave without pay, as some employees don’t use



- sick and annual leave correctly. Senator Taylor expressed concerns about including (5) leave without pay under sick leave given the current discussion about excessive absences (may need to reword). In addition, an FMLA statement needs to be added if the employee is off for five (5) or more days may be eligible for FMLA leave. Mrs. Shuffield added that the employee must have a medical diagnosis and the paperwork can be supplied directly to Human Resources or the employee's supervisor. Mr. Pennington will find out about (3) shared leave, and report back to Staff Senate. Mr. Pennington will look at requested revisions and report back to Staff Senate.
- **Funeral Leave** – Senator Martin requested that “partner” or “significant other” needs to be added to the family members chart. Mr. Curl requested that great grandchildren and grandparents need to be added to the family members chart. Currently, an employee may take up to (5) days of sick leave to attend funeral services, but there is nothing in the policy that indicates if all leave is exhausted employee would be eligible for leave of absence without pay (needs to be clarified). Mrs. Shuffield indicated that the way the policy is written, looks like funeral leave is separate from sick leave (may be misleading – need to add statement, funeral leave is not in addition to sick leave or have separate policy). Senator Collins asked to add that annual leave can also be used. Mr. Pennington will look at requested revisions and report back to Staff Senate.
 - **Compensation for Unused Sick Leave at Retirement** – Senator Collins indicated that Staff Senate previously voted to approve. Mr. Pennington stated that the intent is for both classified and non-classified employees to be eligible. Mrs. Shuffield requested clarification that Tech benefits are applicable to hours worked at Tech only (does not include leave earned from other state positions/offices).
 - **Transfer of Leave** – Mrs. Shuffield asked to clarify that the definition of a state agency includes Arkansas Higher Education.
 - **Treatment of Military Service Disability Leave** – Senator Collins requested that this policy be moved to the Military Leave Policy.
 - **Leave of Absence for Military and Certain Training Programs** – Senator Collins requested that this policy be moved to the Military Leave Policy. Senator Flippo asked that the policy address military and police training, drill, guard duty, etc. (if all military leave is used and the employee is deployed, the subsequent leave comes from leave without pay).
 - **Catastrophic Leave for Maternity Purposes** – Mrs. Shuffield indicated that the catastrophic leave committee typically receives 9-10 applications per year, but has already received 7 applications for catastrophic maternity leave so far this year (look for this number to increase). Senator Collins asked to streamline policy (1 and 6 can be combined, along with 3 and 4). Mr. Pennington clarified that the policy is intended to be used by the person giving birth. Mr. Pennington will look at requested revisions and report back to Staff Senate.



ANNOUNCEMENTS

President Fraser asked all Senators to work with their representatives to obtain thoughts/ideas for campus-wide celebrations that all staff would be interested in. President Fraser indicated that Staff Senate may consider partnering with Dr. Bowen's Office, University President, to facilitate participation. Senator Guarino suggested having multiple stations across campus, such as ice cream carts, so that employees could come and go versus a specific time. All Senators will ask their representatives for thoughts/ideas and send them to President Fraser.

Senator Eubanks announced that due to construction, all of the offices in the Administration Building will be temporarily moving to different locations on-campus through August, 2017. President Fraser will request a list from Galen Rounsaville, Special Projects Coordinator, so that the information can be distributed to Staff Senate and also posted on One-Tech.

GOOD AND WELFARE

Our next regular meeting will be Wednesday, July 5, 2017, at 10:00 a.m. in Baz Tech 204.

ADJOURNMENT

President Fraser adjourned the meeting at 11:56 a.m.

Respectfully submitted,

Julia Pope, Secretary

