

Operating Staff Council Meeting Minutes Wednesday, June 11, 2008

Members in Attendance: Slava Bruder (Vice Chair), Jennifer Dube, Holly Hillsgrove, Patrice MacNevin, Laurie Anne Malizia, Janice Pierson, Toni Searles, Brian Tobin (UNHM)

Members Not in Attendance: Matty Leighton (Chair), Lisa Wilder

Guests: Ann Boylan, Prospective Council Member; Susan Crockett-Pelletier; Sharon Demers, HR; Kelly Hinton; President Mark Huddleston; Jodi Record, Campus Journal; Lonn Sattler, SPCC

Agenda Items

Approval of May Minutes – Slava Bruder

The minutes from the May meeting were approved by acclamation.

Welcome/Introductions – Slava Bruder

Ann Boylan from Housekeeping indicated she would like to join the council and talked briefly about her tenure at the university. Ann was elected to the council by a vote of eight in favor and none opposed. When she returns from vacation, Matty Leighton, council chair, will provide Ann with any necessary information, including the council member handbook and her constituent list.

Communication Board Maintenance - Patrice

Patrice gave an update regarding the Housekeeping manager contacts. Gene Gargano and Pat Moore have volunteered to maintain and update the communication boards.

Sick Pool Conversion – Sharon, Patrice, & Lon

The council has previously discussed a suggestion that the university allow sick pool conversion twice per year, because some employees (especially those in UHS/Dining) use up their earned time hours during the mandatory shut-downs.

Patrice submitted a proposed policy change she and Matty drafted (attached as Appendix A). During discussion of the proposed change, two questions emerged:

1. Would October be a good time for the second enrollment period, or would that be too early?
2. When is the best time for UHS/Dining employees to convert earned time to sick pool time? What about having conversion during the open enrollment period?

Sharon will investigate how the original determination was made about the conversion period (i.e., whether it's a campus policy or a USNH policy) and will bring that information to the next meeting.

SPPC Update – Lonn Sattler

Lonn announced that USNH wants action on the civil union/same-sex marriage/domestic partner policy as soon as possible so that changes can be implemented and ready for this fall's benefits open enrollment period.

Two options were proposed (attached as Appendix B), and Lonn discussed the benefits and drawbacks of each option.

Option One

This option is unrealistic because:

1. The annual cost would be more than \$600,000.
2. The State of NH would not buy off on the opposite-sex partners portion of the policy.
3. If this option were adopted for opposite-sex partners who could marry if they wished to, it could be said that the USNH system was making a greater commitment with its benefits policies than the couple was willing to make to each other.

Option 2

Option 2 is seen by USNH as realistic because:

1. The annual cost would be only \$102,000.
2. USNH would pay the tax on civil union partners' benefits. Currently, employees who have benefits coverage for their domestic partner have to pay taxes on the value of those benefits. Employees in traditional (opposite-sex) marriages pay for their benefits with pre-tax dollars. Option 2 would be a huge improvement in terms of tax implications, and would offer an incentive for couples to enter into civil unions.

Note – "Hardship" includes such things as conflict with federal law (i.e., if you're in the military and civil union would violate the "don't ask/don't tell" policy), or situations where it's impossible to enter a civil union or same-sex marriage (i.e., the state where you live doesn't offer or recognize civil unions or same-sex marriage).

USNH must modify its policies to comply with the new state civil union law. The university system will remain in an official "transition period" through June 30, 2009, and during that time, employees who have domestic partner benefits may retain them while they make a decision about whether to enter into a civil union. However, USNH needs to make a decision on the policy issue in a timely manner so that employees who choose to enter into civil unions can get their tax benefits as soon as possible.

The majority of the council voted for Option Two, with the caveat that the endorsement is dependent upon the recommendation of the President's Commission on the Status of Gay, Lesbian, Bisexual & Transgender Issues. The council wishes to support the President's Commission in their decision.

Question and Answer Session - President Huddleston, Sharon Demers

Performance Assessment: Constituent and council concerns in this area include:

1. Accountability for Supervision/Performance Assessment – There is a concern that no one currently reviews performance assessments to make sure they are completed correctly and without bias. Also, managers do not seem to be held accountable for their performance in supervising others.
2. 360 Degree Evaluations – Many employees have expressed interest in implementing a 360-degree evaluation process that allows employees to provide feedback about their supervisor's performance during the annual assessment. Both Sharon Demers and President Huddleston have expressed support for this idea in the past and would like to hear how employees feel this should be implemented.

Response – The president stated that he recognizes performance assessment and supervision as central area of concern for operating staff:

- a. Some supervisors/managers may not be doing a good job, and there is no accountability for their performance; and,
- b. OS are given little or no opportunity to provide feedback on the performance of their supervisor(s).

President Huddleston agrees that the OS council should take part in responding to this problem. To do so, we need to identify the highest priorities and clearly target the areas that need to change. We must also identify the best way of providing feedback about supervisors/managers. This will require research, constituent feedback, and analysis, and may also require assistance and feedback from Sharon Demers in HR.

Effects of Outsourcing/Hiring Freeze

Council member Ann Boylan raised the issue of how the hiring freeze affects housekeeping staff who have already been moved from academic buildings to dormitories as a result of outsourcing. This is a permanent change that affects the housekeeping staff (even some who are outsourced) in many ways, including the hours they work and the transportation they use. This change was made without any input from employees and is involuntary; they were told they had to move. Ann asked the President, "What will the University do when they don't have anyone to work the buildings after everyone leaves?"

Council members and constituents also pointed out that:

1. Sometimes SIP recipients come back as hourly employees, doing the same job and preventing advancement for others left in the department. Or, if the position is eliminated or left open, other employees must work harder to pick up the slack, yet they don't have an opportunity to advance into the position that was vacated. This has happened in a number of departments across the university.
2. The hiring freeze has eliminated the chance for advancement or lateral movement for housekeeping staff who wish to transfer out of their current position rather than make an involuntary move to a new building.

Response – Sharon offered to find out more information about the outsourcing changes.

President Huddleston told the council he was aware the decision to implement a hiring freeze would be a painful one to those it affected. Unfortunately, UNH is facing an \$8.2M budget deficit in FY 2009, and he stated, ". . . we could not run this University on an \$8.2 million deficit and balance the books." Because they didn't want employees losing their jobs through firings or layoffs, and because SIP created a large number of vacancies, UNH's top management decided to impose a hiring freeze, "as we honestly did not know what other avenue to go." All employees should be aware that the hiring freeze is not a long-term solution, it's a stop-gap effort that will only help balance the budget for FY 2009. FY 2010 may be worse, as projections show the University will continue to spend more money than it takes in.

Council member Jen Dube raised the issue of whether the university is "top-heavy." If "desperate times call for desperate measures," as President Huddleston has indicated, should there not be a careful examination of the multiple layers of upper management at UNH? In other words, shouldn't the impact of cost-cutting be borne at all levels rather than just by support staff (i.e., OS and hourly staff), who appear to be disproportionately affected by the freeze?

Response – President Huddleston told the council he has asked a financial consultant to work with UNH to assist in reviewing the classification and salary structure university-wide.

Revamping IDEA Program to Solicit Ideas re: Budget Problems:

President Huddleston agreed that revamping/relaunching the IDEA program would be a good idea for two reasons:

- a. We need to foster a normal environment that reflects the mission of the University of New Hampshire.
- b. We need ideas that save money or make money, rather than spending it.

Unionization

Council members mentioned that many constituents have come to them with questions regarding the Union. There have been no updates from the administration, so the council is not able offer news, and employees hear only speculation and rumors. The council asked what an appropriate response to constituents would be, since the council wishes to remain neutral.

Response – Sharon Demers stated that the council should let employees know the union has an office downtown where they may ask questions. **In the administration’s opinion**, it is not the council’s job to keep up-to-date on every union issue, because the OS and PAT councils work for UNH and its employees, and not for the unions.

Vice Chair Slava Bruder thanked President Huddleston for attending the meeting and responding to our questions and concerns.

Tabled

- Constituent feedback
- Transportation liaison reporting
- Matty’s dual position as chair and recorder

Adjournment

The meeting was adjourned at 2:30 PM.

The next OSC meeting is scheduled on Wednesday, July 9th at 1:00 PM in the Trustees’ Board Room in T-Hall. OS Council meetings are open to all operating staff.

- OS Council web site: <http://www.unh.edu/os-council/>
- PAT Council web site: <http://www.unh.edu/pat-council/>
- SPPC web site: <http://www.usnh.edu/hr/sppc.html>

Appendix A

Proposed Change to Sick Pool Policy

Sick Leave Pool

11.5.1 Description. The Sick Leave Pool is intended to provide additional security by allowing staff members the opportunity to exchange Earned Time hours for Sick Pool hours at the equivalent rate of three Sick Pool hours for each hour of Earned Time. Each institution establishes a one-month period **twice** each year for "open enrollment" in the Sick Leave Pool. In addition, an employee who completes her/his initial introductory period will then be allowed a 30 day period to convert accrued Earned Time hours to Sick Pool Time.

Appendix B

Report and Recommendation of the Ad hoc Committee for Development of Policy for Benefits due to the Impact of the NH Civil Union Law

Background

On January 2008, New Hampshire became the fourth state in the country (following Vermont, Connecticut and New Jersey) to recognize civil unions of same-sex couples. The New Hampshire law (RSA 457) provides that parties who enter into civil unions "shall be entitled to all the rights" provided for in state laws that apply to married couples.

Since 1999, the USNH Board of Trustees (USNH BOT) has supported policies that provide equitable access for employees to medical benefit coverage (under USNH personnel policy Section USY-V-A-2 adopted in 1999/2000). The passage of RSA 457 provided an opportunity for USNH to revisit the current personnel policy to ensure that policies are in keeping with state law and with best HR practices concerning employment-based access to medical benefit coverage. In January 2008, the President's Council approved a transition plan and convened a USNH-wide ad hoc committee to make policy recommendations concerning access to medical benefit coverage. What follows is the analysis, which that group conducted, and based on that analysis, a preferred option.

Criteria for Consideration of Policy Response to the Change in State Law

The ad hoc committee was charged to look at several issues including, the spirit of equity inherent in RSA 457 that civilly united couples be entitled to all the rights of married couples to the extent legally allowed; the best practices of employment-based access to medical benefit coverage; cost, and the continuation of the Trustee's original intent to promote fairness and diversity. Additionally, the ad hoc committee sought a new policy, which would include the following important factors:

- Fairness
- Cost effectiveness
- Contemporary and comparative employment trends
- Legally defensible
- Commitment to the original intent of the Board 1999 decision
- Effectiveness in recruitment
- Manageable administrative oversight and implementation cost

No solution meets all of the criteria. But committee review yielded two options for the consideration by University System governance groups. Each has significant strengths, and each has at least one significant drawback. Both options have been evaluated using the criteria noted above.

Options Under Consideration

Option #1: Provide eligibility for medical benefits in any one of three circumstances, including A) Marriage, B) Civil Unions, or C) same-sex or opposite-sex partners who meet the criteria currently defined in USNH policy. This option does not include a provision to support the impact of imputed tax income.

The option meets the desired outcome in terms of fairness and ability to continue benefits for all who currently have partner benefits. In summary, Option #1:

1. Covers the widest range of partner relationships.
2. Eliminates the problem of some current employees with benefit coverage losing that coverage because there are barriers to entering a civil union.
3. Signals to applicants that USNH is committed to diversity in its workforce and thus is a positive recruitment advantage.
4. Maximizes the individual's role in determining what constitutes a family and minimizes the employee role in that determination.
5. Is legally defensible.

The option has significant drawbacks, including cost and comparability:

1. Increases potential number of employees who are eligible for benefits with greatly increased employer health benefits costs. The potential additional cost is estimated to be over half a million dollars. Financial resources are diverted into expanding the eligible population for medical benefits, while unmarried employees are still liable for the full impact of taxes associated with the imputed income (if their domestic or civil union partner is covered).
2. Is different than the approach used by the state for its workforce
3. Is less typical of contemporary employment trends of New Hampshire employers, including other higher education institutions

Option #2: Provide eligibility for medical benefits to employees in civil unions or marriages. In addition, provide an application process for partner coverage in case of hardship for both same-sex and opposite-sex partners. Provide compensation to those in civil unions to cover the cost of the employee tax paid on the employer contribution to the medical plan. The coverage for this "imputed income tax" would be available to those in a civil union, in order to make that plan equal to marriage, but is not part of any partner benefit coverage due to hardship.

This option is most effective in meeting the criteria of cost-effectiveness and contemporary recruiting trends. Some of the advantages include:

1. Provides a lower employer-cost compared to Option #1 (approximately \$102,000, compared to \$640,000).
2. Provides a mechanism for appeal due to "hardship," which should cover those who are disadvantaged due to federal standards. USNH will develop the criteria based on the model used at the University of Vermont.
3. Maintains long-standing commitment to promoting social equality.
4. Ensures privacy and anonymity for same-sex couples where one or both may jeopardize their standing relative to military obligations, visiting visa restrictions, pending adoptions or other situations if a civil union were acknowledged.

This option's primary disadvantage is that it would not prevent the loss of coverage for some current employees who have coverage.

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