

Employee Advisory Committee –Operations Staff

11/18/08 MINUTES

Present: Amy Diamond Barnes, Jerry Clark, Eddie Irvine, Rick McKemy, Cabot Miller, Mike Moore, Mary Katherine Snead, Larry Stuart, Christopher Vess,

Guest: Sidney Evans, Associate Dean for Student Services, Law School

1. Grievance Procedure/Ombud Program

Amy introduced Sidney Evans. Sidney chaired the Designated Officer and Grievance Procedure Working Group and asked to meet with each of the employee advisory committees to discuss their recommendations.

Sidney explained that President Ruscio asked the Grievance Procedure Working Group to look at four things: an ombuds position, the grievance procedure for harassment/discrimination complaints, the whistleblower policy, and the general grievance procedure (this piece was referred to HR for review). The whistleblower policy had been used only twice and the general grievance procedure not at all.

OMBUDS: Sidney explained that an ombuds is a confidential, neutral problem solver who will report directly to the President. The ombuds would become familiar with all the University resources for addressing workplace concerns. The ombuds can serve as an advocate or a sounding board and can make employees aware of their options and work to resolve situations in a completely confidential way. Amy clarified that when you bring concerns to HR, generally they are treated with complete confidentiality. However, there are some issues which HR has a legal obligation to address – such as sexual harassment. If an employee comes to HR (or to another university representative) with an allegation of sexual harassment, we are required to investigate these allegations (which can include talking with witnesses) and therefore cannot promise complete confidentiality. An ombuds can meet with an employee and go over the options but is not required to act in these cases.

The ombuds has been approved as a 2 year pilot program. Originally the committee had recommended that the ombuds be a continuing position but later suggested a pilot program to give HR time to gain credibility and trust and to put a campus mediation program in place. Amy explained that HR will be working to set up a campus mediation program in which a group of highly respected faculty and staff will be nominated to be trained as mediators to help resolve employee disputes. If, at the end of two years, there is still a need for an ombuds, the program may be continued.

WHISTLEBLOWER POLICY: The Whistleblower Policy was developed by the Board of Trustees primarily to cover financial misdeeds. This policy provides an anonymous complaint mechanism to the Audit Committee of the Board. The grievance committee has recommended that the BOT review this policy again, possibly in conjunction with the general grievance procedure.

REVISED PROCEDURE FOR DISCRIMINATION/HARASSMENT: Sidney distributed copies of the procedures to committee members for review. She explained that the working group recommended changes to the way in which complaints are raised, as well as the structure of how they are handled. Currently, the Designated Officer (DO) receives a complaint, investigates the complaint and decides the outcome. The DO needs to remain impartial – making it difficult to provide needed support to the complainant and the respondent.

In an effort to address those shortcomings, the new procedure is a bit more complicated and involves more people. Three people will hear the case instead of just one to provide for more impartial judgments.

In the case of a formal hearing, a panel would be pulled from the following positions: Dean of Students, Dean of the College, Dean of the Williams School, Dean of the School of Law, Associate Deans of the College, Associate Dean of the Williams School, Associate Dean of the School of Law for Academic Affairs, Associate Dean of the School of Law for Student Services, Executive Director of Human Resources, Chief Technology Officer, Director of Athletics.

About 15-20 individuals from across the university will be selected to serve as DPAs (Discrimination Policy Advisors). These individuals will serve as the first point of contact for those with a concern or complaint. Their role will be to explain the process/options and to provide support. There will be opportunities for staff to nominate people to serve as DPAs – they should be people that staff normally feel comfortable confiding in. We need to ensure that we have representation from different areas on campus and different constituencies. A DPA Coordinator will be identified as soon as possible to help with nominations, training, etc. DPAs will serve three year terms.

Sidney welcomed suggestions about how to communicate the new procedures to staff. Previous grievance procedures were seldom or never used and this may have been due to lack of awareness of these procedures. Members of the employee advisory committee suggested town hall like meetings with information and an opportunity to ask questions, with follow up 'on-site' meetings for Dining Services and Facilities. Meetings should be held at various times of the day to accommodate employees working different shifts.

2. EAC Charge and Membership Rotation.

The charge for the Employee Advisory Committees is as follows:

The Employee Advisory Committees promote effective and direct communication between all non-faculty employees and the administration. The Executive Director of Human Resources chairs the committee meetings which serve as forums for discussion. Committee members provide advice and input on a variety of human resource issues and may make recommendations for consideration by the appropriate administrative unit of the campus.

There are three employee advisory committees:

- Operations Staff – comprised of hourly employees from Athletics, Dining Services, Facilities Management and Public Safety;
- Office Staff – comprised of hourly, non-exempt employees working in administrative and academic offices; and
- Professional Staff – includes professional, managerial, and Information Technology employees.

Committee members are appointed to ensure a broad representation of the different functional and organizational areas of the University. Members will each serve a two year term and are appointed by the Vice President for Finance and Administration upon recommendation of the executive Director of Human Resources.

Amy asked the group if they understand the role of the committee (advisory vs. policy making) and if they feel that they are being heard? Amy said that she finds the feedback that she gets from the committees to be very useful and explained that the end result may not always be exactly as the committee members recommended but added that their feedback is important. The group responded with the following comments:

- We are comfortable being 'advisory' versus 'decision-making'
- The administration takes the advisory groups seriously

- On most issues we've discussed, a good faith compromise seems to have been made.
- Amy has been open about the rationale for why decisions have been made. Even if we don't like it, or it is not what we suggested, if we understand what the decision is based on, accepting the decision is easier.
- We are one of three advisory groups and we are biased (as we should be) towards Operations issues. The University has to balance the concerns of all groups.

In order to balance the membership of the committee, ensure it is representative of the Operations area as well as provide for new members to join, members will serve a two year term. Since there are 9 members of the committee, we will need to have 4 members, whose terms will be set to end in June, 2009.

A few members volunteered to rotate off the committee. They said that they feel comfortable with the committee's progress and the direction the University is moving. Rick McKemy, Chris Vess and Mike Moore offered to rotate off in June 2009. Additionally, John Coffey has not been able to attend meetings and will be replaced as well.

The rotation provides an opportunity to include areas of operations that are not currently represented on the committee. Custodial Services was specifically mentioned as needing representation. As the committee is currently composed of employees with ten or more years of service, it would be helpful to bring on some newer employees as well.

3. Mercer Design Team Update

Amy updated everyone about the status of the compensation/classification /performance development project. The Mercer team was on campus yesterday and met with our design team and the President's Council. They will be back on December 10 for the next meeting with the design team. Amy reported that the project is scheduled to take about 20 weeks.

Q) How much will the new classification/compensation system affect facilities?

A) The new system will be for everyone. Kelly is on the design team as a representative from the Operations area.

4. Weight Watchers at Work

Mary Katherine mentioned that she is gauging interest for Weight Watchers at Work meetings to be held on campus. Since we have heard that these types of programs are often scheduled at times that are not convenient for facilities and dining services employees, interested employees should contact Mary Katherine at X8355 with their preferred meeting times. Several men have also expressed an interest and would like to encourage more men to sign up.

5. Future agenda items:

- Rewards for seniority

6. Closing Questions

Q) Can we carry over more than 5 days?

A) Normally employees are able to carry over up to 5 days. However, if there are extenuating circumstances that prevented the employee from being able to use vacation time, s/he may request an additional carryover.

Minutes respectfully submitted by Mary Katherine Snead, Human Resources.