

SB74 Committee

Meeting Minutes
February 6, 2007

The SB74 Committee met at 2 p.m. on Tuesday, February 20, 2007 in the Field Conference Room, Sheridan Hall.

Committee Members: Cindy Cline, Patricia Duffey, David Cox, Sheila McGuire, Patty Nicholas, Tawnya Rohr, Darlene Schippers
Committee Advisors: Mike Barnett, Tom Kuhn, Dr. Carl Parker

Present: Cindy Cline, Patricia Duffey, David Cox, Sheila McGuire, Darlene Schippers, Dr. Carl Parker, Mike Barnett, Tom Kuhn, Dr. Carl Parker

Guest(s):

I. Approval of Minutes

Minutes of the February 6 meeting were approved by all present.

II. Old Business

A. Review focus paper drafts on conditions of employment.

1. Grievance Process: Dave, Sheila, Tawnya

- i. Grievance Process draft (Attachment A). Committee members reported the draft is taken directly from the current handbook with changes marked in red. The committee reported they did compare both FHSU and KU's procedure and felt that FHSU's current policy has most of what is needed.
 - a. Introduction and Informal Procedures sections approved as submitted. Some discussion ensued as to what types of situations would fall under the grievance procedure as there are several areas listed as not applicable. Dr. Parker and Tom Kuhn clarified this grievance procedure as being applicable to situations involving work relationships and improper or unfair application of policies. Discussions clarified that temporary, seasonal, and probation employees do not have grievance rights.
 - b. Formal Procedures section. Some discussion on identification of faculty and staff members ineligible for appointment to the grievance committee concluded in the decision to strike "has proposed or enacted a suspension, demotion, or dismissal". Additional discussion on orientation of committee members concluded in the decision to strike the comment "and performance review".

2. Merit Process: Cindy, Patricia, Patty, Darlene

- i. Merit process draft (Attachment B). Committee members reported reviewing both KU's policy and discussing merit compensation as addition to the base salary or as annual 'bonus' incentives. The committee decided KU's system of 2/3, 1/3 allocations and application of merit to the base salary will provide the best benefit to the employee and the most incentive for staff performance over the long term.
 - a. Dr. Parker suggested rewording the second sentence of the first paragraph to state "If available, salary pools will be allocated to campus departments, with an average percent increase." Suggestion approved.
 - b. Mike Barnett requested the last sentence of the second paragraph to be reworded to state "The budget office will oversee salary increase distribution." Replacing the word monitor with oversee and striking "for any appropriate extremes". Request discussed and approved.
 - c. Discussion revisited from section IIA of November 2, 2006 SB74 committee meeting in relation to guarantees of salary increases and equal treatment of staff and faculty in allocation of increases.
 - d. Cindy asked Tom Kuhn if there is any new information on the state reclassification of the position classification and pay grades. Tom reported he will be attending an upcoming meeting where this may be discussed and the proposed change appears to be similar to KU's structure. Dr. Parker suggested that we keep a close eye on this development as FHSU classified staff need to be able to contrast the 'new' possible state system with proposed FHSU's new system.

3. Reinstatement section of Disciplinary Action draft: Tom Kuhn

- i. Tom Kuhn handed out the state definition of Reinstatement and reported that in reviewing KU's handbook reinstatement is mentioned but not defined. No rewording of the section submitted for review.

B. Classified Senate and Constituents

1. Meeting minutes and papers (draft and final) to be placed on the Classified Senate's website. The minutes of the previous meetings are now posted on the website.
2. Email/campus mail updates of committee progress to classified employees. No discussion.
3. Classified Annual Meeting in April. Goal is to have focus papers prepared for presentation at this meeting. Cindy will find out the date of the Annual meeting and will ask if it would be possible to invite some KU development staff to the meeting.

Ib. Old Business –for future discussion

- A. Impending bill in the legislature affecting vacation and sick leave procedures. Last discussed 1/23/07
- B. Staff knowledge of services, people, and campus familiarity. Development of mentoring and or training system. Discussion tabled on 2/14/06.

III. New Business / Announcements

- A. Review of conditions of employment overview for next section for focus paper drafts.
 - 1. The sub-committee of Cindy, Patricia, Patty, and Darlene will draft a focus paper on the longevity process.
 - 2. The sub-committee of Dave, Sheila, Tawnya will draft a focus paper on salary administration process.

VI. Agenda for Next Meeting

- A. The subcommittees will present drafts of focus papers, Longevity and Salary Administration, for review and discussion.

Adjournment:

Meeting was adjourned at 3 p.m. by Cindy Cline.
The next meeting will be at 2 p.m. on Tuesday, March 6, 2007.

Minutes submitted by: Patricia Duffey
Approved:

CLASSIFIED EMPLOYEE GRIEVANCE PROCEDURE

The university recognizes that problems involving employer-employee relations arise from time to time. It is in the best interest of both the university and the employee to resolve these matters as soon as possible at the lowest possible level. In order that employees may be assured fair consideration of their problem(s), a means of review and appeal, without prejudice, to higher levels of authority has been established. Fair and appropriate handling of a problem or complaint cannot be given without notification of its existence. This grievance procedure is not applicable to the following areas since other procedures exist: employee performance evaluation appeals, appeals of proposed disciplinary action, and complaints of discrimination or sexual harassment.

An aggrieved **permanent status** employee(s) may select another person to assist them at any step of the grievance procedure. Any cost resulting from such assistance shall be paid by the employee. Time off with pay will be allowed during working hours to attempt to resolve the grievance with a supervisor/department head/dean, as appropriate, or to contact the Director of Personnel or the Director of Employee Relations. However, any time spent in preparing for a grievance is not considered work time. Meetings held at each step of the Grievance Procedure shall, whenever possible, take place during regular working hours.

Informal Procedures

Employees should attempt to resolve job-related problems with their immediate supervisor. If the matter cannot be resolved with the supervisor, employees are encouraged to discuss their concerns with their department head/dean, as appropriate. Employees may consult with the Director of Personnel and the Director of Employee Relations at any time concerning procedures.

The Director of Personnel will provide assistance when an aggrieved employee and department head/dean jointly agree such assistance is desirable. The role of the Director of Personnel will be to help facilitate communications and, where appropriate, identify viable, mutually acceptable alternatives for both parties. If the informal process does not correct the situation, the employee may proceed to the formal grievance procedures.

Formal Procedures

A formal grievance is filed in writing within the department when an employee is dissatisfied with any condition of work which allegedly has an adverse effect on them and which has not been resolved through informal discussion.

At any step in the grievance procedure, if either party believes that an extension of the time limit for action is required, the party may request in advance from the Director of Employee Relations such an extension. If there is no reply to the employee's grievance within the specified time limits, the employee shall have the opportunity to take the grievance to the next step. If an employee fails to appeal from one step to the next within the time limits specified, or fails to obtain an extension, the grievance shall be considered settled and not subject to further appeal or consideration. In the event that either an immediate supervisor, or their supervisor, is not available to process a grievance, a designee may be appointed by the department head/dean to serve in their place.

The employee, in order to start the formal grievance procedure, shall:

Step 1. Present the grievance in writing, on grievance forms supplied by the Office of Employee Relations, to the immediate supervisor within fifteen (15) working days of its occurrence, or the option to grieve it is waived. The supervisor shall attempt to adjust the matter and shall respond, in writing, to the employee within five (5) working days.

Step 2. If the grievance is not settled in Step 1, the employee may appeal by submitting the grievance form to the department head/dean within five (5) working days of when the supervisor's answer in Step 1 is due. The department head/dean shall attempt to adjust the matter and respond in writing on the grievance form within five (5) working days to the employee.

Step 3. If the grievance is not settled at Step 2, the employee may appeal the grievance to Step 3 by submitting the grievance form to the Director of Employee Relations. This appeal shall be made within five (5) working days after the response from the department head/dean (step 2) is due.

The Director of Employee Relations will select 3 or more employees to hear the grievance. Members of the committee will be employees of Fort Hays State University. **No faculty or staff member can be appointed to the committee if his or her current status falls into any of the following categories:**

- Probationary
- Student or temporary
- Part-time
- On leave of absence or sabbatical
- Has been with FHSU less than 6 months

The aggrieved employee will be given the opportunity to request disqualification of a proposed committee member by showing cause for bias. Both parties will be notified of the names of the members of the committee.

The Director of Employee Relations will conduct a prehearing conference for the purpose of identification of issues to be considered by the grievance committee. Hearing procedures will be discussed and the parties will exchange list of witnesses and documents concerning the grievance. The prehearing conference shall be scheduled within ten (10) working days of the

receipt of appeal to Step 3. The date of the hearing will be scheduled with the parties at the hearing and shall be within ten (10) working days of the prehearing conference.

Members of the Grievance Committee will be trained in the grievance appeal processes by the Director of Employee Relations.

At the formal hearing, both parties may be assisted/ represented and may have witnesses appear on their behalf. All documentation will be shared between the parties. The grievance committee will consider any creditable evidence that may be offered by the parties to the issue being grieved, giving it the weight it deserves. The committee may limit the offering of evidence it deems to be repetitious or irrelevant. Each party will be given a full opportunity to present their position on the matter in dispute, although legal rules of evidence will not be utilized.

The committee will submit a recommendation to the Director of Employee Relations within five (5) working days after the completion of the hearing. Within ten (10) working days following receipt of the recommendation of the committee, the Director of Employee Relations will confer with the Appointing Authority. A final written decision resolving the grievance will be issued to the parties.

ATTACHMENT B

Compensation/Salaries: This is the area of primary differences between the existing system and the proposed system. **If available**, salary pools will be allocated to campus departments, with an average percent increase ~~if available~~. In addition to the pool, the University may identify other needed areas for salary adjustments and utilize additional or existing funds to address those needs, e.g., “topped out” employees, market adjustments for difficult to recruit jobs, salary compression.

Individual annual salary increases will be awarded on a performance, rather than an across-the-board basis. An individual with an unsatisfactory evaluation will not receive a salary increase. Annual salary increases will have two components—1) an employee with a current satisfactory performance review will receive two-thirds of the authorized average salary increase; and 2) an additional one-third of the authorized average salary increase will be left to the discretion of the department to distribute, acting within budgetary parameters. Those discretionary increases will be recommended to the appropriate administrative hierarchy and approved by them. The Budget Office will ~~monitor~~ **oversee** salary increase distribution ~~for any inappropriate extremes~~.