



Meeting Minutes
June 18, 2019
WVU Parkersburg
Room 3323, Main Building
9:00 a.m.

MEMBERS PRESENT

Jayne Angle	Shepherd University
Verne Britton	West Virginia Network for Educational Telecomputing
Michael Caplinger	WVU-Parkersburg
Anita Davis	Pierpont Community and Technical College
Jane Fouty (Proxy)	BridgeValley Community and Technical College
Sheri Goff	Glenville State College
Chris Gray	Southern WV Community and Technical College
David Hays	West Virginia State University
Teresa Meddings	Marshall University
Amy Pitzer	Concord University
Dee Preston	Mountwest Community and Technical College
Shirley Robinson	West Virginia University
Scottie Samples	WVU – Potomac State College
Carrie Watters	West Virginia Higher Education Policy Commission
Dawn Swigger	West Liberty University

MEMBERS ABSENT

(EXCUSED)	Clark Kendall	Fairmont State University
	Lisa Neel	Bluefield State College
	Barbara Sanders	West Virginia School of Osteopathic Medicine
	Kelly Taber	New River Community and Technical College
(UNEXCUSED)	Diane Blady	Blue Ridge Community and Technical College
	Darryl Clausell	West Virginia Northern Community College
	Tammy Ours	Eastern WV Comm. and Technical College
	Janene Seacrist	Comm. and Technical College System of WV
(VACANT)	WVU – Institute of Technology	

GUESTS

Ken Harbaugh	Emeritus
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I. CALL TO ORDER & ESTABLISH QUORUM

Amy Pitzer Chair, called the meeting to order at 9:00 am, welcomed guests and new ACCE members, along with introductions for the new ACCE representatives: Teresa Meddings from Marshall University and Dawn Swiger from West Liberty University.

Welcome to WVU Parkersburg by Michael Caplinger. On behalf of ACCE, Amy Pitzer expressed appreciation to WVU Parkersburg for hosting, and providing hospitality, for the today's meeting.

II. APPROVAL OF MINUTES

Discussion of corrections for the May 2019 meeting minutes. Motion to continue corrections, as well as, approve the minutes' final version, via the ACCE LISTSERV discussion list, made by Carrie Watters, seconded by Dee Preston. Voting all in favor. Motion carried.

III. GREETINGS FROM PRESIDENT CHRIS GILMER, WVU PARKERSBURG

President Gilmer expresses his appreciation of classified staff, which are the front line for students and the college. Welcome to WVU Parkersburg. Michael Caplinger is a great ambassador for our institution.

IV. COMMITTEE REPORTS/DISCUSSION

- A. **BENEFITS** – Dee – discussion of the No Hardship in Arrears adjustment, for those employees that received the WV No Hardship payment, usually repaid in a lump sum, now, can be paid back over several payments (not more than one year) once a form has been completed.
- Background: All employees hired after June 30, 2002 are paid "in arrears," meaning they don't receive their wages until the next pay period, instead of, the historical process of being paid as they worked.
 - On September 30, 2014, all employees who, previously, who got their paychecks as they worked, were converted to this arrears system. Switching these employees to the arrears pay schedule caused a gap and that they would miss one paycheck. To cover this gap, employees received a WV No Hardship payment, kind of like wages in advance (or a loan from the state), so that they would not miss a paycheck. Those who received the WV No Hardship payment would repay the amount in a lump sum, on their final pay, or, with their last paycheck if moving to another job or retirement.

[NOTE: To help understand arrears and payroll processes, check out the following article: [Paying "Current" Versus "In Arrears"](https://www.fisherphillips.com/Wage-and-Hour-Laws/Paying-Current-Versus-In-Arrears) <https://www.fisherphillips.com/Wage-and-Hour-Laws/Paying-Current-Versus-In-Arrears>]

- B. **LEGISLATIVE** – Carrie – Discussion occurred on the current special session of the legislature.
- C. **WEB/COMMUNICATIONS** – David has some images to upload to the ACCE website, but needs editing access to the website. Plan to take photos of ACCE members at July's annual planning meeting and update website.
- D. **STUDENT ADVOCACY** – No report at this time.
- E. **RETREAT** – Shirley – The block of rooms at Canaan Valley Resort is now open for ACCE members to reserve their hotel room at \$99 per night. Amy thanked Shirley for working with Canaan Valley.

V. **§18B-6-5 AND §18B-6-6 -- REVISIONS FOR CONSIDERATION**

Amy – The previous work by ACCE to write potential revisions to state code no longer reflects what's really happening now on campuses. We cannot dictate what goes on campuses, but state code can. The interpretation of state code does not permit institutions to go all staff and eliminate classified staff. Those institutions given the power by the state legislature, to have all staff from classified and non-classified, really have not done so. The question is, why haven't these institutions proceeded to move their classified employees to all staff?

- Chris – Other institutions wanted the flexibility if they wanted to go all staff, but they didn't plan on going to all staff.
- Scottie – WVU operates on a different plane than other institutions, they have multiple locations, whatever works for that location. There is no plan. See grandfather clause of those hired after July 1 2017.
- Dave – maybe some other smaller institution went to WVU that has "pull" to get legislative votes to pass.

Discussion of the benefits of passing a law, which was first proposed by WVU, then WVU not moving all classified employees to non-classified status. Could this just be public relations benefit for WVU?

- Dawn – Why would institutions make this change? Wouldn't pay range bands be easier to manage?
- Dave – Because employees are now "at will."
- Amy – WVU did not intend some of the things that is happening with new state code of changing towards all staff away from classified staff.
- Amy – what is the best interest of those we represent? Need to have this in our back pocket if we have a bill sponsor for changing state code for ACCE.
- Sheri – Glenville classified staff did not care. Classified employees that have worked 15 years to gain 2 days accrual rate of vacation, now upset that new hires automatically accrue 2 days of annual leave per month.
- Carrie – New employees did not care; it's more of our veteran employees with years of service who didn't want to see these changes happen with classified job positions.
- Dawn – Also, new hires receive more pay than a loyal employee who has worked for 9 years at the college.
- Chris – We are seeing that same split of employees that worked 15 years in order to gain 2 day annual leave; new non-classified hires walk-in with this benefit already. There will be mass exodus of experienced, loyal employees.

- Carrie – In the old salary schedule, they used to look at the total cost of hiring somebody. Society now changes jobs more frequently. Knowledge leaves with retiring employees.
- Sheri – What happens when experienced employees take their historical knowledge with them?
- Verne – Is there a way to structure code revisions that will not harm us?
- Carrie – Nothing available to enforce any new changes, leadership is not going to follow state codes.
- Ken – Why can't ACCE just use EEO categories for non-classified?
- Carrie – Then, higher education employees would not be at will.
- Ken – Employees would still be at will.
- Dawn – What about transparency for institutions?
- Jayne – Shepherd's salary policy now refers to just "staff" as of June 13, 2019.
- Amy – We need to have a couple of people work on a legislative draft. Redefine what staff council is. Redefine what ACCE is. But, not related to institutions allowing to make employees all non-classified. If ACCE goes away, no employee voice to higher education.
- Dawn – ACCE is the only voice for higher education employees.
- Ken – Current state legislature will change at next election cycle, in the meantime, ACCE must survive and be ready for K12 omnibus bill.
- Carrie – HEPC plan to propose code change to combine Chancellor position to be over both HEPC and CTCS.
- Ken – It becomes "open season" where anything can happen, if 18B is opened and when you propose state code changes, even things you did not intend. Have ACCE talk with Chancellor Sarah Tucker, she may be able to get on board. Be prepared for December legislative caucuses, when state legislators join, or appointed to, various committees.

Chris Gray made a motion to allow chair to appoint ad-hoc member to draft specific legislative intent to work on revisions of state code §18B-6-5 and §18B-6-6 to be proposed to the WV Legislature 2020 made by Chris Gray, seconded by Carrie Watters. Voting all in favor. Motion carried.

VI. AGENDA ITEMS FOR ACCE RETREAT IN JULY

Include retreat agenda items previously mentioned in May minutes along with the additional suggestions below:

- Mentoring and training for new ACCE representatives.
- Presentations on ACCE, college structure HEPC/CTCS, distribute handouts on arranging your travel on ACCE, Citizens Guide to State Legislature, WV state legislature website navigation, how to track bills, etc.
- David – Include more time for different committees, planning expectations, goals, etc.
- Carrie – include fun activity for 45 minutes.

VII. SURVEY

- Teresa – Arrange to have surveys printed for employees who do not have regular access to computers, such as physical plant and custodial staff. Make sure the survey wording includes classified staff.
- Carrie – There may be difficulties in sending out the survey.
- Amy – I will contact all college presidents and explain ACCE intent and distribution of the survey. Also, I will notify Chancellor Sarah Tucker regarding the ACCE survey.
- Sheri – Glenville had their own internal classified council survey, but there was little participation. Important this survey is completely setup anonymously and untraceable to individual respondents.
- Dee – Because of spam emails, make survey link whitelisted on survey, also email staff about upcoming survey
- Amy – Maybe set up a separate email address?
- Sheri – Microsoft Forms checks to make sure each person has only one response per survey and survey question.
- Dawn – How will the surveys be sent to employees? From ACCE or the individual institutions?
- Amy – The survey link would come from ACCE.
- Verne – What about the letter about the survey?
- Amy – I will communicate with all college presidents and encourage institutions to conduct the survey however they want. We just want the feedback.

VIII. BY-LAWS CHANGES DISCUSSION

Amy – We are not in a place where we can settle bylaws since legislation and non-classified staff changes to be determined. Must work through other stuff. Continue to review bylaws, just make notes to yourself in order to be ready for input later.

IX. HR INFORMATION ON HEPC WEBSITE

Now in Tableau format, so we cannot export it to an Excel spreadsheet anymore. Now this forces people for a FOIA (Freedom of Information Act) request. Discourages people asking for information.

- Navigation to HR Facts has changed and also now under Compensation Study
- Discussion of taking information from HEPC and archiving it to the ACCE website for easy access
- <http://www.wvhepc.edu/resources/data-and-publication-center/>.

X. CAMPUS CONCERNS

- A.** Discussion of SB330 publishing cell numbers of employees.
 - Verne – This particular bill doesn't stipulate who enforces it, what are the penalties. Maybe this is just a rule that people ignore. (*"Some laws just don't catch on."* – Amy) Is there legal power to seize your phone or confiscate for information?
 - Amy – Everyone uses their personal cell phones for work; most colleges have discontinued stipends for cell phones because of cost. Stipends still given to campus security, presidents, athletic coaches, recruiting.

- Carrie – If you use your cell phone for any state business, then the courts can issue a subpoena to access your information. There is a new data breach law for WV.

B. WVNET has not yet held elections for classified staff council or ACCE representative.

XI. UPCOMING MEETINGS

July 22-23, 2019	ACCE Annual Planning Meeting, Canaan Valley Resort Lodge, Davis, WV
August 22, 2019	WV Community and Technical College System (CTCS) Meeting, Advanced Technology Center, South Charleston, 9:00 a.m.
September 27, 2019	WV Higher Education Policy Commission (HEPC), Regional Technology Park, South Charleston, 9:30 a.m.

XII. ADJOURN

Motion to adjourn made by Scottie Samples, seconded by David Hays. Voting all in favor. Motion carried. Meeting adjourned at 2:00 pm.

Submitted by,
Anita Davis, ACCE Secretary