

Minutes of ACCE Meeting  
October 26, 2011  
Bluefield State College  
Bluefield, West Virginia

ATTENDANCE:

Members in attendance:

Mike Dunn, Marshall University  
Amy Pitzer, Concord University  
Fred Hardee, Bluefield State College  
Melanie Whittington, Bridgemont Community and Technical College  
Mary Alltop, Glenville State College  
Natasha Robinson, Mountwest Community and Technical College  
Dixie Heavener, Potomac State College of West Virginia University  
Teri Wells, Southern West Virginia Community and Technical College  
Robert E. Long, West Virginia Higher Education Policy Commission  
Verne Britton, West Virginia Network for Educational Telecomputing (WVNET)  
Tricia Hoover, West Virginia School of Osteopathic Medicine  
William H. Porterfield, West Virginia State University  
Lana Cooke, West Virginia University (PROXY) on behalf of Paul Martinelli  
Timothy Beardsley, West Virginia University at Parkersburg  
Barbara Boyd, West Virginia University Institute of Technology

Excused:

Anne Wilmoth, Blue Ridge Community and Technical College  
Lacey Ball, Eastern West Virginia Community and Technical College  
John "Christopher" Daniels, Fairmont State College  
Lee Ann Porterfield, Kanawha Valley Community and Technical College  
Mary M. Igo, New River Community and Technical College  
Beverly Jones Pierpont Community and Technical College  
Kenneth Harbaugh, Shepherd University  
Mary Ann Edwards, West Liberty University  
Melanie Eberhart, West Virginia Northern Community College  
Johnna Beane, West Virginia University Robert C. Byrd Health Sciences Center Charleston Division

Unexcused:

Janene Seacrist, Council for Community and Technical College Education

Guests:

Dr. Shenita Brokenburr, Vice Chancellor for Human Resources at West Virginia Higher Education Policy Commission and West Virginia Council for Community and Technical College Education

Christina Brogdon, Chief Human Resources Officer at Bluefield State College

Marshall Campbell, Chief Human Resources Officer at Concord University

John Cardwell, Interim Vice President/Student Affairs and Enrollment Management at Bluefield State College

Kimberly Daniels, Human Resources Representative at Bluefield State College

Daniel L. Frost, Counselor II, Classified Employee at Bluefield State College

CALL TO ORDER:

Chairperson, Mr. Mike Dunn from Marshall University convened the meeting at 9:00 am.

WELCOME

Mr. Dunn introduced Mr. Fred Hardee, ACCE representative from Bluefield State College and requested that he introduce the guest speaker. Mr. Hardee proceeded to introduce Mr. John Cardwell, Interim Vice President/Student Affairs and Enrollment Management at Bluefield State College. Mr. Cardwell welcomed ACCE to the campus on behalf of the interim President. He advised ACCE that he was a classified employee in the 1990's and was aware of the ACCE efforts in improving the personnel system in higher education.

LIAISON REPORT FROM DR. SHENITA BROKENBURR, VICE CHANCELLOR FOR HUMAN RESOURCES AT THE WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION AND THE WEST VIRGINIA COUNCIL FOR COMMUNITY AND TECHNICAL COLLEGE EDUCATION AND REPORT FROM MR. MARSHALL CAMPBELL, CHIEF HUMAN RESOURCES OFFICER AT CONCORD UNIVERSITY ON STATE TEACHERS RETIREMENT AND BEST PRACTICES MANUAL

Mr. Dunn introduced Dr. Brokenburr who expressed her appreciation for the opportunity to once again meet with ACCE even though she was fully aware of the expected reactions of ACCE as it related to her report on the SB 330 deliverables. She reported that she had spoken with Chancellor Noland and had met with Jean Lawson, Senior Policy Analyst for the Joint Committee on Education and Senator Robert Plymale, Senate Education Chair about the fact the deadline will be missed on the first three (3) deliverables; HEPC HR staffing, HR

reviews and emergency rule for classification and compensation. She indicated that Senator Plymale plans to send a letter to the Governor requesting an extension of the deadline for those deliverables that will be missed and that letter should be issued within a week. The reaction of ACCE to the extension was supportive providing a specified end date is listed on the deliverables.

On the issue of HEPC HR staff vacancies, Dr. Brokenburr reported there have been three (3) failed searches for the two (2) new staff positions. She indicated that the next option to be pursued would be to request a search firm and/or employment agency to commence a search for potential candidates who would be interviewed by Dr. Brokenburr. A temp agency was utilized to fill a vacancy at WVNET and it was successful as an excellent candidate was found. A second option may be the consideration of hiring consultants. Considering the difficulty in filling those positions, a decision has been made to make both the classification and compensation and the training and development positions non-classified positions.

On the issue of the release of the market study RFP, Dr. Brokenburr advised ACCE that it would occur by Thanksgiving. She emphasized that Chancellor Noland had made a commitment to that timeline. The RFP has been finalized but is being given a final review by legal counsel at HEPC, the two (2) chancellors and other major players. However, she reported that legal counsel at HEPC does not concur with the inclusion of salary data for non-classified employees. The four (4) components of the RFP study are (1) market study, (2) human resources reviews, (3) employee satisfaction survey and (4) human resources audit.

Dr. Brokenburr reported that she had recently met with Ms. Cindy Curry, CHRO at Fairmont State University, Ms. Patricia Clay, CHRO at Southern West Virginia Community and Technical College and Ms. Sheila Securro, Executive Director of Classification and Compensation at West Virginia University for the purpose of reviewing all position titles and subsequently determining the classified and non-classified titles to be presented to the vendor for market data. She stated that 275 classified positions were surveyed in the previous market study and the previous study limited its scope to only classified positions. The current market study survey will encompass local, regional and national markets and the number of positions surveyed will be expanded with the inclusion of non-classified positions.

On the issue of the evaluation instrument she reported that she will develop an evaluation instrument for those entities without such tool and the instrument will be available for those institutions that currently have evaluation tools in place. However, those institutions with an instrument can elect to utilize their in-house instrument.

On the issue of the condensed PIQ, Dr. Brokenburr reported that Ms. Cindy Curry, CHRO at Fairmont State University, has a finalized document, consisting of five (5) pages, and that document was created by her previous committee. ACCE recommended that the original committee be resurrected with the charge to review the condensed document and should consensus of the committee be obtained to submit the approved version to the JEC and to the JAG.

On the issue of local campus issues, Dr. Brokenburr requested that ACCE representatives be proactive in attempting to handle those issues internally prior to submitting them to the VCHR at HEPC. She encouraged ACCE members to bring the issue before their local Staff Council and emphasize the importance of attempting to resolve the problem locally by contacting the ACCE representative and the institutional CHRO.

A question was raised as to the status of the emergency rule. Dr. Brokenburr indicated that no action had been taken thus far on that SB 330 deliverable. A discussion ensued with Dr. Brokenburr about the significance of having a rule in place. Without such rule chaos could potentially occur within the system over classification and compensation issues for those employees at institutions considered to be fully funded as of October 2010. Such rule would provide the framework for addressing classification and compensation issues by those fully funded institutions during the interim until the HEPC, CCTCE and subsequently institutional rules are adopted. The rule would also provide some protection for the local CHRO during the interim period. The two CHROs, who were present, echoed the need for such rule and provided some ideas as to language that could be included in the rule. Dr. Brokenburr stated that she would begin work on that issue and would produce a draft emergency rule for review by the statewide CHROs.

#### REPORT BY MR. MARSHALL CAMPBELL, CHRO AT CONCORD UNIVERSITY STATE TEACHERS RETIREMENT ISSUE

Mr. Campbell reported on a joint committee hearing on the issue of the denial of certain state employees to continue to remain in the State Teachers Retirement system once such employees accepted a position with a higher education institution within the state even though there was no interruption of employment. Based on a legislative change that involved employees hired after July 1, 1991, the State Teachers Retirement Board contended that any employee whose employment commenced after July 1, 1991 could not maintain enrollment in State Teachers Retirement as such employees would be considered new employees with their new employer and thus, would be required to enroll in the plan that is offered by that employer. In the case of higher education that plan was and still is TIAA/CREF or a companion company. In view of the fact that at least

one employee who was enrolled in State Teachers Retirement and who subsequently accepted a position at a higher education institution in the state after July 1, 1991 was allowed to remain in State Teachers Retirement. A precedent had been established and thus, higher education contended that other employees who have encountered similar circumstances in that they have accepted positions in higher education after July 1, 1991 without employment interruption should have been given the option of continuing in State Teachers Retirement. The affected employees are requesting the years of service in higher education be included in determining the aggregate number of years for calculating their pension under the State Teachers Retirement. Mr. Campbell reported that he has discussed the issue with the agency director of the State Teachers Retirement Board and has made the case that county employees can move from county to county and higher education employees can move from institution to institution and remain in same retirement plan. Secondly, employees moving to higher education are the only employees disenfranchised by the change in employment. It is estimated that about 650 employees in higher education has been enrolled in State Teachers Retirement and only 10 to 12 of the above number were allowed to continue in State Teachers Retirement. He stated that there has been contact with Senator Plymale, Senate Education Chair, about the inequity and from that discussion he is optimistic that Senator Plymale will act by either communicating directly with the State Teachers Retirement Board or communicating with the Governor and encouraging him to send a letter stating the intent in code was to allow higher education employees to continue in State Teachers Retirement.

#### BEST PRACTICES WORKGROUP

Mr. Campbell reported that ACCE has reviewed and commented on the eleven (11) chapters and the majority of ACCE comments were accepted. He also stated that a number of suggestions by ACCE were policy related issues and that such issues were beyond the purview of the workgroup committee. Those items will be presented to the system CHROs and VCHR at HEPC for review and comment and subsequently submitted to state system for further consideration. A sample issue is the probationary period and the ability of an employee still in the probationary period being allowed to apply for another position. Some institutions permit such employees to apply others do not. Mr. Campbell indicated that in his mind FEAPP employees are considered as faculty and will be listed as such in the Best Practices Manual. Concord University considers such employees as faculty if teaching 50 percent or more but non-classified if teaching less than 50 percent. He also reported that there will be a chapter on disability. Finally, he stated the Best Practices workgroup will be meeting in June or July.

APPROVAL OF SEPTEMBER MINUTES

The action on the September minutes was postponed until the meeting in November due to the uncertainty over the release of the final version.

#### DISCUSSION OF SB 330 TIMELINE AND IMPEMENTATION

Mr. Dunn mentioned the SB 330 deliverables and that such information had previously been distributed but that he would send it out once again to members. Dr. Brokenburr reported that the first three (3) deliverables will not be met by the established timeline with the potential others may have to be changed. Mr. Dunn indicated that an extension of time will obviously necessitate a code change to allow for such extension. Brief discussion occurred on first seven (7) deliverables.

1. HEPC staffing due by 9/1/11-issue addressed above
2. HR reviews of each institution due by 10/1/11-Dr. Brokenburr recommended twelve (12) months after approval of RFP
3. Joint personnel, classification and compensation emergency and legislative rule due by 11/1/11-Dr. Brokenburr will be drafting emergency rule
4. Report to LOCEA due by 12/1/11
5. Study policies for Reduction in Force (RIF), internal preferences for hiring, outsourcing and the status of grant employees due by 1/1/12 ACCE concerned over the delays involving RIF and outsourcing as such issues were included in the original study
6. Updated job descriptions due by 7/1/12
7. HR report card due by 12/1/12

Dr. Brokenburr reported that a single vendor may bid on the entire deliverables in the RFP Market Study or may elect to bid on individual components. However, no vendor can only bid on the HR reviews or the HR report card but must bid on both components.

#### DISCUSSION OF UPCOMING PRESENTATIONS TO LOCEA, HEPC AND CCTCE

Mr. Dunn excused himself from the balance of the meeting due to a prior commitment but in his absence assigned the responsibility to Vice-Chairperson, Ms. Amy Pitzer from Concord University. Ms. Pitzer asked the members for issues to be incorporated into the presentation to be given to the three (3) organizations. Following are some of the issues mentioned:

1. Delays in implementing the provisions in SB 330 which could potentially create an increase in grievances as the only recourse for remedies to problems
2. Potential for greater inequities as it relates to salaries for the same job from campus to campus

3. Reduction in force (RIF) caused by funding issues
4. Outsourcing to reduce cost brought about by funding issues
5. Inequities and unfairness related to the current grievance process

Mr. Daniel Frost, classified employee at Bluefield State College, addressed his frustration with various aspects of the current grievance process via his personal experiences and issued a challenge of improving the process as a priority of ACCE.

#### HEALTHY WORKPLACE UPDATE BY MS. LANA COOKE, CLASSIFIED EMPLOYEE AT WEST VIRGINIA UNIVERSITY AND STATEWIDE COORDINATOR OF THE WEST VIRGINIA HEALTHY WORKPLACE ADVOCATES

Ms Cooke reported that the state of West Virginia became the nineteenth (19th) state to introduce a healthy workplace bill when such bill was introduced in the last legislative session. While passage of the bill did not occur, its submission received much support. She expects greater support for the bill when it is introduced in the 2012 session. Ms. Cooke reported that she has presented to various organizations over the past year and that a petition exists whereby individuals can sign in support of the endeavor.

#### COMMITTEE REPORTS

There were no reports from the standing committees.

Mr. Robert E. Long from the WVHEPC reported on the work of the Constitution/Bylaws ADHOC Committee. He reported that a draft best practices and a checklist have been developed and those documents have been distributed to committee members for review and comment. He indicated that the Chairperson, Ms. Mary Ann Edwards from West Liberty University, will likely report on the progress at the November meeting.

#### BLUEFIELD STATE COLLEGE ROBOTICS TEAM PRESENTATION

Ms. Pitzer recognized Mr. Fred Hardee, ACCE representative from Bluefield State College, who arranged with the faculty and students of the Robotics team at Bluefield State College to provide a demonstration to ACCE members. The BSC robotics program is well recognized on the national level as the team has won several national competitions that featured many of the top universities in the country. The presentation was fantastic and ACCE wishes to express its utmost appreciation to Dr. Robert N. Riggins, Professor of Electrical Engineering Technology in the School of Engineering Technology and Computer Science and those students who participated in the activity, a well deserved, Job Well Done. The institution, local community, the higher education system of

West Virginia and the residents of the state should be proud of your accomplishments in the past and continued efforts in the future.

#### CAMPUS CONCERNS/UPDATES, AND/OR SUGGESTIONS

Ms. Pitzer asked the members for any issues of interest on the local front. Ms. Barbara Boyd, ACCE representative from West Virginia University Institute of Technology, raised the question of PIQ reviews as such reviews were taking place on her campus. She asked about the duties and responsibilities that should be reported. She fears such reviews will be utilized to reduce employee pay grades as a result of employees being moved to different departments and then assigned different duties and responsibilities. The new duties could be less than the duties previously performed. The current duties and responsibilities being performed should be listed. Should those duties and responsibilities be at a lower level, it is possible that the employee could be reduced in pay grade.

#### NEXT MEETING IS NOVEMBER 18TH AT MARSHALL UNIVERSITY

Ms. Pitzer raised the issue of the possibility of adding a half-day to the scheduled meeting in November. The added time would be spent on developing and finalizing the presentations to LOCEA, HEPC and CCTCE. She sought feedback from the members as to their availability on the afternoon of November 17th. She indicated that the Chairperson will be assessing the options and will communicate with the members on the schedule but that she wanted to get an approximate number that could come early. Ms. Pitzer also relayed a message from the Chairperson that he expects the various committees to meet and act on their assignments. Ms. Pitzer requested the minutes reflect the utmost appreciation to Mr. Fred Hardee and any other institutional personnel who were involved in providing an excellent facility as well as excellent food. Their hospitality is to be commended.

There being no further business to come before the members, Mr. Timothy Beardsley from West Virginia University at Parkersburg mad a motion to adjourn. Mr. Fred Hardee from Bluefield State College seconded the motion. The meeting adjourned at 3:35 pm.

RESPECTFULLY SUBMITTED,

Robert E. Long, Appointed by Chairperson to take minutes in absence of Secretary  
AMENDED MINUTES UNANIMOUSLY APPROVED