

Minutes
November 18, 2011
Marshall University
Huntington, WV

ATTENDANCE:

Members in attendance:

Mike Dunn, Marshall University
Mary Igo, New River Community and Technical College
Ken Harbaugh, Shepherd University
Robert Long, WV Higher Education Policy Commission
Timothy Beardsley, WVU at Parkersburg
Mary Alltop, Glenville State College
Melanie Eberhart, West Virginia Northern Community College
Amy Pitzer, Concord University
Verne Britton, WV Network for Educational Telecomputing
Natasha Robinson, Mountwest Community and Technical College
William Porterfield, West Virginia State University
Paul Martinelli, West Virginia University
Lee Ann Porterfield, Kanawha Valley Community and Technical College
Fred Hardee, Bluefield State College
Mary Ann Edwards, West Liberty University
Dixie Heavener, Potomac State College of WVU
Anne Wilmoth, Blue Ridge Community and Technical College
Johnna Beane, WVU Health Sciences Center – Charleston Division
Teri Wells, Southern West Virginia Community and Technical College
Chris Daniels, Fairmont State University
Lacey Koontz, Eastern West Virginia Community and Technical College
Beverly Jones, Pierpont Community and Technical College

Excused:

Melanie Whittington, Bridgemont Community and Technical College
Tricia Hoover, West Virginia School of Osteopathic Medicine
Barbara Boyd, WVU Institute of Technology

Unexcused:

Janene Seacrest, Council for Community and Technical College Education

CALL TO ORDER

Chairperson Mike Dunn called the meeting to order at 9:00 a.m. and a quorum was established.

Mike Dunn welcomed everyone. Chief of Staff Matt Turner welcomed ACCE to Marshall University. Chairperson Dunn then introduced the guests from Marshall University classified staff.

WEST VIRGINIA STATE SENATOR ROBERT PLYMALE , CHAIR OF THE SENATE EDUCATION COMMITTEE

- Plymale mentioned that he has served in the Legislature for 20 years and said this has been a strange year in the WV Legislature and for WV politics. He also brought up the guidelines of SB330 and the difficulty meeting those; the education committee and the HEPC have been discussing what time-lines can be met and which ones need to be changed because they are unrealistic.
- Bill Porterfield addressed Plymale with concerns about potential layoffs at WVSU. Porterfield is very concerned that classified employees will bear the brunt of the layoffs because WVSU's CFO reported that the Administration and Faculty were considered correctly staff based on their peer institutions. Plymale said it is being looked into and that Dr. Brokenburr is working with WVSU on a reduction in force policy. Porterfield also asked about operating funds that were taken away from WVSU when Kanawha Valley became a stand alone CTC. Plymale said the CTC needed more funds to operate independently, because they need to hire staff and faculty to provide support to students.
- Plymale was very forthright about the need for graduation rates to rise at all institutions; and that institutions should be better stewards of state funds. Plymale reiterated that he was committed to education from Pre-K to higher education.
- Ken Harbaugh asked what the higher education constituency groups can do to get more funding back into higher education statewide. Plymale said institutions have just as much money as they always have the difference being that more of it now comes from tuition and fees.
- Mike Dunn asked about PEIA changes for the next year. Plymale said that because of the cost of healthcare, PEIA has to find areas to cut that may lead to increases to participants out-of-pocket expenses in order for PEIA to remain solvent. He also mentioned that PEIA's proposed plan for the next year was currently out for comment.
- Mike Dunn asked a question about an issue that has recently arisen with employees in the state teachers retirement program moving their retirement benefits from school to school. Plymale reported that Senator Browning had written a letter to the retirement board stating that it was not the intent of the legislation to prohibit those persons from moving their retirement between institutions.
- Amy Pitzer asked for clarification about the 5% of market rule for constituency groups pay. Plymale said that he would draft a letter clarifying the rule and send it to ACCE. Plymale pointed out that if an institution is misinterpreting state code the HEPC, CTCCE and Vice Chancellor for Human Resources has the responsibility to address that with the institutions.

LIAISON REPORT DR. SHENITA BROKENBURR, VICE CHANCELLOR OF HUMAN RESOURCES, WVHEPC AND CCTCE

- Dr. Brokenburr introduced a new employee at the HEPC human resources office, Laura Nauman.
- Dr. Brokenburr explained the extensions requested for due dates for the following items from SB330: Extend due dates for Human Resources reviews to June 30, 2012, Extension date for Joint Personnel Classification and Compensation Emergency Rule to April 2012, Initial Personnel report due to LOCEA to December 1, 2012, Study of necessity for HRIS system moved to June 2012, RIF study and recommendations due June 2012, and update of all job descriptions due December 1, 2012.
- Dr. Brokenburr gave an update on the RFP for Human Resources Reviews, H.R. report card, employee satisfaction survey, and Market study. The RFP has been done and has been presented to the chancellors.
- Brokenburr reported that several CHROs are looking at the job titles and to make sure they are not duplicated and the list has been cleaned up, so they can be used for benchmarking jobs for the market study. Discussion ensued about the market study process.

APPROVAL OF OCTOBER MINUTES

Bob Long presented minutes from the October meeting with changes recommended via email. Ken Harbaugh made a motion to note the proxy as well as the person the proxy is representing. The consensus of the membership was to list the proxy person who attends but indicate on whose behalf that person is attending for. Lee Ann Porterfield seconded the motion. Motion unanimously passed. Natasha Robinson moved to approve the October minutes with corrections. Motion seconded by Tim Beardsley, the motion was unanimously approved.

DISCUSSION OF SB 330 TIMELINE AND IMPLEMENTATION

Chairperson Mike Dunn reported that he had shared with membership both a timeline extension for various deliverables that was submitted by HEPC (attachment 2) and a letter that he had submitted to legislators on the timeline extension on behalf of ACCE (attachment 2). He stated that he also plans to contact Mr. Bob Brown, Chairperson of the Council for Community and Technical College Education and a labor representative, relative to reduction in force (RIF) implementation in other venues.

COMMITTEE REPORTS

LEGISLATIVE COMMITTEE-Mr. Kenneth Harbaugh, Chairperson
Mr. Harbaugh encouraged ACCE members to continue their regular contact with their local delegation on the importance of the implementation of the SB 330 deliverables.

BENEFITS COMMITTEE-Mr. William H. Porterfield, Chairperson
Mr. Porterfield reported on the PEIA Finance Board public hearings. Mr. Long reported that he had attended the hearing on Thursday evening in Huntington. Some reported details:

1. PEIA seeking pharmacy and wellness vendor bids and bids for Medicare Advantage Prescription Drug Program
2. Active employees and non-Medicare retirees will experience no premium increase, a new Plan D with 5% premium increase is proposed and benefit adjustments

3. Numerous preventive services will be covered with no deductible, coinsurance or copayment effective July 1,2012
4. Numerous preventive services for women will be covered with no deductible, coinsurance or copayment effective July 1, 2012
5. Numerous preventive services for children will be covered with no deductible, coinsurance or copayment effective July 1, 2012
6. Proposed removal of Acupuncture and Massage Therapy Several massage therapists spoke in defense of its continuation. Many individuals in the audience spoke in favor of the continuation of both. Outcry seems to have been affective as board seem willing to reconsider such action
7. Active employees and non-Medicare retirees will experience increased co-pays for certain services such as emergency room, urgent care, imaging etc as well as new \$500 co-pays for certain services.
8. Several options in the pharmacy area being proposed

From his understanding PEIA is considering two options for Medicare Advantage and Special Medicare Plan retirees wherein individual participants will not be given the option of selecting between higher premiums versus higher co-pays and deductibles for 2012. The decision will rest with PEIA.

STUDENT RETENTION/EDUCATE WV COMMITTEE-Ms. Johnna Beane, Chairperson
No report

COMMUNICATIONPRESENTATION/COMMITTEE-Ms. Amy Pitzer and Verne Britton, Co-Chairs
No report

RETREAT COMMITTEE-Ms. Lee Ann Porterfield, Chairperson
Ms. Porterfield reported that she had contacted several facilities within one hour of Charleston about the availability of the facility for hosting the ACCE retreat in July.
The Resort at Glade Springs-room charge per night from \$135 to \$145
Charleston Marriott-room charge per night \$125 issue with available meeting room
Stonewall Resort-room charge per night from \$149 to \$199 plus \$14 per day parking charge
Wingate-room charge per night \$85 single or double
Pipestem Resort and State Park-room charge per night \$98 but \$77 non-gorge
Other suggested locations were Beckley, Lewisburg and Huntington. Chairperson Mr. Dunn advised Ms. Porterfield to bring three locations to the December meeting.

AD HOC CAB COMMITTEE-Ms. Mary Ann Edwards, Chairperson
Ms. Edwards reported that she is continuing to sort through the various materials that were submitted by the members. She indicated that a very rough draft has been developed and shared with committee members. She expects an updated report for the December meeting.

CAMPUS CONCERNS/UPDATES, AND/OR SUGGESTIONS

Mr. Paul Martinelli from West Virginia University reported on an issue at his institution whereby his Staff Council Chairperson is having difficulty in obtaining release time from her/his supervisor to perform the duties required of the Chairperson. He distributed a copy of the issues being faced and indicated that the Chairperson had filed a grievance over the issue. Chairperson

Mr. Dunn requested members to review the document and be prepared to discuss at the December meeting.

Chairperson Mr. Dunn mentioned a problem at West Virginia University Institute of Technology where potential salary increases are being given to selected employees and he indicated that ACCE needs to monitor the activities there.

Mr. Timothy Beardsley from West Virginia University at Parkersburg discussed a proactive measure that was taken by Classified Staff Council on his campus to educate the members of his Board of Governors of the SB 330 provisions and the significance of the needed funds to meet mandates as it deals with classification and compensation.

DISCUSSION OF UPCOMING PRESENTATIONS TO LOCEA, HEPC AND CCTCE-

Ms. Amy Pitzer, Chairperson

The balance of the meeting consisted of a brainstorming session as to the content to be incorporated into the ACCE presentations to the above organizations. Prior to adjourning the meeting members requested that the minutes extend ACCE's appreciation to Chairperson Dunn as well to the institutional staff who were instrumental in providing the hospitality shown in hosting the meeting. ACCE also wishes to express its appreciation to those dining staff employees who prepared an excellent lunch.

There being no further business to come before the members, Ms. Natasha Robinson from Mountwest Community and Technical College made a motion to adjourn. Mr. Robert E. Long from the West Virginia Higher Education Policy Commission seconded the motion. The meeting adjourned at 4:26 pm.

Respectfully Submitted

Mary M. Igo, Secretary

ATTACHMENT 1

Subject: Requested extension due dates and respective justifications for SB 330 Legislative Mandates

1. HEPC and CCTCE to conduct initial Human resources review of each institution.

Extension due date requested: June 30, 2012

Justification: We are conducting multiple activities in concert with the HR reviews and would like to allot the proper time and attention to ensure that the effort is holistic, thoughtful and of the highest quality. The goal is to tackle multiple objectives in one effort and deliver: Findings from HR Reviews, HR Report Card, findings from climate/culture study by the requested due date. The additional time required for the pre-work will establish a foundation for long-term success.

2. HEPC and CCTCE to Propose a joint personnel, classification and compensation emergency and legislative rule.

Extension due date requested: Open ended - but January 1, 2013 would be helpful. The Commission and Council will begin efforts on an emergency rule immediately, but the formal and final rule will require additional time to ensure that all aspects of the rule are formulated.

Justification: I would like to have the Director of Class/Comp on board to assist with this, as the effort is monumental. We have several issues to address in the pre-work stage of the market study: a) we will put to rest standing objections to the last market study effort; b) I am thinking strategically about the different mandates, thus the market study will be holistic and include both classified and non-classified positions. Since there is considerable work to be done around which positions will migrate back over to classified ranks and how, this needs to be flushed out on front end; c) We will also look at all titles and look at job descriptions (which is another mandate); d) After data are collected, we will review the findings and methodically create a framework for a fair and equitable salary schedule that includes classified and non-classified titles). This will take a great deal of time.

3. Initial personnel report due to LOCEA (Summary of HR Reviews, Staffing changes, assessment of progress toward full-funding, comparison of funding for salaries of higher ed employees for peers, regional or national markets)

Extension due date requested: December 1, 2012

Justification: See items 1 and 2. I would like to have additional staff on board to assist with this.

4. HEPC and CCTCE to conduct study on the necessity of a human resources information system and report to LOCEA.

Extension due date requested: June 30, 2012

Justification: Other priorities ahead of this one. We could get to it by the requested due date.

Attachment 1 Continued

5. HEPC and CCTCE to study policies for reductions-in-force, internal preferences for hiring, outsourcing, and the status of grant employees and report findings and recommendations to LOCEA.

Extension due date requested: June 30, 2012

Justification: Date is feasible given that Bruce Walker has already tackled a portion of this (RIFs), but we have the added work of studying internal preferences on hiring.

6. HEPC and CCTCE to update all job descriptions.

Extension due date requested: December 1, 2012

Justification: Market study will include this item, therefore additional time is subsumed therein.

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Mary M. Igo

Sent: Monday, January 30, 2012 10:50 AM

To: Mary M. Igo

Attachments: Deadlines extension.doc (27 KB)

Attachment for minutes.

From: Brian Noland [mailto:noland@HEPC.WVNET.EDU]

Sent: Thursday, November 10, 2011 8:33 AM

To: Dunn, Mike

Cc: Shenita Brokenburr

Subject: RE: 330

Mike,

Please find attached to this email a very rough working draft of potential SB 330 extensions. This material was shared with Senator Plymale last month and we are scheduled to discuss this matter next week during interims. I understand and appreciate your frustration related to our inability to make significant progress on many of the elements of SB 330. That being said, we are working diligently to establish a foundation for long-term success that is as much a wholesale cultural change as it is a policy undertaking. I assure you that I am pushing staff and will continue to do in the months to come.

Please advise if you have questions/concerns.

BN

From: Dunn, Mike [mailto:dunnr@marshall.edu]

Sent: Wednesday, November 02, 2011 11:29 AM

To: Brian Noland; Shenita Brokenburr

Subject: 330

Hello!

Hope you both are doing well!

At our Bluefield meeting references were made to SB 330 timeline extensions being asked for; can ACCE have a copy of the changes being asked for? Since items are due at the next three interims we assume that a request has been made?

Thank you,
mike

R. Michael Dunn

Manager 2, R&A Division, Plant Operations
Marshall Univ. ACCE REP

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*Marshall Univ. Classified BOG REP
Marshall University
One John Marshall Drive
Huntington WV 25755
Tel: 304-696-6685*

Flaming enthusiasm, backed up by horse sense and persistence, is the quality that most frequently makes for success.

ATTACHMENT 2

The Honorable Robert Plymale

ACCE-logo2.jpg

The Honorable Mary Poling

Co-Chairs, LOCEA

The Advisory Council of Classified Employees (ACCE) has asked me to send you a letter expressing our concern in regard to SB330 timelines and concerns about the importance of implementation of that legislation to the commission and council.

SB330-

As you all know this bill started back in 2005 with SB 603 mandating a study of personnel issues in Higher Education and making recommendations for change. Although Classified Employees, HRO's, and Administrators worked together on these studies and lots of good work was completed, everything didn't get completed. In 2009 then Senate President Earl Ray Tomblin and House Speaker Richard Thompson established a select committee to complete the study with recommendations due in December. Along with the West Virginia Higher Education Policy Commission, the Legislature hired RMC Consultants to complete the study. RMC Consultants dealt with the classification, compensation and professional development issues, as well as human resources staffing recommendations for the Commission and Council central office. This study, done by HTHRP Highly Trained Human Resource Professionals, was completed, presented to the select committee, LOCEA, HEPC, and the CCTCE, as well as anyone who wanted to read it! The RMC consultant report, based on FACTS (Fairness, Accountability, Credibility, Transparency, and Systematic) was used in the drafting of SB480 which passed, but failed on a technicality, and then subsequently passed SB330 in the 2011 legislative session.

Timelines-

As stated above, SB330 was drafted using information from the RMC consultant reports. These consultants are HTHRP (Highly Trained HR Professionals) who suggested the timelines, knowing they would be tough, but also knowing/stating, that WV higher ed personnel administration was in a crisis situation and needed attention quickly. Timelines

were put in place so this extremely large bill would “flow” for lack of a better word. The Legislature also knew historically, without deadlines in the statute, there would be no sense of urgency on behalf of the institutions to comply with the requirements in the statute. The first “big wave” of these reports/rules is due in these next three months;

- November 1-Commission and Council to propose an emergency rule on personnel, classification, and compensation
- December 1-Initial Personnel report, to include market study, HR, etc...
- January 1-Report on study items that were not completed, RIF, outsourcing, etc...

After that the next wave of reports starts in July 2012.

ACCE knows that the above mentioned deadlines will not be met; have asked for suggested extensions from the HEPC, having received none, we are assuming that none have been made. ACCE would suggest that LOCEA, Commission, and the Council come to a reported written agreement (Don't know if it has to be done legislatively for these?) that no more than a four month extension be made on the above mentioned reports/rules (That adds four months to what the consultants said could be done in four) and that all other timelines in the bill be met. That would move the timelines as suggested below:

- October/November 2011 items due-March 1, 2012
- December 2011 items due-April 1, 2012
- January 2012 items due-May 1, 2012
- Next report is due July 2012-stick with this date, as well as rest of 330 dates

Importance -

Your classified employees are a working partner in accomplishing everything that our institutions and the state are trying to accomplish in higher education. We want to work towards solutions on all of OUR problems, not just personnel. This bill tasks the Commission and the Council to get this done, not one or two people.

ACCE would like;

- . The Commission and the Council to make this a priority, have brief updates on all agendas
- . Make it a “top-down” priority. Classified employees feel that we have been pushing this entire issue from the bottom (us) up. If people feel that it's a priority from the Legislature to the Commission and Council and down to the presidents, and then down to the HRO's, perhaps the message of urgency will be understood and acted upon.
- . Classified employees need Legislative, Commission, Council, and Presidential support in serving on committees to help with the work.
- . Any longer extension of the timelines than those we reluctantly suggest in this letter

would strongly impact classified employees by:

1. Continuing payment of 2001 wages by those who have funded the schedule if they choose.
2. Allowing those who have not to extend the time to fully fund making classified employee salaries at last fifteen years behind the market. This can and will have a devastating effect on every classified employee's retirement fund.
3. Delaying implementation further will speak volumes to the perceived "value" of the classified employees to their employer.
4. Continuing the drain on our youngest and brightest employees who may choose to leave the state for better salaries/benefits/opportunities.
5. Continuing to have difficulty in hiring highly qualified employees at the 2001 wage rate.

It is also the belief of the Advisory Council of Classified Employees that failure to put an emergency rule in place soon (per SB330) will not only allow for, but almost encourage institutions to continue in the behaviors that the consultants felt put our personnel administration in a "crisis situation" in the first place.

We urge the Legislature to be mindful of our concerns if considering any change to the timelines currently in the Statute relative to implementation of SB330.

On Behalf of the ACCE,

Mike Dunn. Chair

CC:

Chancellor Brian Noland, HEPC

Chancellor Jim Skidmore, CTCCE

HEPC Chair, David Hendrickson

CTCCE Chair, Bob Brown

VCHR, Shenita Brokenburr