

Minutes of ACCE Meeting  
November 21, 2013  
New River Community and Technical College  
Summersville, West Virginia

**ATTENDANCE**

Members in Attendance:

Amy Pitzer, Concord University  
Anne Wilmoth, Blue Ridge Community and Technical College  
Fred Hardee, Bluefield State College  
Melanie Whittington, Bridgemont Community and Technical College  
Mary Alltop, Glenville State College  
Carol Hurula, Marshall University  
Chris Stevens, Mountwest Community and Technical College  
Mary M. Igo, New River Community and Technical College  
Beverly Jones, Pierpont Community and Technical College  
Kenneth Harbaugh, Shepherd University  
Teri Wells, Southern West Virginia Community and Technical College  
Carrie Watters, West Virginia Higher Education Policy Commission  
Jenna Derrico, West Virginia Northern Community College  
Deborah Harvey, West Virginia School of Osteopathic Medicine  
Barbara Boyd, West Virginia University Institute of Technology  
Paul Martinelli, West Virginia University  
Timothy Beardsley, West Virginia University at Parkersburg

Excused:

Sherry Mitchell, Fairmont State University  
Lee Ann Porterfield, Kanawha Valley Community and Technical College  
VACANT, Potomac State College of West Virginia University  
Jill Nixon, West Liberty University  
Lacey Koontz, Eastern West Virginia Community and Technical College  
Verne Britton, West Virginia Network for Educational Telecomputing (WVNET)  
William H. Porterfield, West Virginia State University  
Johnna Beane, West Virginia University Robert C. Byrd Health Sciences Center Charleston

Unexcused:

Janene Seacrist, Council for Community and Technical College

Guests:

President – Dr. L. Marshall Washington – New River Community and Technical College  
Robert Runion – Chair Classified Staff Council  
Robert E Long – Retired Classified Staff  
Lori Midkiff – Classified Staff

\*Not every guest is present for the entire length of the meeting due to other obligations and time limits.

**CALL TO ORDER:**

Chairperson, Ms. Amy Pitzer from Concord University convened the meeting at 9:10 a.m.

**Introduction** of new ACCE Member: Jenna Derrico

**ACCE members:** Introduction of each member and the Institution representing.

**MINUTES:** Carol Hurula distributed copies of the October 24<sup>th</sup> meeting minutes in draft form. Paul Martinelli from West Virginia University moved to accept the minutes and Fred Hardee from Bluefield State College seconded the motion. Motion unanimously approved.

**COMMITTEE REPORTS:**

**Retreat/Leadership Committee** – Chief Logan reservation for ACCE Retreat 7/14, 7/15 and 7/16/14.

**Legislative** – Handout to each member present so that contacts can be made.  
Funding for higher education – stop cuts.  
Fairness of compensation between constituency groups.  
Need to get new ACCE web-site up and running so information can be posted.  
Meet with your legislators – if unsure how to approach contact a member of the legislative committee.

**Benefits** – Chair not present. Amy forwarded email so that committee could look into the US Governments web-site on Affordable Care Act (ACA). Some items listed on web-site could affect employees in the future. Pre-existing conditions don't apply on current PEIA plan but under ACA they have no pre-existing clause. Concern on retirees if burden of premium increase shifts to them and how ACA might affect future coverage. Possibly invite someone from PEIA to answer some questions at next meeting.

**Web / Communications** – Chris Stevens started working on a new web-site. It has no content, only visual web pages and photo's to give the group an opportunity to review. Pages were established based on verbiage Johnna Beane shared from previous discussions on how the web pages should break down. Chris will forward a link so everyone can look at the set up and provide any comments. Verne suggests using Joomla. Chris' current development is using HTML text editing and he's trying to learn Joomla which is a content management type system which Verne is familiar with. Verne is providing assistance to Chris on this project. Once the web-site is up and running others will be trained and be able to update web pages so one person isn't burdened with this task. Training will be provided to the web /communication committee as well as executive committee. Ken suggested an approval process once others are trained so that executive member approves any changes and/or updates to the web.

**Student Employee / Enrichment** – Tim indicated they are still collecting data on the questionnaire.

**Ad Hoc By-Laws Committee** –Chris Stevens couldn't locate anything explicit in the by-laws that says members can be notified or replaced. Code indicates someone should be represented from each institution but the by-laws of each institution is specific on how members are chosen and serve. Discussion on notifying institution and letting them make the decision on their representation. Discussed the use of a proxy.

**Legislative Session / Legislative Agenda**

Anticipate a furlough policy during upcoming Legislative session.  
18-7 furlough exists in the layoff policy. Indicates must be done by seniority.  
Institution to write policy that must match state code.  
State to provide policy for guidance for the institutions on furlough.  
How do you furlough faculty? Don't teach a class? Since faculty are paid for teaching so many days do you with hold 2 days' pay and then provide flexibility for when they take the two days?  
Discussion on those having higher education experience versus those also having state experience.

When policy comes out, read carefully and see if it can be implemented.

Everyone has to have an eye on the legislative page and contact the group to alert everyone to review. Don't assume someone has seen it. Everyone is busy and we can't afford to not be aware of all bills affecting Higher Education.

One of the Institutions anticipating a bill regarding changing the 5% tuition rule and removing the 12 credit hour cap.

You have to remind the Legislators how budget cuts hurt our Institutions and students.

If we see a bill introduced that we like or don't like we have to get our staff council members involved in sending out emails and contacting their local Legislators to get the word out.

Everyone should be able to have a discussion with the Legislators.

Everyone have a common agenda and not a separate Institutional agenda.

Each member needs to meet with their President to see if there are common agenda items. Example – no cuts to higher education, increase funding to higher education. If you keep cutting higher education we can't be successful.

Duties of Legislative Committee – Chair and Co-Chair will guide you as to what you need to do and when. Practice of this group if meeting with the Governor is to limit that meeting to this committee. Room space/size limits those attending. While meeting is taking place other ACCE members can meet with other Legislators. Besides watching 18B also pay attention to anything relating to chapter 5 as that deals with all State Agency employees. This is where your retirement, PEIA, annual experience increment type items are listed in code. Legislative page will give you a summary of what is in the bill. If you see anything in the summary put it on ACCE list serve so everyone can read it.

It's our understanding, a group of four year institutions Presidents have hired a lobbyist. Topics the lobbyist will address appear to be:

Budget cuts and the impact of budget cuts have on smaller institutions.

Delay implementation of SB330 until the state stops cutting higher education budgets and can be certain the cost and impact of the cost on a going forward basis.

Efficiencies of reporting requirements.

### **Salary Rule Draft**

Reviewed line by line Series 55 proposed draft. Providing comments and edits.

### **President Washington**

Welcome to ACCE members and opened floor to questions.

Comment from Ken Harbaugh – Have you heard of SB330? We are asking everyone to please keep in touch with your council members and representatives on this issue.

Comment Amy Pitzer – a lot of misinformation out there relating to SB330. We ask that you read and come to your own conclusion and don't believe everything you hear. Currently there's information circulating that there's a fiscal note on the cost but the market study hasn't been completed so there's no way anyone can know that cost.

Comment from Ken Harbaugh – once it is known realize that the implementation won't happen overnight.

Comment from Amy Pitzer - ACCE isn't all about salaries. But salaries have been ignored for 12 years so you have to expect there's going to be a fiscal note that's not going to be something you want to see. For ACCE it's about more than fixing compensation. It's about FACTS; fairness, accountability, credibility, transparency and a systematic approach to personnel. To us that's just as important to us as fixing the compensation portion. We have to have fair rules that you as a President can live by, we as employees can live by, and everybody can prolong. If we have system that you can't work with how will it benefit us? If you can't work with it there will be issues. We don't want a system that we all can't agree to. SB330 is no longer a bill, it's the law and we need to implement it. It's not a perfect bill and we've worked very hard with the legislature that if there are things to be fixed they have committed to fixing. This bill is for all three constituency groups.

Question from Paul Martinelli – Do you have a problem giving staff time off to participate in meetings with legislators, attend campus events, etc.? Currently WVU is planning the Presidential search committee and three staff members will serve on the committee. The committee will possibly take six months before selecting a President. Problem is supervisors don't understand the time commitment. Supervisors don't allow sufficient time to serve and represent staff in this capacity.

President Washington – Currently having issue finding people to serve on staff council. Also issues with same people that serve on numerous committees and trying to work with supervisors to talk about still accomplishing work of department and work of college. That doesn't mean someone sitting at their desk and counting them from 8-5 to be present. Much more flexibility to allow time to get work done. Very supportive in staff members working on committees and outside the college to extend who we are and our mission. We have to work and continue to combat the 30-40 year model of checking in at 8 and out at 5 as there's work that needs to be done at all times of the day and count that to the operation.

Comment Bob Long – encourage you to read SB330 with new eyes outside the system and not knowing history of what has transpired in West Virginia. Analyze the bill and share your comments on what you think is positive and negative with ACCE representative. We would like you to share those concerns so that we can facilitate moving the process forward.

Comment Ken Harbaugh – how can we help you?

President Washington - Recently last two weeks had meetings at each five locations. Inequity in state appropriations. New River is bottom of list in state appropriations in how they were started. Not looking to take away from any institution of higher education but the 7 ½% cut to New River isn't the same as to WVU. We can't handle a 7 ½% cut when we don't have the reserves the State stays we should have. Nor do we have a foundation of donors. Just an example, ACCE could help them with inequity of funding. Trying to look at doing efficiency within organization as we can't expect funding for all needs. For example, no longer have campus deans at all locations. We are doing what we can but need help as well. Discussed performance based funding as it relates to the current metric and where he sees a change needed.

#### **ACCE Chair Further Discussion:**

Conversation with Vice Chancellor Toor. He proposes to cut losses with Fox Lawson because they are demanding more than \$800,000 in additional funds to complete market study in manner it needs to be completed to comply with law. They are refusing to do so. They are saying they have met their part of contract and not doing anything further without additional funds. They have had an additional \$80,000 added to the original contract. Mark Toor says he wants to sue them for breach of contract. He indicates he needs to see what can be salvaged from the work already done which is classified employee salaries. Move forward with implementation of a minimum schedule and market schedule and move forward with classified employees in all other areas of SB330. He doesn't want to do anything with faculty or non-classified. At this time, reason being Fox Lawson hasn't completed those studies. One piece of information that Amy agreed with from day one; she doesn't think the approach they have taken with faculty classifications is appropriate. However, with that said there have been numerous meetings where not only Mark Toor but Jim Fox said the information they have for faculty and non-classified is enough and appropriate to do the market study they were asked to do. Knowing that you don't look at every single job when doing a study; classified or non-classified. Example, why look at 500 director jobs, it doesn't matter if they direct financial aid or admissions, they are at the same level.

Comments from members:

Are they considering going back to Legislation to change the time table?

How do you determine relative market equity?

Are we the only group Mark has asked this question of?

Consider if we implement for classified employees now. What are the chances anyone gets any salary increases now?

Do we know what the study looks like, was it compared to local market?

Can we validate the Fox Lawson information?

We submitted 49 questions for Trish Clay to take to Fox Lawson back in October. We've had no response to those questions. Rob indicated he would meet with Mark to get the answers for us. Amy forwarded emails to Rob on questions not answered.

Need reply by first week of December to Mark.

If there is an expectation that classified employees will get a raise, that won't happen right now.

Do we think information is credible?

What has Mercer provided to the study with Fox Lawson and/or verified?

If we don't agree to move forward where does that leave the study and implementation?

If we agree, the relationship of one job to another job and the classification can come at the cost of someone else's job in change in relationships.

If we agree and the information is flawed, what happens to our reputation, credibility?

Will the Governor provide funding for another study?

What are the alternatives?

Discussion ensued.

Amy also spoke with Rob Anderson. He is aware of the developments as he attended a meeting with Senator Plymale and Mary Poling. They indicated they were wanting to talk to us to see if this was acceptable to ACCE.

ACCE members cannot make a recommendation as requested by Mark Toor based on the information presently available.

#### **Presentations to HEPC/CCTCE/LOCEA**

Due to time limits the presentation draft will be sent via list serve for additional comments.

#### **Campus concerns, updates and announcements**

Melanie Whittington discussed the combining of Bridgemont and Kanawha Valley effective July 1, 2014 and how classified council and representatives will be determined. Discussed how important this merger sets the groundwork for any future mergers involving representatives and employees.

Suggestion to councils to have discussions and ideas for budget cuts. Cuts appear to be coming and need to be prepared. Pierpont has cut cell stipends as part of their cost savings, even to administrators.

#### **Next ACCE meeting in South Charleston 12/5/13**

**Annual presentation at HEPC 12/6/13 at Higher Education Tech Park**

**Annual presentation at CCTCE 12/12/13**

**LOCEA meeting 1/5/14 (tentative)**

**ACCE meeting at Concord 1/14/14**

There being no further business to come before the council, Chris Stevens made a motion to adjourn at 4:45 p.m. The motion was seconded by Ken Harbaugh.

RESPECTFULLY SUBMITTED,  
Carol Hurula, Secretary