



**Meeting Minutes
Annual Retreat
Canaan Valley Resort
Elm/Willow Room
July 19-20, 2021**

Monday, July 19

Attendees:

Deirdre Guyton	Bluefield State College
Jane Fouty	BridgeValley Community & Technical College
Amy Pitzer	Concord University
Robin Yeager	Fairmont State College
Michele Lang	Glenville State College
Teresa Meddings	Marshall University
Dee Preston	Mountwest Community & Technical College
Jodi Miller	New River Community & Technical College
Michael Lynch	West Virginia University Potomac State College
Mary Beth Myers	Shepherd University
Chris Gray	Southern WV Community & Technical College
Yodev Ocasio	West Liberty University
Verne Britton	WVNET
Jenna Derrico	WV Northern Community College
Barbara Sanders	WV School of Osteopathic Medicine
Shirley Robinson	West Virginia University
Dara Massey	West Virginia University Institute of Technology

Guest:

Patricia Humphries	Vice Chancellor for Human Resources
Michelle Stark	Human Resources Specialist Senior
Matt Turner	Executive Vice Chancellor for Administration

- 1) Meeting called to order at 9:51am at Canaan Valley. Quorum was established.
- 2) Approval of Minutes
 - a. Motion to table approval of the May 2021 minutes was made by Jane Fouty, seconded by Barb Sanders. Motion to table approval of minutes passed.
- 3) Ice Breaker was led by Mary Beth Myers
- 4) Responsibilities as Classified Employee Leaders
 - a. Ken went over the responsibilities as Classified Employee Leader. Showed members what are some items that they can work on back at their campus.
 - b. Discussed how to setup meeting with President, Board of Governors and local legislators

c. Responsibilities by position

i. Staff Council Chair – some of the highlights

1. Assure complete and aimed agendas and minutes
2. Develop classified staff leaders by asking capable staff to chair a committee, do research, plan an event, etc.

ii. Governing Board Representative

1. Not a member of Council per Code
2. Can be a nonvoting member of Council
3. BOG representative needs to be independent of the Council
4. Get to know the other Board members. Develop a relationship with them as this can help get your issues across to the other Board Members

iii. ACCE Representative

1. Attend all Staff Council meeting
2. Number One item to tell President, BOG that ACCE lobbies for is increased funding for higher education
3. Attend the BOG meeting. Per code, the ACCE rep is the one who should report on the BOG meeting to the Council. You can put the BOG rep on the Council. Then the BOG and ACCE rep can work together to present the BOG update.
4. Help Staff Council Chair mediate problems.
5. Be a clearinghouse for information back to your institution. Remember, use the ACCE carefully
6. Before sharing information from our LISTSERV®, getting permission before sharing an email with non-ACCE members

iv. Chair, ACCE Rep and BOG Rep

1. Develop a positive working relationship with your Chief Human Resource Officer, President and upper management
2. Establish a relationship with your school's faculty senate/council
3. Remember, by Code your institution's president must meet with the Council at least four times a year
4. Be professional in any interactions you have

5) Legislative Orientation (Bob Long)

a. Historical overview of Higher Education and its structure

b. Higher ed structure prior to late 60's, was under the State Department of Education

c. Changes in structure was coming about by federal legislation that provided all students the opportunity to attend college through federal financial aid programs

d. Reviewed legislation that was passed since 2000's

i. Changes in the structure of higher education

ii. Separated the Community Colleges from the four-year institutions and created the Community College system

iii. Changes to annual increment pay

iv. 2015 Legislative session

1. SB 439
 - a. Amended SB 330
 - b. Removed relative market equity
 - c. Provided more flexibility for institutions
 - d. Allowed for more modern compensation system
 - e. Increased non-classified employees' percent from 20% up to 25%
 - f. Limited uniform classification system to classified employees

v. 2017 Legislative session

1. Eliminated seniority as primary criterion when layoffs or reduction in force occurs for classified staff
2. Eliminated preferred recall
3. Revised definition of classified employee by removing the "exempt" category and basing such status on FLSA rules
4. Redefined non-classified employees and status of new hires as of July 1, 2017

6) Discussion with Guests from the Higher Education Policy Commission

Matthew Turner, Executive Vice Chancellor for Administration

Patricia Humphries, Vice Chancellor of Human Resources

Michelle Stark, Senior Human Resources Specialist

a. Trish Humphries

- i. Trish Humphries and Michelle Stark introduced themselves and what are their roles at the HEPC
- ii. Trish – Vice Chancellor for HEPC. Serve as a resource to the institution and provide information. Oversee the rules over HR.
- iii. Beginning to review all the HR rules. Looking at other rules to see if those rules have HR imbedded that should not be there.
- iv. Serve as a resource for employees throughout higher education.
- v. Agencies affirmative action plans

b. Matt Turner

- i. Serve as a chief of staff for the Chancellor
- ii. Intergovernmental liaison for the Council/Commission
- iii. Legislative liaison for the Council/Commission
- iv. state financial aid programs under per Code
- v. Is there anything being worked on or priorities being developed?
- vi. Updates
 1. Rules that will sunset
 - a. Some financial aid rules
 - b. Chancellor has requested that all rules are needed, if not needed, eliminate the rule
 - c. Trying to shift rules to a more predictable schedule for rules to be reviewed and approved
 - d. Simplify rules and not embedded in part in several rules

e. Fairmont applied for exempt status. Met three of the five criteria and was approved.

2. Shepherd has been granted exempt status, but up for review in October. Reviews will now be in October

vii. Legislative session

1. Most legislation should be developed by now
2. Nursing and behavioral workforce. Need some funding for initiatives
3. Funding issues, especially the surplus funding for WVU and Marshall. Look at getting back to base funding instead of surplus funding
4. Continued funding to scholarship programs.
5. Due to COVID, Promise numbers are down. This has led to unspent funds in financial aid.
6. Looking at fall enrollment and hoping to start seeing a recovery

viii. Invest program

1. Drug testing requirement changes from each semester to once a year. If they do not pass the drug test, steer the student to a recovery program and will not lose the scholarship.
2. Fee structure across community college is not consistent
3. Invest program will now cover academic program fees

- ix. Budgeting process starts in August when Governor's office begins to develop budget request for the next legislative session.

c. Michelle Stark

- i. Been in WV Higher Ed for 14 years
- ii. Has been a classified staff member in the past
- iii. Was BridgeValley CHRO before moving HEPC
- iv. Responsibility
 1. Maintaining the Comp and Class system
 2. Maintain MarketPay and JDExpert
 3. More involved with agency projects

d. Trish Humphries

- i. The current comp and class system was designed for both classified and non-classified staff except for senior management
- ii. Expectations for market study
 1. Make sure personnel file submission has the appropriate information
 2. Need to identify benchmarks jobs. Benchmarks should run the system.
 3. Review and update master class job specs
 4. Looking at interfacing Marshall and WVU into MarketPay.
- iii. JCC
 1. Rule for JCC was written for a point factor methodology. Need to review and update rule for new method
 2. Review master class specs
 3. Review job families are appropriate and correct
 4. Ensures job descriptions are reflected in the master class specifications
 5. Need to decide on a framework for career ladder. This would be for those who want to use career ladders.

6. Needing to get CUPA information. Before HEPC can get system data, someone needs to purchase the individual institution information
7. Desire by institution to have a structure and titles similar to CUPA. This would make comparing jobs to CUPA easier.
8. Kick off for the new JCC will be this week

iv. Questions from Ken

1. How will K-12 be included in the market survey? They are the closest group to us and compete with us for jobs. Trish can look to see if we are losing employees to K-12 system.
2. Is there any data being provided to look at market equity in comparison to the other groups? With colleges going non-classified, there is no structure to get data. Also, there is the misuse of titles. The responsibility to look at the equity is at the campus level.
3. Look at developing a list of statistical information. Work with HEPC, ACCE, Institutional HR offices and Institutional Presidents.
4. There needs to be data clean up in OASIS of job codes.

- v. Status of the Council and Commission on electing an ACCE rep. Trish said they tried to have an election and no one showed up. Trish will continue to encourage the Council employees to elect an ACCE rep.

7) Adjourned for lunch at 12:57pm

8) Returned from lunch 2:25pm

9) Grievance Procedure presented by Amy Pitzer

- a. A grievance is a claim by an employee that there is a violation, misapplication, or misinterpretation
- b. WV Code 6c-2-2 is where the grievance procedure is located
- c. Applies to full-time or part-time employees
- d. Employee has 15 working days after the occurrence of the event or the occurrence becoming known to you
- e. Three levels
 - i. Hearing or Conference
 1. Conference is informal. Sit down with the parties involved and discuss the event, what is wrong, and what needs to be done
 2. Hearing has a record. Witnesses and enter evidence
 3. School has 15 business days to render a decision on the hearing or conference
 4. Both of held by the institution's chief administrator or their designee
 - ii. Opportunity to resolve through mediation or arbitration
 1. Arbitration is less formal. The arbitrator is selected by both parties. Arbitrator cost is shared equally by both parties.
 2. The arbitrator or mediator cannot be a public employee

iii. Hearing in front of Administrative Law Judge

1. Employee may apply direct to level three if the employee has been fired, left the institution, or been demoted and all parties agree to skip the first two levels
2. There are five ALJ's in the state
3. Still less formal than being in circuit court
4. Come with witnesses and present your evidence
5. At conclusion of hearing, copy of recording is submitted to you to help prepare your case

f. After level one, everything is recorded and transcribed

g. Employee does not have to take annual leave to attend your grievance meetings

10) Higher Education Finance presented by Chris Gray

- a. Discussed the basics of how institutions of higher education in West Virginia are funded
- b. Pointed the difference between unrestricted and restricted funds

11) Serving in Multiple Staff Leadership Roles presented by Deirdre Guyton and others

- a. What happens when you have more than one role
 - i. Stress
 - ii. Exhaustion
 - iii. Mental health
 - iv. Burn-out
 - v. Lower life satisfaction
- b. Best way to succeed when you have more than one role
 - i. Prioritizes
 - ii. Integration or separation
 1. Want to do both integration and separate
 2. Got to listen
 3. Do not internalize
 - iii. Determine the important activities for each role
 - iv. Develop a group that you can delegate items to

12) Administrative Exemption Review

- a. WVU, Marshall, and WVSOM are legislatively exempt schools
- b. Administratively exempt schools have to meet three of five criteria to be an exempt institution
- c. Admin exempt have to be reviewed every year
 - i. If school goes below meeting three criteria, they go on probation and have a year to meet at least three criteria
 - ii. Schools can request exemption through special conditions
- d. Exempted from
 - i. Capital projects
 - ii. Development of Mission
 - iii. Academic program approval
 - iv. Rules in finding president
 - v. Purchasing
 - vi. Capital projects exceeding \$3 million

e. Criteria

i. Three grad rate

13) Motion made by Dee, Barb seconded. Strike a review of item 13 from agenda. Instead allow Bob Long to finish his overview of legislation

14) Review of §18B-7, §18B-9, and §18B-9A

15) Meeting was adjourned till Tuesday, July 20, 2021

Trivia will take place in the meeting room at 8:30pm. It's optional, but Chris Gray puts on a good show.

Tuesday, July 20

Meeting begins at 8:30 am

1) Meeting was called to order at 8:38am. Quorum was determined

2) Unfinished Business from Previous Day

a. Completed all business from the previous day's agenda

b. Planning session for the All Staff Session

i. Staying up to date on legislation

1. Jenna will discuss how to read legislative bill summary from the HEPC and how to track legislation

2. Verne will discuss how to use legislative website

ii. Legislative advocacy Ken and Amy

iii. HEPC website, specifically on the data portal

iv. Discussion of Classified and Non-Classified

1. Statewide the number of Classified Staff is shrinking. This is due to change in code that new hired Exempt employees will be non-classified.

2. Schools that are all staff (all staff are non-classified)

a. Review language in Council constitution to remove Classified, if school is all non-classified

b. Need to consider that the all Staff Council should not include cabinet level employees

3. Schools that have both classified and non-classified

a. Incorporating non-classified in the Classified Staff Council as voting members

b. Look at including non-classified staff on committees

c. Invite non-classified staff to attend Council meeting

v. Foster good relationships

1. Mentor committee members

2. Attending college social functions

3. Engaging in positive conversation with leadership such as President, Cabinet, or BOG

4. Picking battles carefully

vi. Open the floor to questions

- 3) All Staff Information Session – 9:30 AM – 11:00 AM
 - a. Session began at 9:38am
 - b. Jenna introduced the session
 - c. Jenna discussed the HEPC legislative tracking document
 - d. Verne went over how use/read the legislative website to look at a specific bill
 - e. Amy and Ken discussed communicating with your legislators
 - f. Jodi reviewed the HEPC website and specifically the data portal
 - g. Jenna discussed incorporating non-classified staff
 - h. Michele discussed constitution changes to include non-classified staff into Council
 - i. Teresa discussed fostering positive relationships with administration
 - j. Questions:
 - i. Received a question on the grievance process
 1. Posting information on the ACCE website at <https://wvacce.org>
 - ii. Benefit for being a classified staff
 1. There are some protections, mostly Classified are not will and pleasure
 2. Classified staff have group representation such the institutional classified staff council and the ACCE
 3. Classified staff has representation on the BOG
 4. Hard to retaliate against an employee who is non-classified
 5. Zoom link: <https://wvncc.zoom.us/j/88564325009>
- 4) ACCE Webpage Review / Updates / Recommendations
 - a. Reviewed the session Resources
 - i. Add a new section called Reference Materials
 1. Grievances
 2. Meeting with Legislators
 3. Legislative History – once updates are completed
 4. Your Responsibilities As Leaders
 - b. Consider adding a members' only section
 - c. Looking at including any documents presented on agenda/minutes page.
 - d. Update pictures on website
 - e. Delete Just the Facts page
 - f. News Page
 - i. Need to update link for West Virginia Legislature Today Blog
 - g. Members page
 - i. Need to update member list with information
 - h. There is going to be a discussion later today on what committees are needed
- 5) Break for lunch at 11:54am
- 6) Resume meeting at 1:11pm
- 7) Verne motioned to move up the calendar discussion ahead of the election of officers. Barb seconded. Motion passed
- 8) Election of Officers (proxies cannot vote in elections)
 - a. Tellers are
 - i. Dee Preston
 - ii. Dara Massey

- b. Verne moved we accept to continue the current officers. Verne withdraws the motion for lack of second
 - c. Nominations for Chair
 - i. Jodi Miller nominated Jenna Derrico for Chair, Jane Fouty seconded the motion.
 - ii. Jenna Derrico accepted the nomination
 - iii. Shirley Robinson nominated Amy Pitzer, but Amy declined
 - iv. Jodi Miller made motion to close nomination. Motion passed.
 - v. Verne Britton moved to accept the election by acclamation. Teresa Meddings seconded the motion. Motion passed and Jenna Derrico was elected as Chair by acclamation
 - d. Nominations for Vice Chair
 - i. Dee Preston nominated Amy Pitzer as Vice Chair. Shirley Robinson seconded the motion. Amy accepted the nomination.
 - ii. Motion to close nominations made by Jenna Derrico. Shirley Robinson seconded the motion. Motion passed and nominations for Vice Chair were closed
 - iii. Teresa Meddings moved to accept the Amy Pitzer as Vice Chair by acclamation. Dee Preston seconded the motion. The motion passed and Amy Pitzer was elected as Vice Chair by acclamation
 - e. Nomination for Secretary
 - i. Shirley Robinson nominated Chris Gray, Jenna Derrico seconded the motion. Chris declines the nomination.
 - ii. Dara Massey nominated Jodi Miller. Jane Fouty seconded. Jodi accepted the nomination
 - iii. Barb Sanders nominated Michele Lang and Dee Preston seconded the nomination. Michele declined the nomination
 - iv. Dee Preston moved to close nominations. Yodev Ocasio seconded the nomination. Motion passed
 - v. Motion to accept nomination by acclamation done by Michele Lang, seconded by Mary Beth Myers. Motion passed and Jodi Miller was elected secretary by acclamation
- 9) Set 2021-2022 Meeting Calendar
- a. Monday, August 30, 2021 1pm to 4pm Virtual
 - b. Friday, September 17., 2021 Concord University
 - c. Monday, October 25, 2021 West Liberty University
 - d. Monday, November 15, 2021 Glenville State College
 - e. December 2 or 8, 2021 HEPC Office Charleston
 - f. Friday, January 21, 2022 1pm to 4pm Virtual
 - g. Monday, February 21, 2022 Marshall University Graduate College, South Charleston
 - h. Friday, March 11, 2022 Marshall University Graduate College, South Charleston
 - i. Friday, April 22, 2022 WVU - Morgantown
 - j. Friday, May 20, 2022 Bluefield State College
 - k. Monday, June 13, 2022 WVNET
 - l. July 17-19, 2022 Retreat
 - m. Jodi motioned that we accept the tentative calendar. Deidre seconded the motion. Motion passed.
- 10) Review Legislative Agenda / Create Plan of Action
- a. Discuss an action plan based on previously developed legislative agenda
 - i. Safeguard funding for higher education

- ii. Invest in broadband and infrastructure needs
 - iii. Oppose Campus Carry legislation
 - iv. Authorize a strong central office
 - v. Mandate and fund regular and independent salary market studies
 - vi. Protect the rights of higher education employees
 - vii. Restore a cap on the number of non-classified employees – clarification on the definition of non-classified
- b. Action Plan
- i. Need to prioritize the agenda items. Highlight the top two or so agenda topics.
 - 1. Safeguarding funding for higher education
 - 2. Authorize a strong central office
 - 3. Discussion will continue on the LISTSERV® discussion list
- 11) Sub-committees
- a. Web Committee
- i. Members
 - 1. Verne Britton -- Chair
 - 2. Jane Fouty
 - 3. Shirley Robinson
 - 4. Jodi Miller
 - 5. Mary Beth Myers
 - 6. Jenna Derrico
 - 7. Amy Pitzer
- b. Legislative Committee
- i. Members
 - 1. Amy Pitzer -- Chair
 - 2. Chris Gray
 - 3. Jenna Derrico
 - 4. Barb Sanders
 - 5. Yodev Ocasio
 - 6. Shirley Robinson
 - ii. Home work is to look at specific parts of code and looking at what reporting requirements that the HEPC needs and what they are supposed to do. 18B-9-7 and 18B-9A
- 12) Ken presented Jenna a thank you card for all her hard work on behalf of ACCE
- 13) Jenna thanked the Retreat Committee
- 14) Motion to adjourn made by Dee Preston and seconded by Dara Massey. Meeting adjourned at 4:00 pm

Submitted by,
Chris Gray, ACCE Secretary