

**Classified Senate - FY 2005-2006 - Ohio University
Minutes – March 16, 2006**

Present: Arbaugh-Dicken, Bell, Cheripko, Cvetan, Hensler, Hoffman, Houlette, Hutchison, Jordan, Kaaz, Llewellyn, Mash, Reeves, Six, Swartz, Tate, Tedrow, Yeager, and Whitlatch.
Excused: Campbell, Carpenter, Chalfant, McKown, Webb, Wingett
Absent:
Guests: George Mauzy, Diane Young, Susan Hopkins, Jim Kemper, Rebbecca Warner, Diana Miller, Jill Breeze, Doreen Redecker, Jill DePue, Barb Summerfield, Marilyn Moore, Deborah Brewer, Carrie Lockhart, Trina Jones, Patricia Palmer, Lureen Bailey, Margaret Cooper, Linda Martin, Judy Stumbo, Carma West, Bonnie Dinsmoor, Cyndi Parsons

Topic	Response	Comment	Follow-up
Opening Remarks	W. Kaaz	Wendy Kaaz called meeting to order and welcomed senate members and guests to the meeting.	kaaz@ohio.edu
Roll Call	M.Swartz	Roll call completed by Marlene Swartz, Secretary Elect	
Employee of the Month	B. Reeves	The following employees have been selected to receive the Employee of the Month Award: <ul style="list-style-type: none"> Jill Breeze is our March Employee of the Month. She works as an Administrative Coordinator in Technology & Enterprise for COM-Informational Systems & Instructional Technology. Congratulations Jill! 	reevesb1@ohio.edu
Secretary Report	D. Campbell Excused	Secretary – Debbie Campbell excused from this meeting so will defer approval of the February meeting minutes until April meeting.	campbed2@ohio.edu Phone: 597-2194
Treasure Report	B. Reeves	Treasurer – Billi Jo Reeves (593-2158) reevesb1@ohio.edu Motion to approve February 2006 Treasurer’s report by Llewellyn, 2 nd by Tedrow Treasurer’s report approval motion carried by Senate Motion to purchase certificates for the Employee of the Month Award(estimated at \$30-\$40) made by Reeves, 2 nd by Cvetan, motion was carried by Senate	To view previous Treasurer’s report visit: www.ohio.edu/csen/
Kemper Report	Jim Kemper	Jim Kemper Asst. VP for Administration for Human Resources E-mail: kemper@ohio.edu Review and Discussion: <ul style="list-style-type: none"> JIQ/Position freeze – all incumbent classified staff JIQ evaluation processes will be suspended as of April 1, 2006 until June 30, 2006. This will allow for availability of positions for employee transfers. If the employee submits a JIQ after March 31, can turn it into HR or the planning unit can keep it but should let HR know so the date can be noted for retroactivity. Announcement of agreement called Complete to Compete between Ohio University and Kent State that will encourage high school students to obtain their high school diploma and primarily for college students to complete a degree in order to compete in job opportunities. Kemper has requested that consideration 	Policy website for review: http://www.ohiou.edu/policy/index.html Human Resources website: http://www.ohio.edu/hr/index.cfm

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Kemper Report (cont'd)		<p>be given to extend each university's employee education benefits so that employees could attend either school. Charlie Bird from Ohio and Patricia Burk from Kent State are the administrators working on this agreement. Ohio University faculty and staff would be allowed to take classes at Kent State under the employee education benefits and vice versa. No details have been decided but Kemper will continue to monitor as this develops and advises Senate to do likewise.</p> <ul style="list-style-type: none"> • ERIP/bumping process was reviewed by Kemper via a hard copy hand-out to Senate members and visitors (see last page of minutes to view this report). Question was answered by Kemper regarding definition of active pay status: working or were on paid/compensation leave such as vacation or approved medical/sick time off during a pay period. 1.0 point will be awarded if FT employee was compensated for any time during a pay period and .5 point for any time a PT employee was compensated during a pay period. Employees not working during the summer would not receive retention points for non-working (i.e., not compensated) pay periods. • By May 1, HR should know every vacant position with the new enhanced employee tracking system which will make transferring employees from abolished positions into these vacancies much easier than three years ago with the OMC closing. HR is also able to automatically calculate employee retention points rather than having to tally by hand as was done with the OMC closing. After May 1 or 2 HR will begin the transfer process and notifying the respective employees of their new placement. Mid-June each employee who was not able to be transferred will be notified by letter of their job abolishment. The letter is hand delivered to the employee 14 days prior to the abolishment date but if letter is sent USPS will be sent 17 days prior to the abolishment date. The employee who receives the job abolishment letter then has 5 days to notify HR as to their intent to either accept the lay off or to displace (bump). Those letters will also trigger the publication of the official notice of employee retention points. That list will be posted on the HR web site and also printed and posted in many common places throughout the university. A summary of those points was posted earlier on the HR site and is still available but does not show actual names, only a grouping of accumulated points by classifications. The employee also has the right to appeal their layoff to the State Personnel Board of Review but only has 10 days to do so (Kemper qualified this saying he would double check that time period and get back to the secretary of Senate) Addendum: Kemper did check and 10 working days is the correct time period to file an appeal with the SPBR. • Question: Is there a loss in pay when employee is transferred to a lower classification. Answer: No reduction in base pay but the employee will "cap out" sooner and be "red circled" sooner in the lower pay grade meaning that instead of 	

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		<p>a percent pay increase the employee will receive a bonus. Jim is going to double check on this and get back with a definitive answer. Addendum: Jim Kemper did check and confirmed that this is the correct answer if an employee is transferred to a lower classification.</p> <ul style="list-style-type: none"> • President and Cabinet had requested each planning unit to submit staffing plans based on different budget reduction scenarios. When the budget reduction amount became clear then the unit plans were actually submitted to the Cabinet. After the first of the year, Jan 2, 2006, HR and Ohio legal department met with Individual units regarding what programs and/or positions the unit would need to discontinue in order to meet budget cuts. The total number of positions to be abolished was roughly 77 with 63 of those positions being occupied by an incumbent employee. Of those 63 employees, 12 were identified as classified with the balance being administrative. Since then other positions have been added while others were removed from the list and HR continues to work with Legal to follow-up. Latest numbers indicate 26 administrative, 13.5 classified, 28 bargaining, and 14 faculty with incumbents. • Question: Would a transferred employee be protected from bumping. This is why the six week period is necessary because they would not want to transfer an employee to a position that would be vulnerable to bumping. The layoff employee has 5 days to declare intent to either accept layoff or to displace and by that time HR would have exhausted the vacant positions with transfers. Question: What order does the bumping occur? Answer: Displacement (bumping) is layoff employee with the greatest number of retention points displaces the employee in that classification with the fewest number of retention points or to a lower classification if necessary. Then the second highest would bump the second lowest and so forth. There is a tie-breaker method available if two employees would have the same number of points. Displacement can occur laterally within a series but not across to another series (unless employee has exhausted their series and has displacement rights based on certification in another series within last 5 years). An employee can never bump “up” to a higher classification within a series (i.e., a promotion). Goal of HR is to eliminate bumping by transferring as many employees as possible in to vacant positions. Example given: Administrative Associate position has been abolished. HR would look first at any Administrative Associate vacant position or if not possible then another pay grade “C” that is vacant and that employee was certified in within the last five years. Kemper has the authority to transfer to avoid displacement. If transfer not available and bumping occurs, then look first at the Administrative Associate classification for the employee with the fewest retention points, if no Administrative Associate, then go to the Administrative Assistant classification, if no employee there with fewer retention points, then go to the Office Assistant 	

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		<p>classification. If no employee in the Administrative Series with fewer retention points, then go to the classification that the employee was certified within the last five years. Then can go from Full Time to Part Time. Bumping (displacement) is dictated, there is no flexibility. Kemper as the Administrative Authority does have flexibility in transferring. Question: If you have recently received a promotion do the retention points follow you to your new position? Yes, retention points are awarded based on the employee's continuous Ohio University employment and the retention points stay with the classified employee. A classified employee who may have worked in an administrative position at Ohio University would have retention points from the administrative job as long as the service was continuous. Question: How long does it take to become certified in a position? Answer: Ohio University adds another level of protection for the employee and actually certifies the employee at the end of the probationary period (120 days). Civil Service allows up to two years to certify an employee in a classification. Ohio University will follow its employee certification policy during the bumping process. Ohio Revised Code 124 is law. Ohio University policy must follow that law. Ohio Administrative Code 123 are the procedures for that law but Ohio University does not have to follow that code. Ohio Administrative Code is for state agencies to follow but Ohio higher education 4-year institutions have been given the prerogative to make their own rules as long as the ORC is followed. If Ohio University policy is silent on a specific issue then Ohio University is following the OAC policy. Attempting to follow ORC 123 to the letter creates a bureaucratic mess.</p> <ul style="list-style-type: none"> • A layoff employee has one (1) year recall/re-instatement rights meaning that if a position becomes vacant in the classification that they held at the time of their layoff then that employee has the right to that position. An employee has the right to an appeal to their layoff to the State Personnel Review Board with a basis that there was an error by the university in the layoff process. Example: the university calculated my retention points incorrectly. • Question: What is the break in hours between Full Time and Part Time retention point's accrument rate. For retention points calculation the number of hours worked have no bearing . The retention calculation is based of whether the employee has Full Time Regular or Part Time Regular employment type. The code is very strict on this and it doesn't matter how many hours you work during a pay period; if you are Part Time Regular you receive .50 retention points for that active pay period; if you are Full Time Regular you receive 1.0 retention points for that active pay period. If there is overtime reported during that pay period, it does not in any way affect the retention point's accrument. Currently at the university any position requiring less that 40 hours per week is Part Time. Classified Senate is working on a new method to determine FT/PT status and HR would like 	

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		<p>to see Part Time defined in a different manner that it currently is. Question: If someone is working two Part Time Regular positions are they considered Full Time Regular. Answer: You can only have one employment type at Ohio University and to that end only one job. You can have overload contracts or work under another account number but may not hold more than one permanent position. There have been temporary exceptions where an employee may be leaving a department for a promotion and is assisting the department than they are leaving during the transition period. Example: Cannot hold a Part Time Regular Administrative Assistant position in the College of Medicine and a Part Time Regular Records Management Assistant in Student Affairs concurrently.</p> <ul style="list-style-type: none"> • Resolution by Board which was passed years ago designates the university's head of Human Resources is to be Ohio University's Appointing Authority. • Vision Ohio is a plan document and does not make any decisions regarding the job abolishment. Any of the non-renewals and job abolishments are the result of budget reduction. Planning unit's heads have brought actual plans that trace the job position abolishments back to a budget. This paper trail establishes a documented reason for the job abolishment. Question: With the realignment based on Vision Ohio how can it not have an impact on the job abolishments? Answer: Difference of philosophy which the Provost is addressing across campus. Tough decisions to be made as to how monies should be allocated in the best interest of the entire university. • Request that Jim address issue of what happens if not enough positions are vacated by the ERIP to allow placement of those employee left jobless by abolishments. Just because the ERIP has been implemented does not mean job abolishments will go away but hope that enough employees ERIP to help eliminate or decrease the number of employees who actually lose work since employees can be re-deployed to other positions. ERIP may allow for a realignment of positions within the unit to avoid layoffs. Each unit will have to decide how they want to determine future status of those positions vacated by the ERIP. Comment from a Senate member that some employees may have a false sense of security about their jobs. Are there employees whose jobs may be abolished who are not aware of it yet. Answer from Kemper was "yes". Question: When might those employees be notified at the latest be given notification? Answer: March 15 was first date which has already passed for notifying administrators for non-renewal for cause. April 2 is date for administrators' notification of non-renewal for programmatic or budget notification. May 1 is the date that the planning units are to notify HR of any positions that they want to abolish. Question: How would an employee notify to ERIP for the \$10,000 budget if not notified until May 1 of job abolishment. Communication went out too late regarding ERIP to avoid the overlap of the ERIP 	

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		<p>declare date (April 28) and the position abolishment date (May 1).</p> <ul style="list-style-type: none"> Human Resources may cut the service awards program from their budget in order to avoid a layoff. Across campus there are other programs that are being cut or diminished in order to reduce budgets. HR is hoping that the planning units have had conversations with those employees in positions targeted for abolishment. President McDavis had requested that departments talk with employees by March 10 if their positions were targeted for abolishment so that employees would have maximum of options available to them. Conversations that should not occur between the unit and the employee are those of duress or coercion used to get an employee to retire. Peggy Jameson will be the point person at HR to contact with any individual questions. She may assign someone from the HR team to help you but please contact Peggy first. Questions and situations that are informational to the entire campus community will be placed on the HR web site in a general way without any identification attached. 	
Chair Report	Wendy Kaaz	<ul style="list-style-type: none"> Bill Decatur New VP Administration & Finance begins March 20th McDavis meeting moved to March 21st VP Student Affairs Search <ul style="list-style-type: none"> 8 Candidates will be in Columbus weekend of March 31 for airport interview Two resignations from Senate, Paula Weinfurter and Tonya Seelhorst, and those two vacancies will be filled by Roxanne Arbaugh-Dicken and Paula Carpenter 	kaaz@ohio.edu
Committee Reports		<p>COMMITTEE REPORTS</p> <hr/> <p><u>PROFESSIONAL DEVELOPMENT</u> Jessica Wingett , Chair e-mail: wingettj@ohio.edu reported:</p> <ul style="list-style-type: none"> No report <hr/> <p><u>EMPLOYEE OF THE MONTH</u> – no report</p> <hr/> <p><u>PUBLIC RELATIONS COMMITTEE</u> Marlene Swartz, Chair e-mail: swartzm@ohio.edu</p> <ul style="list-style-type: none"> Working on next newsletter hopefully to distribute start of Spring Quarter <hr/>	<p>All committee reports should be submitted by April 1, 2005 to campbed2@ohio.edu</p>

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		<p><u>EMPLOYEE SERVICE AWARDS</u> no report</p> <hr/> <p><u>COVERLET AND SCHOLARSHIPS</u> Joni Tate tate@ohio.edu and Brenda Llewellyn llewellb@ohio.edu , Co-Chairs reported:</p> <ul style="list-style-type: none"> • No report <hr/> <p><u>POLICY and PROCEDURE</u></p> <ul style="list-style-type: none"> • No current chair. Will be combining meetings with Benefits & Compensation Committee. Will present additions to policies for Senate approval at the April meeting. Those are the policy for using personal time and the policy for work release time for educational benefits. <hr/> <p><u>BENEFITS and COMPENSATION</u> Mike Yeager Chair e-mail: yeager@ohio.edu</p> <ul style="list-style-type: none"> • Rep from Social Security at meeting this morning and distributed some good information about Social Security. One point that was important is that if you have your 40 credits in Social Security and are considering retirement, you need to go talk to the Social Security Administration ideally before you turn 62 years of age. OPERS reps will be on campus next week for three days and Social Security will have reps here, also, for two of those same three days. <hr/> <p><u>HIRING and PROMOTIONS</u> Louise Bell Chair e-mail: bell@ohio.edu</p> <ul style="list-style-type: none"> • George and Louise met with Jim, Greg, and Leah concerning changing the current classification policy. Will meet with them again next week. Next all committee meeting is in Walter Hall at Noon today. Email from Leah this morning that the new annual evaluation form should be on the HR web site by this afternoon. Question: Will this new form replace the other forms and eliminate the need for a lengthy process . Answer: Yes, and the incremental numbers will allow the total score to add up to “3” which will give HR a uniform reporting system. <hr/> <p><u>MENTORING</u> Teresa Tedrow Chair e-mail: tedrow@ohio.edu Since there are no new hires would it be possible to get the names of employees who are being transferred to another position. Kemper said that Peggy Jameson should be contacted to obtain that list. Kemper indicated also that every ERIP notification that HR</p>	

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		receives the individual unit is being advised that the employee has chosen to ERIP. In a similar fashion when a transfer occurs the Mentoring Committee can be advised.	
Old Business		<p>Medicare Tax Marlene received three responses from employees regarding holding a referendum on paying the Medicare Tax. Would need to contact David Breckenridge who is the Social Security Administrator for the State of Ohio about holding a referendum. The issue would be voted on by those staff employed prior to April 1, 1986, and a majority of those employees would have to vote "yes" in order for it to pass. If the issue passed then all employees would have to pay the Medicare Tax – it would not be optional. HR would collaborate on some type of information meeting or setting.</p>	
New Business		<p>New membership</p> <ul style="list-style-type: none"> • Gail is working on this. Please encourage fellow employees to apply. Gail would like each Senate member to be charged with recruiting a new member. President McDavis was asked to send a letter to all supervisors encouraging them to support an employee who is interested in being on Senate. • Question regarding phone coverage in a one-person office during lunch hour. Lunch coverage should be determined by the supervisor. Many offices do not have any type of backup to answer phones. Impossible for all phones to be covered 8:00-5:00 totally. 	
Next Proposed Meeting Agenda/Topics		<ul style="list-style-type: none"> • Shawna Stump – State Farm – 403B Discussion • Kathy Gilmore – EthicsPoint Demonstration 	
Meeting Adjourned		<p>Motion to adjourn – Teresa 2nd – Tammy Meeting adjourned by Kaaz</p>	
Next Meeting Date/Time/Place		April 20, 2006 10:00 am in the Shared Governance Room – Walter Hall	
Respectfully submitted by Marlene Swartz, CPS, CAP, Secretary Elect, Administrative Associate – Athens Campus			
Minutes submitted to Classified Senate members on: 4/13/06 Pending Approval of Senate			
Minutes submitted to Classified employees – 4/13/06 Pending Approval of Senate			

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Addendum

From Jim Kemper, Asst. VP for Admin. for Human Resources

Report to the Classified Senate
March 16, 2006

The Classified Senate has requested I respond to the following questions which were posed to the Senate from an employee(s):

- 1.) "...for Jim Kemper to explain the displacement process according to ORC123 and 124 and
- 2.) "...how it compares to his authority as the Hiring Authority to move displaced employees because of budget cuts."
- 3.) "Also, can he explain layoffs relative to Vision Ohio."

Answers to questions #1 and #2:

Ohio University is required to follow the provisions of Ohio Civil Service Law as defined in the Ohio Revised Code (ORC), chapter 124.

The provisions of ORC 124.321 to 124.328 dictate the layoff and displacement process for Classified staff. And, university policy 40.046 was modeled after the same section of the ORC.

The highlights of the process are as follows:

- employee retention points are calculated on university continuous service
 - each employee is credited with a base of 100 points

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- 1.0 retention point earned each bi-weekly pay period (on active pay status) as a full-time employee
- .50 retention point earned each bi-weekly period (on active pay status) as a part-time employee

- bumping order (following job abolishment):

- first, fill any vacancy
- then, bump the person with the fewest retention points in the same classification
- or, bump the person with the fewest retention points in the next or successively lower classification in the classification series
- or, the same process as above for a classification in which the person was certified within the past 5 years

- timing:

- May 1 is notification date to University Human Resources regarding Classified positions (policy requires 30 days; we have been given 60 days via cabinet support); soon after this date impacted employees will be contacted by University Human Resources
 - between May 1 and mid-June UHR will prepare records and processes for bumping; and, transfer any impacted individuals following the same process as noted in the bumping procedures above
 - approximately June 14-16 University Human Resources will post the official retention points list(s); and, University Human Resources will notify the impacted employees not yet placed, with an official 14-day job abolishment letter; from this date the employee will have 5 days to determine whether he/she chooses to exercise his/her bumping rights or to be laid off; the last approximately nine (9) days of June, University Human Resources will implement the bumping process
 - employees ultimately laid off have one (1) year recall/re-instatement rights
 - layoffs can be appealed to the State Personnel Board of Review
- As the ‘appointing authority’ the Assistant Vice President for Human Resources has the right and responsibility, according to ORC 124 and policies 40.044 and 40.046, to transfer employees to avoid layoff.

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123:1-47(7) “Appointing Authority: means the officer....having the power of appointment to, or removal from, positions in any office, department, board or institution.”

124:14(f) grants the appointing authority responsibility to the chief human resource officer at the institution of higher education.

Answer to question #3:

Vision OHIO is a long-range, strategic plan for Ohio University. The plan is not the cause of layoffs.

Any job abolishment or non-renewal for programmatic reasons (administrators) currently being considered by the university is due to budget reduction and realignment.