

Faculty Staff Benefits Committee Minutes

DRAFT 1

Meeting Date and Place: Tuesday, 9/13/16, 3:30 pm, Herzstein Latin American Reading Room, Zimmerman Library

Members Present: Fran Wilkinson, Carol Bernhard, Dorothy Anderson, Elaine Phelps, Pamina Deutsch, Gene Henley, Glen Effertz, Shawn Berman, and Marcia Sletten.

Members Excused: Mark Maddaleni, Emily Arzate, and Jason Wilby.

Guests Present:

Members Absent: Theresa Ramos, Condua Soneru, Cenissa Martinez, and Doleswar Bhandari.

Minutes submitted by: Dennis Dunn, University Secretary's Office.

	Subject	Notes	Follow-
1	Call to order (Fran)	Fran Wilkinson called the meeting to order at 3:30 pm and began the meeting by reviewing the meeting Agenda for the committee. The Agenda was approved and then the 8/9/16 minutes was approved. Introducing new committee members was put on hold since the new members were not in attendance.	None needed
2	Human Resources Updates (Dorothy Anderson and Elaine Phelps, HR)	<p>Points Covered:</p> <ul style="list-style-type: none"> - <u>The UNM Faculty/Staff Climate Survey Committee</u> has been paused. Benefits Committee member Emily Arzate is a member of the Survey Committee, but since she is excused from today's meeting she will give her report at the next meeting; - <u>UNM's Plan to Implement Changes in FLSA regulations:</u> Elaine Phelps explained that this update should be given by Dorothy Anderson, and Fran Wilkinson stated that she would return to this issue when Dorothy arrives for the meeting; - <u>Prescription Drug RFP:</u> Elaine has met with the reps and found out that the RFP is not due this year. Elaine will report to the committee at that time; - <u>FSA RFP:</u> The RFP will be released on September 12, 2016 and the proposals will be back from the vendors on September 22, 2016. A pre-review meeting will take place on September 14, 2016. The contract award date is October 12, 2016. Elaine explained to the committee that this RFP process is extremely confidential; - <u>Review of Leave Accrual:</u> This report will take place when Dorothy arrives for the meeting; - <u>Additional Items:</u> Elaine reported on the Incentive Bases Health Check Ups. Employees will be given an extra month to turn in the paper work required for their primary care provider to do the screening. The due date is November 14, 2016. This paperwork needs to be sent to Catapult; - Shawn Berman has been appointed to the BLT as the Faculty & Staff Benefits Committee representative. At future Benefits meetings Shawn will report on the BLT meetings; 	None needed
3	Policy Changes & Review of Changes in the Past Year (Pamina Deutsch)	<p><i>(This item had been postponed from the August 9, 2016 Benefits meeting.)</i></p> <p>Pamina began her presentation by distributing two hand-outs to the committee which described policy changes.</p> <p><u>Points Covered:</u></p> <ul style="list-style-type: none"> - UAP 3435 ("Inclement Weather") was changed to clarify what happens when the university has a delayed start due to Inclement Weather. Instead of being canceled classes will start at the official delayed start time and end at the normally scheduled time; - UAP 3410 ("Sick Leave") and UAP 3440 ("Family & Medical Leave") was revised to allow staff members to use Sick Leave when bonding with a new child in their home. Previously only Annual Leave could be used; 	None needed

- UAP 2060 ("Political Activity") was revised to clarify the use of space and resources for political activity, i.e. political signs in an office. This policy applies not only to staff, but to faculty and students, too;
 - UAP 2295 ("Service & Assistance Animals") was revised to make it compliant with federal regulations on assistance, or comfort animals, as opposed to only service animals;
 - UAP 3200 ("Employee Classification") was revised to clarify when a formal recruitment is necessary, and when extensions and conversion to regular appointments are appropriate;
 - UAP 1150 ("Staff Council") was revised to reflect a new stipend for the Staff Council President;
 - UAP 2750 ("Lactation Support Program") was revised to offer paid lactation breaks for nursing mothers;
 - UAP 2250 ("Transition to a Smoke & Tobacco Free Campus") was revised to eliminate most of the smoking areas on campus by Fall 2017. Two smoking areas will remain at the Residence Halls, and two at University Hospital. Pamina also explained how campus police can issue citations to repeat offenders of the Smoking Policy;
 - UAP 3215 ("Performance Management") was revised to require that an employee's response to a notice of contemplated action be placed in the employee's personnel file, along with the notice of contemplated action;
 - UAP 3410 ("Sick Leave") & UAP 3415 ("Leave With Pay") was revised based on a request from the Faculty Staff Benefits Committee, and extends bereavement leave to five days with the use of sick or annual leave;
 - UAP 3700 ("Education Benefits") was revised to enrich the health and fitness benefits to allow employees greater flexibility in how they use these benefits;
 - UAP 3790 ("Domestic Partners") was revised to require one document as proof of a domestic partner relationship in place of the three that had been required;
 - UAP 3500 ("Wage & Salary Administration") was revised to include a statement on pay transparency to comply with a new rule of the Office of Federal Contract Compliance Programs;
 - UAP 3430 ("Catastrophic Leave Program") was revised to allow staff who qualify for the catastrophic leave benefit to use the benefit for the care of an immediate family member;
 - UAP 3300 ("Paid Time") was revised to authorize employees to take up to one hour of paid time for the preparation of a response to their annual written performance review;
 - UAP 2140 ("Use & Possession of Alcohol") was revised to reflect new liquor licenses for the Student Union Building and the Athletics Department;
 - UAP 3200 ("Employee Classification") received minor edits related to new Fair Labor Standards Act changes.
- (These changes, and the entire hand-outs Pamina presented to the committee, are attached at the bottom of these minutes for review.)*

4	VEBA Committee Report (Fran Wilkinson)	Fran reported the VEBA committee met yesterday, September 12, 2016, and they went over the second quarter investment report and all is going well. Year to date returns are also doing well. The VEBA account is now at \$16,500,039.	None needed
5	Retiree Association Report (Glen Effertz)	The Retiree Association has not met in three months but they are concerned about upcoming budget issues. Glen informed the committee that retirees pay their health insurance benefits through a bursar, but that the bursar will no longer accept payment for benefits with credit cards. This was done by the university as a cost saving measure that saves \$800,000 per year.	None needed
6	Changes in FLSA Regulations (Dorothy Anderson, HR)	Dorothy reported there is nothing new to report and that the training process is moving forward for employees and supervisors.	None needed
7	Review of Leave Accrual (Dorothy Anderson, HR)	Dorothy reported that there have been discussions to modify leave accrual for new employees and grandfather in existing employees. HR will do a cost analysis to determine the savings this modification will result in and will have results in the next couple of months.	None needed
8	Other HR Business	<ul style="list-style-type: none"> • Dorothy Anderson reported on the September 13, 2016 Board of Regents meeting: <ul style="list-style-type: none"> - A hiring freeze will be imposed, but no date for the freeze has been decided upon or what areas of the university it will affect. No additional details were given. A formal announcement will be made at the Town Hall meeting on September 22, 2016; - Regent Clifford is looking at a one-time rescission; - Regent Doughty commented on administrative salaries and possible reductions of these salaries. No details were given on how the Regents would proceed on this issue; - David Harris is looking at all units that report to him and is reviewing all temporary and on-call employees. This is not a prelude to layoffs, but a look at potential cost saving measures; - Glen mentioned that the committee needs to think about evaluating the health screening results. 	None needed
9	Next Meeting	Next meeting is scheduled for Tuesday, October 11, 2016 at 3:30 pm. Herzstein Reading Room, Zimmerman Library.	
10	Adjourn	Meeting adjourned at 4:45 pm.	

PROPOSED POLICY CHANGES THIS FALL THAT AFFECT BENEFITS:

- **NEW Universal Restroom Initiative**
A draft was distributed previously.
- **UAP 2140 (“Use and Possession of Alcohol”)**
The policy was revised due to new liquor licenses for the Student Union Building (which authorizes the sale of alcohol at catered events) and the Athletics Department (which authorizes the sale of alcohol at sports events).
- **UAP 3200 (“Employee Classification”)**
Minor edits related to new Fair Labor Standards Act changes (pasted below).

2.1.1. Part-time Employees Administered as “Non-Exempt”

Employees in otherwise "exempt" position classifications who, by virtue of reduced appointment percentage (FTE), receive an actual salary rate that is less than the FLSA threshold must be administered as “non-exempt” during that period, regardless of the amount of their annualized FTE pay rate. Some exceptions may apply.

2.2. Nonexempt Employees

Nonexempt employees are employees paid on an hourly basis and are subject to the minimum wage and overtime provisions of the Fair Labor Standards Act. Nonexempt staff employees are paid on the bi-weekly payroll and hours worked are ~~reported on a time sheet~~ tracked and recorded in the appropriate timekeeping system. They are entitled to premium compensation for overtime work. ~~Nonexempt employee positions include such positions as secretarial, clerical, maintenance, and service workers. This list is for illustrative purposes only, and is not meant to be all inclusive.~~ See UAP 3305 (“Overtime”) and UAP 3310 (“Compensatory Time”) for information on compensation for overtime hours.

- **UAP 3300 (“Paid Time”)**
New section on wellness and fitness (pasted below). Minor edits related to new Fair Labor Standards Act changes on actual time worked (Section 7.1) and travel (Section 7.7).

3.3. Wellness and Fitness

UNM values the health and wellness of its community members and provides a variety of programs to increase physical and mental wellness and productivity, while potentially decreasing University health care costs. Supervisors are encouraged to allow employees to use flexible schedules (see Section 3) to engage in fitness activities during normal work

**Summary of Minor Policy Revisions With Direct Benefit to Employees
2015 to present
Faculty and Staff Benefits Committee Meeting
September 13, 2016**

- Regents' Policies:
 - December 12, 2014, and January 9, 2015
 - **RPM 4.7 ("Tuition and Fees")** – The policy was revised to eliminate outdated information and clarify budget processes and objectives in setting tuition and fee rates. The revised Regents' policy aligned with recently approved administrative policies UAP 8210 ("Tuition and Fees"), UAP 8215 ("Bursar's Office Operations and Services"), and UAP 1310 ("Student Fee Review Board").
 - August 14, 2015
 - **RPM 2.18 ("Guiding Principles")** – New Regents' policy to define the University's guiding principles, which provide a framework for institutional decision making. The principles were developed by a task force of constituent groups co-chaired by Dr. Melissa Bokovoy, Chair of the History Department, and Dr. Linda Ferrell, the former Bill Daniels Professor of Business Ethics at the Anderson School of Management.
- Administrative Policies revised following public comment:
 - January 8, 2015
 - **UAP 3435 ("Inclement Weather")** – The policy was revised to clarify that classes and laboratories that are normally scheduled to be in progress when the University has a delayed start due to inclement weather would begin at the delayed start time (instead of being cancelled) and will end at their normally scheduled time.
 - **UAP 3410 ("Sick Leave") and UAP 3440 ("Family and Medical Leave")** – The policies were revised to authorize staff employees to use sick leave for bonding with a child after childbirth, adoption, or a foster care placement. Previously, only annual leave could be used for bonding with a child.
 - May 15, 2015
 - **UAP 2060 ("Political Activity")** – The policy was revised to clarify the use of space and resources for political activity, and emphasize that the University must be non-partisan. The policy number changed from UAP 3735 to UAP 2060 to signify that the policy applies to faculty and students, not only staff.
 - **UAP 2295 ("Service and Assistance Animals")** – The policy was revised to make it compliant with federal regulations on assistance or comfort animals, as opposed to only service animals.
 - **UAP 2740 ("Sexual Violence and Sexual Misconduct")** – This oversized policy, which also appears in the Pathfinder, was created to comply with federal regulations and federal guidance related to sexual violence and sexual misconduct.
 - **UAP 3200 ("Employee Classification")** – The policy was revised to clarify when a formal recruitment is necessary, and when extensions and conversion to regular appointments are appropriate.

policy, clarifications of tax consequences and other matters, the revisions also reflect Human Resources' practice of covering mandatory student fees and differential tuition as part of the tuition remission benefit.

- **UAP 3790 ("Domestic Partners")** - The policy was revised to require one document as proof of a domestic partner relationship in place of the three that had been required.
- November 19, 2015
 - **UAP 3500 ("Wage and Salary Administration")** – The policy was revised to include a statement on pay transparency to comply with a new rule of the Office of Federal Contract Compliance Programs. An outgrowth of the Lilly Ledbetter Fair Pay Act, the rule is intended to promote pay transparency by protecting employees who share compensation information and concerns.
- May 20, 2016
 - **UAP 3430 ("Catastrophic Leave Program")** – Revisions added "parents" to the policy's definition of an "immediate family" member (see Section 3.3). This change allows staff who qualify for the catastrophic leave benefit to use the benefit for the care of a parent.
- June 13, 2016
 - **UAP 3600 ("Eligibility for Employee, Retiree, and Dependent Benefit Plans")** and **UAP 3700 ("Education Benefits")** revisions expanded eligibility for certain benefit plans. The changes ensure compliance with the Affordable Care Act (ACA), and were drafted by the Division of Human Resources in collaboration with Faculty Contracts. The changes provide benefits to certain temporary staff employees and adjunct faculty, who were not eligible for benefits. However, as specified in Section 2.1 of each of the policies, the changes are in effect on an interim basis from July 1, 2016, to June 30, 2017. Adopting the changes on an interim basis will allow the University to assess the economic consequences of adopting them on a permanent basis, and allow the University to address any further regulatory changes or clarifications that occur within the upcoming year.
- June 27, 2016
 - **UAP 3300 ("Paid Time")** - At the request of Staff Council, Section 7.11 was revised to authorize employees to take up to one hour of paid time for the preparation of a response to their annual written performance review.

The policy revisions listed above represent a fraction of total Regents' and Administrative policies revised in FY16. For complete information on policy changes, see the "News" tab of the UNM Policy Office website, policy.unm.edu.

hours, and to set an example for doing so. In particular, this includes extending a lunch break for fitness activities, with approval by the supervisor as described in Section 3.

Individuals who participate in fitness activity and wellness programming assume the risk associated with such activities. Participants are personally responsible for educating themselves concerning health and physical fitness issues before starting a program, including consultation with a personal physician.

Some examples of wellness programming on campus include:

- Recreational Services
- Human Resources' Employee Health Promotion (EHP)
- Counseling, Assistance, and Referral Services (CARS)
- Student Health and Counseling (SHAC)
- Campus Office for Substance Abuse and Prevention (COSAP)
- Continuing Education
- UNM Unified Wellness Alliance/Healthy U

Wellness programs may also be eligible for tuition remission; for more information, see UAP 3700 ("Education Benefits").

- **UAP 3700 ("Education Benefits")**

3. Employee and UNM Retiree Tuition Remission Benefit

The University will pay tuition for one (1) or more of the courses listed in Section 3.1, not to exceed the equivalent of resident undergraduate tuition for eight (8) credit hours each fall or spring academic semester, up to six (6) credit hours of which may be taken at New Mexico State University, and not to exceed the equivalent of resident undergraduate tuition for four (4) credit hours each summer session, up to three (3) credit hours of which may be taken at New Mexico State University, subject to the restrictions listed herein. Inclusive of the credit hours limitations listed above, and when applicable, ~~t~~The University will pay up to the resident graduate rate for academic graduate courses subject to the provisions of this policy. In addition to paying tuition under the Employee and Retiree Tuition Remission Benefit, the University pays for mandatory students fees and any differential tuition.