

Council of University System Staff (CUSS) Meeting

November 18, 2008

Bowie State University – Bowie, Maryland

In attendance:

Members

Linda Parker Ford BSU
Cynthia Coleman BSU
Marie Meehan BSU
Absent CSU
Absent FSU
Jackie Eberts SU
Carol Barr SU
Sheila Murray SU
Brenda Yarema TU
Absent TU
Karyn Schulz CUSS Co-Secretary, UB
Absent UB
David DeLooze UMB CUSS Member at Large
Roy Ross UMB
Colette Becker UMB
Ronald Kasl UMB
Mary Stapleton UMBI
Joe Hill UMBC CUSS Member at Large
Deb Geare UMBC
Jami Kasco UMBI
Gus Mercanti UMCES
Willie Brown UMCP-absent
Larry Lauer CUSS Chair, UMCP
Absent UMES
Scott Wibbert UMUC
Absent UMUC
Absent USMO

Alternates

Ronald Kasl UMB

Guest: Kevin Pothier,
Chair, Staff Council, BSU

Chancellor's Liaison to CUSS: USMO
Rosario I. van Daalen

Larry Lauer, CUSS Chair, called the **meeting to order**.

Cynthia Coleman welcomed the members to Bowie State University (BSU). Greetings were also made by the BSU's Staff Council Chair, Kevin Pothier. A warm welcome was also provided by Dr. Mickey Burnim, President of Bowie State University who has been strongly supportive of shared governance and CUSS, since his arrival to BSU, just two years ago. Dr. Burnim shared the strength of shared governance at BSU and how very active its members have been in CUSS over

the years. BSU has four shared governance groups that include Staff Council, Faculty Senate, Undergraduate and Graduate Associations and they all work together via the University Council. Dr. Burnim proudly discussed his vision for BSU to become involved with all constituents of the university's community. A recent fundraiser was held to raise monies for BSU and Dr. Burnim indicated it was a huge success. In his final words, Dr. Burnim informed the members that it was also Cynthia Coleman's birthday and wished her a happy birthday.

October **minutes** were reviewed and approved with changes.

Chairman's Report

The December CUSS meeting's date has been changed from Tuesday, December 16, 2008 to Wednesday, December 17, 2008 due to room availability at USMO. An email was sent to CUSS members indicating this change. Larry will invite **Chancellor Kirwan** to this meeting.

Larry could not attend the recent **Chancellor's Council Meeting 11/4/08**, sent a report that was distributed to the membership. The agenda for the CC meeting included a report on the Bohanan Commission and the status of MHEC in regards to tuition remission; the newly developed plan documents for the 403(b) required by the IRS; and textbook affordability concerns.

Larry informed members that he sent an email to the Chancellor, after the October meeting, to solicit a date for the Executive Committee to meet. The Chancellor's office will be scheduling the meeting. Larry indicated that the meeting will allow the Executive Committee to discuss ongoing concerns regarding shared governance and the lack thereof at different institutions. Larry wrote a discussion paper regarding shared governance that focused on three areas:

1. Shared Governance under BOR policy is mandatory
2. Board of Regents Policies are mandatory
3. Shared Governance bodies are independent partners

The discussion paper is intended to open the discussion that shared governance is not supported Systemwide and since it is a BOR policy, it needs to be enforced and support from the Chancellor. This paper was sent to the Chancellor as background to the meeting.

Larry opened the floor to a discussion about the paper and input from members. Larry indicated a concern that the Chancellor, who was very supportive of shared governance while president at UMCP, is under different constraints as chancellor. Members suggested that this concern be brought to the attention of the BOR if a meeting between the Executive Committee and the Chancellor does not occur prior to the next BOR meeting (**12/12/08**) Larry requested any follow up ideas or thoughts to be forwarded to him and he will send a revised copy to the members. Larry also indicated that he has not had a response to an email he sent to the Chancellor and Vice Chancellor Vivona regarding a work group to discuss merit pay for Nonexempt Staff.

Larry shared the list of members sitting on the **Bohanan Commission**. This commission is charged to determining how to create new funding model for higher education. A public meeting was held UMCP on **11/12/08** and while there was no representation from **CUSF**, there was representation from **AAUP** among others. Larry submitted testimony for CUSS that has been distributed to the members. The **Commission** discussed the following items:

- Make law to funding of higher education mandatory
- Equal access to higher education for all Maryland citizens
 - Affordability/accessibility
 - Education community should assist with internal funding support and partnerships with the state
- Stability of funding needs to be mandated
- Autonomy and accountability needs to be considered

The decision document by the Bohanan Commission is located on

There is also a state plan for higher education located on the website. Larry sent the draft of this document to CUSS members and is requesting each to review and submit issues of agreement or disagreement.

The BOR **Staff Awards** were discussed regarding how to enhance them and encourage more institutions to submit applications. The idea of creating a separate awards event is unlikely because of funding. A suggestion to include this during the Chancellor's Holiday party was discussed with support from the members. Other suggestions included putting the picture of the awardees on the website and/or in the Board Room. It was also suggested that the cycle of when someone is nominated and awarded be changed for next year. The timeline from nomination (fall) to when winners are announced (following September) is long and it was suggested to be shortened so the momentum is not lost. Members also agreed that there was no need to include faculty as a part of this process if the faculty did not want to join.

Report of the Chancellor's Liaison to CUSS

- **Rosario van Daalen** received an email from **Brenda Yarema** from **Towson University** indicating that health benefits for retirees may be in jeopardy. The email included a flyer from **AFSCME** that created a sense of authenticity to the message. The flyer indicated that retirees needed to go to Annapolis because of the threat of loss of benefits for retirees and active employees. Rosario used this example of why shared governance is so important and complete and accurate communication is crucial for everyone. She asked members that if anyone receives similar emails or flyers to contact their Human Resource Offices immediately as well as check with shared governance bodies.

- Rosario reported that there is an unfunded liability for health care in Maryland and a budget deficit of \$16 billion. She reminded the council that a Blue Ribbon Commission was established by the General Assembly to address this matter; USM has a seat at the table; a report is due on December 2010. The legislature is trying to figure out how to control the deficit and it is hoped that, in an ideal world, they won't touch the benefit for those who were "made the promise" of benefit coverage at retirement. There have been no comments, decisions or announcements made yet by the Commission.
- Rosario shared that most institutions have already scheduled a Holiday or institution closing on Friday, January 2, 2009. The calendar setting and decisions are made by each institution according to its business needs. Rosario told members that she sent a brief survey to the HR directors seeking information for their plans for January 2, 2009. Most will be using a holiday (Election Day) to close their institution; others will close, but employees will be required to use annual leave, yet others will be open on the 2nd since their Winter session begins on that day
- Rosario updated the council on the development of the 403(b) plan document according to the IRS requirement, due on January 1, 2009. She shared that the IRS has realized it needed to regulate the 403(b) plans (as it does for other plans) for issues such as assuring the correct amount was being deposited and not exceeding the maximum for the year. If the amount deposited exceeds the maximum per year then the overage would need to be returned to the employee which would affect her/his taxes. Rosario indicated that the employee/ vendor/USM are held accountable for tracking the maximum amount. The former "catch-up" provision has been removed for the plan effective January 1, 2009. Maximum contributions for calendar year 2009 have been increased by the IRS. Rosario will provide us with the exact amounts at the next meeting.
- A concern for federal changes to the Family Medical Leave Act (FMLA) would affect the USM policy. Rosario reported that the USM FMLA plan is more progressive as compared to the federal plan and believes our plan will remain intact. However, the USM is working with the AG's office to determine compliance.

Staff Affairs at UMCP

Larry shared with the members that at UMCP there is a new **Performance Evaluation Program** that includes only two categories: Meets Objectives and Does Not Meet Objectives. This new form was developed without input from shared governance. **Gloria Gaguski**, of **Towson University**, shared that a new form was provided to staff last year just before they were due for completion and that it was not discussed at shared governance. **UMBC** completed a survey regarding how to define the five categories of the **Performance Evaluation Program** but the results have yet to be shared. **Jackie Eberts**, of **Salisbury University**, indicated that they are in discussion regarding their Performance Evaluation form. **Colette Becker**, of **UMBI**, mentioned

that there are staff concerns for merit pay. **Larry** said he would use the Nonexempt evaluation form during his discussion with the Chancellor as an example of the lack of shared governance.

Committee Meetings

Executive Committee

The Executive Committee is seeking to meet with the Chancellor and will invite him to our December meeting being hosted by USMO. The Executive Committee strongly agrees that it is imperative that the support for shared governance begins with the Chancellor and those policies need to be equally enforced and not ignored. There was also a concern regarding negotiations of Memorandums of Understanding (MOU) and applying the decisions to excluded staff without shared governance participation. Also to be discussed would be the need to be included in discussions regardless of the issue (i.e. parking at UMCP/USMO), and the lack of information regarding changes in policies in respect to communication issues.

Also of concern is the merit pay issue for Nonexempt Staff employees. Should this be discussed with the Chancellor, submitted to the BOR? Merit Pay for Exempt versus Nonexempt Staff and union negotiations (sharing of information) are also concerns of the Executive Committee and will be discussed with the Chancellor.

Legislation: **Roy Ross** reported that a letter was drafted and mailed to Governor O'Malley to request that consideration be taken in respect to the budget and staff at institutions of higher education. The letter included contact information for the CUSS Chair, CUSS Vice-Chair, Legislative Committee Chair, Past-Chair of Executive Committee and a member of the Legislative Affairs committee. Members reviewed the letter and discussed ways to strengthen our message. Suggestions included being direct but not condescending and attaching the newsletter as supplemental information about CUSS. **Roy** also shared the draft of a similar letter that will be written and hand delivered to legislative representatives in both the Maryland House and Senate in hopes of fostering conversations pertaining to the budget and staff at USM institutions. **Rosario** presented the idea that people not involved in the USM do not "realize" the work USM staff contributes and that any documents submitted to the legislature need to provide the importance of our role within each institution. Other suggestions included defining the acronym of CUSS, adding Roy's name and title as well as possibly adding Larry's name and title. **Joe Hill**, of **UMBC**, suggested the members submit information pertaining to their voting district so the Legislative Committee can be strategic in delivering the letters.

A question surfaced regarding a CUSS Legislative Day in Annapolis. Would it be more beneficial to go on Maryland Day with support from the system?

Benefits Compensation: **Jackie Eberts** reported that she is still trying to secure an updated list of discounts for USM employees but is experiencing difficulties since the discounts are not on one list and vary from institution to institution. She will seek more information through Human Resources.

The **Teleworking Policy** is still not formalized and procedures exist individually at each institution. The drafted USM policy is created to provide flexibility for each institution. It is temporarily on hold until the institutions submit their plan to decrease their carbon footprint. There is still a fear from middle management that if employees work from home they will be less productive, with less accountability. It was agreed that more often than not, employees who work from home are more productive due to a decrease in interruptions. **Rosario** shared that the Chancellor has discussed the policy with the presidents; she has also asked HR offices to continue to develop their own procedures. Guidelines are available from some of the USM institutions and also on the State of Maryland policy. **Joe Hill** voiced his concern that a policy does not need to be in place in order to move forward and if institutions want to move towards decreasing their carbon footprint, a teleworking policy would have a positive impact.

Communications : The Executive Committee will review the newsletter and **Colette** will work with **Jami Kasco** to finalize the newsletter. **Larry** will make copies for distribution once the newsletter is complete. **Jami** will check with **Kimberley Lynne** for an updated CUSS membership list. All other updates to the website are to be submitted to the USMO Webmaster.

Community Development – did not meet.

Old Business:

The newsletter was discussed and will be finalized and distributed shortly.

New Business:

Larry encouraged as many CUSS members to attend the Chancellor's Holiday Open House being held on Sunday, December 7, 2008 at Hidden Waters.

Rosario expressed concerns that few CUSS members attended the recent Conference held by the Women's Forum on November 13 and hoped it would receive greater visibility. She also received a request that a representative from the Women's Forum wanted to attend the monthly CUSS meetings. Rosario also indicated that the By-Laws indicate that CUSS meetings are open to the public. The members agreed, that since the By-Laws do not specify specific populations, anyone can attend the monthly meetings but cannot vote and, if there is a need to have the meeting become a "closed door" meeting, CUSS reserves the right, via the By-Laws, to do so.

Next meeting:

CUSS meeting Wednesday, December 17 at USMO

Minutes respectfully submitted by Karyn Schulz, UB, 12/4/08