

Staff Concerns—June 2016

****CONCERN (submitted 6/13/2016)****

There has been talk floating around regarding the new Federal Labor law that mandates anyone who makes less than @\$47,000 and is classified as exempt to be moved to non-exempt pay status. Employees who will be affected want to know if that means they will be without a paycheck for a month as non-exempt employees must work a month before they see a paycheck. This is going to be an even more extreme hardship on our employees than the reduction of one day's pay due to furlough we are now mustering through. Please advise staff as soon as possible what the protocol will be on how they will get paid once they are moved to non-exempt. This is going to cause a severe financial hardship on employees with a devastating impact to some families, especially staff who are one-income households.

****CONCERN (submitted 6/29/2016)****

Has there been any discussion on how the new Department of Labor overtime ruling will affect current exempt employees?

RESPONSE via email from Harold Nally, Director of Human Resources:

The featured change in the DOL's FLSA rules is an increase in the salary minimum to the 40th percentile of full-time salaried workers from the lowest wage Census Region. This would raise the salary threshold from \$23,660 per year (\$455 per week) to \$47,476 per year (\$913 per week). These changes take effect on December 1, 2016.

Currently the Human Resources Department is working through the fine details to address these changes and an extensive communication plan laying out the transition strategy will be forthcoming soon. This communication will also outline the details a "bridge the gap" payment for the missed pay check. Harold

****CONCERN (submitted 6/14/2016)****

I have been an employee at MSU for many years and have a few questions concerning how employees on campus are being treated by HR employees. How long does it take for an HR Representative to reply to emails? Should it take 2 weeks or longer and even never? How long does it take an HR Representative to return phone calls? Should it take 3 weeks or longer or never? Why is it when we call HR we can never get to speak with an HR Representative and are actually told they are "too busy to talk" at the moment? This is getting ridiculous. HR is supposed to be working for ALL MSU Employees, not just the ones who work in HR or the ones who call themselves HR employees. The only person who was able to speak on the phone or even answered the phone was let go and now all we get to talk to or leave messages with is a student worker. Also, when we finally did get to speak with an HR Representative this person was very rude and said they were very busy and we just needed to send an email and someone will get back which we know how that goes. Why are HR Representatives so rude to MSU Employees? When can MSU hire HR Representatives who will actually Represent MSU Employees? I have mentioned this to the HR Director Mr. Nally as others have and its obvious nothing is getting done. If we can't rely on HR who do we rely on? This is just another example of people NOT doing their jobs when employees need HR assistance. I am a staff person at this university and I am held countable to uphold my job duties and not pass off to someone else. If I were to treat people as HR is treating employees i would probably be looking for another job. I appreciate you visiting these concerns.

RESPONSE via email from Harold Nally, Director of Human Resources:

Thank you for your letter of concern regarding the quality of service you state you received from the Human Resources Department. Our goal is to deliver the best possible service to all MSU employees. Having said that, I would welcome the opportunity to fully address this employee's concern. I've spoken to Scott Niles, the new Staff Congress Chair, with a proposal to address this employee's concern. Should this employee accept an opportunity to discuss their experience in more detail, I will ask them to contact Scott Niles and the three of us can meet at a scheduled time.

****CONCERN (submitted 6/22/2016)****

UAR 324.03 states that current MSU employees who are promoted to positions on campus are limited to a 7.5% raise, or the entry level of that pay grade, whichever is greater.

There are two upcoming personnel changes that seemingly go against this UAR. One is an academic chair who is moving into an executive director position at a much larger salary. While one might argue that this is the creation of a new position, the other change is an ADS who will become a "research and contract administrator." This is an existing job on campus in research, grants and contracts. However, this person will apparently receive a raise much larger than both 7.5% and the bottom of the compensation scale.

I would like to know how this is fair to other employees on campus who have changed positions with only a 7.5% raise, and how the administration can justify this.

I feel like this sends the message to all MSU faculty and staff that certain people do not have to follow the rules, and it damages the already fragile morale among faculty and staff on campus.

I don't want to point fingers at specific people or use names, but I do think the campus deserves a straight answer. Do these job changes and salary increases violate UAR 324.03? If so, what recourse do other employees have? If they do not violate the UAR, then please clearly explain how and why they do not. Thank you for your consideration.

RESPONSE via email from Harold Nally, Director of Human Resources:

UAR 324.03 may allow for exceptions for an employee to receive a greater than 7.5% raise under certain circumstances. In accordance with the Reassignment section of UAR 324.03 the President shall determine the salary.

UAR 324.03

Reassignment: A reassignment is the transfer of an employee from one position to another at the direction of MSU's President. The transfer may be voluntary or involuntary. A reassignment may be to a position in a higher grade, lower grade, or the same grade. Employment terms such as salary, probation, contract period, etc., shall be determined by the President.

****CONCERN (submitted 6/23/2016)****

Our part time staff member did not receive a pay check on 6/15/16. She was told that it was due to MSU going ahead and changing pay in accordance with the new state statues. Since she is hourly and part time, how do the new laws affect part time employees? Also, when someone does not receive a pay check for some reason, isn't there a way to email them and let them know a head of time?

RESPONSE via email from Harold Nally, Director of Human Resources:

On May 18, 2016 the U.S. Department of Labor issued new regulations on the minimum salary required to be in exempt status. That salary threshold is \$47,476, annually or \$913 per week. These regulations do not apply to Graduate Assistant positions or positions where the primary responsibilities are teaching. All part time employees making less than the new minimum salary required to be in exempt status will be switched or hired as hourly. All hourly employees are paid "after the fact" or in "arrear".

Concerning what this person was told, without specific information, I cannot fully address this person's individual claim concerning her June 15, 2016 pay check.

In addressing this person's question regarding an email system to alert employees, currently, there is not an automatic mechanism to send an email to those employees that miss payroll. All departments are encouraged to be monitoring the documents used for hiring employees (i.e. Workflow, PAR, and People Admin). The departments should also be monitoring time entry (Web Advisor, Time Clock and/or email). Having said this, the designated person in each department should be aware when someone in their area may miss payroll.

****CONCERN (submitted 6/28/2016)****

There seems to be more and more positions filled at MSU with no job postings or opportunities to apply. People are simply moved into positions. Some recent examples include the director of housing, and the assistant director of Academic Advising and Retention. Why is this happening? There seems to be no rhyme or reason why some positions are posted and others are not.

RESPONSE via email from Harold Nally, Director of Human Resources:

While this employee may perceive that people are being moved into positions for “no rhyme or reason”, it is important to understand there are times when it may be the best option for a department and in the best interest of the University to exercise an alternative to requesting a full search. In the event where it is judged that continuity of personnel is critical, a department may need to place an existing employee in that vacant position to ensure service during peak or critical periods. Appeals to fill a position through a search waiver are scrutinized by the HR Department, Budget Office and the Chief Diversity Officer, and it is incumbent on the department making the request to justify such an action.

The Human Resources Department understands employees desire to develop their professional skills that will enable other opportunities and promotions. The HR Department is committed to ensure employees are afforded opportunities to advance.

Below are charts that examine staff postings, reassignments, and search waivers for the past six (6) months (January 1, 2016).

Recruitment

Jobs posted since 1/1/2016	56
Graduate Assistant Positions	26
Staff Positions advertised	30
Of the 30 staff positions:	
 Canceled, not filled	4
 Currently posted	6
 Filled	6
 Closed, no longer accepting apps	14*
*interviewing in process	

Search Waivers

Total Staff Search Waivers since 1/1/2016	7
Breakdown by Division	
Academic Affairs	2
Admin. & Fiscal Affairs	0
Student Life	4
University Advancement	1

Reassignment

(Does not automatically infer a salary increase)

Total Reassigned staff employees since 1/1/2016	12
Breakdown by Division	
Admin. & Fiscal Affairs	6 @
Academic Affairs	5 #
Student Success	1
@ three (3) dislocated employees reassigned to other positions as an alternative to a layoff	
# one (1) dislocated employee reassigned to another position as an alternative to a layoff	

****CONCERN (submitted 6/28/2016)****

It has been 2 years since I have had a performance evaluation. Is this something MSU no longer wants supervisors to do? How do employees know if they are doing a good job or a bad job?

RESPONSE via email from Harold Nally, Director of Human Resources:

Staff employees should receive an annual performance evaluation each year. It is a major responsibility of a supervisor to provide objective feedback to their employee(s) concerning their job performance. Not only should employees receive feedback regarding their performance for the year, but the evaluation system is an essential planning tool to set goals for the coming year.

My advice to you if you are comfortable, is to approach your supervisor and request an evaluation. If you are not comfortable with this approach, you are more than welcome to call the Human Resources Department so that we can discuss. Harold