

Staff Concerns – April 2016

There were no concerns submitted to Staff Congress in April 2016.

May 2016

CONCERN: A Morehead News article on 5/20/16 stated that MSU only laid off 21 employees instead of the 30 that was publicized on campus. While it is great that less people seemingly lost their jobs, how does this work given the president's email to campus on 5/5/16 that said even with 30 job losses, it still did not cover the full budget deficit? I think the campus would be interested to know how this math works. Thank you.

RESPONSE: Via e-mail, Chief Financial Officer and Vice President Beth Patrick stated:

We are still eliminating the same positions or positions of equivalent value that was identified in the initial communication. The number of employees impacted by layoff reduced because of multiple reasons. We had some employees in positions identified for layoff turn in retirement or resignation noticed before being notified of layoff. Also, new vacancies created since the initial count provided the ability to reassign or switch position funding that prevented some employee layoffs.

So, in short, the same value of personnel reductions is being implemented but more will be from vacancies or other part-time/other wage accounts so impacting fewer current employees than initially required.

CONCERN: So during the reduction of staff, Human Resources followed PG 58. I would like an explanation of the policy explaining how someone who lost their job could apply or "bump" and/or take the job of another employee in a different department. How does this resolve any budget issues?

RESPONSE: Associate Director of Recruitment & Employment Michelle Hardin stated via e-mail:

Per your request, I'm following up to your request after the Staff Congress meeting today. Concerning the policy relating to reduction in force, there were two interpretations of our current policy. One was that layoffs would be conducted by seniority by job title within the unit and the other by seniority within the unit. The layoffs were originally determined by seniority by job title within a unit. Upon a read of the policy, one construed that the policy indicates layoffs should be determined by seniority within the unit, meaning that bumping employees with less seniority was a possibility. Because there were two

interpretations, the policy was sent to external legal counsel for an opinion. It was determined that the policy does not require bumping. Therefore, bumping will not take place. In addition and although the policy does not require MSU to look outside a unit for placing laid-off employees whose positions have been eliminated, we have done this where vacancies are available and when laid-off employees qualify for positions (vacancies). I'm quite sure the policy made sense during development but when actually implementing such a strategy, lack of clarification can be detected. As you know, MSU has not had a layoff of this significance since I've been employed (27 years); therefore, the policy had not been tested. Now that we've been through the process, there are intentions to take a closer look at the policy to determine if revisions should be made relating to clarity. --If you have further questions, let me know.

CONCERN: I have a question regarding UAR 327.04 (Tuition waiver). The amended date on the UAR state November 2015. I don't remember this being brought to the attention of the staff. How does the process for changing and UAR such as this work? Who brings it before the BOR? Are the BOR the only people who have feedback on the changes and approval of the proposed changes? What is the process of notifying staff of changes to UARs? As I stated earlier, I don't recall any staff being notified of changes to this particular UAR. This will have a negative impact on employees who utilize the tuition waiver for dependents spouses and/or dependents as they can only utilize a total of 12 hours of the tuition waiver assistance. Thank you for your timely response to my inquiry.

RESPONSE: Associate Director of Recruitment & Employment Michelle Hardin stated via e-mail:

I need to make a correction to my response at the Staff Congress meeting today. I was actually aware of the changes to UAR 327.04, but had forgotten them because there were no substantive amendments in terms of benefits. The changes adopted on November 19, 2015 were initially in response to the addition of Winter Term. The new term was added to help increase revenues at MSU and when this was indicated by administration, Teresa Lindgren began a re-draft of the UAR to include Winter Term. I worked on the form to ensure the term was added as well. While working on both these documents, a representative from Financial Aid (this office administers the program) suggested some clarification language too. In summary, the following amendments were made:

- The "Winter Term" was added to the form and regulation so an employee or dependent could request courses during this term.

- The language about an eligible dependent and age was clarified as it was awkwardly written in the prior version of the regulation. The application is the same as it always has been.
- Relating to deadline dates for tuition waiver forms, the following sentence was added. “Should any of these dates fall on a weekend or holiday, the form is due on the following workday.”
- A clarification sentence was added regarding the application of tuition waiver and scholarships. “Students receiving other tuition specific scholarships or awards may not receive the waiver.” Because tuition is the only item our tuition waiver benefit covers, this sentence emphasized that both cannot be applied. The scholarship for tuition is applied first. If the scholarship covers the whole tuition, then the tuition waiver is not applied. If the scholarship covers only a portion of the tuition, the tuition waiver covers the remainder of the tuition costs. However, if an employee or dependent has other types of scholarships, that are not limited to tuition, then the tuition waiver can be applied first and the other scholarships last. The scholarship can sometimes create a refund for a student but a tuition waiver will never result in a refund. Processing has never changed. The verbiage was clarified so there is no misunderstanding.
- Finally, the followed sentence was removed, “Employees enrolled under the provisions of this program are not entitled to utilize the regular services of the Caudill Health Clinic.” All students are eligible to utilize the clinic, including employees taking classes; therefore, the sentence was removed. And more recently (last couple of years), the clinic has opened services to all faculty and staff regardless of student status.

I hope this clarifies the questions concerning the changes to the regulation. If the regulation was not shared, I recall it was imminent to get the form and regulation revised so Winter Term would allow for tuition waiver processing. Possibly, because there were no changes to benefit levels (and only items clarified, added or removed that benefit employees and dependents), administration did not deem it necessary to be reviewed by the governing bodies. Communication of policies and regulations are conveyed down through the supervisory channels. There was a communication that indicated the deadline for registration and tuition waiver for winter term to the campus community. The communication was not framed in a way that indicated a regulation had been changed, again likely because there were no substantive changes. I will recommend to Harold that he speak with the VPs about communicating all changes to policies and regulations to the campus community in some type of mass communication form. He is also copied on this correspondence. If you have further questions, let me know.