

Minutes

Provost Level Employee Communication Council meeting – January 11, 2005

Present: Jo Ann Addison, Brian Bader, Brenda Boyd, Alan Cohn, Heather Cullop, Deirdre Davie, Vickie Faulconer, Iva Gillet, Severyn Hanusz, Jennifer Hitchcock, Carolyn Laquatra, Carole Lohman, Chris Loss, Becky Marshall, Kent Merritt, Rebecca Peters, Rob Schuett, Faye Snyder, Glenn Taylor, Jean Varner, Nancy Rivers (guest speaker), Linda Way-Smith (guest speaker), Barbara Schroeder (guest from Environmental Health and Safety), Susan Chisholm (past Council chair)

Council Chair Jo Ann Addison called the meeting to order and attendees introduced themselves.

Nancy Rivers, who is both the Executive Assistant to Vice President for Management and Budget, Colette Sheehy, and the Director, State Government Relations, and has been in her job since 1998, spoke first. She praised the Council for being very informed and said she wanted to open her presentation to discussion as quickly as possible since there is a lot going on legislatively in Richmond related to UVA Human Resources (HR) and personal interests of UVA staff.

With charter status in the news, UVA has “been out” a lot in the fall of 2004 getting for example lots of coverage in the Daily Progress. Ms. Rivers’ office needs to facilitate getting factual information (i.e., translating a different language) to UVA from Richmond. One of the hardest aspects of her work is to keep up with the press which gets news out quickly and can make people anxious. There are thousands of bills per legislative session and ten days to get them out. The largest session was last August, and, this being an election year, legislators welcomed the fall break between last August and January 12 when the next session convenes.

Ms. Rivers handed out copies of the 2005 General Assembly Session Dates which is found at:

www.virginia.edu/governmentalrelations/2005_Session_Calendar.pdf

She highlighted several important dates for the session. January 21, 2005, is the last day new legislation may be introduced. There is no charter

legislation as of now. February 8 is the last day for each house to act on its own legislation, and February 26 is when the General Assembly adjourns. In addition to charter status for higher education institutions, transportation is another important issue.

Virginia Governor Mark Warner is acting conservatively on the budget and treating the \$1 billion dollar surplus as a one-time event. The three percent salary increase for UVA staff came from money put away last year. UVA's budget is to include \$700,000 for graduate student financial aid, \$1 million for research, \$5 million for construction/building repair, and \$155,000 for nanotechnology.

At the January 7, 2005 legislative forum at UVA, Virginia House of Delegates member Mitch van Yahres gave a good presentation. Typically it is hard to get speakers to stop talking; the format of opening up the forum to discussion up front was a departure from past experiences. Since November 2004, the charter initiative has become a higher education proposal involving 16 public institutions. UVA's perspective is that it is best to have all agree before legislation. A start of discussion on the initiative is to begin today, and Governor Warner's January 13 speech may cover it.

Enacting charter status is basically a three-step process.

- 1) work on legislation and enact a statute
- 2) achieve more autonomy (especially capital since most institutions want relief from state processes in this area)
- 3) work out detailed charter legislation

| The public institutions have come together on autonomy but want to have their own comfort zones. The governor and legislators are looking out for the Commonwealth's best interests. There has been two decades of stagnation and seeking charter status, with associated process simplification, is one way of addressing this.

Ms. Rivers said that questions with concerns about charter status may be sent to her, President Casteen, Leonard Sandridge, and Collette Sheehy. They have already received lots of email, positive and otherwise.

The floor was then opened for questions and comments for Ms. Rivers.

Q. If the chartered institutions will be political subunits of the Commonwealth, then in what fashion will they meet with the arrangements of Article VII of the Constitution, which lays out the arrangements of local governments in Virginia? Are these new chartered schools to be completely new forms of a political subdivision? If not, are they to be "regional governments" or "other units of government" (in the words of the Article) and therefore to fall under the provisions of the Article, especially the sections governing appropriations and debt. If they are to be entirely new legal entities that stand coeval with the towns, cities, and counties, which units owe their existence to the Article, then reasonably how can they come into being without changes to the Constitution?

A. A constitutional amendment is not necessary. The general counsel's office and UVA's top management are working out "downstream" effects of component change and doing its best to preserve best benefits for staff. For example, retiree health benefits are lower for people working in a political subdivision. The legislative process involving the governor, legislators, and participating institutions can change things, however, and the outcome is not known.

Q. In accordance with 23-38.107 B...the Board of Visitors of [the Participating Institution] has approved a plan for its human resources system for its non-faculty Charter Employees that is generally consistent with the principal features of Chapters 28 and 29 of Title 2.2 of the Code of Virginia, pertaining generally to state employees..."In accordance with 23-38.107..., the Board of Visitors of [the Participating Institution] has approved a plan for its human resources system for its Charter Employees that is consistent with the requirements of § 23-38.107 and its enabling legislation."What is that plan? Are we to be employees of the Board of Visitors or to remain employees of the Commonwealth or to become employees of an abstract corporate entity?

A. Staff would be public employees of a chartered university still working for the State of Virginia. Legislation says the Board of Visitors must approve a human resources program with compensation, grievances, benefits, etc. Documents concerning this program have been posted but we are "so far out of it" we cannot be sure exactly what it will look like. Currently, the idea is to keep them the same as now but as time goes on changes could be made to diverge from the Department of

Transportation for example, because UVA is a 24/7 institution with unique needs and operations. Policies under consideration are very general and based on exactly what was approved for the hospital's codified autonomy, but this does not mean we will go down the same exact path as the hospital. Concerning in-writing guarantees of what we currently have for benefits (as mentioned by library staff), policies are always on the table and UVA will continue to run as openly as possible. (Maintenance of current benefits is a key thing being asked by many staff.) Implementation of the Virginia Sickness and Disability Program (VSDP) was mentioned as an example comparable in its enactment in which "it arrived."

Q. What are some details on the \$700,000 for graduate students?

A. The governor is proposing this. It is additional money for one year (2005-2006) and would be put in a pool for use against debt in the graduate area.

Q. Is Fayerweather Hall covered by money for building cost overruns?

A. Yes.

Q. What was the source of the name "charter?"

A. It was chosen by lawyers. The real concern for going charter is to gain control over revenues and tuition which in the last few years have been held back. The name stuck because people know about it.

Q. There is sentiment that Virginia Tech and William and Mary people are better informed about charter. According to a *Daily Progress* newspaper type, there are not as many questions from these institutions as from UVA.

A. UVA is working hard to answer questions. It is hard to communicate without something nailed down (Vice President for Management and Budget Colette Sheehy is in the middle of proposals) and an effort is made to get information to local legislators because staff will come after them.

Q. What about a Roanoke area legislator's proposal to roll back tuition?

A. There are tons of proposals, some in conflict, and House Appropriations and Senate Finance must sort through them in 46 days. The governor has

some input, too. The Fiscal Impact Statement document gives an analysis of tuition changes.

Q. Proposed for the Board of Visitors is a faculty representative (in addition to the existing student representative). What about a classified staff representative?

A. This is a Board of Visitors decision. President Casteen refers such questions to the Rector, Mr. Rainey.

Linda Way-Smith, Director, Division of Employee Benefits, spoke next about worker's compensation. (Also present at the meeting was Barbara Schroeder from Environmental Health and Safety (EHS).)

Ms. Way-Smith gave an overview of workers' comp information as found on the web at:

<http://www.hrs.virginia.edu/wcomp.html>

A basic UVA employee responsibility is to be safe, but if there is any problem it should be reported immediately to a supervisor. If necessary, one should go to the emergency room at UVA or Martha Jefferson hospital which report any treatment performed for an accident. Basic supervisor responsibilities include receiving safe workplace training and providing an injured employee a copy of the workers' compensation attending physician panel. (An employee injured on the job cannot/should not see a primary care provider for an on-the-job injury but should rather choose a physician from the panel.) As for a graduate student injury: if a student cuts a finger in a lab, he or she should report it as a workers' event. If injured on the basketball court, one should report to Student Health or UVA Work-Med.

Ms. Way-Smith handed out copies of the Employer's Accident Report, a form which can be filled out over the phone in the event of an accident. Concerning Manage Care Innovations (MCI) problems as reported by Ralph Allen of EHS, such as when a supervisor does not know proper codes to use in an accident report, Ms. Way-Smith noted that MCI is large and deals with lots of people and events and does not move with the speed that Mr. Allen endorses. (MCI is UVA's workers' compensation insurance carrier.) UVA is trying to close as many gaps as possible. For example, process simplification changes recommended for workers' comp have been added to the website.

Return-to-work issues and approaches differ among UVA departments. They are considered very important at the hospital and should receive more attention on the academic side in the future.

Concerning the relationship between short-term disability and workers' comp, VSDP short-term coverage begins if one is out for more than seven days (the first seven days are taken from one's own leave). Workers' comp concerns funding issues. It is used to pay medical bills and for income replacement. It was pointed out that these definitions/distinctions/clarifications were not on the website (they are in the employee handbook); Ms. Way-Smith will raise it as a useful website enhancement.

A council member had a recent experience with needing pain medication for an injured finger and found that drug approval is not a 24/7 service (via First Script) which was a great inconvenience because her schedule only allowed certain times to visit the pharmacy. UVA Human Resources (HR) has no control over this. One stop gap solution suggested for such a situation was to get a painkiller from Work-Med.

Another concern raised was about the low probability of supervisors, who are faculty, knowing about the Employer's Accident Report form. Ms. Way-Smith indicated that this is a supervisor training issue and that some department's post procedures very conspicuously and get Linda Coiner of Workers' Compensation to come over and brush up on procedures. Ms. Schroeder noted that supervisors are not always up to speed on workers' comp and need brief, detailed step-by-step processes. She also noted that in a case where a supervisor forces an employee to go and receive immediate treatment and a claim is denied by workers' comp then the employee can be stuck with high medical bills. Ms. Way-Smith suggested that some solutions to the above concerns are 1) to print/download paper copies of the procedures, 2) to make plans for more supervisor training, and 3) that a department should have to cover medical costs if it forces an employee to get workers' comp treatment and the claim is denied.

Alan Cohn mentioned that there are thousands of policies related to the subject and that they are out of mind and sight until something happens and then only those that are needed are remembered. One role for Council members, he suggested, is to see how it works in their areas, and check if

information is being passed down by deans and department heads. There are HR representatives everywhere around grounds and they should be identified. Send suggestions about communications issues to Mr. Cohn. (For example, the move of IQ Health a while back was reportedly only found out when a claim was made. Ms. Way-Smith replied that all employees were emailed about the move.)

Concerning the mailing of hard copy (paper) memos on workers' comp, Ms. Way-Smith said that at 3 cents a page for copying, and 12,000 employees to consider, it is basically not worth it. She also noted that those staff with the least computer access have the best communications.

On old business, a Council member discussed an experience over Christmas break in which a custodial worker, without prompting, brought up the changeover to online pay stubs (a topic at the December 2004 Council meeting). The custodial worker was concerned that co-workers who are illiterate and not computer savvy, would have problems accessing the stubs online. The Council member emailed Mr. Cohn and the Council Chair and Vice-Chair. Within three days, the custodial worker mentioned to the Council member, on a positive note, that training was forthcoming for her area and that custodial workers were being notified in writing and were told not "to panic." Ms. Schroeder pointed out that eight different languages are spoken among the 800 facilities management and 300 housing staff members, highlighting the communication challenges associated with these personnel. Mr. Cohn said that if someone is advocating for another staff member, one should get in touch with him to get a quick answer.

It was reported that a Computer Science faculty member had difficulties accessing the online paystub and had widely disseminated the experience via email. Ms. Way-Smith reported that the event was being investigated.

The deferred savings program was discussed. One Council member recounted the difficulties he experienced trying to enroll such as not hearing back on the phone from an HR person in answer to his questions and being told that he needed to travel to HR to enroll/pick up necessary forms. Ms. Way-Smith promised to send via messenger mail the necessary forms and noted that, in the program, HR is working with vendors who do not cooperate with one another. Another Council member reported that enrollment had taken over one month and suggested that, to lessen intimidation of potential enrollees, the program be better advertised as not

being like the stock market ("relatively safe"). It was pointed out that the services offered by the three vendors participating in the program are basically equal.

Finally, Mr. Cohn mentioned that in order to provide better information about employee benefits and other matters, the Resource/New Hire Fair might be made open to all staff, not just new people.

The next meeting, with Gene Block and Leonard Sandridge as guests, is scheduled for the Rodman Room in Thornton Hall on February 8, 2005. Questions should be sent in by January 28.

Submitted by Brian Bader