Labor-Management Council Minutes

Meeting Date: January 5, 2016

Cochran Room, Kilcawley Center

**In Attendance:** Dr. Martin Abraham, Provost and Vice President, Academic Affairs and Council Co-Chair; John Beshara, Chief of Police-YSU; Allan Boggs, Director, Labor Relations; Dr. Annette Burden, Council Co-Chair (OEA); Jacci Daniel-Johnson, Alternate APAS; Dr. Mary Lou DiPillo (Faculty Relations); Ms. Connie Frisby, President of ACE; Gabriella Gessler, Student Government Vice President; Dennis Godoy (FOP); Neal McNally, Vice President, Finance and Business Operations; Ashley Orr, Student Government President; Dr. Stephanie Smith (Director, Faculty Relations); AJ Sumell, Vice President of OEA; Edward Villone, President of APAS and Brittany Bowyer, Office of VP for Finance and Administration.

**Meeting Topics:**

**Council Introduction –** The council welcomed two new members at the meeting and went around the table to introduce themselves to Ms. Gabriella Gessler, Student Government vice president and Mr. AJ Sumell, first vice president of YSU OEA.

**Budget Update –** Mr. McNally stated that he did not have much to report as the fourteenth day numbers are not available yet, since spring semester has not started. He also mentioned the State Share of Instruction has not yet been released due to staff turnover within the Ohio Department of Higher Education, formerly Ohio Board of Regents (OBOR), but noted that YSU receives about $3.5 to 4 million in state funds per month.

**Charitable Donations –** Ms. Frisby told the group, the ACE union purchased and distributed grocery cards to union members and donated to charity. Dr. Burden said YSU OEA union also donated contributions to various charities. Mr. Villone informed the council that APAS has also made charitable donations and was waiting to hear back on some grant money to donate to animal rescue.

**Emergency Alert System –** Chief Beshara provided an update to the council regarding the new emergency alert system to be used by the police department. The contract with the new vendor RAVE Alert, which is used by other Ohio universities, started January 1 and a pilot system is currently being test. He said the new system is simple to use, has more features and is considerably faster than the old WENS system. The old system would send out alerts 10-15 minutes after it was initiated by campus police and since there are about 20,000 current contacts the alerts would reach everyone at different times, so about another 10 minutes later.

He said the old system was good, but not good enough considering the slow pace at which alerts would be sent especially in an event of an active shooter. He said an incident like that could be over in minutes before police could send out an alert. Alerts can be sent from the new system via text, email, Facebook and Twitter. He mentioned that since there was no transition path from the old system to the new one, everyone would need to sign up for the new system on their own. He stated that when the new system is up and running, Ron Cole will send out an email notice to all current YSU email addresses informing the campus of the new alert system and how to sign up for alerts.

Another feature Chief Beshara likes is that the new system does periodic cleanings. Every fourteenth day of each semester and then once a week to removed unused email addresses from the system to keep the system from running slow. Lastly, he said the current YSU alert system will send out emergency notifications to registered users until March 30, 2016 at which time the new system will be used going forward.

Dr. Burden asked if there was anything she could do to help get people to sign up for the new alert system. The Chief said it would be helpful for all campus leaders to help push people to sign up. Her reply was that maybe the union presidents could send out a separate email from Mr. Cole’s communication urging members to subscribe to the new alert system. Ms. Orr said student government will work to push students to opt in to the new system as well. Dr. Abraham mentioned that Dean Sal Sanders should be made aware of the new system, so he and his staff can inform graduate students to sign up as well. Ms. Johnson asked the Chief if parents should be aware of the alert system. He told her that when he speaks at SOAR sessions, he tells incoming students and their parents about the alert system.

**The Rock Painting Incident –** Chief Beshara told the group that the rock painting incident is still being investigated and that they are determined to find out who is responsible. When they find the person responsible, he said the first question he would ask them would be what does the phrase “We are coming” mean. He informed the council that before this incident the university has been in the process of installing closed circuit television (CCTV) cameras throughout campus, but unfortunately did not have any installed yet on the campus core. They are in the process now of creating and designing a plan to install cameras for maximum coverage of the core especially at night. Dr. Burden asked what the cameras would cost. Chief Beshara said at this point he is unsure of the cost, but said the only cost would be for the purchase of the equipment, since our campus IT department will install and utilize the purchased equipment.

**Cancellation and Closing Procedures for the University –** Dr. Abraham asked the council to read the Cancellation & Closing Procedures for the University that was copied from the YSU website (see attachment) and emailed to the council with the agenda. He said faculty, staff and students need to pay attention to what is going on and what they should do if YSU closes. He said once a safety evaluation and determination by John Hyden and Chief Beshara are made, Mr. Cole will send out email notifications about the closing as soon as possible. Mr. McNally also encouraged the council to read the section on ‘A note on low temperatures’ as various complaints from individuals on campus and parents of students want to know why YSU does not close when other local schools or other universities do.

**Emergency Closing 12/29/15 –** Mr. McNally said the University had to close on Tuesday, December 29, 2015 due to a power outage that occurred after a scheduled campus wide power outage the day before. The closing was due to an explosion, resulting from the underground powerlines having become wet from the extraordinary amount of rainfall on December 28th. There was a dispute on who owns the cable lines and that is being worked out. There was supposed to be another power outage scheduled for Sunday, January 3, 2016, but was cancelled. Mr. McNally said this outage would be rescheduled and may take place during spring break, but no date has been set.

In regards to the outage, it was brought up that students living in the University Courtyard Apartments had no power and were notified that they would need to find somewhere else to stay at 3:30 a.m. Ms. Orr said this was correct and that she lives at the apartments and received updates every 90 minutes. Her concern was for students that lived in the apartments, but were from out of state or were international students that had to try and find a place to stay. She said there was no follow up on what to do next. She said a plan should be in place for the future and students should be made aware of the plan and also have a plan B for themselves. Mr. McNally said he wasn’t sure about temporary housing arrangements for the students, since that would be associate vice president for Student Experience, Eddie Howard’s area. Chief Beshara informed the council that yes, he and Mr. Howard did work together to provide transportation by YSU-PD, to transport students to other locations off campus and some students were taken to Days Inn in Boardman.

Mr. Villone wanted to know why an employee that requested vacation leave, but still has to mark the day as a vacation leave even though the university closed, instead of marking that day as work, sick or emergency leave. Mr. Boggs said in this scenario the employee has to mark vacation, since if they didn’t they would be compensated twice. Once for earning regular pay, even though they weren’t scheduled to work that day and second they would have kept a vacation day to use later on. He stated this action is considered fair practice and is consistent across universities, especially the five he has worked at.

Ms. Frisby brought up a concern among employees regarding the email that was sent out the day YSU closed. The email stated that ‘essential personnel’ should report to work and she would like to know what employees are considered ‘essential personnel’. Mr. Boggs said the ‘essential personnel’ classification depends on a departmental basis, scheduling and flexibility of that department and its’ employees. The term ‘essential’ is applied differently for various departments for example, if there were personnel that were scheduled to work in Payroll and it was day which payroll had to be processed for payday, but the university closed, those in payroll, who are designated as ‘essential personnel’ would need to report to work, unless their safety would be at risk. Conversely, if YSU closed and payroll personnel were scheduled to work, but it was the middle of a pay period, no employees would need to come in, since there is no urgent matter to attend to. He also said the people who are considered ‘essential’ should be aware of their designation and should be contacted accordingly by their supervisor depending on the situation. He said a master list of who is designated as ‘essential personnel’ would be helpful and he has seen one at a previously place of employment, but stated the list fell apart quickly due to employee changes.

Since the “essential” personnel change depending upon the situation, Dr. Burden asked if those employees were notified by their supervisor on whether or not they were considered “essential” for the event and needed to report to work. Chief Beshara stated that in his area there are personnel who are designated ‘essential’ and depending on the situation at hand those employees and non-essential employees may or may not be needed. He said he or a supervisor will make a decision based on the scope and incident to have sworn staff (police officers) come in and work. He mentioned that Mr. Hyden has ‘essential personnel’ within his various areas of facilities and support services and that specific employees needed for a particular situation are supposed to be notified by their supervisor. He also voiced concern over the need to be fiscally responsible, by only having the number of personnel needed for specific situations.

**Holiday Schedule –** Ms. Frisby indicated there was confusion among employees as to when the 2015 designated holidays would be taken. Originally it was printed that the designated holidays for when the university would be closed was on December 24 and 25, 2015. However, at some point the date was updated and the designated days were now marked to be December 25 and 28, and many people were unaware of the change. Mr. Boggs said he briefly spoke to Kevin Reynolds about this and stated that December 28 was always the correct date, but somehow the 24th was used. He said they would like to prep and create the designated university holidays schedule and academic calendar two to three years in advance and then refresh them yearly so they are up to date. Also, if possible to have the schedule and calendar posted internally on department websites. Ms. Frisby said she remembered when there was a scheduled power outage a year or so ago there was an MOU created and approved by the unions to change and accept the different designated holiday dates due to the power outage.

Mr. Villone asked what about the President of the United States executive order that declared the holiday date. Mr. Boggs said the executive order only applies to federal employees. He did say that contract language and the executive order language are not clearly stated and have different meanings. Ms. Frisby thought section 11.1 of the ACE agreement retained the executive order wording and Mr. Villone briefly read from the APAS agreement. Mr. Boggs stated the history and language for designated holidays has changed over the years in contracts and arbitrations. Ms. Johnson asked if there was any case law she could look at and Mr. Boggs gave her a document on ‘Executive Order of a Day Off versus a Declared Holiday and what is the Distinction’. Ms. Frisby proposed that Human Resources and the union presidents should get together to discuss this issue further.

**International Employee Issue –** Dr. Burden mentioned an APAS member contacted her regarding visa issues and asked that she help resolve them. Since the employee was a member of APAS, she referred the employee, who wants to teach part-time for spring semester, to Mr. Villone since he is the president of that unit. Dr. Abraham said this issue is not the fault of YSU, nor the Center of International Studies and Programs (CISP) department, it is strictly a federal problem with the employees’ work visa. He said the employee has a visa, but he does not have a visa to teach. Dr. Smith indicated that this issue has been going on for about a month per conversations with Ann Gardner at CISP. Mr. Villone said he has talked with this employee and they are working to get his issue corrected and stated the problem was with the ‘prevailing wage’.

**CISP Update –** Dr. Abraham mentioned to the group that a position search for an Associate Provost for International and Global Initiatives has started, but for the time being Dr. Sylvia Imler, executive director for Multicultural Affairs is acting as interim and is working to correct any residual international issues that are still ongoing.

**Bookstore –** Ms. Frisby asked if the YSU Bookstore would be eliminated. Mr. McNally replied by stating the bookstore would not be eliminated, but that a request for proposals (RFP) has been sent out. He hopes to have vendor proposals due back to the university by January 29 for review and possibly consideration. This review of the bookstore stems from HB64, which requires that each state college and university undertake an efficiency review of assets and operations. Mr. Villone asked if current bookstore personnel would be kept and Mr. McNally said bookstore personnel were made aware of the RFP and that within the RFP it was stated that preference would be given to vendors that provide comparable employment opportunities for current bookstore staff. Mr. Villone asked if this RFP has to do with bookstore cost and Mr. McNally stated that the bookstore nets a profit of about half a million dollars per year. He said that whether or not the bookstore is outsourced, the RFP could be used to demonstrate to the state that YSU made a serious effort to review this operation.

**Overtime for Salaried Staff –** Mr. Villone brought up the topic regarding overtime for eligible salaried employees that make over $50,000. Mr. Boggs said this topic was brought up by the government to change the current overtime for salaried employees from $24,600 to $52,000. He indicated the change would impact 140 employees on campus and that the change was supposed to be effective January 2016. However, after an open discussion period the government was left with more questions and they did not realize the topic would be so controversial. This topic has been put on hold for now, but he felt that more traction could be gained throughout this year and would go in to effect in 2017.

**Adjournment**

The meeting adjourned at 10:03 a.m.

**Next Labor Management Council Meeting: Tuesday, March 1, 2016, 9:00 a.m.**

**Kilcawley Center, Cochran Room, 2020**

**Labor Management Council**

**2016 Meeting Schedule**

Updated 11/04/15

~~Tuesday, January 5~~ ~~9-11am KC, Cochran Room~~

Tuesday, March 1 9-11am KC, Cochran Room

Tuesday, May 3 9-11am KC, Cochran Room

Tuesday, July 5 9-11am KC, Cochran Room

Tuesday, September 6 9-11am TBA

Tuesday, November 1 9-11am TBA

Respectfully submitted, Brittany Bowyer, Recorder