

Marshall University

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Staff Council Minutes

Staff Council

3-17-2022

The Minutes of the Marshall University Staff Council Meeting, March 2022

Marshall University Staff Council

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Marshall University Classified Staff Council Minutes

March 17th, 2022, Virtual Meeting via Microsoft Teams

Members Present: Rachel Amos, Clay Arens, Nina Barrett, Lacie Bittinger, David Childers, Timothy Cline, Andrea Gray, Chris Hodge, Carol Hurula, Dena Laton, Becky Lusher, Nick Martin, Teresa Meddings, Carleen O'Neill, Amy Saxton-Young, Kelly Sowards, Terri Thompson, Eric Wallace, Tony Waugh, Rob Williamson

Members Absent:

Members Absent (Excused): Ray Blevins, Beretta Coleman, Crystal Stewart,

Guests: Jason Adkins, Mike Adkins, Pam Adkins, John Apel, Jason Baldwin, Jean Ann Bevans, Yvette Blevins, Teresa Bolt, Sharon Booth, Eddie Bradshaw, Monica Brooks, Butch Burriss, Karena Burriss, Pat Campbell, Perry Chafin, Dean Crawford, Ella Curry, Meg Cyrus, Sarah Davis, Laura Drake, Holly Dunmore, Wanda Dyke, Katrina Eskins, Bruce Felder, Toni Ferguson, Trish Gallagher, Joyce Harrah, Justin Hawthorne, Katherine Hetzer, Eric Himes, Sam Holiskey, Jillian Hovatter, Darlene Howell, AJ Hubbard, Todd Hunter, Brandi Jacobs, Chris Key, Mary Layne, Mallory Carpenter, Kevin Maynard, Carissa McDonald, Michael McGuffey, Char McKenna, Rebecca Meek, Susan Midkiff, Nathan Miller, Avinandan Mukherjee, Carl Mummert, Becky Neace, Rebecca Pack, Ginny Painter, Leah Payne, Jody Perry, Lisa Pitkin, Angie Rose, Kandice Rowe, Rodney Sanders, Ginny Sellers, Elizabeth Sheets, Sabrina Simpson, Sherri Simpson, Will Skaggs, Brad Smith, Carl Smith, Tracy Smith, Robyn Stafford, Sherri Stepp, Brean Stewart, Carol Stinson, Ethan Tackett, Allen Taylor, Robin Taylor, Ryan Vance, Brandi Waiters, Mary Waller, Joey Waugh, Lance West, Amy Marie Workman, Miriah Young

Chair Tony Waugh called the meeting to order. Parliamentarian Becky Lusher verified there was a quorum.

President Smith – University President

- **Campus Health and Wellness**
 - The Marshall campus has led the community in keeping the community healthy and safe
 - In recent weeks, we've seen very positive trends.
 - As a University we have remained principals driven as opposed to passion driven, which means we have followed CDC guidelines, had a Council of Health Professionals at local hospitals, and left room for our own judgement.
 - Some other entities around us chose to go without the masks, and had to return to them.
 - When we came into the Omicron spike, the protocols changed. Positivity rates being the number one indicator of whether or not you were heading into a dangerous situation changed to a different set of metrics, which was basically isolation and quarantine capacity and hospital beds because Omicron was more virulent. While there were more positivity rates, it was only a five day window. Many times people were asymptomatic or had fewer symptoms, although there were still some that still became seriously ill.

- Factors considered included whether we had enough space in Holderby, and whether there was enough room in the hospitals to take care of people.
 - Our capacity is that we have 300 beds available, but the maximum we have reached through Omicron has been around 20 and we went down to two last week, and our hospitals have also seen a 60% decline.
- Cabell County for the last two weeks has moved from orange, which is mask required, to yellow, which is mask optional, early indicators estimate that as of this morning Cabell may be moving to Green.
 - We need to be fluid as a university and say and be ready, if the trend continues, to possibly go to masks optional.
 - We will continue to be driven by the health and the science, leave room for judgement, and make sure we begin a shift from pandemic to endemic, but remain fluid enough that if we go back to orange we have everything in place to move back.
- We will be testing all students when they come back from spring break, but positivity rate won't be an indicator.
- **Compensation**
 - Some employees, largely at the administration level, gave up a percentage of their wages during COVID to support the efforts of the University. The University is now looking to restore those lost wages by getting reimbursed from the state and federal governments.
 - We are on a path to getting all of the restored wages funded except for a remaining \$300,000.
 - The Board of Governor's has agreed to allow the restoration of the wages using University reserves, and once the money is received it will be put back into the reserves.
- **State Employees Wage Increase**
 - The legislature is funding a 5% wage increase on average for all State employees.
 - Because it is an average of all West Virginia State Employees, the average is lower than the average of what a University employee makes.
 - As not all of our Marshall employees are State funded, the money given to Marshall to fund a 5% raise actually equates to the amount to fund a 2% raise. Every percent is \$1,000,000, so we are receiving \$2,000,000 to fund \$5,000,000 in wages.
 - President Smith stated that he is reaching out to different groups and asking we can use this money to ensure we are incentivizing and rewarding people, while also ensure we are taking care of the University as a whole.
 - Some other universities are going to a merit based approach, but we aren't at the place where we can do that yet, so we are looking at a different model.
 - This wage increase will take place in the new Fiscal Year 2023, which begins July 1.
- **Q:** Since percentage raises equate to less for classified staff, has giving an across the board raise instead been a part of the conversation for how to give this raise?
 - **A:** That idea is being pursued right now.
- **Listening Sessions**
 - Thirty-three of thirty-six listening sessions are completed.

- Once the last three are complete, the big things that were said will be put into a document.
- The document will address the comments and concerns by different groups. Ex. Classified staff, athletics, parents, students, etc.
- We will prioritize five to six major initiatives that we will take on over the next few years.
- Also addressed will be three to five things that could be referred to as “no regrets decisions”, which are areas of concern that have been repeatedly stated and need addressed.
 - One of these will be to conduct a pay equity study that not only measures our pay relative to the market for each pay group (classified, non-classified, etc.), but also internally regarding equity in pay based upon gender and race.
 - This won’t be done internally, but rather by an outside group that can do it objectively. If we find that some things aren’t right, we will need to fix it and then figure out systemically how it got that way so it can’t happen again.
- **Organization and Talent**
 - The athletic director has started his position this week, and he is doing his own listening sessions.
 - The Provost search is going well. Off-Campus interviews were conducted the previous week in Columbus, and finalists will be invited to campus the week of March 28th. We should be in a position in early to mid-April to make the announcement.
 - We are in an active search for a General Counsel, as Layton Cottrill will be retiring.
 - We are in an active search for Student and Intercultural Affairs as Maurice Cooley will be retiring at the end of the fiscal year.

Avi Mukherjee – Interim Provost

- **Program Reviews**
 - Annual program reviews will be held on March 31st and April 1st.
 - 35 programs and certificates will be reviewed.
 - Avi stated that he and Mary Beth Reynolds would be running the reviews.
- **Promotion and Tenure**
 - The entire promotion and tenure documentation for faculty members will now be digitized for the first time.
- **Accreditation Visits**
 - The College of Business will have an accreditation visit on March 21st, 22nd, and 23rd.
 - The School of Pharmacy will have an accreditation visit at the end of March.
- **School of Aviation**
 - We have three single engine aircrafts.
 - We have one twin engine aircraft.
 - We are in the process of hiring the associate director of this program, Nancy Ritter.
- **Higher Learning Command Quality Initiative Plan (HLCQI)**
 - The plan is on diversity and inclusion.
 - It is a campus wide mandate and we will be working on this for five years.

- It is led by Dr. Mary Beth Reynolds, and has a huge team of people, faculty staff, and students working on it.
- This will be our campus initiative for the next five years.
- **Enrollment**
 - First year students – we are currently looking at a 13% increase in applications, 18% increase in admissions, and a 26% increase in deposits as of today compared to the same day last year.
 - It is early, and these numbers tend to even out a little bit, but it has helped that we've been able to do Green and White days already this year.
 - Transfer applications are up 12%, admissions are up 11%, and deposits are up 4.5%.
 - Graduate program applications are up 4.7%.
 - Distance program applications are up 6%.
- **Q:** Do those enrollment numbers include in-state, out-of-state and metro also?
 - **A:** Yes, but they can be further broken down.

Jason Baldwin – Finance

- They are working to develop the fiscal year 2023 budget. Information has been collected from each unit, and is being compiled and compared.
- The West Virginia Legislature passed the FY23 budget with a stable appropriation for Marshall, as well as a small pool for raises.
- Fitch Ratings reaffirmed Marshall with an AA- bond rating, which is a testament to the resiliency and resolve of our staff, faculty and institution.
- **Q:** What would the amount be for each employee if we did an across the board raise instead of a percentage raise with the money from the legislature?
 - **A:** No, they have not done those computations yet.

Bruce Felder – Human Resources

- **John Marshall Service Awards**
 - In December of 2021, we awarded six employees with the John Marshall Service Award.
 - If there are employees who you know are committed and dedicated to great service for the students and community here at Marshall University, submit an application to nominate them for the John Marshall Service Award.
 - Application for nominations can be found at <https://www.marshall.edu/human-resources/files/John-Marshall-Service-Award-Nomination-Form.pdf>
- **Juneteenth**
 - A national federal holiday was issued last year for June 19th to be Juneteenth.
 - Our West Virginia Governor issued a proclamation to give us Juneteenth off last year.
 - Unless the West Virginia legislature passes a bill making it a West Virginia holiday, we will not add it to our holiday calendar. In that case, the Governor would have to make another proclamation to give us the day off this year.
- **Compensation Guidelines**

- These guidelines are currently in the editing process, and once finished they will be posted online.
- These guidelines will be what determines what an employee's wages will be.
- It will include rules that we have been putting into action for the last 4.5 years since House Bill 2502 was passed.
- **Handbook Update**
 - Bruce met with Teresa Meddings, Chair of the Staff Council Personnel and Finance Committee, to discuss how staff will be involved in the process of updating the handbook.
- **Affordable Care Act**
 - Employees should have received the tax forms 1095-B and a 1095-C, which West Virginia doesn't require to be filed with taxes, but some states do.
- **2021 House Bill 2009 – Regarding employee wage withholdings**
 - This bill that was passed in 2021, which limited what can be auto-deducted from an employee's wages, was challenged in court to determine if it was lawful.
 - The courts have stated that it is lawful.
 - Any type of group or club memberships that are currently deducted from an employee's check will no longer be able to be deducted. This includes the YMCA, Rec Center, AAA, Union Dues, etc.
 - Charitable donations can still be deducted.
- **Open Enrollment**
 - Open enrollment takes place from April 2nd – May 15th.
 - Any changes made will take effect on July 1st.
- **Q:** Due to the increasing gas prices, can departments and crews go to a four day work week?
 - **A:** There are certain things that departments can do with the approval of their Vice President and Human Resources involving employee schedules. This should first be discussed with department leadership.

Tracy Smith – Director of Safety – Tracy thanked the Marshall community for helping to keep the University safe during the pandemic. We have always gone with the CDC Guidance instead of the local color coded map, but as things begin to improve we are considering going toward making masks optional.

Michael McGuffey – Institutional Research and Planning – The emergency broadband benefit that the FCC offered during COVID, which gave a \$50 per month discount to qualifying customers, ended in February. However, they have migrated to a new program that is a \$30 per month discount instead.

Teresa Meddings – ACCE

- ACCE met, both virtually and at Bridge Valley Community and Technical College.
- Their then-interim president, Dr. Casey Sacks, who became president on December 15th, 2021, reported on what they are doing at Bridge Valley and the changes they have been going through.

- Trish Humphries, HEPC Human Resources, gave an update. They are still putting together the job classification codes for job titles that have been sent from various institutions because some institutions are using preferred job titles instead of their actual job codes.
 - Trish was unable to give an update on when the market study will take place because they still don't have the information needed from all institutions.
 - Michelle Stark showed a PowerPoint presentation showing what HEPC is dealing with the information that institutions are sending because it is not in the format they have requested.
 - Trish stated that they are working on the HR Job Families and based upon the information they've received so far, there is no way to determine who and how many people are actually working in HR positions and institutions.
- ACCE has a two day meeting once a year, and last year they invited institutions to join via Zoom for a few hours with questions. They will likely do that again this year.
 - They have invited the new legal counsel for the HEPC to do a training.
- ACCE is putting together a survey to send to all institutions asking questions about how their Staff Councils work and other across the board questions.
- The group discussed the Pierpont Fairmont merger, which did not pass but could possibly still be taken up in a special session.

Committee Reports

Election Committee – Nina Barrett –

The winners of the recent special election are as follows. Those elected will serve through June 30th, 2023.

EEO Group 40 – Technical & Paraprofessional

Carleen O'Neill – Computer Information Technology

EEO Group 50 – Clerical

Jennifer Griffith – SOM Biochemistry

Rachel Amos – Graduate Social Work Program

EEO Group 60/70 – Skilled Crafts and Service Maintenance

Charles Bradshaw – Public Safety

Nick Martin – Public Safety

Legislative Committee – Carol Hurula – Carol sent the attached legislative update via email.

Personnel/Finance Committee – Teresa Meddings –

- Teresa met with Bruce Felder to speak about the handbook changes.
- The handbook will now be for both classified and non-classified staff.
- Human Resources will be taking the handbook one section at a time and updating it to include both classified and non-classified staff.

- The biggest difference between classified and non-classified is the sick leave and the “at will and pleasure”, although Bruce stated that there is still a process for termination whether classified or non-classified.
- Teresa reported that she asked if these changes are a precursor to making all staff non-classified, which he said is not the case.

Physical Environment Committee – Becky Lusher – Please contact Becky with any issues or problems related to the physical campus, and the committee can try to help.

Service/Staff Development Committee – Eric Wallace – No report.

Announcements and Additional Information

Minutes taken and prepared by: _____
Katie M. Counts, Program Assistant, Classified Staff Council

Minutes approved by: _____
Tony Waugh, Chair, Classified Staff Council

Minutes read by: _____
Brad D. Smith, University President

Completed Legislation

The search returned **293 Bills** (150 House Bills, 143 Senate Bills)

2,216 bills introduced. 293 bills passed both chambers (Senate & House)

By: Carol Hurula 3/17/22

SB 228	<p>Providing tuition and fee waivers at state higher education institutions for volunteers who have completed service in AmeriCorps programs in WV AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18B-10-7d, relating to providing tuition and fee waivers for terms of service completed in West Virginia as AmeriCorps volunteer; specifying programs, conditions, required minimum hours of service, and limitation of semesters applicable; defining nominal value; providing that tuition and fee waivers are in addition to others permitted; authorizing governing boards to establish limits; and authorizing legislative rulemaking for certain purposes.</p>																																			
SB 250	<p>Budget Bill 97 - Marshall University – General Administration Fund (WV Code Chapter 18B) Fund 0348 FY 2023 Org 0471</p> <table border="0"> <tr> <td>Marshall University.....</td> <td>..44800</td> <td>\$ 48,961,949</td> <td>FY21</td> <td>\$ 46,761,199</td> </tr> <tr> <td>Luke Lee Listening Language and Learning Lab (R).....</td> <td>44801</td> <td>\$151,939</td> <td>FY21</td> <td>\$ 149,015</td> </tr> <tr> <td>Vista E-Learning (R).....</td> <td>51900</td> <td>\$229,019</td> <td>FY21</td> <td>\$ 229,019</td> </tr> <tr> <td>State Priorities – Brownfield Professional Development (R)....</td> <td>53100</td> <td>\$309,606</td> <td>FY21</td> <td>\$ 309,606</td> </tr> <tr> <td>Marshall University Graduate College Writing Project (R)</td> <td>80700</td> <td>\$25,412</td> <td>FY21</td> <td>\$ 25,412</td> </tr> <tr> <td>WV Autism Training Center (R).....</td> <td>93200</td> <td>\$1,869,776</td> <td>FY21</td> <td>\$1,808,381</td> </tr> <tr> <td>Total.....</td> <td></td> <td>\$ 51,547,701</td> <td>FY21</td> <td>\$49,282,632</td> </tr> </table>	Marshall University.....	..44800	\$ 48,961,949	FY21	\$ 46,761,199	Luke Lee Listening Language and Learning Lab (R).....	44801	\$151,939	FY21	\$ 149,015	Vista E-Learning (R).....	51900	\$229,019	FY21	\$ 229,019	State Priorities – Brownfield Professional Development (R)....	53100	\$309,606	FY21	\$ 309,606	Marshall University Graduate College Writing Project (R)	80700	\$25,412	FY21	\$ 25,412	WV Autism Training Center (R).....	93200	\$1,869,776	FY21	\$1,808,381	Total.....		\$ 51,547,701	FY21	\$49,282,632
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SB 533	<p>Relating to funding for health sciences and medical schools in state all relating to funding for health sciences and medical schools in this state; <i>eliminating the direction of proceeds of the soda tax into special medical school fund</i>; providing for the eventual elimination of the tax by July 2024; providing for a sunset date; directing a portion of insurance premium tax to health sciences and medical schools in this state; setting out findings; providing for specific amounts to be directed to Health Sciences Center at West Virginia University, Marshall University School of Medicine, and West Virginia school of Osteopathic Medicine; providing for effective dates, providing for quarterly distribution for dedicated fund; and providing that the additional dedicated amounts directed from premium tax in addition to the base appropriations to these schools shall not limit or reduce total appropriation to the health sciences and medical schools.</p>																																			
SB 546	<p>Expanding uses of fees paid by students at higher education institutions to amend and reenact §18B-10-8 of said code, all relating to using fees and other money collected from students at institutions of higher education; defining terms; clarifying allowable expenses for the use of tuition and required general fees; providing for fees charged to be used for information technology purposes; allowing for a specified percentage of gross tuition revenue funds to be spent on information technology projects; and establishing what costs are allowable for information technology projects. Adds ITS upgrades to list of projects a college or university is permitted to issue debt for; and to pledge a portion of tuition revenue for debt service.</p>																																			

SB 593	<p>Allowing Marshall University's Forensic Analysis Laboratory access and participation in WV DNA database for certain purposes §15-2B-3 of the Code of West Virginia, 1931, as amended, relating to the Legislature and State Police designating the Forensic Analysis Laboratory at the Marshall University Science Center as a criminal justice agency to allow its participation in the West Virginia DNA Database for certain purposes.</p>
HB 4008	<p>Relating to Higher Education Policy Commission funding formula to propose rules to establish a funding formula model governing its appropriation request to the Legislature regarding distribution of general revenue to the state's institutions of higher education; setting forth parameters for the formula and minimum requirements for the rule; revising and removing certain related commission powers and duties; requiring interim chancellor to meet all criteria required of the chancellor; clarifying the commission and council's responsibilities, in conjunction with the West Virginia Network, to support systemwide technology needs; revising provisions for rulemaking regarding transfers of credits and obtaining academic credit or advanced placement standing based on experience; authorizing commission to promulgate rules, and exercise powers and duties, governing student loans, scholarships, state aid as provided in Chapter 18C of the code; removing requirements to provide education about certain disease; and making non-substantive technical cleanup corrections and clarifying changes. Funding to be based on measurable outcomes, retention, graduation rates, enrollment, etc.</p>
HB 4264	<p>Change designation of Glenville State College to "Glenville State University" *effective from passage 2/22/22</p>
HB 4291	<p>Relating to authorizing legislative rules regarding higher education</p>
HB 4355	<p>Relating to the disclosure by state institutions of higher education of certain information regarding textbooks and digital courseware and certain charges assessed for those items defining terms; modifying requirements for recommendations by an educational materials affordability committee to the higher education institution governing board; removing obsolete language; changing the term textbook to course material; modifying information that is required to be included in the listing of course materials required or assigned for any course offered at an institution; requiring institution to disclose to a student enrolled at the institution any charges for course materials or access to digital courseware assessed by the institution or another entity to the student on the student's enrollment in a course, course section, or program or in the institution for the applicable semester or term;</p>
HB 4418	<p>Relating to the Small Business Supplier Certification Assistance Program Small Business Supplier Certification Assistance Program; establishing a pilot program for the verification and certification of small business enterprises participating in the government contracting and procurement process; authorizing the Department of Economic Development to collaborate with Marshall University for purposes of establishing the pilot program; requiring a master plan for the pilot program; and establishing a deadline and reporting requirements for the pilot program</p>