

**THE NMSU EMPLOYEE COUNCIL  
FINAL APPROVED  
MINUTES OF REGULAR MEETING**

September 10, 2009  
PSL Conference Room

**MEMBERS PRESENT:** Ellen Bosman, Kelly Brooks, Tim Chappell, Katrina Doolittle, Woods Houghton, Allan Kaplan, Norma Ledesma, Lori McKee, Karen Medina, Anthony Parra, Nancy Qualkenbush, Nellie Quezada-Aragon, Karla Thompson

**EX-OFFICIO:** Cherri Lambeth, Diana Quintana, Kathy Agnew for D'Anne Stuart, Rene Yoder

**ALTERNATES PRESENT:** Bea Garrett for Lydia Duran and Mack Adams for Roseanne Bensley

**CALL TO ORDER AND MINUTES:** Kelly Brooks called the regular monthly meeting of the NMSU Employee Council to order at 3:05 p.m. There was a quorum present.

The meeting minutes for July 9, 2009 were presented and approved.

- Motion to accept the minutes was made by Woods Houghton
- Seconded by Tim Chappell
- Motion was passed unanimously

The meeting minutes for August 13, 2009 were presented and approved.

- Motion to accept the minutes was made by Katrina Doolittle
- Seconded by Anthony Parra
- Motion was passed unanimously

**Salary Study Update:**

Kathy Agnew, Human Resource Services (HRS), reported that HRS is currently in Phase II of the classification study, which will complete the classification process. This phase will include the creation of classification position descriptions and classification codes. HRS is currently meeting with divisions and colleges during which classification and mapping data is being provided for feedback. The feedback will then be reviewed and changes made. Following this, a classification naming logic will be established and plans for implementation of a new structure will be discussed. The process HR is completing right now is collapsing the current position descriptions into classification position descriptions.

Compensation Services anticipates that employees will receive letters which will provide information about the changes and appeal process. Kathy stated that the appeal process has not been defined yet; however, the assumption is that it will be similar to the appeal process followed during the Broadbanding conversion. Deans and Vice Presidents are currently providing input on the data and were given an option to include their senior leadership teams. When the meetings are held with the divisions and colleges, senior management staff may be

invited to attend the meetings, at the discretion of the Dean/VP. Kathy stated that HRS serves as the neutral party that makes the decisions.

No decisions have been made on the final structure that will be implemented to replace the current system; however, Compensation Services anticipates appeals will result as employees attempt to create a direct correlation from the current system to the new system.

Kathy cautioned that the classification changes are not related to employee performance, promotion or demotion. It should be viewed from a recruitment perspective. The Dean/VP's are being instructed to examine the needs of a position based on functions and the requirements needed at the time of recruitment. Kathy stated that HRS maps benchmarked positions based on the functions of the position against the market data and determines the classification, any deviation from the market requires justification. The position descriptions will include language such as "may perform these duties" or "generally perform these duties," or "in charge of this organization or that organization," and the classification is determined based on approximately 70% of the duties being performed. When duties are added or removed, it does not necessarily impact the classification. Through time, positions may change, but the reclassification process should only occur when there are structural organizational changes or a significant change in the duties being performed. HRS has benchmarked over 250 classifications to market data and some of that data is already available on the website.

The reclassification process has been changed to coincide with the performance evaluation process because that is the time that supervisors meet with their employees to discuss performance and any changes to their duties and responsibilities. Compensation Services is working towards a system where the employee is provided a copy of the classification description each year, which can then be reviewed for changes that have taken place over the course of the evaluation period.

There is a commitment that employees will not be negatively impacted through the salary study process. The intent is to appropriately classify positions based on functions. Therefore, if, as a result of the salary study Phase II process, a position is mapped to a classification and does not meet the minimum requirements, the incumbent will be grandfathered into that classification. If it is determined that the incumbent is receiving compensation above the range of the classification, he/she will not receive a pay cut.

A concern was raised that departments will not be able to find qualified candidates to replace employees who leave overcompensated positions. Kathy responded that in her opinion, the recruitment process would result in individuals coming in at a higher salary than our current grading system, as in general, our current salary scales seem to be below market. Exempt employees who are coming in with qualifications that meet, but don't exceed, the minimum requirements of the position should be coming in at the entry of the range and not at the middle of it. Negotiation to the middle of the range can be done when the qualifications exceed the minimum (exempt employees only, non-exempt are governed by the contract).

Kathy stated that she does not know if there is an established budget to fund additional allocations at the completion of this phase of the study, as there was during Phase I of the study.

It was pointed out that the branch campuses have a wide variety of duties in single positions. For these positions, the classification is based on 70% of the functions performed. If the functions are 50/50, HR will err on the side of caution and go with the higher classification, if there is a higher classification.

Kathy stated that HRS expects to have the information to employees by November.

## **OLD BUSINESS**

### **ACAP Name Change:**

Kelly Brooks stated that she was not able to send an email out to the “all-employee” list; however, she was able to have the notification included in an article in the NMSU Newsletter. She will continue to work toward getting a notification to all employees via e-mail. This will be important due to the election process coming up in October. She stated that the word has been getting out and the response has been positive.

When the NMSU Newsletter article was published, Kelly received correspondence from the president of AFSCME which expressed concerns that Employee Council is not the sole representative of employees and that AFSCME was not referenced in the article and they represent approximately 1,200 non-exempt employees. Kelly stated that she responded that she is not a representative of AFSCME, and did not feel it was appropriate to comment about what AFSCME represents or does not represent in this article. The article was only intended to highlight the name change of the council.

She also indicated that as a council, we strive to be sensitive to those employees who as a matter of the AFSCME contract are not able to serve on this committee. It is neither our intention nor our practice to isolate our council from this group of employees. All of our meeting notices indicate that all employees are welcome to attend this meeting.

### **Website**

Kelly stated that the website had not been updated to reflect the name change, but she is working on it. She is working with ICT to convert to a new web management content system. She also wants to get a new address for the Employee Council.

Kelly stated that she sent a note to President Pacheco regarding utilizing Employee Council funds to hire a student or a graduate student to work on the website. She received an e-mail back from Jennifer Taylor that these funds should not be used, and directed her to utilize ICT. She has contacted Shaun Cooper, who has suggested that we utilize the web content system, Mango. She will be continuing to look into this.

### **Policy Manual Update 3.75**

Shaun Cooper is convening a committee to update policy 3.75 and has requested a volunteer from the Employee Council. Other committee members include Deb Weir (Human Resource Services), Jerry Nevarez (Institutional Equity), Lisa Warren (General Counsel), and he is requesting a representative from the Faculty Senate. His expectation is that there will be three to five meetings and the committee will bring forth recommendations for changes to the policy. Ellen Bosman volunteered to serve.

### **Presidential Search Update**

Tim Nesbitt was not able to attend because he had a conflict with a meeting regarding the presidential search process; however, he reported to Kelly that the search was on target and that the search committee is getting to the critical points in the process.

### **Committee Reports**

#### Budget Committee

The Budget Committee report was included in the attachments to the agenda. Kelly stated that she had seen the letter from the governor stating that there will be a three percent in budget cut. There is a special legislative session that is being planned for sometime in October.

Anthony Parra stated that Jennifer Taylor reported that budget cuts would be covered through fringe money or non-recurring funds, depending upon the economic predictors which will come out sometime this month.

#### Fringe Benefits Committee

Cherri Lambeth reported that the Fringe Benefits Committee was asked to revisit the graduate tuition reimbursement benefit. She stated that the concern related to keeping the overall fringe rate down, and if the benefit were to be added, there would be a need to reduce a benefit somewhere else. The decision was to leave this as is.

There was a request to have AFLAC insurance, which is already being considered by the Benefits Office to piggyback onto the state plan.

Kelly stated that she has been asked about the status of the request for Professional Leave, and she finally located the original request which was sent in June 2007. Rather than to submit to President Pacheco as is, she said that she wanted to bring it forth to council again due to the length of time that had occurred since this was first recommended to then President Gouge. Kelly recommended that we verify that the existing policy has not been changed as well as review to insure the council still supports the recommendation. The professional leave policy was intended to apply to regular, full time exempt staff and was tailored after the faculty sabbatical leave policy.

Since there was no cost impact included in the original request, Kelly stated that President Pacheco would probably want to have a cost analysis, so she will get together with Cherri to discuss including more details in the request.

Cherri stated that this request had been voted on before, so there would not be a need to vote again. Kelly suggested that because this request had been reviewed so long ago and the committee members have changed since that time, she will send the request out and get feedback for the next meeting. The policy recommendation will be characterized as having been presented before, but a decision was not made at this time.

#### Campus Planning Committee

Kelly stated that Roseanne Bensley's term is expiring on the Campus Planning Committee so a new representative is needed. The Campus Planning Committee encompasses the community colleges, in addition to the main campus. She said that there is a three year commitment and the committee meets once a month on the first Wednesday at 3:00 p.m. Members who serve on the committee can continue to serve for three years even if your term expires on the Employee Council. Since there were no volunteers to serve, Kelly stated that she will contact members who are not present to determine if there is any interest. Katrina indicated that she will look at her schedule to see if she can fit it in.

#### 2009 Election Committee

Kelly stated that more volunteers were needed for the Election Committee. She said that it would be easier this year because an on-line process is now in place; however, the wording on the web and the form need to be reviewed and updated to insure that it makes sense. The nomination process begins October 12<sup>th</sup> through the 30<sup>th</sup>, the ballots go out and voting takes place in November and the process is completed by December 4<sup>th</sup>. She stated that she would like to have the new members notified by the December 4<sup>th</sup> Employee Council meeting before faculty leave for Winter Break.

Roseanne is chairing the Election Committee but she needs two to three volunteers, who cannot be members running for reelection. The first meeting will be the week of September 24 to review the ballot and nomination form. Then they will meet in early November to verify nominees. The system does a lot of the work, but committee members will have to confirm that the system did what it is supposed to do. Mack Adams and Olga Viramontes volunteered to serve.

#### By-Laws Committee

Norma Ledesma reported that the by-laws were changed to incorporate the name change to the Employee Council. She said that there was a suggestion to include how often information should be sent to the University Archivist. A change was incorporated stating that the Employee Council Secretary will transfer to the University Archivist the approved minutes, with all approved attachments, within 30 days of the Employee Council meeting. Kelly stated that the Chair of the Employee Council needs to make sure that copies of other documents, such as correspondence to the President, also gets sent to the Archivist. As the chair, she has made a practice of attaching this type of documentation to the meeting packets, which is not normally required.

Ellen Bosman stated that the Archivist can take snapshots of the web content to store. Tim Chappell stated that originals needed to be stored, not copies.

- Motion to accept the by-law changes was made by Anthony Parra
- Motion was seconded by Ellen Bosman
- Motion was passed unanimously

## **NEW BUSINESS**

### **AggieFit Update**

Lori McKee reported that there were 35 presentations over the summer to ACAP, Administrative Council, Labor Management Committee and Faculty Senate. She said that there were no problems until after it was rolled out July 1. She said that there was negative diatribe on the faculty listserve forwarded to her, but overall the response was good. She said that there are 1,242 members including employees, spouses, children, retirees, retiree spouses and students. The estimated projected revenue is \$133, 433.

Lori stated that they have had meetings with the Provost to talk about the bad press, and a September 15 meeting is planned to discuss ideas. Chris Erickson of Faculty Senate would like AggieFit to be repealed or has suggested that another way to fund the program be found, such as from benefits. She said that of all peer institutions surveyed, all institutions charge for this type of service, with the exception of UNM, which contributes \$250,000 to their program. NMSU charges the lowest of the peer institutions.

Lori stated that there have been some very successful events such as the family pool night in July and the two open houses. She said that she has counted only 15 negative comments and 1200 happy members. There is strong support from the students, and ASNMSU President Travis Dulaney would like it to move forward without the students supporting it alone.

Lori said that much of the negativity resulted from the fact that communication about the program did not flow down as anticipated. She expected that when she made the presentations to these groups, that they would have passed the information down to their employees, which did not happen.

Classes are going well and there has been an increase in the hours and expansion of classes. Lori welcomes feedback and will provide monthly updates.

There was acknowledgement by the members that Lori had done a great job in the presentation of the program.

### **NMSU Master Plan Update**

Michael Rickenbaker, Director of Facilities, Planning, and Construction presented an update on the NMSU Master Plan and future projects. Highlights of the plan include updating the

presentation of NMSU to the community from the views on University Avenue, which is the “front door” to the university. Consideration is being given toward improving entrance areas, or “gateways,” to the university, including a major updated entry on Jordan Street. University structures are widely located from East to West, and the plan includes expansion to North/South areas. A plan to place student services functions together in the center of the campus, and parking structures will be built to accommodate guests, in addition to students and employees. Sustainability initiatives are part of the planning. University representatives are working very closely with representatives from the City of Las Cruces. Public meetings will be held in the future to provide updates.

#### **Messages from staff on NMSU Employee Council e-mail**

There were no messages from staff.

#### **New Items from Council Members**

Ellen Bosman questioned the rationale for charging departments for a separate license for drivers of utility carts. Katrina Doolittle explained that there are no separate licenses required, it only requires the standard university drivers permit and defensive driving course.

#### **REPORT FROM THE CHAIR**

##### **Board of Regents Meeting:**

Kelly reported that the Board of Regents did not meet.

##### **Administrative Council:**

Administrative Council met on September 8, 2009. Kelly reported that one of the items discussed during the meeting was a change to the student disenrollment process. Currently, the process includes a requirement to pay 10% of the tuition in order to hold classes for the semester. A change in the process is being considered to require students to sign a commitment to pay for tuition without having to pay the 10% by the deadline date. Formal approval from the Higher Education Department is pending.

Kelly reported that is important to note that it is not required in policy that a doctor’s note be provided if sick leave is more than three days. With the impact of the H1N1 flu virus, employers should encourage sick workers to remain home.

Kelly stated that Provost Cruzado encouraged faculty to be flexible with students in the classroom as well and allow them to make up work when missing class due to illness.

The next meeting is scheduled for Thursday, October 8’ 2009 at 3:00pm at DACC Room 114M

Meeting adjourned at 5:06 p.m.