Ball State University Staff Council  
Minutes #11  
Thursday, June 17, 2016  
SC Multi-Purpose Room

Members Present:  
Margo Allen, Susan Bourne, Ranae Burkett, Chris Caldwell, Bob Cope, Cathy Cunningham, Peggy Dixon, Adam Dungan, Christine Edgeman, Tamara Edwards, Matt Gaither, Hank Gerhart, Tonya Johnston, Michelle Jones, Mandy Lowe, Melissa Nagle, Sarah Newell, Kathie Nix, Angela Pickett, Jill Schneider, Cheryl Veatch, Peggy Weis, Angela Zahner  

Substitutes: Cheryl Simpkins for Tonya Price  

Unexcused Absence: Leilani Pearce and Robert Weller  

Excused Absence: Heather Melton, Melissa Perry, Tonya Price, Nikki Sherfy and Coralee Young  

Guests: Sharon Harper, Adam McLachlan, Jackie Mead, Gracie Reiff, Christine Rhine

I. Call to Order – The meeting was called to order at 1:15 p.m. by Hank Gerhart, President of the 2015-16 Staff Council.

II. Speaker – Kate Murray – A Better Way  
Kate spoke briefly about her background and her involvement with A Better Way. The Mission of A Better Way is to provide peace to homes, strength to individuals and families, and positive impact to community through prevention and crisis intervention. They fulfill this need in a variety of ways: Those staying at the facility have a 45 day stay limit which includes counseling, all food, shelter, hygiene needs, etc. The shelter consists of six (6) bedrooms, which are set up differently for individual needs. The shelter consists of a shared living and dining room facility. The shelter also offers transitional housing at an apartment complex on site. There is 24 hour surveillance and the assistance of shelter staff. A Better Way offers assistance with Sexual Assault; a Hotline (288-HELP) that you may call for any type of help; a Suicide Hotline; an After-School program which helps with academics, character building, etc.; TeleCare, which is a call-in check for home-bound individuals who may need assistance with meds, well check, etc.; community presentations much like today’s visit; school programs such as teen dating, domestic violence, etc. Kate shared that a significant financial impact arises from violence, putting the burden on society. Handouts (attached) were provided by Kate for further information.  

Hank Gerhart asked about primary funding. Kate replied that A Better Way receives federal, state, local grants and individual donations as their support.  

Michelle Jones inquired if volunteers are sought? Kate provided Michelle with a business card to contact her for further information.  

III. Roll Call – Angie Zahner called the roll of representatives and substitutes. Roll call showed 23 representatives present, 2 unexcused absences, 5 excused absences, and 5 guests. A quorum was constituted for the meeting.
IV. Approval of Minutes – A motion was made and seconded (M. Nagle/R. Burkett) to approve the Minutes of May 19, 2016. The motion carried.

V. Committee Reports
   a. Employee Relations – Adam Dungan. No report.
   b. Public Relations – Michelle Jones. Michelle shared that she is currently working on an “overview” of the past Staff Council year to post on the webpage.
   c. Elections – Chris Caldwell. Chris shared that elections had concluded and representatives had been chosen for all areas. The Lucina rep chosen from the election was replaced due to the rep moving to a different building on campus. The newly elected Lucina representative is Tori McClain.
   Chris reminded everyone that all three positions of the Executive Committee – President, Vice President and Secretary will be open next year and nominations are needed. If interested, please contact Chris to be added to the ballot, or contact any standing officer with questions you might have. Chris also stated that nominations will be taken during the July meeting for officer positions as well. The July meeting will begin with a 12:30 open lunch period that everyone is welcome to attend. The meeting will begin at 1:15 p.m. and the only agenda item will be the election of officers.
   d. Hospitality – Cathy Cunningham. No report.
   e. Research – Christine Edgeman. No report.
   g. Angels for Life – Tonya Johnston. Tonya reported that we collected 28 units with 3 deferrals at our May 25th drive. We also collected 19 units with 5 deferrals on May 26th.
   h. Special Committees

VI. Old Business.
   a. RFI #15 2012/13 - Many Employees would like to see the policy changed where we can only use “5” of our sick days per yr. for taking care of family members. Since there is no surrounding this issue, it is clearly an HR policy that could be changed. Many employees have multiple children, aging parents, & spouses, etc. and if an employee has accrued several hundred hours of sick leave, why can’t we use say “10” days a year. We don’t want to use unpaid FML.

Response: 7/13/2015: Commencing in the early fall the University will begin scheduling this item for discussion and approval through the various governance committees, including staff council. This recommendation will also be subject to board approval.

Response 9/15/15: The proposed policy changes to increase the number of sick days to care for a family member from 5 to 10 days will be submitted and discussed with staff council during its meeting to be scheduled on October 17, 2015, along with a proposal for extending the number of days that can be used by faculty, professional and staff employees for the adoption/foster placement of a child. The recommendations will be submitted to Staff Council and through University Senate to the other pertinent governance committees during this semester. These recommendations will be subject to board approval. Marie Williams
Response 10/15/15: A new policy allowing for the use of 10 sick days rather than 5 for the purpose of Caring for a family member has been formulated and will work its way through university governance committees. The RFI has been tabled to allow time for the vetting and approval process.

Response 11/10/15: The policy statement is being finalized for presentation to the various governance committees. Marie Williams

Response 12/01/15: The policy statement will go to the governance committees in January 2016. Marie Williams

Response 2/2/2016: This will be included on the senate agenda committee’s agenda for consideration at their meeting on Monday, February 8. I’ll let you know the disposition of it after that meeting (forwarded to a committee or directly to senate). Melanie Turner, Secretary University Senate

Response 2/12/2016: This has been sent to faculty senate as well as the professional personnel salary and benefits committees. Once these committees have approved, it will be sent to the full senate for approval.

Melanie Turner, Secretary University Senate

3/1/16 No update from Faculty Senate

4/19/16 Update from Melanie Turner, Undersecretary to the University Senate

“...the [FMLA] policy revision is on the senate agenda for their meeting on April 28, 4:00pm, Letterman Building (LB), Room 125. Feel free to attend!”

4/29/16 Update from Melanie Turner, Undersecretary to the University Senate

“It passed yesterday. I’ll be forwarding it on to the Provost after signature of the action form by the senate chair. It will ultimately go to the president where he will decide whether it needs Board of Trustees approval or can take effect immediately.”

5/17/16 No further updates.

5/19/16 Hank Gerhart stated that both Acting Provost Robert Morris and Interim President Terry King have approved this action and it is awaiting Board of Trustees approval at their upcoming July meeting.

6/16/16 Hank Gerhart shared that this item is currently slated for the July 2016 Board of Trustees’ meeting.

b. RFI #23 2015-2016 – I have been a BSU employee in a non-exempt staff position for 13 years. I have had 8 different supervisors over the years. I have gotten great performance evaluations from all of my supervisors except the most recent one. The only prior supervisory experience she had was a job where she was fired after less than a year. There were four staff members who worked for this person. Two of us worked for the university over 10 years and the other two worked for the university over 20 years. All of
us had much lower performance evaluations with the new supervisor than we did with any of our former supervisors. My score was a 3.4. I asked the supervisor if she understood that I would not get a raise with a score below 3.5. She said yes and it was only a coincidence that my score was a 3.4. I told her that I could not afford to continue working in that position if I was not going to get raises. She knew that I was looking for a professional position. She said, "Does that mean you are willing to stop looking for another job?" The implication was that she would change my evaluation scores if I agreed to stop looking for another job. This was unethical and possibly illegal. I felt that she was using coercion by using my evaluation scores and a raise to force me to stop looking for another job. I did not respond to her question. I knew if I agreed this type of coercion or bullying would continue as long as I remained in the position. She wrote up two of us several times in less than a year. Neither of us had ever been treated like that by any other supervisors. As an example, she wrote me up for responding to an email on the weekend. That incident happened six months before she started working at BSU. The manager told her about it and she wrote me up. Another example, for a few weeks she said we had mandatory overtime for an hour each day unless we had returned all of our voicemails. I returned all of my calls and told my manager I had completed them. The supervisor was on the phone at 5pm and I left. She wrote me up for not staying over. I explained that I had returned my calls and she said I should have told her. I reminded her that she was on the phone, but she would not retract it. I left that position for a lateral position 14 months after the supervisor was hired. I loved the job, I just could not work for her any longer. I was the last remaining staff member in the department. There was one part time temporary staff person remaining in that department when I left. I have just had my second performance appraisal in my current job. My average score is 4.5 out of 5. My current supervisor said he is very happy with my performance. I have always tried to do my best in any job. After I had been working in my new job for a few months, my new supervisor told me that the HR rep showed him all of the documentation from when I was written up. I was humiliated. I had applied for several jobs. This means all of those people saw what that supervisor said about me. I asked someone in HR how long those write ups remain in my personnel file. She said those are permanent. I did some research to determine how other employers handle negative information in personnel files. Also, I asked a couple of people who work for other large employers how they handle these issues. From the information I found, it appears that most companies remove those items from personnel files six months to a year after the incident. I want the BSU policy changed. I want those items removed from our files no longer than one year after the incident. I want them to actually be deleted. Staff members should not have this information in their personnel files indefinitely. If an employee continues to be a problem, they will continue to be written up. Removing the negative documents will not suddenly make a poor employee change. It will prevent a bad supervisor from hurting good employees. This would benefit the university by creating lower turnover rates and reducing the costs of hiring and training new employees.

Response 5/17/16: Adam Dungan reported that he is awaiting a response from Melissa Rubrecht, Director of Employee Relations & Affirmative Action. Tamara Edwards asked a question of Kate Stoss as to who can add to an employees' personnel file and can the employee see their file? Kate responded that an employee can view their file at any time in Human Resources by bringing their I.D. for verification. It was also stated, that nothing goes in to an employees’ personnel file without the employee first reviewing the item.

A second question of whether a boss can add anything to file without employee reviewing first was asked. Diane Drake stated "no" an employee has the right to see everything before it’s added to their file.

Response 5/25/16: Response from Melissa Rubrecht, Director of Employee Relations & Affirmative Action.

Performance evaluations and disciplinary actions are discussed with an employee before becoming a part of an employee’s personnel record and are not removed from an employee’s personnel file. An employee always has the option to write a rebuttal to a particular performance evaluation that he/she disagrees with and that rebuttal will be attached to the performance evaluation and also remain a part
of an employee’s record. An employee could also attach a rebuttal to a disciplinary action and make that a part of his/her personnel file, or an employee may dispute a disciplinary action by filing a grievance within 10 days of being disciplined. It might also be helpful to know that for most rule violations if more than one year has elapsed since the prior violation of the rule, progressive discipline would not be taken if there is another violation of the rule, but would start over at the first step of the progressive disciplinary process. Supervisors may work with their Human Resources Representative to review their employees’ or applicants’ HR personnel files.

A motion was made and seconded M. Jones/C. Cunningham to resolve this RFI.

**The motion carried. Resolved**

**b. RFI #24 2015-2016** - Now that marriage is equally available to all, please discontinue the highly discriminatory practice of allowing same sex domestic partners to gain benefits that are not available to opposite sex domestic partners.

*Response from Kate Stoss, HR, May 13, 2016:* Human Resources is reviewing how other universities are handling same sex/domestic partner benefits and gathering input from a number of constituencies across campus prior to making any decisions about our program at Ball State.

We are awaiting a more specific response at an upcoming meeting.

**6/16/16:** Ranae stated that Human Resources is reviewing the policy and gathering additional information. Hank asked Kate Stoss if there was any additional information or when we might expect additional information. Kate stated that as of today, she had no additional information.

c. **Revision of Staff Council Constitution** – Peggy Weis reminded everyone that changes to the Constitution required a second reading at today’s meeting. She offered to again read through the entire document, much like she did at our May 19th meeting, or any changes could be offered on the floor. Melissa Nagle asked if anything had been changed since our May meeting. Peggy stated nothing had been changed. Upon agreement by the entire Council, a second reading was not deemed necessary due to no changes or updates since the May meeting.

A motion was made and seconded (T. Edwards/R. Burkett) to accept the revised Constitution. After approval by the Council, all amendments shall be presented to the Vice President for Business Affairs who will in turn forward to the President and Board of Trustees (if necessary) for ratification (See Article 11.1.4). Kate Stoss will coordinate this process.

**The motion carried.** Peggy asked that all new members pay particular attention to the Constitution so that they understand all duties, etc. of the Council members.

**VII. New Business.**

a. **RFI #25 2015-2016**

It would be very gracious of Ball State to initiate a policy that would allow employees to donate sick days to people who are undergoing health issues or who are caring for people who have health issues and have run out
of sick days. It would be another way for Ball State to encourage compassion and demonstrate that we are concerned about the welfare of our colleagues.

6/13/16: Awaiting Response from Rebecca Olson, HR

6/17/16: Response from Rebecca Olson, HR:

Thank you for forwarding your suggestion to initiate a policy to allow employees to donate unused sick days to those employees in need. Your suggestion will be taken to the Benefits Review Team where they will research best practices, review the results and discuss next steps.

b. RFI #26 2015-2016

In regards to November 19th, 2016 minutes RFI #1 2015-2016, has staff council made any progress in to changing the "Staff Council Constitution" to include part time employees? Also why not allow them, once included to be a representative to the Staff Council for their department/building? Its hard enough already to get people willing to take on the extra work of Staff Council.

Response: Hank Gerhart shared the following: This item was covered in RFI #1 (2015-2016) which was resolved during the November 19, 2015 meeting. The Council resolved to include part-time staff in Staff Council representation, however due to the nature of part-time schedules, part-time staff will not be eligible to hold a seat on Staff Council. Therefore, this item is also considered ‘resolved’. Additionally, the revised constitution reflects this change as well.

Resolved.

c. RFI #27 2015-2016

Why have we not received any official notification from HR/Payroll regarding nonexempt staff starting to punch in/out beginning July 3? Our staff council representative shared some information with us after the last Staff Council meeting, but we have still not received anything official. I'm sure there are many people across campus that have not been told at all. A change of this magnitude deserves more information from official sources than word of mouth!

6/9/16 Staff Council Response: An email was sent from Payroll and Employee Benefits on June 9, 2016 detailing the change with instructions on implementing. Additionally a link to registration for training was included.

6/16/16: This RFI was deemed null and void in light of recent training sessions being offered.

Resolved.
VIII. Announcements

Next meeting will be Thursday, July 21, 2016 in SC 301-2 at 1:15 p.m

a) Angels for Life blood drive dates:

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<th>Date Range</th>
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<tr>
<td>SEPTEMBER 14-15, 2016</td>
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<td>NOVEMBER 9-10, 2016</td>
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<td>JANUARY 18-19, 2017</td>
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<td>MARCH 22-23, 2017</td>
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<td>MAY 24-25, 2017</td>
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IX. Adjournment

A motion was made and seconded (A. Pickett/T. Edwards) to adjourn the meeting. The meeting adjourned at 1:47 p.m.

Respectfully submitted,

Angie Zahner, Secretary

Attachments