Staff Council Meeting – Nov. 16, 2023

Brent Dotson, Elizabeth Knick, Beth Woods, Curtis Shriver, Jennifer Williams, Angie Burgy, Martha Leeson, Jolene Sink, Brad Wilson, Jackie Bennett, Al Collins, Sami Kincaid, Vanessa Chilcote, Austin Fields, Cody Irick, Kurt, Melissa Graham, Cyndi Dotson, Jeanie Jones and Holly Martin (Faculty Senate)

Special Guest Speaker is President Dr. Tori Jackson

Brent Dotson – I would like to call this meeting to order. I have received several questions about the new Policy change B-24, about the Employee leave, so I have asked President Jackson if she would come to this meeting to answer those questions.

At this point I would like to turn the floor over to President Jackson.

President Jackson – Hello everyone. I will start by saying that we have been looking at policy all across the board lately and we have been working to update the entire answer book, which some of you may realize is an ongoing process. We have a lot of policies that haven’t been touched in a long time some even all the way back to 1991. One of the policies I was working with this week is back from 2005. There are a lot of policies that have not been updated to match either the State guidelines, the Higher Education Policy rules or just our common practice.

We had a policy from 1994 about food on campus, we have completely eliminated that one because, we weren’t following it frankly. We are allowed to have food on campus.

So, the reason that we are doing that is because I just thought that was something that we needed to do across the board. The answer book is something that everyone goes to but if it’s outdated it’s not helpful to us. So, the Presidents Cabinet has been looking at that and divided out all the different policies from the different areas and they are working on those. We had this really big goal to those completed while I was an Interim because we didn’t know what was coming next, but we didn’t meet that goal because there’s 122 policies in the answer book alone and we are still working on them and it’s going to be a gradual process. Since I was lucky enough to get the opportunity to stay in this role and be with you for a while.

With that we have also been looking at Board of Governors Policies because they have also been untouched for a long time and some of them even reflected WVU Policies and that’s not who we are. And so we are also looking at those.

This one came up, the Employee Leave B-24, and one of the reasons we wanted to talk about that is we wanted to have definitions that match “The Fair Labors Standards Act”. So, if you’ve seen the policy in your email, there is red and also blue in it. So, the red things that were put in it were done here and we put some definitions in of non-exempt, exempt, temporary employees and regular employees because they weren’t defined in the policy, those are based on the Fair Labors Standards Act. And the blue that is in there were done by the Higher Education Policy Commission Attorney. One of the greatest changes that she made to it was the changes for inclement weather, because we are not allowed to close for inclement weather unless the Governor calls a State of Emergency, and that’s a practice that we were doing. So, she making sure that we put it in there that we are not allowed to do that.

Now we did add another piece in here and I sent this to Brent and Cody, and I’m not sure if they have had the chance to share it yet or not, the Higher Education Commission Attorney has also approved 4.2.4, we added it after going through the pandemic it simply says; “A supervisor may, upon written approval by the institutional President or his or her designee, allow an employee to work from an alternative location in a situation in which an employee cannot be at their normal work location because of an extenuating circumstance. This can only occur if the employees work can be completed at the alternative location without causing a disruption to the institutions normal business.”

Who decides that? The supervisor, with approval of their VP and the President to make sure that the institutions normal business is not altered in the fact that this person, for whatever the extenuating circumstance is, has to work technically remotely. We had nothing in our policy that covered anything for any type of remote work, so that is something that has been added to this policy because we do know that we do operate with some employees doing remote work from time to time, so the best practice is to actually put it in our policy. That way there is a safeguard for all our employees at that point in time.

I know there have been questions about the words “non-exempt” and “exempt”, non-exempt is a classified employee and exempt is a non-classified employee. And that is the wording that goes with the Fair Labors Standards Act.

What questions do you have in regards to this policy that I can answer?

Elizabeth Knick – So it’s not really any different from what we practiced when you were interim right? With the weather situation.

Pres. Jackson – It’s not any different. We are not allowed to close unless there’s a State of Emergency. But if you have an extenuating circumstance that means there is some reason that you can’t get here you need to contact your supervisor to see if you can get permission for something else.

It’s something we used to do, our previous President would just follow whatever Wood County schools were doing that meant we were closed way more then we have ever been and it caught the attention of the state, and we were reminded that we are not allowed to.

Does anyone have questions about B-24 that I can answer?

Brent Dotson – So I think one of the main take a ways from that is the fact that in the original policy classified and non-classified are spelled out and that’s going away and being replaced with exempt and non-exempt, correct?

President Jackson – Yes. I will note one other thing, if you look at definition 1.4.1 for non-exempt; non-exempt employees are known as classified employees who are employees who are typically paid hourly. The word typically is in there because there will be a few anomalies that exist based on previous legislation that could’ve changed somebody’s position over time and you may find a case where you have a classified employee who is actually not hourly. They are still a classified employee, that is what their status is through Human Resources and through Payroll. There are a couple situations on this campus where that does exist in those cases we will be writing a letter to help the employee know exactly where they fit in, because technically that makes them a “non-exempt/exempt” and that needs to be explained, and that letter needs to be with them and also in HR in the event that something else would happen and there was somebody else that was their supervisor and the President of the college and they need to have that safeguard of an explanation in their file, so we are going to make sure that happens. That’s the weirdest thing that happens because of this.

Elizabeth Knick – I don’t know if they are always the same, I don’t pay much attention I just come to work, I live in Ohio. What happens if Ohio is under a State of Emergency but West Virginia is not, how do we handle that?

President Jackson – I think the safest thing for you to do if you live in an area that is under a State of Emergency is not to go on the roads because it becomes illegal at that point in time. I would still contact your supervisor and let them know the situation, usually they know where you live and they do know if there’s a State of Emergency and we do not ever want to put our employees that you are not safe.

It would be unusual that there would be a State of Emergency in Ohio and not in West Virginia but it could happen. Another fun fact, if there was a State of Emergency in West Virginia and not Ohio, you still wouldn’t come.

I did want to show you guys something. This is a bit of the Data Portal, this is a bit of the information that I have shared with Brent and Cody, and just letting you know what is happening around the state but is not happening at WVU Parkersburg, to kind of give you some insight on what’s happening at some other institutions. This is accessible to anyone through the Higher Education Policy Commission Data Portal and what we are looking at is the year 2022. I want to click on “employee head count”, and then I want to click on the sector for “Community and Technical Colleges”, because that is where we are at, I want to look at all institutions, and then I want to look at “employee type”, I want to look at “classified”.

This shows you full time and part time classified employees throughout the state. What I really want to show you is that there is a trend at other community colleges in West Virginia that you don’t see at WVU Parkersburg, but if you look at 2013 for example and you look at classified employees; Bridge Valley, they have 32, and in 2022 they had 32, so not much of a difference there. If you look at Eastern they had 23 in 2013 and it’s 8 in 2022. I want to put something in perspective for you, Eastern only has 14 faculty that are full time, so they are a much smaller institution. If you look at Mountwest 46 in 2013 and in 2022 they have 17; New River they had 80 in 2013 and it’s down to 23 in 2022; if you look at WVU Parkersburg there was 92 in 2013 and there’s still 92 in 2022. I show you that because I want to show you the flip side of that, if you look at the totals across the state it’s gone from 538 to 253. We know that the group of classified staff in the state is shrinking. On the opposite side of that, if you click on the non-classified employees, only on our sister institutions because there are 9 of us in the state, and you look at those numbers, Blue Ridge has gone from 10 to 80; Bridge Valley has gone from 8 to 48; Mountwest has gone from 12 to 27; Pierpont 13 to 21; Southern 22 to 63; WV Northern 15 to 70; WVU Parkersburg is 31 to 39. So I’m just letting you know that we are very similar to where we used to be there were 146 in 2013 total and by 2022, 481 that would be in the non-classified category as we formally know it. So, when you hear that discussion in the state and the legislature is even talking about this, the numbers are flipping across the state. We are pretty level to where we have been for 10 years, but that’s not the case throughout the state.

Elizabeth Knick – What is the benefit for that for the college?

President Jackson – There are less qualifications that have to be met for a dismissal. I don’t think that’s the only reason it is happening, I think at a lot of institutions they have hired more Grant people in and they don’t really intend to keep those positions once they expire but if they hire them in as classified it changes the rules for eliminating that position. When we hire someone on here as non-classified it is not on that basis, not every position is put in place with the intent on being there 10 years from now but a lot of them are.

The other thing that is unfortunate about this, if you look at these numbers, so now we have 481 just in the community and technical colleges in West Virginia who aren’t represented necessarily by a council, the legislature requires that there be a Classified Staff Council and allows for a Faculty Senate but it does not allow for anything technically for anything that is a Non-Classified Council. And if you look at Board requirements there’s a requirement to have a classified staff representative, a faculty representative and a student representative, again this large portion of employees is not represented. What you are doing (pointing at Brent), is very nice. You are allowing another group to enter in to your meetings and have a voice, I believe you have a voice on this campus no matter what, but not everywhere would you and not all classified staff councils are doing that. That’s another factor that is going to be impacted by some of the legislature that you are probably going to see moving forward, and those are the reasons why, again you’re not going to see the difference here but when you look big picture that’s why people are talking about it.

Brent Dotson – That’s why I wanted to point out, that’s why the terminology is changing from classified and non-classified to non-exempt and exempt. So, as these rule changes and proposals are shared for comment period you’re going to start seeing those changes throughout the policy and…

President Jackson – And through the series that’s put out through the Higher Education Policy Commission over time, yes, and I know that depends on what the legislature ends up doing.

Brent Dotson – And just to add to that, I poured through Code today before the meeting, so that I could understand just exactly what the legislature is saying at this point, to date, no legislature has not changed the definition or legislative terminology for classified staff or the ACCE representatives for the state. So, even though they are changing the terminology from classified, non-classified to non-exempt, exempt they have not changed that portion of the legislature yet.

President Jackson – That group that you said, what does the initials stand for?

Brent – Advisory Council for Classified Employees. That group meets once a month and they go over legislative issues and they meet with the legislature and they are involved in that process. So that classified staff has a voice at the legislature.

President Jackson – There is another group for faculty called the ACF where faculty has representation as well. The hope is that the legislature will consider doing something to represent the growing number of non-classified in the state.

So the reason this policy is adding in these changes now to add in those definitions non-exempt and classified are together and exempt and non-classified are together and that we have that in our policy so that whatever direction we end up going they are both there, we also added the part for supervisors to make the decision if somebody can work from an alternate location and we have fixed the part about what we legally can do during inclement weather. Those are the main parts of this policy. And we have extended the time frame that we will accept any comments on it to November 30th, the deadline was actually tomorrow but we wanted to give you all time after the explanation today to be able to give any comments that you have. It’s not going back before the Board until January because they don’t meet again until then, so any comments are brought forward we can share with our Board of Governors before they make a decision.

Does anyone have any more questions for me?

Thank you all very much.

(All applaud for President Jackson as she leaves)

Brent – Comment period. Is there anything anyone would like to add after President Jackson presentation?

No? Alright, then we will head on into the rest of the meeting.

We will start with listening to reports. As Tori was saying there, the President’s Cabinet have been going over some of the policies at our last cabinet meeting we basically just given an overview about the accreditation answer and report that they are all putting together for our accreditation coming up in March. That is basically what we did in the last cabinet meeting the 1st of November.

Cody Irick – (Board of Governors) We met on Sept 19th, action items –

Approval of updated BoG policies to reflect Affirmative Action compliance;

Approval of updated BoG policy to reflect a review of the salary policy;

Approval of faculty compensation structure outlined in the answer book, salaries and performance-based increases;

All of these were approved.

Approval to utilize unrestrictive reserve funds for the replacement of flooring and seating in the WVUP Theatre;

Approval of updated BoG policy to reflect a review of the transfer ability of credit and grade policies; and also

Approval of delegation of powers to the President.

So, the Board basically had more power when she was interim but now that she’s the official President those powers were shifted to her so she has more authority over the day-to-day operations.

Ok, that was that month.

October 17th we had our next meeting:

We had an on-line approval of the BAT, which is the Bachelor of Applied Technology program;

We had 3 policy updates to go out for review:

Approval of updated policy of the BoG policy to review the Equal Opportunity policy;

Approval of the updated BoG policy to reflect a review for employee leave policy;

Approval of the updated BoG policy to reflect a review payment and refund fee policy;

And, Approval to utilize unrestrictive reserve funds for renovations at the Jackson County Center not to exceed $450,000. That covered power, lightning and demolition. It will not include fixtures, furniture and equipment.

And, a fun fact, we have $22 million dollars in reserves. So, we are in very good financial standings.

Any questions?

Brent – So those meetings are pretty much filled will policy related topics?

Cody – Yeah, policy updates and approvals and using reserve funds is pretty much what they have been packed full of lately. They have been shorter meeting but that’s pretty much what we’ve been doing lately.

Brent – Ok, since there are no more questions for Cody, will move on to Jolene with the ACCE report.

Jolene Sink – So the meeting was on November 13th, the HEPC updates, there was nobody there to give any updates. They also talked to us about what President Jackson talked about with the numbers.

So, in West Virginia, in 2017 the numbers for classified staff 4213 and non-classified was 2175, so skip to 2022 it’s the opposite. That’s the main thing that everyone is talking about now.

There is an article I saw and it’s called “Salary by the Numbers” you guys might like to check out.

There are still waiting on findings from the project manager at HEPC to implement the “Campus Carry” instructions, and for day care instructions and what to do with Veterans Centers and Student Service Centers.

Brent – When they were talking about the campus carry did they say if the legislature has made their definitions on that?

Jolene – No. Nothing on that yet.

This was my first meeting and it was kind of an eye opener, because they are trying to get a hold of all these legislators and nobody is answering anybody.

Travis Mollohan, he’s the director of Government Relations was there and he did say, that he lives in Morgantown but when they are in session he lives in Charleston and he encourages anybody to walk into his office.

They talked about the surplus shrinking also that’s for other funding like PIA and stuff like that don’t know where the money is going to come from then.

That’s pretty much it.

Brent – Any questions for Jolene about the ACCE report? We can move on to the Treasury report with Vanessa.

Vanessa Chilcote – Emergency fund has nothing new to report so the balance is still $838.00

Employee activity fund – wrote a check to Al Collins for $300.00 to purchase toys for the kids at the Christmas luncheon so the new balance is $8748.63.

No changes in our staff council scholarship that the foundation holds.

Brent – Any questions for Vanessa?

The Evaluation Sub-team, I’ll give a quick overview we’ve had 3 meetings, and just so you guys know where that team is on the evaluation process. All the competencies have been identified a couple extra competencies have been identified for the managerial evaluation. In our next meeting, Kim Legg (the HR professional that came to talk with us), is going to have an evaluation draft for us so that we can see just how those competencies are going to fit in with the evaluation and we will determine the rubric that goes with those competencies in that tool. If we decide that’s the actual tool that we want to use because she gave us a couple different outlines and we pick substance from 2 different ones to use. So, she is supposed to be putting that together for us to review.

I just wanted you all to know where we are in the process and that we are moving forward. I’m pretty excited about it, I think we have some really good competencies across the board. Any questions for me?

Cody – So once we determine that is the tool we want to use, what’s the next step? Does HR have to approve it? Does the President have to approve it?

Brent – It will have to be turned in, just like faculties. Faculty is working on one just like we are for staff. They have a committee as well and they are developing their own tool like we are. Once both committees have agreed upon by their committees, they will be presented together to the President and will have to be reviewed by HR.

Do you know who’s actually going to review those? (speaking to Holly Martin)

Holly Martin (Faculty Senate) – I know ours has to go to the Chancellor.

Brent – So, they both have to work their way up the chain, I don’t know that ours necessarily has to go through the Chancellor but it definitely has to be approved by Administration and HR. I would assume that the President would have the final say on it.

Elizabeth Knick – When do you think that will be done?

Brent – That will all depend on what this tool looks like that she gives us and everything, our next meeting is December 4th, and once we get that tool from her and we start putting it together. I can’t really speak to the time line once we get it accomplished but I think maybe 2 more meetings to get the tool where we want it and then we can turn it in for review.

Al Collins – I can say, with being part of that committee, that it’s not going to be ready before the next set of evaluations which is in April.

Elizabeth – What about faculty?

Holly Martin – I know our goal is to have it to use for the year 2024. We wouldn’t realistically use it until 2025 if that makes sense. We do our evaluations in December and have to have it ready in January.

Al – That’s something we are looking at to is changing our evaluations rom May to January. So that way if it ever does become merit based, Alice has time to put something into a budget and get it approved before the new year starts.

Brent – Are there any more questions about the Evaluation tool?

I am going to open the floor to the other committees for any updates that they want to share.

Cyndi Dotson – I just have one questions, to everybody, because I can not find anything in writing. Does anybody know when Staff Appreciation week actually is?

(Several people said they thought it was sometime in May.)

Brent – Next – old business. I had a couple questions from last meeting. Lines repainting in the lot, that is in the works. You can’t get asphalt in the winter, it will not set up if it’s cold.

Al – They are going to seal and paint not just paint, there is no date but it will be done before graduation.

Brent – Just a reminder, Ricky’s will not be open next week so we will be provided alternative lunches. We are going to do Tacos in a bag on Monday, and we will do Ricky’s pepperoni rolls on Tuesday. I will be sending out a flyer today. (people volunteered to bring stuff for lunches)

Let’s move on to the Christmas Luncheon, I’m sure everyone seen the email with the form for the luncheon. I have already talked to Chris at Ricky’s and got everything set for that. I don’t know if everyone seen the email that came out today from DEI about “little Ricky”, I would love for everyone to facilitate Little Ricky as much as possible. Bring him in and have him in your offices and help out. I’d love to be able to get some really cool pictures to share at the luncheon. I am also working with HG about having some music during the Christmas luncheon. He has a student that would like to play Christmas music for us. Elizabeth will your husband like to play Santa again this year?

We will be opening our brand-new Christmas tree this year. Going to try to do the same as last year, hang an ornament get a treat. We are getting a boatload of decorations from the downtown building.

Melissa Graham – Can we have like an ugly sweater day or something?

Elizabeth – Why can’t we do something like they do for Halloween, you know like nest fest?

Brent – Are you proposing an ugly sweater day or are you proposing multiple days of Yuletide whatever?

I’m going to put this in your lap Melissa. Would you want to do it the week of the Christmas luncheon or the week before that?

Melissa – We want students to be active in this as well don’t we? What about finals week?

Brent – So Dec 11-15th? (we tossed around ideas for the whole week)

Employee of the Month will be sent out tomorrow.

Brent – Motion to adjourn. Elizabeth motioned, Melissa seconded.