All Representatives recorded as ‘present,’ with the following exceptions:

Excused Absent: L. Strander (151), B. Gates (159), B. Koerber (188), B. Schenkel (190), L. Burrow (203), D. Esquivel Vindas (206), Pond (CSEC –8)

Absent: G. Hietpas (110), A. Yingling (128), L. Martinez (143), T. O’Brien (172), S. Hubing (173), J. McCaughtry (200)

In addition, 12 Alternates were present.

At 2:30PM the Secretary reported a quorum was present and Provost Mangelsdorf called the meeting to order.

Provost Mangelsdorf informed the Congress that she would act as Chair of the meeting as Vice Chancellor Bazzell was unable to attend.

Provost Mangelsdorf entertained a motion to approve the Minutes of 10.20.14. Motion to approve was heard, second was heard. No discussion. Ayes were heard, Nays were not recorded, Abstention heard. MOTION CARRIED.

Provost Mangelsdorf paused to take comments from the public, none sought recognition.

Provost Mangelsdorf used the agenda item of ‘Vice-Chancellor’s Report’ to inquire if there were any questions.

Representative of CSEC Seat 5 noted that he had read the reports of a $100 million gift to the UW-Madison and inquired if any of that would filter down to the classified staff.

Provost Mangelsdorf replied that this gift was designated for Faculty Chairs but there could be indirect ways in which classified staff would benefit if research funds were used to hire staff.

Representative of District 113 noted that they have been briefed about the exercises planning for a 2, 4 or 6% cut in the budget and inquired if there was any update as to where the UW-Madison stood fiscally.

Provost Mangelsdorf replied that at this point no new information is available but such planning as was referenced is necessary to be done in advance of the actions of the State. If no new funds were received there would have to be a cut of some level.

Provost Mangelsdorf recognized Classified Staff Executive Committee Russell Kutz for the purpose of giving his report.
Chair Kutz provided a live presentation of the updates made to the Classified Staff Shared Governance website, demonstrating the Congressional database feature and thanking Mr. Gene Masters for his work on that feature. Chair Kutz offered thanks to Matt Goins of the Department of Information Technology as well as to the staff of the office of the Secretary of the Classified Staff for their work on the website. Chair Kutz introduced Caolan Finegan, Riley Garcia, James Dederich, Bruce Goldade, Jake Rebholz and Linda Meinholz, the members of the newly formed Nominations Committee (proceedings interrupted by applause). Chair Kutz introduced Jake Rebholz, the newly elected Congressional Liaison, noting that 76% of the Congress participated as voters in the electoral process for this office (proceedings interrupted by applause). Chair Kutz concluded his report by informing the Congress that Chancellor Blank will appear at the December meeting of the body.

Provost Mangelsdorf proceeded to items on the agenda slated for action and began with those items postponed from the previous meeting.

Provost Mangelsdorf opened for discussion the approval the Performance Management Policy.

Representative of District 113 noted change of language on second page and inquired how that came about.

Mr. Patrick Sheehan of the Office of Human Resources replied that this draft reflects an edit to the policy previously approved by CSEC.

Vote was taken to approve the policy. Ayes, Nays and Abstention heard. Provost determined that those who had voted Aye were in the Majority. MOTION CARRIED.

Provost Mangelsdorf proceeded to the next agenda item, the creation of a Congressional Bylaws Committee.

Representative of District 171 moved to create a Congressional Bylaws Committee consisting of five members of Congress, plus one non-voting ex-officio member of CSEC. No discussion. Ayes were heard, Nays were not recorded, Abstention was recorded. MOTION CARRIED.

Provost Mangelsdorf proceeded to the Grievance Policy and recognized Mr. Erik Twaroski, Chair of the Grievance Policy Committee.

Mr. Twaroski informed the Congress that the policy was reviewed at the committee level for two and a half months and that he and Mr. Sheehan of OHR had fielded numerous questions as to the content and intent of the policy. Mr. Twaroski informed the Congress that CSEC has now approved the motion of the committee to approve the policy.

Motion to approve the policy was heard, second was heard.

Representative of District 171 asked for a review of the changes to the policy.

Mr. Twaroski noted that no changes were made at the committee level which had been proposed by either Congress or CSEC.
Representative of District 145 stated that all relevant parties involved in a grievance should be getting copies of the grievance at each step of the process.

Mr. Patrick Sheehan replied that copies would be provided to the relevant parties based at which step the grievance had been filed, this would be different parties at different points.

Representative of District 145 stated that members of his district have expressed concern regarding responsiveness, and said the process is not working, particularly as it relates to language barriers. Representative of 145 continued that despite complaints, people often do not pursue complaints out of fear of repercussions. Representative asked if grievances can be pursued in a native language and if stated timelines will be respected.

Mr. Patrick Sheehan replied in the affirmative that employees may attend a grievance and speak in a native language. Timelines may have to be extended to accommodate translation needs, but will always try to address grievances in a timely fashion.

Representative of District 145 stated that it should be included in the policy that a person can present a formal grievance in the language of their choosing and that it be considered within the stated deadlines.

Mr. Sheehan replied that while this was discussed at the committee level it was concluded that this point is more about process than it is about policy, and reminded the Congress that Cultural and Linguistic Services does not serve all possible languages. It would have to be approached in a case by case and language by language manner.

Representative of District 145 said that while he understood the reply, it does not reflect the comments from his district, where they report they cannot move forward with grievances because the policy does not spell out their rights to use a native language and employees are left to search out Cultural and Linguistic Services on their own. People in the department base their reply only on what is written in the policy.

Mr. Sheehan said discussion has taken place that the policies will be provided in the languages served by Cultural and Linguistic services so that grievances can be filed in native languages.

Representative of District 104 said she has shared drafts of the policies with her district but was unaware if any of her constituents have made any inquiries about the aspects of the policy drafts to OHR.

Mr. Sheehan said he sends all his replies to the office of the Secretary.

Secretary replied that he complies all the questions sent either directly from Congressional Representatives, or emails from Representatives relaying questions from their districts to his office and collects the answers provided by Mr. Sheehan and then issues the Q&A memos to the full Congress. The
Secretary reported that he is unaware of any questions from any constituents posed directly to any other individual HR representatives.

Mr. Sheehan said he has also been receiving questions at HR Design forums.

Representative of District 167 moved to amend the policy to include language support. Second was heard.

Representative of CSEC Seat 1 noted she had served on the committee and said that under supporting tools there could be live links to CLS and other resources that would address the issue of representation for all groups.

Representative of District 161 spoke in favor of the amendment and moved to amend the amendment to include that English Language Learning employees can file a grievance in a native language and that the university make a good faith effort to provide translation and interpretation services.

Vote was taken on the amendment to the amendment. Ayes were in the majority. An Abstention was recorded. MOTION CARRIED.

Vote was taken on the amendment. Ayes were in the majority. Abstention was recorded. MOTION CARRIED.

Representative of CSEC Seat 5 asked for details regarding the impartial hearing panel make-up.

Mr. Sheehan replied that the panel would consist of two representatives of the Administration and two provided through classified staff shared governance.

Representative of CSEC Seat 5 asked who would select the classified staff representatives.

Mr. Sheehan replied that he was unaware how Congress intends to approach the selection of those individuals.

Representative of CSEC Seat 5 expressed concern that the make-up could result in a balance in favor of management.

Mr. Sheehan replied that the intent is to get the perspective of both administration and employees.

Representative of CSEC Seat 5 stated concern that input has not been included as to how the classified representatives will be chosen.

Mr. Sheehan replied that the process will be developed independently of the policy.

Representative of District 113 asked if there is a separate corrective action policy.

Mr. Sheehan replied that while it is not currently in existence under that title, it is planned for the future and the policy is a placeholder for that forthcoming language.
Representative of District 113 asked if the Campus Hearing Officer referenced in the policy is the designee of the Chancellor.

Mr. Sheehan replied in the negative. The Campus Hearing Officer will be similar to a third party arbitrator who is not a management representative. A list is now being complied of those who could provide that service.

Provost Mangelsdorff announced that in accordance with the agenda the Congress would stand in recess for 10 minutes.

***recess***

Provost Mangelsdorff resumed discussion on the grievance policy.

Representative of District 111 said that even though the inclusion of time limits in grievance policies has been standard practice in Wisconsin for several decades, they are now being removed due to the result of a Supreme Court ruling that referred them as onerous. Representative of District 111 moved to amend the policy by removing the language related to the 30 day time limit. Second was heard.

Mr. Sheehan replied, stressing what he viewed as the importance of timeliness so problems can be corrected in a timely manner. If grievances are brought up later it makes it difficult to remedy.

Representative of District 111 said she could provide references to show that this language is coming out of more and more policies and said this appeared to be putting process in policies.

Mr. Sheehan said that in other policies that refer to a ‘timely fashion’ it is likely they have something behind it that states an actual time-frame and said the current language is consistent with prior Union contracts.

Representative of District 104 spoke in favor of the amendment and said that the wording "30 days" would discourage persons like herself from filing a grievance if the 30 days had passed. She would assume nothing could be done after 30 days.

Representative of District 199 called the question. Second was heard.

Vote was taken on the motion to call the question. Provost Mangelsdorf stated it could not be determined if a two thirds majority had vote in the affirmative in the voice vote, and a hand count was then taken. Provost Mangelsdorf announced that two thirds had not voted in favor and an Abstention was recorded. MOTION FAILED.

Mr. Sheehan continued discussion by saying that if an employee tries to determine what constitutes a ‘timely fashion’ it could lead to confusion.

Representative of District 171 agreed that it is a policy document, not a procedural document, and those procedures can be linked to after ‘a timely fashion’ is stated.
Representative of District 170 stated it might be more reasonable to include a date but make it a longer
date and inquired what the goal is by removing the current specific date and inquired if there is any
standard definition about what ‘a timely fashion’ means.

Representative of District 111 stated that 30 days in some cases will not be appropriate and the
grievance will be considered resolved because the time frame has expired, when the employee was
trying to work things out on their own and fails to do so, then it is too late.

Mr. Sheehan stated that placeholders are important for employees and time frames appear throughout
the policy to guide employees at each step.

Representative of District 124 asked for a clarification of the most recent vote.

Provost clarified that the most recent vote was to call the question, not on passing the amendment
itself.

Representative of District 120 said that different time frames could be applied to different
circumstances of grievances.

Vote was taken on the amendment. A clear majority could not be determined by voice vote. A hand
counted vote was taken. Ayes were found to be in the majority and an Abstention was recorded.
MOTION CARRIED.

Representative of District 134 moved to add the words “or suspension” to section 7A of the document
to remain consistent with the rest of the document. Second was heard.

Mr. Sheehan acknowledged that such language was appropriate.

Representative of District 103 stated that without a specific timeframe to say what ‘a timely fashion’ is,
it makes the policy too ambiguous and thus pointless.

Mr. Sheehan stated his agreement.

Representative of District 199 moved to reconsider the previous motion to amend.

Motion was ruled out of order.

A motion was made to call the question. Second was heard.

Representative of CSEC Seat 5 clarified that the vote was only on the wording to section 7A.

Provost Mangelsdorf clarified that prior to that vote, a vote on calling the question must be taken as a
motion was heard.

Vote was taken on the motion to call the question. Provost determined that the Ayes were clearly in
majority to a point of two thirds and an Abstention was recorded. MOTION CARRIED.
Vote was taken on the amendment. Ayes were heard. Nays were not heard. Abstention was heard. MOTION CARRIED.

Representative of District 102 moved to amend the document under section 5 to add language that regarding recording grievance sessions to change to, “if one chooses”, sessions could be recorded. Second was heard.

Mr. Sheehan responded that recordings of such proceedings are not common practice, can be viewed as confrontational, and does not facilitate discussion. Mr. Sheehan also said CLS has no objection to the practice of not recording sessions.

Representative of District 120 inquired if this amendment would allow either side of the grievance to record sessions.

Reply was in the affirmative.

Vote was taken. Provost determined that Nays were in the majority and Abstention was recorded. MOTION FAILED.

Representative of CSEC seat 5 moved to postpone action on the policy until the next meeting. Second was heard.

Vote was taken. Ayes were heard. Nays were not heard. Abstention was recorded. MOTION CARRIED.

Provost Mangelsdorf recognized Mr. Casey Newman, Associate Director of Transportation Services.

Mr. Newman provided a briefing regarding the proposal for a Base Lot Permit Renewal plan which the Department hopes will improve the process and necessitate less direct interaction with the Department by the employee. Mr. Newman stated that the Department wishes to take action regarding the policy proposal in December and have a substantial rollout in January of 2015. Upon conclusion, Mr. Newman invited Representatives to ask questions. Upon hearing none, Mr. Newman noted he would remain after the meeting to take questions individually.

Provost Mangelsdorf recognized Congressional Liaison Jake Rebholz for the purpose of hearing District Reports.

Mr. Rebholz noted that in the future the agenda will only include reports from districts if a Representative makes a request to do so in advance of the agenda being issued. Mr. Rebholz then noted he was prepared to accept any District reports at this meeting of the Congress.

Representative of District 194 reported that she conducted a District meeting which her constituents found helpful in discussing a wide variety of issues. The Representative noted that this meeting resulted in a number of questions being posed and that those questions were provided to the office of the Secretary in writing and she requested that those questions and answers be provided to the full Congress.
Mr. Rebholz then took up the agenda item of ‘Future Agenda Items’. Mr. Rebholz noted he would be meeting with CSEC at their next meeting to discuss agenda priorities.

Representative of District 122 noted that there is currently a 22% vacancy in the Congress and requested an agenda item be included regarding the discussion of how to address vacant Congressional Districts.

Mr. Rebholz noted that he had received similar requests in regard to this issue.

Representative of District 142 noted that it is difficult for him to call a district meeting until he is able to receive a list of his constituents broken down by which work crew they are on, as he has already requested. Representative stated that he has forwarded a number of agenda requests to the office of the Secretary in writing.

Mr. Rebholz acknowledged that the Secretary has forwarded those requests to him and that they are under consideration.

Representative of CSEC Seat 5 stated that he wanted it understood that the inclusion of ‘Future Agenda Items’ as a regular agenda item will remain on the agenda of Congressional meetings as it was part of a standard agenda template that Congress previously approved.

Mr. Rebholz acknowledged same, and clarified that while the item will remain on the agenda he wishes to encourage those with suggestions to forward them to either himself or the office of the Secretary in order to better utilize the time at the Congress meetings.

Provost Mangelsdorf entertained a motion to adjourn. Motion to adjourn was heard. Second was heard. Ayes were heard. Nays were not recorded. Abstention was recorded. MOTION CARRIED.

Minutes prepared and submitted by: J. Lease / Secretary