MINUTES
UW-Madison Classified Staff Congress
12.15.14

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

Excused Absent: R. Childs (140), C. Ripp (154), B. Goldade (108), Breuer (202), C. DeMontigny (198), R. Cruz (199), D. Esquivel Vindas (206), T. McCabe (136), S. Genske (201), L. Meinholz (CSEC 4)

Absent: O’Connor (120), C. Maney (127), D. Dhondup (141), L. Martinez (143), J. Santoyo Zamora (144), P. Dowd (148), A. Berry (191), J. McCaughtry (200)

In addition, seven Alternates were present.

At 2:30PM the Secretary reported a quorum was present and Vice Chancellor Bazzell called the meeting to order.

Vice Chancellor Bazzell entertained a motion to approve the Minutes of 11.17.14. Motion to approve was heard, second was heard. No discussion. All voted in favor with the exception of an abstention being recorded. MOTION CARRIED.

Vice Chancellor Bazzell paused to take comments from the public. A constituent of District 192 sought recognition. Constituent stated that the more precise term for the language used in the draft policy proposals that relate to providing language support, would be ‘Non Native English Speakers’.

Vice Chancellor Bazzell opened his report by wishing all those present a happy holiday season and extended his thanks for the work they had done in 2014. The Vice Chancellor offered to take questions.

Representative of district 182 inquired as to the results of the engagement survey.

Vice Chancellor Bazzell replied that the survey has been conducted twice in the past three years. The aim of the survey was to measure the level of engagement and address issues of inclusion. The first time there was a 50% response rate and the most recent survey produced an 84% response. The specific results of the survey and the plans formulated as a result, are being shared with the work units.

Vice Chancellor Bazzell recognized Mr. Russell Kutz, Chair of the Classified Staff Executive Committee, to provide a report.

Chair Kutz introduced Ms. Sherry Boeger, to provide the Congress with a briefing on the services available from the Employee Assistance Program.

Ms. Boeger noted that 43% of those served by EAP are classified staff and that three of the top four reasons stated for engaging the services of EAP are job related.
Representative of CSEC Seat 5 encouraged the Congressional Representatives to request of EAP that a similar presentation be made at their individual workplace Department meetings, so that their constituents could hear first-hand about the services available to them.

Representative of District 109 asked if there was any chance that EAP could receive additional funding in order to expand their program.

Ms. Boeger replied that while more funds would be welcome, she is aware of the current budget challenges to the University.

Representative of District 134 referred to the numbers in the breakdown provided by EAP as somewhat alarming, and inquired if they could be further broken down in order to see statistics by department.

Ms. Boeger replied that while it would likely be possible to provide numbers in greater detail she would not want to do so until it could be certain that this would not breach confidentiality.

Representative of District 134 replied that they would not see providing such statistics as an encroachment on confidentiality.

Ms. Boeger thanked the Congress for their time and attention.

Chair Kutz introduced Mr. Dale Burke of the OMBUDS office.

Mr. Burke briefed the Congress on the table of organization and purpose of the OMBUDS office. Mr. Burke described the office as informal, impartial, independent, and confidential.

Representative of District 142 stated that drug and alcohol abuse present a safety issue for students and inquired if it was possible to create a program to address the safety issues related to such concerns.

Mr. Burke replied that UWPD would be the appropriate body to work with on such questions and that he would be happy to pass along such concerns.

Mr. Burke concluded his remarks by asking that those interested in contacting his office do so by telephone, or send an email requesting a time to set up a phone contact, and that emails should not include any details regarding the topic to be discussed.

Chair Kutz thanked Ms. Boeger and Mr. Burke and returned the podium to Vice Chancellor Bazzell.

Vice Chancellor Bazzell proceeded with those items on the agenda designated as action items.

Vice Chancellor Bazzell reminded the Congress that the third Monday of January was a holiday and with the campus closed the Congress would have to decide if they wished to move the meeting to the fourth Monday or cancel it.

Representative of District 174 moved to hold the January Congress meeting on January 26th. Second was heard. No discussion. All voted in favor with the exception of an abstention. MOTION CARRIED.
Vice Chancellor Bazzell resumed discussion on the Grievance Policy which was postponed at the meeting prior.

Representative of District 104 stated that the feedback she had received from her constituents was in favor of a stated “30 days” language as it related to filing, and therefore made a motion to reconsider the amendment to remove the statement “30 days” and replace it with “in a timely fashion”. Second was heard.

Representative of CSEC Seat 5 stated that when it came to such things as motions to reconsider it would be much easier to conduct business if the Congress had utilized electronic voting devices, known as ‘clickers’ which would provide an accurate historical record of votes.

Representative of District 176 stated that during the previous discussion on the policy there was some confusion if filing had to be specifically within the 30 days stated.

Mr. Patrick Sheehan of the Office of Human Resources responded that the policy has been to hear a grievance regardless of the timeline, but it may be denied in the final analysis based on timeline. The goal remains to investigate workplace complaints and seek a resolution.

Representative of District 174 asked for clarification on the section in question as it related to timelines.

Mr. Patrick Sheehan of OHR, replied that the reason for a timeline is so that material is brought up in a timely manner and the matter can be addressed, beyond the timeline an issue can still be addressed, but it would fall outside the formal grievance process. Mr. Sheehan noted that after studying Big Ten schools, all contained a time limit provision and the average was 15 days.

Representative of District 113 suggested a vote on reconsideration should come before the debate on the merits of 30 days versus timely fashion language continues.

Parliamentarian replied in the affirmative.

Vice Chancellor called for the Ayes and Nays on the motion to reconsider. Ayes were ruled to be in the majority and an abstention was recorded. MOTION CARRIED.

Representative of District 104 moved to include the original draft language that grievances must be filed “within 30 days”. Second was heard.

Representative of District 194 stated that her constituents had communicated to her their preference for the language stating “30 days” and that “in a timely fashion” was too subjective.

Representative of District 202 stated that while the words “a timely fashion” were ambiguous, other parts of the document are also ambiguous as it relates as to when an employee “became aware”.

Mr. Sheehan responded that the issue of when an employee became aware of the issue is something that is discussed in the grievance process and evaluated by the grievance officer.
Representative of District 167 urged a vote in favor of the motion and stated that it protects all employees.

Representative of District 171 suggested that a wording of “not less than 30 days” would also be appropriate.

Vice Chancellor Bazzell called for the Ayes and Nays. Ayes were ruled to be in majority and an abstention was recorded. MOTION CARRIED.

Representative of District 167 made a motion to adopt the language of “non-native English speaker” in policy drafts that refer to providing language support. It was referenced that this would fit with the suggestion made by the constituent of District 192 who addressed the Congress. Second was heard.

Representative of District 142 spoke in favor of the amendment and urged its adoption.

Vice Chancellor called for the Ayes and Nays. All in favor with the exception of a recorded abstention. MOTION CARRIED.

Vice Chancellor Bazzell called for the Ayes and Nays on the question of adoption of the Grievance Policy as amended. Ayes were ruled to be in the majority and an abstention was recorded. MOTION CARRIED.

Vice Chancellor Bazzell entertained a motion in regard to the Layoff Policy.

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

Vice Chancellor Bazzell inquired if there was any discussion.

Representative of CSEC Seat 5 moved to amend the section reading ‘reassignment as an alternative to layoff’, “if staff member identified for layoff is qualified for the available position, the appointing authority or designee at his or her discretion may assign the staff member the position”. Replace with “employee identified for layoff will be placed in the vacancy unless the employee does not have the minimal qualifications to perform the work.” Second was heard.

Representative of CSEC Seat 5 stated that the amendment would reflect the language of an earlier draft from one year ago. Representative of CSEC Seat 5 continued, saying that the language in the draft under consideration leaves the door open to favoritism and a patronage system.

Representative of District 142 recommended that there needs to be clarity in the evaluation process of the person being considered for layoff, and that the person subject to layoff is considered for another position based on their qualifications.

Representative of District 167 urged rejection of the proposed amendment, saying that current language would allow for the University to accept the more qualified candidate for the job.

Representative of District 174 inquired as to who the appointing authority in such an instance would be.

Mr. Sheehan responded that the appointing authority would typically be a Dean or a Director.
Representative of District 188 urged rejection of the proposed amendment stating that having the same job title is not a reflection of having the same skills.

At 3:25PM the Vice Chancellor called a ten minute recess in accordance with the agenda.

Upon resumption of the debate, Vice Chancellor Bazzell recognized the Representative of District 133, who stated that if the issue is making sure that positions match classifications, then that issue should be addressed first before making the grievance policy so stringent in terms of timelines. Representative of District 133 referenced his service on the Personnel Policies and Procedures committee and stated that members of the committee had not always recognized that it would be appropriate for them to amend the policies prior to their reaching the floor of the Congress, and had he acted at that time he would have amended the Layoff document to reflect a preference in favor of seniority.

Representative of CSEC Seat 5, stated that people should not be laid off in favor of someone with less experience and that the possibility of layoffs resulting in new employees being hired for less money exists. In addition, the Representative stated that harm will be done to institutional knowledge, and the policy as it is written could open the door to age discrimination.

Representative of District 167 stated that there are provisions in the document to prevent one person being laid off in order to hire another, and concluded that the proposed amendment was not in the best interest of the staff, students, or the faculty and urged its rejection.

Representative of District 124 expressed concern about finding a medium between the positions already stated, and continued that at a Research campus with the prestige of the University, keeping the best and the brightest on staff matters.

Representative of District 142 stated that when examining the proper language for this section, the main purpose is to ensure that no injustices occur.

Representative of District 113 moved to postpone debate. Second was heard.

Vice Chancellor Bazzell asked for the Ayes and Nays on the motion to postpone. All in Favor. MOTION CARRIED.

Vice Chancellor Bazzell introduced Chancellor Rebecca Blank upon her first appearance before the Congress.

(appause heard in the hall)

Chancellor Blank began her remarks by congratulating the classified staff on the creation of a new shared governance group and on the accomplishments it has made in its first year. The Chancellor further cited the high participation level of classified staff in shared governance elections as speaking well of the relationship the elected members have with their colleagues.
Chancellor Blank noted that classified staff has challenges that others do not and expressed appreciation at their focus on being inclusive. On this point Chancellor Blank concluded that good communication will be the key to the participation and leave policy, once it is in effect.

Chancellor Blank went on to note the role of classified staff in University operations. Chancellor Blank also shared with the audience that the primary focus of the administration at this time is the budget, and provided details of the budget time line, concluding that it should be finished no later than mid-June.

Chancellor Blank provided an update regarding capital projects, including the Chemistry building and the South East Recreation Center.

Chancellor Blank paused to reflect on some of the historical figures associated with University classified staff, including Mr. Carson Gulley, the only member of classified staff for whom a building is named.

Chancellor Blank invited those in attendance to ask questions.

Representative of District 142 expressed concern over proposals for a possible tuition increase as students are already struggling to afford a higher education.

Chancellor Blank replied that tuition for in-state students will likely remain frozen, and that she understands the need for such a freeze, but out of state tuition can be raised for those who voluntarily leave their own states in order to attend the UW-Madison, and further noted that an increase in this regard would allow for the in-state tuition to remain low.

Representative of CSEC Seat 5 asked if budget cuts might result in layoffs and noted that the Chancellor of UW-Superior is already outsourcing jobs on that campus.

Chancellor Blank replied that at the moment they are exploring no options that would call for outsourcing.

Representative of District 109 asked if a freeze or reduction in salary would be considered for those employees of the University making in excess of $200,000 a year. (proceedings interrupted by applause)

Chancellor Blank replied that she is aware of how recent legislative actions have resulted in real wage losses for employees. Chancellor Blank continued that while she is unable to make raises across the board, particularly in the face of likely budget cuts, the University is pledged to institute a living wage, regardless of the expected cuts.

Representative of District 104 expressed gratitude for the past use of the Critical Compensation Fund.

Chancellor Blank replied that she wished current circumstances would allow for an across the board increase.

Representative of District 178 asked if any delays or preventions of the implementation of HR Design are anticipated.
Chancellor Blank replied that while one can never be certain of a legislative outcome, she is reasonably certain it will appear in the budget as expected.

Representative of District 192 asked what, in the Chancellors view, is the greatest opportunity with the future implementation of HR Design.

Chancellor Blank replied that HR Design gives the University the ability to bring up the very bottom wage earners and gives the University the ability to set its own job titles. Chancellor Blank noted that the current system prevents obvious job progression and the new design will create a more rational system.

Chancellor Blank concluded her remarks with thanks to the classified staff.

*(applause heard in the hall)*

At 4:10PM, Vice Chancellor Bazzell entertained a motion to adjourn. Motion to adjourn was heard. Second was heard. All in favor. MOTION CARRIED.

Minutes prepared and submitted by: J. Lease / Secretary