MINUTES
UW-Madison Classified Staff Congress
03.16.15

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

Excused Absent: D. Morris (107), M. Monroe (135), R. Childs (140), A. Broan (166), T. Callaci (167), S. Hubing (173), B. Koerber (188), A. Rosas (192), R. Garcia (197), S. Genske (201), D. Esquivel Vindas (206), B. Petters (CSEC – 3)

Absent: D. McNicol (114), D. Dhonpa (141), J. Moreno (143), J. Dederich (147), P. Dowd (148), J. Bergeman (150),

In addition, 8 Alternates were present.

At 2:30pm, Vice Chancellor Bazzell called the meeting to order.

Vice Chancellor Bazzell entertained a motion to approve the Minutes of the February meeting. Motion to approve was heard. A second to the motion was heard.

Representative of CSEC Seat 5 asked if Rep. Dowd should be listed as ‘Absent’ or ‘Excused Absent’ as his name appeared in both sections. Secretary confirmed it should be under ‘Excused Absent’ only and would make the correction. All voted in favor with the notation of an Abstention. MOTION CARRIED.

Vice Chancellor Bazzell inquired if there were any public comments. None sought recognition in this regard.

Vice Chancellor Bazzell began his report by providing an update on the State Budget process. Vice Chancellor Bazzell noted that the legislative Joint Committee on Finance is currently hearing testimony from various Agency heads and holding hearings in various parts of the State. A hearing on the budget in regard to higher education is likely to be much later in the process.

Vice Chancellor Bazzell noted that Deans and Directors have submitted their reduction plans and those plans are now under review by the Chancellor and the Vice Chancellor for Finance and Administration office.

Vice Chancellor Bazzell noted that 96 nominations were submitted for the Classified Employee Recognition Awards and described that as “a phenomenal number”.

Representative of District 113 asked if there were any plans to offer early retirement incentives at UW-Madison as UW-Eau Claire has already proposed such incentives.

Reply came that legal and fiscal questions remain and are under review in regard to the feasibility of such an incentive.
Representative of CSEC Seat 5 asked what would happen to the HR Design policy drafts if a Public Authority is not approved under the State budget.

Reply came that flexibility and discretion could still be granted by the legislature even without the establishment of a ‘Public Authority’. The HR Design planned implementation is scheduled to proceed. Vice Chancellor Bazzell also noted that the establishment of a ‘Living Wage’ would be among the first actions under HR Design.

Vice Chancellor Bazzell recognized Classified Staff Executive Committee Chair Russell Kutz for the purpose of giving a CSEC report.

Mr. Kutz noted that in the upcoming Congressional elections, nomination papers must be filed or postmarked no later than 2 April. Mr. Kutz also informed the Congress that additional HR Design policy drafts would be coming their way for consideration and action. Continuing on this topic, Mr. Kutz encouraged members to send proposed amendments to the drafts into the office of the Secretary in advance of the meeting, so that they could be displayed on the overhead screen during the meeting.

Mr. Kutz also encouraged the Congressional Representatives to check in the classified staff shared governance website to examine the new features. In particular Mr. Kutz noted that the ‘Blog’ feature would include tours of workplaces and encouraged members of Congress to forward ideas for such tours to the office of the Secretary. Mr. Kutz concluded by encouraging any members of Congress who wished to be considered for recommendation for appointment to the UW-System shared governance task force, to come to the Special Session of CSEC scheduled to take place immediately following the Congress meeting.

Representative of District 190 asked what happens to the HR Design Policy Drafts that don’t get approved by Congress.

Reply came that the policy drafts would be submitted for consideration and action by the Chancellor and would have to be reviewed without classified staff shared governance input.

Representative of CSEC Seat 5 noted that changes to policies could still be suggested after implementation.

Vice Chancellor Bazzell recognized Congressional Liaison Jake Rebholz, Representative of District 161.

Rep. Rebholz introduced a proposal to amend the 2015 Congress schedule to include additional meetings. The additional meetings would be considered Special Sessions dedicated to the debate and approval of policy drafts.

Motion was heard to approve the submitted schedule, a second was also heard to the motion.

Vice Chancellor Bazzell noted that his office would send a memo to the managers to allow for release and participation time to accommodate these additional meetings.
Representative of District 108 inquired what the final meeting of the current Congress would be based on the new schedule proposed.

Secretary replied that the final meeting of the current Congress would be 22 June.

Representative of CSEC Seat 1 noted that the additional meetings will not include the usual full agenda but will be dedicated to policy draft discussion and action.

Representative of CSEC Seat 4 asked if the Special Session in June would still count as the final meeting of this session of Congress.

Secretary replied that while a standardized agenda was approved for Congress meetings, the Special Session meetings would be an abbreviated agenda and that agenda would be used upon approval of the proposed calendar.

Representative of CSEC Seat 4 questioned if 22 June would be the final meeting if not using a standard agenda.

Secretary replied that the final meeting would be 22 June using the Special Session agenda. The 15 June agenda would be the last meeting that uses the standardized agenda.

Vote was called on the motion to adopt the amendment to the 2015 Congress schedule. All voted in favor with the exception of an abstention. MOTION CARRIED.

Representative of District 104 asked if ‘Public Comments’ had been called for.

Vice Chancellor Bazzell replied that public comments had been called for but no one sought recognition.

Representative of District 104 noted that a member of the public was present who wished to address the Congress but had failed to hear the call to do so.

Representative of District 113 made a motion to suspend the rules in order to allow for public comments at this juncture. Second was heard. Ayes were ruled to be in the majority after a two thirds hand count of votes was verified. MOTION CARRIED.

Mary Hegge of the Wisconsin Center for Education research spoke in favor of leaving layoffs in the ‘operational area’ definition in the Layoff Policy draft. Ms. Hegge stated it would be better for individual units to make layoff decisions rather than on a campus wide basis.

Vice Chancellor Bazzell opened discussion on the draft of the Congressional Resolution in response to the proposed State Budget as it relates to the UW-System.

Representative of CSEC Seat 4 made a motion to approve the resolution. Second was heard.

Representative of CSEC Seat 4 spoke in favor of approving the resolution, noting that it covered the key topics of the budget that are of interest to classified staff and the university community.
Vice Chancellor Bazzell called for a vote on the motion. Vote in favor was unanimous. MOTION CARRIED.

Vice Chancellor Bazzell opened discussion on the proposed Layoff Policy draft which was postponed at the previous meeting.

Representative of CSEC Seat 5 moved to amend the draft to include if an FTE is laid off they will not be replaced by an LTE.

Representative of CSEC Seat 4 proposed a friendly amendment to add ‘temporary employee’, as LTE is likely to be changed to ‘temporary employee’ in University verbiage. Maker of amendment motion agreed as acceptable.

Vote was called on the amendment, Ayes in majority, Nays not recorded, abstention recorded. MOTION CARRIED.

Representative of District 185 moved to amend the Severance section of the draft to read that a voluntarily laid off employee may receive severance only if the layoff period is for at least six months.

Representative of CSEC Seat 4 stated that severance is likely to be struck out but by the Administration, but that we need to plant seeds for what classified staff wants and demonstrate the need to create policies that allow competition with the private sector.

Representative of District 102 asked how acceptance of severance affects ability to regain employment again.

Vice Chancellor replied that was not a topic that has been examined yet.

Representative of District 124 stated that the biggest concern should be putting time in sabbatical so as to protect ones self. Representative stated their belief that severance will not be part of the final policy and that sabbatical is for an emergency.

Representative of District 111 spoke in agreement to that analysis, but a voluntary layoff is for a short period of time that one takes so another can look for employment.

Representative of District 149 noted that the Trades employees do not have sabbatical pay.

Vote was called on the motion to amend. Nays were ruled to be in majority and an abstention was heard. MOTION FAILED.

Representative of District 104 made a motion to reconsider. Representative spoke in favor of reconsidering the motion in which ‘employing unit’ replaced ‘operational area’. Second to the motion was heard.

Representative of District 174 spoke in favor of the motion to reconsider.

Representative of CSEC Seat 5 spoke in opposition to the motion to reconsider stating that operational areas are yet to be defined.
Representative of CSEC Seat 4 spoke in opposition to re-consideration stating that layoffs are disruptive regardless of who or where it is limited to and further stated that staff is capable of learning new skills. Representative of CSEC Seat 5 concluded by saying that those with any seniority should oppose the motion to reconsider.

Representative of District 152 spoke in opposition to the motion to reconsider stating that people can be trained in new areas and used her own case as an example. Representative further noted her agreement with the opinions stated by the previous two speakers.

Representative of District 104 noted that the unit she works in is self-funded and asked if it is fair to lump them in with other projects that do receive State funds. Representative noted that she understood the analysis and opinion of those who spoke in opposition.

Representative of District 164 spoke in opposition to the motion to reconsider saying that it undermines seniority.

Representative of District 151 noted that his unit is self-funded and spoke in favor of the motion to reconsider.

Representative of CSEC Seat 4 stated that even if a unit is self-funded those units still use systems operated through 101 funds that makes the university exist. Representative further stated that funding can disappear in those areas the same way that jobs do. Concluded that as Representatives of shared governance they should worry about everyone’s job and the goal should be no layoffs and no disruption.

(applause heard in the hall)

Representative of District 133 stated that the point of the policy is to apply equally and operational area is an unequal enforcement of the policy.

Representative of district 104 stated that her motivation to make the motion to reconsider stemmed from the feedback she received from her constituents and that she was acting with the motivation to represent the entire School of Education.

Representative of District 171 moved to call the question. A second to the motion was heard. Vote on calling the question was taken and Ayes were ruled to be in the majority. MOTION CARRIED.

Vote on reconsideration was taken, Nays were ruled to be in the majority. MOTION FAILED.

Representative of District 183 moved to amend the draft in the Benefits section to read upon layoff, employee is granted 60 days in pay status at 50% of former salary to make use of professional services at the university that aid in search for another job. A second to the motion was heard.

Representative of District 183 stated that before layoff the university allows you to look for employment on campus whereas this amendment would allow you to look for jobs elsewhere and would make university policy similar to that in private industry.
Representative of CSEC Seat 5 stated that the language for the motion appears similar to existing language under ‘Placement Assistance’ in the policy draft.

Vice Chancellor Bazzell clarified the difference is that this occurs after the layoff.

Representative of CSEC Seat 1 expressed concerns about the process in that it may jeopardize unemployment benefits, and noted that benefits continue for 3 months after layoff.

Representative of CSEC Seat 5 moved to add ‘voluntary’ to the acceptance of benefits proposed in the amendment. A second was heard to the amendment to the amendment.

Representative of CSEC Seat 5 praised Mr. Matt Goins for his work on typing proposed amendment language into the edited policy drafts so that everyone could view them on the overhead screen display during Congressional debate.

(applause heard in the hall)

Representative of District 102 asked if someone were to accept these benefits what would be the chances of regaining UW employment.

Vice Chancellor Bazzell stated that there are no current policies to address this matter but that the language would probably be neutral in regards to affecting regaining employment.

Representative of CSEC Seat 4 stated that upcoming layoffs will reflect a permanent reduction imposed by the budget made by the State Legislature and that it is unlikely that employees will return to their job.

Representative of District 109 stated that most members of Congress are not well versed in employment law and it does not make sense to make determinations on such proposals without the knowledge of such an expert.

Vote on the amendment was taken. Ayes were ruled to be in the majority after both a voice vote and a hand count of displayed credential cards. Abstention was recorded. MOTION CARRIED.

Vote on the amendment as amended was taken. Ayes were ruled to be in majority. Abstention was recorded. MOTION CARRIED.

Representative of CSEC Seat 5 moved to change operational area to employing unit throughout the document in order to maintain consistency. Second to the motion was heard.

Representative of District 109 asked for clarification regarding ‘employing unit’ versus ‘operational unit’ and stated concern about taking a vote without clear definitions.

Mr. Patrick Sheehan of the Office of Human Resources replied that the university has been using the Office of State Employment Relations definition of employing unit and that the policy draft document would likely need to include a definition as one is not currently included.
Representative of District 113 stated that the ‘operational area’ definition in terms should not be changed to ‘employing unit’.

Maker of the motion and Representative who provided the second, agreed.

Representative of CSEC Seat 5 stated that employing unit is “colleges school or division in appointment letter”.

Vote on the amendment was taken. All voted in favor with the exception of an abstention. MOTION CARRIED.

Representative of CSEC Seat 5, moved to amend to include language “employee meets minimal requirements to perform work” under ‘Reemployment after layoff’. Representative stated that object of the amendment was to make it consistent with similar change already existing in the draft. Second was heard.

Representative of District 200 stated that they preferred the existing language and took exception to the use of the phrase “minimum qualification”.

Representative of District 133 stated that the job description should match the job an employee is asked to perform, and employees should not be require to do more without being compensated as such.

(applause heard in the hall)

Representative of District 200 noted that not all minimum requirements can be listed on a position description.

Representative of District 161 noted that lengthy discussion on language had previously already taken place on the floor of the Congress and it was decided ‘minimal qualifications’ was agreed upon. Representative noted that the amendment brings the policy in line with previously agreed upon language.

(applause heard in the hall)

Representative of District 142 stated that we must be certain that job descriptions are complete and accurate.

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

Representative of District 127 moved to amend the policy draft section ‘operational area’ to read that the employing unit, identified by the college, school or division in the employees appointment letter, the same as according to OSER. Second to the motion was heard.

Representative of District 113 asked if this was a motion to amend the definitions.
Representative of CSEC Seat 1 stated that the amendment would constitute a new definition, as the committee decided to delete that definition and creating the organizational unit definition.

Representative of District 127 clarified that he was seeking to amend ‘operational area’ on page two of the policy draft.

Representative of District 109 stated that she understood new policies for HR Design would separate the university from OSER, leading her to believe that new definitions are called for rather than using old OSER definitions.

Representative of District 171 stated that the purpose is to provide definition, and that OSER’s language can used.

Vote was taken on amendment. Ayes were ruled to be in the majority. Abstention heard. MOTION CARRIED.

Representative of CSEC Seat 5 inquired why one year was chosen rather than two.

Patrick Sheehan of OHR noted that this issue was discussed at committee level and that the vast majority of employees are reemployed after one year.

Representative of CSEC Seat 5 moved to change one year to ‘two years’ in the section ‘reemployment after layoff’. Second was heard.

Vote was taken on the amendment. Ayes were ruled to be in the majority. Abstention was recorded.

Representative of CSEC Seat 4 moved to call the question on the main motion. Second was heard.

Vote was taken on the motion. All in favor, with notation of an abstention. MOTION CARRIED.

Vote was taken on the motion to approve the Layoff Policy as amended. Ayes were ruled to be in majority and an abstention was heard. MOTION CARRIED.

At 4pm Vice Chancellor Bazzell entertained a motion to adjourn. Motion was made and a second was heard. All in Favor. MOTION CARRIED.

Minutes prepared and submitted by: J. Lease / Secretary