



## Minutes from Staff Senate Monthly Meeting of November 17, 2016

Location: Newcomb Hall

Time: 11:00 AM–1:00 PM

### Meeting Summary

<b>Welcome and Announcements</b>	<b>Maggie Stein</b> , Co-Chair <b>Jessica Wenger</b> , Co-Chair
<b>UVA Bicentennial</b>	<b>Dr. Robert Battle</b> , Co-Chair of UVA Bicentennial Commission ( <i>for Kari Evans, Executive Director of the Bicentennial</i> )
<b>Emergency Preparedness Update</b>	<b>Marge Sidebottom</b> , Director, Office of Safety and Emergency Preparedness
<b>Fair Labor Standards Act (FLSA)</b>	<b>Jennifer Atkins</b> , Compensation Manager, University Human Resources

### Welcome and Announcements

#### Maggie Stein, Co-Chair

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- Diane Ober passed around attendance sheet so those in attendance could sign in and review their information, including committee assignment.
- Parking passes for Newcomb were made available; going forward, a reservation system may be put in place for parking passes to ensure they get to those who need them.
- The Staff Senate website’s News and Events section has non-urgent information for Staff Senate participants and constituents; the Co-Chairs get many requests to share things with the Senate, and they continue to manage email flow to senators and constituents.
- Co-Chairs and the Executive Committee have been conversing about what communications to the Senate and constituents should look like, including how often to send emails, what the Senate’s voice is, etc.
  - **Action:** Email [Maggie](#) regarding participation in a potential communications discussion if you have interest, expertise, etc.
- The Chair of the Faculty Senate has invited staff to attend a Town Hall discussion free speech at their December 7 meeting. The meeting is from 1:30 – 3:30 p.m. in the Newcomb Hall Theater. In response to an increase in bias-motivated incidents, the discussion will center on what we as a culture looks like and how we treat each other respectfully.

## Guest Speakers

**Dr. Robert Battle**, Co-Chair of UVA Bicentennial Commission (*for Kari Evans, Executive Director of the Bicentennial*)

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- **The Bicentennial:** Dr. Battle was in attendance to talk about the Bicentennial and hear ideas from the senate.
- **The Bicentennial's Scope and Goals:** The Bicentennial is a multiple-year occasion, including celebration.
  - A common misconception is that it is a fundraiser, which it is not.
  - It is an opportunity for us to give community something—to students, alumni, faculty, staff, and the local community. This is for the community, too. University's aren't always good neighbors. The Bicentennial is a positive opportunity to engage with our community.
  - The Bicentennial is intended to be a commemoration of UVA's history. It will treat the University's history with honesty, including dialogue about race relations, diversity, and inclusiveness.
  - Some of the key dates when programming will or may occur include the following:
    - Friday, Oct. 6, 2017: The 200<sup>th</sup> anniversary of laying the cornerstone to establish Central College. There will be an event at Pavilion VII and celebration on lawn.
    - February 2018: Commemoration of the commission charged with finding a location for the university choosing Central College in Charlottesville.
    - January 2019: Anniversary of when the Legislature formerly approved the location.
  - The Bicentennial team want to engage staff in the process.
    - They hope to celebrate staff, acknowledging staff members who make the UVA community better day-to-day.
  - Another goal is to envision UVA's future—how it fits in the future of education. How will UVA remain relevant? How does the university remain agile so it does not get eclipsed by other institutions with a stronger vision?
  - **Action:** Get additional information at the Bicentennial website at <http://bicentennial.virginia.edu/>. There's a form there for people who want to get involved, and Kari Evans is very open to ideas.

### **Q & A from the Senate:**

**Q:** When is information going to begin rolling out about Bicentennial?

**A:** A lot out of information is out there on *UVA Today*. The next step will be save-the-date for the Cornerstone Weekend. Part of the work is finding the funds and being mindful of budget scrutiny. The Cornerstone Weekend will be a complimentary event. Programming for initial kickoff weekend is still developing.

**Q:** What office do you operate under?

**A:** The President's Office.

**Q:** Maggie asked those present about ideas for staff recognition or others.

**A:** Some suggestions made include the following:

- A Bicentennial community service project to engage with the community and partner.
- Dr. Battle said something already in the works is a community Cornerstone Run, on Saturday morning of the kickoff weekend. It will be a 2-mile run. UVA is partnering with the Lorenzonis, who own and operate the Ragged Mountain Running Shop.
- Other partnerships are in the works, including the following:
  - Working with the MLK society to remember Gregory Swanson, the first African American to attend UVA Law School.
  - Partnering with Madison House and students to do an outreach in the area schools to connect them to UVA. The Bicentennial team will work with school superintendents.
    - A senate member encouraged Dr. Battle for them to reach beyond superintendent, getting communication about Bicentennial-related community events directly into the hands of the students and their families.

### **Marge Sidebottom, Director, Office of Safety and Emergency Preparedness**

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- **Safety and Emergency Preparedness Updates:** Marge attended the meeting to provide an update on what her office is doing and give information about other things that they're involved in – a sense of what they're up to. *See presentation for more info.*
  - The office has expanded a bit, and the word "Safety" was added to the office's name.
  - In addition to what's stated in their mission (*slide 7*), Marge said the office's assistance in emergencies does extend beyond grounds.
  - She shared some information about who is part of the office's staff (*slide 8*).
  - Marge's team is always on: 24/7/365.
- **Safety and Security Committee (*slide 9*):** Part of what her office does is manage the Security & General Safety Committee.
  - The committee's work includes formal night walks twice a year to assess lighting and other safety concerns.
  - Safety concerns are reviewed on an ongoing basis when things require attention, such as upgrading lighting, making walkways safer, and advocating for necessary safety changes.
    - **Action:** Marge encouraged staff to send them a note with ideas about safety or concerns. They can be sent via a web form here: <https://veoci.com/veoci/p/w/wdnm2vrey86q?c=17466>
- **Education and Preparedness (*slide 12*):** Staff can get educated and prepare using resources on the office's website here: <https://uvaemergency.virginia.edu/faculty-and-staff>.
  - **Action:** Take a look at website, let Marge know if something's missing.
  - Marge encouraged staff to participate in Take 3, an initiative done a couple of times of year. People are asked to take three minutes to do the following:
    - One minute to understand how they'll be notified in an emergency,
    - One to determine what they need to do to know their evacuation site,
    - and one to understand where they would shelter in place.
  - She recommended every department to take the time to do that. Members of her team are willing to come out to departments to talk about his.

- **Critical Incident Preparation (slides 13-14):** The Critical Incident Management Team (CIMT) participates in several exercises annually to practice, such as in January when they did active shooter exercise and in July, when the scenario was that a student and faculty member had been kidnapped while traveling overseas. They can create exercises for different departments/offices.
- **Operations Continuity (slide 14):** The office plans for Continuity of Operations, helping to identify and ensure the ability to recover aspects of the university's core functions after an emergency.
  - **Action:** Marge invited staff to see if they could find their unit's continuity of operations plan. Her office will help people find their plan or get one if they cannot find it.
- **Threat Assessment Team (slide 15):** Marge leads the Threat Assessment Team, which meets every Thursday at 2 p.m. and in between, as needed.
  - They want to make sure people and programs in crisis get assistance rapidly and be supportive of UVA's faculty, staff, students, visitors, and others.
  - Includes both Academic Division and Medical Center.

#### **Q & A from the Senate:**

**Q:** Who sends emergency messages? Who authorizes them and how many go out?

**A:** The police send alerts via several tools, including UVA alerts, mass email, LED screens, and an alarm system. Alerts are authorized by the shift commander. If necessary, they defer to Chief of Police, Marge, or Pat Hogan. The number of alerts varies by incident. Ideally, recipients will get an initial alert, status update, and a message when the situation is resolved.

**Q:** What's the difference between the UVA Emergency Email System and UVA Alerts.

**A:** People opt-in to receive UVA Alerts. Marge asked IT to build university email system that would go to everyone with a UVA email account and reach people not located in Charlottesville. Those messages go out to everyone—no opt-in required.

**Q:** What can people do to prepare for emergencies?

**A:** Be sure they have a personal emergency preparedness plan in place for them and their families. On the office's website, [Hoos Ready's Top Ten Safety Tips for Students](#) (the tips apply to staff, too) is a great resource to access and share. Let Marge's office know if you need help.

**Q:** Does the office Coordinate with UVA people traveling abroad?

**A:** Yes, they do get all the information for traveling UVA people. Marge sees all those communications/warnings that go out depending on where people are traveling, and she will reach out if issues occur near where people are abroad. John DeSilva will be doing more of that in the future.

#### **Jennifer Atkins, Compensation Manager, UHR**

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- **Fair Labor Standards Act (FLSA) 101:** Jennifer came to the meeting to talk about FLSA changes. She prepared a FLSA 101, similar to the COMP 101 she presented to the Staff Senate previously. *See presentation for more info.*
- **FLSA (slide 22):** FLSA is federal regulation applied to all workplaces.

- **Test to Determine Exemption/Differences between Exempt and Non-Exempt (slide 23-24):**
  - Exempt – no overtime, no logging hours.
  - Non-exempt – earn overtime, log hours.
  - A lot of times people don't know if they're exempt or non-exempt; to help address this, exempt/non-exempt status is now one of the pieces of information included on the Title Summary Tool. That way, if people are looking at their current position or a career-pathing opportunity, they can see the title's classification.
- **Overtime Pay Rules/Changes (slide 25-26):** The Department of Labor (DOL) updated FLSA regulations at President Obama's request.
  - The goal was to ensure people receive fair pay for a day's work.
  - By July 2015, new regulations were proposed. The DOL held informational sessions and gathered feedback.
    - UVA did some analysis at that time and shared feedback via larger organizations.
  - In May 2016 new regulations issued, with a December 1, 2016 effective date.
  - **Salary Thresholds:** Salary thresholds, which help determine if jobs are exempt or non-exempt, changed.
    - The minimum threshold for exempt employees increased from \$23,660 to \$47,476.
    - Before, salary thresholds were set in stone and infrequently changed. Now every three years they'll be reviewed and could potentially change.
    - Changes also occurred with the highly compensated worker test, the salary threshold increased from \$100,000 to \$134,004. This change had less of an impact on UVA.
    - Bonuses now can be included in calculation of salary if they are structured in distribution; UVA doesn't have a system that works like that, so that change had no impact for the university.
    - The threshold piece had the biggest impact for UVA. It's all about base salary. Housing, tuition credit, etc. do not count toward meeting the salary threshold minimum amount.
- **Compliance/Resources (slide 28):** UVA began preparing for the changes early, involving the community by soliciting feedback based on jobs and gathering information in June.
  - Research professionals did not get a special exemption from FLSA changes, but based on the type of research work they do, it is impossible for them to track their work hours, which necessitates them being exempt. FLSA does include coaching and teaching exemptions.
  - Job families were reevaluated to identify if they still made sense.
  - UVA legal counsel was involved to ensure changes under consideration met regulations per the law.
  - Proposals went to UVA leadership and conversations began about how to fund potential impacts of overtime changes.
  - Communication about changes began to happen at the HR director and field partner levels to help inform how to communicate to affected employees.

- For titles that didn't meet the salary threshold and were appropriate per compensation market range as is, the job title's status was converted from exempt to non-exempt.
- For currently exempt positions that would remain exempt but were below the salary threshold, the minimum market range for those titles moved up to the threshold.
- For some employees, they had changes in job level for compliance—a retitling, not necessarily a promotion. For example, the FLSA changes affect a HR Generalist 1. A person had been in their role for a number of years and had taken on different/additional job duties. Therefore, the title HR Generalist 2 was more appropriate based on the employee's work. So that person shifted title level instead of changing exemption status and/or pay rate while remaining in the HR Generalist 1 title.
- People and systems will have to adjust. Titles that formerly did not have to report time will have to now.
- Regardless of exemption status changes, employees will retain previous retirement plan elections.
- **Tools/Resources (slide 29):** Available on the [FLSA portion of the UHR website](#) are a number of tools for HR professionals and for staff members. These resources explain FLSA law, help impacted employees, provide info for managers new to managing non-exempt employees, and an FLSA FAQ, which is long but helpful for those impacted.
  - The [Title Summary Tool](#) will be updated to include current information, with new information available after Dec. 1, 2016.
- **Action:** Contact Jennifer at [jkk4e@virginia.edu](mailto:jkk4e@virginia.edu) with questions. Check out FLSA website and see Benefit Partners with questions, too.

#### **Q & A from the Senate:**

**Q:** Are people moving from exempt to non-exempt because their salary was not going to reach the threshold of \$47,500 by market range?

**A:** Titles were reevaluated, not individuals in specific roles. We looked at the threshold, title's duties, and pay range. There were people in job titles being considered for reclassification that made over the threshold already. Again, it was looking at the job titles and not specific employees who have the title. Per the law, employers never have to make anyone exempt. Some other schools early on made everyone non-exempt to be compliant. For UVA, the overtime would have been cost prohibitive to do so. And some roles cannot track time, as with the example of research staff.

**Q:** Will there be any demotions or decreases in pay as a result of this?

**A:** No, there will be no demotions or pay decreases. Impacted employees will earn more by having pay increased to make the salary threshold or potentially earn more by getting overtime.

**Q:** Is the decision to pay out overtime as pay or leave determined by the school or department?

**A:** Yes. Specific work groups determine how overtime is handled, working with HR partners. How overtime is paid is determined by UVA policy not FLSA law. Overtime leave must be paid out if/when a person leaves the university.

**Q:** Was every exempt position reviewed?

**A:** Yes, we looked at all of them.

**Q:** So new, non-exempt hires can only choose Virginia Retirement System?

**A:** Yes, the current structures are not changing.

**Q:** What is the financial impact overall of these changes?

**A:** We're not sure yet. The hope is that it won't be a dramatic increase in overtime pay.

**Q:** Are we considering removing the cap on overtime leave balances because of the changes?

**A:** At this point, that change is not being considered. It's not part of the law. It could be something that merits review. UVA's policies are in alignment with state practices.

**Q:** What are proposals for departments to be able to fund this?

**A:** It will be managed at department and school level, through the usual budget process. The three-year change will require us to keep finger on the pulse of the threshold amount. The hope is it won't jump as significantly again; we don't expect that it will.

**Q:** What happens if some sort of injunction goes through, something that keeps the compensation changes from happening?

**A:** We don't know if this will now go through. President-Elect Trump, when he takes office, could send the DOL back to drawing board. But the changes go into effect December 1, so no short-term changes are expected.

- **Compensation Document:** Maggie reminded the senate about the compensation document put together by the Advocacy Committee, which can be found here: [http://staffsenate.dev.uvaits.virginia.edu/sites/staffsenate.virginia.edu/files/Compensation-at-UVA\\_Questions-and-Answers.pdf](http://staffsenate.dev.uvaits.virginia.edu/sites/staffsenate.virginia.edu/files/Compensation-at-UVA_Questions-and-Answers.pdf). Look over it and share it with constituents.

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Next Meeting:

- **No December Meeting**
- **Thursday, January 19, 2017**  
**Zehmer Hall, Conference Room**  
11:00 AM – 1:00 PM

**Guest Speakers:**

Jill Krantz, Director of IM-Rec Sports

Brenda Wilson, Director of the Faculty and Employee Assistance Program (FEAP)