OSU STAFF ADVISORY COUNCIL MINUTES

May 10, 2000
416 Student Union
1:15 pm

Present: Anderson, Bale, Bateson, Breedlove, Carlile, Cimino, Fletcher, Ford, Foust, Hayes, Hays, Hundley, Jennings, Knight, LaDann, Magness, Miller, Mitchell, Payne, Satterfield, Shoffstall, Swann, Traynor, Whitney

Excused: Jardot

Absent: Mann, Satterfield

Mary Kay Jennings called the meeting to order and Louisa Payne called roll. The April minutes were approved. The May agenda was approved.

Executive Group Update – Dr. Marvin Keener, Executive Vice-President. The Ombudsman recommendation sent from the council to the executive board has been approved. The recommendation on Criminal Background Checks is still under review by OSU Legal Counsel.

The state legislature is trying to hammer out next year’s budget. Although OSU’s representatives are in almost daily meetings with congressmen and senators, the chance are about 50/50 on getting new money. There is still some discussion of a bond issue.

The SIS project is online. CIS went from 0 to functionality in only 18 months. This is an amazing feat when one considers that it includes not just all of OSU’s campuses but all of the state A&M universities as well. The project is, however, still in its infancy and will need lots of care and patience to flourish.

Enrollment for next fall will be larger than last year, although we will be down in transfers. This creates a crunch for available faculty. The university is also becoming very tight on general classroom space.

Reports of Branch Campuses

OSU-COM – Gloria LaDann  The nomination requests have been sent out. The staff picnic will be held on June 2.

OSU-OKM – Homer Breedlove  The graduation for the spring semester was held on April 22. The summer semester started on April 27. The enrollment for the summer session is down by 224 student compared to last year’s figures. The university received a check for over $900,000 from the insurance company for damage from a hailstorm last year. The greenhouse has been torn down and a new one is being erected.
OSU-OKC – Sharon Fitzpatrick  On June 17 OSU-OKC staff council will be participating in OSU-OKC extravaganza at the horticulture center. The goals for this year will be establishing a web site; and creating new welcome handouts about staff council. Fundraising projects for the year include cups and pins.

The construction of a new turn lane onto Portland is ongoing. The county is paying for a backside exit onto the fairgrounds.

OSU-Tulsa – Marcia Hays  The campus just had graduation. This is quite an undertaking since there are four universities represented and various undergraduate and graduate degrees.

The staff has been participating in Corporate Challenge. The companies are classed by the number of employees, so that a small company would not be competing against a huge corporation. There are events of all sorts, from a chili cookoff to bowling to track and field events.

The university has sponsored a poster contest for the Gatesway Balloon Festival. This year’s entries were provided by graphic design students from OSU-Stillwater and the winning design will be used on all promotion materials for that year. They plan on hosting the contest annually at OSU-Tulsa.

Report of Standing Committees

Rules and Procedures – Myra Traynor  The results of the election are as follows:

Business & External Relations- Classified
(3 year term)
  Nancy Mitchell (re-elected)
  Steve Foust (re-elected)
  Wallace Riggs

(2 year term)
  Steve Ingham

(1 year term)
  Les Higgs

Academic Affairs- A&P
  Nancy Swann (re-elected)
  Duane Hunt

Academic Affairs- Classified
  Leslie Cimino (re-elected)
  Bonnie Richardson
  Diane Jacobs

Last month the possibility was raised about numbering the seats on the council. It was requested then that the recommendation be put in the form of a by-laws change. The recommendation was distributed and will be voted on at the next meeting.

Public Relations – Diana Bateson  The committee is working on the new member packets. All officers and committee chair should have their year-end reviews ready and to Diana soon.

Awards and Recognition – Nancy Swann  The net profits for the Carnation Sales will be $1057. Baseball concessions are on-going. The weekend of May 12-14 will be the last home
baseball game of the season. The weather forecast is for clear skies and temperatures in the nineties. Sales will probably be very good.

In addition to offering SAC one of the basketball concession stands in the new Gallagher-Iba arena. Kyle Howeth would like the council to consider operating the Dip-‘n-Dot concession for home football games. We would only need a couple of people per game. The consensus was positive. Estimate of total fundraising for the year should be around $2445.

Policy, Benefits, and Budget – Tonya Magness

Dr. Bill Warde, Chair of Faculty Council, passed along an OU recommendation about shared sick leave. The committee has looked at this possibility before. While OSU’s leave policies are fairly uniform between faculty and staff, in practice faculty very seldom report sick or annual leave that combined 9, 10 and 11 month appointments of faculty makes the idea of a shared sick leave bank impossible to administer. In addition, OSU has long-term and short-term disability programs.

Stillwater Women’s Clinic had stated earlier that they would not be member physicians in Community Care HMO. They have since come to an agreement with the HMO. If an employee has changed insurance from Community Care to Health Choice because of this, they will be allowed to change back until May 12.

The University Budget Committee met. Each college presented their budgetary wish list to the administration. Only a few colleges requested additional staff positions. Most requested additional faculty. The library dean detailed exactly which journal subscriptions would be cancelled without more money and what the impact that would have on the university.

Last month the committee presented a recommendation about the FMLA. After some discussion it was modified to read:

Staff Advisory Council
Recommendation requesting clarification of FMLA Policy 3-0708

The Staff Advisory Council recommends that the Family and Medical Leave Act Policy 3-0708 be reviewed by the OSU administration and the OSU Legal Counsel. To address the following concerns:

Our first concern is with the current wording under Policy and Procedures: 3.01 Qualifying Event. The OSU policy should include the definition of a serious health condition as defined in the U.S. Department of Labor “Compliance Guide to the Family and Medical Leave Act”.

In particular section 3.01-b. The current wording does not clearly define what a “Serious health condition” means. The U.S. Department of Labor “Compliance Guide to the Family and Medical Leave Act” clearly defines a “Serious health condition” This section of the document reads as follows.
“**Serious health condition**” means an illness, injury, impairment, or physical or mental condition that involves either:

- any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical-care facility, and any period of incapacity or subsequent treatment in connection with such inpatient care; **or**
- continuing treatment by a health care provider that includes any period of incapacity (i.e., inability to work, attend school or perform other regular daily activities) due to:

  (1) A health condition (including treatment therefor, or recovery therefrom) lasting more than three consecutive days, and any subsequent treatment or period of incapacity relating to the same condition, that **also** includes:

    - treatment two or more times by or under the supervision of a health care provider; **or**
    - one treatment by a health care provider with a continuing regimen of treatment; **or**

  (2) Pregnancy or prenatal care. A visit to the health care provider is not necessary for each absence; **or**

  (3) A chronic serious health condition, which continues over an extended period of time, requires periodic visits to a health care provider, and may involve occasional episodes of incapacity (e.g., asthma, diabetes). A visit to a health care provider is not necessary for each absence; **or**

  (4) A permanent or long-term condition for which treatment may not be effective (e.g., Alzheimer’s, a severe stroke, terminal cancer). Only supervision by a health care provider is required, rather than active treatment; **or**

  (5) Any absences to receive multiple treatments for restorative surgery or for a condition which would likely result in a period of incapacity of more than three days if not treated (e.g., chemotherapy or radiation treatments for cancer).

Not included in the definition of serious health condition are, routine physical examinations, or minor illnesses i.e., colds, flu, or allergies.

**Second Concern:**
3.02 FMLA Definitions of Family

b. The FMLA of 1993 does not consider “in law” as an immediate family member. However, OSU Sick Leave Policy 3-0716 3.03 a. Use of Sick Leave. a. **For the purposes of this policy, the immediate family is defined as a spouse, children, parents, siblings, grandparents, grandchildren, or corresponding in-law relationships.**
Therefore, section 302 b. of the FMLA policy should make reference to policy 3-0716 section c. *The unit administrator may require the staff member to furnish certification.*

Clarification regarding the type of documentation required for policy 3-0716 should be stated and OSU administration should determine if the intent or use of FMLA leave will also apply to “in law” based on policy 3-0716 3.03 a.

We believe the OSU FMLA policy could and should include “in-law” and employees should be required to follow the FMLA requirements as defined in the policy.

**Third Concern:**

**3.05 Intermittent and Reduced Leave Schedule**

c. Leave taken on an intermittent or reduced schedule will be calculated on a pro rata or proportional basis comparing the new employee’s schedule to their prior schedule.

The word *new* should be moved so that the sentence reads “employee’s new” schedule. The current wording leads to the conclusion that *new means new employee.*

Circumstances surrounding the need for clarification of the FMLA policy are i.e.

1. staff members are being required to file FMLA certification for illnesses other than those stated above and,
2. staff members need clarification between certification requirements for “in law” relationships and how OSU plans to define the use of Sick Leave or FMLA when applied to “in law”.

After some discussion the motion was made and seconded to approve the recommendation and forward it to the administration. The motion passed.

**Report of University Committees**

*Faculty Council Update – Louisa Payne*  All Faculty Council recommendations are currently under review.

The budget committee reported on the results of a Big 12 salary survey. OSU is either 7th or 9th in the Big 12 on faculty salaries. OU sent in two sets of numbers and the committee is asking for clarification.

The committee on Campus Facilities is investigating why the new residential apartments were built without elevators. Traynor commented that the apartment were compliant (just barely) with ADA requirements.

The Faculty committee will be reviewing the Drake report on inter-collegiate athletics and its drain on academics.

There was a recommendation by the rules and procedures committee that would restructure the current representation. The current election rules are from the original charter established in the 1950’s. Members are elected by their discipline of study (i.e. Biological sciences, Physical
Sciences, Humanities, etc.) Under the proposed change new members would be elected as representative of their colleges. Representation would be proportionate to the number of faculty members in a college. Each branch would have one representative. The recommendation passed. Since this is a constitutional change the general faculty will vote on the measure in the fall.

**Treasurer’s report – Rita Hundley** The general account used for most of our expenses still has a $1500 deficit. The administration covered the deficit from the beginning of the year. We haven’t spent more than we did last year. Our budget was not increased as requested. Next year will not begin with as large a deficit as this year.

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The foundation account as of 3/31/00 has a balance of $2,373.

**Old Business** Jennings has received a letter from Dr. Birdwell confirming that Dr. Carolyn Hernadez has been assigned to be ombudsman for the staff as well as faculty. Jennings will send copies to each council member.

**New Business** New council members will be seated at the next meeting. There will be a luncheon at 12:00 in Student Union Exhibit Room 1 and 2. Each committee chair will give brief synopsis of their activities for the past year. After the new members are seated the election of officers will be held. If anyone is interested in serving as an officer, please let someone know so that you may be included in the nominations.

Susan Shoffstall has been promoted to an A&P position and, since there is no available A&P seat in her division, she must be replaced with a classified person.

Next Faculty Council meeting will be held June 13. Craig Satterfield will be our representative.

There being no further business the meeting was adjourned at 3:05 p.m. The business meeting following the luncheon will be held in Student Union 408 Case Study I at 1:15 p.m.

Minutes Approved:

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Mary Kay Jennings, Chairperson     Craig Satterfield, Vice-Chairperson

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Rita Hundley, Treasurer           Louisa Payne, Secretary