

## Minutes – March 16, 2016

The council had the pleasure of touring the Mineral Museum in Penny Hall with a tour by Sharon Fitzgerald, the curator. We learned about the beautiful Irénée du Pont mineral collection. I highly recommend folks take time to visit the museum and learn more about the collections there on display. <http://sites.udel.edu/museums/mineralogical-museum>

The meeting was convened at approximately 2:57 p.m. by Charles Garbini.

Members present:

Member	District	Member	District
Charles Garbini	#2	Deborah Kirwan	#7
Gina Porter in for Anne Decaire	#3	Doris Miklitz	#11
Robin Harbaugh	#4	Stefanie Baxter	#13
Christy Mannering	#5	Alex Keen	#14

**Members absent:** Mary Cleveland #1, Glenn Loller #7, Vacant Seat #9, Susan Williams #10, Krista Urbaniak #12

**Others Present:** Jennifer Daniels, Thomas LaPenta and Scarlett Hamm

## Minutes

Jennifer Daniels, Associate Director, Diversity & Inclusion introduced herself to the group to let us know that she and her office should be used as a resource for employees. Their goal is to create an inclusive campus climate. They can speak at departmental meetings when asked and deal with problematic issues on campus like workplace bullying, affirmative action compliance and overseeing 9 different diversity caucuses across campus.

The Office of Diversity and Inclusion collaborates with Employee Development to make sure everyone is educated on these difficult topics. They offer education programs like, “Sexual Misconduct Training,” Understanding Harassment,” and the “ABC’s of Diversity.”

Their ultimate goal is to help promote a civil and respectful workplace environment for our students and staff.

We asked her what the difference is between harassment and workplace bullying. She explained it is likely that harassment includes workplace bullying but not all bullying is harassment. She explained that harassment is of a protected class, i.e. race, color, religion, national origin, age, gender, disability, etc. If someone is discriminating or bullying you based on a protected class, then it is harassment and you would be able to file a state or federal complaint. Workplace bullying, as it stands, is not breaking the law, it’s just rude.

Ms. Daniels says her office encourages bystander intervention. She feels that sometimes when bystanders speak up if they are seeing inappropriate behavior, it can lessen the issue from continuing.

## **Old Minutes Approved**

### **Old Business**

- UDeserve It! Update from Christy – the subcommittee has been meeting biweekly to discuss the program launch, prizes for winners, fine-tuning eligibility and rules on judging to make sure the program runs on merit after our initial launch date. We will have a table at the Benefits Fair in May and accept nominations at that time for winners to be chosen at the UDid It Picnic in June. A website has been created and ACES received a link to peek, but the official link will become available in a UDaily article prior to the Benefits Fair.
- ACES members who received questions about the 403B modifications from their constituents please know Tom LaPenta has stated there will be a six month communication effort prior to implementation. This will not impact the match offered by the University of Delaware for current employees.

### **New Business**

- Stefanie Baxter asked about the length of the grievance committee terms. Tom LaPenta says members have discussed extending terms to at least four years, and fortunately we can go five years without a grievance among 2,600 employees, which is great news. However, having members who understand the process and who are not changing hands every couple of years is very helpful in the process.
- There is a parking and transportation meeting coming up which Stefanie might not be able to make. Both Doris and Charlie are available if need be.

## **Constituent Concerns**

### **District #1**

- I would like to request a stop line, or a blinking red light at the stop sign at the entrance of Lot 53 off of Delaware Ave. People fly through that stop sign, which is a blind corner. I've almost gotten hit walking into CCM. Maybe the extra line/light will make people think.
  - Chief Ogden with the University Police responded to say “We'll do some directed patrols in the area.”

### **District # 11**

- Smoking. A suggestion has been made that the University continue education or provide more information about the tobacco cessation programs which exist while following up on the fact that this is a tobacco-free campus. Perhaps this could be communicated to students/parents while giving admissions tours as well.

## District #14

- There has been information in the news about the Fair Labor Standards Act which states exempt employees earning up to \$50,000 a year would be eligible for overtime pay.

- A response from Darcell Griffith, Director Compensation & Benefits:
- Thank you for your question. This legislation, if passed, will absolutely impact the University of Delaware. At this stage, we are conducting a thorough evaluation of all identified titles of positions that have incumbents with salaries under \$50,440. Included as part of the review are the incumbents who share the same title with salaries above this threshold as the Fair Labor Standards Act (FLSA) requires consistent classification of positions. So, if there are 10 Program Coordinator positions; and five incumbents have salaries under \$50,440, the FLSA determination will need to be the same for all – all exempt or all non-exempt. Based on this proposed minimum salary, there will likely be a number of exempt positions that will become non-exempt so overtime should be considered.

I agree there will certainly be budgetary impact to the University as a whole. Our hope is that, if there is an increase to the FLSA minimum, that a lower and more reasonable salary level is considered as it relates to the responsibilities of the jobs.

Please see recent news regarding the legislation below:

[http://www.nacubo.org/Business\\_and\\_Policy\\_Areas/Human\\_Resources/Human\\_Resources\\_News/Overtime\\_Rule\\_Draws\\_Scrutiny.html?utm\\_source=MagnetMail&utm\\_medium=email&utm\\_term=culrich@udel.edu&utm\\_content=Current%20March%2021%2C%202016&utm\\_campaign=Current%3A%20The%20latest%20on%20the%20business%20of%20higher%20education](http://www.nacubo.org/Business_and_Policy_Areas/Human_Resources/Human_Resources_News/Overtime_Rule_Draws_Scrutiny.html?utm_source=MagnetMail&utm_medium=email&utm_term=culrich@udel.edu&utm_content=Current%20March%2021%2C%202016&utm_campaign=Current%3A%20The%20latest%20on%20the%20business%20of%20higher%20education)

<http://www.hrmorning.com/dol-drops-big-news-new-overtime-rules/>

## District #4

- The University is nearly at the three-year mark after the “hacking” incident. Will UD be extending the Kroll Credit Monitoring to employees as a benefit?
  - The Kroll Credit Monitoring will not be extended.
- A recent retiree stated that UD is very generous with their retirement programs but that there doesn't seem to be a benefit which goes toward covering dental, can this be changed?
  - The University of Delaware Retirement Benefits do allow retirees to participate in the same dental and vision plans as active employees but they are responsible for the entire premium. No changes in this coverage are expected.

## Announcements

- No announcements. The meeting was adjourned at 3:40 pm by Charles Garbini.