Local 1949/Bemidji State University
Labor/Management
Meeting Minutes – October 29, 2015

Present: Sandy Beck, Chad Blake, Angie Downey, Maria Eastman, Mark Geiger, Mark Johnson, Hyram Price, Mike Schmitt, Marybeth Christenson-Jones, Richard Hanson, Karen Snorek, and Megan Zothman

Also present: Sandra Curtis, AFSCME Council 5 Field Representative

Absent: Martin Tadlock

1) Announcement: An announcement was made regarding the Chief Human Resources Officer search. Megan Zothman has been named CHRO and joined the meeting today.

2) Minutes of Previous Meeting: 10/1/15 – no changes.

3) Human Resources: Vacancy Report

<table>
<thead>
<tr>
<th>AFSCME UPDATE-Recruitment, Selection and Hiring</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date: August 2015</td>
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<table>
<thead>
<tr>
<th>VACANCY</th>
<th>Department</th>
<th>Result</th>
<th>Date</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office and Administrative Specialist</td>
<td>NTC Distance MN</td>
<td>In process</td>
<td>9/21/15</td>
<td>With SAC</td>
</tr>
<tr>
<td>Intermediate</td>
<td></td>
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<tr>
<td>PCN 01097891</td>
<td></td>
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<tr>
<td>Carpenter</td>
<td>Physical Plant</td>
<td>Filled</td>
<td>8/26/15</td>
<td>Erik Goplin, starting on 11/4/15</td>
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<tr>
<td>PCN 00140010</td>
<td></td>
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<tr>
<td>Theatre Technician (1.0 FTE)</td>
<td>CAS and CBTC</td>
<td>In process</td>
<td>10/22/15</td>
<td>Open for bid until 10/29/15</td>
</tr>
<tr>
<td>PCN 01112810</td>
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| EMERGENCY/TEMPORARY                          |                     |        |         |                                 |
| General Maintenance Worker                   | Residential Life    | Temporary | 9/16/14 | Assignment end 6/30/15 (Andrea Fricke) |
| PCN 00893600                                 |                     |         |         |                                 |
| General Maintenance Worker                   | Residential Life    | Temporary | 11/19/14| Assignment end 11/18/15 (Janis Marshall) |
| PCN 00893640                                 |                     |         |         |                                 |
| General Maintenance Worker                   | Residential Life    | Temporary | 8/17/15 | Assignment end unknown (Cynthia Hill) |
| PCN 00893570                                 |                     |         |         |                                 |
| General Maintenance Worker                   | Academic Buildings  | Temporary | 8/24/15 | Assignment end unknown (Wayne Bitz) |
| PCN 00893530                                 |                     |         |         |                                 |
| General Maintenance Worker                   | Academic Buildings  | Emergency | 9/18/15 | Assignment end 11/19/15 (James Davis) |
| PCN 00893580                                 |                     |         |         |                                 |
| College Lab Assistant 1                      | NTC                 | Temporary | 8/19/15 | Assignment end 12/23/15 (Faye Riegert) |
| PCN 00632760                                 |                     |         |         |                                 |
| Customer Service Specialist Senior           | Admissions          | Emergency | 10/26/15| Assignment end 11/20/15 (Janelle Lundeen) |
| PCN 00191070                                 |                     |         |         |                                 |
| Athletic Equipment Manager                   | Athletics           | Temporary | 8/6/15  | Assignment end 6/30/16 (George Taylor) |
| PCN 00139230                                 |                     | 0.50 FTE |         |                                 |

4) Human Resources presented a PowerPoint on intermittent, temporary, emergency, and seasonal employees to answer the questions that the Local 1949 has asked. Contract language, as well as state statutes and administrative procedures, were clearly defined. The presentation is attached to the Meet and Confer minutes that are posted online.

5) NTC: The HLC visit went well overall. A draft report is expected from the HLC very soon. Currently, 2017 budgets are being reviewed, and a deficit (based on enrollment trends) is projected. Conversations regarding programs and staff may occur, depending on budget. An anticipated positive HLC report will set a good tone for announcements regarding the Master Academic Plan and programs.

6) Local 1949:
- Intermittent/Temporary jobs: Mike Schmitt asked about the potential hire of intermittent employees, and VP Snorek stated that, at this time, we do not have any foreseeable intermittent hires planned.
• **Holiday change:** AFSCME members were given an opportunity to respond to a survey regarding the substitution of President’s Day 2016 for Christmas Eve 2015. They will tally the results of the survey and notify administration; the survey closes on November 1.

• **Contractor parking:** Concerns were raised regarding contractors parking in the Decker lot. VP Snorek make sure that the contractors receive a reminder directing them to park only in the Bangsberg lot.

• **Occupants in buildings under construction:** Concerns were raised regarding the Decker Hall occupants’ safety during construction. On one occasion, a fire alarm brought the fire department to campus, but the sirens in the building were not working to alert the occupants. There was no fire, but AFSCME inquired about the liability of having occupants in a building that is under construction. VP Snorek stated that it was not unusual, and that the Veteran’s Office had specifically requested that they not be moved.

7) **Informational**

• AFSCME reviewed and approved the workplace civility document and policy.

Respectfully submitted,

Karen Snorek
Vice President for Finance & Administration

Richard Hanson    Sandy Beck    Kiki Schnackenberg (Recorder)
Bob Griggs        Chad Blake
Karen Snorek      Angie Downey
Martin Tadlock    Maria Eastman
Marybeth Christenson-Jones  Mark Geiger
Megan Zothman     Mark Johnson
                      Hyram Price
                      Mike Schmitt
Definitions:
AFSCME Article 12 Section 2 (Employment Condition)

Intermittent Employee.
“Intermittent employee” means an employee who works an irregular and uncertain schedule which alternately begins, ceases, and begins again as the needs of the agency require.

Seasonal Employee.
“Seasonal employee” means an employee who is appointed for no more than ten months during any 12 consecutive months but who is expected to return to work year after year.

Temporary Employee.
“Temporary employee” means an employee who is appointed for a definite ending date. A temporary employee’s term of employment may not exceed a total of 12 months in any 24-month period in any one agency.

Emergency Employee.
“Emergency employee” means an employee who is appointed for no more than 45 aggregate working days in any 12-month period for any one appointing authority.

Minnesota Administrative Rules: 3900.8300 Temporary Appointments
The commissioner may approve an appointing authority’s written request for a temporary appointment for:
A. filling a vacancy funded for six months or less;
B. providing an employee for a temporary project not anticipated to last more than six months;
C. filling a vacancy created by an approved leave of absence to a maximum of one year;
or
D. unusual documented instances, when an appointing authority asks to make a temporary appointment of six months or less to a position otherwise authorized for more than six months.

The commissioner may, in the best interest of the state, grant an extension of a temporary appointment to a maximum period of one year.

Minnesota State Statute 43A.15: Noncompetitive and Qualifying Appointments
Subd. 2. Emergency appointments.
An appointing authority may make an emergency appointment for up to 45 working days. No person may be employed in any one agency on an emergency basis for more than 45 working days in any 12-month period.

Subd. 3. Temporary appointments.
The commissioner may authorize an appointing authority to make a temporary appointment of up to six months. The commissioner may, in the best interest of the state, grant an extension of a temporary appointment or approve a temporary appointment to fill a vacancy created by an approved leave of absence to a maximum period of one year. When practicable, the appointing authority may search the employment database for qualified applicants or, when necessary, the commissioner may authorize the appointment of any person deemed qualified by the appointing authority.

No person shall be employed on a temporary basis in any one agency for more than 12 months in any 24-month period.
### Holidays - AFSCME Article 7

*All employees in bargaining units covered by this agreement shall be eligible employees for the purposes of this article.*

**Intermittent:**
- Eligible after 67 days in a 1-year period
- Will receive a holiday if they work the day before and the day after the holiday, or if they work on a holiday
- If working less than 72 hours per pay period, holiday is pro-rated

**Seasonal:**
- Eligible if in payroll status on the normal work day immediately before and the normal work day immediately after the holiday
- If working less than 72 hours per pay period, holiday is pro-rated

**Temporary:**
- A temp who is hired for more than 67 days is immediately placed into AFSCME and will be eligible for holidays
- Eligible if in payroll status on the normal work day immediate before and the normal work day immediately after the holiday
- If working less than 72 hours per pay period, holiday is pro-rated

**Emergency:**
- Not eligible for holiday

### Vacation Accrual - AFSCME Article 8

*All employees, except intermittent employees, emergency employees, and temporary employees shall be eligible employees for purposes of this Article.*

**Intermittent:**
- Eligible after completing 67 days in a 12-month period
- Eligible employees who work less than 80 hours in a payroll period are pro-rated

**Seasonal:**
- Vacation accrual occurs during the months that the employee is working
- Eligible employees who work less than 80 hours in a payroll period are pro-rated

**Temporary:**
- Not eligible for vacation accrual, unless appointed to emergency or temp from a layoff status (such as seasonal employees working during the summer)
- Eligible employees who work less than 80 hours in a payroll period are pro-rated

**Emergency:**
- Not eligible for vacation accrual, unless appointed to emergency or temp from a layoff status (such as seasonal employees working during the summer)
- Eligible employees who work less than 80 hours in a payroll period are pro-rated

### Sick Leave Accrual - AFSCME Article 9

*All employees, except intermittent employees, emergency employees, and temporary employees shall be eligible employees for purposes of this Article.*

**Intermittent:**
- Eligible after completing 67 days in a 12-month period
- Eligible employees who work less than 80 hours in a payroll period are pro-rated

**Seasonal:**
- Sick leave accrual occurs during the months that the employee is working
- Eligible employees who work less than 80 hours in a payroll period are pro-rated

**Temporary:**
- Not eligible for sick leave accrual, unless appointed to emergency or temp from a layoff status (such as seasonal employees working during the summer)
- Eligible employees who work less than 80 hours in a payroll period are pro-rated

**Emergency:**
- Not eligible for sick leave accrual, unless appointed to emergency or temp from a layoff status (such as seasonal employees working during the summer)
- Eligible employees who work less than 80 hours in a payroll period are pro-rated

### Insurance - AFSCME Article 19 and MnSCU Supplement

*Employees may participate in the Group Insurance Program if they are scheduled to work at least 1044 hours in any twelve consecutive months, except for: (1) emergency, or temporary classified, or intermittent employees; (2) student workers; and (3) interns.*

**Intermittent:**
- Eligibility for the Affordable Care Act (ACA) Employer Shared Responsibility (ESR) occurs when the employee is hired to work 30 or more hours per week for 12 or more weeks.

**Seasonal:**
- Seasonal employees are eligible for Employer contribution to the insurance premium (amount determined by eligibility in Article 19).
- Summer Balloon is a payroll deduction process for employees who do not receive a paycheck during summer months, but remain eligible for an employer insurance contribution.
- Seasonal employees who choose to liquidate all of a portion of their accrued vacation balances in cash may apply those amounts to the summer balloon insurance payments.

**Temporary:**
- Eligibility for the Affordable Care Act (ACA) Employer Shared Responsibility (ESR) occurs when the employee is hired to work 30 or more hours per week for 12 or more weeks.

**Emergency:**
- Not eligible for Affordable Care Act (ACA) Employer Shared Responsibility (ESR).
Eligibility for Bidding - AFSCME Article 12 and MnSCU Supplement

"Permanent non-probationary classified employees in a different employment condition or different shift from the posted vacancy or in a work area different from the posted vacancy shall be eligible to bid for any vacancy within their class (or class option or another class option within that class for which they are qualified as determined by the Appointing Authority) and seniority unit."

Intermittent:
- Eligible after completing the probationary period, which is 1,044 working hours or a maximum of 1 year.

Temporary:
- Not eligible for bidding.

Seasonal:
- An employee who works full-time during the academic year and part-time during the summer may bid to a year-round full-time, unlimited position (and vice-versa).

Emergency:
- Not eligible for bidding.

Retirement Eligibility – 2015 Minnesota Statute 352.01

"State employee" means any employee or officer in the classified and unclassified service of the state.

Intermittent:
An intermittent employee is a "state employee" and would be eligible for enrollment in MSRS.

Temporary:
Subd. 2b. Excluded employees. "State employee" does not include: (i) on a temporary basis by the house of representatives, the senate, or a legislative commission or agency under the jurisdiction of the Legislative Coordinating Commission.

Emergency:
Subd. 2b. Excluded employees. "State employee" does not include: (11) emergency employees who are in the classified service, but if an emergency employee, within the same pay period, becomes a provisional or probationary employee other than a temporary basis, the employee must be considered a "state employee" retroactively to the beginning of the pay period.