

**Division of Human Resources Update
for
The HR Committee of the Board of Trustees**

April 8, 2011



North Carolina Agricultural and Technical State University

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Personnel Flexibility Update

- Definition
- Current Status
- Rationale
- Enhanced Efficiencies
- Employee Benefits and Rights to Due Process Remaining Unchanged





Personnel Flexibility Update

- Proposal to consolidate personnel management for the University of North Carolina by placing governing authority for all University employees under the UNC Board of Governors
- **Current Status:**
 - » N.C.G.S. 116 grants the Board of Governors authority for the management of its faculty and other University employees exempt from certain provisions of the State Personnel Act (EPA), however all remaining University employees (SPA) are subject to the authority of the State Personnel Commission under N.C.G.S. 126
 - » Each UNC System campus is required to manage two distinct personnel systems (one for EPA employees and one for SPA employees)
 - » Often creates artificial and unnecessary distinctions between employees
 - » Requires adherence to multiple sets of personnel rules and dual reporting requirements, and leads to inefficient duplication of effort
 - » Unlike other State agencies, the UNC System funds personnel from an extremely complex mix of non-appropriated fund sources (federal grants and contracts, receipts, student fees, etc.) and must recruit for many positions unique to higher education (e.g., athletics, student services, grant-funded research activities)
 - » Approximately 49% of UNC System employees are classified as SPA





Personnel Flexibility Update

- **Rationale:**

- » This proposal would extend to the UNC System the same institution-wide authority that is already provided to the UNC Health Care System, the State's 58 community colleges, local school districts, and Wake and Mecklenburg Counties
- » The UNC System has a proven track record in managing its EPA system and the necessary skills and technology in place to effect this change
- » UNC has been managing the career-banding classification system championed by OSP for several years
- » Employees currently classified as SPA would retain appropriate job protections, with most personnel areas currently highly regulated under federal law
- » Each UNC campus has a staff of human resources professionals in place who work collaboratively across the system who are positioned and prepared to share expertise and skill sets as needed





Personnel Flexibility Update

- **Enhanced Efficiencies:**

- » Maintenance and continued operation of two systems is expensive and can be extremely confusing
- » The elimination of dual reporting requirements, policy duplication, and staff time and training required to operate two separate personnel systems would enable the UNC System to manage its human resources and respond to business needs more efficiently and effectively
- » Realigning all UNC System employees under N.C.G.S. 116 would also relieve workload in the Office of State Personnel and allow OSP staff to focus their own limited resources on serving state agencies





Personnel Flexibility Update

- **Employee Benefits and Rights to Due Process that Would Remain Unchanged:**
 - » Health Insurance: UNC employees would remain State employees eligible for the State Health Plan
 - » Retirement: UNC employees would remain State employees eligible for state regulated retirement systems
 - » Employee due process rights will be maintained in accordance with federal and state law and UNC policies, including matters related to discrimination, discipline and appeals
 - » Employment policies highly regulated by Federal employment laws, such as the Fair Labor Standards Act, the Civil Rights Act, the Age Discrimination in Employment Act, the Americans with Disabilities Act, etc
 - » All UNC employees will remain subject to several elements of the State Personnel Act such as Articles 5 (Political Activity) and 7 (Personnel Records privacy protection)
 - » EEO and Affirmative Action coverage, Veterans' Preference in employment, and protection for reporting improper activities ("whistle blower") would remain





Budget Reduction Guidelines

- Administrative and Operational Review Committee
- DHR Impact





Budget Reduction Guidelines

- North Carolina A&T State University continues the planning process for meeting the State established budget reduction targets imposed upon all institutions in the University of North Carolina System
- The Administrative & Operational Review (AOR) Committee was one of two University committees formed and charged with collecting and analyzing data in order to make recommendations to assist the University in achieving a 15% overall reduction in state appropriations
 - » Two representatives from DHR served on the Committee
 - » DHR staff provided critical employee data and analysis towards the development of budget reduction guidelines to accomplish the 15% budget reduction target effective July 1, 2011
- The result will be the University to emerge as a leaner, more efficient organization with an infrastructure that can support the reduction and still achieve our strategic goals
- Developed: (1) divisional salary analysis worksheet; (2) and reduction in force key factor considerations chart, as management tools for developing compliant budget reduction plans (e.g. notification requirements, severance calculations, adverse impact analysis, etc.)





2011 University EEO Plan

- University Demographics
- Coverage
- EEOI Training
- New and Revised Policies
- University Recruitment and Selection Business Process Guidelines
- Next Steps

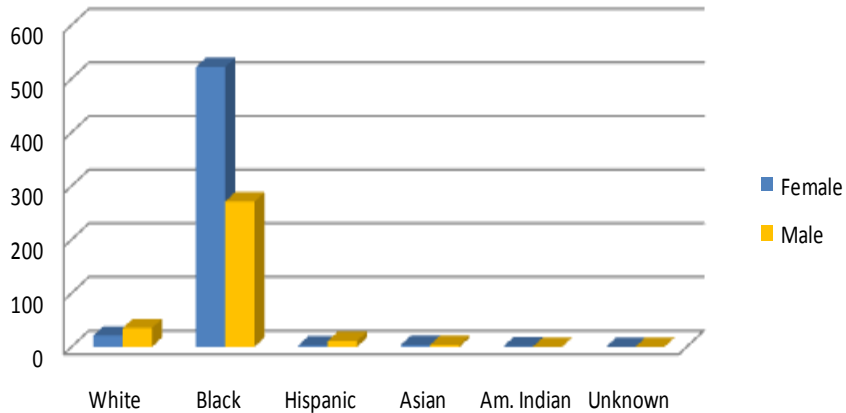




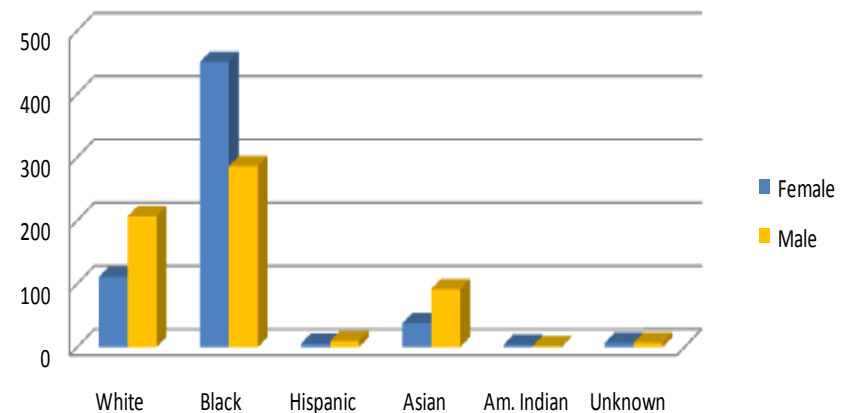
2011 University EEO Plan

University Demographics

Full-Time SPA Employees



Full-Time EPA Employees





2011 University EEO Plan

- Covers all University employees, e.g., faculty and staff vs. only SPA employees
- Mandatory EEOI supervisor training
 - » Mandated by state House Bill 959, ratified in 1991
 - » Content focused on EEO laws and regulatory compliance
 - » First training course (1½ days) scheduled for April 13-14
 - » Facilitated by Rashanda Lowery, Legal Specialist in Office of Legal Affairs, and Sylvia Anderson, Director of Employee Relations and Affirmative Action Officer, Certified Adjunct instructors
 - » Maximum capacity of thirty (30) participants, 22 currently enrolled
 - » Will be offered to University Administrators during second half of Mandatory Supervisory/Management training in Fall 2011
- Inclusion of New and Revised Policies
 - » ADA/Reasonable Accommodations Policy
 - » SPA Mediation & Grievance Policy
- University Recruitment & Selection Business Process Guidelines





2011 University EEO Plan

Next Steps

- EEO Plan Approval and Communication
 - » **March 22, 2011** – Obtained Chancellor and Cabinet Approval
 - » **March 25, 2011** – Submitted Copy to OSP for State Personnel Commission Review and Approval
 - » **March 29, 2011** – Provided overview to the Dean’s Council
 - » **April 8, 2011** – EEO Plan posted to the DHR website





DHR Policies New and Revised

- Overtime and Compensatory Time for SPA Non-Exempt Employees
- ADA / Reasonable Accommodation
- Communication Plan





DHR Policies – New and Revised

Overtime and Compensatory Time for SPA Non-Exempt Employees Policy

- Covered Employees:
 - » SPA employees in positions designated as Non-Exempt under the provisions of the Fair Labor Standards Act (FLSA)
- Defines which employees are eligible to earn overtime compensation and compensatory time
 - » All SPA permanent and temporary employees who are subject to the wage-hour provisions of the Fair Labor Standards Act (FLSA non-exempt) are entitled to overtime compensation
- Clarifies requirements around earning limitations, use, payout and transfer of compensatory time





DHR Policies – New and Revised

ADA / Reasonable Accommodation

- Ensures North Carolina A&T State University:
 - » Fully complies with the Americans with Disabilities Act
 - » Maintains equal opportunity in employment for all qualified persons with disabilities
 - » Prohibits retaliation against employees
 - » Reasonably accommodates qualified individuals with disabilities unless the accommodation would impose an undue hardship upon the University
- Policy applies to all qualified applicants and employees with disabilities
 - » If requested, reasonable accommodations must be provided to qualified employees regardless of whether they work part-time or full-time, or are considered “probationary” or “non-career status”, as well as temporary employees
- Clarifies process for requesting an accommodation
- Clarifies appeal rights





DHR Policies – New and Revised

ADA / Reasonable Accommodation

- Policy defines common terms associated with reasonable accommodation:
 - » **Disability:** A physical or mental impairment that substantially limits one or more major life activities; has a record of such an impairment; or being regarded as having such an impairment
 - » **Qualified Individuals with Disabilities:** A qualified employee or applicant with a disability is an individual who, with or without reasonable accommodation, can perform the essential functions of the job in question
 - » **Reasonable Accommodation:** A modification or adjustment to a job, an employment practice, or the work environment that makes it possible for a qualified individual with a disability to enjoy equal employment opportunities
 - » **Undue Hardship:** An action requiring significant difficulty or expense when considered in light of factors such as an employer's size, financial resources, and the nature and structure of its operation
 - » **Essential Functions:** The fundamental duties of the position or the primary reasons the position exists





DHR Policies – New and Revised

Communication Plan

- **March 24, 2011:** Provided policy update to the Staff Senate
- **March 29, 2011:** Electronic communication sent to all employees and policies made available online via the DHR website
- Scheduled open-forum policy information sessions for employees through May 1st:
 - » Friday, April 8th at 2pm in Room 160 Proctor Hall
 - » Friday, April 15th at 10am in Room 160 Proctor Hall
 - » Friday, April 29th at 10am in Room 160 Proctor Hall
- Ad Hoc employee information session will be scheduled as needed to address employee populations with limited or no access to e-mail





DHR Policies – New and Revised

Policy Links

- Flexible Work Arrangements:
 - » <http://facultypages.ncat.edu/hr/Documents/Flexible%20Work%20Arrangements.pdf>
- SPA Exempt Compensatory Time:
 - » <http://facultypages.ncat.edu/hr/Documents/SPA%20Exempt%20Comp%20Time%20Policy.pdf>
- Overtime and Compensatory Time for SPA Non-Exempt Employees:
 - » <http://facultypages.ncat.edu/hr/Documents/SPA%20Non-Exempt%20OT%20and%20Compensatory%20Time.pdf>
- SPA Mediation and Grievance Policy:
 - » <http://facultypages.ncat.edu/hr/Documents/SPA%20Mediation%20-%20Grievance%20Policy.pdf>
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