

Exempt Staff Council Meeting

December 18, 2018 '
1610 University Avenue, Room 118 '

Present: Jeannine Berge, Chelsea Bligh, William Bruhin, Eric Carr, Joe Christian, Kimberly Hardaway, Johnny Jones, Kevin Lauer, Mary Lucal, Charles Primm, John Rich, Rosie Sasso, and Wesley Wright

Absent: Michele Atkins, Rex Barton, Brad Briggs, Brian Browning, Leah Buffington, Linda Daugherty, Teresa Fisher, Deanna Flinchum, Elizabeth Greene, Keith Groves, Kandi Hodges, Emily Miller, Heath Nokes, and Tammy Renalds

Welcome – Eric Carr, Chair Elect

Commission reports

LGBT – Tammy Renalds

No Report

Faculty Senate – Leah Buffington

No Report

Commission for Women – Rosie Sasso

The Commission for Women met in early December. The commission discussed the successful all commission event to paint the rock and questions for the future Interim Chancellor. During the meeting, they briefly touched on setting up programs to recruit, retain, and empower women, the Governor's Chair, Anti-bullying/ Sexual Harassment prevention, and expanding childcare resources for UT staff and faculty members. The next meeting will be in early February.

Commission for Blacks – Eric Carr

The Commission for Blacks discussed the all-commission event to paint the rock. They discussed the possible Vice Chancellor of Diversity and Engagement and issues around the campus.

Constituent issues

1. ' Q: While I understand our salaries are public under the "sunshine law" the new interim President announced this week that there would be a searchable engine for transparency. I was wondering how much our identity would be protected under this searchable site? I mean, could marketers begin drawing down salaries and target those in certain ranges? Could people that need identity protection keep their names from being public? I just had questions about that. It seems these days more searches that are easily accessible might invite unwanted dangers well past the original intent of the law. At least the way it is now, there must be a request in writing with a legitimate reason to obtain information (I think, I really don't know what is completely available when and where.) Perhaps after writing this note, what we all really need is a summarization of what the current law really is and how it should be used, and then couple that

with what will be publically available and how that can be obtained. It just sent up big warning flags in my system.

A: Charles Primm, Media and Internal Relations, stated that the personnel records and salary data for University employees are considered open to inspection from a current resident of the state of Tennessee. However, the following information is protected and cannot be disclosed to the public:

- Social Security numbers
- Home telephone numbers
- Personal mobile phone numbers
- Residential information, including an employee's street address, city, state, and ZIP code
- Emergency contact information
- Personal, non-University-issued email address
- Driver's license information, except where driving or operating a vehicle is part of the employee's job description '
- Bank account, individual health savings account, retirement account, and pension account information (NOTE: amounts contributed by the University to these accounts are not confidential)
- Annual job performance evaluations and employees' annual self-review statements (NOTE: for tenured and tenure-track faculty, only the evaluative materials in the second half of the promotion and tenure dossier are protected)

Tennessee residents (including residents acting on behalf of marketers located outside of Tennessee) are able to make public records requests for salary information. Requesters do not have to provide any reason for the request. Employees have no legal right to request that their salary data be excluded from the information that we produce.

The Knoxville News-Sentinel and the State of Tennessee currently have online databases that provide salary information for University employees.

If a current resident asks to inspect a University employee's personnel file, the employee has the right to be present during the inspection if they wish. The requester will be provided access to a redacted copy of the personnel file, with protected information obscured or removed.

For further detail, please see the policy link:

<https://universitytennessee.policytech.com/dotNet/documents/?docid=238>.

2. ' Q: Several weeks ago most of the paper towel dispensers on the first floor (and I assume others) of the Conference Center Building were replaced by hand dryers. Fortunately one paper towel dispenser was kept in each bathroom, which in my opinion, was a nice compromise. Within the past day, the remaining paper towel dispensers were removed, so now all we have available to us is hand dryers. While I get the University's desire to reduce paper waste, I totally disagree with the decision to remove all paper towel dispensers from the bathrooms.

I can see the practicality of using hand dryers exclusively when there is a completely transient, temporary population who use those dryers, like the public areas of Neyland Stadium or

Thompson Boling Arena, or a rest area along the interstate. In my opinion, the exclusive use of hand dryers in an office building, with a constant daily population is not practical or reasonable.

I don't think I'm unique in that I brush my teeth after eating. How am I to wipe off my mouth after doing that? My present options are my sleeve or sticking my mouth under the hand dryer. I also don't think I'm unique in that I brown bag most days which means having to wash my plate, bowl, and/or eating utensils. Since there is not a kitchen on my floor it's more time-effective to wash my dishes in the bathroom sink (as gross as that sounds). How am I to dry those dishes? There is a kitchen on the second floor of the Conference Center Building, but the paper towel dispenser that remains there has been empty a great deal of the time, and to be perfectly honest, since organizations outside of the University make use of the 4th Floor conference facilities regularly I find it extremely tacky to have the elevator doors open up for our guests, only to be greeted by employees on their way to the kitchen, walking out of the elevator with dirty dishes.

If need be I'll simply bring in my own paper towels. But by doing that I'm not saving paper, which supposedly is what this is all about isn't it?

Additionally, I have yet to see any documented statistics on what the actual cost savings is in material and time. I would be interested in seeing some documentation showing the cost of the electricity it takes, and the fuel it takes to generate it, to use a hand dryer for a complete cycle, then to walk over to the other hand dryer for an additional 5 – 10 seconds because the first hand dryer didn't get my hands completely dry before shutting off, when compared to using a couple paper towels.

Your consideration in returning a paper towel dispenser to the rest rooms in the Conference Center Building would be greatly appreciated.

A: Dr. Mary Lucal, Associate Vice Chancellor of Human Resources, stated that this issue continues to be a topic in the Employee Relations Committees. During the last meeting Dr. Lucal had with Chris Cimino and his staff, they reported that they will be purchasing new door handles that use the arm or hand to open the door rather than just the hand. If there are any cleanliness issues, please call the One Call Line at 865-946-7777.

3. ' Q: No notification was given for the outside cleaning of a constituent's building. The chemical used was extremely strong to the point where it made employees very sick and plants die. Is there a way to notify locations that will experience a fume problem before it happens?

A: Dr. Mary Lucal said that this issue should be sent to Dave Irvin, Associate Vice Chancellor of Facilities Services. A similar situation happened during the summer with very strong paint fumes entering their office spaces and making people sick. Eric Carr agreed to bring this forward to Dave Irvin.

4. ' Q: If an employee is hurt on the job, do they have to burn their leave before Worker's Compensation? '

A: After the meeting, Chelsea Bligh, Employee Relations Specialist, contacted Angie Robinette, UT System Workers' Compensation Coordinator, in regarding the Worker's Compensation (WC) process. Ms. Robinette stated that employees do not have to use their own accruals. The injured worker is entitled to 66 2/3% of their average weekly wage through Temporary Total Disability (TTD) while taken off work by the authorized treating physician due to a workplace injury. Calculation of average weekly wage is based on the prior 52 week gross income, and TTD benefits are not taxed. Additionally, the University pays 100% of the injured worker's medical and base life premiums while they are receiving TTD. In lieu of TTD, the injured worker may choose to use their sick/annual leave, but they cannot be paid by both sources at the same time. There is a 7 calendar day waiting period before TTD begins, but benefits are payable from day 1 if the disability period lasts 14 calendar days.

If anyone has any questions regarding their particular case, please contact Angie Robinette at angier@utk.edu or 865-974-0980.

In addition, Ms. Bligh added that when the employee goes out on WC, they must also apply for Family Medical Leave (FML) as it will run concurrently if the employee meets the FML 1 year of employment and has worked 1,250 hours in the past year requirements. Please note that if an employee is out on a work related injury, the employee is not eligible to pull from the Sick Leave Bank. The employee is given options during the WC process for wage reimbursement, therefore, cannot pull hours from the sick leave bank. Please see Policy HR0382 for further details.

Questions for Chancellor Search

Eric Car, chair elect, presented the results of a constituent survey regarding topics of interest to ask the Chancellor candidates. The subjects the committee agreed were of high interest are: diversity, focus of academics vs. athletics, handling the challenges of competing interests, free speech vs. hate speech, aspirations for UT as a whole, retaining/recruiting a diverse staff and faculty population, priority of recruiting students from underdeveloped counties/areas, and philosophy on pay on performance. Of these topics, the council will review and create questions to ask during the search of the new chancellor.

Other business

Dr. Lucal said that HR has coordinated a team for the YWCA Phillis Wheatley Community Center Race Against Racism. The race is on January 19th from 1:05 to 2:30 at 124 South Cruze Street. All staff, faculty, students, and family members are invited to join team UT Knoxville to either walk or run the race. The registration fee is \$25USD. Please see the link for more details:

<https://runscore.runsignup.com/Race/TN/Knoxville/YWCAKnoxvilleRaceAgainstRacism>

Race Map:

<https://d368g9lw5ileu7.cloudfront.net/races/race26678-customSectionAttachment59e622eb990e81.61662014.pdf>

Next meeting – January 22, 2019, IPS 1610 University Avenue: Room 118