

Exempt Staff Council

Tuesday, November 26, 2019, 2:30-4:00 pm

1610 University Avenue

MEETING MINUTES

Present

Rex Barton, Jeannine Berge, Brad Briggs, Doug Bohner, Brian Browning, William Bruhin, Leah Buffington, Jessica Cantu, Tom Cervone, Joe Christian, Kevin Frye, Brad Harris, Kimberly Hardaway, Elisha Hodge, Johnny Jones, Gabe Looney, Heath Nokes, Tim Price (guest speaker), Charles Primm, Tammy Renalds, John Rich, Julie Roe, Nicholas Simson, Izetta Slade, Kaley Walker, Wesley Wright, Lisa Yamagata-Lynch (guest speaker)

Absent

Michele Atkins, Linda Daugherty, Deanna Flinchum, Elizabeth Greene, Janet Jones, Theresa Sears, Norma Wilcox

Welcome

Kimberly Hardaway, Chair & Student Life Representative, welcomed everyone to the meeting.

New Business

1. Guest Speaker: Office of Ombuds Services – Lisa Yamagata-Lynch, Ombudsperson

Lisa Yamagata-Lynch introduced herself to the representatives and provided a report on Office of Ombuds Services data gathered since May 2019. During the past seven months she said she has met with just over 100 visitors. She then discussed how visitors are counted from month to month, and explained that she serves

faculty, staff, and graduate students. She related that faculty represented the group with the highest number of visitors, noting that faculty have come to her on behalf of their graduate students.

Dr. Yamagata-Lynch then shared visitor themes, sharing that the highest demand has been in providing a safe place for visitors to talk freely. Other themes included being a neutral party, mediation, listening, consulting and coaching. She then shared an introductory video from the [International Ombudsman Association](#).

She discussed the role of Ombudspersons at UT, noting that her primary job is to provide a safe space for visitors to share their stories and questions so they can make empowered decisions about issues on campus. Those issues could be school related for graduate students, work issues for faculty or staff, or a combination of both for those who are both employees and students. The Office of Ombuds Services also provides upward feedback to organizational leaders including the Office of the Provost and HR regarding systemic themes and statistics.

Dr. Yamagata-Lynch then informed the group that [Ombuds services](#) may be helpful when an employee isn't sure what may have happened in a situation on campus, has a gut feeling that they want to talk to someone but are not sure who to talk to, when they would like assistance with policy clarification, when they are not sure what to do regarding a decision related to UT and would like help making that decision, or when they would like coaching about considering how they might present concerns.

Dr. Yamagata-Lynch then highlighted the [independence of her position](#), noting there is no other office or person that the Ombudsperson is required to report details to about employees' situations. She reiterated the neutrality and impartiality of the office, and highlighted confidentiality by explaining that information shared with her stays with her, but those seeking assistance can give permission for her to break confidence if they request she share information with others. She also disclosed to the group that confidentiality cannot be maintained when there is imminent risk of serious harm to the employee or others, but also noted that she is not a mandatory reporter for sexual harassment cases.

Dr. Yamagata-Lynch also pointed out that the office is an informal resource – not an office of notice. Sharing information with her does not mean an employee is making a formal report. She explained that the Office of Ombuds Services also does not participate in any formal University procedures, so Ombudspersons cannot be a witness to a grievance. She also noted that the Office does not keep formal records.

For more information she encouraged representatives to [visit her office's website](#) and the [International Ombudsman Association website](#). She also emphasized that information shared via [email](#) is not confidential as it is university property and information is collected.

Dr. Yamagata-Lynch then cited the [UT Office of Ombuds Services Charter](#) and [Annual Report](#) available on her office's website. The charter includes more detailed information about the office. The Annual Report is made to the Chancellor and Faculty Senate and is available for anyone to view.

Tom Cervone asked how the Ombudsperson role interacts or collaborates with the Office of Title IX and Office of Equity and Diversity. Dr. Yamagata-Lynch confirmed that information shared with the Office of Ombuds Services is confidential, but she said that she has had visitors referred from the Office of Equity and Diversity, including those with questions about mandatory reporting requirements. She said that the role of the non-mandatory reporter Ombudsperson is fairly new, and that she along with the Office of the Provost and the Office of Title IX are working out how they will best work together. She said that she feels well supported by those offices along with Office of Equity & Diversity, Human Resources, and the Office of the General Council.

Dr. Yamagata-Lynch was asked when a situation might be escalated to the Office of the General Council. She said that their office has been a great source of advice even before situations escalate, and reflected that for most questions they have been a resource for have been around policies or clauses that employees have questions about.

William Bruhin asked if Ombuds services are available to those not located on the main campus. Dr. Yamagata-Lynch confirmed that they are, and that she can be reached via phone or Zoom. A question was asked if there were any themes that could be shared that might be useful for the Exempt Staff Council to take note of. Dr. Yamagata-Lynch said that the prevalent theme she sees is issues surrounding power relations, which may include employee evaluations. She reflected on her experience as a faculty member fielding questions from students and junior faculty, and shared that her experience helped her realize the need to help visitors navigate power differentials and how to work together. She further noted that her academic focus is in designing human experiences as an instructional designer, and said that she is thinking about creating training on designing an empowered workplace and thinking about power relations including constraints related to the relationship between leadership and direct report roles and how to work together.

2. Transition to Central Receiving - Tim Price, Director of University Printing & Mail & Convenience Copier

Tim Price introduced himself to the group, and announced that January 6, 2020 is the [launch date for central receiving](#). He said [central receiving](#) means creating one point of receiving for all package and mail deliveries on campus, which involves

USPS, FedEx, UPS, DHL and Amazon. He confirmed that central receiving does not include freight deliveries, Staples, and food service deliveries.

Mr. Price said the primary driver of central receiving is the [campus master plan](#), which directs for more pedestrian-friendly spaces within the interior of campus. He said some streets will be closed, others will be restricted, and vehicle traffic is intended to be pushed out to the periphery of campus. He said removing most of the delivery vehicle traffic by centralizing receiving to one location at the exterior of campus will help achieve that goal.

Mr. Price reflected that mail service has pivoted from mail to packages, noting a steep and continuous decline in USPS mail since 2006 and an increase in package mail during that same time. He said the number of delivery points has increased, noting that online shopping is driving the increased package delivery trend. He shared some data about student packages, explaining that in the last three years the number of packages has increased from 88,000 to 116,000. He said during the first two months of the 2019-2020 school year package volume was up by 18% above the same time in 2018. Mr. Price also reflected on the trend of brick and mortar store closures, including the Wal-Mart in University Commons that closed earlier in the year.

Mr. Price discussed the University's goal to increase the number of students, which in turn increases the number of faculty and staff. All three increase the need for centralized package handling, storage and security. He said central receiving will make security much more comprehensive. A key advantage of central receiving is that the University will become a participant in the USPS delivery partner program. This program is designed specifically for colleges and universities, and allows for interim event scans once packages arrive on campus. The new internal tracking system, which also can be considered asset management software, allows for campus transitional event scans to be updated in the USPS system. This will allow package recipients to have more accurate package tracking. He then reviewed suspicious package hallmarks, and said that UTPD will screen suspicious packages at Stephenson Drive.

Mr. Price discussed mail routes, stating that carriers have committed to making the University the first and last stop of their day. He said every departmental route will have both an AM and a PM stop, and package volume will determine if additional routes are needed. Campus delivery drivers will scan delivery location barcodes so Mail Services can capture information about when the mail drop occurs to ensure efficiency.

He then discussed service standard guarantees, and confirmed Mail Services will honor carrier time guarantees except for next day priority delivery (8:00 am). Those packages will be delivered directly by the carriers. There will be a single sign in online portal for students, staff and faculty to track packages and view package inventories. He also said the tracking system will receive a daily IRIS data feed so packages can

automatically be re-routed for students, staff and faculty who move location on campus. Mail Services will also photograph visibly damaged packages.

Mr. Price also confirmed that central receiving will only affect main campus (UTK & UTIA) buildings. Off-campus buildings such as JIAM, the Conference Center, the Kingston Pike Building, and the Middlebrook Building will continue to receive carrier deliveries. The intention is to reduce campus traffic per the campus master plan, and since those buildings are not on campus then they would not be affected.

Mr. Price then reviewed student mail and the new package delivery lockers. He said USPS will continue to bring sorted student mail to Mail Services, and Mail Services will continue to deliver it to the residence halls for delivery. Student packages will transition to being delivered to intelligent package lockers, which are installed in three locations across campus and are available for 24/7 access. The lockers will accommodate 85-90% of all student packages received. Students are notified electronically about package delivery, they can use their smartphone to quickly retrieve packages, and the lockers will then be refilled over the course of the day. Oversize packages and those requiring refrigeration will be delivered to the residence halls. Packages not picked up within 24 hours will be pulled and taken back to Stephenson Drive, but can be put back into a locker if the student reaches out about extenuating circumstances. If packages aren't picked up within seven business days (excluding break weeks or special student needs) they will be returned to the sender.

He then discussed the benefits of using package delivery and the locker system for business use on campus, such as for deliveries from the VolShop, ticket orders, and printing order deliveries. He also said that expo type events where exhibitors ship booth materials could take advantage of Mail Services collecting and palletizing packages and then deliver them to the event location.

Rex Barton asked if the IPS building will continue to receive carrier deliveries. Mr. Price confirmed that and any other non-main campus buildings would receive regular carrier deliveries. He also noted that on the main campus freight deliveries, Staples, Office Depot, and food service deliveries are also excluded from central receiving.

Nick Simson asked about the transition for print orders from carbon copy receipts to digital receipts. Mr. Price said that the transition has not happened yet, but they are planning to integrate University printing deliveries into the tracking system and print delivery drivers will use a handheld device like mail delivery drivers.

There was a question about additions to the Mail Services staff and fleet to meet the increased demand. Mr. Price said they recently added three vehicles to the Mail Services fleet. He said that they are hiring two full time positions and have two part time positions that are coming. He also said that they will be adding student employees.

There was a question about carrier pickup boxes on campus, including some that have pickup as late as 7:00 pm. Mr. Price said that they have talked with the carriers about late pickups, and Mail Services has been guaranteed that they will be the last pickup of the day for the carriers. He said UPS & FedEx drop boxes will be replaced with Mail Services drop boxes in the future, adding that they are still working out if they will be able to meet the 7:00 last pick up the boxes currently give.

Kim Hardaway asked for clarification about Staples' order deliveries. Mr. Price confirmed that those packages will be delivered directly by Staples.

3. Commission Reports

Commission for LGBT People

Tom Cervone gave an update, noting the volume of internal conversation within the [Commission for LGBT People](#) to determine the purpose and goals for the group. He said that the Commission feels empowered and motivated, and announced that there are a number of upcoming events. He said there is a transgender conference scheduled to be held on campus in Fall 2020, and an anti-bullying event will be held from March 4-6, 2020. The anti-bullying event will be conducted by Dr. Leah Hollis, and details for both events will be forthcoming.

Mr. Cervone then reported on the Pride Center's Friendsgiving event, and said he heard all went well. He announced that the Commission will be represented at New Employee Orientations (NEO) from January through March 2020. He then said there is conversation around transgender folks and health task force meetings, including a recent dialogue event co-sponsored by the Pride Center and the Commission. There were approximately 50 attendees, and he recounted an active question and answer session around the subject.

Mr. Cervone continued by specifying that there are a number of subcommittees within the Commission including the Equity and Climate committee. He said he recently volunteered to co-chair this subcommittee, and said updates will be forthcoming from future meetings.

He said there was a very long conversation around the Commission's work and goals moving forward. They want to maximize their resources and synthesize their efforts with the other Commissions and the Office of Diversity and Engagement. He reported that they intend to work more collegially and cooperatively to organize and share a stronger voice between the Commissions. They are hoping to have a spring retreat where all three Commissions and OED can gather and create a plan towards their shared goals.

Mr. Cervone lastly reflected on the [poor U.S. News & World Report ranking for LGBTQ friendliness](#) for folks at UT and local events like the recent Sevier County

Commission meeting [that made national headlines](#). He said that, as a result, the Commission feels energized and motivated to move forward.

Faculty Senate

Charles Primm reported that Chancellor Plowman attended the last [Faculty Senate](#) meeting, and she gave an update on meetings she has had since taking office. He said she talked about her first town hall meeting this fall, and said that she would like to expand that to two town hall meetings each semester. The intention is to specifically meet with those who have supervisory roles on campus. She also said she wanted to create a new University Leadership Council, which will meet twice a semester in between the town hall meetings. This new group would include students, faculty, administrators, and staff members with leadership roles apart from supervisors. Mr. Primm said that he felt the Exempt Staff Council chair or a designate might be a good fit for this new group. He said as the creation of the Council moves forward he will share updates with the group about how it is coming together.

Mr. Primm also shared that Chancellor Plowman said she is in the process of putting together a strategic visioning committee, which will look at the research output, its' movement toward the top 25 in public universities goal, and the Volunteer experience as a student or employee. He said that the Chancellor mentioned the search for the new Vice Chancellor of Research, and announced that Brian Wirth, Governor's Chair Professor, is co-chairing that search with Provost David Manderscheid. The reason Dr. Manderscheid is co-chairing the committee is that the Provost intends to tie research more closely to the Office of the Provost going forward.

He said that Chancellor Plowman referenced the proposed system administration plan to move out of the Andy Holt tower. She said that if it does happen she would like campus administration to do the same, and move to another location closer to the geographic center of campus. He said that Andy Holt Tower would be renovated for faculty use and other administrative functions, but said she cautioned the move is at least three or more years away.

Mr. Primm then reported on the Faculty Senate's action on the [UTK/UTIA merger](#), and noted that the Senate is [recommending](#) additional funding for Herbert College of Agriculture faculty, Extension agents, and statewide 4-H support. They also recommended the creation of an Emeritus status for non-tenure track faculty lecturers. He related that the creation and naming faculty to the status would be revenue neutral, and said approval was given for the recommendation. A delegation of higher education representatives from the Republic of Georgia also attended the meeting. The group toured various locations in Knoxville looking for collaboration opportunities. Senators also approved upon first reading a resolution opposing

bullying on campus. The resolution called for new policies and training to address that problem.

Commission for Women

Kaley Walker shared after the meeting that the [Commission for Women](#) is seeking nominations for its new Rising UT Woman Award. This award recognizes a woman in the early stages of her professional path who has made great strides in her area and shows exceptional promise for future accomplishments. Nominations of early career staff who are exempt and non-exempt below the level of Director will be accepted. Completed nominations letters and a current CV/resume should be submitted by email to Commission for Women Chair Rachel Chen (rchen@utk.edu) by January 5, 2020.

Commission for Blacks

No report was given for the [Commission](#) as the representative was not able to attend the meeting.

New Business

1. Constituent Issues

Q. “Has the way we terminate employees changed, and what is the correct procedure for termination?”

Doug Bohner, Director of Extension Evaluation and Staff Development, said that in short the answer is no, there have been no changes to the process for terminating employees for UTIA. He affirmed each campus abides by the [HR0160 Termination of Employment](#) and [HR0525 Disciplinary Action](#) system policies.

Mr. Bohner said that prior to taking any disciplinary action, including termination, there is an expectation that HR is consulted. Subsequent documentation and follow-up conversations with the employee associated with the issue may occur. The employee would have opportunities to respond along the way as well.

He explained that though a review with the Office of the General Council prior to proceeding with termination is not in policy, it is a standard practice meant to make sure that they are making the best decision for the University and for the employee impacted by that decision.

Mr. Bohner said if someone has a concern related to termination to [contact the UTIA HR team](#). He said that if an employee is uncomfortable doing so he recommends they

reach out to Dr. Izetta Slade, Executive Director of Human Resources, or Julie Roe. He affirmed UTIA HR partners closely with UTK HR, so they would have an opportunity to coordinate on a response and make sure they get to the bottom of the issue if something wasn't handled properly.

Kim Hardaway presented a followup to the constituent question, asking if it is up to departments to figure out how to address a grievance that has been made if the concern involves a departmental policy. Mr. Bohner said from his perspective HR is always a resource, so if someone feels they were treated unfairly he would rather that employee reach out to him so they can think through the situation and engage and build trust with the employee's leader if possible. He also noted that depending on the level of response from the University and what the response is that there are documented processes for exempt and non-exempt staff to file grievances, and that there are secondary steps if the employee is unhappy with the outcome of the review.

Dr. Slade explained that before disciplinary action is initiated supervisors are required to connect with HR for guidance. She said that includes verbal warnings, and the intention is to remain consistent across the campuses in how situations are handled. She said if a supervisor has worked with a particular HR team member and an employee feels they have not been treated fairly as a result, then they can talk with another HR team member to share their concerns. Ms. Roe added they also try to offer resources and support including the [Employee Assistance Program](#).

Dr. Slade followed up by noting that for any termination there is a pre-termination meeting, and Mr. Bohner confirmed that was the case for UTIA as well. Dr. Slade continued by explaining how pre-termination meetings work, stressing that affected employees have opportunities to provide a defense on the termination concern. Dr. Yamagata-Lynch voiced that in the disciplinary letters that she has read from visitors she feels the letters are written with guidance about ways to improve and plan how to address issues.

Mr. Bohner concluded by stating that, unless an employee's behavior is so significant or an error is so severe that for the protection of the employee or those around them the employee must be terminated immediately, the intent is to find ways to help employees improve. Dr. Slade shared from her experience that if concerns are raised about the process she has found it comes outside observers who do not know the full story and who are only familiar with one side. Mr. Bohner said that his experience is that terminations, more often than not, are months in the making. He said normally the employee is given multiple opportunities over months of working with their leadership team and HR to talk about or share concerns they may have.

2. "Exempt staff who are monthly are paid before the end of the month of December, just before the winter break administrative closing. Non-exempt (bi-weekly)

employees are kept on the same payroll schedule so they are paid at the end of the month. Why are monthly staff paid before the winter break versus on the same schedule as a bi-weekly employee?”

Julie Roe responded by suggesting that it likely had to do with payroll timing including time entry deadlines and payroll locking. Dr. Slade confirmed that Payroll sent out a deadline notification email that explained they would need sufficient time to process payrolls during holidays. A discussion about representatives' understanding about monthly payroll processing scheduling took place.

3. Updated Bylaws for Website – Kim Hardaway

Kim Hardaway and Nick Simson had a discussion about posting the updated bylaws to the ESC website.

Old Business

1. CBD Oil and Drug Testing – Office of the General Counsel Followup

Dr. Slade reflected on the abundance of CBD oil retailers and product available, and remarked that her understanding is that THC levels are not consistent across products. She said that HR is advising employees that if they are subject to drug testing they should stay away from use of CBD oil until more information is available.

She said her understanding is there are topical products containing CBD as well, and suggested employees be cautious about all uses of CBD oil. She shared that the Office of the General Counsel has advised that there will not be protection for employees who test positive for THC as a result of CBD oil use.

Rex Barton discussed his law enforcement experience with drug testing, noting that if a drug test is positive regardless of the product then it is a positive drug screen.

2. Sick Leave Bank Donation Question

Elisha Hodge reminded the group about an earlier question regarding Sick Leave Bank donations. Julie Roe reviewed eligibility guidelines for participating in and transferring donations of time from the Sick Leave Bank and the approval process. She confirmed that employees must apply for and be granted bank time by the Sick Leave Bank trustees in order for them to be eligible to receive donations of time.

Kim Hardaway reviewed her notes and confirmed that the original question was from the August meeting. She asked why someone cannot donate sick leave to non-bank participants. Ms. Roe responded that the Sick Leave Bank has to abide by state

statutes and University policies that govern eligibility. A general discussion about how the Sick Leave Bank works and donating hours took place.

Ms. Roe confirmed that donors do not have to be bank participants but recipients do. A question was asked regarding late career employees donating excess time to the banks. Ms. Roe said that they would like to be able to do so but, per state statute, the banks are unable to accept lump sum donations of time. She clarified that HR can facilitate anonymous donor transfers for employees who wish to donate excess sick leave to bank members who apply for time and are approved by bank trustees.

Updates

1. Human Resources Update – Izetta Slade, Executive Director of Human Resources

Dr. Slade announced Open Doors, a new community connection event which will take place on Thursday, January 30, 2020 from 5:00 – 7:00 pm. The event will be held at the Culinary Institute & Creamery, and was inspired by IPS’s community open house type event when they moved to Mechanicsville. The evening is intended to be an invitation to a casual connection opportunity those in the neighboring communities who are interested in working for UT but who are not certain if they belong at UT or are curious about what working for the University is like. The event is being coordinated between HR and the Office of Diversity and Engagement. The Pride Center, the Council for Diversity & Interculturalism, Commission for Blacks, Commission for LGBT, and the Commission for Women will be participating in the evening, and Spanish & sign language interpreters will be in attendance.

Dr. Slade then reflected on the events of Veterans Day at UTK week, noting that it was the largest recognition event she has seen at UT. She enthused about the dinner that was co-hosted between the Office of Diversity and Engagement, HR, and the Veterans Resource Center.

Dr. Slade informed the group that that the Office of Diversity and Engagement is working with other groups recognizing diversity across campus. She said HR is also working with OED to improve employee retention and on an additional onboarding project meant to support new employees through their first year of employment.

Dr. Slade concluded by noting that HR recently hosted the first Volunteer Values luncheon. She said the luncheon invited new employees to sit down and talk about what the Volunteer Values are and what they mean. She said the Dean of Students, Office of Title IX, Office of Diversity and Engagement, and Office of Ombuds Services co-presented the event. She related that HR Learning & Organizational Development intends to hold these luncheons three times a year to help new employees with issues or concerns they may have in their departments, and said HR is working hard on the front end to improve retention including diversity retention.

2. **Bylaws Update – Rex Barton, Past Chair**

Rex Barton provided copies of the updated Bylaws to the group, stating that the update was a yearlong process starting last year. He discussed the efforts to incorporate feedback and bring the updated bylaws to a vote. Mr. Barton reviewed changes from the original version including removal of several defunct standing committees and a nominating committee and the addition of a second Vice Chair position. He said he feels the changes represent the way the current Exempt Staff Council does business.

Tom Cervone confirmed with Mr. Barton that he was elected second Vice Chair, and asked if he needs to organize the Public Relations committee. Mr. Barton confirmed that he should, and said the chair of the committee should also select membership. Charles Primm affirmed that he would assist with the committee.

Announcements & Other Comments

- Open Doors
 - Dr. Slade announced that Open Doors will take place on Thursday, January 30, 2020 from 5:00 – 7:00 pm at the UT Culinary Institute & Creamery. The event is intended to be a connection opportunity in a casual setting for those in the community who are interested in what working for UT is like when they are unsure if or how they might fit into the campus community. Spanish & sign language interpreters will be in attendance, and light refreshments will be served.
- CDI Funding Opportunity
 - Ms. Roe announced a funding Opportunity for Diversity & Inclusion: The Council for Diversity and Interculturalism (CDI) encourages the campus community to create educational opportunities that increase the understanding of, appreciation for, and advocacy of diversity and inclusion. To achieve this goal, the CDI has an annual fund. Requests for up to \$500 are reviewed and awarded by the CDI. University of Tennessee registered student organizations and campus departments may apply for funding. For more information visit: cdi.utk.edu/funding-request or email Dr. Erin Darby (<mailto:Edarby1@utk.edu>).
- Sounding Boards
 - Ms. Roe announced three new Sounding Boards, which focus on work/life integration, [employees as students](#), and [early career professionals](#). She noted HR supports the boards but does not run them, as the group is intended to be peer facilitator run. More information about each board, including facilitator contact information, is available on the Sounding Boards flyer.
- 225 Celebration – Reminder to Log Service Hours
 - Ms. Roe encouraged that representative spread the word to constituents to remember to log their service hours related to the 225th anniversary celebration through June 2020. Hours can be logged at: <https://leadserve.utk.edu/submit-your-service-hours/>.

- HR Financial Wellness Class Series
 - Ms. Roe noted the upcoming HR Financial Wellness class series, and encouraged employees to attend. The next class is on Financial Wellness: Planning Today for a Better Tomorrow, and it will take place on Thursday, January 16, 2019 from 11:30 – 12:30pm in the Student Union, Room 362B. RSVP to utkhr@utk.edu.

Distributions

- Agenda
- Sounding Boards
- Open Doors
- HR Financial Wellness Series flyer