

The University of Southern Mississippi

Approved Staff Council Minutes

September 5, 2000

Speaker: Richard Giannini

Mr. Giannini has been at Southern Miss over a year, and good things are happening in the Athletic Department. He recognized Dick Vogel as a Staff Council member and a member of the Athletic Department as chief fund-raiser. Mr. Giannini provided information about some of our athletes. Jeff Kelly, our quarterback, graduated in three years with a major in finance and is in graduate school. Cedric Scott, defensive lineman, received his degree and is in graduate school. In the senior class seven graduated and are in graduate school. Cedric Scott is a member of the NCAA student advisory committee. He attended a conference in Chicago recently, and Mr. Giannini received good reports about Cedric from other schools. Leo Barnes, who attended Hattiesburg High and was a borderline high school student, is now doing really well as a Business Administration major. Vardin Jones, a basketball player, came in as a non-qualifier but went on to graduate in four years. NCAA rules state that even though a student comes in as a non-qualifier, if he/she graduates in four years, the student athlete can have another year of eligibility. Julie Simms, a golfer, was elected to serve on the NCAA student advisory committee, which is a real honor as there are only 30 chosen in the country. Angela Jackson, a basketball player, served on the summer student advisory committee. Courtney Blades, a softball player, will receive her degree this fall and will stay at Southern Miss as a graduate assistant coach. She was named NCAA Outstanding Woman of the year. Conference USA looks at every school academically, and Southern Miss had three teams that were ranked number one according to GPA; they were women's volleyball, women's soccer, and women's golf. Tulane came in first for football, but Southern Miss was only two-tenths of a point behind. The Athletic Department has financial issues. This year they implemented the ticket priority plan to keep the program financially stable. The Athletic Department has to generate all of its own revenue, and, to continue to have a great program, they elected to promote the ticket priority plan.

Question: How are season ticket sales for faculty and staff going? They are going well and a little above last year. We will play four home games this year with five home games next year. We are looking for strong opponents, and Oklahoma State will come here next year.

Work on the long awaited new Athletic Department building starts today. Groundbreaking ceremonies will be held Friday, October 6, in the late afternoon.

There are many challenges ahead, and we are meeting those and gaining support.

1.0 Call to order

President Townsend called the meeting to order at 9:55 a.m.

The following members were present: Victoria Adams, Rusty Anderson, Terry Bethea, Joan Brashears, Bradley Bridges, Kim Busche, Kalin Butirich, Melissa Carpenter, Shannon Davis, Lin Harper, John Hayman, Mary Ann Iverson, Janeal McKee, Charlene McMillan, Connie Morgan, Polly Odom, Pam Posey, Jan Roberts, Susan Sanders, Veda Spencer, Mary Sumrall, Tracy Townsend, Dick Vogel, Sam Williams, and Ronnie Williamson.

2.0 Adoption of Agenda

Item 6.2 Biweekly payroll was added. Agenda adopted as amended.

3.0 Call for Proxies

The following members were represented by proxy: Pam Posey for Ann Billings, Janeal McKee for Jennifer Blalock, Tricia Linton for Mike Giles, Victoria Adams for David Kinsey, Sam Williams for Faye Mallette, Linda Williams for Jesse Person, and John Hayman for Ruby Waits.

The following members were absent without representation: John Green, and Larry McMickle.

4.0 Approval of Minutes

August minutes were approved as written.

5.0 Officers' Reports

5.1 President's Report – Tracy Townsend

August 2: Meeting with Rebecca Woodrick, we discussed civil rights compliance issues at Southern Miss and I gained a better understanding of Rebecca's role at Southern Miss in her new position. August 15, 7:30–8:30: At the Comprehensive Campaign Breakfast, Jake Schrum and John Kudlass briefly explained other capital campaigns and their processes. August 15–17, 8–5: I attended several sessions of the Fund–Raising School to gain information about the comprehensive campaign. August 21, 10–11: Cabinet Meeting. Premier Weekend went well. August 30 is Freshman Convocation. Curt Redden thanked those in attendance for the fund–raising school. The school was well received, and much information was presented. Mike Forester and Barbara Bolton are cochairs for the United Way Campaign. August 28, 10–11:30: Cabinet Meeting. Data showed that enrollment is up by 235 in Hattiesburg and down by 98 at Gulf Park. We have a 1% increase with a total of 14,479 students. Dr. Fleming stated that budget cuts will not affect academic quality as of now, but if cuts continue, quality will suffer. We must come up with ways to increase salaries for faculty and staff. Transition to biweekly pay will be September 30. Nonexempt employees will receive a transition check on October 13 and a regular two–week period check on the 27th. Consumer Credit Counseling is willing to sit down one–on–one to help employees re–disburse payments to accommodate the biweekly schedule. Rebecca Woodrick is now in her new office in Weathersby Hall 221 and 223. If you have graduate assistants, please encourage them to participate in the Graduate Student Association. Eagle Club luncheons will begin the week of August 28 at noon at the Comfort Inn if you are interested in attending. The first football game will be televised on ESPN, Saturday, September 2, at 6:30 Central Standard Time. Cellular One will be our phone service; negotiations are being made on cost. We should be completely off the Bull System in fall of 2001, and with this implementation we should save one–half million dollars a year. Comprehensive Campaign OUR TIME IS NOW! August 30, 9–11: Human Resources meeting. Discussed biweekly pay and held a

question and answer session. August 30, 3–4 Ron Suskind, winner of the Pulitzer Prize and author of A Hope in the Unseen, spoke to about 300 freshmen at the Freshman Convocation.

5.2 President–Elect's Report – Mary Sumrall

No report

5.3 Assignment of Action Items – Mary Sumrall

One action item was assigned to the University Relations and Cultural Diversity Committee.

6.0 Old Business

6.1 Tailgating

The first home game will be September 30; anyone may volunteer to help at the Credit Union tent.

6.2 Biweekly payroll

Dr. Lynda Gilbert, Linda McFall, Russ Willis, and Nancy Whittaker attended the meeting.

The letter below was read by Lin Harper:

THE UNIVERSITY OF SOUTHERN MISSISSIPPI

School of Human Performance and Recreation

OFFICE MEMO

DATE: September 1, 2000

TO– Dr. Lin Harper

Member of Staff Council

FROM Cheryl Burneft

Administrative Secretary

RE: Concerns regarding conversion. in the payroll

First of all thank you, Dr. Harper, for agreeing to voice mine and other members of the staff's concerns regarding the payroll conversion which is being forced on us. I would like to attend the Staff Council meeting. Unfortunately, my workload will not allow me the time away from my desk.

My concerns and feelings are as follows:

Why are the lowest paid employees on campus being used as the guinea pigs for payroll conversion? Most, if not all, of the affected employees live literally "paycheck to paycheck." Any change on our payroll is a very dramatic change. Also it seems that this group has the least voice to be heard or, rather, paid attention to on campus.

Since this group will be converting to hourly pay instead of monthly pay, our checks will not be the same per month. As a matter of fact, beginning in October through February 2001, our monthly bring-home-pay will be lower than it is now. Oh yes, we will receive a third check in March, but what about the other months that were short. I don't believe that our credit card companies, loan payment companies, and mortgage companies will accept partial payments for these months. Yes, the University is nice enough to give us a "transition check" to help us adjust to the new payroll. It would be easier to leave payroll as is.

A staff member across campus contacted the Credit Union where she has two automobiles

financed to see what she needed to do to keep her loans current and in good standing. She was

told that she would have to make two payments on each loan in September or October in order to

keep her loan current and keep her car in order to come to work every day. I guess that is what

the "transition check" is for.

I just purchased a house three months ago. I am still in the adjustment period of budgeting for a house payment. Changing my payroll is going to place a financial burden and a huge emotional burden on me. I know that the University has offered credit counseling to help us through this phase. Most of our bills were established before this conversion. It is insulting and humiliating, to me, to even think about credit counseling when I have been budgeting my money for the last 23 years with no problems.

This conversion is not going to be efficient or cost effective in the long run. Yes, money and time have been spent preparing for this conversion. Someone in each department will be appointed as time keeper, which more responsibility without more pay. This person will have to complete time sheets on each employee every two weeks (let's kill some more trees). There will be 14 additional checks per employee per year to be cut (what's a few more trees killed?). Efficient and cost effective, I don't think so.

I understand that the State lawmakers passed the law that all State employees have to be paid twice a month. This law was repealed by State lawmakers – meaning that things can be left the way they were. The employees should be allowed to "vote" (we do live in a democracy) how they would like to be paid. OR if administration wants to change the payroll to bimonthly, I believe that we could handle that better. Bimonthly checks would equal to the same as our monthly checks.

A professor on campus suggested yesterday that someone contact the Union for help. I don't particularly care for Unions, but at least they make we that the employees' voices are heard.

Thank you for your time and allowing me to "air" my concerns and feelings.

Again, thank you, Dr. Lin Harper, for agreeing to present these concerns to you.

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Dr. Gilbert addressed these concerns and others as follows:

U. S. Department of Labor law states that nonexempt employees are to be paid overtime or given comp time; in other words, they are paid for hours worked. An exempt employee is paid for a job done. We should have complied with this law in 1985. When consultants were brought in to look over the payroll, they discovered this error.

Why was biweekly chosen instead of bimonthly and who chose it? Biweekly was chosen instead of bimonthly because many nonexempt employees are already on biweekly payroll, and if we add a bimonthly payroll, you would be splitting weeks.

Weren't we hired as salaried employees and not hourly employees? Yes, but you were hired as a nonexempt employee.

Why are exempt employees, including faculty, not being made to do this? We are not picking on the nonexempt employees, but that is the group that has to show positive time reporting. Faculty are exempt from the Fair Labor Standards Act.

This will be a big workload for the departments, and departmental budgets will not accommodate overtime pay. Yes, it will be a big workload, but it is the law. The departments will have to manage their time and budgets really well.

Why can't we wait until the PeopleSoft 8.2 conversion and let everyone convert at once?

We would not be in compliance with the law.

Why was this month chosen, and why did we not start this in July? This month had a natural payroll cut off on a Friday. The last day of a month and was the most non-obtrusive transition date.

Are annual salaries going away in the budget? Dr. Gilbert does not like the fact that wages of nonexempt employees are kept in a separate budget book. It is hoped that next year everyone will be in one budget book.

It is not the same amount of money per year. Dr. Gilbert ran figures, and if a person makes \$20,000 in a calendar year, he/she would

receive \$9.00 more for that calendar year than if he/she had been paid monthly.

Overtime has been reported in some departments on single payment forms. Is that not OK? No, it does not meet the provisions of the FLSA.

What happens to employees in departments that have a lot of hours of comp time already accrued? They will not lose this time, but we will have to look into how to compensate them. An employee can choose how he/she is paid for overtime (money or comp, time), but he/she have to work with the supervisors and departments.

Due dates for paying bills are not going to coincide with payday. Credit counseling was offered to all employees. The Credit Union has been very willing to work with any employee. The Credit Union is planning on opening on a Saturday soon to let employees come and set up their accounts. Most companies are willing to move due dates for bills.

The statement in the confidential letter to employees that stated employees are "at will" was degrading and made many people feel that they were not valued. Dr. Gilbert was very empathetic and stated that the University could not run without support staff, and that was never the intention of the letter. It was meant to be a reminder.

What if I refuse to sign the transition pay letter and not receive that pay? It would be to your advantage to accept this check. You will not have to report it on your income tax return. It is interest-free money; and when you pay it back to the University, you are paying back in tomorrow's dollars. Your deductibles will already be taken out-of the check, and you would have to write a check back to the University for insurance, etc. On September 30 you will receive your regular monthly paycheck, then, on October 1 a transition check, and on October 27 you will receive your first check. You can pay this back by the month, but there is no benefit to doing that.

Do we have to take personal time off to go to these companies and talk with them? That will be up to individual departments.

Will vacation time and sick leave earned change? No.

Letter from Dr. Gilbert to All Employees:

September 1, 2000

TO: All University Employees

FROM: Lynda Gilbert

SUBJECT: Conversion of nonexempt employees to biweekly pay

There is growing confusion surrounding the biweekly payroll conversion for a specific group of nonexempt support staff of the University. These employees are primarily in the clerical and office support areas who have traditionally been paid on a monthly basis at Southern Miss. The change from monthly pay to biweekly pay for this group of nonexempt employees is to ensure that all University nonexempt employees are treated in an equitable manner, that all hours worked are accurately reported and appropriately compensated, and that the University remains in compliance with the Fair Labor Standards Act. Retaining those employees on a monthly payroll schedule would not allow us to achieve these objectives or remain in compliance with the Fair Labor Standards Act (FLSA).

Noncompliance with federal laws, such as the Fair Labor Standards Act, jeopardizes University federal funding, such as student financial aid and our federal research grants.

Please do not confuse the Federal Fair Labor Standards Act with the state of Mississippi law that required ALL employees to be paid on a twice-a-month basis. The state law was repealed in May, 2000. The Federal Law is still in effect, and The University of Southern Mississippi must remain in compliance with this act.

The Fair Labor Standards Act, requiring the uniform treatment of all nonexempt employees has been in place for many years, and the University has always been required to comply with the requirements set forth in the law. FLSA requires the University to pay all nonexempt employees on an hourly basis. Nonexempt employees must report their actual hours worked each work week, and these reported work hours must be certified by the employees

and their supervisors. Southern Miss is required by the Fair Labor Standards Act to pay for all hours worked by nonexempt employees. Hours worked in excess of 40 hours per work week must be compensated at a rate that is one and one-half their normal hourly pay rate. If the employee selects compensatory time, it must be taken at a rate of one and a half hours off for each hour over 40 worked in that week.

Given the very strict requirements of FLSA for nonexempt workers, the University has been required to convert these nonexempt employees to a biweekly pay schedule. This is the same schedule and payment process as the other nonexempt University employees. The conversion of the nonexempt staff to a biweekly payroll schedule will take place in October. Only those nonexempt employees who are currently on a monthly pay schedule will be changed. All employees affected and the appropriate supervisors have been notified in writing of the conversion.

The October conversion schedule does not include faculty and exempt staff. There will be no changes in the pay frequency of these employees. These employees will continue to be paid monthly.

Questions concerning the conversion to the biweekly payroll schedule for nonexempt employees may be directed to the Human Resources Department or the University Payroll Office.

Dr. Gilbert then told us that a long-term goal would be for everyone to receive 26 equal payments. Dr. Gilbert apologized for this problem and sympathizes with all employees, but when this issue came to her attention, it was her job to bring the University in full compliance with federal law.

## 7.0 Committee Reports

### 7.1 Constitution & Bylaws – Pam Posey, Chair

No report

### 7.2 Legislative – Charlene McMillin, Chair

No report

### 7.3 Salaries and Benefits – Rusty Anderson, Chair

Action Item #62 – The Salary and Benefits committee recommend the staff council support a request for the following statement to be included in the faculty and staff handbook: "The 100% tuition does not apply to full-time faculty and staff who terminate employment and then are rehired by the University after July 1, 1977."

Action Item #63 – The committee recommends a letter requesting reinstatement of the donation of leave policy (37-7-307 Mississippi code 1973) be drafted and mailed to each of the legislative representatives in Forrest, Lamar, Harrison, Hancock, and Jackson counties and the Governor (pending the approval by the appropriate University officials).

### 7.4 University Relations – Jennifer Blalock, Chair

No report

### 7.5 Technology and Training – Lin Harper, Chair

The Expanding Excellence through Technology Initiative has a web site ([www.ee.usm.edu](http://www.ee.usm.edu)) and the new fall schedule is live. Registration online is available and has proved a popular option. At this time, we are offering 61 separate workshops (not including PeopleSoft training sessions), including a new offering, Creating and Maintaining Web Pages with Dream Weaver, taught by Shawn Carnley, the Web Team manager. Registration has been active, and we have already closed several class sections, including the Dream Weaver workshop. To date we have registered more than 300 participants in our workshops.

Summer semester was somewhat busier, than we expected. While we only offered 32 classes open to the general University community, we added an additional 20 workshop sessions for those employees going through the PeopleSoft implementation process; additionally, 11 PeopleSoft training classes were taught, making a total of 63 classes taught with a combined registration of 306. Summer also found us offering two new workshops: (1) Setup and Use of Videodata Projectors (Joel Holder/Michael Speer, Equipment Services) and (2) Using PowerPoint to Create Poster Sessions

(Cynthia Graves, Graphic Services). We are maintaining those courses in the fall schedule.

We are seeking instructors for our workshop sessions for spring semester. We will provide a course overview, an outline, materials, handouts, evaluations, course scheduling, and registration. If you are interested in teaching an application workshop, please contact Lin Harper (Lin.harper@usm.edu).

We are also seeking input as to what should be taught in terms of technology training. If you have input, please feel free to contact any of the committee members.

## 7.6 Other Committee Reports

Student Life Committee – Charlene McMillin, Chair

Charlene had to leave and Kim Bushe gave us an update. Architects are here starting today and they are zeroing in on space allocation.

Master Plan Committee – Rusty Anderson, Chair

No report

Parking Appeals – No report

Parking Task Force – No report

## 8.0 New Business

### 8.1 Article 4, Section of Staff Council Bylaws

Please make sure you look at this article as a staff council member and stay in compliance.

8.2 Issues to be discussed with Dr. Fleming President Townsend reported that she would be meeting with Dr. Fleming on Thursday morning, and if you should have any recommendations, suggestions, etc. you want discussed, please see her or e-mail her at [tracy.townsend@usm.edu](mailto:tracy.townsend@usm.edu).

## 9.0 Announcements

Kim Bushe reported that there would be a fall employee appreciation day, October 31. The departments and employees are to dress up (if desired) and lunch will be served. It will probably take place in front of the Alunmi house.

#### 9.1 October speaker

The October speaker will be the new benefits manager employee Ginger Sanders. She will be discussing all benefits available to employees.

#### 10.0 Adjournment

Meeting adjourned at 11:35.

Connie Morgan

Recording Secretary

9-5-00