

Benefits Committee Meeting Minutes

March 23, 2016, 9:30-11AM

OHR 214

Present: Wayne Book, Doug Britton (Acting Secretary), David Brown (Staff Council Chair), Brandon Conkle (HR representative), Jason Freeman (Chair), Darrell Gray (New Member -Staff Council Representative), Raquel Lieberman (Vice Chair), Michelle Powell (by phone)

Administrative: The minutes from the February 24, 2016 minutes were approved without changes through unanimous consent.

New Business Updates:

- New GT Benefits Loan Program - Brandon gave a heads up on a new Emergency Loan program for employees (not retirees) – and they are looking for volunteers to participate on a committee set up for this effort. Raquel asked if this new benefit has been approved by USG Total rewards – it is a one-off item, and not available across all schools within USG. Brandon seemed to think it was OK with USG. Wayne asked why employees only (not retirees) were eligible and Brandon replied that it was because repayment would be handled through payroll deduction, and that it would last roughly 15 months before full payment would be complete.
- 1095-C Health Insurance Validation Forms were sent late - Doug had sent a note earlier in the week asking about the missing 1095-C forms. Brandon indicated that this was a USG Total Rewards mailing, and not a GT distribution. He indicated that a lot of feedback was received, and that there were lessons learned for future, including that there is a possibility that they may roll them out by campus instead of to the entire USG system at one time. Brandon indicated that they had more complaints about the Jackson Hewitt /AMEX ad in the mailing, mostly by retirees. He indicated that this was not supposed to be in the mailings, and that the USG had requested that it not be included but the vendor made an error.

Ongoing Business Updates:

- Discussion of Maternity/Paternity Leave Options – An information document regarding policies, procedures, and different options has been put together by the committee. It was sent out to the committee in an earlier note for comment and review.
https://docs.google.com/document/d/1HwMMPAt3X2ZqDK37lgByAepboARuX0_AT9LFGWOypO4/edit
 - Jason indicated that the objective for today was to finalize this draft of the informational document and submit it to the Vice Provost for Graduate Education and Faculty Affairs for further consideration and communication support.
 - Doug asked why Adoption was explicitly excluded in several of the options discussed within the document. Brandon replied that it was because Short Term Disability (STD) and Sick Leave apply only to instances of medical necessity associated with the recovery of the mother and do not cover “bonding” with a child. So both STD and Sick Leave do not apply

for adoption. Darrell and Brandon did say that under FLMA, there are some options that may apply to adoption depending on the circumstances.

- Wayne asked about STD for taking care of elderly parents, and Brandon said it was not allowed, since STD is intended for medical issues pertaining to the individual employee.
- FMLA – Family Medical Leave Act - Raquel suggested that a distinction be made between FMLA and STD. STD is for the recovery of the individual when disabled (and certified as such by a physician). FMLA is for broader balancing of family-work balance such as when taking care immediate family members. Darrell pointed out that the FMLA policy was originally drafted in 1993, and we might need to point to the exact policy language. Jason and Raquel clarified that the intent of this document is informational and not necessarily exhaustive regarding FMLA (and other STD and leave policies). It is to serve as a general resource regarding what is available to faculty, with links to further details and full policies. Raquel asked about the timing associated with sick leave, and when it could be taken. Brandon indicated that STD and Sick Leave cannot be used at the same time, and a Doctor’s note is required after 5 days of consecutive sick leave to continue to use sick leave. After that however, as long as the physician certifies that it is medically necessary, the employee can switch to STD at that time (or earlier than six weeks if needed). Opting to use Sick Leave first (which pays at 100% salary) does not preclude the employee from switching to STD (which pays at 60% salary) at a later point, assuming the medical necessity condition is met.
- ASMD – Active Service Modified Duties - Raquel pointed out that this does apply to adoption, bonding, etc., but suggested that the document point out that the individual faculty is responsible for putting together the “alternative teaching/research plan” and getting it approved. Raquel commented that while this applies for tenure track faculty, it is addressed on a case-by-case basis for academic professionals. Jason suggested that because the policy is silent on how ASMD applies to academic professionals, it should not be included in this document.
- Sick Leave – Michelle asked about how this might apply to faculty who are not tenure track, and Jason clarified that this document is specifically for academic tenure track and tenured faculty on 9 month appointments. Brandon pointed out that if an employee does not have STD, they can use Sick leave for the period to time (typically up to 6 weeks for postnatal recovery), again as deemed medically necessary by a physician. Raquel wanted to know if the document should also point out that sick leave and STD (after the 14 day qualification period) can be used for medical complications during pregnancy as well. Brandon said that as long as the absence is physician certified, and you are not on STD, then Sick Leave can be used.
- Shared Sick leave – Jason pointed out that this is the language in the document (associated with the must contribute to use) is part of new policy that will become active for GT after 1/1/17. Brandon pointed out that the rest of the USG has already rolled out the policy that requires an employee to contribute before they can participate in the Shared Sick Leave pool. However, GT’s open enrollment had already closed when the USG rolled out this new

policy. Brandon indicated that this new policy will be publicized during open enrollment in November 2016.

- Vacation – There was very little discussion on this section of the document, since 9 month faculty do not generally accrue vacation.
- Sponsored Research Programs – Jason asked Michelle for clarification on the 25% reduction in time component of the policy, and what that means for PI's who need to take leave. Michelle said that a 25% reduction in time spent on a sponsored project would be considered a significant change in effort. She pointed out that there is also some confusion regarding the difference between a reduction in effort vs pay – many faculty will still remain engaged in research oversight (graduate students, technicians, etc.) while on leave. Jason highlighted that the conflict arises when an employee opts to take STD or FMLA, because in those cases you are not supposed to be “working at GT”, but you still may need to have some oversight of research efforts. Raquel further questioned whether you could cease drawing salary from the grant (because of your STD or FMLA status), and still have some kind of oversight on the research grant. Michelle agreed that this is often the case, and that often faculty do provide an oversight on the project while on STD or FMLA. Jason says this is in conflict with the FMLA requirements, Michelle agreed. Raquel asked if the inverse was true, that is, can a PI be prohibited from taking FMLA if they have a sponsored grant – given this conflict situation? The general answer was that they shouldn't be restricted, but because of the conflict it was unclear. Raquel further clarified that the policy currently states that an employee can take FMLA and STD as long as it does not exceed the 90 days, and after that the employee may need to address this absence with both the sponsor and GT supervisor. Michelle asked Brandon if an employee on FMLA or STD base leave are still “active” in the employee tracking systems. Brandon indicated that when an employee takes FMLA or STD leave, a new PSF form is generated for that employee, giving them a new status (such as “on-leave”), but the employee should still be active in the system and have access to the Techworks system etc.
- Summer – this section was considered pretty self-explanatory.
- Adoption & Paternity –Raquel and Doug suggested that we add a section to the document on Adoption and Paternity leave considerations. Jason suggested language that talks about FMLA and ASMD provisions for these situations. Jason also brought up the provision in Postponed Tenure policy that does allow for the postponement of the tenure calendar for faculty who adopt children under 6 years old. Doug questioned why this would apply only to faculty who adopted children “under 6 years old”, as some adoptions, particularly those through foster care, are specifically of older children. The committee felt that this was a question regarding the policy that should be raised with the appropriate entities, but that it was not within the scope of this document. Doug agreed.
- In wrapping up the discussion on this informational document, Jason suggested adding language to guide people to other appropriate resources for further guidance and information.

- **ACTION:** The committee agreed that it was worth calling a vote on the motion to proceed with passing this document on to the Vice Provost Office for further refinement and consideration. Jason verified that the committee did have quorum (4 voting members were present: Book, Britton, Freeman, Lieberman). The motion was made to send the document on to the Vice Provost for refinement, review, and consideration. It was seconded, and passed unanimously (4-0).
- Jason stated that while this document was specifically for 9 month academic tenure track and tenured faculty appointments, a similar document would be very helpful for research faculty and staff. Since much of the information would be very similar, Jason suggested it might be worth reworking it for 12 month faculty appointments. Doug supported this suggestion, but recommended that the committee wait until the current document had worked its way through the process and then look to adapt it for research faculty and staff. Doug did feel that it would be important for the committee to remain engaged in that effort however, and Brandon agreed that it should not be overly burdensome to adapt the existing document to the other cases.
- Brandon did not have any updates on budget implications for potential changes in maternity/paternity policies.
- Staff Council Update – David reported that the Staff Council had conducted several town hall meetings. A variety of topics had been discussed, but that there was some confusion on salary changes related to updates in the Fair Labor Standards Act. David also announced that the Staff Counsel now has an office in CRC.
- Transition to Retirement and Implications on shift from TRS to ORP - Wayne had reached out to recently retired, but indicated that his list came through his chairman. He was looking for help from Brandon and others to help get a list of upcoming retirees and recent retirees.
- FSLA – Fair Labor Standards Act – Brandon gave the committee a heads up that new rules on the salary classification for non-exempt employees (current threshold is at \$23,660 moving to \$50,440) would be forthcoming, and GT will only have 60 days to comply. He said that GT is expecting this ruling to come down in April. This will have significant impacts on budgets and planning for the entire institution. Jason brought up some issues for postdocs and others. Brandon said that GTRI will be sending out a policy on Retired but working, because some employees were getting additional pay for Professional Education, and this was not being included in the total compensation and hours worked. He emphasized that retirees cannot be paid for more than 49% total effort (from all USG sources). Brandon further clarified that regardless of % effort, the total compensation caps for exempt and non-exempt would also still apply, but that overtime was not really a concern since retirees are not supposed to be working more than 49% in any given pay period. He also pointed out that effort cannot be averaged out across pay periods.
- Last Meeting of the Year – Jason pointed out that next month (April) would be the last committee meeting for the year. Even though the meeting invite included May, since most of the committee members will be wrapping up the semester and preparing for the summer that we would not meet in May.
- The meeting adjourned at 10:50 AM