

Faculty Senate Personnel Committee Meeting

Minutes

November 09, 2016

Stephen King, chair, called the meeting.

Present: Stephen King (Chair), Lucretia Cooney (Office of Faculty Excellence), Mindi Anderson, Scott Carter, Robert Folger, Paul Giordano, David Harrison, Richard Harrison, Waldemar Karwowski, Jonathan Knuckey, Karol Lucken, Vladimir Solonari, Valerie Storey, Michelle Upvall, Martine Vanryckeghem, Konstantine Vodopyanov, Linda Walters.

MINUTES

Motion to approve the minutes of the October 12, 2016 meeting was made and seconded. The minutes were approved as recorded.

ANNOUNCEMENTS

Dr. King announced a membership change. Valerie Storey, representing the College of Education, was added to the committee for the position Debbie Hahs-Vaughn stepped down from. He also announced that he will provide an updated list of the Personnel Committee membership.

OLD BUSINESS

Final discussion was had on the 2016-2017 Resolution concerning the Availability of Lactation Rooms for UCF Women. The history of the origins of the proposed resolution was noted and some discussion as to why a cost/benefit analysis was not performed. The resolution was put to a vote. It was approved with 1 abstention. The next step is to forward the resolution to the Steering Committee.

Dr. Waters will be heading a subcommittee to pursue a gender equity study. This is an extension of the initial faculty salary study by Paige Borden with the Office of the Provost. The subcommittee will prepare a request for Dr. Borden, and present their suggestions at the December meeting

Several information updates were provided on questions surrounding summer assignments, summer liability protection (Florida Statutes 768.28), and compensation for summer service. Because Article 8.6 of the CBA was in the process of negotiation, discussion of summer assignments and compensation for summer service were tabled until finalization of the CBA.

An updated draft of the university policy statement (Policy # 4-502.2) on Emeritus Status eligibility and benefits was circulated for comment. There was considerable discussion regarding the meaning of retirement start dates and some concern was expressed over the lack of explicit reference to librarians in the policy. Dr. King indicated that he would solicit and compile the comments of the Faculty Senate Personnel Committee within the week and faculty as a whole could submit their own comments to the office of President Hitt within 2 weeks.

The nepotism policy statement issued by President Hitt also came under discussion. The main issue of contention is the section of the policy addressing relative or spousal hires on research grants. A resolution was presented that would modify Policy 3-008.2 so that potential conflicts in research projects are permitted to utilize the same mitigation process permitted in other areas of university business. The resolution passed with 15 in favor and one opposed.

OTHER BUSINESS

None.

SUBJECT: Employment of Relatives	Effective Date: 2-24-2015	Policy Number: 3-008.2	
	Supersedes: 3-008.1	Page 1	Of 4
	Responsible Authority: President or President's designee (for faculty members, undergraduate students, and graduate students) Associate Vice President and Chief Human Resources Officer (for all others)		

DATE OF INITIAL ADOPTION AND EFFECTIVE DATE 05-11-2005

APPLICABILITY/ACCOUNTABILITY

This policy is applicable to all members of the university community.

POLICY STATEMENT

The overall employment policy of the university supports equal opportunity and affirmative action and UCF is committed to maintaining a fair and professional work environment free of conflicts of interest. In accordance with UCF's employment policies, the basic criteria for employee selection or promotion shall be appropriate qualifications in terms of education, experience, training, and performance, consistent with UCF's needs. Relationships that meet the definition of relative, as set forth by this policy, shall constitute neither an advantage nor a disadvantage to the selection, promotion, salary level, or other conditions of employment.

Because the employment of any relative creates a potential or real conflict of interest, no relatives shall be employed by, transferred to, or promoted within a single unit, department, or college where a direct or indirect supervisory relationship or conflict of interest exists, or any situation which places relatives in a foreseeable conflict between the interests of the university and the interests of the relatives. UCF does not permit the appointment, transfer, or promotion of relatives within the same chain of command.

DEFINITIONS

Conflict of Interest. A divergence between an individual's private interests and his or her employment obligations to the university such that an independent observer may reasonably question whether the individual's actions or decisions are partially or wholly influenced or determined by considerations other than the best interest of the university. Examples include, but are not limited to, participation by a relative in making recommendations or decisions specifically affecting the appointment, retention, performance review, tenure, promotion, demotion, or salary of the related person.

Employment. For purposes of this policy, includes appointments to a position in any pay plan, temporary or casual employment, or paid student positions such as OPS student assistants, graduate assistants, research assistants, or OPS non-student employees.

Relative. Anyone related to an employee in the following ways, and includes those within these categories who are referred to as adopted, step-, foster, grand-, half-, in-law, spouse of, or great- :

- parent
- child
- sibling
- uncle or aunt
- first cousin
- nephew or niece
- spouse, domestic partner, significant other

Persons who intend to marry or with whom the employee intends to form a domestic partnership or other intimate relationship are also included in this definition of *relative*.

Supervisory Relationship. Exists when a relative is directly or indirectly through span of control responsible for supervising, directing, evaluating, or influencing the work activities, or job performance of another relative, or is in the same chain of command of the relative.

PROCEDURES

- A. Any relatives of current UCF employees seeking appointment at the university must self-disclose on the application the name and relationship to any current UCF employee. Failure to properly disclose relative relationships constitutes failure to follow this policy and may be grounds for non-selection and discipline, up to and including termination.
- B. For relatives seeking appointment, or considered for promotion or transfer into a position in the same unit, department, or college of the UCF employee to whom they are related, the following actions must occur prior to hiring or employment action:
 - a. The prospective supervisor of the relative seeking a new or transfer appointment at UCF must complete and sign an Employment of Relatives Form (request form) and obtain the signature of the current UCF employee's supervisor.

- b. After the prospective supervisor of the relative and the current UCF employee's supervisor signs the request form, the prospective supervisor must submit the form for review and approval by the prospective academic, research, or administrative unit head and the provost or appropriate vice president.
 - c. A formal organizational chart depicting the separation of the related employees within the unit, department, or college must be attached to the request form.
 - d. Once the request form has been signed by the prospective supervisor, current UCF employee's supervisor, and the academic, research, or administrative unit head and the provost or appropriate vice president, it must be forwarded for final action as follows:
 - i. Faculty appointments (including adjunct faculty members) along with teaching and research undergraduate or graduate student assistantships on contract are forwarded for final action to the Office of Faculty Relations. Requests will be processed within two business days.
 - ii. A&P, USPS, and OPS (including student employee) appointments are forwarded to Human Resources for final action. Requests will be processed within two business days.
 - e. All approvals must be received prior to extending an offer of employment, promotion or transfer of any relative.
 - f. A completed and signed request form will be completed for each relationship, and a new request form must be completed if there is a change in reporting structure or employee relationship.
 - g. There are additional steps required for instances when a UCF employee is considered for a position for which he or she is uniquely qualified to fill, but upon transfer or promotion, would create a direct or indirect supervisory relationship with his or her relative. Those steps include an additional review, including an establishment and enforcement of a plan to mitigate and monitor the conflict of interest and approval by the appropriate vice president or provost.
 - h. In those instances when a research project requires unique skills or attributes of an individual that is not available in another candidate besides that of the employee's relative, a plan to mitigate and monitor the conflict of interest must be submitted to the Research Conflict of Interest Committee for review and approval. Under no circumstances will a principal investigator be permitted to directly or indirectly supervise his or her relative.
 - i. Copies of the signed and executed request form, mitigation plan, and monitoring plan shall be provided to both supervisors of the UCF employee and relative, and maintained in each employees' personnel file.
 - j. Upon approval, the supervisor will notify all employees working in the single unit, department, or college of the appointment of the relative. Transparency in relative appointments provides employees the assurance that UCF is committed to an environment free of conflicts of interests.
- C. Employees or applicants failing to follow this policy are subject to corrective action including non-selection and discipline up to and including termination.

FORM

Employment of Relatives

<http://hr.ucf.edu/files/EmploymentofRelativesForm.pdf>

INITIATING AUTHORITY

Vice President for Administration and Finance and Chief Financial Officer

POLICY APPROVAL (For use by the Office of the President)	
Policy Number: <u>3-008.2</u>	
Initiating Authority: <u>Will J. Menhert</u>	Date: <u>2-23-15</u>
University Policies and Procedures Committee Chair: <u>Shonda L Bishop</u>	Date: <u>2/20/2015</u>
President or Designee: <u>John C. Hill</u>	Date: <u>2/24/15</u>

History 3-008

Resolution 2016-2017 Availability of Lactation Rooms for UCF Women

Whereas, UCF currently has 7 publicly available lactation rooms: one is on the College of Medicine campus at Lake Nona, one is in Research Park at the College of Nursing University Tower building, and five on the main campus. The main campus rooms are located in the Global UCF Building, Physical Science Building, Engineering 1 Building, COHPA, and the Recreation and Wellness Center. On the main campus, these rooms are clustered on the north and east sides of the campus; and

Whereas, UCF Human Resources procedures document entitled, "Break Times and Locations for Nursing Mothers, Effective December 2010", states that the University of Central Florida will provide a supportive environment to enable breastfeeding employees to express their milk during working hours; and

Whereas, UCF currently does not provide sufficient and equitable access to lactation rooms for large population of UCF women who may need to express their milk post-delivery, including UCF women faculty (782), UCF women staff (2363), and UCF women students (35,508); and

Whereas, this lack of lactation rooms has economic implications for UCF, as reported by the 2010 University of Rhode Island report of "College and University Lactation Programs", including a \$3 cost savings for every \$1 invested in breastfeeding support, parental absenteeism is 3X higher for formula-fed infants compared to breastfed babies, companies with an employee lactation support program experience less turnover and lower losses of employees after childbirth, and companies with lactation rooms are also rewarded with higher satisfaction, loyalty and morale; therefore

Be It Resolved that the Faculty Senate encourages the administration to follow the guidelines put forth by the U.S. Department of Health and Human Services, US Office of Personnel Management, and National Institute of Health as well as the US Department of Labor for working women which recommends 6 lactation rooms for every 1000 women employees (Attachment 1), and there be lactation room access within a 5-minute walk for the employee. At a minimum, UCF should triple the number of lactation rooms available to women employees on the main campus through designating space in planned constructions and retro-fitting rooms in existing buildings, especially on the west and south sides of campus; and

Be It Further Resolved that the Faculty Senate additionally recommends that the lactation rooms at the College of Medicine and the College of Nursing (Research Park) be maintained, a room be added at Rosen College and at regional campuses where UCF has a presence (if not currently available), and rooms be added to the new downtown campus construction designs based on expected campus enrollment and employment projections.

Attachment 1:

Recommendations from the U.S. Department of Health and Human Services and National Institute of Health for working women (womenshealth.gov)

The number of spaces needed depends on many factors. For example, companies will want to consider how many women are employed, the number and size of buildings, and the work schedule and job settings of employees. A general rule is to provide at least one permanent milk expression space for every 50–100 women employed by the company, and adjust as employee needs increase. The National Institutes of Health (NIH) compiled a formula for identifying the number of spaces needed, and estimate that at least six milk expression stations for every 1000 female employees should be the general rule. This number is based on a pregnancy rate of 5–7 percent among the female population, a breastfeeding initiation rate of 75 percent, and an assumption that most nursing women cluster milk expression periods around a similar period from 10 a.m. to 3 p.m. during a standard work day. The chart below is based on their general guide:

Milk Expression Spaces	
Number of Female Employees	Number of Stations Needed
Under 100	1
Approximately 250	2
Approximately 500	3
Approximately 750	4
Approximately 1000	6
For every additional 1000 employees	6 additional stations

Seek locations that employees can reach within a 5-minute walk. This means that spaces should be evenly distributed within large buildings, as well as evenly distributed across a large campus in easily accessed locations. Limiting an employee's travel time minimizes the

overall amount of break period women need to express milk. Centralized locations also make it possible for the greatest number of employees to access the space. Within a building, spaces can be located near a central bank of elevators, the entrance to a facility, or the employee lounge or eating areas. **Look for space near running water for washing hands and breast pump parts.**

Women will feel comfortable and safe when the door into the milk expression room can be locked. A keypad lock or electronic key provides privacy, and nursing moms can use a key, key card, or code to enter the room. If a lockable door is not possible, provide a sign outside the door with a well-communicated policy to help prevent others from entering the space. Curtains or partitions by the door might be needed to provide an additional layer of privacy when the door is opened from the outside.

Resolution 2016-2017 Fair and equal enactment of the UCF Employment of Relatives Policy

Whereas, UCF has a broad interest in maintaining an open and transparent conflict of interest policy, including disclosing the employment of relatives, to ensure all stakeholder that the actions, policies, and decisions made by UCF faculty, staff, and administrators are in the best interests of the University; and

Whereas, research projects at UCF may require the unique skill sets or attributes of research personnel that may be related to the principal investigator of the project; and

Whereas, UCF has in place a conflict of interest policy that requires all relationships to family members to be reported as part of the annual conflict of interest assessment, and for mitigation plans to be set up and enacted when potential conflicts of interest are identified; therefore

Be It Resolved that the Faculty Senate endorses fair and equal enactment of the policies for identifying and mitigating potential conflicts of interest via the employment of relatives at UCF. In particular, employment of skilled researchers on a research project should not be singled out as the sole instance in which family members cannot utilize the mitigation procedures open to all other cases involving the employment of relatives. Therefore the second sentence of paragraph h in the Employment of Relatives Policy 3-008.2 should be removed from that policy.