



# University Operations

Employee Relations Committee  
Tuesday, May 3<sup>rd</sup>, 2016 1:30-3:00

## **MEETING MINUTES**

Andy Holt Tower, 8<sup>th</sup> floor conference room

**Present** Tom Anderson, Brian Browning, Robert Dykes, Rick Gometz, Mike Herbstritt, Julie Hunt, Dave Irvin, Kayla Kirkland, Debbie Lane, Charlene Laughlin, Mary Lucal, Jeff Maples, Rick McCarter, Ed McDaniel, Dan McGuffey, Randy Miller, Sammy Parcell, Ed Roach, Dennis Saben, Dan Trentham, Karen Valero, and Mike Werley.

**Absent** Kyle Botica, T.J. Cansler, Carmella Ford, Holly Harmon, Debora Higgs-Thomas, Sharon Jackson, Beverly Johnson, Lori Owenby, Tim Widener, and Frank Wren.

### **Welcome**

Dr. Herbstritt welcomed everyone to the May meeting of the ERC. He reminded everyone that the next ERC meeting would be in September due to the academic calendar being used again this year. Updates will be sent as needed through the summer via email. If there are questions or if the group feels a meeting needs to be called, HR will be happy to follow up.

### **New Business**

#### **1. CorVel Worker's Compensation Incentives – Susan Bevelhimer**

Susan Bevelhimer is the Worker's Compensation Specialist for the University of Tennessee through the Office of Risk Management. She shared with the group that Facilities Services is one of the areas of UT which uses this benefit most. To date there has been a very positive response to the changes instituted by CorVel, UT's contracted Worker's Compensation (WC) vendor.

In the state of Tennessee the Division of Claims is responsible for WC. They worked closely with CorVel and the administrators of this benefit across the state to oversee WC and the changes coming into effect.

UT has been doing well with the new system thus far. A new policy is being prepared for WC which will be based on the changes to the process (refer to handout available at the end of the minutes). There are three major changes to WC which have been enacted as cost containment measures. A fund is used to cover WC claims with insurance paying into the fund. The state is attempting to decrease the size of the fund.

The first change is related to timely reporting of a work-related injury or illness requiring treatment. Departments have five business days to report after an employee first calls CorVel to report the incident and arrange medical treatment. If reporting does not occur in this period \$1,000 will be charged to the department. Currently, UT is on top of this. Risk Management is also made aware of the claims made by employees. There has not been a significant issue of slow response to such claims by departments historically at UT. Risk Management can assist the department if they see that follow up is not happening in a timely manner.

The second change relates to transitional duty. If an employee receives a release to work with specific, temporary work restrictions the department must arrange transitional duty to accommodate the restrictions. If this does not occur the department must pay 50% of the employee's lost time pay.

This change is more impactful to UT. This will be an adjustment for many departments which previously did not allow employees to return to their job until they had a full release to work. A wait time following the notification of restrictions is being determined. The employees essential duties must be reviewed, but some restrictions may not affect essential duties. Position Description Questionnaire's (PDQs) are available for job classes. These documents will clearly lay out the essential duties of an employee's job. Dr. Lucal shared that these may be obtained through Compensation in HR.

Jeff Maples raised a concern regarding the possible response of some departments to this second change. If the employee cannot perform the job functions some departments may just pay the 50% of the employee's lost wages. Ms. Bevelhimer shared that while these changes are significant the numbers for UT regarding WC are encouraging. After reviewing long term cases, with 180 days away from work or more, in 10 years there were fewer than 20. Dr. Lucal clarified that this was for UTK as a whole. Ms. Bevelhimer added that restrictions will be reviewed over the employee's absence to assess when return with restrictions is possible. Risk Management will be working with campus to assist with the adjustment. Dr. Lucal shared that policy will address issues such as an employee refusing to return to work when their health care provider has released them to transitional work. Ms. Bevelhimer added that refusal to work with a transitional release can lead to disciplinary action.

Ed Roach shared that he is familiar with two employees who have received WC. One fell off a ladder and injured their back. It took six months for the employee to schedule and receive an MRI for the injury through WC. The same employee had another fall and WC opted for a cast rather than surgical intervention. The employee lost mobility due to this decision. Another employee drilled through their hand while working and was denied WC. Ms. Bevelhimer shared that if employees send medical bills related to work injuries she can review the situation and share information with WC. Providers do not submit bills directly to WC they are submitted to the employee who then must follow up with WC. In the case of the cast an employee can refuse treatment if they feel it is not in their best interest.

Rick Gometz asked how the changes might affect emergency treatment and paper trails. Ms. Bevelhimer answered that if an injury occurs that does not require emergency medical intervention the employee should call CorVel. They have a hotline with trained nurses available to assist injured employees. Employees can elect to go to the emergency room. Ed Roach asked if WC will pay for the visit to the ER. Ms. Bevelhimer stated that CorVel

and the state will pay the initial ER visit regardless of the decision on the WC claim as long as the emergency is work-related. Ms. Bevelhimer shared that her experience of employees on WC at UT has been mostly honest and upright.

Mike Werley shared that currently Facilities Services requires a complete release to work before an employee can return from a serious health condition or injury. Dave Irvin shared that directors at Facilities Services have been made aware of the changes and plans are being made to address the changes. Ms. Bevelhimer added that Risk Management is working with the Division of Claims to assess positions for which no accommodations can be made. Dr. Lucal inquired whether a reduction of effort was possible in such situations. Ms. Bevelhimer shared that the Division of Claims would make that decision, not CorVel.

The third change is related to reporting of "incident only" situations. The previous vendor restricted reporting to instances which resulted in medical treatment. The new system does not have a cost associated with reporting so all on the job injuries should be reported to CorVel. Employees should clarify if the injury is first aid only and requires no further medical treatment. This will provide new data which will be helpful as safety issues are revealed. There are good reasons for this reporting. Delays in reporting cause delays in treatment. The extent of an injury is not always readily known by the employee. Risk Management has been collecting and reviewing such information as it was reported to them. The state is now interested in this data. For example, a fracture may not show up until weeks later. The incident will now be recorded and documented.

Rick Gometz asked if the employee or the supervisor should report the claim. Mr. Irvin stated that the supervisor should report the incident and follow up when the employee has contacted CorVel. Ms. Bevelhimer stressed that the hotline should be called so that the employee or a coworker can speak with a nurse to assess the injury. The claim can be handled afterward.

Tom Anderson asked if the initial call should be made by the employee. Ms. Bevelhimer stated that this is the presumption. Mr. Irvin shared that there has been an issue with employees reporting the injury to CorVel but leaving the job site without notice to their supervisor. Ms. Bevelhimer said that it would ideally be both calling together when an injury occurs on the job.

Ed Roach asked what injuries should be reported. Ms. Bevelhimer stated that any on the job injury should be reported. The focus of the information received is to identify activities that lead to injury more than the severity of the injury itself so that if there are safety issues they can be addressed to prevent further injury. Mr. Roach added that some employees have concerns with reporting everything that occurs due to oversight. There are some trust issues. Ms. Bevelhimer said that this is a new process to be learned. Policy states that if there is an on the job injury the employee must notify their supervisor. The employee can refuse the WC process but this is a bad financial decision. Regardless of the employees decision UT has a requirement to report the injury.

## 2. Finance and Administration Update

Jeff Maples, Senior Associate Vice Chancellor for Finance & Administration, shared an update regarding the budget. No major changes were made to the appropriations bill from the Governor's proposal. \$10 million in additional funding was made available. Any salary increases will come from this additional funding. The type of increases and percentages have not been determined at this time. There are other priorities that will need to be funded from this money as well.

Many bills were proposed this legislative session that would impact UT. Many of these bills were either lessened or tabled toward the end of the session. One of the most significant changes impacting UT is the defunding of the Office of Diversity. The bill is still being reviewed by the Office of General Counsel to understand the full implications and how the bill should be interpreted. UT and state attorneys will meet to discuss the details.

Another bill changed who is able to carry concealed weapons on campus. Full time faculty and staff at UT with a carry permit will be able to carry concealed weapons on campus. There will be some restrictions such as during certain events at certain venues on campus.

The Volunteer Boulevard parking garage will be opening in the fall. This will add roughly 1,060 spaces to campus and will address shortages on campus. Construction on the new Lake Avenue garage will begin in June. It is scheduled to open in the fall of 2017. Once this garage is open the parking needs of campus should be addressed. The Lake Avenue garage will also allow some public parking for patrons of Cumberland Avenue establishments.

Dave Irvin, Associate Vice Chancellor for Facilities Services, shared that Facilities Services will be moving beginning this month. Administration will move into the Support Services Building first. Skilled crafts will be moving into the building in June.

The Orange and White dorms (on the Shelbourne site) are scheduled to open in August. In January Strong Hall will have a partial opening and Stokely Residence Hall will open. Students will be housed in Reese until Stokely opens. Mr. Maples added that students can save roughly \$2,000 for the semester they are housed in Reese. Mr. Irvin shared that the Stokely site will have a Starbucks and a fresh food dining location.

Ed Roach shared that employees have concerns about guns being allowed on campus. Mr. Maples shared that legislators stated that they had strong support in the state for this legislation. Law enforcement were not in support of the measure as it makes active shooter situations difficult to assess with employees carrying weapons on campus.

Sammy Parcell asked when the change would come into effect. Mr. Maples answered that the change is effective July 1<sup>st</sup>. Dr. Lucal suggested that Chief Lane could be invited to the ERC's in the fall to discuss the changes. Mr. Maples asked that the bill be attached to the meeting minutes.

Rick Gometz asked how UT policy and this legislation would interact. Mr. Maples stated that some in the legislature felt that institutions should have authority on their individual campuses, but the final bill stated that institutional policy is overruled by this legislation.

Rick Gometz asked if students would be able to carry weapons as well as staff. Mr. Maples answered that students will not be able to carry weapons on campus.

Mr. Maples shared that UTPD will have a registration process for eligible employees who want to carry a weapon on campus. Dr. Lucal added that employees who are taking classes are considered students and are not eligible to carry a weapon while they are enrolled. Additionally, employees cannot carry weapons when they are attending disciplinary meetings and performance reviews.

Mr. Maples asked if there had been any feedback regarding the tiered parking rates. Tom Anderson shared that it was well received by Facilities Services employees. Mr. Maples reminded the group that ERC requests contributed to this decision.

### **3. HR Update**

Dr. Mary Lucal introduced Julie Hunt, Executive Director of Compensation and Records, to the group. Ms. Hunt has come to UT from the College of William & Mary in Williamsburg, Virginia. She has extensive Human Resources and Compensation experience. She is a new addition to Human Resources and everyone is excited to have her on the team.

Regarding the Fair Labor Standards Act (FLSA) proposed changes there has been some talk that the minimum exempt threshold may be lower than the \$50,000 amount previously mentioned. There has been discussion that \$47,000 may be closer to the final number. This has not been confirmed by the Department of Labor. This would not have a significant impact at UT, but any lowering of the threshold would be beneficial. May 12<sup>th</sup> has been mentioned as a possible date for the final announcement. Dr. Herbstritt stated that mid-May is the expectation. Mr. Irvin stressed that the Facilities Services representatives will continue meeting during the summer and information will be shared as it becomes available.

Ed Roach asked if there was any news regarding possible merit raises. Mr. Irvin shared that the decisions are not yet finalized with the Board of Trustees. Monies were not specifically budgeted for raises, but there are funds that will be used toward raises. There is a \$10 million allocation that will partially be used for raises. Chancellor Cheek consistently makes salary a priority in these situations. Dr. Lucal shared that if the raises do come through this year it would be the sixth year in a row here at UT Knoxville. Some of our peers in the UT System have not had this consistency in raises in the past several years. Dr. Lucal reminded the group that the annual performance review deadline has passed. Reports are being drawn for the Chancellor to identify any areas where reviews are missing. Merit raises are tied to review scores so any areas where reviews have not been completed should follow up as soon as possible.

Dr. Lucal shared that Julie Hunt is currently hiring for a Compensation Manager opening in HR. If anyone knows of any qualified, interested parties please refer them to the Recruitment website (<http://hr.utk.edu/recruitment/>) where they can review this and other job postings.

Dr. Herbstritt discussed ERC elections. The FLSA changes to exempt status may have a significant impact on the Employee Relations Advisory Organization groups. With employees possibly moving from exempt to nonexempt status the numbers and representation will be affected. The elections will likely be postponed until next fall to allow for a review of the impact of the FLSA. The Exempt Staff Council has delayed elections due to the FLSA proposed changes already. Representatives will be notified if any changes in the election are made.

#### **4. Service Vehicle Parking Issue – Debbie Lane**

**Q:** I have a constituent concerned by service vehicles parking around Hess Hall who would like to see more reserved service vehicle spots added. They have noticed a shift in parking there since the street parking was redesigned and Fred Brown Hall coming on line. It is now very difficult to park in that area. There is also the same issue with parking at Stokely Management Center or Haslam Business. If you travel that area you will notice that vehicles are either parked on the street or on the sidewalk both of which are prohibited. OIT provides immediate support to classrooms in that building and the campus so professors are waiting for our staff to resolve issues to begin class.

**A:** From Mark Hairr, Director of Parking Services, "Thank you for forwarding the email regarding UT vehicle parking near Hess Hall & the Haslam College of Business Building. Our staff discussed this issue and we also reviewed the current inventory of UT vehicle, loading zone and short-term parking spaces in these areas of campus. Based on the high number of these types of spaces already located throughout these areas, we do not believe it is advisable to add more of these spaces and take away student and staff spaces. Specifically, we have the following inventory of spaces:

- A. Melrose Ave on-street spaces at Hess Hall-2 loading zone & 1 UT Facilities Services space
- B. Staff 12 I-House-1 UT Facilities Services space
- C. Between Massey & Greve Halls-3 loading zone spaces
- D. Dunford/Greve Horseshoe-5 UT Facilities Services spaces & 1 loading zone space
- E. Eastside of Dunford Hall-2 UT Facilities Services spaces
- F. North of Fred Brown Hall adjacent to Melrose Ave-7 30-minute short-term spaces
- G. Staff 23 across from Fred Brown Hall-4 loading zone spaces

I understand that demand affects the availability of these types of spaces, but as with all unreserved parking spaces throughout campus, we cannot guarantee space availability. If a department has a specific need for a reserved space in a particular area, we are certainly open to considering such a request under our reserved parking program which has fees associated with these spaces. If you have questions or need more information, please do not hesitate to contact me."

Mr. Maples added that enforcement in these areas will be increased as possible. The parking for Haslam and Stokely Management will be assessed again once the Student Union is complete. Staff lot 9 will be reviewed at that time. Parking & Transit review campus parking annually and with the new garage opening in the fall the situation may be different.

Ed Roach added that there have been parking issues for the dump truck that services Zones 7 & 8. The truck had been parked by Gate 22 until recently. There is not good place to park by Perkins Hall. Mr. Maples asked how often the truck does its route on the Hill. Ed Roach answered that the truck stays on the Hill when it is not picking up garbage on its route. Mr. Maples stated that options will be reviewed. The changes to parking on the Hill were due to complaints with vehicles parking on the sidewalks. There had been issues of entrances to building being blocked. Sidewalk parking was eliminated across campus due to the complaints and accessibility issues. Ed McDaniel asked about Rapid Response and event needs and if parking on the sidewalk was allowed in these instances. Mr. Maples answered that it would be better to park on the street especially if there are 2 lanes each direction. Ed McDaniel stated that this change is not understood and that better communication needs to occur. Mr. Irvin agreed. Mr. Maples reiterated that for short stops or emergency needs it is better for trucks to park in the street rather than the sidewalk. Rick Gometz asked about longer parking especially after the move to the Support Services Building. Mr. Maples encouraged employees to contact Parking & Transit services when longer term parking is needed for projects or work so that space can be blocked off.

## **5. Fleet Management GPS – Debbie Lane**

**Q:** A constituent asked about the new fob/GPS system for UT vehicles and whether there's going to be any mass communication about it soon. They have only heard about the program's purpose and how to use the fobs informally, and I don't see any info about it in the News section on the Fleet Management website (<http://fleetmanagement.utk.edu/news-updated-10915/>).

**A:** Brian Browning, Director of Administrative & Support Services for Finance & Administration, shared that the GPS will be used to measure fuel efficiency and performance. Fleet Management has a monthly fuel bill that is roughly \$65,000. Cars spending time idling costs Fleet Management. The goal of this new technology is better utilization of vehicles. They will be maintaining data as well that can be used to improve fuel efficiency. The current system requires calling to get logs from each department that uses a vehicle.

Sammy Parcell added that the installment process is complete on about half of the UT fleet. Mr. Browning shared that it takes hours per car to install the new equipment. Information will be available through the Fleet Management website in the coming months. The system will have fobs assigned to individual drivers. Ed Roach asked if each driver of the car needs a separate fob. Mr. Browning answered that that was correct. Sammy Parcell added that individual fobs are used to identify the driver due to drivers receiving tickets or being in accidents. Tom Anderson asked why the fob is assigned to the driver and not the vehicle. Mr. Irvin shared that issues of vehicle misuse will be able to be tracked. This is not a common issue, but such issues have occurred in the past. Mr. Maples added that calls are made to the state fraud office reporting a UT vehicle being seen at a bar, etc. The employee driving can be identified. Mike Werley asked if the fob would alert Fleet Management to an accident while the vehicle is being used. Sammy

Parcell answered that it would. Mike Werley added that this could help if the employee was unconscious. Rick Gometz asked if Fleet Management is notified if a vehicle goes outside of a certain area. Mr. Irvin answered that it will not.

Debbie Lane asked if instructions will be given with the new fobs. Sammy Parcell shared that to activate the fob the employee only needs to hold the fob to the sensor for 3 to 5 seconds to activate the system. Mr. Browning added that Fleet Management can be contacted if there are further questions.

## **6. Career Ladder for Shops – Ed Roach**

**Q:** Ed Roach asked where the career ladder path program currently is in the process. He mentioned that after a reorganization roughly four years ago the process seems to have halted. Constituents have been asking about this.

**A:** Mr. Irvin answered that several career paths are currently in place. If there is not a new career ladder in place for a specific position the previous career ladder is still in effect. There are several under review by Finance & Administration, but the state's proposal to outsource facilities services has slowed the process.

## **7. Facilities Services Vacancies – Ed Roach**

**Q:** Mr. Roach shared that there are currently six vacancies in Zone Maintenance. They are preparing to interview, but there are only three applicants. Mr. Roach asked what was being done to try to attract more candidates for the vacancies in Facilities Services.

**A:** Mr. Irvin shared that this issue is being addressed by Facilities Services administration. Temporary assistance is being sought to assist in the interim. Some areas are functioning with half-staff. There are currently approximately 120 vacancies across Facilities Services.

Dr. Lucal added that Glenn Rieder, Recruiter has been working hard to find good candidates for the opening. Mr. Rieder has recruited for Facilities Services for decades and he is experienced in this area. However, his work is not yielding much result unfortunately.

Rick Gometz stated that part of the issue with hiring is the pay that is being offered. Mr. Irvin stated that the financial component can be an issue but that there are other issues at play as well. The issue is across the board even in areas such as Building Services where the minimum pay has increased. Dr. Herbstritt shared that many offers extended have been declined. The uncertainty associated with the possible outsourcing has also been an issue with recruiting. Mr. Roach stated that UT is the best place he has worked. The benefits available and other aspects make it a good place to work in spite of the current uncertainty.

## **Old Business**

### **1. Lake Avenue and Melrose Place Intersection – Debbie Lane**

**Q:** This is a follow up to a question from the February meeting. Here is the original question: Has there been any consideration for the flow of traffic at the intersection of Lake Avenue and Melrose Place? Between 4:30 and 5:00 pm there is always a jam and I have been witness to numerous "close calls" between cars and between cars and pedestrians/bikers. I simply just wanted to bring this to someone's attention that the intersection is very hazardous.

I know the ERC mentioned they asked the city about it. Is there an update to what the city said? How does a person go about contacting the city to ask for details or address the concern?

**A:** From Jeff Maples, Senior Associate Vice Chancellor for Finance & Administration, "I am in communication with the City Traffic Engineering Department about these concerns. Part of the issue we are sorting through is the change in the ownership of the streets. The City is transferring the ownership of Melrose Place and Melrose Avenue, just south of Lake Avenue (campus side). Subsequently, Melrose Place at the intersection, north toward Cumberland Ave. will remain a City street. That also includes Lake Avenue. Because of these changes, we informed the City we are willing to be part of the planning process in implementing any traffic changes to make this intersection flow better and function more efficiently from a safety perspective. Once I have an update, I can provide you with further details."

Mr. Maples added that he spoke with Jeff Branham, Chief Traffic Engineer, regarding this issue. UT has offered assistance in resolving the traffic issues. The city is following up on this.

## **Announcements & Other Comments**

- ❖ Sick Leave Bank Open Enrollment – April 1<sup>st</sup> through June 30<sup>th</sup> is the annual open enrollment period for the Sick Leave Bank. Regular employees in a leave-accruing position can apply to the bank. The employee must have a sick leave balance of at least 48 hours as of June 30. A 24 hours donation is given by the employee to join the bank. Employees can contact Jonathan Ramsey at 974-8299 or [jramse17@utk.edu](mailto:jramse17@utk.edu) with questions. The application for open enrollment is located at <http://hr.utk.edu/employee-relations/sick-leave-bank/>. Look for more information in TN Today.
- ❖ ParTNers for Health Deadlines – Biometric health screenings must be completed by July 15<sup>th</sup>. Screenings can be completed either at the employee's health provider or through on-campus screening events (more information at [https://my.onsitehd.com/restricted/signup/tn\\_or\\_call\\_888-741-3390](https://my.onsitehd.com/restricted/signup/tn_or_call_888-741-3390)). Employees who do not comply with these deadlines will be transferred from the Partnership PPO to the Standard PPO.

## **Distributions**

### ❖ Meeting Agenda

#### **Next Meeting**

Tuesday, September 6<sup>th</sup>, 2016, from 1:30 to 3:00pm

Arena Dining, Rooms C&D

Submit agenda items to Jonathan Ramsey at [jramse17@utk.edu](mailto:jramse17@utk.edu) or 974-8299.

## **Effective July 1, 2016: Workers' Compensation Changes**

### **Incentive I:**

\$1000 will be charged to the department if an injury/illness requiring medical treatment is not reported in a timely way. After an employee first calls CorVel to report the incident and arrange medical treatment, a Supervisor has only 5 business days to complete the report.

Why are they doing this? In the long run moving the process along more quickly does lower costs, but the most important thing to remember is that until a claim is completed by the supervisor, the injured employee cannot be assigned to an adjuster and will not have anyone able to approve and arrange medical referrals. The sooner the report is completed, the better for the employee.

### **Incentive II:**

When an injured employee receives a return-to-work note from the work comp doctor with identified temporary work restrictions, the department must arrange transitional duty to temporarily accommodate those restrictions, or pay 50% of the employee's lost time pay instead.

Why are they doing this? Research has shown that employees who are encouraged to return to work, and offered some kind of light or transitional duty while they fully recover, come back to work at full duty sooner. The state saves on lost time costs, and the department is back up to full staffing earlier – better for everyone!

## **Reporting an “Incident Only”:**

The Tennessee Division of Claims (the agency which runs our Workers’ Compensation program) is now requiring that ALL personal injury incidents be reported via the CorVel call-in system. “All” means all. Even if the incident does not result in medical treatment, the employee and/or supervisor must notify the state. Additionally, any event involving a hazard (i.e. wet or slick floors, broken pavement, etc.) should also be reported.

Why are they doing this? The state is gathering information about all the state agencies’ “near-misses”, but there are additional reasons why it is in the best interests of UT employees to report these incidents as well:

- An employee may not realize the extent of their injury or how early intervention may help. The triage nurse will determine if care is needed, whether it is from a medical professional or simply self-care.
- Reporting an incident also helps in determining compensability if the employee later feels he/she needs medical treatment.
- Reporting a “possible” injury while it is fresh in everyone’s mind, even if the employee does not feel the need for medical treatment, means that we get the best possible details about the situation. It is easier to give details about what happened right after it happened than to try to remember the details weeks or maybe months later.
- Helps with campus safety by early identification of potential hazards.

UT Knoxville Risk Management:

<http://riskmanagement.tennessee.edu/>

State of Tennessee’s worker’s compensation website:

<http://treasury.tn.gov/wc/index.html>