Employee Relations Council Meeting
Minutes
April 20, 2016

I. Welcome and Introduction - Phil Bright
   Lisa Kinkade    Administration
   Erin Chesnut    Administration
   Sherry Shanklin  Administration
   Angie Gertsch   Administration
   Debra Hunter    Brehm Hall, EPS, Fine Arts & UTM Farm
   Karen Elmore    Library
   Dana Breland    Library
   Vickie Hardrick Custodial Services
   Jeffrey Hart    Housing
   Tara Jahr       Public Safety
   Tim Nipp        Building Services & Physical Plant Administration
   Donna Butler    ITS
   Phyllis Hammer  Children’s Center, Elam Center, Fieldhouse, Football Bldg.,
                   Recreation Wellness Facility & Student Life
   Susan Lemond    Business Administration Bldg., McCombs Center, Reed Center
                   & Sociology Bldg.
   Tenna Bynum     Business Administration Bldg., McCombs Center, Reed
                   Sociology Bldg.
   Marsha Davis    Human Resources
   Phil Bright     Human Resources
   Petra McPhearson Finance and Administration
   Dr. Robert Smith Chancellor’s Office

II. Athletics Board Representative 2016-2017
    Athletics Board Representative – Jeffrey Hart

III. Equity and Diversity Council Representative 2016-2017
    Equity and Diversity Council Representative- Donna Butler

IV. Holiday Breakfast Chair and Co-Chair 2016-2017
    Holiday Breakfast Chair- Tenna Bynum.
    Holiday Breakfast Co-Chair- Dana Breland

The University of Tennessee campuses are closed Monday, December 26, 2016-

V. Employee Relations’ Advisory Board unofficial minutes (Debra Hunter)

State Facilities Management Contract Bid update:

The following three handouts was provided regarding this discussion.
- Email dated 03/09/2016 sent by Dr. DiPietro.
- A preliminary schedule of state procurements with a timeline showing UT
  has agreed to remain under consideration, until the completion of the opt-
out study, no decision will be made. At the end of the study, individual campuses can opt out based on justification sent to the President and the board.

- Potential contract to protect current UT employees.
- Fair Labor Standards Act FLSA Proposal update:
- Committees reviewing this issue statewide. Possible July1 announcement.

VI. HR0145 – Reduction in Force, Elimination of Externally-Funded Positions, and Reduction of Hours

UT Martin Human Resources requested to drop procedure 145, reduction in force UT Martin will follow the UT policy, this was approved by the Chancellors staff. The Employee Relations Council did not have objections.

Effective: May 1, 2015 Revision No: 6

Objective:

To provide a consistent and equitable method of eliminating positions as the result of reorganization, curtailment of operations, or lack of funding. This policy does not apply to faculty positions or limited duration appointments.

2. The determination of which positions to eliminate and which employees to lay off should be based on the following factors: department or area that is being affected, any functions that will be eliminated, the functional needs of the budgetary unit, job title, position title, continuous service date, the skills, competencies and qualifications needed to perform the required work, and any documented history of poor performance or disciplinary action.

Elimination of Externally-funded Positions

6. Position eliminations due to the reduction, termination, or expiration of funds from one or more grants, contracts, or other external funding sources are not subject to the RIF procedures. If a budgetary unit finds it necessary to terminate one or more externally-funded employees as the result of the reduction, termination, or expiration of the external funding source, the unit must notify Human Resources. Human Resources will review the proposed position elimination and determine what, if any, additional review is required. The review by Human Resources will consider (i) the amount of discretion to be exercised by the department; (ii) compliance with applicable law and University policy; (iii) the funding source(s) for the impacted employee(s), including whether salary is internally funded in part; (iv) the number of employees funded by the external funding source; and (v) any potential alternatives to position elimination.

http://policy.tennessee.edu/hr_policy/hr0145/

http://www.utm.edu/departments/personnel/policies.php

VII. Comments from Chancellor Smith
1. Search committee members for the Chancellor search was chosen. Dr. DiPietro appointed Debi Adcock to represent non-exempt employees. This was requested by the Employee Relations Council and is the first time a non-exempt employee has been appointed as a member of the UT Martin Chancellors search committee.

2. Dr. Smith met with employees from the physical plant. Dr. Smith stated his understanding from the literature, individual campuses can opt out based on justification and approval by the UT System.

3. UT Martin has five standing university-wide assessment committees to address the five SACS COC institutional effectiveness standards. These committees met during the weeks of April 18 and April 25 to review our assessment reports and progress and to make recommendations for our next steps. Overall, the committees were pleased with the progress the campus has made in addressing these standards.

   Common strengths of the reports included:

   - The submitted reports were comprehensive and included many excellent examples of Data-informed decisions;

   - A wide variety of noteworthy activities are occurring at UT Martin, and a wide variety of assessment approaches are being used to document how well we are achieving our goals, objectives, and outcomes;

   - It is clear that we have made a substantial amount of progress in a short amount of time, and there has been a clear shift in the culture and mindset of our faculty and staff that emphasizes the importance of assessment.

4. Assessment Workshop

   Faculty will be meeting Tuesday, May 10 (8:30-4:30) and staff will be meeting Wednesday, May 11 (8:30-4:30) with Dr. Eggleston to discuss our progress so far and our next steps, and to begin working on our reports due May 31.

5. Julio Freire has relocated to The University of Pittsburg in the athletics department.

6. Kevin McMillan will serve as interim athletics director and head football coach Jason Simpson will serve as interim associate athletics director. The appointments are effective immediately, and both will continue head-coaching duties for their respective programs.

7. The Tennessee Legislative session has adjourned. UT Martin was approved for funding for the operation of a Somerville center. Construction will be completed Fall 2017.

8. UT Martin Engineering and Science Building project received match reduction funding from 25 percent to 10 percent. The Engineering and Science Building is projected to cost $65 million, with $50 million originally funded by the state plus a 25 percent match by the university. UT Martin now has a one-year opportunity to match 10 percent or approximately $6.5 million of the cost to construct the 120,000-square-foot building.
The new UT Martin Engineering and Science Building will consist of The Department of Engineering, The Department of Computer Science, The Department of Chemistry and Physics, Mathematics and Statistics, and an entrepreneurial center. The building will also have a host of classrooms, teaching and student laboratories, and project work centers.

9. Out of state tuition will be reduced starting with Fall 2016 semester.

10. Soar in Four program will be revisited June 2016 after approval by the UT Board of Trustees.

11. During the family picnic we may visit the new construction site at the football stadium.

12. A student Living and Learning community will be located in Cooper Hall starting Fall 2016 semester.

Our Living and Learning Communities help you make a fast, smooth, and easy transition to UT Martin! A Living Learning Community (LLC) is a cohort of students (average 30-60) from the same academic major placed in campus housing for the purposes of increasing student success.

In a Living Learning Community, you will:

• Get to know people and make friends in your major or area of interest from the first day
• Build relationships to make UT Martin’s campus feel more personal
• Maximize your academic success
• Increase your likelihood to graduate on time
• Develop a supportive network consisting of other students, peer mentors, and professors
• Develop a Student Leadership and Engagement transcript.
• Have fun!

Our Living Learning Communities:

• Agriculture
• Criminal Justice
• Engineering
• Music
• Nursing
• Pre-Med

13. State of Tennessee Public Chapter NO. 1061 will go in effect July 01, 2016. UT will release a policy and Q&A to all employees mid-June.
(Attached copy of Chapter NO. 1061)

14. Full time employees of UT Martin, who are licensed for a conceal carry permit in Tennessee, will be eligible to register with the UT Martin Department of Public
Safety to carry their concealed gun on the UT Martin campus with certain exceptions after July 1, 2016.

Students are not eligible to carry guns and other weapons on the UT Martin campus. Students are defined as anyone enrolled in a credit or non-credit course.

Students who bring weapons and ammunition to the UT Martin campus must register and store them with the Department of Public Safety. These students are:

UT Martin Rifle Team members.
Students who bring weapons and ammunition for various animal hunting seasons

VIII. UT Compliance Hotline (Leigh Creek)

Post Cards sent to each employee. The compliance line takes information anonymously. You can also use the website to report an issue. tennessee.edu/hotline or Toll Free: 1-855-461-2771

Any University of Tennessee employee who reasonably suspects or has actual knowledge of a compliance violation committed by another UT employee, student, consultant, or contractor should report this information in a timely manner. UT employees are expected to act in the best interests of the university by ensuring that suspected violations are reported at the earliest possible opportunity. Reported issues will be referred to the UT Institutional Compliance Office and forwarded to the appropriate campus/institute compliance officer or administrator for investigation. (See University Policies FI0130 and HR0580 for more information.)

IX. Projects on UTM campus (Tim Nip)

1. Press box, stadium, University Center and Sorority construction continues.


3. Steam projects continue and the old pump house will be removed.


5. The solar project continues in front of the UC. The following information about the “solar garden” is an update from Sara Haig:

I was in charge of the student team from Fine Arts that worked with a team of engineering students lead by Dr. Doug Sterrett.

The art students designed the entire structure, presented it to the Chancellor Smith in November, who approved the idea on behalf of the donor. Once the design had been approved, the art students spent the spring semester creating the tree trunk out of handmade paper and figured out how to weatherproof it. They also worked with a company in South Fulton, Waymatic, to get a custom made metal leaf pattern that will cover the racking the solar panels are attached to. That part will be completed over the summer, and when it is done, it will reflect the seasonal color changes of campus. The
student design also included a functional aspect for campus as well, and once fully completed, it will act as a charging station in the middle of campus. Up to this point, we've been calling it the Solar Garden, in hopes that in the future it can grow.

6. Other renovations and upgrades on campus will continue, including parking lot renovations.

X. UT Martin Chancellor’s search, raises, 2016-2017 budget and other topics (Petra McPhearson)

1. Chancellor search process open to applicants until June 30, 2016. Final selection to Dr. DiPietro will consist of three to six names. Open forums on campus will be announced.

2. Currently two percent preliminary plan for raises across the board. A possible additional one percent market equity and merit increase bonus based on Fall 2016 enrollment is being considered. FLSA, possible raises for some employees to stay exempt will be addressed later.

3. Vice Chancellor McPhearson asked everyone to identify cost savings, if you have an idea please email prencher@utm.edu.
State of Tennessee

PUBLIC CHAPTER NO. 1061

SENATE BILL NO. 2376

By Bell, Stevens, Bailey, Bowling, Gardenhire, Gresham, Roberts

Substituted for: House Bill No. 1736

By Holt, Moody, Timothy Hill, Kane, Powers, Ragan, Williams, Gravitt, Doss, Holsclaw, Goins, Littleton, Sanderson, Sparks, Zachary, Butt, Van Huss, Matthew Hill, DeBerry, Keisling, McCormick, Dunn, Carter, Casada, Eldridge, Reedy, Carr, Halford, Durham, Weaver, Windle, Kumar, Rogers, Lynn, Jerry Sexton, Byrd

AN ACT to amend Tennessee Code Annotated, Title 39 and Title 49, relative to permitting certain persons to carry handguns on the property of certain postsecondary institutions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-1309, is amended by adding the following new subdivisions to subsection (e):

(9)(A) Employees authorized to carry a handgun pursuant to § 39-17-1351 on property owned, operated, or controlled by the public institution of higher education at which the employee is employed;

(B)(i) Any authorized employee who elects to carry a handgun pursuant to this subdivision (e)(9) shall provide written notification to the law enforcement agency or agencies with jurisdiction over the property owned, operated, or controlled by the public institution of higher education that employs the employee;

(ii) The employee's name and any other information that might identify the employee as a person who has elected to carry a handgun pursuant to this subdivision (e)(9) shall be confidential, not open for public inspection, and shall not be disclosed by any law enforcement agency with which an employee registers; except that the employee's name and other information may be disclosed to an administrative officer of the institution who is responsible for school facility security; provided, however, that the administrative officer is not the employee's immediate supervisor or a supervisor responsible for evaluation of the employee. An administrative officer to whom such information is disclosed shall not disclose the information to another person. Identifying information about the employee collected pursuant to this subdivision (e)(9) shall not be disclosed to any person or entity other than another law enforcement agency and only for law enforcement purposes; and
(C) Unless carrying a handgun is a requirement of the employee's job description, the carrying of a handgun pursuant to this subdivision (e)(9) is a personal choice of the employee and not a requirement of the employer. Consequently, an employee who carries a handgun on property owned, operated, or controlled by the public institution of higher education at which the employee is employed is not:

(i) Acting in the course of or scope of their employment when carrying or using the handgun;

(ii) Entitled to workers' compensation benefits under § 9-8-307(a)(1)(K) for injuries arising from the carrying or use of a handgun;

(iii) Immune from personal liability with respect to use or carrying of a handgun under § 9-8-307(h);

(iv) Permitted to carry a handgun openly, or in any other manner in which the handgun is visible to ordinary observation; or

(v) Permitted to carry a handgun at the following times and at the following locations:

(a) Stadiums, gymnasiums, and auditoriums when school-sponsored events are in progress;

(b) In meetings regarding disciplinary matters;

(c) In meetings regarding tenure issues;

(d) A hospital, or an office where medical or mental health services are the primary services provided; and

(e) Any location where a provision of state or federal law, except the posting provisions of § 39-17-1359, prohibits the carrying of a handgun on that property;

(D) Notwithstanding any other law to the contrary, a public institution of higher education shall be absolutely immune from claims for monetary damages arising solely from or related to an employee's use of, or failure to use, a handgun; provided the employee is employed by the institution against whom the claim is filed and the employee elects to carry the handgun pursuant to this subdivision (e)(9). Nothing in this section shall expand the existing conditions under which sovereign immunity is waived pursuant to § 9-8-307; and

(E) As used in subdivisions (e)(9)-(11):

(i) "Employee" includes all faculty, staff, and other persons who are employed on a full-time basis by a public institution of higher education; and

(ii) "Employee" does not include a person who is enrolled as a student at a public institution of higher education, regardless of whether the person is also an employee;

(10)(A) Any employee of the University of Tennessee institute of agriculture or a college or department of agriculture at a campus in the University of Tennessee system when in the discharge of the employee's official duties and with prior authorization from the chancellor of the University of Tennessee institute of agriculture; or
(B) Any employee of the university's college or department of agriculture, and any member of the employee's household, living in a residence owned, used, or operated by the university, if the employee has prior authorization from the president of a university in the board of regents system and the employee and household members are permitted to possess firearms in their residence under Tennessee and federal law; or

(C) Any employee, with prior authorization of the president of a university in the board of regents system, who is engaged in wildlife biology or ecology research and education for the purpose of capture or collection of specimens.

SECTION 2. This act shall take effect July 1, 2016, the public welfare requiring it.
SENATE BILL NO. 2376

PASSED: April 20, 2016

RON RAMSEY
SPEAKER OF THE SENATE

BETH HARWELL
BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 2nd day of May 2016

BILL HASLAM, GOVERNOR