HR FORUM Meeting – October 1, 2007

Topics of Interest from Membership
J. McBride opened meeting and welcomed everyone. There were no questions or topics of interest from the group.

Mr. McBride gave general review on Drug Testing UPPS. John explained the combination of 2 old UPPS’s into one. The new policy has guidelines on how to handle the situation if an employee comes to work under the influence. The new UPPS is out for campus review.

Members were reminded the background checks are being completed with new vendor, HireRight.

Contractor or Employee – Marcy Young (UPPS 04.04.08)
When someone comes on campus to perform a task/job the department needs to determine the correct classification. The applicable laws are IRS “Common Law” regulations, Fair Labor Standards Act – US Department of Labor, State Unemployment Laws, and State Workers Compensation Laws. These all use the same criteria. The IRS applies three basic standards to classify workers.

Relationship: Does the university treat the worker as an employee? Does the worker consider themselves an employee? Does the person offer his or her services to the public as well as to the university?

Financial Control: Does the university have financial control over the worker? Does the university supply equipment, space and materials, or does this person have a significant investment in tools or equipment? Would this person normally qualify for benefits.

Behavioral control: Does the university direct or train the employee on when, where and how the work is to be performed? Does the person have the same access as an employee (parking passes, employee picnic, keys, under same regulations on hiring/firing/discipline)?

If a person is already an employee in another department they cannot be hired and paid on stipend. If the work is a one time or short term project they can be hired as a contractor. The Tax Specialist website has necessary forms to assist in determining the correct classification. Any questions may be directed to Marcy Young (my13@txstate.edu).

Master Data Center Update
F. Quinn gave update on the HR Master Data Center. The MDC will be located in JCK 314 and be staffed with three employees. The target date for operation is November 1, 2007. Human Resources is working with Mr. Nance and facilities on the layout and space requirements.

Managing @ Texas State – Who and How to Enroll
The next Managing @ TXSTATE course will be offered October 23, 30 and November 6. Anyone wishing to register needs to do so on the Professional Development website. This course is designed for employees with direct supervision roles.

Performance Warning or Counseling – What is the Difference and Does It Matter
F. Quinn discussed the difference between a performance warning and a counseling session. A counseling session is a two way exchange/discussion. This can be done in person or via email. A
warning is a formal process and the culmination of an investigative process. The performance warning has the employee signature and the consequences are clear if a change in performance is not made. The employee also has the opportunity to rebut. J. McBride reported that this topic was one of the issues covered in the Managing @TXSTATE for Dean and Chairs.

**Division Comp Time Policies for Exempt Employees**

In the overtime policy there is a statement that each division is to have a comp time policy for exempt employees. An exempt employee is exempt from time and a half overtime. IT, Student Affairs and FSS have formal policies. The other three divisions do not have a published policy. All divisions must adhere to the university policy (UPPS 04.04.16). Some divisions prefer their exempt employees do not take off more than three days in a row and if they want to it must have VP approval. Supervisors need to review the policy with new employees.

Some departments/divisions do not allow exempt employees to take the time off. The time is earned at 1/1 ratio and departments are not required to allow the time be taken off.

**Overtime and State Comp Time for Classified Staff – Which should be Used and When**

Classified staff earns FLSA at 1.5 ratio. This time does not expire and if employee leaves the University the time must be paid. Also if a classified employee transfers to an exempt position the time must be paid. Any FLSA hours over 100 are paid out automatically.

When a classified employee requests time off, supervisor cannot dictate the type of time (FLSA or State) the employee uses, it must be mutually agreeable. When an employee transfers to another department the losing department must pay out the FLSA balance.

When employee requests time off they need to be specific with their supervisor if they are asking for FLSA or state comp time. Then the confusion is eliminated.

**Texas State Wellness Program – How It Works and How to Account for Time**

UPPS 04.04.32 outlines the Texas State Wellness Program. This policy was updated in 2004 and employees can be released for up to 30 minutes a day to participate in the wellness program. The time must be used for wellness related activities and be on campus. Time off is recorded under wellness time. Participation in the program is at the supervisor’s discretion. When employee requests the time they need to be specific about what activity they are participating in.

Benefits Information on HR Website – FAQ’s and Retiree Special Privileges

The Human Resources website has been updated and now includes a list of special perks for retirees, effective September 1, 2007. FAQ’s have also been updated to reflect the changes to policy for enrollment in Academic Courses and Tuition/Fee payments.

**SAP Helpful Tools – ZELST (Employee List) and CATS_DA (Display Time Data)**

M. Moritz gave demonstration on producing a list of employees, their hire dates, etc. ZELST is now available to anyone with a Supervisor security role in SAP and Departmental Time Administrators. A handout on Report Fundamental was distributed for reference.

Due to lack of time a demonstration on Cats DA will be given at the November forum.

Having no further business the meeting was adjourned.
11. Other