



To: VCU Staff Senate

From: HR Redesign Project Office

Date: March 24, 2017

Subject: Response to VCU Staff Senate comments on the draft VCU Human Resources Policy

VCU Staff Senate comments on the draft VCU Human Resources Policy with responses

General comments/questions

Was there DHRM representation in any of the committees or sub-committees so that members could clarify/verify what was possible in the current structure and what was not? **No. However we have consulted with DHRM throughout the course of the project. In addition, there was a representative from central HR, all of whom are very familiar with what is possible in the current classified structure, on each subcommittee. Additionally, subject matter experts from central HR were called in to consult when needed.**

Has VCU conducted research on how similar changes have impacted other universities? Have they seen an increase in cost? Is there an increase in cost expected for the departments? Will the committee release this research if it has been conducted? **The committees did extensive “best practice” research in developing these policies. The assumption was made that these new policies will be implemented within available resources.**

The HR Redesign Committee should consider and plan to address the potential cultural implications of dividing the employee population among the new groups. **Acknowledged.**

Policy Introduction

The official policy document should have specific contact information under the contacts heading. An individual, email address and/or phone number should be provided for policy-specific questions. **Acknowledged.**

Employee Groups

University and Academic Professionals are defined as “Those persons who support the mission of the University in non-faculty roles.” Why is this definition associated with Hourly Employees, and excluded from classified staff? **Acknowledged.**



Hourly Employees: The usage of “part-time and full-time” is confusing. Suggest defining “full-time hourly employment” as 29 hours per week. **We were trying to include part time in each group so you could be full or part-time in both categories. We’ll check our language if that’s not clear.**

Procedures, Section 2: If classified staff elect to become University and Academic Professionals, (UAPs) when precisely do the changes take effect for those individuals? **Classified Staff hired after to July 1, 2016 convert to University and Academic Professional effective January 1, 2018. Classified staff hired before July 1, 2016 who opt into the new plan during the January to March 2018 enrollment period and A&P faculty will have an effective date of July 1, 2018.**

How far in advance of the enrollment period are the side-by-side comparisons distributed? Are they distributed to each employee who is eligible to enroll? **Every eligible employee will receive a side-by-side comparison at the beginning of the 90 day enrollment period in January 2018.**

The fourth bullet point contains an unnecessary “to” just before the word “July.” **Acknowledged.**

Procedures, Section 3: The term “A&P Faculty” is not expressly defined prior to this usage. **Acknowledged.**

What are the “established criteria” that will determine the conversion of A&P Faculty positions? Will those criteria be made public to the University community? **This process is still in development in consultation with the Provost Office and Faculty Senate. Yes, it will be made public to the university community.**

Why are we continuing to hire A&P faculty until July 2018 but stop hiring classified staff in January 2016? **Technically we are still hiring classified employees as they are governed by classified policies until the new HR Policies are effective January 1, 2018. After that time there will be no new classified hires. For much the same reason, until the new policies are in place we plan to continue A&P faculty hires, likely until January 1, 2018.**

Employment of University and Academic Professionals

Procedures, Section 1: Who determines the need for specialized recruitment efforts to achieve diverse applicant pools? **Equity and Access Services is currently working on a process for these efforts. Details will be included in the search guidelines.**

Procedures, Section 2: Recommend replacing: “representative interview panel is required” with “representative and diverse interview panel is required.” **Acknowledged.**



Procedures, Section 3: Are the parameters around which only one candidate may be interviewed for a position defined? **This will be covered in the corresponding guidelines.**

Procedures, Section 4: Does the pre-offer reference check contain a requirement that any number of references be former supervisors or employers? **Yes. This will be covered in the corresponding guidelines.**

Are University employees who accept the opportunity to resign to avoid being terminated for cause during the progressive discipline process eligible for rehire? Are hiring departments able to make this distinction? **Yes.**

Procedures, Section 5: Is the “selection packet” and its contents specifically defined? How will HR determine approval for moving and relocation allowances for UAPs? **This will be covered in the corresponding guidelines.**

Bullet 4: The number of hours should read 1480. **Acknowledged.**

Procedures, Section 7: Has HR considered a shorter probationary period? Why or why not? **The committees considered various options. Given the academic and fiscal year calendars, many job responsibilities only occur once a year. Therefore the recommendation was to keep the current one-year probationary period so employees would have the opportunity to demonstrate their abilities over the full scope of the job.**

Bullet 5: Suggest revising “remainder of the year” to “remainder of the probationary year.” **Acknowledged.**

Compensation

Has a cost benefit analysis for this policy change been done for VCU? If not, why not? If so, please provide this information. **The assumption was made that these new policies will be implemented within available resources.**

Job Structure:

Are categorizing jobs into job families within VCU not allowed by DHRM? If so, where is the policy that disallows this? **It may be possible but has not been done before.**

New Hire Pay:



How is this policy be different than the current policy? We already have a discrepancy in pay for new hires compared to long term employees. How will this policy reduce this compensation issue? **Currently new hires and internal promotion starting pay is the beginning of the pay band up to a maximum percent increase (10 to 15%) above the previous salary. This proposal suggests the new salary be based on the individual's qualifications for the new job and not the prior position.**

Pay for Performance:

We have been told that it is to benefit the employees, but without a requirement for the funding of the pay for performance are we receiving false hopes of these benefits? **The same funds typically awarded by the state across-the-board would be placed in a pool and awarded on the basis of merit. This has been the process in place for T&R Faculty for many years. So, for example if the legislature grants a 3% salary increase, in the future that would fund the merit pool.**

Merit Increases:

During the merit process, although classified staff are not able to receive merit increases, they could still be eligible for in band adjustments for retention, internal alignment, and application of new knowledge/skills, correct? Is merit pay exclusive to the new University Administrative Professionals (UAP) employee type? **Yes, that is correct. Merit pay is inclusive to University and Administrative Professionals.**

Temporary Pay:

Is this a change from current policy? Is temporary pay is allowed for classified employees currently? **Yes, it is currently allowed for classified employees.**

Other Salary Incentives:

We currently have the ability to give classified staff up to \$2000 in bonus. Have we used this benefit well in the past? Do you have the data that supports this by pay range, not just classification type? If many departments have not used it in the past, why do we believe it will be used in the new policy? **We understand practices vary across departments. More meaningful performance reviews and compensation policies and associated management training is expected to draw greater attention to these options.**

Performance Management



Will supervisors be REQUIRED to take training in the new performance management system? **Yes, training in the new system will be required.**

What are the metrics with which supervisors/managers will be held accountable to uphold this expectation of development planning and engagement? **The leadership competencies against which supervisors/managers are evaluated make specific reference to these expectations.**

Performance management looks like it will take a lot more time and effort on both the supervisor/manager and subordinate. How will this extra work/effort be absorbed in an already lean university community? **Managing others is an essential component of leadership positions and needs to be made a priority. While it may take more time “up front”, there are payoffs for this investment in time. Greater employee engagement results in greater productivity and less turnover. Furthermore, employees participating in career development will be gaining new skills and competencies and should be able to take on additional responsibilities and assist the manager in performing more complex tasks as they advance through their career paths.**

Procedures, Section 2: Suggest more specific guidance on ongoing discussion frequency. Perhaps a minimum standard of weekly. **The Performance Management Committee recommends giving more specific guidance in the corresponding guidelines as well as in the training.**

Procedures, Section 3: A more specific definition of school/unit is necessary. At what organizational level should these calibrations occur? Will specific individuals have responsibility for these efforts? Will HR conduct calibration training or issue best practice summaries? **We have had a lot of comments and questions about the calibration process. Having reviewed these, the Performance Management committee recommends that the following be objectives for all processes/training/guidelines for implementation related to the calibration process: 1) Clear communication defining roles and responsibilities for all participants in the calibration process. 2) Provision of training and useful/practical tools to implement the calibration process. 3) All project trainers and implementers must prepare for the initial implementation and include resources and approaches that accommodate the major culture and process change that this process will bring.**

Procedures, Section 4: Are self-evaluations required of each employee? **Yes.**

Procedures, Section 5: It is troubling that VCU expects more employees to receive a rating that is included in the progressive discipline procedures. Consider including a positive “developing” category, and a negative “developing” category to differentiate between those employees who are developing due to increased roles and professional development and those who are categorized as developing due to inadequacies. **Acknowledged. Based on this and other feedback the Performance Management committee is taking another look at the proposed ratings.**



Procedures, Section 6: “Written request” should be defined with more specificity. Does an email meet the standard? **Acknowledged. We will review the wording.**

In general, the timeline for appealing performance reviews needs more clarity. In paragraph 3, the employee has 10 business days to file a written appeal with the reviewer. 10 business days from what point? **Acknowledged. We will review the wording.**

Career Development

What are the differences between two individuals following the same career development path in the proposed employee groups? This policy is not clear. **While Classified staff may participate in career development activities they will not be eligible for career path promotions upon completion of their development plan. The state does not allow for these kinds of career path promotions; only those in the new employment category will be eligible for career path promotions. In the same way that Classified Staff will participate in the same performance evaluation process but will not be eligible for merit pay; only employees in the new category will be eligible for merit pay increases.**

Is the career development path the same as a voluntary transfer in the current system? Are career development paths not allowed in the current state system? **No, career path development is not the same as a voluntary transfer. It is the movement within one’s current role. There are no career paths within the current state system.**

Procedures, Section 2: Employees taking classes at VCU and pursuing degrees or certifications should be included as possible job-related career development activities. **Acknowledged.**

The pursuit of outside training, conferences, workshops, seminars, etc., that have associated costs are not available to all employees. How will we ensure that these employees are not penalized and will have the same advancement opportunities across schools/colleges/departments? **Career development can take many forms and they don’t have to be expensive. There are books that one can read, internet-based listservs to participate in, free online courses through Lynda.com, and low-cost webinars. In addition, the new career communities being created across the university are intended to provide new cost-effective resources for employee professional development. With so many employees across VCU doing similar work or having similar career interests, the career communities can host brown bag lunches, invite guest speakers, and sponsor on-site annual conferences.**

Employee Relations



VCU

Why would an employee choose this dispute resolution over current policy if given the choice? **The new process provides for a peer-based panel hearing; the classified process is adjudicated by a state hearings officer.**

Why is there an “allowable and unallowable” grievance list? I have never seen anything like this before. Do other private/public entities subscribe to this? What about the other tier III universities? **The committee looked at various peer institutions and there is a lot of variation, some include such lists and some don’t. It was the recommendation of the committee to include the list of what does not qualify as a grievance.**

What if the grievance is with a senior level administrator or even within HR? Who will oversee this process? **While HR has overall responsibility for the process, a neutral third party will serve as non-voting chair of the hearing panel. If the grievance is within HR, the decision maker will be the VP for Administration.**

Why is there such a short time period (30 days) from the date a grievance form is delivered? Don’t issues that are related to this happen across a longer span of time? **The more time that passes the more difficult it is to conduct a fact-based investigation. The longer the span of time the more memories fade and witnesses recollection becomes less reliable.**

In the unallowable grievance list, what is meant by terminations of restricted positions consistent with the terms of the position? **This refers to grant funded or sponsored positions where the terms of that position (the end date) were clearly stated at time of employment.** On the same list, what are verbal or written counseling and imposed probations not involving discipline? **Some deficiencies when brought to an employee’s attention are corrected immediately making the higher steps of progressive discipline (suspension or termination) unnecessary.**

Why are issues concerning the fairness or equity of laws, policies, or institutional practices included as an unallowable grievance? Where would these issues be resolved? **The employee can grieve the impact of a policy on the specific circumstances as it applies to an individual’s situation but they cannot grieve the existence of the policy itself. In the abstract, the “fairness” of a policy is not grievable.**

Who are the administrators of grievances (level one and two)? What if the grievance is with HR, Integrity and Compliance, or other senior administrators who work for the VP of Administration? It doesn’t seem logical to have the final decision maker someone with a vested interest in the department. **The administrators are the manager and the manager’s manager. The non-voting chair of the hearing panel is a neutral, third party who has not been involved in the matter up to that point.**



Is the grievance policy and progressive discipline policy applicable to all employee groups? If not, which is excluded and why? **The proposed grievance and progressive discipline policy only apply to University and Academic Professional. However classified staff who opt into the new HR system have the choice to either use the new grievance procedure or the current DHRM process. T&R Faculty have their own employee relations policy which is governed by the Provost Office and Classified employees will continue to be governed by the state policy.**

Dispute Resolution Procedures, Section 2: Second-to-last bullet point should be revised to read: "Complaints made to harass or otherwise impede the efficient operation of the University."
Acknowledged.

Procedures, Section 4, Subsection 3. LEVEL THREE: What is the process by which panel members are selected? **This will be detailed in the guidelines for panel hearings. We envision it being a nomination process and those selected will receive required training prior to serving on a panel hearing.**

Do objections to panel members automatically disqualify selected panelists? **Yes, that is what is proposed.** Is there a process by which the panel chair will consider objections to panel members? If not, why define one cause-less objection for the employee and manager? **Both the manager and employee get one automatic objection. If they have further objections of panel members, the final decision is at the chair's discretion.**

Employee Conduct Procedures, Suspension, Paragraph 1: Define posing substantial risk. To whom? What kind of risk? **The University.**

Paragraph 4: Is the manager giving notice and an opportunity to respond a requirement? **Yes.**

Alternative Work Arrangements

How will HR handle managers who maintain unofficial restrictions on alternative work arrangements? Will there be any incentives to encourage these arrangements or a process by which managers are evaluated for truly offering these arrangements? **The proposed policy states that alternative work arrangements are at a manager's discretion. We understand that there is a lot of education and support needed to change the culture and mindset around the use of alternative work arrangements which is why we are developing both robust guidelines and plan to include it in upcoming leadership training.**

Paid Leave



VCU

Procedures, Section 1: Will any special arrangements be made for employees who are currently allowed to carry forward more than 336 hours of annual leave? **That is not currently under consideration.**

Upon what basis are maternity/paternity leave allowances only made every two years? **We've heard a lot of feedback about the two year stipulation and are revisiting this provision in the policy.**

Procedures, Section 3: Suggest offering a rationale behind requiring the use of 50% of annual leave before offering caregiving leave to those employees who qualify. As written, it is less a benefit and more a failsafe. **We've also received a lot of feedback about the caregiving leave as proposed and the committee is considering some different options.**