

**Lake Superior State University
Board of Trustees
Minutes of Special Meeting
Considine Hall
LaJoie Board Room
June 24, 2021**

The Board of Trustees of Lake Superior State University met in special session beginning at 2:00 p.m. on Thursday, June 24, 2021 in the LaJoie Board Room of Considine Hall, Lake Superior State University, Sault Ste. Marie, Michigan, and with Board of Trustees members connected via zoom conference. The meeting was pursuant to Section 1.03 of the Bylaws of said Board.

Section numbers and headings of these minutes correspond to the agenda. A copy of the proposed agenda was distributed to each Trustee at the public session of June 24, 2021. Any material considered by the Board, which was distributed at the time of the meeting, is so designated in these minutes. Copies of all such material are contained as appendices to these minutes.

At the call to order there were a few members in the audience.

I. Roll Call

Mr. Thomas Bailey, Chair, called the meeting to order at 2:00 p.m., and asked the secretary, Ms. Lauren Pierce to call the roll. The following members responded “present”:

Mr. Thomas C. Bailey
Ms. Patricia Caruso
Mr. Timothy Lukenda
Dr. Mark W. Mercer
Ms. Cynthia Williams
Dr. Rodney S. Hanley, President and Ex-Officio

Five Trustees were recorded as present. Trustees Lukenda, Mercer, and Williams were connected via Zoom video/audio conference. Trustee Randy Pingatore joined via Zoom one minute after roll call. Present for the University were Ms. Wendy Beach, Director of Human Resources, Safety and Risk; Dr. Lynn Gillette, Provost and Vice President for Academic Affairs; Mr. Fred Pierce, Dean of Admissions and Marketing; and Mr. Scott Smith, Vice President for Advancement.

II. Approval of the Agenda for June 24, 2021

Ms. Caruso moved for Board approval of the agenda for June 24, 2021 as presented; supported by Mr. Lukenda. The motion carried with unanimous voice vote.

III. Addresses to the Board

There were no addresses to the Board.

IV. Chair's Remarks

Mr. Bailey shared appreciation for the special meeting to move forward and approve the agenda item.

V. President's Remarks

Dr. Hanley shared news regarding the passing of newly transferred student, Katelyn Robinson from a car accident. Katelyn was transferring to LSSU where she had planned to play hockey and pursue a degree in social work.

VI. Contract Negotiations Report

Dr. Gillette presented to the Board, an action item for the approval of the contract with the Lake Superior State University Education Support Professionals (ESP)MEA-NEA. In negotiations, the University had seven major objectives:

- At least a three-year contract.
- Reasonable pay increases.
- Improve the employee evaluation process with two objectives: (1) increase ESP ownership and buy in of the evaluations process, and (2) improve employee performance.
- Increase ESP professionalism by providing appropriate work attire.
- Address sick leave abuse by some employees.
- Maintain all management rights.
- Streamline the bumping process when layoffs occur.

The University and the ESP Union started negotiations on October 7, 2020. The University negotiating team and the ESP Union negotiating team reached an agreement on May 13, 2021. The ESP Union received the proposed new agreement on Tuesday, May 18, 2021. After review and discussion during the last week of May and first week of June, the ESP Union voted to ratify the proposed new contract on Monday, June 7, 2021. The proposed agreement is a five-year contract. The new contract represents a comprehensive review of the contract.

Key issues related to changes within the new proposed contract include:

- Overtime: Addition - Refusal of 24-hour notice of overtime five consecutive times removes the employee from the overtime list until the next opportunity.
- Shift Differential: five-cent increase to each shift.
- Sick Leave: Addition – More than three days of sick leave, requires a doctor's written release to work. Also, a letter from the health department or a State of Emergency for quarantine related absence(s). Addition: A section in the contract on sick leave abuse. The parties agree that a bargaining unit member who allegedly abuses sick leave may be subject to the University's disciplinary procedures. Sick leave abuse is defined as a pattern of call-in absences for sick leave, that occur adjacent to a bargaining unit

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members scheduled day off, weekend, holidays, vacation, and any other day the member was not scheduled to work without advanced approval.

- Pensions: All employees will receive 8% contribution by LSSU and 3% match. 3-year vesting period.
- Tuition Waivers and Discounts: 50% - until ESP members is vested (3 full years), 55% - 1st year of contract, 60% 2nd year of contract, 65% - 3rd, 4th and 5th year contract.
- Longevity: All employees regardless of hire date – greater than 5 years and less than 10 years receive \$20.00 per pay period, greater than 10 years and less than 15 years receive \$25 per pay period, greater than 15 years and less than 20 years receive \$35.00 per pay period, greater than 20 years and less than 25 years receive \$50.00 per pay period, greater than 25 years receive \$65.00 per pay period.
- Wages: Year 1: Upon ratification, \$1,000 one-time bonus for all bargaining unit members employed at least six months prior to ratification. Year 2: Increase salaries by 3%. Year 3: Increase salaries by \$0.35/hour. Year 4: Increase salaries by 2.5%. Year 5: Increase salaries by \$0.35/hour.
- LSSU maintain all management rights. Addition: Right to evaluate bargaining unit members.
- Super-Seniority: Removed
- Grievance Procedure: Updated steps to clarify process. Changed communication methods from certified mail to email. Once the Supervisor is notified of a grievance, they have five University days to set a meeting for the oral presentation of the grievance. Addition: A signed written statement proving a union representative presented an oral presentation of a grievance on behalf of an ESP member.
- Layoff and Recall: New process that if an employee is laid off for eight weeks or less, it is called a furlough. An employee can be furloughed without referring to seniority. A furloughed employee can only transfer positions (bump) if they are fully qualified to perform the duties without additional training. If LSSU lays off an employee for more than eight weeks, it is called an (indefinite) layoff and those layoffs are based on seniority. A laid off employee can transfer positions if they have necessary training, qualifications, and physical qualifications for the job to be performed.
- Rest Periods: Two 15-minute breaks. Addition – Employees may be disciplined for being late from breaks.
- Uniforms: All districts will have uniforms and safety shoes as applicable.
- Evaluations: Annual Performance Evaluations are for the expressed purpose of giving the employee feedback to improve performance moving forward. All supervisors shall be trained on the evaluation process. Eight job competencies to be determined by the supervisor based on the job description. Eight performance values that define workplace expectations. Mid-Year Review – with job appropriate annual goals determined by the supervisor with input from the employee. Final Performance Evaluations by August 15. Rebuttals should be completed by September 1. If a supervisor fail to complete an Annual Performance Evaluation by September 1, the University shall consider the employee to be rated as meets expectations.

Mr. Lukenda praised the use of percentage and fixed rates for wage increases.

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Ms. Williams asked for clarification on Pension coverage for MPSERS employees. Ms. Beach stated that MPSERS employees do not receive the TIAA contribution or percentage match. Ms. Williams asked that the contract clarify the exception within the contract.

Mr. Lukenda asked if the tuition benefits applied to employees and family members. Ms. Beach stated that employees receive 100% tuition benefits and the dependents receive the percentage benefits.

Mr. Lukenda moved for Board approval of the contract with Lake Superior State University Education Support Professionals (ESP) MEA-NEA, with clarification on Pension/TIAA coverage for MPSERS employees; supported by Ms. Caruso. The motion carried with unanimous voice vote.

VII. Other Business

None

VIII. Adjournment

Mr. Pingatore moved for adjournment at 2:25 p.m.; supported by Mr. Bailey. The motion carried with unanimous voice vote.

Thomas C. Bailey, Chair

Rodney S. Hanley, President

Minutes prepared by Ms. Lauren Pierce, Secretary. A draft of these minutes was completed at 10:00 a.m. on June 30, 2021.