

MISSOURI WESTERN STATE UNIVERSITY

Governance Advisory Council Report 2017-2018

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GOVERNANCE ADVISORY COUNCIL

October 31, 2017

Attendees: Dr. Ben Caldwell, Dr. Jeanne Daffron, Sara Freemyer, Dr. Mike Lane, Josh Looney, Dr. Steve Lorimor, Dr. Gordon Mapley, Fred Nesslage, Dr. Kathleen O'Connor, Dr. Paul Orscheln, Dr. Bob Willenbrink.

Others Attendees: Marilyn Baker, Susan Bracciano, Elaine Bryant, Dr. Judy Grimes, Jessica Poet

GAC #17-10 – Golf Cart Policy

Source of Proposal: Campus Police Department

Purpose of Proposal: New Policy

Current Policy or Procedure: None

Proposed Policy or Procedure: For MWSU Policy Guide, University Policies

Missouri Western provides golf cart-type/utility vehicles to employees to fulfill job related duties. Golf cart-type/utility vehicles are used to transport equipment and people. The purpose of this policy is to provide consistent standards for the safe use and operation of golf cart-type/utility vehicles at Missouri Western in order to prevent injuries to employees, the public, and to prevent property damage.

Responsibilities:

Management is responsible for:

1. Ensuring employees understand the hazards associated with the use of golf cart-type utility vehicles.
2. Ensuring drivers are aware of these guidelines and that vehicles are maintained in a safe condition.
3. Ensuring vendors using golf cart-type/utility vehicles are aware of the expectations in the policy.

Employees are responsible for:

1. Obeying all vehicle safety regulations.

2. Operating the vehicle as outlined in this policy.
3. Operating the vehicle in a safe manner including but not limited to:
 - a. Stopping at stop signs
 - b. Yielding to pedestrian
 - c. Using appropriate routes
 - d. Securing loads

Operating Requirements:

- Operators shall have a valid driver's license.
- Golf cart-type/utility vehicles will be operated in such a manner that they do not impede or interfere with normal pedestrian or vehicular traffic flow on sidewalks, ramps or roadways.
- Vehicles shall **not** be operated in a manner that may endanger passengers, other employees of Missouri Western, the public, or property (i.e. no driving on landscaping, no bumping into bollards, etc.).
- The number of passengers and load capacity shall not exceed the manufacturer's rated limit. **Passengers may only ride in seats.**
- Golf cart-type/utility vehicles shall not be operated on city owned streets.
- Vehicles can only be parked on hard covered surfaces and must not block any entrances to buildings, stairways, ramps or thoroughfares.
- Golf cart/utility vehicle operators are responsible for the security of ignition keys during the time the cart/vehicle is assigned to them. Any time a cart is unattended, the ignition shall be turned off, the key removed from the ignition, and in the possession of the authorized operator.
- Golf cart-type utility vehicles may not park in:
 - Fire lanes
 - DMV disabled parking
 - Reserved parking
 - Within 20 feet of the main entrance/exit of any building in any manner that would impede the normal flow of pedestrian traffic
- Vehicles will be operated with the utmost courtesy, care and consideration for the safety of pedestrians.
- Operators shall reduce speed on walkways and pedestrian areas. Maximum speed on sidewalks shall not exceed the speed of pedestrian traffic present. Speed shall not exceed 15 mph elsewhere.
- Vehicles must not pass pedestrians unless eye contact is made with pedestrians and they acknowledge you are going to drive by.
- Pedestrians have the right of way at all times.
- Use of mobile devices (i.e. cell phones, tablets, etc.) is prohibited while driving a golf cart-type/utility vehicle.
- If using a 2-way radio, acknowledge the call and pull over to a safe location to continue the conversation.
- Golf cart-type/utility vehicle operators are not permitted to drive while wearing devices that impeded hearing (i.e. stereo headphones, I-pods, earplugs, etc.).
- If vehicle is equipped with seat belts, they must be worn by the operator and the passengers.
- Materials or equipment must be loaded and secured if necessary so it will not cause a hazard by shifting or falling off the vehicle.
- No cart shall be operated without properly working headlights and taillights.

- Stunt driving and horseplay are strictly prohibited.

I have read and understand the Missouri Western Golf Cart-Type/Utility Vehicle Policy and will adhere to all of the requirements of the policy.

Print Name (Operator)

Date

Signature (Operator)

Supervisor Signature

Date

GAC Summary: It was suggested that the second sentence of the first paragraph include transport of supplies as well as equipment and people. Under Operating Requirements, it was asked if international students have valid drivers' licenses because they do sometimes operate the vehicles.

A few other questions/concerns were that Downs Drive is considered a city-owned street and the vehicles are sometimes needed to be maneuvered on Downs Drive and there isn't always a hard surface next to a building where a cart can be parked. Additionally, some members asked what the consequences might be if the policy is not followed.

With these questions and concerns, this policy should be returned to the Campus Police Department for clarification.

Presidential Action: None at this time.

GAC #17-11 – Academic Advisement System

Source of Proposal: Academic Affairs

Purpose of Proposal: Policy Revision

Current Policy or Procedure: MWSU Policy Guide, Academic Policies, Academic Advisement System

Academic advisement is one of the primary responsibilities of faculty at Missouri Western. As a vital and necessary part of the University experience, sound and prudent advisement is a service that faculty perform for students who need to know how best to schedule classes, declare majors, and align their programs with their career plans.

Entering freshman are assigned faculty advisors with whom they work until they formally declare their major or field of study. At the time of declaration, students request faculty advisors from the major department. Advisors monitor the filing of the major-minor and also the program advisement form.

All four-year degree-seeking students are required to declare their majors before completing 60 credit hours of course work. Owing to the nature of the one-year certificate and two-year associate degrees, students in these programs are advised to consult with the Chairpersons of the appropriate departments as early as possible.

As part of the procedure for the academic advisement/preregistration system at Missouri Western, students meet with their respective advisors at designated times each semester to work-out their schedules and permits to enroll for preregistration purposes. However, students are encouraged to meet with their advisors on a regular basis to develop the type of meaningful faculty-student relationship that we at Missouri Western prize as one of the hallmarks of our institution.

Proposed Policy or Procedure: MWSU Policy Guide, Academic Policies

Rationale: The current policy on Academic Advising is out of date and not congruent with the advising practices at Missouri Western. The Academic Advising Council (consisting of an academic dean, academic department chairs, faculty, and staff) proposes this revision to incorporate best practices of academic advising to be used by faculty, staff, and professional advisors.

This change will cause no financial impact for the University if approved.

Effective date: January 2018

Replace previous wording with the following:

Missouri Western State University recognizes academic advising is a critical component of the educational experience. Successful advising includes providing the necessary tools and information regarding educational and career plans compatible with student goals; meeting institutional and degree requirements; and preparing for a life of change, challenge and individual fulfillment as active citizens. Advising is primarily the responsibility of the university faculty and assigned professional staff advisors; however, students must be responsible and involved for the process to be effective and efficient.

Thus, it is the policy of MWSU:

1. All students shall be informed of the advising process during initial introduction to the university, in the university catalog and on the university website;
2. All degree-seeking students shall have an assigned advisor and be advised prior to the start of each semester;

3. The Student Success & Advising Center shall offer advisor trainings each semester for new and continuing advisors;
4. New advisors are required to attend identified training before being officially assigned as an advisor, and continuing advisors shall attend identified training a minimum of once every three years;
5. Department chairs and advising directors will develop departmental advising guidelines based on advising best practices as determined by the university;
6. All advisors will be evaluated annually by their supervisor in regards to departmental advising guidelines;
7. Advising best practices and other advising information will be posted and maintained on the university's Student Success & Advising Center website;
8. An assessment and review of advising best practices will be completed every two years;
9. Advisee surveys will be conducted on a periodic basis regarding their perception of the advising experience; and
10. Students are expected to declare a major prior to the completion of 60 credit hours.

GAC Summary: It was recommended that number 10 be changed to "Students are expected to declare a major prior to 60 attempted credit hours" to mirror the language that is used with Satisfactory Academic Progress (SAP) information. With this change, this proposal will be forwarded to the President for his approval.

Presidential Action: This proposal was signed by the President on November 6, 2017.

GAC #17-12 – Pay Procedures

Source of Proposal: Human Resources

Purpose of Proposal: Policy Revision

Current Policy or Procedure: MWSU Policy Guide, Employment Policies, Pay Procedures, Sections "Faculty" and "Independent Contractor"

Faculty (Full-time and Half-time)

Faculty are paid on a monthly basis on the last working day of the month. All full-time and half-time faculty will be provided the option, at the time their contract is issued, of being paid on a 10-month or a 12-month basis for each academic year. Once the pay option is chosen for the contract year, it may not be changed.

For full-time or half-time faculty hired after the beginning of the academic year, the pay will be pro-rated for the remaining months in the academic year from their start date through May 31. The 10-month or 12-month pay option will not be available until the start of the next full academic year beginning in August.

Independent Contractor

Independent Contractor status for any individual providing services to the University must be approved as an independent contractor prior to any work being performed for the University. An independent contractor checklist must be completed by the University hiring official and approved by Human Resources prior to any submission to Accounting Services for payment.

The University official who hires an independent contractor must submit the following to Accounting Services in order to process payment to an independent contractor: a detailed invoice or contract, remittance voucher, completed W-9 (link to Accounting Services) and a copy of the approved independent contractor checklist.

Independent contractors will be issued a federal 1099 form for tax purposes if they receive payments over \$600 in a calendar year. All independent contractors are responsible for filing appropriate state and federal taxes on their own behalf. All independent contractors are responsible for providing their own worker's compensation insurance and will not be covered under the University's worker's compensation insurance.

If an Independent Contractor is anticipated to receive pay consecutively for a period of time please contact Human Resources to initiate document of temporary employment such as an MOA.

Proposed Policy or Procedure: MWSU Policy Guide, Employment Policies, Pay Procedures, "Faculty" and "Independent Contractor"

Justification (Faculty): Changes reflect the removal of the 10-month pay option for faculty. This option was removed last year, but missed language in this policy.

Justification (Independent Contractor): Changes reflect the removal of a statement asking that independent contractors who receive pay consecutively for a period of time should be hired as an MOA. This statement is incorrect; by definition of an independent contractor, these individuals cannot be employees.

Faculty (Full-time and Half-time)

Faculty are paid on a monthly basis on the last working day of the month. ~~All full-time and half-time faculty will be provided the option, at the time their contract is issued, of being paid on a 10-month or a 12-month basis for each academic year. Once the pay option is chosen for the contract year, it may not be changed.~~ Full-time (and/or half-time) faculty contracts are typically issued for a 10-month period (August-May); payment will be pro-rated over a 12-month period (paid August-July).

For full-time or half-time faculty hired after the beginning of the academic year, the pay will be pro-rated for the remaining months in the academic year from their start date through May 31.

~~July. The 10-month or 12-month pay option will not be available until the start of the next full academic year beginning in August.~~

Independent Contractor

Independent Contractor status for any individual providing services to the University must be approved as an independent contractor prior to any work being performed for the University. An independent contractor checklist must be completed by the University hiring official and approved by Human Resources prior to any submission to Accounting Services for payment.

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Independent contractors will be issued a federal 1099 form for tax purposes if they receive payments over \$600 in a calendar year. All independent contractors are responsible for filing appropriate state and federal taxes on their own behalf. All independent contractors are responsible for providing their own worker’s compensation insurance and will not be covered under the University’s worker’s compensation insurance.

~~If an Independent Contractor is anticipated to receive pay consecutively for a period of time please contact Human Resources to initiate document of temporary employment such as an MOA.~~

GAC Summary: This proposal will be forwarded to the President for his approval.

Presidential Action: This proposal was signed by the President on November 6, 2017.

GAC #17-13 – Employment Separation Procedures (retiree benefits)

Source of Proposal: Human Resources

Purpose of Proposal: Policy Revision

Current Policy or Procedure: MWSU Policy Guide, Employment Policies, Employment Separation Procedures (retiree benefits)

Each employee assumes the responsibility of providing adequate notice of voluntary resignation or retirement. The University considers the following as appropriate notice:

Each employee not on contract is expected to provide at least two weeks notice.

Non-teaching University employees on contract are expected to provide 60 days notice.

Teaching University employees on contract are expected to provide 60 days notice and are expected to honor the duration of their contracts.

Extenuating circumstances should be discussed with the employee's immediate supervisor. A written notification of resignation stating the effective date and reason for resignation should be submitted to the immediate supervisor. Copies should immediately be forwarded to appropriate Vice President, and Dean or Director, and Office of Human Resources.

Upon notice, an Employee Separation Checklist will be completed by the Office of Human Resources. The Employee Separation Checklist must be completed satisfactorily with all charges/materials due to the University paid/returned no later than the last day of employment and prior to meeting with the Benefits Coordinator to finalize their separation process. Final payroll checks may be held until all employee-related debts to the University have been satisfied and all University property returned. This final check may be a physical check and not direct deposited.

Official policy states that employee benefits will cease at the end of the month of an employee's termination. Faculty who complete their academic contract and are enrolled in employee benefits, will be entitled to benefit coverage through July 31st. Benefits for faculty terminating at the end of the fall semester continue through December 31st of that academic semester.

If an employee receives vacation payout and is rehired by MWSU within three months, their sick, personal days and bereavement leave balances carry over from the previous period of employment along with their level of vacation accrual. If rehired after three months, sick, vacation, personal days and bereavement leave accrual will start over.

An employee is entitled to payment for any earned, unused vacation in addition to their regular pay at the time of separation with their final regularly scheduled payroll. Employee must be present and working on actual last day of employment, and meet with the Benefits Coordinator.

Proposed Policy or Procedure: MWSU Policy Guide, Employment Policies, Employment Separation Procedures (retiree benefits)

Justification: The addition to this policy explains the parameters an employee must meet in order to be eligible to "retire" from Missouri Western and receive "retiree benefits." Employees who typically retire from Missouri Western have also concurrently retired with MOSERS; however, CURP does not define retirement eligibility. We have seen two faculty retire with CURP and question whether or not they should receive retiree benefits. The additional language creates retirement eligibility for our retiree benefits (health insurance, tuition fee waiver, life insurance, etc.)

Each employee assumes the responsibility of providing adequate notice of voluntary resignation or retirement. The University considers the following as appropriate notice:

Each employee not on contract is expected to provide at least two weeks notice. Non-teaching University employees on contract are expected to provide 60 days notice. Teaching University employees on contract are expected to provide 60 days notice and are expected to honor the duration of their contracts.

Extenuating circumstances should be discussed with the employee's immediate supervisor. A written notification of resignation stating the effective date and reason for resignation should be submitted to the immediate supervisor. Copies should immediately be forwarded to appropriate Vice President, and Dean or Director, and Office of Human Resources.

In order to be eligible for Missouri Western retiree benefits you must be eligible to retire under the MOSERS plan you participate in. If you participate in CURP you must qualify using one the following options (retirement eligibility of the MOSERS MSEP & MSEP2000 plans): 1) age 62 with 5 years of service; 2) age 60 with 15 years of service; or 3) at least age 48 with the sum of your age and credited service equaling 80 or more. Retiree Benefits are listed in the 'Benefits for Employees' policy.

Upon notice, an Employee Separation Checklist will be completed by the Office of Human Resources. The Employee Separation Checklist must be completed satisfactorily with all charges/materials due to the University paid/returned no later than the last day of employment and prior to meeting with the Benefits Coordinator to finalize their separation process. Final payroll checks may be held until all employee-related debts to the University have been satisfied and all University property returned. This final check may be a physical check and not direct deposited.

Official policy states that employee benefits will cease at the end of the month of an employee's termination. Faculty who complete their academic contract and are enrolled in employee benefits, will be entitled to benefit coverage through July 31st. Benefits for faculty terminating at the end of the fall semester continue through December 31st of that academic semester.

If an employee ~~receives vacation payout and~~ is rehired by MWSU within three months, their sick, personal days and bereavement leave balances ~~carry over~~ **will be reinstated** from the previous period of employment along with their level of vacation accrual. If rehired after three months, sick, ~~vacation~~, personal days and bereavement leave accrual will start over **and the level of vacation accrual will be the same as a new hire.**

An employee is entitled to payment for any earned, unused vacation in addition to their regular pay at the time of separation with their final regularly scheduled payroll. Employee must be present and working on actual last day of employment, and meet with the Benefits Coordinator.

GAC Summary: It was recommended that the end of the first sentence of the inserted paragraph be changed to read "...under the MOSERS plan in which you participate." Additionally, under the MOSERS plans eligibility, the following should be added: "or 4) your normal retirement age under the Social Security Act."

With these changes, this proposal will be forwarded to the President for his approval.

Presidential Action: This proposal was signed by the President on November 6 2017.

GAC #17-14 – Absences (Holiday)

Source of Proposal: Human Resources

Purpose of Proposal: Policy Revision

Current Policy or Procedure: MWSU Policy Guide, Employment Policies, Absences

3. HOLIDAYS: The University will be closed to observe the following holidays:

- Martin Luther King Day
- Memorial Day
- Independence Day Labor Day
- Fall Break (week of Thanksgiving)
- Winter Break (December 24 – January 1)

When Independence Day falls on a Saturday, the Friday before will be observed. When Independence Day falls on a Sunday, the following Monday will be observed.

Non-exempt employees who are required to work on a holiday shall be compensated in addition to their normal pay at 1 (one) times their regular rate for hours worked.

In order to receive payment for a holiday, the employee must have leave accumulation (vacation, sick leave, personal or bereavement leave) to cover the day before and the day after the holiday if they are absent.

All employee will receive one floating holiday in lieu of the President's Day Holiday. The floating holiday accrual will be applied in Banner leave accruals as of July 1 of each fiscal year. This holiday will require a supervisor's approval, as with other elective absences and will not carry over from year to year.

Proposed Policy or Procedure: MWSU Policy Guide, Employment Policies, Absences

3. HOLIDAYS: The university will be closed to observe the following holidays:

- Martin Luther King Day
- Memorial Day
- Independence Day (July 4)
- Labor Day
- Fall Break (week of Thanksgiving; Monday-Friday)
- Winter Break (December 24 – January 1; weekdays only)

When Independence Day or December 24 fall falls on a Saturday, the Friday before will be observed. When Independence Day or January 1 fall falls on a Sunday, the following Monday will be observed. Holidays will be observed on weekdays only since the normal business hours of the University are Monday-Friday.

Non-exempt employees who are required to work on a holiday shall be compensated ~~in addition to their normal pay at 1 (one) times their~~ at double their regular rate for hours worked. Hours worked on a holiday are not to be determined at the discretion of the employee. The immediate supervisor must approve all time worked on a holiday.

All full-time benefit eligible faculty and staff receive holiday pay at their regular rate of pay regardless of their regular work schedule. In order to receive payment for a holiday, the employee must work or have leave accumulation (vacation, sick leave, personal or bereavement leave) to cover the day before and the day after the holiday if they are absent.

All employees will receive one floating holiday in lieu of the President's Day Holiday. The floating holiday accrual will be applied in Banner leave accruals as of July 1 of each fiscal year. This holiday will require a supervisor's approval, as with other elective absences and will not carry over from year to year.

GAC Summary: There were several questions about holiday pay when not working versus if an employee works the actual holiday. With these questions/concerns, this proposal will be returned to Human Resources for clarification.

Presidential Action: None at this time.

GAC #17-15 – Overtime, Flex Time, Comp Time (Campus Closure)

Source of Proposal: Human Resources

Purpose of Proposal: Policy Revision

Current Policy or Procedure: MWSU Policy Guide, Employment Policies, Overtime, Flex Time, Comp Time (Campus Closure)

Campus Closure

Certain employees, considered essential personnel, are responsible for working their regular hours or other assigned hours due to inclement weather or other emergencies. Normally this may include grounds keeping staff, other Physical Plant staff and University Police staff.

Employees who work additional hours, or hours during which the University is closed due to inclement weather or other emergency situations, will be paid time and one-half for their time hours worked regardless of whether 37.50 hours have been worked during that work week.

Essential personnel Employees who do not work or are not scheduled to work during the assigned time will not receive any wages for that time.

Employees scheduled to be off work due prescheduled usage of accrued time (vacation, sick or other) will continue to have their prescheduled absence time utilized as submitted.

Proposed Policy or Procedure: MWSU Policy Guide, Employment Policies, Campus Closure

Justification: The revision of this policy clarifies several things: (1) broader identification of what a campus closure is; (3) clarifies who essential personnel are; and (3) clarifies compensation owed to employees. We are also asking for the campus closure section to be removed from the Overtime Policy and become a stand-alone policy in the Employment section of the Policy Guide.

**WE FEEL THAT CAMPUS CLOSURE IS MORE THAN JUST EXPLAINING OVERTIME;
PLEASE CONSIDER THIS A STAND-ALONE POLICY.**

Campus Closure

Campus closures are determined and communicated under the direction of the University President; these could include (but are not limited to) closures due to inclement weather, extraordinary events, emergencies, or additional days surrounding a scheduled holiday. Campus closures will occur on weekdays only since the normal business hours of the University are Monday-Friday. Full-time benefit eligible faculty and staff whose regular hours are scheduled on a campus closure day will receive compensation for that day at their regular rate of pay.

Certain ~~non-exempt~~ employees, considered essential personnel, are responsible for working their regular hours or other assigned hours due to ~~campus closures inclement weather or other emergencies.~~ Normally This may include (but not limited to) ~~grounds keeping staff, other Physical Plant staff and University Police staff.~~ Hours worked during a campus closure are not to be determined at the discretion of the employee. The immediate supervisor must approve all time worked during a campus closure.

~~Employees~~ Essential personnel who work additional hours, ~~or hours~~ during a campus closure which the University is closed due to inclement weather or other emergency situations, will be paid time and one-half for ~~their time~~ hours worked; regardless of whether 37.50 hours have been worked during that work week. However, they will not receive any additional pay for the campus closure.

Essential personnel Employees whose regular hours do not work or are not scheduled to work

during the **campus closure and did not work** ~~assigned time~~ will not receive any wages for **the campus closure** ~~that time~~.

Employees scheduled to be off work due **to** prescheduled usage of accrued time (vacation, sick or other) will continue to have their prescheduled absence time utilized as submitted.

Cancellation of weekend events or activities due to unforeseen circumstances does not constitute a campus closure. This may include (but are not limited to) cancellations due to inclement weather, extraordinary events, or emergencies. Therefore, during this cancellation if a non-exempt employee is required to work, they will be paid at their regular rate of pay.

GAC Summary: There were several questions in regard to the recommended changes. One note in particular was that the wording “campus closure” is confusing in this regard. With these questions/concerns, this proposal will be returned to Human Resources for clarification.

Presidential Action: None at this time.

Respectfully submitted,

Jennie McDonald
Secretary