Staff Alliance

Resolution 2015-02
Staff Alliance Response to Proposed Changes to R04.06.149 as sent
June 25, 2015

Whereas, on Thursday, May 7, 2015 Interim Executive Officer Joseph Altman forwarded to governance leaders an email from CHRO Erik Seastedt containing proposed revisions in chapters 04.01, 04.05 and 04.06 of Board of Regents Policy and Regulation with a note that they are being initiated due to changes in Federal law under the Affordable Care Act and feedback from the Alaska State Division of Retirement; and

Whereas, the initial review and comment period was requested by end of business on June 25, 2015 and the proposed regulation changes were discussed during May and June governance meetings as presented on May 7; and

Whereas, on Friday, June 26, 2015 at 8:53 a.m. Altman forwarded to governance leaders a new email from CHRO Erik Seastedt also containing the final draft regulation changes being submitted to chancellors; and

Whereas, the email from CHRO, sent Thursday, June 25, 2015 at 11:25 a.m., included the following:

*Under the proposed regulation changes, all leave benefits for extended temporary employees are discontinued (they receive annual, sick and holiday leave under the current regs). Current extended temps would be paid out any accrued annual leave. We anticipate more extended temporary employees as a result of ACA and have recommended discontinuation of leave benefits for these temporary employees as a cost-savings measure (and to show that they are not the same as regular employees).*

and the language:

*I encourage you to review the proposed changes and submit any feedback to your chancellors or to me. I do plan on sending this language for chancellor signature on July 1st.*

and attached proposed regulation changes including but not limited to:

**R04.05.020. Employment Definitions.**

C. Employment Categories and Benefits
4. **Extended Temporary Employee**

Extended temporary employees hired with the reasonable expectation of 30 or more hours of service per week are eligible for health benefits at the time of hire. Temporary employees who become eligible for health benefits after the mandatory look-back period become extended temporary employees at the time of such eligibility. Extended temporary employees are not eligible for paid leave benefits.

which also affect:

**R04.06.120. Annual Leave.**

**R04.06.130. Sick Leave.**

and a 6/5/15 change (not seen by nor discussed with governance until June 26) by Assoc. General Counsel Ardyth Lynch changing:

**R04.06.149 Benefits For Extended Temporary Employees**

Temporary, part-time or full-time employees (nonacademic, nonstudent) who have worked more than 1039 hours in a 12-month period of continuous employment within the university system are eligible for annual, sick, holiday leave, and basic health benefits. For purposes of extended temporary status, continuous service may include a break between positions of less than two weeks.

To:

**R04.06.149. Leave Benefits For Extended Temporary and Temporary Employees.**

Extended temporary, temporary, casual and seasonal employees are not eligible for annual, sick, or holiday leave.

Whereas, prior to the June 25 version the Alliance had been reviewing the May 7 proposed change as such:

**R04.06.149. Benefits For Extended Temporary and Temporary Employees.**

Temporary employees (nonacademic, nonstudent) who work on average 30 hours per week or more and have worked more than 1039 hours in a 12-month period of employment within the university system with no break in service are eligible for annual, sick, holiday leave, and basic health benefits. A break in service is a period of at least 26 weeks. Other temporary employees, including seasonal employees, are not eligible for annual, sick, or holiday leave.

Whereas, extended temporary employees, who are now immediately eligible for health benefits, pay for those benefits, and receive coverage including preventative
screening and the opportunity to participate in the wellness incentive which requires preventative visits annually; and

Whereas, sick leave benefits cover preventative visits as well as family or personal sick days;

Whereas, employees coming in to work when sick pose a health risk to co-workers;

Whereas, Sick Leave only represents an expense to the university when it is actively used by employees, Sick Leave usage among regular employees is likely to increase if their temporary co-workers come to work while sick, and Staff Alliance has not seen an analysis estimating the financial impact of denying Sick Leave to temporary employees;

Whereas, it is the position of Staff Alliance that University of Alaska employees should not be forced to choose between caring for a sick child or seeking medical attention and forgoing needed income;

Whereas, in addition to the removal of Sick Leave, the proposed revisions dramatically reduce the employment available to temporary employees to an 18 month period and eliminates Holiday Leave, thereby further penalizing employees on the 12 holidays recognized by UA each year; and

Whereas, Staff Alliance does not know, how many of the more than 800 temporary staff employees are classified as extended temporary, but see that all will be affected to some degree by the proposed regulation changes including redefinition of employment classification, mandatory breaks, work history reviews for Affordable Care Act compliance, health coverage changes, and the potential loss of current leave benefits; and

Therefore be it resolved, that extended temporary retain their sick leave benefits in order to utilize preventative benefits, retain eligibility for wellness incentive, and prevent the spread of illness to co-workers; and

Therefore be it further resolved, that UA administration take more time to discuss these changes to leave benefits before implementing the proposed changes.

Adopted by Staff Alliance the 30TH DAY OF June, 2015

Monique Musick, Chair

Voting members’ results as attested by Joseph Altman, Interim Executive Officer:
Yes: 6
No: 0
Abstain: 1
Absent: 1
Vacant: