



Annual Committee Report Academic Year 2017-2018

Section I

Name of Committee: Personnel Committee

Submitted by Chairperson: Becky Ladd, Professor, Sanford School of Social and Family Dynamics

Date Submitted: April 24, 2018

Roster:

- Sandra Mayol-Kreiser, Nutrition and Health Promotion, Downtown Phoenix campus. 2018
- Michael Mokwa, Marketing. Tempe campus, 2018
- Katherine O'Flaherty, Barrett, The Honors College. Downtown Phoenix campus, 2018
- Alisia Tran, Counseling and Counseling Psychology, Tempe campus, 2018
- Aviral Shrivastava, Computing, Informatics and Decisions Systems Engineering, Tempe campus, 2018
- Tara Mospan, Ross Blakely Law Library, Academic Professional, Downtown Phoenix campus, 2018
- Jackie Wheeler, English. Tempe campus, 2018
- Shery Chang, LeRoy Eyring Center for Solid State Science, Tempe campus, 2019
- Hongmin Li, Supply Chain Management. Tempe campus, 2019
- Marianne Moore, Science and Mathematics (Poly). Polytechnic campus, 2019
- Dave Wells, Bachelor of Interdisciplinary Studies, Tempe campus, 2019
- Robert Wood, Information Systems. Tempe campus 2019

NTE Subcommittee Roster; (composed of both Personnel committee members and one year appointees, See NTE sub-committee annual report for details)

- Dave Wells (Tempe, Interdisciplinary Studies)
- Bridget Seeley (Tempe, CLAS, Family Studies, NTE Lecturer)
- Amy Shinabarger (Poly, CISA, English, NTE Lecturer, Senator)
- Jackie Wheeler (Tempe, CLAS, English, NTE Principal Lecturer, Senator, PC member)
- Thomas Schildgen (Poly, Engineering, Professor, Senator, former Senate President)
- Helene Ossipov (Tempe, CLAS, French, Assoc. Professor, Senator, former Senate President)
- Stefania Tracogna (Tempe, CLAS, Mathematic, Principal Lecturer, Senator)
- Michael Walker (West, New College, Social Science, Instructor)
- Robert Wood (Tempe, W.P. Carey School, NTE Sr. Lecturer, Senator, PC member)

Overview Narrative:

The Personnel Committee (PC) met 3 times over the course of the 2017-18 year to discuss the various Request for Consultations (RFCs) and emergent concerns of the faculty. The members of

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the Personnel Committee worked diligently on several long-term RFC projects. While the number of officially closed RFC's is low, you can see in section III that much progress has been made. The ongoing commitment of future Personnel Committees to see each of these projects through to completion/resolution will be of great benefit to the faculty.

Section II

Request for consultations reviewed by the committee, their outcomes and RFC will not automatically roll over into the next academic year.

RFC-121 Threshold for receiving health benefits moved to 30 hrs. /week

Outcome: PC members believe this has been addressed by the Senate—and that such decisions are made at the state, not university level. *RFC is closed.*

RFC-140 Faculty concerns with academic calendar and early class start dates

Outcome: via email, Becky Ladd relayed the faculty's concerns regarding the academic calendar, especially the early start dates for the new semesters, to Vice Provost Deb Clarke. The actual email is in the Senate RFC database; Provost Clarke's response to this concern is outlined below:

From Deb Clarke: The intent of the sentence in question in ACD 305-5 ("All course instructors, academic unit chairs/directors, and deans are expected to be present for duty on campus one week preceding the beginning of fall and spring semester instruction") is to ensure that instructors are available for students prior to the start of classes. It specifies the start of instruction, not of the contract period.

This year is a bit of anomaly, with classes beginning so close to the start of the contract period; this changes each year. Sometimes classes begin nearly a week after that date. Our payroll schedule does not align exactly with the contract period, so one might get paid in advance of classes beginning or after the spring term has ended.

As we all know, there's considerable activity shortly before classes start, and we want to make sure that faculty members are available to meet with students and answer questions about classes; not everything can be relegated to email. Should a faculty member have an unavoidable conflict with this, he/she should simply contact the unit chair or director and let them know.

All of our offer letters include the following language: "By accepting this appointment, you agree to comply with the rules and regulations of the University, including those in the Academic Affairs Manual...." This is reiterated in NOAs. ACD 305-5 falls under this compliance.

Section III

Ongoing request for consultations that need to be carried over to the next academic year and their current status.

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RFC-64 Review of instructor and lecturer pay/career progression and other NTE issues

Outcome: NTE Subcommittee was formed and chaired by David Wells. Additionally, the Provost Office has established new salary minimums for NTE faculty that are for all units, schools, campuses. Further, in recognition that NTE faculty members receive differential support and guidance for the promotion process, Deb Clarke is conducting workshops for promotion preparation for all NTE faculty members; these workshops cover what materials are needed, how they should be prepared, etc. See NTE sub-committee annual report with other possible recommendations for the Provost. The PC sees NTE issues as an ongoing concern and recommends that this be an RFC that remains open as long as needed.

RFC-63 Unit bylaws and response time from Provost and OGC

Outcome: Becky Ladd, Chair of PC, met with Vice Provost Deb Clark and confirmed that this has been an ongoing issue. The two primary causes for the inordinate amount of time that the process takes are: 1) the length of the unit's bylaws and 2) the fact that ACD bylaws supersede any lower level bylaws; thus, the Provost Office does not make processing unit bylaws a priority. The PC made recommendations in May 2017 for improving the process, and the PC may want to pursue how to put these recommendations into practice (see Personnel AR 2016-17 academic year).

Recommendation: The PC recommends that this *RFC remain open* and that the PC consider examining "model" (concise; no more than 10 pages) bylaws that were passed recently in an expedient manner, such as School of International Letters and Cultures, The Sanford School of Social and Family Dynamics, and School of Social Transformation, to create a template for other units to follow. Recommend drafting a template that can be used by units who desire a more concise set of bylaws and expedited approval process. The Vice Provost has indicated a willingness to work with the PC on such a template.

RFC-93 Parental leave when both parents are ASU employees

Outcome: The original request was: when there are two faculty members who work for Arizona State University, both of them should receive their full allotment of parental leave time. The current policy indicates that when two faculty members work at ASU, they must split the time between each of them. The PC researched this issue in 2016-17 and was informed that there was some administrative support for exploring the possible change of this ACD policy to the Senate recommended language. The 2017 - 18 personnel committee followed up with Vice Provost Deb Clarke in fall 2017. Deb Clarke indicated that they are still looking into this and are trying to determine where money could come from if the policy is changed. **Recommendation:** Keep RFC open and follow up with Vice Provost to determine feasibility of offering parental leave for both ASU parents for the same amount of time.

RFC-124 Review of Merit Pay Systems at ASU

Outcome: The UAC, University Senate Executive Committee, and University Senate Personnel Committee made good progress this year by drafting a letter to President Crow to address the issue

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of the ASU tenured/tenure track faculty salary ranking amongst their ABOR approved peer institutions. The drafted and transmitted letter is attached to this report in appendix A. Michael Crow's response to the letter is provided below and can also be found in the Senate RFC database. Because the action outlined below by President Crow is still in progress the committee recommends this be carried over to the 2018-19 academic year.

From: Michael Crow

Your letter is well received. The goals outlined are reasonable in general. The logic is sound. What we need to do here is work on a compensation analysis that is comprehensive (as in we should look at all compensation), specific to our local cost of living and historical. This will take a bit of time.

Accordingly, I have asked Provost Searle to begin that process. When that analysis is ready we will all sit down and take a look at it and talk about our pathways. Signed, Michael Crow.

RFC-120 Dependent documentation requirements for ASU benefits

Outcome: Hongmin Li and Becky Ladd drafted a letter to Kevin Salcido to raise this issue; the letter, along with email correspondence, is attached to this AR. The final response from Kevin indicated that he and Vice Provost Clarke agreed to draft a letter to the Arizona Department of Administration asking for relief from their documentation requirement. He further indicated that he will make sure we receive a copy of the letter when drafted and sent.

Section IV

Recommendations to the Senate and Final Comments

The PC discussed changing the formal designation of NTE (non-tenure eligible) position title to NTT (non-tenure track). Senate President Arnie Maltz confirmed that the official ABOR term is Non-Tenure Eligible with the rationale certain positions (Lecturer, SR. Lecturer, etc.) are non-tenure track, and thus, faculty in those positions are not eligible for tenure. It doesn't mean they are not capable of securing a tenured position, only that the position they are in will never allow them to be eligible for tenure. Moreover, to attempt to change the name officially would entail a fairly intensive process that the current PC decided was not worth pursuing. However, it was noted that U of A has changed the name for this group, and *the PC may want to consider this concern again in future years.*

The PC also discussed the possible need for a unified "recommendations for best practices" for assigning faculty to courses (issue is that faculty are asked to teach courses for which they are unqualified) and scheduling (schedules being made without faculty input sometimes). Although it was acknowledged that these activities are at the discretion of units' Director or Chair (and faculty should discuss any issues with their chairs), Hongmin Li offered to draft a letter of "best practices" for the PC to read and provide feedback. *The PC may want to follow up with this next year.*

Finally, the PC conducted an informal poll with the Senators regarding the merit pay process and found that most Senators did not feel sufficiently informed of the process involved in merit pay and how it was distributed among units and faculty. The PC may want to follow up with sense of disconnect among the faculty.

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Appendix A below: salary letter sent to President Crow

Appendix B below: communication regarding dependent documentation coverage RFC

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Appendix A
ASU University Senate Leadership Statement on Future Faculty Compensation

February 21, 2018

Dear President Crow,

On behalf of the faculty members and academic professionals represented by the Senate, we would like to thank you for the information you provided at the August 2017 Senate meeting regarding salary increases and the subsequent merit pay distributions given in January 2018. Along with you, we are proud of the innovations and achievements of our faculty and applaud our consistent rankings across fields and disciplines. You have challenged us, and we truly believe **that** we are a world-class institution with a world-class faculty.

In consideration of this stature and in light of the faculty's continued support of innovation and efficiency, we ask that you accept our goal that *tenured faculty salaries be continually ranked in the upper half of our ABOR approved peer institutions and that all other faculty ranks follow in suitable accord*. Further, we ask that senior leadership and each of our administrations *engage faculty on the immediate development of a strategic plan* that will propel us to this position as quickly as possible.

While there are many reasons why being in the top half of our peers is important to our ongoing success, here are a few of the more prominent considerations:

- Leadership's tangible acknowledgment of the world-class stature of our faculty
- Continued ability to attract and retain top faculty members to the institution
- Minimizing the negative impacts that salary compression has on faculty retention
- Recognition of faculty at all levels, which improves faculty morale and positively impacts the student experience
- Continued advancement of the institution's national and international reputation

Finally, faculty members and academic professionals believe in the ambitious ASU charter. It is in support of this intrinsic desire to help our students, communities, state and the world, that we continue to be committed to your leadership path. There are many ways in which a strategic salary plan might be developed. **We particularly encourage faculty involvement in the development of policies and procedures related to the distribution of faculty performance funds. This is outlined in ACD 511 - 01.** We believe this step will not only result in a better strategic plan, but also energize the faculty and enhance our already strong faculty/administrative relationships.

Respectfully submitted,
University Academic Council
University Senate Executive Committee
University Senate Personnel Committee
ASU Faculty Senate

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Appendix B

RFC-120 Dependent documentation requirements

February 27, 2018

Dear Vice President Salcido,

Thank you and Vice Provost Clarke for your determination to bring the issue to the State's attention. Please let us know if the Senate Personnel Committee can be of further assistance. We will be glad to contribute further on the university's efforts to move this forward if needed.

We look forward to hearing new progress on the issue.

Best regards,

Dr. Hongmin Li

From: Kevin Salcido (HR)
Sent: Tuesday, February 27, 2018 12:29 PM
To: Hongmin Li; Judith Cato
Cc: Becky Ladd; Charles Barbee; Arnold Maltz; Deborah Clarke; Judith Cato
Subject: RE: Issue on Dependent Documentation Requirement

Dr. Li,

I met with Vice Provost Clarke last week.

We agreed to draft a letter to the Arizona Department of Administration asking for relief from their documentation requirement.

I will make sure you receive a copy of the letter when drafted and sent. Should be no more than a week or two.

From: Hongmin Li
Sent: Tuesday, January 30, 2018 3:12 PM
To: Kevin Salcido (HR) <Kevin.J.Salcido@asu.edu>; Judith Cato <Judith.Cato@asu.edu>
Cc: Becky Ladd <Becky.Ladd@asu.edu>; Charles Barbee <Charles.Barbee@asu.edu>; Arnold Maltz <arnie.maltz@asu.edu>
Subject: RE: Issue on Dependent Documentation Requirement

January 30, 2018

Dear Vice President Salcido and Benefits Director Judy Cato,

Thank you for taking the time to respond to the issue raised by the Senate Personnel Committee (PC) regarding the dependent documentation requirement and for your willingness to open the discussion.

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Your clarification that the requirement for documentation is only required when the dependent is initially enrolled is helpful. However, this is not currently clear during the enrollment phase. Perhaps this can be clarified in both the benefit booklet and the Benefits Enrollment Summary (e.g., confirmation that the dependents have been enrolled or a list of dependents previously verified that do not need further documentation). Related to the instructions that dependents with different last names need documentation, it is not currently clear if documentation is needed in cases of hyphenated names.

However, more importantly, the Senate Personnel Committee and University Academic Council respectfully disagree that the burden for documentation is equally shared for male and female employees, and we believe it is especially discriminatory toward women who, for cultural, legal, or personal reasons, do not share their husband's or their children's last names. Thus, we believe that it behooves ASU to further consider other guidelines in light of the following arguments that the current process is discriminatory.

That is, the current requirement does not treat employees of all genders and cultural/ethnic background equally because:

- a) In most cultures, including the U.S., men do not change their last name as frequently as women, such as when getting married, divorced, remarried, and so forth.
- b) In most cultures, children more often take the last name of their fathers and retain their last names even if their parents get divorced or remarried. Thus, male employees are less likely to be burdened by having to document dependents in the ASU benefits enrollment process as there is a much greater likelihood that their children share their name. This is true whether or not the wife has taken her spouse's last name—and it tends to hold cross-culturally.

Thus, although the “current requirement also places extra burden on a male employee whose wife has a different last name”, the requirement does not apply to male employees to the extent to which females are burdened. That is, we are not suggesting that male employees never have to document their wives' eligibility when women have not taken their husbands names; in fact, female employees in those cases would also have the same burden when claiming their husbands as dependents. However, these female employees tend to also have the “extra” burden for having to document their children.

Moreover, although in the U.S. there is a social norm for women to change their surnames to their husbands' upon marriage (see [Miller & Willis, 2015](#)), 20% nevertheless keep their maiden names and this number is even higher among high-income/high education women (30%). Further, whether to take a husband's last name is not always, or necessarily, by personal choice. Specifically, many countries now have laws that **prevent** women from taking their husband's names upon marriage (see [Koffler, 2015](#)). That is, legislation in Canada (Quebec), several European countries (e.g., Greece, France, Italy, and Netherlands) **require** women to keep their maiden names (see [Koffler, 2015](#)). Further, local customs in many Spanish-speaking countries (e.g., Spain, Chile), Asia-Pacific nations (e.g., China, Korea, Malaysia) and most Arabic-speaking nations result in women keeping their maiden names while children from such marriages take the fathers' surname (see

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[Koffler, 2015](#); see [Tatlow, 2016](#)). Such practices result in many more female employees than male employees, especially from cultures outside the U.S., to have dependent spouses and children with different last names. The current documentation requirement clearly places an extra burden upon such groups of women employees.

Although we acknowledge your explanation that ASU's current documentation requirement for dependents is due to the State of Arizona's guidelines, we believe that requiring documentation for only a particular group of employees, however inadvertently, violates the university's nondiscriminatory policy. Thus, we request that ASU raise this issue with the State and search for a better solution.

We further argue that there are alternative ways to reduce the risk of ineligible dependents on the plan without compromising the university's nondiscriminatory policy. The most obvious would be to require documentation for all dependents. This would also reduce the false claims of dependents simply based on sharing a last name (e.g., siblings, nephews/nieces, cousins who may share an employee's last name, yet be otherwise ineligible). Another plausible approach is random sampling, which would serve the same purpose of reducing the risk but without burdening all employees; this is a technique backed by the science of statistics and commonly adopted when surveying the entire population is costly.

Please let us know if you would be available to discuss this further with the committee members, and if the PC can provide any further information to help move this ahead.

Best regards,
Dr. Becky Ladd, Chair of Senate Personnel Committee
Dr. Hongmin Li, Member of Senate Personnel Committee
President Arnold Maltz and other Members of the University Academic Council

From: Kevin Salcido (HR)
Sent: Tuesday, January 02, 2018 1:40 PM
To: Hongmin Li
Cc: Becky Ladd; Arnold Maltz
Subject: RE: Issue on Dependent Documentation Requirement

Dr. Li – please see the attached response from our Benefits Director. I look forward to hearing your reaction.

Dr. Li,
I appreciate you taking the time to share the concerns of the Faculty Senate regarding dependent documentation requirements. As I'm certain you are aware, the purpose of requiring dependent documentation is to make certain that the plans cover only eligible dependents. This is particularly important as we try to manage health care cost increases. Studies conducted by the Society for Human Resources Management suggest that about eight percent of dependents enrolled in plans that do not require documentation are ineligible. These cases cost employers an average of roughly \$3,500 a year per dependent, so identifying them is an economic imperative.

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The State of Arizona, which provides our medical, dental and vision plans, realized the impact that ineligible dependents have on plan costs so they set up guidelines as to when dependent documentation is required. As you mentioned, their guidelines, which ASU follows, require documentation for dependents with a different last name than the employee. Since the State of Arizona provides our plans, we are unable to change these requirements, however, I will attempt to address your concerns:

1. While it is true that our dependent documentation requirements do not completely eliminate the possibility of ineligible dependents on the plan, it does reduce the risk since we are at least requesting documentation for some covered dependents. The only way to completely eliminate this risk would be to require documentation for all dependents.
2. This practice is equally applied to male and female employees and does not have a greater impact on either. I am not certain I am clear on how a female employee who is divorced or has chosen not to take her husband's last name is any more impacted than a male employee whose spouse has chosen not to take his last name. As for the cultural and ethnic backgrounds that are more likely to have dependents with different last names, I will need additional information on how and why this is thought to have more of an impact on this group.
3. Dependent documentation is not required each year. It is only required once, when the dependent is initially enrolled. We do understand that this caused some confusion during open enrollment. We are looking to make it more clear going forward that documentation is only required when the dependent is initially enrolled.

Judy D. Cato
Benefits Director
Arizona State University
OHR - Benefits Design & Management
P: (480) 965-7878

From: Hongmin Li
Sent: Thursday, November 30, 2017 1:34 PM
To: Kevin Salcido (HR) <Kevin.J.Salcido@asu.edu>
Cc: Becky Ladd <Becky.Ladd@asu.edu>; Arnold Maltz <arnie.maltz@asu.edu>
Subject: Issue on Dependent Documentation Requirement

Dear Kevin Salcido, Vice President of HR and Chief HR Officer,

I am currently serving on the Senate Personnel Committee (Chaired by Dr. Becky Ladd, who is copied on this email) and have been tasked with handling one of the RFCs brought before our committee. University Senate President Arnie Maltz indicated that you may be the most appropriate person to raise this issue with; however, if there is someone else I should be corresponding with, please let me know.

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Specifically, the issue pertains to the dependent documentation requirement for benefit eligibility. Currently, the “Health & Welfare Benefits Enrollment Summary” (the document confirming open enrollment) states that

“You must demonstrate eligibility and provide required documents if enrolling a spouse or eligible dependent child who has a different last name, or is a child placed for adoption, foster or legal guardianship. Required documentation must be received within 30 calendar days of the first day of open enrollment.” Further, page 4 of the benefits booklet (<https://www.asu.edu/hr/benefits/ASU-benefitsbooklet-administration.pdf>) indicates that:

A. If you enroll a spouse whose last name is different from yours, coverage will not be processed until supporting documentation is provided to OHR Benefits Design and Management. A marriage certificate is acceptable documentation.

B. If you enroll a dependent child(ren) whose last name is different from yours, coverage will not be processed until supporting document is provided to OHR Benefits Design and Management. Acceptable documentation includes a birth certificate, adoption papers, court guardianship papers or a marriage certificate establishing the relationship of a stepchild.”

The reason this item came up as an RFC item is that the requirement seems to unfairly target employees whose spouse or dependent children have different last names—primarily women (see below).

The PC believes that whether or not an employee has the “same last name” as a spouse or dependent is an arbitrary criterion for requiring additional documents for several reasons:

- 1) Employees most likely have relatives (parents, siblings, cousins) and nonrelatives with the same last name but are not qualified dependents. Since having the same last name is not an indication of eligibility, the rationale for imposing additional requirements on employees with spouse or children having different last names is not justified.
- 2) Female employees who either do not take their husbands’ names or are divorced, as well as employees of certain cultural and ethnic backgrounds, are more likely to have dependent children with different last names. This requirement then puts a burden on them not required of others; thus, being biased against this group of people thereby contradicting ASU’s non-discrimination statement (ACD 401).
- 3) The requirement seems to indicate that dependent documentation is required each year when an employee participates in open enrollment. If so, this creates unnecessary burden for those employees who fall into this category. If not, the enrollment summary should clarify that this need not be done each year once the documents are on file with ASU.

Due to the above, the Senate Personnel Committee seeks to open a discussion on the issue. Please let me know how you would like me to respond to the PC or if you would be available to discuss this with the committee members.

Best regards,

Dr. Hongmin Li

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