

**REPORT OF THE FACULTY STATUS & WELFARE COMMITTEE**  
**University Faculty Senate Meeting**  
**March 2019**

**1. Acquiescence to Revisions.** The Committee proposes that President Barenberg acquiesce to the revisions to the following OPs.

**70.05 Eligibility for Insurance and Other Benefits.** Most of the changes are cosmetic--changes in titles of personnel, stylistic changes in wording, updates to website addresses, and the like. A substantive revision is in Section 5. Insurance Programs for Retirees (d). This change is necessary due to revisions in state law. The change affects University employees with fewer than five years of service as September 1, 2014. Unless these employees have 20 years of participation in the Group Benefits Plan when they retire, they will be required to pay some of the cost of their state health insurance. Since this is now state law, the OP needs to be revised to reflect this.

**70.16 Compensation in Excess of Base Salary.** The proposed revisions include eliminating salary supplements for distance education, but most changes concern titles of personnel, references to other OPs and references to federal regulations.

**70.44 Sick Leave and Sick Leave Pool.** The revisions clarify that sick leave includes care for a foster child who is certified by the Texas Department of Protective and Regulatory Services. Other changes include allowing sick leave to cover up to eight hours per year to attend educational activities of an employee's children. Other proposed revisions concern reporting requirements and changes in the titles of personnel.

**72.10 Payments for Employee Moving Expenses.** The proposed revisions relate to reporting requirements, changing expense reimbursement rates to comply with federal regulations, and changing the titles of personnel.

**2. OP 32.03 Academic Deans, Associate or Assistant Deans, and Department Chairpersons.** The Senate previously considered revisions to this OP and adopted changes that would provide for a departmental advisory vote on the appointment of chairpersons. The deans, however, rejected that, so a Committee member, President Barenberg, and Provost Galyean worked out the alternate procedure that appears in the second paragraph of Section 1. This new procedure allows a departmental faculty to provide input by secret ballot (as before), but it also allows individual faculty members to submit their input anonymously, if the faculty as a whole does not. The Committee recommends adoption of the revisions to this OP with this additional change.

**3. OP 70.20 Conducting Criminal Background Checks for Employment Purposes.** The Committee considered these revisions last year and objected strongly to Section 2.b. that would subject faculty members to subsequent background checks at promotion and at other times, such as when a faculty member assumes an administrative post. The Committee chair reported the Committee's concerns to the Human Relations Department and was told that HR would study

this further. However, no changes were made to this section when it was returned. President Barenberg conveyed the Committee's concerns to Provost Galyean, and the Provost has agreed to make appropriate revisions.

**4. OP 74.04 Intellectual Property Rights.** The Committee considered this OP last year, and it has been circulating between other University offices. It is now back to the Committee for further study. Similar to 70.20 above, the Committee last year made several recommendations for change. Some of those have been undone, so the Committee is in the process of seeking clarification of the purpose for these changes. The Committee expects to report recommendations on the revisions to this OP at the April Senate meeting.

**5. OP 70.06 Employee Working Hours.** The purpose section of this OP states:

The purpose of this Operating Policy/Procedure (OP) is to define the university's policies relating to administrative office hours, duty point, recordkeeping, overtime exemptions, and determining hours of work for staff employees and faculty employees who observe the university's administrative calendar.

While that may be true, the definition section of "employee," the same one that appears in OP 70.31 Employee Conduct, Coaching, Corrective Action, and Terminations, might be used as a way to reach faculty members. When the Senate considered this with OP 70.31 earlier in the year, the problem was solved by inserting an exclusion for tenured and tenure-track faculty members. The Committee proposes the same approach here, though the language differs somewhat since the provisions of OP 70.06 would apply to faculty members serving in administrative positions. As such, the Committee proposes to add the following as the second sentence of Section 1.a.

In the case of faculty members whose employment status is governed by OP 32.01, OP 32.02, and OP 32.04, the provisions of this policy do not apply, unless the faculty member serves in an administrative position.