WEST VIRGINIA ADVISORY COUNCIL OF FACULTY
"The voice of higher education faculty"

Advisory Council of Faculty (ACF) Report

June 6 Common Ground Personnel Committee Meeting

The HEPC Common Ground Personnel Committee (made up of representatives from the HR officers across the state, the faculty, and the classified staff) met at Lakeview Resort in Morgantown on June 6, 2013. The meeting coincided with the ACCE Leadership meeting; and on June 7, a panel (Mark Toor, HEPC Vice-Chancellor for Human Resources; Sylvia Bailey Shurbutt; ACF Chair; Stephanie Neal, Marshall CHRO; and Fairmont University President Robin Capehart) discussed SB 330 and the drafting of the new Personnel Rule These meetings served to clarify a number of issues, particularly those dealing with the compensation component of SB330, as well as to move forward the drafting of the new personnel rule. The June 6 meeting dealt specifically with the language of draft #3 of the new rule, with the Common Ground Committee agreeing to meet in July to look carefully at draft #4.

The Thursday evening meeting examined closely the evolving language of the personnel rule draft. In order to maintain the credibility of the personnel rule, Mark Toor believes that it is important to draft a fair rule that is not driven by the market study, but the Fox Lawson market study currently underway will largely determine how the rule is implemented. See the February 19, 2013, ACF Report dealing with the charge to Fox Lawson (http://www.wvacf.org/wvacf/home.aspx).

After consulting with other groups, Mark was able to share an evolving manuscript with the Common Ground Committee. He has been careful to rely on the mandate and language of SB 330, a systematic personnel initiative which is immensely complex and which will determine best practices regarding Classified Staff. The following continue to be the driving issues for the new rule, and the chief goals continue to be fairness and clarity, flexibility for the different institutions, with some practical oversight provided by the central office regarding the following:

1) Placement of Newly Hired Employees on the Salary Schedule;
2) Moving Classified Employees through the Classification System;
3) Hot Jobs;
4) Organizational Accountability;
5) Achieving and Maintaining Relative Market Equity.

While all agreed that SB 330 is now the law of the land, several concerns were voiced by President Capehart and others on the June 7 panel, including the market equity component of the new rule which, after the Fox Lawson market study is completed, may prove deleterious for one or more of the personnel groups in the state system: Classified Staff, Non-classified staff, or Faculty. Nonetheless, there seemed to be general agreement that cooperation among the different constituent groups was the best way to accomplish the legislative mandate.

While the new rule will be liberal, flexible, and considerate of various institutional missions, there are many questions concerning the compensation side of the rule, which we will not have definitive answers for until the Fox Lawson Report is finished. It was clear to all that the legislature, which began this process, wants to achieve a delicate and perhaps impossible balance: giving autonomy to the local BOGs to adapt the new rules for each campus and to find funding to implement the compensation part of SB330, and using its legal authority to mandate certain best practices and consistency across the state without providing state funding for implementation.

One of the key questions regarding the compensation component which many faculty are concerned about involves the "relative Market equity" issue as detailed in SB330: specifically, the law mandates that the average compensation for each class of employees (Classified, Non-classified, and Faculty) be within a 5% margin relative to each of the other groups within each institution. This means, for example, that faculty at a particular school may be only at 10% of the market average for higher education faculty salaries, while the classified staff may be at only 15%, and the Non-classified staff may be at its market average (based on a 3-year funding cycle). The law would then mandate that funds be allocated to address the market inequities of these groups to bring them all within that 5% margin. The Fox Lawson market study will determine where each group is at each institution in relation to its peers.