

Board of Trustees
Human Resources / Labor Relations Committee

September 14, 2020
1:00 PM to 3:00 PM
ZOOM

The public is invited to view the meeting on YouTube. The link to the Board of Trustees YouTube page can be found the Board website: <https://www.maine.edu/board-of-trustees/>

AGENDA

Executive Session

Following the Executive Session, the Committee will reconvene the Public Meeting to discuss the following items:

- TAB 1** Exception to Board Policy 406, Section 7 – *Emeritus Status*
- TAB 2 Aon Retiree Health Plan Update
- TAB 3 Imperative for Change
- TAB 4 Employee Health Plan Task Force (EHPTF) Scorecard
- TAB 5 Human Resources & Labor Relations Committee FY2021 Work Plan and Committee Duties and Responsibilities

Action items within the Committee purview are noted in green.

Items for Committee decisions and recommendations are noted in red.

Note: Times are estimated based upon the anticipated length for presentation or discussion of a particular topic.

An item may be brought up earlier or the order of items changed for effective deliberation of matters before the Committee.



AGENDA ITEM SUMMARY

1. **NAME OF ITEM:** Exception to Board Policy 406, Section 7 – *Emeritus Status*
2. **INITIATED BY:** Sven P. Bartholomew, Chair
3. **BOARD INFORMATION:** **BOARD ACTION:** X
4. **OUTCOME:** **BOARD POLICY:**
Board Policy 406 – *Emeritus Status*

5. **BACKGROUND:**

This agenda item proposes an exception to Board Policy in order to allow the Law Dean to designate two retired professors as Professors Emeritus. The need for this exception results from the changes made to the Law School's status as an independent campus, and the fact that the myriad changes to Board Policies and other documentation have not yet been completed.

For background – on September 5, 2019, following an extensive review and a comprehensive report regarding the Future Direction of the Law School, the Board approved initial changes to the Governance, budgeting, and fiscal planning for the University of Maine School of Law. In particular, the Board approved the recommendation that the Law School Dean report directly to the Chancellor, with the Dean's participation at the System level to be similar to that of a campus President, at the discretion of the Chancellor.

As a result of that change, there is no University President overseeing the Law School. That responsibility falls to the Law Dean, working with the Chancellor and System staff.

The final changes to the governance and administration of the Law School are anticipated to be complete by Fiscal Year 2022. In this interim period, some of the Board's Policies do not yet reflect the change.

Relevant to the matter before the Board, Policy #406, regarding the designation of Emeritus Status, has not been updated to reflect the Law Dean's authority to confer Emeritus status on retired faculty, referring still to the authority of a President to confer Emeritus status on a member of the Law faculty. Because the President of USM no longer has authority related to Law faculty, there is a gap in the Emeritus designation policy.

Two now-retired professors have been identified as being deserving of Emeritus status:

9/04/2020

Former Dean Donald Zillman, and Professor Lois Lupica. Both meet the criteria established by the Board, and both have served Maine Law with distinction. Letters recommending their Emeritus status are attached.

6. TEXT OF THE PROPOSED RESOLUTION:

That the Human Resources & Labor Relations Committee forwards this item to the Consent Agenda at the September 28, 2020 Board of Trustees meeting, for approval of the following resolution:

That the Board of Trustees grant an exception to Board Policy 406, as allowed by subsection 7 of the Guidelines for Emeritus status, to authorize the Dean of the University of Maine School of Law to confer Emeritus status on Former Dean Donald Zillman and Professor Lois Lupica.

UNIVERSITY OF MAINE SYSTEM

Policy Manual

HUMAN RESOURCES AND LABOR RELATIONS

Section 406 Emeritus Status

Effective: 6/24/74

Last Revised: 11/13/00; 11/17/14

Responsible Office: Human Resources

Purpose:

The award of Emeritus Status is intended as a special honor for University employees who have served the University of Maine System with great distinction. Emeritus Status is granted to only those whose service has been most commendable and is in recognition of extraordinary contributions.

Emeritus Status may be awarded upon departure from the University of Maine System to faculty, staff, and senior administrators according to the guidelines below. The awarding of the Emeritus title is without salary. Rights and privileges pertaining to Emeritus Status will be determined at the campus level for faculty and staff and at the System and or Board level for Presidents and Chancellors. Each University will establish procedures for making recommendations to the President for selection of individuals to hold Emeritus positions.

Guidelines for Emeritus Status:

1. An employee must be separated, or be separating from the position with the University of Maine System.
2. The employee must have an established record of distinguished service while employed in their position.
3. The employee must have completed or is completing employment with the University of Maine System in good standing.
4. A University of Maine System President may confer the title of Emeritus upon any retiring faculty or staff member with at least 15 years of full-time service.
5. After a recommendation from the Chancellor, the Board of Trustees may confer after appropriate resolution Emeritus Status upon a retiring President or former President with at least 5 years of service.
6. The Board of Trustees may confer by appropriate resolution the honorary office of Chancellor Emeritus on a retiring or former Chancellor with at least 5 years of service.
7. Exceptions to the Emeritus Status policy may be made with approval from the Board of Trustees.

Revocation of Emeritus Status:

At the discretion of the University of Maine System, Emeritus Status may be revoked at any time. Revocation may occur when it is determined that an individual's conduct, before or after Emeritus Status has been granted, causes harm to the University of Maine System's reputation. Emeritus Status is "at will" and applies to all individuals who currently hold or may be granted such status in the future.



Office of the Dean

September 1, 2020

Chancellor Dannel P. Malloy
 Vice Chancellor for Academic Affairs Robert Placido
 University of Maine System
 15 Estabrooke Drive
 Orono, ME 04469

Re: Authority to Confer Emeritus Status on Professor Lois Lupica

Dear Chancellor Malloy and Vice Chancellor Placido,

It is my honor and privilege, as the Dean of the University of Maine School of Law, to request authority to confer Emeritus status on Professor Lois Lupica. I request that the UMS Board grant an exception to Board Policy 406 to allow the Dean of the Law School to confer that status.

Board Policy

UMS Board Policy 406 provides the following rules for designating Emeritus status:

The award of Emeritus Status is intended as a special honor for University employees who have served the University of Maine System with great distinction. Emeritus Status is granted to only those whose service has been most commendable and is in recognition of extraordinary contributions.

Emeritus Status may be awarded upon departure from the University of Maine System to faculty, staff, and senior administrators according to the guidelines below. The awarding of the Emeritus title is without salary. Rights and privileges pertaining to Emeritus Status will be determined at the campus level for faculty and staff, and at the System and or Board level for Presidents and Chancellors. Each University will establish procedures for making recommendations to the President for selection of individuals to hold Emeritus positions.

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7. Exceptions to the Emeritus Status policy may be made with approval from the Board of Trustees.

Requested Exception

The Dean of the Law School now reports directly to the Chancellor, and there is no longer a University President overseeing the faculty at the Law School. Board Policy regarding Emeritus status has not yet been edited to reflect that change. It does, however, in subsection 7, allow for exceptions to the policy.

I therefore request such an exception to allow the Law Dean to confer Emeritus status on retired professor Lois Lupica.

Professor Lois Lupica

Professor Lupica served the University of Maine School of Law, with distinction, for 25 years, from 1994 through her retirement in 2019.

Following her graduation from Boston University School of Law in 1987, Professor Lupica practiced law with the New York offices of White & Case and Arnold & Porter. In 1992 she began her academic career at Seton Hall Law School where she developed, and was Director of a transactional clinical program. She joined the Maine Law faculty in 1994 as a Visiting Associate Professor and was promoted to Professor of Law in 2000.

As a member of the Maine Law faculty, Professor Lupica has taught Bankruptcy, Secured Transactions, Sales, Negotiation and Mediation, Property, Real Estate Transactions, Consumer Law and Professional Responsibility. She pioneered the graphic presentation of statutory provisions in Secured Transactions, Sales and Bankruptcy Law. In Professional Responsibility, she originated a class format that emphasized the development of Professionalism and in 2005, received recognition for this innovative approach, receiving Honorable Mention for the National Award for Innovation and Excellence in Teaching Professionalism. In recognition of her national reputation for teaching, scholarship and service, in 2007, Professor Lupica was designated the Maine Law Foundation Professor of Law. In 2019, Professor Lupica served as Fulbright Senior Scholar at the University of Melbourne where she conducted research on access to justice initiatives in Australia.

Professor Lupica has over twenty published articles on a variety of topics including bankruptcy, consumer finance, securitization, property and contract theory, intellectual property in commerce, secured transactions, legal ethics, and a leading casebook on Bankruptcy Law & Practice (with M. Howard). She also wrote “Developing Professional Skills in Bankruptcy”, a book designed to graduate bankruptcy students who are “practice ready.” Professor Lupica was Principal Investigator of The Consumer Bankruptcy Fee Study and The Consumer Bankruptcy Creditor Distribution Study (with M.R. Donihue, Ph.D.), and was Principal Investigator of the Apps for Justice Project at Maine Law.

Professor Lupica’s service to the law outside of the University includes being made a Fellow in the American College of Bankruptcy in 2012, serving as the American Bankruptcy Institute Resident Scholar, in 2007 and 2014, and as a past member of the Board of Directors of ABI. She has also served as Chair of the American Association of Law Schools Section on Debtor & Creditors’ Rights, Dean of Faculty and Member of the Board of Directors of the American Board of Certification, Co-Chair of the American Bar Association Bankruptcy Section Professional Ethics Committee, and as a member of the Board of Directors of Community Housing of Maine.

Throughout her 25 years as a member of the University of Maine School of Law, Professor Lupica has served the school and her students as a widely respected and nationally recognized teacher and scholar.

It is with great pleasure that I, and the current faculty of Maine Law, recommend the recognition of Professor Lois Lupica with Emeritus status to the University of Maine School of Law, and seek the support of the Chancellor and the authorization, under Board Policy 406, to do so.

Sincerely,

A handwritten signature in blue ink, reading "Leigh Saufley". The signature is fluid and cursive, with a large initial "L" and a long, sweeping underline.

Dean Leigh Saufley



Office of the Dean

September 1, 2020

Chancellor Dannel P. Malloy
 Vice Chancellor for Academic Affairs Robert Placido
 University of Maine System
 15 Estabrooke Drive
 Orono, ME 04469

Re: Authority to Confer Emeritus Status on Former Dean Donald Zillman

Dear Chancellor Malloy and Vice Chancellor Placido,

It is my honor and privilege, as the Dean of the University of Maine School of Law, to request authority to confer Emeritus status on Donald Zillman, former Dean of Maine Law and former President of the University of Maine Presque Isle. I request that the UMS Board grant an exception to Board Policy 406 to allow the Dean of the Law School to confer that status.

Board Policy

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6. The Board of Trustees may confer by appropriate resolution the honorary office of Chancellor Emeritus on a retiring or former Chancellor with at least 5 years of service.
7. Exceptions to the Emeritus Status policy may be made with approval from the Board of Trustees.

Requested Exception

The Dean of the Law School now reports directly to the Chancellor, and there is no longer a University President overseeing the faculty at the Law School. Board Policy regarding Emeritus status has not yet been edited to reflect that change. It does, however, in subsection 7, allow for exceptions to the policy.

I therefore request such an exception to allow the Law Dean to confer Emeritus status on retired Dean Don Zillman.

Professor Donald Zillman

Professor Zillman provided more than 15 years of service to the Law School and an additional 6 years of service in leadership in the University of Maine system.

He began his legal career as a Captain in the Army Judge Advocate General's Corp and received his LLM at the University of Virginia Law School. Upon discharge from active military service he served on the law faculties at Arizona State University Law School, and the University of Utah. At Utah, he was director of the School's Energy Law Center. He has also served as visiting professor of law at the United States Military Academy and the University of New Mexico Law School.

Professor Zillman came originally to Maine Law after a distinguished and varied career. In 1990 he accepted the Deanship and the Godfrey Professorship of Law here at the University of Maine School of Law. While at Maine Law Professor Zillman taught the subjects of Torts, Property, Constitutional Law, Energy Law, Environment Law, Military Law, Remedies, Education Law, and Legal Writing. As he describes it, his career long focus has been in the fields of Energy Law and Military Law. He has worked with the International Bar Association's Section on Energy, Environment, and Natural Resources Law for forty years.

He was also a member of the Academic Advisory Group of the IBA SEERIL, the preeminent international gathering of practitioners, government officials, academics, corporate lawyers, and NGO attorneys. Professor Zillman has published 80 books and articles on a wide range of subjects and published numerous books, the most recent being "Living the World War" Vols 1&2 with Elizabeth Elsbach and a 2018 revision of Maine Tort Law, with Jack Simmons and Robert Furbish.

In the public service sector, Professor Zillman chaired the Maine Legislative Reapportionment Commission in 2003 to recommend new voting districts and served as independent counsel to the Maine House of Representatives to resolve election contests in 2000, 2002, and 2004.

After stepping down as Dean of the Law School in 1998, Professor Zillman continued to serve the University of Maine, accepting invitations to serve as:

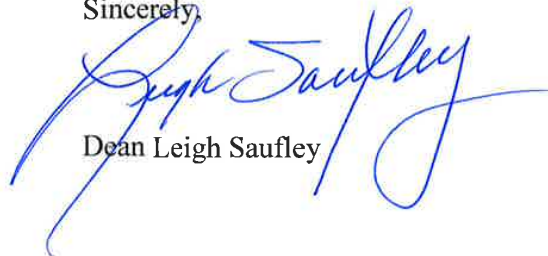
- Interim Provost and Academic Vice President of the University of Maine (1999-2000)
- Interim President at the University of Maine Fort Kent (2001-2002)
- President of the University of Maine Presque Isle (2006-2012)

Following his service as President of the University of Maine Presque Isle, he continued to serve on the faculty of Maine Law until his retirement in 2019.

Although Professor Zillman served in several roles within the University System, and could have been nominated as Professor Emeritus for those roles, it is as a result of his service as Dean of the Law School that Professor Zillman seeks Emeritus status, and that is a status the the Law School enthusiastically supports.

It is with great pleasure that I, and the current faculty of Maine Law, recommend the recognition of former Dean and Professor Donald Zillman with Emeritus status to the University of Maine School of Law, and seek the support of the Chancellor and the authorization, under Board Policy 406, to do so.

Sincerely,

A handwritten signature in blue ink, appearing to read "Leigh Saufley", with a large, stylized flourish extending from the end of the signature.

Dean Leigh Saufley



AGENDA ITEM SUMMARY

1. **NAME OF ITEM:** AON Retiree Health Plan Update
2. **INITIATED BY:** Sven P. Bartholomew, Chair
3. **BOARD INFORMATION:** X **BOARD ACTION:**
4. **OUTCOME:** **BOARD POLICY:**
Primary Outcomes:
Enhance fiscal positioning
Secondary Outcomes:
University workforce engagement
5. **BACKGROUND:**
Carol Corcoran, Chief Human Resources Officer, will provide an update to the status of the AON Retiree Health Insurance Program.



AGENDA ITEM SUMMARY

1. **NAME OF ITEM:** Imperative for Change
2. **INITIATED BY:** Sven P. Bartholomew, Chair
3. **BOARD INFORMATION:** X **BOARD ACTION:**
4. **OUTCOME:** **BOARD POLICY:**
 Primary Outcomes:
 Improve student success and completion
 Secondary Outcomes:
 University workforce engagement
5. **BACKGROUND:**
 Moved by the tragic death of George Floyd this past June, Chancellor Dannel P. Malloy issued a challenge to the University of Maine System, 'An Imperative for Change'. The Chancellor affirmed the condemnation of racial injustice and violence against Black Americans, as well as a commitment to examining, confronting and ending inequities in our universities and communities wherever and against whomever they exist.

 Since that time, the Human Resources team and the Academic Affairs Office jointly has continued on-going effort to review our history, to assess current practices and to recommend future initiatives to ensure the university is not only ending any inequities but creating an environment that actively seeks and welcomes a diverse population of faculty, students and staff.

 The proposed draft plans are a beginning . . . plans that are intentional to be sustainable and in the immediate and long term future for generations of the University of Maine System.

09/04/2020

9.2.2020 @ 5pm DRAFT



UMS Imperative for Change

HR/LR Committee of the Board Meeting: September 14, 2020

July 2020: *“The actions our universities have undertaken to address systemic racism are laudable... We can do more, and we can be better. And we simply must.”*

June 5, 2020. [Chancellor Dannel Malloy](#)

The University of Maine System is an EEO/AA employer and does not discriminate on the grounds of race, color, religion, sex, sexual orientation, transgender status, gender expression, national origin, citizenship status, age, disability, genetic information or veteran's status in employment, education, and all other programs and activities. The following person has been designated to handle inquiries regarding non-discrimination policies: Director of Equal Opportunity, 101 North Stevens Hall, University of Maine, Orono, ME 04469-5754, 207.581.1226, TTY 711 (Maine Relay System).



9/4/2020

DRAFT Imperative for Change Response for HR/LR

1

Chancellor Call to Action: Excerpts from his June 5, 2020 Imperative for Change Message

9.2.2020 @ 5pm DRAFT

**Human Resources:**

I am also acutely aware that there are currently no Black, Wabanaki, or other racial or ethnic minority Trustees on the UMS Board, and there is little racial diversity among System and university leadership. To ensure there is no unconscious bias or barriers in our hiring, I have asked our new Chief Human Resources Officer, Carol Corcoran, to work with union leaders to conduct a diversity audit of our employment practices (including for students [employees]) and report their findings to the Board's Human Resources & Labor Relations Committee at its September meeting.

Academic Leadership:

Still we can and must do more. To that end, I have asked our Vice Chancellor for Academic Affairs to convene our universities' Chief Academic Officers to review our admissions practices and retention and completion rates. I would like our academic leaders to make recommendations to our Board of Trustees Academic & Student Affairs Committee to ensure that our admission standards do not unfairly deny admission to Black and minority students who demonstrate a capacity for success in our universities in ways that have not historically been fairly measured. And, I would like to ensure that our instruction, assessment, and student support practices are free from any implicit or structural bias that contributes to racial and ethnic equity gaps in retention and graduation rates, including among our state's first people and newest Mainers.

Definitions

9.2.2020 @ 5pm DRAFT



Diversity

Diversity is. In other words, Diversity is the state of being that exists naturally; the combination of similarities and differences among people in any given situation, whether that combination is small or more extensive.

Inclusion

Inclusion is the act of leveraging diversity. Inclusion is the full utilization of all human resource potential by understanding and valuing uniqueness in others and effectively mobilizing similarities and differences to achieve a common objective or goal. Inclusion recognizes that greater diversity means more unique resources to enrich a situation or process.

Equity

The greatest clarity on **Equity** comes from understanding it in comparison with **Equality**. *Equality aims to ensure people get the same things in order to enjoy full, healthy lives. Equity involves trying to understand and give people what they need to enjoy full, healthy lives.*

Anti-Oppression

Oppression is being subject to unjust treatment or control. Oppression comes from the combination of unjust policies and ideas that produce and normalize inequities. Demonstrating Anti-Oppression is supporting anti-oppression policies through actions or ideas.

Call to Action: What We've Done Since the Chancellor's Message

9.2.2020 @ 5pm DRAFT



Critical Conversations (Met with....)

- The Chancellor
- Student Representatives of the BOT in conjunction with the Chancellor, then in follow-up with individuals who outreached with further interest
- Union Leadership
- The Vice Chancellor for Academic Affairs, Robert Placido; Associate Vice Chancellor for Student Success & Credential Attainment, Rosa Redonnett; and the Chief Academic Officers (CAOs) relative to their charge and planning

Resources Analysis

- Conducted a current-state Structural Assessment to maintaining this work
- Collected information from every campus as to resources, programming, activities currently in service to Diversity, Equity & Inclusion Work
- Contacted HR vendor/agency partners to assess their commitment, resources and approach in this work (e.g., newly announced Cigna Equity Program, etc.)

Diversity, Equity & Inclusion Starting Analysis

- Assessed progress against the Sept. 2019 Plan outlined for Vice Chancellor for Finance & Administration, Ryan Low, in the HR-Developed White Paper *Building UMS' Talent & Inclusion Competitive Advantage*
- Reviewed the most recent Affirmative Action Plans data and UMS *Great Colleges to Work For Program* Employee Satisfaction Data on Diversity/Inclusion
- Initiated an Historical review including UMS Board of Trustees membership and University Leadership position search, placement practices and representation
- Initiated a review of Student Employment practices

Funding

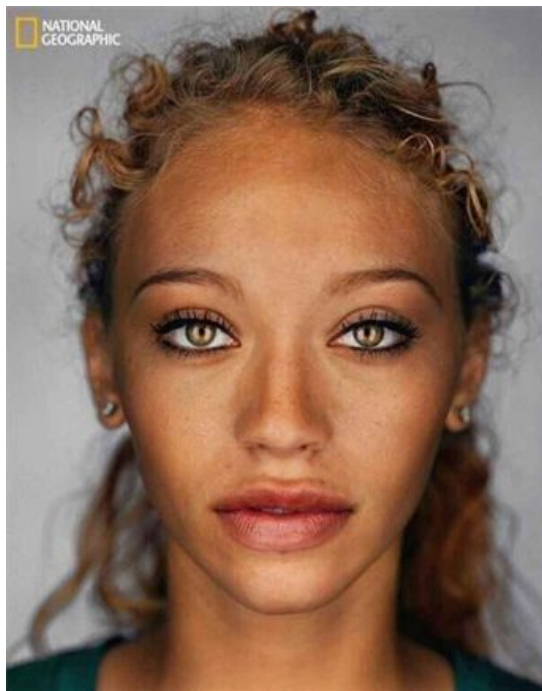
- Discussed resources with General Counsel and Chief of Staff, Jim Thelen and Vice Chancellor for Finance and Administration, Ryan Low
- Met with the UM Grant Leadership Department
- Considered external corporate enrichment grant funding

Business Case/Call to Action: The Majority Minority as of 2018

9.2.2020 @ 5pm DRAFT



National Geographic depiction of what Americans will look like in 2050



Year when whites become minority (by Age Group)

Total Population	2043
Under 18	2018
Age 18 – 29	2027
Age 30 – 64	2035
Age 65+	After 2060

Source William H. Frey, Brookings Institution analysis of US Census Bureau population projections released December 12, 2012.

A Caucasian under the age of 18 became a demographic minority in 2018. That's 42 years earlier than someone currently over age of 65.



Business Case/Call to Action: What's Happening at UMS?

9.2.2020 @ 5pm DRAFT



Do our campuses depict what Americans will look like in 2050?



September 2019, UMS White-Paper: <i>Building University of Maine System's Talent & Inclusion Competitive Advantage</i>		
Search Volume	Diversity & Inclusion	Sourcing
UMS employs 4,606 regular employees and 2,165 temporary employees as of the last Headcount Report Oct 2018	Avg. UMS % Student Diversity of Students Who Reported: <ul style="list-style-type: none"> • 12.4% underrepresented (includes non-resident alien) • 59.5% Female • 21.1% over age 30 	Est. UMS retirements in core functions in the next 10 yrs: <ul style="list-style-type: none"> • Academics- 899 • Student Affairs- 109 • Technology- 117 • Skilled Trades- 95
Avg. Annual Hires (searches currently conducted for most positions, although not all temporary system wide): <ul style="list-style-type: none"> • UM, UMM 1,099 • UMA 129 • UMF, UMFk, UMPI, US 374 • USM 848 	Avg. UMS % Non-Student Employee Diversity: <ul style="list-style-type: none"> • 6.5% underrepresented • 55.3% Female • 72.7% over age 40 Ethnic breakdown: Percent Gap Students vs. Employees: 5.9% Percent Gap Employees vs. NE: 10.1%	15.1% of all wage earners ages 26-34 left Maine in 2012-2015 ¹
	Ethnic background representation with our student touch-point groups: <ul style="list-style-type: none"> • Faculty- 9% • Student Affairs- 8.6% • Leadership- 3% 	

¹ IRS, Bangor Daily News

Business Case/Call to Action: Helping ME Businesses Achieve Top Results



9.2.2020 @ 5pm DRAFT



Financial Returns Above the Industry Mean

- *Management ethnic/racial diversity, 35% more likely*
- *Gender diversity, 15% more likely*

Higher Return on Equity and Higher Net Income Growth

Occur in organizations with at least one female board member

Sharp and Vigilant Cognitive Thinking

Diverse teams: More likely to constantly reexamine facts, remain objective, and encourage greater scrutiny of member's actions

Innovation to Market

Companies with more females in research & development are more likely to introduce radical new innovations to the market.

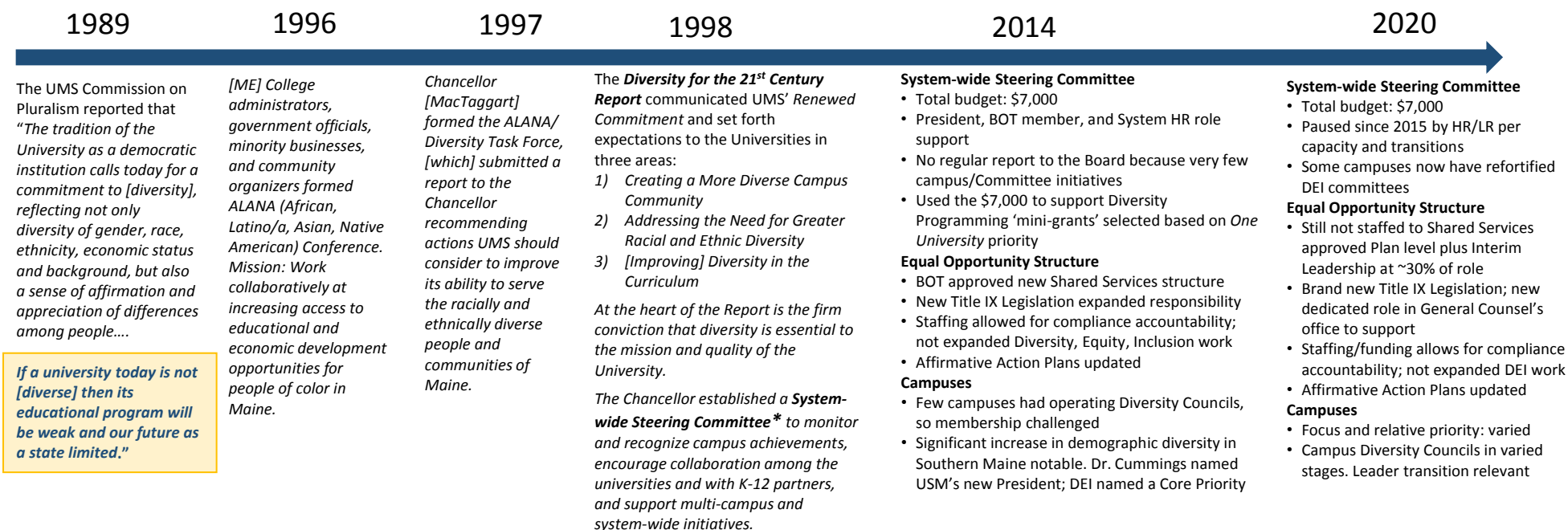
Cultural Diversity is a Boon to Innovativeness

Businesses run by culturally diverse leadership teams are more likely to develop new products than those with homogenous leadership.

All of these cites come from the Harvard Business Review article, 11.4.2016. Why Diverse Teams are Smarter. David Rock and Heidi Grant. The article cited numerous studies and their results.

UMS History

9.2.2020 @ 5pm DRAFT



* **The Steering Committee** will review individual institutional [Diversity] Plans prior to the presentation to the Board of Trustees and will review progress on an annual basis and make recommendations to the Chancellor and the Board regarding both institution specific and system-wide initiatives. The Steering Committee will include representatives from each university diversity committee, the Board of Trustees, the System Office, and Maine's racial, ethnic, and other diverse communities. The System Office will provide funding assistance to support these diversity efforts as appropriate. **Our success in addressing our diversity goals and changing campus climate will depend on our willingness to commit the human and financial resources necessary to these efforts, to provide incentives and rewards, and, indeed, to design a system of reward that recognizes and supports those who undertake these efforts.**



Unified Accreditation / Board Governance



UMS Diversity, Equity & Inclusion Steering Committee

Objectives & Key Results (OKRs)
Role Governance
Some central resources

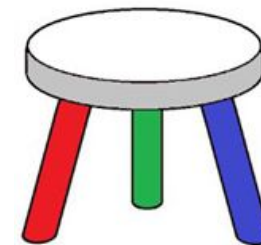


University Diversity Councils

Objectives & Key Results (OKRs)
Directional Clarity and Priority
Some campus resources

The structure needs to be strong and difficult to neglect or dismantle in all times.

Resource allocation methodology to promote momentum and achievement.



Human Capital

(Faculty, Staff, Student Employees)

1. **Talent Acquisition:**
 - ❖ Broadened Sourcing & Intentional outreach
 - ❖ Equitable process and assessment
2. **Care & Support:**
 - ❖ Orientation & Onboarding
 - ❖ Mentoring, Affiliation Groups
 - ❖ Equitable empowering environment
3. **Advancement**
 - ❖ Diverse representation
 - ❖ Promotion and advancement equity
4. **Diversity Contributions**
 - ❖ Leveraging and Recognizing Innovation

Education, Research & Service

1. **Enrollment:**
 - ❖ Intentional outreach
 - ❖ Equitable process and assessment
2. **Care & Support:**
 - ❖ Advising
 - ❖ Mentoring
3. **Academic Relevance**
 - ❖ Curricular DEI Assessment (ongoing)
 - ❖ Career-Ready Standards (include Inclusion Skills)
4. **Faculty & Student Affairs**
 - ❖ Diverse representation and teaching
 - ❖ Promotion & Retention
 - ❖ Interaction with learners

Managing Culture

1. **Awareness & Interactions:**
 - ❖ Equity education
 - ❖ Engagement Promise and Values
 - ❖ Disrupt *White Solidarity* to create *Equity Solidarity*
 - ❖ Clear and Kind Accountability
2. **Prioritization:**
 - ❖ Leadership support
 - ❖ Policies
 - ❖ Structure
 - ❖ Resources
 - ❖ Place visibility (virtual, physical, relational)
3. **Environment Integration:**
 - ❖ Campus rituals
 - ❖ Process Integration (Hiring, Admissions, etc.)
 - ❖ Solid foundation: Structure hard to neglect or dismantle
 - ❖ Measures and Recognition

Criteria for Deciding Short- vs. Long-Term Priority

9.2.2020 @ 5pm DRAFT



Relevant

- Feedback expressed by diverse and under-represented student, faculty and staff populations within UMS
- Trend/pattern data introduced by the UMS Equal Opportunity Office
- Known accelerants to organizational progress in this work

Strengthens UMS

- Fortifying the foundation
- Impacts our core products (education, research, service)
- Ability to coordinate in ways that simultaneously strengthen individual universities and UMS as a whole

Facilitate Stewardship

- Investment is feasible to initiate/maintain as necessary
- Where we have authority and control; not merely influence
- Value proposition – complexity/feasibility relative to overall value

Short-Term Initial Proposal: Implemented by UMS Steering Committee and Campuses

9.2.2020 @ 5pm DRAFT



Category	Action	Timeline	Investment
Managing Culture: Prioritization	Rejuvenate and resource the System-wide Steering Committee	Immediate	People selection Financial Investment
	UMS-Wide Pledge with Objectives & Key Results (OKRs)	3-6 months	People/Time
	Initiate a 'Policy on Policies' and review current UMS policies for inclusion/equity	6-12 months	People/Time
	Evaluate, propose and implement the administrative structure for shepherding system-wide DEI efforts	1 year	People/Time Financial Investment
Managing Culture: Prioritization & Environmental Integration	Enhancing University Rituals with Diversity, Equity & Inclusion (Ex) Graduation, Convocation, Special Presentations, Speaker series	1 year	People/Time Financial Investments
Managing Culture: Awareness & Interactions	Coordinate, develop and support enhanced employee training/education relative to DEI	3-9 months Phased & Ongoing	People/Time Financial Investment
Managing Culture: Environmental Integration	Enhancing recognition to promote and value meaningful DEI impact	6-12 months	People/Time Financial Investment
Human Capital: Talent Acquisition	Orient HR/LR Committee to the Chancellor-requested Sept. 2019 White Paper: <i>Building UMS' Talent & Inclusion Competitive Advantage</i> * Secure clarity around support of proposed actions**	Sept. 2020 HRLR Meeting	People/Time Financial Investment
Education, Research & Service: Enrollment	Review current admissions processes and develop strategies that would address equity gaps (Ex) Standardized Testing, Application Questions, Perceived barriers to applying, Marketing	6-9 months	People/Time Financial Investment

* Awaited the new Chief Human Resources Officer (CHRO)

** These actions align with and support recommendations proposed by the CAOCs

Long-Term & Ongoing Initial Proposal

9.2.2020 @ 5pm DRAFT



Category	Action	Timeline	Investment
Education: Academic Relevance	Conduct a Curricular Diversity, Equity, & Inclusion Assessment (Ex) General Education, Developmental Coursework, Programmatic	Initiating Spring 2021 for Fall 2021 initial impact. Ongoing.	People/Time Readiness Finances
Managing Culture: Prioritization Place Visibility	Assess and adjust our campus places (virtual/physical/relational) to authentically and intentionally reflect a commitment to Diversity, Equity, Inclusion Ex) Marketing, BOT/Senior Leadership/Faculty representation	1-2 years	People/Time Finances
Human Capital: Care & Support Orientation & Onboarding	Review and begin implementation of best practice models for DEI Orientation & Onboarding support	1-2 years	People/Time Finances
Human Capital: Care & Support Mentoring & Affiliation Groups	Review and begin implementation of best practice Affiliation Group and Success models	1-2 years	People/Time Finances



9.2.2020 @ 5pm DRAFT

UMS Imperative for Change

HR/LR Committee of the Board Meeting: September 14, 2020

Proposal for Next Steps:

- CHRO introduces this to the HR/LR Committee
- Continued collaboration with the CAOC (September 17); Introduced at the October ASA Committee Meeting
- Human Resources and Academic Affairs Leadership co-deliver presentation at the November 2020 Board Meeting



AGENDA ITEM SUMMARY

1. **NAME OF ITEM:** Employee Health Plan Task Force (EHPTF) Scorecard
2. **INITIATED BY:** Sven P. Bartholomew, Chair
3. **BOARD INFORMATION:** X **BOARD ACTION:**
4. **OUTCOME:** **BOARD POLICY:**
Primary Outcomes: Board Policy 411
Enhance fiscal positioning
Secondary Outcomes:
University workforce engagement
5. **BACKGROUND:**
The Chief Human Resources Officer will present the Employee Health Plan Task Force (EHPTF) Scorecard – Executive Summary and the EHPTF Scorecard. (See attachments.)

Employee Health Plan Task Force (EHPTF) Scorecard

Executive Summary

4.1

The EHPTF scorecard provides important highlights of how the University of Maine System's health and welfare programs are performing. Data is tracked on a calendar year basis for the last three year period, to identify any trends over time. The scorecard combines claims and demographic data, as well as health and plan management statistics, to provide a holistic view of the program. Below is an overview of each section, what the results are and why this is important to the University of Maine System.

Section I: Claims Cost Summary

- This section provides enrollment information, as well as how claims are performing compared to national trends (provided on a per member, per month basis to normalize the data).
- Enrollment and contract size are important as they determine how many individuals are enrolled on the plan and could potentially utilize services. Enrollment and contract size have increased slightly over the last three years.
- While claims have been trending up over the last several years, the graph shows that the plan is consistently performing below trend. This is indicative of the proactive plan management that the University of Maine System has put in place.
- Note that high dollar claims have an increasing impact on costs; this is particularly true of CY 2019.

Section II: Network Management

- This section contains information such as where and what type of providers members are utilizing.
- High in-network utilization helps to keep claims cost down for both the plan and the member, as care is provided at a discounted contract rate and prevents balance billing. In-network utilization has continued to increase YOY for the past several years.
- Use of Cigna's cost and quality network providers (including Centers of Excellence and Collaborative Accountable Care groups) has increased considerably over the past several years, with a slight dip in CY 2019. Continued usage of these providers helps to ensure high quality outcomes while also impacting cost.

Section III: Plan Management – Consumerism Statistics

- This section provides information as to how members are utilizing the plan and if they are being good consumers of healthcare.
- Use of the emergency room saw a decrease in 2018 and remained steady in 2019; it continues to be below norms when compared to Cigna's book of business. Urgent care usage increased in 2019, while telemedicine saw a slight decrease. This indicates that members are seeking other points of care that are more convenient and less costly to themselves and the plan, as new options become available and the network expands.
- As the cost of prescriptions continue to rise, members are seeking ways to control their out-of-pocket cost. Generic utilization continued to see an increase, while mail order remained steady. Generic and mail order usage can provide cost savings to the member as well as the plan, in addition to offering a convenient way to receive prescriptions.

Section IV: Wellness

- This section outlines participation in the UMS wellness program.
- Completion of level one and two have increased over the past several years, providing a premium savings as well as cash incentive to employees and their spouses/partners to help drive engagement.
- Engaging in a wellness program can help to foster good health and lifestyle habits that benefit employees at work and at home, as well as help to curb the rising cost of health care.

Section V: Communications

- This section includes statistics on the Healthy and Maine newsletter; who is receiving it, who is opening it and who is clicking through for more information.
- Since these stats have been tracked for the past several years, there has been a steady increase in the open and click rates. This indicates that the information provided is useful to the employee and will help to communicate meaningful health and benefits information throughout the year.

Section VI: Health Improvement – Preventive Care & Compliance Statistics

- This section outlines utilization of preventive care (including annual physicals and recommended screenings) as well as adherence to medication and necessary care for certain conditions.
- Preventive care is critical for the early detection of possible health issues. In most cases, early detection can help to manage the outcome, as well as the associated cost.
- University of Maine System's preventive care statistics are generally above Cigna norms, however there are some areas of focus (such as colon cancer screenings) that have been targeted to continue to increase compliance.

Section VII: Overall Population Health

- This section provides an overall risk score to the UMS population in comparison to Cigna norms, as well as includes information on gaps in care and the impact that has on cost.
- Over the past several years, the percentage of members in the low risk category has increased slightly (with a dip in 2019), however the percentage of members in the medium and high risk categories are high compared to Cigna norms.
- As the table shows, those in a higher risk category drive more cost to the plan, as do those that have more gaps in care.
- Continued communications of the programs available, directing care to the most appropriate setting and ensuring compliance with medication and treatment are integral to managing the cost and moving members down to lower risk categories.

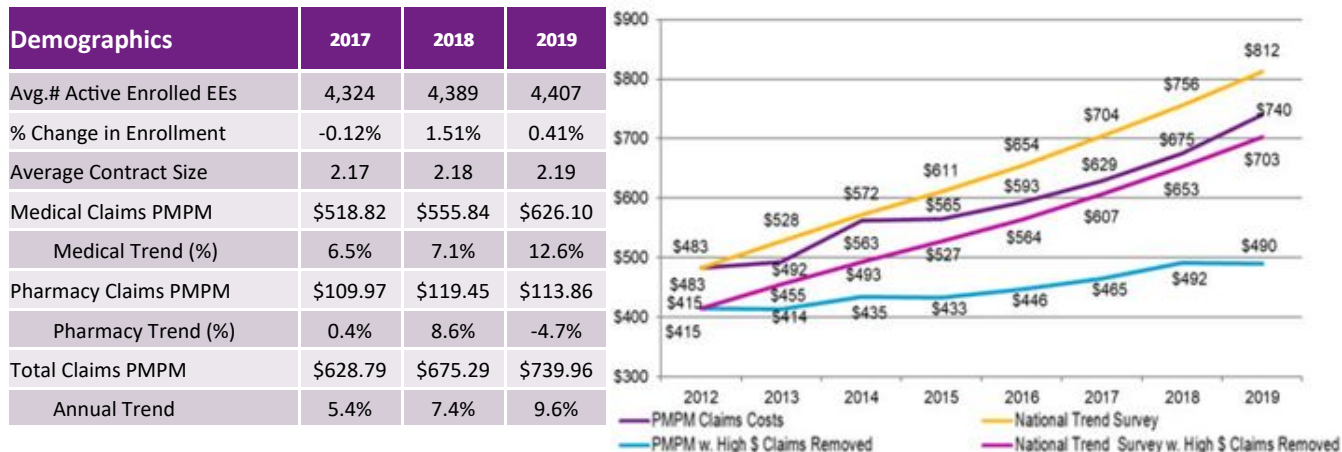
Data as of 12/31/2019



EHPTF SCORECARD

4.2

Section I: Claims Cost Summary



Section II: Network Management

	2017	2018	2019	Cigna Norm
In Network %	97.2%	97.4%	99.0%	93.7%
<i>UMS encourages in-network care</i>				
Primary vs Specialty Ratio	61.3%	60.7%	60.8%	56.5%
<i>UMS encourages primary care</i>				
Cigna Care Designation %	60.6%	58.8%	40.8%	47.7%
<i>Providers who meet quality and cost efficiency criteria</i>				
Centers of Excellence	50.00%	57.2%	58.0%	N/A
<i>Hospitals identified as providing exceptional Patient Outcomes and Cost Efficiency for specific procedures or medical conditions</i>				
Collaborative (CAC) Aligned	71.2%	84.0%	77.1%	N/A
<i>Providers that are rewarded for improved health outcomes, affordability and experience</i>				

Section III: Plan Management—Consumerism Statistics

	2017	2018	2019	Cigna Norm
ER Visits per 1,000 members	187.3	171.7	171.6	193.9
Urgent Care per 1,000 members	131.2	92.0	107.1	327.1
Telemedicine Visits	75	91	75	N/A
Generic %	88.9%	89.7%	92.0%	88.6%
Mail Order and Retail 90 %	69.2%	69.0%	69.5%	N/A
Use of EAP	5.2%	3.9%	4.9%	3.8%

Section IV: Wellness

	2017 (#)	2017 (%)	2018 (#)	2018 (%)	2019 (#)	2019 (%)
Level 1 Completions	5,607	88%	5,550	85%	5,991	92%
Level 2 Completions	3,108	49%	3,290	51%	2,847	44%
Engaged with Health Coach	2,587	41%	2,095	32%	1,503	34%

Note: Information above includes claims experience for Actives and Under 65 Retirees only.

WillisTowersWatson

Data as of 12/31/2019



EHPTF SCORECARD

4.2

Section V: Communications

Healthy & Maine	Sent	Open	Click
Feb-19	4,173	2,716 (65%)	568 (21%)
Mar-19	4,614	2,942 (64%)	606 (21%)
Jun-19	4,159	2,740 (66%)	276 (10%)
Oct-19	4,139	2,836 (69%)	561 (20%)
CY 2019 Average	4,271	2,809 (66%)	503 (18%)

Section VI: Health Improvement—Preventive Care & Compliance Statistics

	2017	2018	2019	Cigna Norm
UMS encourages Preventive Care & Compliance				
Preventive Visits (Adult)	56.8%	56.1%	62.0%	44.6%
Screening Compliance				
Mammograms	76.0%	77.0%	79.0%	73.0%
Cervical Cancer	61.0%	60.0%	59.0%	60.0%
Colon Cancer	45.0%	45.0%	45.0%	47.0%
Gaps in Care	71.7%	75.7%	76.2%	76.0%
Medication Adherence	89.0%	91.3%	91.3%	N/A

Section VII: Overall Population Health

Relative Risk Score	2017 % Members	2018 % Members	2019 % Members	% Members Norm	2019 Paid PMPY	2019 Average Age
Low (<1.00)	57.4%	61.5%	60.8%	71.9%	\$1,240	31.94
Low Care Gap Index (0 – 2)	49.4%	52.7%	52.0%		\$1,245	
Medium Care Gap Index (3 – 4)	6.3%	7.7%	7.6%		\$1,204	
High Care Gap Index (+5)	1.7%	1.1%	1.2%		\$1,250	

Relative Risk Score	2017 % Members	2018 % Members	2019 % Members	% Members Norm	2019 Paid PMPY	2019 Average Age
Medium (>= 1.00 and < 2.50)	31.3%	23.6%	26.9%	19.5%	\$6,199	50.99
Low Care Gap Index (0 – 2)	19.1%	17.3%	18.0%		\$6,544	
Medium Care Gap Index (3 – 4)	8.1%	6.3%	6.4%		\$5,631	
High Care Gap Index (+5)	4.0%	2.7%	2.5%		\$5,193	

Relative Risk Score	2017 % Members	2018 % Members	2019 % Members	% Members Norm	2019 Paid PMPY	2019 Average Age
High (>=2.50)	11.3%	12.2%	12.2%	8.60%	\$44,876	54.16
Low Care Gap Index (0 – 2)	4.1%	7.1%	7.1%		\$46,572	
Medium Care Gap Index (3 – 4)	3.6%	3.1%	2.8%		\$41,006	
High Care Gap Index (+5)	3.7%	2.1%	2.4%		\$44,330	



AGENDA ITEM SUMMARY

1. **NAME OF ITEM:** Human Resources / Labor Relations Committee FY2021 Work Plan and Committee Duties and Responsibilities
2. **INITIATED BY:** Sven P. Bartholomew, Chair
3. **BOARD INFORMATION:** X **BOARD ACTION:**
4. **OUTCOME:** **BOARD POLICY:**
All Primary and Secondary Outcomes
5. **BACKGROUND:**
The Human Resources / Labor Relations Committee will review the draft FY2021 Committee Work Plan and Committee Duties and Responsibilities in preparation for submission at the September 28, 2020 Board of Trustees Meeting.

09/04/2020

University of Maine System
Board of Trustees

Human Resources/Labor Relations Committee

Fiscal Year ~~2020~~ 2021 Work Plan DRAFT

5.1

Standing Agenda:

1. Collective Bargaining Update (may occur in HR/LR Committee or in Executive Session of the Board of Trustees) – Chief Human Resources Officer
2. Human Resources and Labor Relations items requiring Committee and/or Board approval

Ad Hoc Agenda: **Note: Items in red require a vote of the Committee**

- **Approval of Collective Bargaining Agreements (as tentative agreements are reached)**
- Collective bargaining goals and relationship for FY ~~20~~ 21 (review as needed)
- Review Employee Health Plan Task Force Scorecard (September)
- Evaluation of Board Chair (March)
- Comprehensive Presidential Review results (as needed)
- Review progress of Human Resources Strategic Plan (January, July)
- **Policy and compensation changes for non-represented employees (as needed)**
- Update on significant HR initiatives (as needed)
- Briefing on compliance and regulatory issues (as needed)
- Chancellor's Review Committee, chaired by Human Resources/Labor Relations Committee Chair, as needed

Informational Reports:

- Report of Management Group appointments (July, November, March)
- Workforce Profile and Turnover reports (May)

Meeting Schedule:

Meetings are scheduled prior to Board of Trustees meeting as needed depending on agenda items.

09/04/2020

University of Maine System
Board of Trustees

Human Resources/Labor Relations Committee
Duties and Responsibilities - DRAFT

Committee established: 1975

Last revised: 11/21/2008; 8/23/2010; 5/23/2011; 9/23/2013; 8/29/2014; 8/30/2016

Approved by the Board of Trustees: 5/23/2011; 9/23/2013, 9/21/2014, 9/19/2016, 9/16/2019

The Human Resources and Labor Relations Committee shall be responsible for monitoring, evaluating, and making decisions with respect to policies and strategic matters related to the University of Maine System's (System) human resources, personnel issues, and collective bargaining agreements.

Committee Authority

Bylaws – Section 3

Board of Trustee Policy Manual

Section 200 – Governance & Legal Affairs (evaluation & appointment of Chancellor and Presidents)

Section 400 – Human Resources

The primary duties and responsibilities of the Committee shall be to:

1. Have oversight of and recommend for approval the framework governing the System's human resource policies.
2. Review and recommend for approval the System policies for non-represented employees and policies for human resources areas not subject to collective bargaining.
3. Periodically assess the framework governing employee benefit plans.
4. Review and recommend for approval the strategies and goals for the negotiation of collective bargaining agreements.
5. Recommend for approval the appointment of the Presidents.
6. Review and recommend for approval collective bargaining agreements.
7. Review and recommend for approval general wage and salary adjustment for non-represented employee groups.
8. Review and advise the Chancellor or Board Chair regarding sensitive, complex personnel issues.
9. The Chair of the committee serves as a member of the Chancellor Review Group in accordance with Board policy 203.1.
10. The Chair of the committee conducts the annual evaluation of the Board Chair.

Membership of the Committee

The Human Resources and Labor Relations Committee shall be made up of at least three voting members of the Board of Trustees. The Chair and Vice-Chair of the Board and the Chancellor shall be ex-officio members, but the Chancellor shall have no vote. The Human Resources and Labor Relations Committee can only include persons who are members of the Board.

Meetings

The meeting of the Committee ordinarily shall be called by the Committee Chair, but may be called by the Chair of the Board or a majority of the Committee.

Staff to the Committee

The Human Resources and Labor Relations Committee shall be staffed by the Chief Human Resources Officer.

09/04/2020