

University of Maine System  
Board of Trustees Meeting

Zoom Meeting  
January 3, 2022

**Human Resources & Labor Relations Committee Meeting**

**Present:** **Committee Members:** Sven Bartholomew, Chair; James Erwin, Beth Dobson, Mark Gardner, Trish Riley, Jim Donnelly and Michael Michaud. **Presidents:** Joe Szakas, Ray Rice and Joan Ferrini-Mundy. **Staff:** James Thelen, Loretta Shields, Ellen Doughty, Robert Placido, Deirdre Salsich, Jeff St. John, Carolyn Dorsey, and Ryan Low. **Others:** Susan Cameron.

**Absent:** None.

Trustee Bartholomew, Chair, welcomed everyone and called the meeting to order. The Clerk performed a roll call of the Committee members present.

**Executive Session**

On a motion by Trustee Dobson, which was seconded by Trustee Michaud, and approved by a roll call vote of all Trustees present, the Human Resources & Labor Relations Committee agreed to go into Executive Session under the provisions of:

- 1 MRSA Section 405 6-A to discuss the evaluation of personnel and the consideration and discussion of appointments, evaluations, employment and duties.
- 1 MRSA Section 405 6-D to discuss planning for negotiations and communications with AFUM, UMPSA, ACSUM, Police, PATFA, and Service and Maintenance Units.

On a motion by Trustee Michaud, which was seconded by Trustee Riley, and approved by a roll call vote of all Trustees present, the Human Resources & Labor Relations Committee concluded the Executive Session.

Following the Executive Session, the Committee reconvened the public meeting to discuss the following items:

Trustee Bartholomew stated that the Enterprise Risk Management update that was scheduled for today's agenda is being deferred to a future meeting.

**COVID-19 Employee Non-Compliance Update**

Chief Human Resources Officer (CHRO) Loretta Shields provided an update on the UMS employees not in full compliance with UMS COVID-19 public health protocols. CHRO Shields explained that the first step in this process was identifying the non-compliant UMS employees. Once those employees were identified, UMS began engaging with those employees to educate them on the vaccines and locations where they were being administered, as well as how to upload their vaccine information into the UMS PointNClick Vaccine Verification system. UMS also made sure the non-compliant employees were made aware of the accepted vaccine exemptions available and the protocols that are in place for vaccine exemption. UMS gave the non-compliant employees a timeline to either upload their vaccine verification or file a vaccine exemption form prior to the holiday break. If an employee did not come into compliance by the deadline, UMS implemented several forms of contact with the employee to let them know that they were not compliant. A letter was sent to their home address and email address and the employee's supervisor was notified so that

they could also contact the employee when they reported for work. UMS is in the process of scheduling pre-disciplinary hearings for employees who are still not compliant with UMS vaccine requirements.

**UMS Fraternal Order of Police Employees – Participation in MainePERS**

Vice Chancellor for Strategic Initiatives and Chief Legal Officer Jim Thelen and Labor Relations Manager Susan Cameron provided information concerning UMS Fraternal Order of Police employees' participation in the MainePERS retirement program. At its September 27, 2021 meeting, the UMS Board of Trustees approved the tentative collective bargaining agreement reached between UMS and the Fraternal Order of Police, Lodge # 100 ("FOP"), and authorized the Chancellor to sign the new agreement provided it was ratified in the same form by UMS police unit members.

FOP unit members ratified the collective bargaining agreement with UMS on October 28<sup>th</sup>. A newly-negotiated benefit in the FOP agreement allows unit members to make a one-time choice to continue participation in a MainePERS retirement plan instead of UMS's separate standard 403(b) retirement savings plan. In order for UMS police unit employees who wish to do so to participate in MainePERS, the UMS Board is required to approve limited participation with MainePERS on the terms set forth in the resolution.

On a motion by Trustee Riley, which was seconded by Trustee Michaud, and approved by a roll call vote of all Trustees present, the Human Resources & Labor Relations Committee agreed to forward this item to the January 24, 2022 Board of Trustees meeting for approval of the following resolution:

That the Board of Trustees accepts the recommendation of the Human Resources and Labor Relations Committee and agrees to limited participation in MainePERS on the following terms:

- a) Effective July 1, 2022, UMS will and does hereby join MainePERS for its FOP police unit members, to include police officers, dispatchers, campus security officers and security guards who work more than 20 hours per week and who are not seasonal or temporary as defined by the Appendix to MainePERS Chapter 802 under Special Plan 2C.
- b) This approval does not permit any other UMS employees to be eligible to participate in MainePERS.
- c) Eligible UMS FOP unit members who elect to participate with MainePERS will not be able to purchase prior service credits with MainePERS at this time.
- d) UMS Chancellor Dannel Malloy is hereby authorized to sign an appropriate agreement between UMS and MainePERS to implement this resolution and the MainePERS participation election benefit that it authorizes.

**FY2022 & FY2023 Compensation and Benefit Changes for Non-Represented Management Group and Non-Represented Faculty (including Maine Law)**

Non-represented employees are in positions which are not covered by collective bargaining agreements. Compensation and employee policies for these employees are recommended by the Chancellor and approved by the Board of Trustees. The Chancellor recommends wage, salary, and benefit adjustments for non-represented Salaried, Hourly, University Supervisors and Confidential employees. For FY2022 and FY2023, non-represented salaried and hourly staff who are not Management Group employees received the same pay increases as similarly situated employees in the ACSUM (hourly) and UMPSA (salaried) bargaining units based upon the collective bargaining agreements approved by the Board at its September 2021 meeting. The Chancellor now recommends

that the Board proceed with approving FY2022 and FY2023 pay increases for non-represented faculty (including Maine Law) and Management Group employees. Across the System, there are 69 Management Group employees, 15 Maine Law faculty, and 137 other non-represented faculty who will be impacted by this adjustment.

### **Salary and Wages**

The following describes pay increases available to eligible employees. Non-represented employees may also be eligible for individual pay increases under existing policies such as a promotion, reclassification, addition of significant increased responsibilities, retention, and correction of inequities. To be eligible for an increase described below an employee must be actively employed and receiving pay in the pay period in which the increase is processed. To be eligible for the base pay increase for FY2022, employees must have been employed in a regular status as of June 30, 2021. To be eligible for a base pay increase in FY2023, employees must have been employed in a regular status as of June 30, 2022.

### **Non-Represented Faculty, Law Faculty, Non-represented Part-time Faculty, Management Group, Presidents and Chancellor:**

There will be a general three percent (3%) base salary increase pool for the Management Group, to be allocated among respective Management Group employees by their university presidents, the Maine Law dean, and the Chancellor for both FY2022 and FY2023. Non-represented faculty, including Maine Law faculty, will receive three percent (3%) increases for FY2022 and FY2023. Increases effective back to the beginning of FY2022 will be paid in the next payroll following full approval by the Board.

On a motion by Trustee Michaud, which was seconded by Trustee Riley, and approved by a roll call vote of all Trustees present, the Human Resources & Labor Relations Committee agreed to forward this item to the January 24, 2022 Board of Trustees meeting for approval of the following resolution:

That the Board of Trustees accepts the recommendation of the Human Resources and Labor Relations Committee and approves the management group and non-represented faculty compensation and benefit changes for FY2022 and FY2023 as presented and recommends approval of the same to the full UMS Board of Trustees at its meeting on January 24, 2022.

Additional information about the meeting can be found on the Board of Trustees website:

<https://www.maine.edu/board-of-trustees/meeting-agendas-materials/human-resources-and-labor-relations/>

Adjournment

Heather A. Massey for  
Ellen N. Doughty, Clerk