

Classified Personnel Council Meeting
Tuesday December 17, 2019 12:00pm-2:00pm
Regular Monthly Meeting
LSC 382



CLASSIFIED
PERSONNEL COUNCIL
COLORADO STATE UNIVERSITY

Agenda

- | | |
|--|---|
| <input checked="" type="checkbox"/> Jim Abraham, Environmental Health Services | <input checked="" type="checkbox"/> Amber Lobato, Housing and Dining Services |
| <input checked="" type="checkbox"/> Stacey Baumgarn, Facilities Management | <input checked="" type="checkbox"/> Anselma Lopez, VP for Enrollment Acc. |
| <input checked="" type="checkbox"/> Leah Bosch, CVMBS | <input type="checkbox"/> Adrian Macdonald, Statistics |
| <input checked="" type="checkbox"/> Nancy Cowley, Lory Student Center | <input type="checkbox"/> Rachel McKinney, VP for Diversity |
| <input checked="" type="checkbox"/> Emily Farrenkopf, College of Liberal Arts | <input checked="" type="checkbox"/> Dustin Pothour, Facilities Management |
| <input type="checkbox"/> Joseph Gallegos, Facilities Management | <input type="checkbox"/> Chuck Richards, CSU Police Department |
| <input checked="" type="checkbox"/> Brian Gilbert, ACNS | <input checked="" type="checkbox"/> Meg Skeeahan, Dept of Accounting |
| <input checked="" type="checkbox"/> Magdeline Golnar, College of Liberal Arts | <input checked="" type="checkbox"/> Laura Snowwhite, Business and Financial Serv. |
| <input checked="" type="checkbox"/> Wayne Hall, ACNS | <input checked="" type="checkbox"/> Kristin Stephens, Statistics |
| <input checked="" type="checkbox"/> Kelly Hixson, Housing and Dining Serv. | <input checked="" type="checkbox"/> Kate Sherman, Political Science |
| <input checked="" type="checkbox"/> Randy Lamb, Housing and Dining Serv. | <input type="checkbox"/> Lourdes Zavala, The Access Center |
| <input checked="" type="checkbox"/> Valerie Lewis, Health Network | <input type="checkbox"/> Alisha Zmuda, Student Disability Services |

Ex-Officio Members & CPC Volunteers:

- Steven Dove, APC Representative
- Paige Flores, Department of Biology
- Eric Gardner, Housing and Dining Serv.
- Diana Prieto, Human Resources
- Robyn Fergus, Human Resources
- Robert Schur, Policy and Compliance

Guests:

Catherine Douras, APC Chair
Cathy Kipp, State Representative House District 52
Jeni Arndt, State Representative House District 53

Call-to-Order

- Approval of CPC 11.19.2019 Meeting Minutes . No changes to the proposed minutes.
Motion by Stacey to approve. Second by Jim. Motion Carried.
- Adrian Financial Update – Adrian was not in attendance. Meg reported very little was spent since the last meeting.
- Spring Meetings. Meeting times and dates change in January. Meetings will be held from 1-3PM on the 2nd Thursday of every month. LSC renovations start in the spring so finding rooms has been a challenge and we'll be moving to different rooms for different meetings. New invites will be going out to everyone's calendars.
Also, Wayne and I will be in a January 9th meeting HDS training doing a presentation from 9AM to 10:15. We'll also do PDI trainings on January 14th and 15th.

- Any important CPC committee updates
 - Communications - Nancy – New everyday hero award was given. There were also 4 education assistance awards given out. I served recently on the Ombudsman committee. We have selected a candidate and an offer to a candidate and we're negotiating with that candidate now.
Meg - Two CPC members received the educational assistance award – Valerie Lewis and Kate Sherman. Meg recently spoke with the donor who donated again to the fund; we're set up to continue giving that award for the next several years.
 - Employee Engagement and Experience – *Nothing to report*
 - Employee Recognition – *Nothing to report*
 - Legislative – *Nothing to report*

Guests State Representatives Jeni Ardnt and Cathy Kipp

- Jeni – I represent West Fort Collins with the dividing line being College Ave. I serve on the Business Committee and Rules Affairs committee. We all get 5 bills to submit for passage. My approach is that the bills I submit come from the needs of my constituents. Items that will impact CSU will be a statewide health care plan that the Governor is proposing. As well, he is proposing 6 week paid parental leave for all state employees.
- Cathy – The State is also working on a collective bargaining agreement for State workers, so that will be of interest to you.
- Jeni – Higher Education is the only non-protected part of our general fund. When Prop CC didn't pass, which would have relieved pressure from the TABOR formula, the result was a further ratcheting down of the State's contribution of government funding to higher ed while Colorado continues to grow. Universities are increasingly called upon to act in an entrepreneurial spirit because funding will continue to decrease. Colorado is currently 49th out of 50 in how many dollars fund state government. Texas is the only one smaller than Colorado, and Texas spends more money on education than we do.
- Cathy – I've been on the legislature for just a year. I'm still learning my way around. My bills will be focused on education, energy, and the environment. With respect to CSU, there are other opportunities to address TABOR. It looks as if TABOR can be repealed with a single vote due to recent court ruling. However, expect to see a petition drive to get TABOR repeal on the ballot for 2020. The 2020 ballot will be full. I serve on the Energy and Environment Committee, and on the Public Health and Human Services Committee. Prior to being elected, I served on our local school board for 7 years. Happy to take any questions.
- Leah – Why is Colorado last in funding higher education.
- Jeni – Amendment 23 solidifies funding for K-12 but at 1986 levels. The state uses a formula called the budget stabilization factor. We're short on our promise to fund education by \$572 million this year. Health care costs as well as Tabor are rapidly pushing out Higher Education as part of the budget.
- Cathy – I would recommend inviting the Colorado Fiscal Institute to come up and speak to the committee to explain our fiscal conundrum and how the Gallagher and TABOR amendments interact with the rest of the budget.
- Jeni – On February 22, we will be hosting a budget forum and you all are welcome to attend.
- Kristin – I have a question on collective bargaining, Colorado WINS is the group I assume is pushing this, but would it require employees to be part of the union?

- Cathy – Colorado is a ‘right to work’ state, so you could opt into the union if you want to.
- Leah – Can you talk more about the Family Leave Bill?
- Jeni – The bill was examined as part of a study with what it would cost for 6 weeks or 12 weeks of leave. The study indicated it was more expensive than originally thought. The family leave bill won’t be funded by state money, but will be employer and employee matched. Most people don’t know this. There are still many questions.
- Cathy – Some of the questions that remain are: How often could the family leave bill be used? ; could you use it for starting a family and then for taking care of an aging parent? That still needs to be determined as there can be multiple uses of the bill and that would have an impact of the cost of the program. We need to define those limitations.
- Meg – In Gov Hickenlooper’s last year, there was a commitment to give every adult access to Higher Education by 2025. Governor Polis has agreed in certain statements that higher education is very important. However, there seems to be a disconnect because we don’t have secured funding for higher education. As well, we are told the state will give a bit more money, but we can’t increase our tuition.
- Jeni – You’re exactly right. I was just meeting with the Dept of Higher Education today. The Governor wants to cap tuition at 3%. But I see the issue as what happens to student fees as those are not regulated and something needs to be done so that services that are requested or needed get funded. We want college to be affordable through low tuition, but then throw more on their backs with higher student fees. Student loans are an issue and I would love to see the loan repayment rate be tied to the market rate.
- Cathy – The Dept of Higher Ed has been reworking its formula for higher education funding between institutions in Colorado. They are looking to have the formula react to changing times and funding which is always going to be a hard thing to get right. They will be looking at revising the formula over the next year. There has even been talk of open source textbooks as a way to contain costs. As well, they are looking at capping in-state tuition. They are pushing equity and diversity as well and trying to get underprivileged kids to attend college. The worst-case scenario for some of these kids is that they attend 3 years of college but then have some life event that causes them to withdraw. So they don’t get a degree, and now they have student loans with no degree to show for it. In my view, pushing for TABOR repeal is a priority. This is where we have to go to solve some of these problems. TABOR in combination with the Gallagher rate, which continues to drop with increasing property taxes, puts more pressure on the whole budget system. The Gallagher Amendment divides the property tax burden between residential and non-residential property and was an effort to address skyrocketing property taxes in the late ‘70s early 80’s. The Gallagher rate therefore indirectly affects how much local property taxes cover K-12 education - especially in how much local property taxes are actually covering their own schools. With respect to the world of K-12, a student gets a certain amount of funding (Dollars per student). A certain amount comes from the local government and the rest comes from the state. In K-12 education where The Gallagher rate formula is dropping and thus pulls less funding from property assessments - requiring our state government to backfill with more money. We as taxpayers end up subsidizing local governments that could afford to pay fully for K-12 students but are required to take less in local taxes for education, thereby creating inequities across the state while reducing the funding we have for higher education. This is why I think repealing TABOR is a priority. (A more detailed explanation of the Gallagher amendment and how it interacts with TABOR can be found here: cde.state.co.us)

- Meg – I saw Gov. Polis’ post on Facebook saying all textbooks should be free. Well in theory that sounds great, but it paints all higher education of just out to make a buck off of students. But these students want success programs, first generation programs, sidewalks to be cleared, dining services, paperwork to be processed faster, fewer students per class – and please do all of that with fewer dollars per student.
- Jeni – And then lets’ cap tuition and raise the minimum wage. Of course we’re all for raising minimum wage, but the money has to come from somewhere. The shareholders of CSU are the people, and when you have a public institution serving the people then you don’t make a profit.
- Cathy – One of the driving costs of educational expenses in Colorado is STEM. I was told by a financial officer at one of our colleges who looked at this issue state wide – We have done such a good job of pushing our students into STEM fields and those fields are much more costly to educate than other fields. There are many of those students that are probably not the right field for them. Another issue that is there is a perception that what is driving costs at Universities is the huge new buildings being built on our campuses including stadiums as well as sports programs and the amount of money some of our coaches make. Until we solve some of these perception problems, it’s going to make it more difficult to make the case for education funding.
- Jeni – But that goes back to TABOR. The only way we can get money from the legislature to higher education is through capital development projects which is not part of the general fund. That is the only area we’ve been able to help higher education and the reason you are seeing more buildings on our campuses.
- Kristin – That’s interesting because we also have the issue of deferred maintenance on our existing buildings and our newer ones will eventually fall into that category.
- Diana – Could you share more about the budget process at the State? Our University President just sent an email that if things remain as they appear now, CSU will have a \$9.5M shortfall in funding. How does the process work from the Governor to the Legislature and when it goes to the Joint Budget Committee? How might we have a roll in lobbying for support for higher ed during those parts of the process?
- Jeni – The governor makes a proposal and the JBC takes that proposal and goes from there. The JBC works well together. We are looking at \$32B in our budget this next year. The JBC takes the proposal and goes into what they feel is necessary and there are many parts of the budget are baked into it and can’t be changed. The budget is then released to the House and the Senate for amendments for 2 weeks. The JBC will take into account amendments provided by the house and Senate, but has ultimate authority to take or leave the amendments.
- Wayne – How much does the JBC take into account with respect to the amendments that are added?
- Jeni – They consider very much of the proposed amendments. But it comes back to them for final consideration. Then they throw it back to the legislature for final passage.
- Stacey – If you’ve passed other bills that have some fiscal impact, does that get considered by the JBC as part of the final budget.
- Jeni – The JBC leaves some room for final constituent bills. But those reps will usually work with the JBC to make sure that their bill was a priority with the JBC and will dovetail with the budget.
- Stacey – I appreciate Diana’s question because as a council, we’re charged with advocating for our fellow employees and at the same time, working with the legislature in a way that doesn’t compromise the position of the University and higher ed in general. I wonder if

we have a role to play in helping our fellow employees understand these processes and give them the tools to become engaged in the election process and advocates for their own best interests.

- Jeni – Your council is recognized at the State Level as one of the best advocates for state employees. You already have a very respected voice. If you look to amplify your voice with Colorado WINS, that may help in getting some of your issues addressed.
- Cathy – There is a lot that goes into funding determination for Universities where CSU and CU are the largest institutions. Smaller institutions cost more dollars per student to educate so that is the push and pull of the system. The smaller schools serving their local populations and economies are important and that becomes the conundrum in how that money gets split up.
- Brian – How do we get TABOR repealed? There were a lot of misleading adds that attached Prop CC. How do we combat those negative ads?
- Cathy – There was a lot that happened with Prop CC that people didn't understand. Prop CC was not bipartisan and that it made for a tough ride for Prop CC. We found even if we made the changes requested by Republicans that they wouldn't have supported it anyway. The campaign for Prop CC started really late and that was a problem as the opposition to it started earlier. I was pleased that it did as well as it did. We are educating more people everyday and we are understanding the constraints of TABOR as a whole much better than in years past.
- Brian – As a follow up. The general public doesn't know who is funding the negative ads from Americans for Prosperity. How do we get that information out to the general public so they know where the information is coming from?
- Cathy – We have passed legislation to address dark money issues but that is still ongoing.
- Jeni – Campaign finance laws in Colorado are very fair. Its reasonable and all fileable. The problem is the money that comes in from the outside and without the candidate knowing.
- Cathy – That happens on both sides. I has that happen to me.
- Brian – Is there a way to try and keep the lies out of the media. There used to be a fairness doctrine, is there a way to get that back?
- Jeni – That's a good question, sometimes the judiciary needs to get involved.
- Cathy – The problem is that you have to have short succinct messaging for Tax policy, and that's a very hard thing to do.
- Meg – And as well, it becomes an emotional issue for many as they feel they are paying more money for a benefit they don't receive.
- Cathy – Maybe CPC should host one of our blue book sessions that explain the bills and initiatives directly to the voters?
- Stacey – There was a great initiative last year on campus free speech. Diana could you make any recommendations in how we could host and present this in a way that is non-partisan?
- Diana – That is a tricky issue.
- Cathy – You would have to make sure you present it as a forum that shows both the pros and cons of the legislation and didn't draw conclusions.
- Kristin – Using groups like the League of Women Voters may be the buffer to show that it is not partisan and not part of the University; that would be a way to present it in an equal way.
- Diana – There would be a way to move forward with this idea, but you would definitely want to clear it with administration.
- Jeni – You could call it a Civic Engagement Forum.

Kristin – We could partner with ASCSU and making sure we’re just trying to get the information our and making sure people know it’s not about persuasion.

Leave

Meg – One of the issues for us this past year was to examine leave for State Classified employees. In examining our leave benefits compared to all 50 states, we fall into the bottom 2 states for the leave that we provide. Front loading sick leave was something we wanted to do to address new employees being forced to stay home and forfeit pay when sick. We’ve been told we can’t do that due to the Dept of Personnel rules that the leave that must be earned prior to being used.

Kristin – For us to have to dig through our own benefits and rules to find this arcane information trying to figure out how to move forward is a bit of a shame. We’re looking to make this change for all state classified personnel who don’t have the luxury or resources to do this kind of work to see how we might affect change. Kudos to the legislative committee in digging through this information to come up with a way to address this issue.

Cathy – If I could suggest, this is a great reason why the CPC should look to partner with Colorado WINS. That collective bargaining power could help amplify your cause. If you work with them on this issue it might be the best path forward. We can also look to run a bill if that is that is what you want to do.

Jim – So we’ve heard through the Dept of Personnel that they are interested in expanding our rating system from a 3-point system to a 5-point system. The legislation that dictates sick leave indicates there must be a 3-point system. How are they going to change the rule if the 3-point system is codified in statute?

Cathy – They would have to request we run a bill for them to change that language.

Jim – I’m not sure they understand they would need to do that.

Jeni – It is complicated. They have had turnover within the department and it’s been hard to pin them down on this issue.

Cathy – The issue of biannual pay which was tied to the 5-point system in their computer system is tied to the budget this year. There is a lot to consider this year so this may get addressed indirectly.

Diana – We’ve been pleasantly surprised at how collaborative the DPA leadership has been on particular issues. They seem receptive to addressing this issue.

Jim – We’re obviously advocating to add more sick leave and annual leave for State Classified. How do we go about pushing that forward.

Diana – If I could point out that the issue in front loading sick leave, the DPA rules state you have to earn the leave prior to taking it, where the statute language was very vague.

Jim – If I could add to Diana’s statement – that issue is for frontloading sick leave. I’m asking how do we increase sick leave hours from 6.66 to 8 hours and increase annual leave to say, 2 hours per each 5 year term of service.

Wayne – My thinking on this would be that the front loading of sick leave be at the discretion of the institution and not dictated by the state. To have the freedom to choose what may work best would probably be more palatable.

Meg – We all know CSU would be open to this as AP are granted 120 hours of sick leave up front.

Jeni - We would look to pass the law, and then the department makes up the rules. We can counter a rule with a law but trying to ask them to change the rule would be the first step.

- Cathy – I would think trying to solve it non-legislatively would be the best way forward. Please send Jeni and I an email for your asks and we'll look to move forward from there.
- Diana – Our administration is supportive, but our General Council determined we can't do this at this time.
- Cathy – Send us your proposal for how you would like things changed, and we'll set up a meeting to try and get these issues addressed.
- Jim – With respect to the Sick Leave statute, how would we advocate for the change.
- Cathy – Send us an email and we'll determine how we want to move forward. We can invite you guys down to participate.
- Jim – What we're looking at for sick and annual leave, we feel it is budget neutral. We're not looking to change caps on hours or payouts, we're just looking for more time. It would just be bringing us into line with our peers and with APs at CSU.

Annual Salary Compensation Report.

- Brian – What I've noticed in the past 5 years is that a +/- 5% range was acceptable in being within the salary range for a given employee group. Then it jumped to +/- 7 percent. This past year, it jumped to +/- 15%. Where did that come from?
- Kristin – That's a very sneaky way of not having to increase salaries for state employees. Because you're always falling in the range as long as the report keeps increasing the acceptable range.
- Cathy – Send us the reference in the report and we will get this question asked.
- Meg – That is also reflected in the Governor's proposal of 2% raise for all SC employees, but doesn't account for the 1.5% increase in PERA funds that will be taken out of take home pay this upcoming summer.
- Jeni – There is no question that the ratcheting down of TABOR is causing this issue.
- Jim – What was the big driver from last year to this year where we were doing well last year, but this year we're now facing shortfalls?
- Jeni – The TABOR cap. We hit it this year. Last year, hospital fees were moved into the enterprise zone so the money we used to get for the fee no longer counted against the cap. We keep moving things off of the budget so that the budget can grow in the presence of TABOR without raising taxes. This is why your vehicle registration fee is so high? It's because we can raise fees, but we can't raise taxes. TABOR makes it so much less transparent instead of the intention of more transparency.
- Cathy – Your income taxes are generally 4.63%. Because of TABOR, we'll be taxing you at a rate of 4.5%. So you will get a reduction of 0.13% in your taxes.
- Diana – There is another important piece in this puzzle. The group that sets the funding model for higher education (CDHE) has changed the formula in trying to address efficiencies in the funding. The current funding model combined with the inability to raise tuition and that is where the \$9.5M shortfall is coming from. Lynn will discuss this issue at the meeting next month.
- Jeni – I think the governor's view of the public education is different than mine. I've had conversations with him and he has expressed the same concept of efficiency as you said Diana. He believes in public dollars for public good. And I think you'll see more privatization proposals for higher ed coming out of his office.
- Cathy – My take on it is different. The governor values transparency. He believes in a formula in determining how much money higher education gets. The problem with that is every area is going to be different in demographics and needs. Running all the money through a formula to me seems to be dangerous in that you could see huge swings in funding

from year to year that would be out of your control to anticipate when a funding formula is used.

- Jeni – Many of these issues come back to your idea of a representative democracy. It stems back to trusting the government and that government is you. If populism wins the day and you want to see where every penny goes, than that's what you'll get.
- Cathy – The lawsuit that is ongoing with TABOR goes back to Colorado's founding is that we would be a republican form of government. The TABOR amendment is being argued that it is making Colorado a direct democracy when it comes to raising or lowering taxes. I believe that if I don't do what you want me to do, you'll replace me when you vote. That's how a representative democracy works. The problem that we have is that things change over time. If we're underfunded one year in one area may not be the same the next year. Don't we want to have our representatives have the ability to change what needs to be changed when the issue comes up? That's one of the reasons we're not able to pass anything. Everyone believes that we should do something about roads, but we can't have that conversation because we cant pass anything to fund it. You can't have 5 million people come together to solve problems of the day. This is why you elect your 100 representatives – is to come together and compromise to solve the problems of the day. I believe in a representative democracy, but that is not happening now due to TABOR restraints. We have the only legislature in the entire country that can't raise and levy taxes.
- Brian – Where are the lines with respect to Lobbying?
- Cathy – I would say if you were going to advocate for a candidate and tell people who to vote for, that's political. Bringing us your concerns is not lobbying.
- Meg - I want to be conscious of time. Thank you so much to Jeni and Cathy for coming. We will be in touch once we clear our emails with administration. We'll follow up with the Colorado Fiscal Institute.

Meeting adjourned – **Thank you!**

Dates to remember:

- University holidays Dec 23-27
- Campus closes at 2 pm on Dec 31
- New CPC Monthly Meeting date/time: January 9 1 pm – 3 pm
- Jan 13, 14 an 15 - 2020 University PDI January Sessions
 - CPC presentation on Jan 14th
 - Sign up at <https://tilt.colostate.edu/proDev/pdi/>