



Message from the Chair

by Tommy Griffin

Your friend, and Chair of the Employee Forum

Hello everyone. Here we are again, starting a new school year, with a lot of work behind us and a lot of work in front of us. The most important thing in front of us is to survive the budget cuts and slow economy. It's been a tough year for all of us, and we have lost some of our fellow employees due to the budget cuts, but hopefully we won't have to lose any more of our colleagues and friends. I know that everyone is worried about the state's economy and how it's going to affect us both on and off campus. We cannot control the economy, but we can help each other by supporting each other on the job and just doing a little extra to help each other. If you see someone in need; try to give them a helping hand. A kind word, a smile, some friendly talk goes a long way when someone is stressed out with their job, and could really make a difference in how we *all* make it through these hard times. We can talk about doing something to help, but we need to take action along with the words. Take time to do something to help someone today. If we all work together we will survive together.

Layoffs: How have they been distributed across campus?

In a typical year, fifty-five SPA employees are laid off. The typical salary savings is about \$2.15 million per year. The last calendar year, 2008, was atypical. Twenty employees were laid off for a salary savings of about \$900,000.

In the first seven months of 2009, eighty-one SPA employees have been laid off for a salary savings of \$3.67 million per year. Fifty-six of these layoffs occurred in June and July. Nine EPA employees have also been laid off for an additional savings of \$687,000.

The average age of a laid-off SPA employee has been rising somewhat, from 42 in 2005 to 49 in 2008. So far this year, the average age is 47. The number of years of service has also been rising, from 8 in 2005 to 12 this year.

Women comprise about 59% of the SPA and EPA non-faculty workforce, but women are twice as likely to be laid off than men. However, this "result" is not statistically significant.

SPA employees comprise about 79% of the non-teaching workforce, EPA non-faculty, the remaining 21%--a 4 to 1 ratio. But SPA employees are 9 times more likely to be laid off than EPA non-faculty. That "result" is statistically significant.

Summary of SPA Layoffs (January 1, 2005 - July 31, 2009)

Year	Total	Gender		Ethnicity						Average Age	Average Salary	Average Years of Total State Service
		Female	Male	American Indian	Asian	Black	Hispanic	Other	White			
2005	56	41	15	1	1	9	1	1	43	42	\$35,392	8
2006	52	37	15		7	9			36	44	\$40,763	10
2007	57	32	25		4	7			46	47	\$41,112	10
2008	20	14	6		4	2		1	13	49	\$45,218	11
2009*	81	53	28		9	18		1	53	47	\$45,302	12
Total	266											

*Jan. 1 - July 31, 2009

Summary of EPA Non-Faculty Layoffs (July 1, 2008 - July 31, 2009)

Year	Total	Gender		Ethnicity						Average Age	Average Salary	Average Years of Total State Service
		Female	Male	American Indian	Asian	Black	Hispanic	Other	White			
2008*	4	4	0						4	45	\$53,757	7
2009**	9	5	4		1				8	47	\$76,386	10
Total	13											

*July 1 - Dec. 31, 2008

**Jan. 1 - July 31, 2009

Graphic by Kathy Bryant.

Data analysis by Steve Hutton.

Contesting Layoffs at UNC-TV: A Gap between Image and Reality?

by Steve Hutton

While the Right complains about Bill Moyers, and the Left complains about censorship, UNC-TV still manages to be seen as one of North Carolina's most highly regarded public agencies, reaching nearly the entire population of the state.

But images can be deceiving, as Dorothy and her friends discovered when Toto pulled back the curtain to reveal the true character of the Wizard of Oz. Or, more in keeping with the highbrow image of public television, as Portia's would-be suitors in the Merchant of Venice discovered when, as a condition of marriage, they were forced to guess whether a gold, a silver, or a lead cask contained her portrait. As is often the case in Shakespearean plots, what you see is not always what you get.

That may also prove to be true at UNC-TV, as a legal case that is now pending before the Office of Administrative Hearings (OAH) seems to show. R. Brent Judd v. UNC-TV could demonstrate that the public-spirited impression of UNC-TV that is beamed into millions of North Carolina homes every day is belied by its workplace culture and behind-the-scenes events.

Background

In August 2007, Tom Howe, General Manager of UNC-TV, announced a cut of fifteen positions. Five of the positions were vacant. The actual layoff of ten employees was slated for April 30, 2008. The stated reason for this long advance notice was to give affected employees the opportunity to seek other employment inside UNC-TV, in other state agencies, or elsewhere.

One employee who was slated for layoff quit within a few days. Before March 2008, two other employees also resigned, and one was transferred to another position within UNC-TV. The official layoff notices were distributed in March to the remaining six men, the youngest of whom was 46 years old.

R. Brent Judd, a Television Engineer IV, and Michael Campbell, a Television Engineer III, were the only two of the six to grieve their layoffs under the policies of UNC General Administration, the governing authority for UNC-TV.

Judd, who had worked at UNC-TV since July 1999, was planning to continue working another 12 years so that he and his wife could pay for the lifelong dream that had just come true for them: Horse lovers, the Judds had just purchased their own horse farm. When they did so, they realized that Judd literally needs to work to "pay off the farm." They had no idea that Judd was soon to be laid off.

Judd has calculated that the loss of 12 years of income, in addition to the loss of the higher retirement income that he would have had for the projected remainder of his lifetime and the increased benefits due his wife should she survive him amounts to \$1.6 million dollars.

Due Process at Work

In June 2008, Judd and Campbell separately attended mediation of their disputes with UNC-TV, as required by UNC General Administration's dispute resolution policy. The outcome of Campbell's mediation is unknown. There was no satisfactory outcome of Judd's mediation, so the next step, a formal grievance, was heard on August 7, 2008. Judd claimed that UNC-TV had not followed General Administration's policies and that the layoffs also discriminated on the basis of age.

According to Judd, the three-person grievance panel composed of peer employees found that the layoff process had not been followed and should be reinitiated and that he should be compensated for the period between April 30, 2008, and a future date when the layoff process is correctly completed. But, according to Judd, President Erskine Bowles overturned the panel's recommendation and upheld the layoff without providing a reason.

The next option in the state's grievance process is to take the matter to the Office of Administrative Hearings, which Judd has done. He again attended a court-ordered mediation on December 17. But once more, mediation provided no satisfactory outcome, so the case is now slated to be heard by the OAH.

The Administrative Law Judge who has been assigned to the case, Joe L. Webster, is the same judge who heard the House & Maynard v. UNC School of Dentistry case. House and Maynard are two of the fifteen dental laboratory technicians who were laid off at the School of Dentistry by Dean John Williams in January 2007, despite strong opposition from faculty, students and the Employee Forum at UNC-Chapel Hill.

Pulling Back the Curtain

From the outset of the layoffs at UNC-TV there has been a pattern of questionable actions and irregularities.

The first irregularity was that the layoffs fell disproportionately on older workers, who tend to have been in their positions longer and thus tend to have higher salaries. If it can be shown that these layoffs were made with a view to cutting costs in this way, UNC-TV (and the University system) might be legally liable to Campbell and Judd for their lost income.

A second problem is the fact that, according to Campbell and Judd, retaliation appears to be at work. In April 2008, Campbell asserted to the General Administration Staff Forum that another television engineer had surreptitiously video- and audio-taped employees and reported their conversations to management. Campbell and Judd contend that management laid off those employees who were most outspoken, not only to remove them from the workplace but also to send a clear message to remaining employees to keep their mouths shut.

A subsequent investigation by Ann Lemmon, General Administration Associate Vice President for Human Resources, found no wrongdoing in the video-taping and indicated that the audio-taping was turned off shortly after the equipment had been set up. Lemmon's report was verbal only.

The third problem was President Bowles' overturning of the grievance panel recommendations in Judd's case without offering any explanation as to why he felt it was proper to do so.

The Reality of an Employee's Right to Grieve Layoff

The state law that provides for employee rights to grieve disciplinary and dismissal actions are intended not only to protect the rights of employees but also to protect the public interest. If public employees are not secure in their jobs, they will be unlikely to report wasteful actions and violations of policies and law by other government officials.

The case of the fifteen dental laboratory technicians is an illustrative case. The Dean of the School of Dentistry claimed that laying off these employees and outsourcing their work would save taxpayer dollars. When the case was actually heard in court, the judge ruled on this point in favor of the former employees—outsourcing was costing more than retaining the work in house. So not only were the employees dealt with unfairly, the taxpayers' interests weren't served either.

There are several other similarities between the UNC-TV cases and the dental tech cases that preceded them. In both instances, management appears to have been motivated by President Bowles' PACE Report (President's Advisory Committee on Efficiency and Effectiveness), which is one of the most anti-public employee documents ever produced by a public agency in the history of North Carolina—and probably of the United States.

Another similarity is that both cases fall under an odd set of rules in North Carolina law that makes them difficult to ultimately win. Under these rules, an agency's internal grievance process evaluates an employee's claims using a "just cause" yardstick. Under "just cause" the agency has to show that it has had a legitimate reason for ordering the layoff and that it has conducted the layoff per policy. But even if the grievance panel finds in favor of the employee, the decision can be ignored by the agency head (such as the chancellor or the president). That's exactly what has happened in these cases. Maynard and Judd both won their "just cause"

arguments before their grievance panels. Yet the heads of each institution, Chancellor Moeser and President Bowles, overturned those decisions.

If the (former) employee wishes to take the grievance to the next level by appealing it to OAH, it cannot be heard there on a “just cause” basis. Because of a bizarre interpretation of case law that occurred in 2003, OAH no longer has jurisdiction over layoff cases that are appealed on a “just cause” basis only. However, the court does have jurisdiction to hear discrimination and other types of cases.

The dental techs lost their age discrimination claim on yet another bizarre interpretation of law. In order to prevail, they had to show that the School of Dentistry was engaged in a practice that caused the discriminatory result. The State’s Attorney argued that because the layoff policy hadn’t been followed, there was no practice that the dental techs could point to as the cause of the discrimination. If ever there was a Catch-22, this was it.

It remains to be seen what the result will be in Judd’s case. The UNC-TV case has some differences that make the TV engineers’ age discrimination claim stronger than the dental tech case. In addition, the UNC-TV case, coming so closely on the heels of the dental tech case, may enable it to be seen not as a one-off event but as part of a recurring pattern by UNC System management.

A Chilly Climate

A final similarity between the dental tech and the UNC-TV cases is the limited employment opportunities that some occupations have. The dental laboratory technicians were not just mass-producing crowns. They are highly skilled artisans who practiced their craft on extremely difficult dental cases. Likewise, the employees of UNC-TV are also highly educated, with specialized skills. Like the dental laboratory technicians, there are not many places in the state where they can practice their occupation at the same level of expertise and with the same potential for professional satisfaction as they have been able to do at UNC-TV.

When employees have few opportunities beyond their current workplace, managers may feel less inhibited in their management style, knowing that employees have few other options and will have to endure whatever management does. Employees, for their part, may become reluctant to speak out to protect themselves or their co-workers for fear of retaliation.

The dental tech and UNC-TV cases are already affecting other UNC System employees, since managers seem to be taking more care to ensure that layoffs do not violate law and policy. In particular, in these times of difficult budgets, older employees are under the microscope. Because they tend to earn more money than younger employees, they are attractive targets for layoffs. If Judd wins on his age discrimination claim, it will send a clear message to managers that targeting older workers may result in violations of law and policy, and when it does, there will be consequences.

And, as in the Merchant of Venice, the public will learn whether there’s a gap between image and reality at UNC-TV.

Judd’s case was heard over 3 ½ days, July 27th to 30th. A decision is expected in October.

Making Sense of the Bain Report

Chancellor Holden Thorp announced in February that, as the result of a gift from an anonymous donor, the University had hired the global business consulting firm Bain & Company to “conduct a study to help us identify innovative ways to streamline operations...and perhaps achieve additional cost savings.”

The Bain Process: An Overview

by Carl Shuler

After several months of speculation, the Chancellor’s Office announced the results of the Bain Study on its website, <http://universityrelations.unc.edu/budget/>, on July 21, 2009.

In his announcement, Chancellor Thorp wrote, “Bain has provided us with a series of potential strategies to streamline operations and become more effective. Now it’s up to us to study these proposals and determine our plans for implementation.” Thorp also requested that community feedback on the Bain recommendations be sent to budgetideas@unc.edu.

While we hear frequent references to the Bain report, there has been considerably less discussion of the study’s specific scope and objectives. Briefly, this article intends to provide a quick background to give you, the reader, the basis to make informed opinions. As deliberations are ongoing as to which Bain recommendations UNC should pursue and implement, now would be a great time to recap Bain’s efforts over the past several months.

Meanwhile, the Forum will continue to work to keep you informed of developments in the process. Furthermore, the Forum will continue in its unified presence as it supports the cause of SPA and EPA Non Faculty staff members alike.

The Bain consultants examined UNC’s general organizational structure, focusing on the following areas:

- Overall organization structure
- Procurement of goods and services
- Distribution of Information Technology, Finance, and Human Resources
- Funding and support of Centers & Institutes
- Support of research and associated compliance
- and University operations including utilities, facilities services, and space utilization

Currently, the university is reviewing its options and deciding which proposals to pursue. Next month, the University will start the “detailed solution design,” which will involve a 3- to 6-month timeline to come to an agreement on which Bain proposals to pursue. Afterwards, the university will embark on an estimated 12-month implementation process as it carries through with select recommendations to streamline efficiencies within the university.

In 2010, after the opportunity to implement select recommendations, Bain Consultancy will return to campus to provide a post-implementation review. At this time we will receive our “grade” for implementation efforts. The Forum will keep you posted of developments as our ad-hoc committee on the implementation process monitors the situation, and future issues of the InTouch will feature more in-depth analysis of specific elements of Bain’s final report.

Bain: What’s Next?

by Steve Hutton

The Bain response phase will be led by Professor Joe Templeton, past Chair of the Faculty and Distinguished Professor of Chemistry, and Mike Patil, associate dean for integrated business management in the Eshelman School of Pharmacy, who will join the effort as full-time program director.

Templeton and Patil say their role is to take the Bain report, understand the recommendations in the ten areas that were the focus of the study, and help select from among its options. The overall objectives are to make UNC-CH a better place to work and to determine how best to create a more effective operation and streamlined processes—in other words, how UNC can achieve higher levels of efficiency and effectiveness.

Employees will be involved in the implementation phase via similar channels as their input was sought during the Bain study. For the most part, Templeton and Patil anticipate that faculty and staff interests will be represented by the executive committees of both the Faculty Council and the Employee Forum. Prof. Templeton has pledged to renew contact with the Forum and work with the newly-elected members of the Forum’s executive committee.

Templeton reports that as the new academic year starts, plans for the implementation process are just getting underway. He and Patil are looking for office space on campus to serve as a base of operations and say they expect implementing the Bain recommendations will be a “streamlined and efficient operation.”

A Forum committee comprised of Todd Hux, Danny Nguyen, Harold Hill, and the Forum Communications committee were nominated at the Forum’s August meeting to help monitor the implementation process. We will report back as Templeton and Patil’s work gets underway.

Housekeeper Update: A Report from the Staff Relations Committee

by Marc ter Horst

Chair of the Staff Relations, Policies, and Practices Committee

In the May/June issue of the InTouch Newsletter, difficulties in establishing computer and Internet access for staff in Housekeeping Assistant Director, Housekeeping Services for Residence Halls. We learned computers will be set up in 5 break rooms and demand will be tracked in order to determine whether additional access is needed.

Speaking of break rooms, Ms Sell led a tour of break rooms this summer for members of the SRPP. Efforts are being made to establish good space for staff to take breaks, a benefit everyone I have spoken with in facilities and housekeeping believes is important to provide.

Along with other staff concerns the SRPP will address this year, we hope the progress in improving the work environment will continue.

Raising Awareness About Domestic Violence

October is domestic violence awareness month. The National Network to End Domestic Violence reports that more than 22 percent of women and 7.4 percent of men in the U.S. will be physically assaulted by a current or former partner in their lifetime. Approximately 2.3 million people each year are raped and/or physically assaulted by a current or former spouse, boyfriend or girlfriend each year. Approximately 37% of women seeking injury-related treatment in hospital emergency rooms were there because of injuries inflicted by a current or former spouse/partner. And, on average, 3 women are killed by a current or former intimate partner each day in America.

These statistics give us a sense of the scope of the problem. They also alert us to the fact that, statistically speaking, this is an issue that affects many in the UNC community. Particularly during these tough economic times, which can be a trigger for the onset or escalation of abuse, it is more important than ever to think about how best to respond for those who are in need.

Workplace Violence Policy Amended to Include Domestic Violence

The Office of Human Resources announced updates to the University's Workplace Violence Policy in September. Major changes include definitions and coverage for domestic violence, stalking, and bullying, as well as information about how to report violent incidents. In addition, the new policy language outlines the support the University can offer to victims.

The revised policy, which is effective Sept. 1, 2009, is available on the Office of Human Resources web site at <http://hr.unc.edu/Data/SPA/employeerelations/harassment/violence>.

The new language on domestic violence was one of several recommendations made by Forum Resolution 08-02 concerning Domestic Violence in the Workplace, Sexual Harassment and Sexual Assault, in April 2008.

The policy defines domestic and family violence as "the use of abusive or violent behavior, including threats and intimidation, between people who have an ongoing or a prior intimate relationship (including people who are married, live together, or date, or who have been married, lived together, or dated) or between family members." SPA and EPA Non-Faculty employees should report

incidents of domestic or other violence to the Office of Human Resources, Employee & Management Relations Division and submit a "Workplace Violence Reporting Form," which is available on the OHR website.

The Workplace Violence policy affirms UNC's commitment to a violence-free workplace and acknowledges that "violent acts, whether on-duty or off-duty, affect the ability of all employees to perform their jobs." The policy focuses on prevention, holding perpetrators accountable, and providing assistance and support to victims.

The policy instructs managers to assist victims with security by making reasonable accommodations such as adjustments to work schedules or work location to enhance employees' safety. In addition, the policy recommends support measures such as encouraging employees to access the services of the Department of Public Safety or the Employee Assistance Fund. Managers are instructed to grant victims the use of available paid leave, accumulated paid time off, leave without pay, and/or flexible work scheduling for medical, court, or counseling appointments related to trauma and/or victimization.

Any form of violence as defined in the policy can be cause for disciplinary action, up to and including dismissal, as unacceptable personal conduct.

The Forum applauds these important changes in University policy and the administration's recognition of the seriousness of domestic violence as an issue facing employees.

HAVEN: Becoming an Ally for Our Fellow Workers

by Ashley Fogle

Domestic Violence Awareness Month is a time to reflect on this serious issue and how it affects members of the Carolina community. The welcome additions to Human Resources' Workplace Violence Policy signal the University's commitment to support survivors. At the same time, we should consider what kind of support we can offer one another.

The Office of the Dean of Students, the Interpersonal Violence Prevention Coordinator, and the Carolina Women's Center offer HAVEN (Helping to Advocate Violence Ending Now) training opportunities throughout the semester. HAVEN helps UNC faculty, staff, and students learn how to respond in a meaningful way to sexual and relationship violence in our campus community and to become informed allies.

Why is this important? One reason is the low level of formal reporting for instances of interpersonal violence. Due to the shame and stigma surrounding these issues, among other reasons, many survivors of violence may choose not to report their experiences to the police or other authorities. However, this does not mean that these individuals are not in need of services or a sympathetic ear. By attending HAVEN training, you help to create multiple "safe spaces" around the campus for fellow staff or Carolina students to obtain information, engage in discussion, and receive referrals.

Participants leave our trainings with basic information about sexual and relationship violence, how to respond in a helpful way, what resources are available on campus, and what you can do about sexual and relationship violence in the Carolina community. You will receive a sign for your office door which identifies you as a HAVEN member.

Training schedules and registration information are available at <http://womenscenter.unc.edu/index.php?p=haven>. For more information, please contact Ashley Fogle at fogle@unc.edu.

Recycling and Waste Reduction in the Upcoming Year

by Amy Preble

This is an exciting time of year when you work on a University campus. No matter what department you work in, the start of the new semester in the fall signals changes for your daily work life. For us in the Office of Waste Reduction and Recycling, the week of Student Move-In (along with Student Move-Out) is one of our busiest times of the year—one of our “all hands on deck” events, where we deal with the enormous volumes of trash and recyclables that are generated when 8,300 students move in over the course of a few days! As we all start fresh with a new year, here a few recycling basics to remember:

QUICK RECYCLING GUIDE



glass

clear, blue/green, or brown accepted
must be a beverage lab glass- but
only if it didn't contain hazardous
materials and has been washed
tempered glass is not accepted

plastic

bottle shaped plastics #1
through #6 (some #7's
allowed, check with us)

cans

please rinse to avoid
attracting fruit flies



newspapers magazines mixed paper

includes junk mail, cereal boxes,
catalogs, phone books and frozen food boxes

office paper

includes envelopes, post its,
colored paper and cardstock



corrugated cardboard

break it down and place in an
outside blue dumpster
or if you are in an office place
it next to your trash can

see our website
FAC.Unc.EDU/WASTEREDUCTION
for more info

The Recycling Office, in partnership with the Sustainability Office, launched a new website last semester: <http://www.carolinagreen.unc.edu>. This website is a “portal to all things green at Carolina,” and you can see there are many resources linked from that page.

One of those is a link to our Green Events web page: <http://www.carolinagreen.unc.edu/GreenEvents/tabid/234/Default.aspx>, which contains information on how to make your events on campus greener, with advice on everything from composting to food sourcing, transportation, and paper reduction. Kenneth Bryan, our Green Events Intern, will be happy to consult with you or someone in your department about this, help you incorporate composting into your event, and answer any other questions you may have. He may be reached at Kenneth.Bryan@facilities.unc.edu or 962-1442.

Composting plays a significant role in waste reduction at Carolina. This past year, UNC won the Carolina Recycling Association’s annual award for Outstanding Composting or Organics Recycling Program.

This achievement is the result of three campus groups: Carolina Dining Services (CDS), the Department of Lab and Animal Medicine (DLAM), and the Grounds Department. Together the recycling efforts of these three groups make up 38% of this year’s total campus recycling. The collection of animal bedding by DLAM accounts for almost 16% of the total campus waste diversion by weight. Food waste collection by Carolina Dining Services is almost 14% and the yard waste processing by Grounds is another 8%. All told, 2.3 million pounds of food waste, animal bedding, and yard waste were composted or recycled from campus last year.

While animal bedding and food waste recycling are more than a decade old at Carolina, UNC now takes part in a compost program offered by the Orange County Solid Waste Management Department. The partnership between UNC, Orange County, and the processor, Brooks Contractor, is key to the program's success. Food waste and animal bedding are composted on Brooks Contractor's 30-acre facility in Goldston, NC. The site is part of the family's old 375-acre dairy farm. Brooks process approximately 60,000 tons of materials each year and is one of the few compost facilities permitted to compost food waste, both in NC and nationally. They sell about 30,000+ tons of finished compost products per year. Their customers include Whole Foods, Meredith College, Duke University, the NC legislative building, EPA, Elon University, Shakori Hills, and the Festival for the Eno,

Congratulations and thank you to everyone who has been involved in this program, working hard every day to make it the best!

There are any more exciting green efforts to come this year at Carolina. Look for our monthly newsletter in the DTH for further updates!



Ground Department's Tim Miles and Al Gainey with the award



Brian Jones with Carolina Dining Services

Nominate an "Unsung Heel"

by Teena Burton

Do you know a UNC faculty or staff member who volunteers at the local shelter, gives up his/her Saturdays to be a big brother or big sister, visits the sick or elderly, or performs any other service for the community?

If so, the Forum's Community Affairs, Recognition, Awards & Outreach Committee wants to know about them. We are recognizing UNC employees who are outstanding contributors to their communities. We want these individuals to know how much we appreciate their making our communities better places in which to live. Individuals will be selected from your nominations and recognized by the Employee Forum and the University Gazette.

Nominations should be submitted by Thursday, October 15, 2009 to Teena Burton, Pediatrics, CB# 7487 or email the nomination form which can be found at <forum.unc.edu/documents/UnsungHeelsNominationForm.doc> to <tburton@med.unc.edu>.

Look for Us on Employee Appreciation Day!

Please be sure to drop by the Employee Forum table in Great Hall on Employee Appreciation Day, Friday, October 23. Just as last year, we will have surprises galore!

Flu Shot Clinics: Take Care of Yourself

Seasonal flu shot clinics for University employees began September 22, nearly four weeks earlier than last year's clinics. Registration for clinic appointments began September 14. Employees can make reservations by visiting ehs.unc.edu. The University plans to offer 19 clinics at various campus locations during the last two weeks of September and every week in October. Clinics are for University faculty and staff only.

There is no charge for flu shots for employees enrolled in the State Health Plan, but you must bring your State Health Plan card and a photo ID to the appointment. Cost of shots for those not on the State Health Plan is \$30. After vaccination, a form will be provided for those employees to file a claim with other health insurers.

This seasonal influenza vaccine will not provide protection against the H1N1 flu. The H1N1 should be released for general public distribution in the fall, at which time the campus community will be notified.

Information about H1N1, including tips to prevent spreading the flu and recommendations for when staff should stay home from work, is available at alertcarolina.unc.edu.

HR Updates

New Policies for EPA Non-Faculty Employees

Assistant Vice Chancellor for Human Resources Matt Brody and Senior Director Gena Carter spoke at an Employee Forum

Executive Committee meeting about changes to the University's EPA non-faculty employment policies.

Brody said that EPA non-faculty employees generally receive a letter of appointment with terms and conditions that are not flexible. However, these policies will change to align themselves with General Administration as of September. These policies have not been revised for some time and have first of all been revised to make them more readable. Moreover, the policy letter will update the discharge for cause provisions for at-will and term appointees.

Revisions to the EPA non-faculty grievance policy would expand the role of the support person and clarify the role of attorneys. Attorneys would have a role in dismissals for cause for EPA non-faculty, if the claimant informs Human Resources beforehand. Carter said that Human Resources would not yet allow attorneys to participate in the SPA process but was looking to enhance the process further. Brody said that the Office of Human Resources would play a more substantive role in EPA non-faculty grievances, helping panel chairs with support, routing, copies, and scheduling of sessions. Noreen Montgomery will act as the EPA non-faculty coordinator. Brody said that the University is trying to maintain the informality of the University's grievance process.

Enhancements to Employee Assistance Fund

In March 2009, Chancellor Holden Thorp authorized the creation of the Employee Assistance Fund, which was designed to serve two purposes: to provide career transition services through Lee Hecht Harrison for employees who are laid off or whose appointments are ending and to expand the support already offered by the Employee Assistance Program, which gives employees a confidential resource for help with stress or other challenges – either at home or in the workplace. Employees now have access to an additional confidential EAP resource through the fund, provided by a behavioral health organization, Deer Oaks. The Deer Oaks service is an additional resource for newly unemployed individuals coping with the emotional hardships of layoffs. Employees can call Deer Oaks 24 hours a day, seven days a week, for free confidential assistance. The University's on-site EAP resource is available during regular work hours.

The expanded Employee Assistance Program is intended to provide referrals for and assistance with issues including stress, depression, anxiety, and anger management, as well as legal, financial, relationship, workplace and substance abuse problems. Services are available to employees and their dependents for up to six months after they leave the University.

To contact the University's on-site employee assistance counselor, call 929-2362 during regular business hours. To contact Deer Oaks, call 877-327-7658 (24/7/365).

Change in Employee Work Day Hours on Oct. 22

Employees will be sent home early on October 22 as a result of a nationally televised home football game at Kenan Stadium. In a communication dated August 20, Vice Chancellor for Human Resources Brenda Malone said crowds of fans are expected to arrive on campus as early as 4 pm for the 8 pm game. Workday hours will be changed to 8-3 for the day to allow employees to leave campus in time to avoid the expected traffic congestion.

Employees who cannot work their regularly scheduled hours that day will be required to use accrued leave or find a way to make up the hours. Options suggested by HR include:

- working additional hours during that week—e.g., by some combination of coming in early, staying late, working a reduced lunch break;
- using available “flexible furlough” hours to cover the leave;
- or using accrued compensatory time, vacation or bonus leave to cover the hours.

Malone's memo said the University will not provide additional compensation or equal time off for employees who are required to work after 3 pm on game day. Schedules for second-shift employees should not be affected unless otherwise notified by management, and the game will not require any changes to the schedules of third-shift employees. Facilities Services employees will receive separate notification about their work arrangements for the day.

Editorial Opinions

Starting from the Top Down

by Anony-Mouse

When I heard about the decision to cut the tuition waiver benefit, my initial reaction was, “Wait, hey, how does the legislature think they're saving money by cutting tuition waivers? It's not like we're taking up space from paying students!” UNC employees can't enroll in a course until the paying students registered (Continuing Ed courses have their own set of quirky rules, so we'll leave them out for now) and only if there is space available.

So I called the Governor. I spoke to the Department of Higher Education and was referred to the Educational Assistance Authority, who, in turn, told me there was nothing that could be done to help, as I am not in an Education program, and they had nobody to refer me to. Next, I called the College Foundation for North Carolina. Again, I was told that nobody could help me, since I am unable to take out student loans. As we all know, mortgage and family and loans on top of that do not mix when sometimes you're just struggling to get through the day. I'm a full-time employee in the University system, and I couldn't be helped! Sure, they could offer assistance if I studied a full course load, and took out loans. I'd even be eligible for grants! I'd filled out my FAFSA on time, like any college student whether full or part time should fill out, and found that I got nothing.

So I called on Chancellor Thorp. I sent him an email explaining the plight of part-time students and asked why our tuition waiver program cost so much that a class needed to be cut. Where was the money coming from? I have yet to receive a response. So I called on President Erskine Bowles, who referred me to Rob Knowles, the CFO of the University System, who was on vacation and was therefore unable to answer my question. Should I be shocked, disappointed, or just indifferent? I went to the top, I went to the bottom, and still – nobody can tell me how an underpaid employee in the greatest public University system in the country is able to hold down a job and still get a college education.

Red in Tooth and Claw

by Brenda Denzler

Employees at Carolina received an interesting message from the NC Department of the State Treasurer a few days ago. It said that there had been inquiries lately from state employers about whether people who are out on short-term disability could also draw severance pay when their jobs were eliminated.

After much consideration and legal cogitation, it was decided that they could not. Logically enough, this would be “double dipping,” and the system is not set up to promote that. It is set up to try to help people who suffer losses, whether through the misfortune of bad health (short-term disability) or the misfortune of lay-off (severance pay).

What the system is also apparently set up and willing to do is to cull its most vulnerable employees—the sick and disabled—under the banner of budget reductions.

Think about it. The State Treasurer’s Office says it had been receiving inquiries from employers. Apparently there were enough inquiries from enough employers to make it seem worthwhile for the STO to send out this message.

This means that there are a number of your fellow State employees out there who are sick and disabled, who are trying to get well, and who are therefore out on disability. And while they are out, their bosses are using the current budget crisis as an excuse to eliminate their jobs.

It is, after all, the perfect excuse. The laws would forbid employers to eliminate the position of a sick employee because that employee was, at least for a time, unable to fulfill his or her job duties as they used to do. That would be discrimination.

But if the position of a critically ill (and less productive) employee were to be eliminated with claims that it is due to the budget...who can argue with that? Especially in court.

If we are to judge from the message, this kind of thing has been happening fairly regularly around the state of late, and it will probably happen some more. It’s certainly been happening at Carolina. I’ve heard of a few cases here, already. And I find it very disappointing.

Nature is red in tooth and claw. Nature, we know, can be vicious, ensuring the survival of the strong and the able by sacrificing the welfare of the weak and the maimed. After all, why waste precious survival resources on those who have suffered some kind of blow to their health status and have become weak. Better to cut those pack members loose, let the predators take them, and preserve the vitality of the larger group.

Red in tooth and claw is just about the opposite of compassion and humanity.

Apparently Tarheel Blue can be pretty red.

Passing the Torch

The newest Editors-in-Chief of the *InTouch*, Ashley Fogle and Carrie Goldsmith, would like to extend sincere gratitude to Brenda Denzler for all the hard work she did on the *InTouch*, and for the Forum as a whole. She’s leaving behind a red pen and a tough act to follow, but we’ll try our best! This newsletter would not be where it is today without her. Thank you, Brenda, for all your help, your insight and your guidance. We’ll be searching for mimsy borogoves.