

## InTouch: UNC Employee Forum News

Volume 8, Number 5, May 2007

[Looking Out for Ourselves: Collective Bargaining in NC](#)  
[GPAC II: Government Performance Audit Committee II](#)  
[Outsourcing Placement Company Assists RIF'd Employees](#)  
[Emergency Loan Program: When \\$500 Can Make a Difference](#)  
[Smoking Cessation Support](#)  
[Forum Resolutions Address Pay and Presidential Task Force](#)  
[Opinion: Could it Be We're Invisible?](#)  
[Delegate Rosters](#)

### ***Looking Out for Ourselves: Collective Bargaining in NC***

*Many UNC-Chapel Hill employees are big Tar Heel fans. They wear clothing and buy all kinds of consumer goods that are imprinted with our University logos. So here's a trivia question for all you Tar Heel fans:*

*What is one important difference between a worker in the overseas factories where all this merchandise is manufactured and a state employee at the University? One big difference is that the UNC-Chapel Hill Board of Trustees has said that all of that merchandise must be manufactured in places where the workers who make it have the right to engage in collective bargaining, yet state employees in North Carolina who buy that merchandise are forbidden by law (N.C.G.S. 95-98) to do the same thing.*

*Recently, North Carolina has been internationally censured for its decades-old refusal to allow public sector employees to try to look out for their own best interests by engaging in collective bargaining. In September 2006, the Employee Forum passed a resolution calling for the repeal of 95-98. The resolution also called for the Forum to provide the campus community with more information about collective bargaining—what it is, and what it is not. This article is the first in a series that will help to fulfill that mandate.*

#### **Four Collective Bargaining Bills**

There are four bills before federal and state legislators right now whose passage could improve the landscape for North Carolina's public employees.

In the current 110th U.S. Congress, House bill H.R. 980 would extend basic human and labor rights, including the right of collective bargaining, to state and local public safety officers. The law would apply only to those states or localities that do not already grant at least equivalent rights. As of this writing, David Price of the 4th Congressional District and Brad Miller of the 13th are co-sponsors.

The rationale for this legislation is based on several findings: that unions provide institutional stability; that public safety employer-employee cooperation is essential in meeting national security needs; that the interests of both public employers and employees are best protected through collective bargaining; and that the absence of employer-employee cooperation can adversely affect services to communities as well as interstate and intrastate commerce.

While extending labor rights, the bill also prohibits strikes by employees and lockouts by employers. It covers firefighters, law enforcement officers, and personnel who provide out-of-hospital emergency medical services. Locally, it would cover campus police; paramedics and other first responders; and Chapel Hill, Carrboro, and Orange County public safety officers who provide essential services to our surrounding communities and, often by agreement, to our campus.

Similar bills, sponsored by Rep. Kildee of Michigan, have been submitted since the 105th Congress (1995-96) and in the Senate since the 107th Congress (1999-2001). In 1998, when Newt Gingrich was Speaker, the bill had 247 co-sponsors (and only 218 votes are needed for passage), **but it never made it to the floor for a vote.** In the 107th Congress, the bill had 226 co-sponsors. After the events of September 11, 2001, Speaker Hastert prohibited the bill from coming to the floor for a vote, suggesting that strikes by public safety officers would compromise national security.

In the North Carolina General Assembly, a similar bill (S970) has been introduced by Sen. Cowell of Wake County and Sen. Berger of Franklin. H1584 is the companion House bill, sponsored by Rep. Blue of Wake and co-sponsored by Reps. Carney of Mecklenburg, Faison of Orange, and Ross of Wake. It appears these bills would meet the requirements of the federal bill, enabling North Carolina's states and localities to retain local jurisdiction over labor unions and collective bargaining rather than falling under the authority of the pending federal statute. Similar bills have been introduced since 2001.

A third bill, H1583, would simply repeal G.S. 95-98, which prohibits collective contracts between public employers and public employees represented by a labor organization. It is sponsored by Reps. Blue of Wake, Coates of Rowan, Goforth of Buncombe, and Brown of Davidson. Co-sponsors are Reps. Faison of Orange, Fisher of Buncombe, T. Harrell of Wake, Martin of Wake, Rapp of Haywood, and Wray of Northampton.

H1583 would restore the public sector employer-employee relationship to its pre-1959 status. That was the Cold War period when labor unions were often painted by their opponents with the broad, red brush of communism. In reality, opponents were reinforcing the late-period pinnacle of Jim Crow racism, fearing that labor unions would become a vehicle for cooperation among the races. The opposition was led by powerful textile magnates who feared that police would no longer be at their disposal to quash strikes among disaffected factory workers.

(Fears about a lack of police cooperation were largely unfounded. Historically, unionized police officers, regardless of their sympathies, have enforced laws against strikers.)

Today, most of our textile magnates have abandoned their employees and local communities in the wake of NAFTA, and the anti-union fears of the past are behind us. The Cold War is over, and despite a hostile environment, labor unions are already arenas of racial cooperation.

The fourth bill, S1543, would not only repeal G.S. 95-98 but would also create a framework for collective bargaining. It has been introduced by Sen. Larry Shaw of Cumberland. The elements of this bill will be the subject of the next *InTouch* article in our series.

For more information about these four bills, including the full text, revisions, co-sponsor updates, committee assignments, and current bill status, please refer to the following links:

### United States Congress

H.R. 980 - public safety officers only

<http://thomas.loc.gov/home/c110query.html>

### North Carolina General Assembly

H1584, S970 - public safety officers only

<http://www.ncleg.net/gascripts/BillLookup/BillLookup.pl?Session=2007&BillID=H1584&submitButton=Go>

<http://www.ncleg.net/gascripts/BillLookup/BillLookup.pl?Session=2007&BillID=S970&submitButton=Go>

H1583 – simple repeal, all NC public employees

<http://www.ncleg.net/gascripts/BillLookup/BillLookup.pl?Session=2007&BillID=H1583&submitButton=Go>

S1543 – repeal and framework, all NC public employees

<http://www.ncleg.net/gascripts/BillLookup/BillLookup.pl?Session=2007&BillID=s1543&submitButton=Go>

## ***GPAC II—Government Performance Audit Committee II***

*[On March 16, 2007, UNC System President Erskine Bowles announced that while he would not seek to pull more than 22,000 University SPA employees out from under the State Personnel Act, he would “ask for legislation to create a task force to identify possible modifications to the State Personnel Act that will provide the University with greater flexibility in personnel matters...”]*

*One week later, the State’s Government Performance Audit Committee (GPAC) issued a revision of its original January 31st Request for Proposals (RFP) seeking a vendor to conduct an audit of the State Personnel System’s structures and authority. The original audit was to include a review of existing HR statutes that govern the employment terms and conditions of SPA employees (found in G.S. 126). The revised RFP calls for an exacting focus on the provisions of G.S. 126.]*

In 1991 the N.C. General Assembly authorized the first Government Performance Audit Committee (GPAC I) to evaluate the efficiency and effectiveness of State government and to identify specific ways to make improvements. The suggestions arising from the resulting report have been in use since that time. In 2006, the legislature authorized GPAC II with a charge similar to that of GPAC I. This standing committee is composed of eight members each from the House and the Senate.

In December 2006, the committee engaged Turcotte Public Administration Consulting and Training, LLC, to organize and direct the initial phase of the audit, which will assess central management issues in the areas of Internal Auditing, Personnel, State Construction, IT, State Property, and Capital Planning. The second phase will focus on specific program areas in State government operations.

The evaluation process for the first phase begins with a series of Requests for Proposals (RFPs). The first RFP was for a study of “Internal Auditing in State Agencies and Institutions.” That contract for nearly \$200,000 was awarded to MGT of America, Inc., the same company that did preliminary outsourcing studies for the University Board of Governors in 1995-96.

The second RFP was originally issued on January 31, 2007, and called for studies of the “State Personnel Administration,” which administers the statutes (found in G.S. 126) that govern the employment of more than 90,000 state employees. A revised RFP for this study was issued on March 23rd. It eliminated a prior requirement for a separate, expedited report on career-banding and slightly extended the reporting deadline to June 30th. The deadline for receiving the RFPs was extended to April 27th.

The introduction to the revised RFP states that the consultant should “*assess the North Carolina system, identify bright line standards emerging from the science of human resource management and public administration, and compare the state system to similar large employer systems and those of comparable state governments.*” Project tasks for this study include but are not limited to:

1. Review of organizational reporting relationships, delegation agreements, and degree of independence or centralization within the HR system structure and the authority of the State Personnel Commission;
2. Review of existing HR statutes (G.S. 126) and recommendations for potential changes that would enable an effective HR culture and high performance workforce;

3. Recommendations for improving employee cost forecasting to facilitate executive budgeting and appropriation of salary and benefits by the General Assembly;
4. Recommendations for state policies, including but not limited to those related to improving accuracy, tracking and integration of other salary and compensation information for appropriations for salaries and benefits and other entities where compensation is exempt from G.S. 126 but is set or predominantly financed by the state;
5. Recommendations to improve the effectiveness of all HR functions, including but not limited to strategic workforce planning, position classification and reclassification, recruiting, selection, compensation, discipline, termination, separation, and appeals;
6. Evaluation of career-banding; and
7. Draft legislation as needed to implement recommendations.

It is unclear at this time how the updated project parameters might relate to President Bowles' anticipated request for a study of the state's personnel administration as it pertains to the University system.

The GPAC II website is at <http://www.ncleg.net/committeefrontpages/gpaci/index.html>.

## ***Outplacement Company Assists RIF'ed Employees***

UNC-Chapel Hill has contracted with Lee Hecht Harrison (LHH), an outplacement and career transition company, to help employees who are laid off due to outsourcing or budget cuts prepare to search for new jobs. Two representatives of LHH attended the April Employee Forum meeting to inform delegates about the services they provide.

Employees whose state-funded positions are ending can attend a two-day workshop on preparing for the job search; they can also consult one on one, by telephone or face to face, with career counselors. LHH provides extensive information on its Career Resource Network website, which program participants can access at their convenience.

The company does not provide job placement services; its goal is to help employees assess their career situations, conduct effective job searches, and manage the transition to new positions—not to actually arrange new jobs for them.

LHH's services are available to employees as a supplement to the training and information already provided by UNC's Office of Human Resources; the services are free to affected employees and cost UNC approximately \$500-600 per participant.

Since the contract began this past January, about 13 employees have worked with LHH. For more information, see the LHH website on career transition and outplacement at <http://www.lhh.com/solutions/solutions/transition/transition.cfm>. The University Gazette also has an article about the Forum's discussion with LHH representatives, available at <http://gazette.unc.edu/archives/07apr11/morestories.html#5>.

## ***Emergency Loan Program—When \$500 Can Make a Difference***

UNC-Chapel Hill employees who face sudden financial hardship or emergencies do not have to go to predatory lenders—who charge an arm and a leg and require a firstborn child as collateral. Instead, they can turn to UNC's Emergency Loan Program for short-term, interest-free loans. Last year, 165 of us used this program to borrow a total of \$78,180.

The Emergency Loan Program was established in October 2004, after Chancellor James Moeser's Task Force for a Better Workplace recognized that employees occasionally need emergency cash and that helping to meet that need would create a more positive work environment. The Task Force was correct: In the first 15 months of operation, the Program approved 192 loans.

Under the Program, loans may be a maximum of \$500—with a minimum of \$50—per employee in any 12-month period. Loans are repaid in equal installments through payroll deduction, with payments spread over five pay periods for employees paid monthly or 10 pay periods for those paid biweekly. As a loan is repaid, the money becomes available again to loan to other employees in need.

To learn more about the Emergency Loan Program, go to [http://hr.unc.edu/Data/benefits/emerg\\_loan/emerg-loan-policy](http://hr.unc.edu/Data/benefits/emerg_loan/emerg-loan-policy) for information, or contact Employee Services at 962-1483. The loan application is available at [http://hr.unc.edu/Data/benefits/emerg\\_loan/emerg-loan-request.doc](http://hr.unc.edu/Data/benefits/emerg_loan/emerg-loan-request.doc)

## ***Smoking Cessation Support***

There's good news for smokers who want to quit! On January 1, 2007, the State Health Plan added nicotine replacement therapy patches as a covered pharmacy benefit.

Members received the patches free through March 31, 2007, through another pharmacy program – the generic co-pay waiver program.

As of April 10, 2007, State Health Plan members who receive tobacco cessation support can have the \$5 co-pay waived for over-the-counter (OTC) generic nicotine replacement patches.

Members may receive counseling from their health care provider or may take advantage of free tobacco cessation support services available through the NC Quitline. Co-pay waivers for the patches will be active at participating network pharmacies approximately two business days after a member's certification form has been faxed by the health care provider or the NC Quitline.

Benefits for OTC generic nicotine patches require a prescription and are valid for a 10-week course of therapy. An individual trying to quit smoking will typically need three to four boxes of patches over the course of a 10-week treatment. Look at <http://statehealthplan.state.nc.us/news-20070403.html> for details.

## ***Forum Resolutions Address Pay and Presidential Task Force***

The Employee Forum approved two resolutions at its April meeting. Resolution 07-05 addressed the need for adequate salary increases for State employees, noting that salary increases have not kept pace with inflation over the past ten years. The resolution calls for a 5% increase for all staff employees together with an increase in the minimum salaries of the lowest paid employees from \$22,300 to \$25,625.

Resolution 07-07 addressed the composition of President Bowles' upcoming task force to study possible modifications to the State Personnel Act. The resolution recommends that the task force contain representatives of all salary grades and employment categories and that any University employee be eligible for election. The resolution also calls for democratic election procedures to install the task force staff representatives and finally charges UNC-Chapel Hill delegates to convey this position to the Staff Assembly.

### ***Opinion:***

## ***Could It Be We're Invisible...?***

*Brenda Denzler; Employee Forum Secretary*

I remember listening to UNC President Erskine Bowles' speech on University Day last September. He gave a stirring talk about six things we needed to do to make Carolina become the #1 Public University in America. It promised to be a grand talk—an interesting and insightful look at the important issues facing UNC.

He discussed the need to keep tuition low and provide more need-based aid for students, the need to invest in our faculty (whom he called "our greatest asset"), the particular need for more financial support for graduate students, the need for us to invest more in research so that we can contribute to the growth of technology and commerce in North Carolina, and the need for us to remember the critical importance of the Liberal Arts.

That's five things. I waited with bated breath for the final point, believing that since he had made good points about the needs of every other major population group in our UNC community, he would surely mention staff employees next.

But he didn't. We need, Bowles said, to set our standards higher and always hold ourselves accountable to them. That was his sixth point.

I was stunned. I couldn't believe staff employees had been ignored like that. Later I got angry. "What are we?" I wondered. "Chopped liver?!!"

I am realizing that speeches of presidents are not the only place where staff employees continue to remain invisible, unnoticed, unmentioned. As Forum Vice-Chair David Brannigan pointed out in the October 2006 *InTouch*, our wildly successful Carolina First Campaign has raised money for all kinds of campus needs affecting both faculty and students—but has utterly failed to even try to raise money for *one* staff concern.

Vice Chancellor for University Advancement Matthew Kupec has taken exception to Brannigan's critique, pointing out that 99.5% of all the money that is raised by the Development Office is restricted by the donors. Of the half of a percent of donations that are unrestricted—which would be more than \$10 million out of Carolina's \$2 billion-plus campaign—some is used to support four need-based scholarships for the children of faculty and staff, six C. Knox Massey awards for faculty and staff, the Star Heels employee recognition program, and the employees' Emergency Loan Program.

I find that I am inclined to agree with President Bowles. We do need to set our standards higher.

Kupec's information proves that Brannigan was essentially right. The funding of staff employee concerns receives barely a drop in the bucket when University administrators think about allocating the funds being raised for the University. The total cost of all of the programs Kupec mentioned hardly makes a dent in that \$10 million of unrestricted funds that the Development Office has raised.

But the problem is not just that we get so very, very few crumbs of "spare cash" from the Campaign—a campaign to which staff employees are regularly asked to contribute, by the way. The larger problem is that the Campaign has consistently failed to recognize that there are unmet staff needs and that a highly important Campaign goal could and should have been to bring in money to help meet some of those needs.

The business of fund raising is a tricky one. Potential donors come in all shapes and sizes and have to be courted in all kinds of ways. Some donors come with their giving agendas already set, and it's just a matter of accepting their money and saying thank you. But other donors have to be helped to know what projects to support. They need information and advice about what is needed at UNC. This is one of the functions of

a development office—to help donors decide how and where to direct their donations.

There is *no* reason at all why one of the University’s directed giving goals that the Development Office actively supports could not be for something that specifically addresses staff employee needs. There is no reason at all why a small part of the 99.5% of restricted funds that have been raised for Carolina could not have been restricted precisely *because* they were going to address staff employee needs.

Leaving the staff out of the Capital Campaign is not only unfair to staff, it is also unfair to UNC’s “greatest asset”—its faculty—because it shortchanges the University’s research and teaching agendas.

One of the main selling points of Carolina is the quality and strength of the staff support it can provide for faculty, whose productivity depends to a large extent on having dependable, well-trained, high-quality staff. It is staff employees who build and operate our multi-million-dollar computer systems, maintain our world-class laboratories, and administer our many programs, not to mention the hundreds of employees who maintain our beautiful campus grounds and clean and maintain our buildings so that teachers can teach, students can learn and thinkers can think.

As Professor Frederick P. Brooks has commented, qualified and highly competent staff are one of the “indispensable benefits” that are provided to the faculty at UNC.

There are only eight more months left in the Carolina First Campaign. Adding a staff needs component at the 11th hour is not as good as having had a well-planned staff needs component (or two) from the outset...but it’s better than being ignored altogether.

We need to do what President Bowles challenged us to do last fall. We need to set a higher standard and then hold ourselves accountable to it.

---

Return to the [Employee Forum Home Page](#)  
Contact a Forum Delegate via our on-line [roster](#)  
[Return to Top](#)