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In early April, I received an e-mail from a CUPA-HR leader letting me know that he had taken a job outside of higher education. Following just five years in higher ed, this emerging leader decided to leave us. Yes, this is an excellent opportunity for him with greater responsibilities, a larger organization to manage and a larger paycheck. And yes, the job is near his campus, so he will not need to move his family to another area of the country. I celebrate this opportunity with him, but I’m also concerned that we (higher ed HR) let another leader get away.

In a review of employee tenure trends from 1983-2014 (www.ebri.org/pdf/notespdf/EBRI_Notes_02_Feb15_Tenure-WBS.pdf), Dr. Craig Copeland of the Employee Benefits Research Institute notes that “the most recent U.S. Census Bureau data show that the overall median tenure of workers was slightly higher in 2014, at 5.5 years, compared with 5.0 years in 1983.” As you would expect, this varies by age and gender. The 2014 median for males age 55-64 was 10.7 years, and 10.2 years for females of this same age group. For males age 25-34, the category that the CUPA-HR leader who is leaving higher ed falls within, the median is only three years.

Based on data reported for 1,227 higher ed chief HR officers in CUPA-HR’s 2014-15 Administrators in Higher Education Salary Survey, the median tenure of campus CHROs is six years. We do not collect tenure data for other HR positions, but I imagine that the tenure patterns are similar to those noted in the U.S. Census Bureau data, with younger employees more frequently seeking other positions and older employees more likely to stay put.

Part of our challenge could also be supply and demand. According to the recent Higher Education Employment Report published by HigherEdJobs (https://www.higheredjobs.com/career/quarterly-report.cfm), strong overall job growth is occurring in the U.S., but higher ed employment has remained relatively flat. The good news for higher ed job seekers is that advertised job openings in higher ed increased 16.8 percent during the fourth quarter of 2014 compared to the fourth quarter of 2013.

Although this is interesting data, it’s not really a newsflash or call to action. As is typical of the workforce in general, younger employees are more willing to pursue new and different career opportunities and tend to be much more mobile than older employees. The challenge for higher ed HR professionals, particularly CHROs, is to be more diligent about mentoring and encouraging early career professionals to make higher ed HR their career path.

None of us needs a tutorial on the importance of coaching and mentoring. It is an essential part of our work. Every member of our HR staff needs to know that he or she is valued and appreciated. Every member of our HR staff also needs to know that we are committed to their learning and development and that we want to help them make higher ed HR their career path. If you have developed an impactful mentoring and development program for your HR staff, I would love to hear about it.

My hope is that the former CUPA-HR leader who has chosen to leave higher ed sees his new position as a five-year next step and that his next move will be back to higher ed HR!
Department of Education Releases New Title IX Guidance

The Department of Education’s Office for Civil Rights (OCR) has released new guidance pertaining to Title IX. In the April 24 Dear Colleague letter, OCR reminds educational institutions that receive federal funding that they must have a Title IX coordinator on staff and that they must provide these employees with the appropriate training, authority, support and resources necessary for them to carry out their duties and help their institutions comply with Title IX.

The letter outlines the factors institutions should consider when designating a Title IX coordinator, describes the Title IX coordinator’s responsibilities and authority, and reiterates the importance of institutions providing sufficient support to their Title IX coordinators. The guidance also contains a resource guide designed to provide Title IX coordinators with an overview of the law’s requirements and their responsibilities.

Says Molly Corbett Broad, president of the American Council on Education, “It was greatly disappointing that there was no consultation with the higher education community before the release of the Dear Colleague letter, as at first glance the new guidance appears to contain a problematic, one-size-fits-all approach.”

See the Dear Colleague letter, the letter to Title IX coordinators and the resource guide at www2.ed.gov/about/offices/list/ocr/whatsnew.html.

A First: Transgender Sex Bias Suit Settled for $150,000

A health clinic in Florida has the dubious distinction of becoming the first employer to settle an EEOC claim of sex discrimination against a transgender employee. Lakeland Eye Clinic will pay $150,000 to settle one of the first two such lawsuits filed by the U.S. Equal Employment Opportunity Commission, the agency announced. A second, against Detroit-based R.G. & G.R. Harris Funeral Homes, remains unresolved.

The Lakeland case involved the clinic’s director of hearing services, identified as Brandi Branson in a Miami Herald story. At the time of her hiring, Branson went by Michael and presented himself as male. About six months later, Branson started wearing make-up and women’s clothing to work. She noticed colleagues making fun of her and was eventually confronted about her changing appearance, according to the EEOC lawsuit.

Branson explained that she was transitioning from male to female and would be changing her name to Brandi. By April, only one physician was referring patients to Branson despite the fact that she’d been performing her job successfully, the lawsuit states. In June 2011, the clinic fired Branson on the grounds that her position was being eliminated. That August, the clinic hired a replacement.

Branson filed a complaint with the EEOC, which subsequently charged that the clinic took the action it did because Branson was transgender, transitioning from male to female, and because she did not conform to the employer’s gender-based stereotypes.

Along with the monetary settlement, Lakeland agreed to implement a new gender discrimination policy and to provide training to its management and employees regarding transgender/gender stereotype discrimination. The settlement was approved by the U.S. District Court in Tampa.

This article was authored by Tim Gould and first appeared on HRMorning.com on April 15, 2015. It was reprinted here with permission from HRMorning.com.
Are your Stars Ready to Fly?

With turnover low and a large pool of talent available, some institutions are unaware that there is a new war forming: the War for Stars. High performers and staff with scarce skills are in demand and are seizing opportunities outside of your institution.

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When the University of Notre Dame received funding and approval to renovate the Morris Inn, a 90-room, AAA two-diamond, university-owned and operated hotel at the heart of campus, the decision was made to close the hotel during the construction phase in order to ensure the safety of both guests and staff. But what would that mean for the hotel’s 53 employees?

Thanks to the creativity, innovation and collaboration of human resources, hotel operations, university leadership and other campus units, affected employees were able to continue their employment at Notre Dame during the nine-month closure and, as an added bonus, were able to experience and lend their skills and expertise to other units and departments across campus.

A Team Effort

University leadership made it clear from the outset that every effort should be made to accommodate the employees that would be affected by the Morris Inn closure, and it charged human resources and hotel operations to set a course for how this might be accomplished. The goal was to endure the temporary closure without having to institute layoffs or a reduction in force.

“It was a tall assignment,” admits Lisa Yates, the HR team member who, along with David Konkey from hotel operations, headed up the project. “It definitely required some out-of-the-box, innovative thinking.” A 10-person committee comprised of individuals from auxiliary operations, human resources, Morris Inn, general counsel and the office of institutional equity was created to move the project forward. “The breadth of the collaboration cannot be overstated,” says Yates. “Bringing together a multidisciplinary team allowed for new ideas and refinement from various perspectives, and was instrumental for the project’s success.”

The Plan

After much strategic discussion, the committee landed on a plan that would allow for three options for hotel employees during the closure:

1) The employee could take an unpaid leave of absence during the closure and be guaranteed a position to which to return when the hotel reopened;

2) The employee could receive a severance or retirement package (the formula of which would be based on years of service); or

3) The employee could be redeployed to work in another area on campus during the closure at his or her current rate of pay.

Of the 53 Morris Inn employees affected by the closure, all but six chose to be redeployed. “Creating an avenue whereby employees could continue their employment at Notre Dame without interruption was critically important,” says Yates, “and in the end, the benefits realized by everyone involved were greater than any of us could have foreseen.”

The Process

Planning for the hotel closure began in December 2011, and the hotel closed for renovation in October 2012. Prior to the closure, human resources and Morris Inn leadership met individually with all 53 hotel employees to explore their interests, skills and backgrounds and to discuss their three options. “This was a tremendous opportunity to get to know the skills, experiences and interests of Morris Inn employees and to build relationships with them,” says Yates. Out of this process also came a career development program designed to assist each individual with the transition. The program covered resume/cover letter preparation, educational and career goal setting, in-depth career assessment and networking/interviewing tips.

To place the employees who chose redeployment, Yates and Konkey partnered with more than 25 different departments across campus where there were identified opportunities and projects that the Morris Inn employees could take on. “It was incredible to see how the entire campus community embraced this project to fully support Morris Inn employees in any way possible,” says Konkey.

Throughout the redeployment process, Yates and Konkey stayed in touch with the redeployed employees and made regular visits to them in their temporary departments. They also brought the employees back together periodically throughout the closure for updates on the progress of construction, to celebrate during the holidays, to meet new leadership of the hotel and to include them in the creation of the new organizational structure, which would more than double the number of staff the hotel employed prior to the renovation.
“A key point in the overall strategy was to be transparent in communication and consistent with follow-up and check-ins with employees both prior to the closure and throughout the redeployment period,” says Yates.

The Payoff
By all accounts, the redeployment project was successful on all fronts — campus units in need of temporary help were able to get that help from employees already familiar with the university; redeployed employees were able to experience different kinds of work on campus and develop and hone new skill sets and competencies; and the university itself was able to reaffirm its commitment to its most valuable asset — its people.

“Feedback from Morris Inn employees throughout the redeployment period was highly favorable, and the overall consensus was that the university went above and beyond to take care of them,” says Yates.

When the newly renovated Morris Inn reopened in August 2013, 43 of the 47 redeployed employees returned to the hotel (the other four had accepted permanent positions in their redeployed areas). Several were promoted or moved into newly created roles required to support the new facility and expanded organizational structure. Says Konkey, “Our original Morris Inn staff have been invaluable in helping assimilate the more than 100 new employees added to the organization and in helping to establish the new Morris Inn culture consistent with the family feel within the larger Notre Dame culture.”

Further evidence of this program’s success? The hotel received an unannounced inspection from AAA only six short days after opening in August 2013 to be evaluated for the calendar year 2014. “Largely on the strength of the skill sets of our returning employees, combined with the new team and extensive retraining efforts, the hotel was awarded the prestigious AAA Four Diamond award on this initial inspection,” boasts Konkey.

Also as a result of the program, university leadership chose to embed Yates into the hotel business unit directly for an 18-month period after the reopening to continue to assist in the cultural integration of the 100+ new associates.

“The employee redeployment project was a great way for human resources to showcase its value to university leadership,” says Yates. “By thinking and acting strategically and aligning our work with the university’s values of teamwork and integrity, we were able to demonstrate our role in furthering the institution’s mission and goals.”

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inclusion cultivates excellence

Examining Implicit Bias and Its Effect on Hiring and Inclusiveness

By Elizabeth Wroblewski

Like many higher education institutions wishing to diversify, the College of Biological Sciences (CBS) at the University of Minnesota has long engaged in efforts to recruit and retain students from underrepresented groups. Three years ago, the college also ramped up its efforts to recruit diverse faculty members and create a more inclusive climate. In support of this goal, CBS human resources utilized a two-pronged approach that aimed to increase the CBS community’s level of self-awareness as a first step toward enhancing a climate of inclusion and removing barriers in the recruitment of a diverse faculty.

Implicit Bias Training
In 2012, CBS launched a new cluster-hiring approach to find field-shaping faculty to advance critical research areas in the biological sciences. The goal was to increase the number of female faculty and faculty from underrepresented groups. In addition to encouraging current faculty to reach out to their contacts to recruit women and candidates from underrepresented groups, HR required all search committees to undergo training in implicit bias prior to evaluating applications. The implicit bias training was based in part on materials used by the Society for Neuroscience’s “Women in Neuroscience” workshops on unconscious bias, in which two CBS department heads participated.

Training included research results that showed unintentional but real bias across gender, race and rank of faculty toward applicants based on gender and race. During year one of the cluster hire, one of these department heads presented materials to each search committee and engaged them in dialogue about strategies to circumvent bias. Subsequently, current research on gender and race bias was added to the training program. Today, this training is a requirement for all faculty search committees in CBS.

Exploring CBS Culture
Also in 2012, CBS received a grant from the university’s office of equity and diversity to work with Wing Young Huie, a nationally renowned photographer who uses his art to spark discussion about perception, identity and bias. The college’s HR team worked with Huie to design workshops that focused on identity and science in order to help the CBS community connect to issues of equity and diversity. The ultimate goal of the seven workshops, presented to faculty, staff and students, was to increase the self-reflection needed to truly create a more inclusive climate. Huie began each workshop with his own photos, asking participants to interpret their meanings and showing how culture shapes perceptions. He then asked participants to consider questions about their own identities and present them on a chalkboard. Photographs of participants revealing different parts of their identities were compiled in a video and shared with the entire CBS community.

Outcomes
CBS’s efforts to decrease implicit bias has strengthened the diversity of its applicant pools. Interview pools now contain a larger percentage of women (in some cases up to 55 percent) than they have in the past. Out of 14 faculty hires over the past two years, six were women. The college is currently in the final interview phases of this year’s searches and hopes to see an even greater increase in the number of female hires. The Exploring CBS Culture project was well received as well. Participants indicated an increased appreciation of how culture shapes perceptions and agreed that the workshops sparked examination of their identities in new ways. Participants also indicated a desire for further training in equity and diversity issues.

As part of its new strategic plan unveiled last fall, the University of Minnesota is calling for greater efforts to diversify faculty and staff across all units and includes the use of implicit bias training as one of many tactics to utilize. In terms of culture change, there is a broader acceptance of this training on the part of faculty (heads of search committees in another science college have invited CBS personnel to present the training to their committees), and search committees are taking a more thoughtful, strategic approach to recruiting and hiring women and members of underrepresented groups.

Elizabeth Wroblewski is director of strategic initiatives for University of Minnesota’s College of Biological Sciences. She can be reached at wrobl003@umn.edu.
inclusion cultivates excellence

HR Liaison Helps Bridge Gaps for ESL Employees

By Douglas Lewis

University of Central Florida (UCF)’s facilities and safety organization employs 511 people, nearly 43 percent of whom self-identify as Hispanic or Latino. Recognizing an opportunity to demonstrate the institution’s commitment to diversity and inclusion, facilities and safety leadership, with the support of human resources, created a position — coordinator of administrative services — for a bilingual employee to help address the needs of its English-as-a-second-language and non-English speaking employees.

An Evolving Role
The scope of the initiative at its outset was to promote inclusion for individuals within the facilities and safety organization who spoke English as a second language, but it has since grown into a much broader effort to promote inclusion of all employees and to ensure that every individual receives fair treatment, is cognizant of available benefits and is regarded as a full-fledged member of the facilities and safety family. What began as just a contact for Spanish-speaking employees has for all intents and purposes evolved into a quasi-HR generalist role providing translation and communication assistance for employees less versed in language, reading and technology. Some of the duties of the coordinator of administrative services, who reports to the facilities and safety HR manager, include:

• Acting as a liaison between facilities and safety employees who need assistance and the university’s central HR office for all HR-related matters;
• Helping to fill gaps in technology skills by assisting employees in accessing benefits open enrollment sign-ups and other resources via computer;
• Coordinating and facilitating communication between employees and the Florida Retirement System regarding employee retirement benefits;
• Providing English-to-Spanish translation services, including translation of policies, procedures and other HR bulletins and announcements, union contracts, and employee relations-related correspondence;
• Providing interpretation services for employee relations meetings, grievances and hearings, and all-staff meetings; and
• Assisting employees with computer-based job application programs (which has enabled internal candidates to access and apply for job vacancies they may have otherwise not been able to access, thus fostering upward and lateral mobility within the facilities and safety division).

An Eye Toward Recruiting
With the creation of this position also came a concerted effort by the facilities and safety HR team to attract Spanish-speaking candidates for vacancies. Job advertisements were placed in Spanish-language newspapers in an effort to make vacancies accessible to Spanish-speaking candidates (both internal and external) who were interested in applying for jobs. By taking this approach, UCF and the facilities and safety organization attempted to create a level playing field, giving Spanish speakers the ability to compete with their English-speaking competition while giving the university the benefit of diverse applicant pools.

Bridging Gaps Across Campus
The translation work that is performed as a benefit for facilities and safety is shared with other entities at UCF, including the student union, the wellness center and student health services. The facilities and safety HR team shares its Spanish-language resources (translated bulletins, notices, etc.) with the central HR office, the diversity initiatives office and the equal opportunity center. By being the first domain to establish a position exclusively dedicated to the purpose of ensuring fair access and treatment for all of its employees, it is our hope that facilities and safety has set an example for other campus departments on how to find creative ways to demonstrate their commitment to building a diverse, equitable and inclusive UCF community.

Douglas Lewis is assistant director of human resources for facilities and safety at University of Central Florida. He can be reached at Douglas.Lewis@ucf.edu.
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The University of Missouri System (UM) is in the midst of a total rewards transformation. From retiree benefits to staff time-off plans to medical insurance and wellness programs, UM is making changes and exploring new avenues to try to improve the personal and financial health of its employees and drive down individual and institutional costs. One of the most challenging, yet also most successful, initiatives of the university’s new total rewards strategy has been an overhaul of this year’s medical plan annual enrollment process.

Change, Change and More Change

To attempt to reduce the continually rising trend in medical plan costs, UM made three significant changes related to annual enrollment for 2015.

1) The university introduced a new Custom Network plan. In addition to its standing PPO and Healthy Savings high-deductible plans, UM introduced a third medical insurance option. This network of UM-affiliated healthcare providers has allowed the university to lower premium costs for employees and set targets for lower medical costs through an integrated delivery approach.

2) Employees were required to actively enroll. Every benefits-eligible faculty and staff member was required to actively select a medical plan or waive coverage. Active enrollment has not been required by UM in nearly 30 years, and in any given year about 30 percent of employees were making changes to their benefits. The decision to require enrollment had four primary goals — to ensure employees were aware of the significant changes to the medical plans for 2015; to increase employee understanding of the relationship between healthcare choice and cost; to educate employees and support them in selecting a plan that best fits their and their family’s needs; and to increase awareness of the quality of the benefits programs offered.

3) UM enhanced and expanded its wellness incentive program to increase awareness of and participation in healthy behavior. Using behavioral economic techniques, part of the wellness incentive was tied to medical plan enrollment. Faculty and staff were asked to pre-commit to the incentive program by opting in to a “wellness pledge” during the enrollment process. The wellness incentive has two tiers, and upon completion of each, employees earn a payout. Tier 1 — “Educate Yourself” — consists of taking the wellness pledge, completing a personal health assessment and getting a biometric health screening (payout for this is $150). Tier 2 — “Invest in Yourself” — consists of ongoing efforts to take steps toward healthier living. The university provides several tools, resources and programs to help employees engage in healthy behaviors and activities, and the payout upon completion of Tier 2 is $300.

These changes were widely and repeatedly communicated to the UM community in the months leading up to and during annual enrollment. After the enrollment period, a survey was conducted to gather qualitative feedback, but it was the quantitative results of enrollment that quickly illustrated the success of these changes and efforts.

Goals and Outcomes

UM set four specific goals related to this year’s annual enrollment. All were met, exceeded or are on track to be met.

Goal 1 – 50 percent of benefits-eligible employees will participate in a town hall, department or one-on-one educational session leading up to enrollment.

Outcome – 76 percent of employees participated in one of these events.

Goal 2 – 100 percent of benefits-eligible faculty and staff will actively choose a plan or waive coverage.

Outcome – 99.9 percent of faculty and staff actively
chose a plan or waived coverage. Out of nearly 19,000 employees, only 57 defaulted.

**Goal 3** – 30 percent of eligible employees will participate in the new Custom Network plan.
**Outcome** – 47 percent of eligible employees chose this plan, and the resulting cost savings to both employees and the university are expected to be significant.

**Goal 4** – 60 percent of eligible faculty and staff will participate in Tier 1 of the wellness incentive.
**Outcome** – More than 14,000 faculty and staff (75 percent) took the wellness pledge and agreed to participate in the incentive program. That's 2.7 times more employees than completed last year's incentive program.

**Success by the Numbers**
The 2015 annual enrollment overhaul required a major communication and change management undertaking to a degree that UM had never before attempted. The numbers paint a picture of success:

- Faculty and staff experienced nearly 600,000 communication contacts through the communication campaign.
- More than 12,000 faculty and staff attended the approximately 1,700 meetings offered over a three-month period.
- The website had more than 300,000 unique page views in three and a half months.
- About 6,500 individuals used the medical plan decision making tool.
- More than 6,300 individuals viewed at least one of the two online educational videos.
- The university sent more than 57,000 direct mailings.
- There were more than 4,800 social media views with 11 blog articles, 11 Facebook posts and 18 tweets.
- The university made more than 66,000 contacts to the nearly 19,000 benefits-eligible employees through six automated phone calls.
- The HR Service Center fielded roughly 3,200 calls and e-mails during the two-week annual enrollment period.

**Systemwide Buy-in**
While these statistics demonstrate concrete success, the organizational engagement and enthusiasm was the real “win.” Leaders and influencers across the UM System’s six institutions helped ensure success by initiating homegrown, organic outreach activities. For example, one department made T-shirts that said “Be calm and log on” to encourage enrollment among employees. During the two-week enrollment period, the supervisors of a group of service workers requested weekly reports of who had not yet enrolled to be sure that no one in that area was defaulted. The HR information system staff shared daily statistics that indicated enrollment percentage by campus to inspire friendly competition to reach 100 percent enrollment first.

Employee feedback was mostly positive and engaged, expressing appreciation for the university’s efforts to be transparent about this year’s changes, to provide numerous communication and educational options, and to support the employee’s own choice-making.

Kelley Stuck is associate vice president for human resources at the University of Missouri System. She can be reached at stuckk@umsystem.edu.
Starting January 1, 2018, the federal government will begin taxing employers under the Affordable Care Act (ACA)’s Cadillac tax provision on “high-cost” employer-sponsored healthcare plans. The federal government will impose the 40 percent tax on employer plans that cost more than government-set thresholds — currently $10,200 for individual coverage and $27,500 for family coverage. The thresholds may be updated, however, when final regulations are issued and will be indexed for inflation in future years. The tax will apply to every dollar spent above the threshold and will not be tax deductible by the employer.

The ACA states that employers are responsible for calculating the total amount of the tax. The ACA and the IRS interpretation take a broad view of what costs are subject to the Cadillac tax. In calculating costs of plans for the Cadillac tax, employers must include employer-sponsored medical and pharmacy coverage, health flexible spending accounts (including employee and employer contributions), health savings accounts (including employer and employee pre-tax contributions), health reimbursement arrangements, the cost for access to certain onsite medical clinics, disease or fixed indemnity plans if premiums are paid on a pre-tax basis, and retiree coverage. (Stand-alone dental and vision plans are not included.)

With the inclusion of these additional benefits, many employers may be surprised once they sit down to calculate the cost of their health coverage — plans they didn’t expect to come near the threshold in the end may be subject to the tax. While the tax is still three years away, many employers, labor unions and municipalities are working on new collective bargaining agreements that will be in effect in 2018 and are now considering options in light of the tax, including increasing deductibles, reducing benefits and shifting costs to consumers and taxpayers.

Purpose
The Cadillac tax was included in the ACA as a means to contain healthcare costs and as a revenue raiser to offset the cost of the ACA’s expanded federal government healthcare coverage and subsidies. The Congressional Budget Office (CBO) expects the tax to raise $120 billion between 2018 and 2025. CBO projects that only 25 percent of the revenue will come from employers paying the tax directly, and that the other 75 percent will come from increases in payroll and income tax revenue as employers increase taxable wages in lieu of offering high-cost health benefits. According to the American Health Policy Institute (AHPI), a nonpartisan think tank, 12 million workers could potentially face an additional $1,050 in higher payroll and income taxes every year as employer compensation and benefits packages shift in reaction to the Cadillac tax.

Inflation
As mentioned, the tax thresholds will be tied to inflation. The ACA directs that the tax be tied to the consumer price index (CPI or general inflation); however, medical inflation has historically been much higher than CPI. In the last four years, general inflation has risen less than 2 percent, while healthcare premiums have risen an average of 5.2 percent a year, according to the U.S. Inflation Calculator. As a result, an increasing number of plans will be subject to the tax. As the AHPI report put it, “the inexorable increase in healthcare costs will eventually cause Chevrolet benefit plans to be taxed as Cadillacs.” The study found that by 2031, most average family health plans will be subject to the tax.

It is expected that most employers will make changes to their plan offerings to control costs and avoid the tax. According to a 2014 survey by the National Business Group on Health, “nearly three in four respondents (73 percent) are adding or expanding tools to encourage employees to be better healthcare consumers. More than half (57 percent) are implementing or expanding CDHPs [consumer-directed health plans], while 53 percent plan to add or expand wellness program incentives. Perhaps the most significant finding is the nearly 50 percent increase in the number of employers that plan to offer a CDHP as their only benefit plan option next year. Almost one-third (32 percent) plan to do this in 2015, compared with 22 percent [in 2014].”

The Latest Guidance
On February 23, the IRS and the Treasury Department issued Notice 2015-16 on the Cadillac tax under U.S. Code section 4980I, the first guidance released on the
IRS and the Treasury requested comments by May 15 and stated that they expect to issue a second notice that will address additional procedural and administrative issues. Proposed regulations will follow the second notice once they have been able to study public comments on the two notices.

**Initial Impact on Higher Ed Employers**

According to data from CUPA-HR’s 2014 Employee Healthcare and Other Benefits in Higher Education Survey, some higher ed institutions are already reporting benefit numbers that would trigger Cadillac tax payments. Data show that thus far for all categories of healthcare plans and employee-only or employee-family plans, the number of plans impacted are less than 5 percent in each category. However, for institutions with less healthy or older populations, those with unionized workforces and those in geographic areas with higher healthcare costs, those numbers could rise much more quickly than expected — especially if the IRS decides to include additional benefit figures in the total cost.

Institutions located in high healthcare cost areas of the country, like the Northeast, will likely have more plans hit the Cadillac tax threshold more quickly. Other areas of the country will experience the same thing within a couple of years. Health insurance costs are projected to rise more quickly in the western region of the United States than in the south.

**Avenues for Change**

Until recently, Congress and most employers did not have the Cadillac tax on their radar screens. However, with the effective date approaching, employers, labor organizers and Congress are now keyed in to the issue. On February 11, Rep. Frank Guinta (R-NH) introduced H.R. 879, the “Ax the Tax on Middle Class Americans’ Health Plans Act.” The bill is a standalone measure designed to repeal the Cadillac tax in its entirety. Guinta, a former mayor of Manchester, New Hampshire, said in a statement: “My legislation will protect workers from facing this devastating tax increase, employers from reducing workers’ benefits and municipal taxpayers who … would experience skyrocketing property taxes. The repeal of this onerous tax has received widespread support from Republicans, Democrats, national unions and more.” The current mayor of Manchester, Ted Gatsas, warns that the Cadillac tax could cost his town close to $6 million. Guinta knows that like Manchester, many government employers are likely to get hit by the tax and are already in the process of negotiating new union contracts that could last through 2018.

CUPA-HR, along with other employer groups, issued a letter in support of the Guinta bill. However, President Obama is not expected to sign a bill that would make such a significant revenue reduction change to the ACA. Meanwhile, various coalitions are forming to work with Congress and the Administration to mitigate the impact of the Cadillac tax on employers. One of the approaches that may be pursued if the repeal legislation is not successful is to adjust the inflation portion of the law. If the inflation was tied to medical inflation rather than CPI, it could reduce the impact quite a bit. CUPA-HR plans to work with these groups and will continue to pursue changes to or a full repeal of the Cadillac tax.

Josh Ulman is chief government relations officer for CUPA-HR. He can be reached at julman@cupahr.org.

Christi Layman is manager of government relations for CUPA-HR. She can be reached at clayman@cupahr.org.
Partnering for Success

Developing a Performance Management System With a Link to Rewards

By Barbara Tobias and Amy Petrus
The higher education landscape in the United States continues to evolve, with reduced state funding models generating significant programmatic and operational change among public colleges and universities across the country. Other factors affecting both public and private universities include high levels of tuition that are impacting affordability for students, reduced or flat funding for research grants from the federal government and the unreliable nature of revenue from endowment funds. As traditional funding streams decrease, it is clear the current model of higher education is not sustainable.

In response, higher education institutions are seeking to increase their efficiencies and productivity while diversifying their revenue streams, often by incorporating business principles typically employed by the private sector. These changes in operational practices not only impact the way colleges and universities are doing business, but they also affect the morale of employees and the culture of these institutions.

Senior leadership at Northeast Ohio Medical University (NEOMED) believed that incorporating business principles around rewards and recognition could benefit both employees and the institution in ways that would ultimately increase productivity and morale. As such, human resources was charged with developing a system for rewarding staff performance that tied performance to compensation rewards. With the help of a consultant, HR was tasked with developing this pay-for-performance system with the understanding that across-the-board increases could not be incorporated into the final result. As an incentive, a pool of dollars was identified to fund five years of merit increases.

In late 2011, NEOMED embarked on this initiative, ensuring that the performance management system embodied the institution’s core values, was consistent and fair in its execution, and clearly aligned with reward mechanisms. This was accomplished in a fast-tracked nine-month timeframe by implementing Partnering for Success, an approach to set goals, provide performance feedback, and reward consistent, outstanding employee performance.

The project began with lots of data gathering. Human resources conducted executive interviews and employee and manager focus groups to gauge the effectiveness of past practices and to uncover expectations going forward relative to performance management. A total of three employee surveys were also conducted, and preview sessions and informational meetings were held throughout the design phase to inform and promote the new performance management process.

From these meetings and surveys, the process was rebranded from “Pay for Performance” to the more inclusive “Partnering for Success” (PsS), which exemplifies the creation of a partnership between the university and its employees to accomplish the university’s goals and reward employees for their contributions to these goals. It also represents the partnership that needs to occur between managers and employees — a commitment to work together to set goals, discuss progress and measure performance.

As a result of the discovery process, and to ensure the new approach was sustainable and effective in managing performance at NEOMED, PfS was designed to be:

- Simple and easy to use, while allowing for the appropriate customization based on job/level/department expectations in order to better focus goals and measure performance.
- Transparent, by providing frequent communication and gathering input from NEOMED staff.
- Fair and equitable, in that it can be consistently applied across the university for all non-faculty employees.
- Representative of the “best fit” for NEOMED.

**Performance Management**

The PfS program includes components based upon management and non-management roles. Performance expectations for managers include job-specific goals/responsibilities (weighted at 50 percent); competencies (weighted at 20 percent); and people management (weighted at 30 percent). Performance expectations for
professional and classified staff include job-specific goals and responsibilities (weighted at 60 percent) and competencies (weighted at 40 percent).

Performance in these areas is rated using the following four-point standards:

**Rating: 1 – Below Expectations**
- Performance is considered below established requirements for the job.
- Employee needs to improve performance significantly in one or more key areas – performance improvement plan required.

**Rating: 2 – Partially Meets Expectations**
- Performance sometimes meets all of the minimal established requirements for the job.
- Employee performance occasionally may require improvement.

**Rating: 3 – Fully Meets Expectations**
- Performance fully meets all the established requirements for the job.
- Employee takes the appropriate initiative and demonstrates NEOMED’s competencies.

**Rating: 4 – Performance Leader**
- Performance frequently exceeds the established requirements for the job.
- Employee demonstrates NEOMED’s competencies and acts as a role model.

**NEOMED has made significant progress in paying its performing employees competitively.**

In spring 2013, the midpoint compensation averages of all administrative and classified positions at NEOMED was 93.4 percent; after market adjustments and performance increases, that average is currently 99.5 percent.

Within the 12-month PfS cycle, there are four key steps: performance planning, mid-year review, year-end review and compensation outcomes.

The performance planning meeting is intended for the manager and employee to appropriately align individual goals to those of the university. By cascading down from the goals set by the university, department goals are set, which in turn drive goal-setting for the employee. Training is provided to employees and managers to develop goals using the SMART acronym (Specific, Measurable, Ambitious but achievable, Relevant, Timebound).

The mid-year review meeting provides formal feedback regarding performance to date and an opportunity to adjust the annual goals if needed.

The year-end review process has multiple steps:
- Employee completes a self-evaluation;
- Manager develops initial evaluation;
- Next-level manager review (more details noted below);
- Calibration (more details noted below);
- Manager finalizes employee evaluation and rating;
- Manager conducts meeting with employee to reflect on and document feedback and goal attainment for the entire performance cycle.

The management review and calibration components were developed given the message that emerged during the assessment phase of the project, which was that consistency and fairness of evaluations needed improvement. During the next-level manager review, the senior manager looks for similarities and differences in evaluations completed by direct-report managers. The focus of the next-level manager review is to confirm that evaluations are developed fairly and consistently and to provide senior managers the opportunity to discuss certain evaluations and to determine if any adjustments may be warranted.

The intention of the calibration process is to improve accuracy and consistency of ratings, ensure employees and managers receive recognition and rewards for strong performance, enhance manager accountability and ownership, and drive talent awareness. This process involves comparing the performance of employees in peer positions using consistent criteria in the following employee groups: director, manager, professional, classified and research.

Calibration panels consisting of managers of employees within the applicable employee groups are convened, with the most senior-level member of the panel serving as the panel chair. An HR representative and the panel chair facilitate a conversation to review the performance ratings of employees within the calibration group. After
first defining the performance criteria, the panel discusses and possibly questions the performance ratings of those within the group while comparing them to the defined criteria which serves as the consistent framework. Even though the institution is being transparent about the process, including how the calibration panel works, what is discussed during the calibration meetings is strictly confidential.

The compensation outcomes are designed to reward the performance of employees with a rating of Performance Leader or Fully Meets Expectations as detailed in the compensation strategy below. The form of the performance reward alternates each year between an increase to base pay and a bonus.

**Compensation Strategy**

NEOMED is committed to ensuring that employee pay is competitive within higher education and general industry markets by conducting periodic market analyses and adjusting the structure and placement of jobs as needed. The university's compensation strategy is designed to engage employees and reward high performers by providing pay rewards that tie compensation more closely to performance by ensuring that employees with strong performance are paid a competitive base salary and rewarding exceptional and sustainable performance through performance payouts and/or applicable base pay adjustments.

The reward mechanism alternates each year as follows:

**Year 1: 2013** – reward performance with one-time performance payouts

**Year 2: 2014** – reward performance with base pay adjustments

**Year 3: 2015** – reward performance with one-time performance payouts

**Year 4: 2016** – reward performance with base pay adjustments

**Year 5: 2017** – reward performance with one-time performance payouts

(Note: This strategy is always contingent upon fiscal ability. While funding this program will continue to be a top priority for NEOMED, this five-year plan will be dependent upon stability within university revenue streams.)

As an example, in 2014, employees with performance ratings of either Performance Leader or Fully Meets Expectations received a 5 percent base pay adjustment or a 3 percent base pay adjustment, respectively. In addition to the reward mechanism of base pay adjustments or one-time performance payouts, NEOMED has made a commitment to review employees’ pay relative to market, and if fiscally able, provide market adjustments as applicable. As such, in 2014, employees with a rating of Performance Leader or Fully Meets Expectations and current compensation less than 95 percent of applicable pay grade midpoint received a market adjustment of up to 3 percent of base pay, not to exceed 95 percent of the pay grade midpoint.

The value of NEOMED's compensation strategy is that it ensures the compensation structure remains competitive and provides ongoing positioning for base pay and total cash compensation to be rewarded to staff based on performance. This is accomplished by: (1) consistent application across all staff employee groups, resulting in competitive compensation practices achieved through market adjustments, performance increases and performance payouts, and (2) consistent use of a performance differentiator as the basis for awarding any base pay increases (performance or market) and performance payouts.

**Program Implementation and Cultural Integration**

Prior to PfS implementation, managers and employees received comprehensive training on the program. Now that PfS is in full effect, ongoing training is conducted for newly hired managers and employees six times per calendar year. The training includes an explanation of the PfS program and an overview of the performance management process and framework; exercises on writing effective goals; guidelines for handling the performance meeting and compensation action discussion; and an overview of the compensation strategy and parameters.

It is important to note that this process is not positioned as being owned and driven by HR. While HR is an equal partner and resource to both managers and employees, the HR role is not to serve as the “performance police.” One of the key elements impacting the success of PfS has been the university president championing the process and creating an intentional focus on the need to partner with employees.

**Results**

The PfS process has provided NEOMED with the framework to encourage managers to have regular dialogue with employees regarding performance. When performance improvement is warranted (employees in the
“partially meets expectations” and “below expectations” levels of performance), a process is available to create a plan in collaboration with HR to do so. In addition, the PfS process has provided a tool to remind managers to provide encouragement and positive feedback around employee performance.

Relative to compensation, NEOMED has made significant progress in paying its performing employees competitively. In spring 2013, the midpoint compensation averages of all administrative and classified positions at NEOMED was 93.4 percent. After market adjustments and performance increases, that average is currently 99.5 percent.

Measuring Ongoing Success
To be sure, the PfS program is a work in progress. For example, the calibration component has moved from an initial pilot with a very confined group to a clear three-year plan to calibrate all positions. In addition, the cascading of goals from the university level to the department level to individual employees is not yet fully implemented but is planned for the next phase after the full integration of calibration.

NEOMED is also in the process of automating a talent management system which has been branded as the NEOMED Success Center (NSC). The performance tool for PfS, initially rolled out as an excel document, has now been automated in the performance module of NSC and was introduced earlier this year. A learning and professional development module is also being finalized, and plans include the development of advanced training for managers utilizing a simulation facility.

Final Reflections
The successful implementation of the Partnering for Success program can be clearly attributed to three key best practice principles:

1) A clear vision, mandate and support from the president;
2) Allocation of needed resources to develop, implement and support the process; and
3) Consistent application of the reward mechanisms tied to the performance outcomes.

While it remains an ongoing process, PfS is becoming part of the NEOMED culture. Although the program is still in its infancy, we’ve seen solid engagement results thus far as managers and employees better understand how performance is measured and how pay is determined. Equally important and valuable, PfS serves as a platform for effective communication by opening and enhancing the lines of communication between managers and employees at all levels of leadership. Through this process, each individual contributor has an opportunity to gain insight as to how their performance impacts the university on a daily basis as well as how their performance supports the successful execution of the university’s strategic plan and positions the institution for future success.

Barbara Tobias is director of human resources at Northeast Ohio Medical University. She can be reached at btobias@neomed.edu.

Amy Petrus is a consultant with Petrus HR Solutions LLC. She can be reached at amypetrushr@gmail.com.

Performance Management Resources From CUPA-HR
If you’re looking to revisit your performance management strategy, CUPA-HR can help! Check out these great resources:

Performance Management Toolkit in the Knowledge Center – This new toolkit features how-tos, forms and templates, sample policies and models, readings and more. www.cupahr.org/knowledgecenter.

CUPA-HR Connect – Looking for advice from those who have been there, done that? CUPA-HR Connect (the association’s members-only online community) lets you tap the knowledge and expertise of hundreds of higher ed HR professionals from around the country. connect.cupahr.org

The Higher Ed Workplace Blog – Recent posts related to performance and talent management include “5 Simple Steps to Improve Performance Reviews,” “Creative Ways to Recognize and Reward Employees,” and “The Job Family Approach to Career Development.” blog.cupahr.org
The CUPA-HR Knowledge Center by the Numbers

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Earlier this year, CUPA-HR hosted a webinar entitled “The Affordable Care Act on Campus in 2015: Are You Prepared?” (if you missed it, the archive is available for on-demand viewing at www.cupahr.org). The webinar examined the ACA’s employer mandate rules (also referred to as the employer shared responsibility or “pay or play” rules) and the unique application of those rules to specific employment categories in higher ed, including student employees, adjunct faculty, graduate assistants and others; the methods for determining the full-time status of these unique employee categories for ACA purposes; and other related ACA issues, such as the new annual IRS reporting requirements that go into effect this year and the Cadillac tax that goes into effect in 2018.

Nearly 1,200 people attended the webinar, and more than 100 follow-up questions were submitted, which seems to reflect just how top-of-mind the ACA is for higher education HR professionals (and how difficult the ins and outs of the Act can be to maneuver!). After the webinar, we sat down with presenter Dan Salemi, an employee benefits attorney at Franczek Radelet P.C. in Chicago, to discuss in further detail some of the issues many in higher ed are dealing with related to the ACA.
CUPA-HR: Thanks for speaking with us Dan. Higher ed HR folks are struggling with many aspects of the ACA, and your presentation and this discussion should provide some much-needed guidance.

Dan Salemi: Happy to do it. The ACA’s impact on higher ed is truly unique. The regulatory agencies have not provided clear answers to a lot of the questions higher ed has been asking, and so those working in colleges and universities are left with the very difficult task of complying with regulations that are written for a very different type of employer.

CUPA-HR: What’s the most frequent question you get from your clients in higher ed as they try to navigate the ACA?

Salemi: One major headache for higher ed has been determining what constitutes a full-time employee, which can be quite convoluted due to the nature of the work and the many different types of employees on a college campus. Institutions should be working now to determine how they are going to count hours of service for every category of employee, particularly those who don’t work on an hourly or salaried basis, and who haven’t been considered “employees” in the past. Complicating this task is the fact that many of these categories of employees don’t work the entire year or don’t work the same hours throughout the year.

CUPA-HR: On that note, we received several questions after the webinar about the ACA’s “employment break period” rules. One question many institutions are asking is whether they need to credit hours of service to adjunct faculty members who do not to work during the summer semester.

Salemi: In that circumstance, the institution would need to either credit hours for the summer semester or not consider the summer semester when averaging hours over the remainder of the year, unless the adjunct has no hours for a 26-week period or unless the summer semester is longer than the adjunct’s period of employment prior to the break. In either of those cases, an institution could treat the employee as having terminated and thus would not be required to credit hours during the summer semester.

CUPA-HR: Another issue that institutions are dealing with is how to handle faculty that have summer assignments compared to those who do not. In other words, can the institution treat them differently for purposes of the academic break?

Salemi: Yes. Institutions should be able to impute hours for some faculty and not for others.

CUPA-HR: Are employment break periods for educational employers cumulative? For example, if an adjunct faculty member teaches four courses every spring and the institution does not count the summer break, and the fall semester is less than 26 weeks, does that adjunct become full-time?

Salemi: If the adjunct has a 26-week break in total (i.e. summer plus fall semester), then you can treat him/her as a new hire each spring and thus not offer coverage until he/she averages 30 hours over an initial or standard measurement period.

CUPA-HR: Many institutions have employees who have breaks in service that are unrelated to the summer break. Are they required to credit hours of service for those non-summer breaks, or can they credit hours for only those breaks related to the academic year?

Salemi: We get that question a lot. Under the regulations, the breaks don’t need to be part of the academic calendar in order to be employment break periods. The break simply needs to be four or more consecutive weeks off.
CUPA-HR: Another topic those in higher ed are asking about is the interaction between the ACA’s 90-day waiting period rule and the employer mandate.

Salemi: Unfortunately, any confusion here is perfectly understandable. The regulatory agencies (primarily DOL and IRS) have not made it easy to understand how these two separate sets of rules interact. So the best thing an institution can do here is to consult an expert, as it is very complicated and there are a number of different scenarios that might need to be addressed.

CUPA-HR: If an administrative period is being used, how does the 90-day waiting period rule work with this? Is the waiting period incorporated into the administrative period, or can it begin with the stability period?

Salemi: Under the regulations, the waiting period would generally need to be incorporated into the administrative period.

CUPA-HR: Can institutions use different eligibility waiting periods for different categories of employees — for example, can regular full-time employees have a 60-day wait period and adjunct faculty a 90-day wait period?

Salemi: Yes, but bear in mind there could potentially be nondiscrimination issues under the Internal Revenue Code with this type of structure. I should also mention that the IRS has not yet written regulations on the nondiscrimination rules for fully-insured plans, and does not typically enforce the current nondiscrimination regulations that exist for self-insured plans. Therefore, many higher ed institutions and other employers do not currently see this nondiscrimination risk as a material issue (perhaps rightfully so at this point).

CUPA-HR: There are so many moving parts among all of these issues! Moving on to what is probably the biggest issue on higher ed employers’ minds — counting hours worked. Can you talk a little about the types of policies institutions should be creating to deal with those employees whose hours of service are difficult or impossible to measure?

Salemi: Absolutely. Every institution that has categories of employees who don’t work a traditional schedule or whose hours are difficult or impossible to track should create a policy or set of policies that establishes the institution’s methods for measuring those employees’ hours of service for ACA purposes. These policies can take many forms, and there is no one-size-fits-all approach. At the very least, the policy should address adjunct faculty, student employees, graduate assistants, coaches and any other seasonal employees who do not work on an hourly or salaried basis. Policies should establish reasonable measurement methods that would withstand IRS scrutiny. There are fairly clear measurement rules in the IRS regulations about adjunct faculty, but no clear measurement rules for the other categories. Therefore, it is very important for institutions to understand the standard measurement rules and how the IRS will likely view any given alternative measurement method.

CUPA-HR: Many institutions have employees who have more than one job assignment (either at the same institution or at two or more institutions that are commonly controlled by a single board or related boards). Do they need to determine total hours worked based on all jobs, or can they count hours worked in different jobs separately?

Salemi: Unless the person is working for two or more institutions that are not commonly controlled (a complicated question in itself), all hours for all jobs with the same employer or commonly controlled employers must be added together.

CUPA-HR: Graduate assistants who are engaged in other activities besides teaching (e.g. research) present a particularly difficult challenge in tracking hours. Any advice here?

Salemi: Many graduate assistants are paid off of a grant and spend a lot of time doing research that may be used for both teaching and their own educational program. I think a reasonable position to take for these types of graduate assistants is that time spent doing research as part of their educational program does not count as hours worked for ACA purposes. Because it’s not always clear what purpose the research is serving, it is important for institutions to develop a method of crediting work hours for graduate assistants (for example, a standard equivalency method akin to what is used for adjunct faculty) and to put it in a policy. The same type of analysis would apply for many other types of student employees, and institutions’ policies should address each of those unique situations.

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...too bad you didn’t ask.

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Determining the president’s compensation is one of the core fiduciary duties of a college or university’s governing board. It’s also an increasingly challenging responsibility, and missteps can be costly. A simple analogy is walking a tightrope … in the glare of a spotlight.

If a board leans too far one way, it could fail to attract and retain the best candidate, fail to pay its president fairly for his or her hard work and market value, or fail to motivate its president fully. If it leans too far the other way, a board can open itself to charges of irresponsible overspending, of favoring the institution’s leadership over other stakeholders, and possibly of providing what the IRS terms “excess compensation” (which carries some pretty hefty monetary penalties). These kinds of concerns are often voiced by those (and there are many of them) who have their own legitimate interests in these matters — the government, the press, faculty, students, alumni, parents and donors.
Due to the public availability of IRS Form 990s, on which private schools must report, and sunshine laws governing most public institutions, as well as the aggressiveness of the media in reporting on these matters, a college or university president’s compensation package is readily available for prying eyes — and it’s likely to be scrutinized in some form or fashion. Although most institutions are careful and responsible in this area and find the right balance, others have fallen off the tightrope (some in pretty memorable fashion). Each new release of The Chronicle of Higher Education’s executive compensation survey brings new schools to the forefront — not necessarily for malfeasance or neglect, but simply the sometimes eye-popping figures that come with the paying out of deferred compensation.

So how can institutions ensure that their chief executive’s compensation package holds up to scrutiny and legal and regulatory constraints? Here, we offer some tips that governing boards can use to increase their transparency and create an executive compensation plan that is reasonable, compliant with the law, befitting of the institution’s philosophy and budget, and effective at securing the best talent possible — and how human resources can help advise on these matters.

**Create an Executive Compensation Philosophy**

An executive compensation philosophy outlines the guiding principles and decision-making processes for establishing total compensation for the president and/or other high-ranking administrators. It articulates the fundamental goals and objectives of the board in setting executive salary and benefits. Most boards will call upon human resources to help inform the executive compensation philosophy.

**Authorize an Appropriate Group to Recommend Compensation**

The days when a president’s compensation could be assumed to be a private matter between the board chair and the president are long gone. When determining executive compensation, most boards now tend to use various committees — some use their executive committee; some use budget, audit or governance committees; some create an ad hoc group. However, an emerging best practice — and a growing trend because it can help ensure proper delegation of authority and a transparent, defensible process — is to have a dedicated compensation committee.

Such a committee can ensure that properly qualified board members focus on this critical and complex area in a continuing way, year to year.

The compensation committee should have its own chair, and members should include the board chair and individuals who possess industry knowledge, business acumen and/or experience in relevant areas of the law or in human resources. There should be institutional memory and leadership stature to carry out the group’s responsibilities. Employees of the institution or individuals who do business with it should not sit on the compensation committee, but the group should be able to call on human resources staff, the executive assistant to the president, inside or outside legal counsel and consultants for support.

**Participate in Contract Negotiations and Set Performance Expectations Using the Institution’s Mission and Priorities**

The compensation committee is a good choice for overseeing the compensation negotiation with a new president or renewal agreement for a continuing one. In either case, the committee should: 1) prepare the written contract document or have it prepared by legal counsel; 2) ensure the document is legally compliant and clear; and 3) negotiate any desired changes with the president (all of this usually requires the assistance of counsel knowledgeable in legal compliance, contract drafting, tax considerations and negotiation.)

Too much informality puts everyone at risk; therefore, a written contract that codifies basic agreements is best practice and simple good sense. At a minimum, elements should include term of appointment, compensation package (including deferred compensation), housing benefits, evaluation and review expectations and termination (grounds for termination, advance notice requirement, subsequent compensation, etc.).
As for performance expectations, it is critically important for the board and president to reach consensus regarding what is to be measured and evaluated, and this should always be driven by the institution’s mission and priorities. The process will typically begin with the board asking the president to provide a draft list of annual and/or multi-year goals. It is very important that the process be clearly outlined, and it is incumbent upon the board chair to ensure that the stated goals that are approved by the board are not swayed by the potential political agendas of one or two members.

**Take Part in Evaluation and Measure Performance**

Presidential performance reviews usually take one of two forms — annual (done each year) or comprehensive (done every three or four years). The annual review focuses on the board’s and president’s perspective, and the comprehensive review seeks out perspectives from other stakeholders (faculty, students, staff, alumni and others).

An important point is that it is not the primary purpose of either from of evaluation to determine presidential compensation. Evaluations no doubt bear on that task, but they more importantly serve a larger set of ends — improving the relationship between the board and the president, making the board’s expectations explicit and educating the board about the president’s work, and anticipating emerging issues. Therefore, presidential evaluation should be done not by the compensation committee, but by a small group created expressly for that purpose.

The presidential performance evaluation should be grounded in goals and expectations that have been set out and agreed to previously, and these goals and expectations need to be kept up to date (many boards call on human resources to advise on the evaluation process and tools). Discussion with the president should review the goals set the prior year, but the focus should largely be on the five to 10 priorities for the near future (in the strategic plan or in the current contract) that most require the president’s direct involvement. Discussions should also cover key relationships, the president’s development as a leader, key staffing and organizational issues, and the president’s own fulfillment, sense of strengths and weaknesses and readiness to stay or go.

This kind of assessment — without focusing on compensation — obviously will provide key quantitative and qualitative information relating to the setting of compensation. But, even so, that information is supplemented by much else before the compensation decision is made.

**Select a Defensible Peer Group and Secure Good Data**

The proper selection of comparable institutions in determining a president’s pay takes a lot of variables into account. A college or university’s mission often counts, as does its religious affiliation, Carnegie classification and location. But those factors cannot be relied upon exclusively (or too heavily) when determining executive compensation. Boards should also look at variables that get at the institution’s size and programmatic complexity, its resource base, its faculty wage scale, its selectivity and the like — things like enrollment, faculty salaries, per capita endowment, faculty-student ratios, etc.

By taking into account all these variables, a large candidate group can quickly be narrowed down to a dozen or so that really look like your own institution. Once the peer group has been identified, the next step is to gather salary data for these institutions’ executives (again, many boards rely on human resources for this information).

**Fit the Package to Your Institution, Position and Individual**

An important set of considerations consists of those that might lead a compensation committee to set compensation and benefits at some point other than the middle of the range documented by salary statistics. Often — and in good faith — a board believes that there are things about a particular appointee or incumbent, position or institution that justify a departure from the median identified by benchmarking. And there usually are. Relevant questions...
Executive Compensation – Don’t Go It Alone

Determining appropriate, fair, competitive, market-based pay for university presidents and other higher ed executives can be tricky. That’s why CUPA-HR and AGB Search (a subsidiary of the Association of Governing Boards) have partnered to provide the Compensation Evaluation Service (CES). Using CUPA-HR’s gold-standard data on higher education compensation, AGB Search, through the CES, provides institutions with assistance in creating a defensible peer group for executive compensation; a comparison group analysis, including average, median, minimum, maximum and salary percentiles based on the peer and aspirational groups’ reported salaries; guidance on additional considerations that should inform the approval of compensation; and more. To learn more about the Compensation Evaluation Service, visit agbsearch.com/compensation-evaluation-service.

To ask that can help triangulate a compensation package with the realities faced at your institution include:

- At what levels are faculty and staff compensated?
- How would the types and levels of compensation being considered be perceived by these and other constituencies on and off campus?
- What is the current financial state of the institution?
- What is the institution’s history and culture with respect to compensation?
- Are there institutional enhancement efforts underway serious enough to warrant increasing the individual’s compensation so as to begin closing gaps with the aspirational peer group?
- Has the recruitment or retention of individuals for the position proven particularly easy or difficult?
- Is the job to be done at the institution more or less challenging — and does it require a more or less advanced set of skills — than is typical for the position?
- Does the job entail more or less professional and/or personal risk than is typical for the position?
- Has a comprehensive performance evaluation documented an especially strong record of performance? A record of underperformance?
- How many years has the individual served in this position at this and/or other institutions? Does compensation fairly reflect years of service?
- Has he or she been underpaid or overpaid in prior years?
- Does he or she bring unusual and highly valuable strengths to the position?
- Are there components of compensation other than base salary by which the institution can more appropriately incentivize and potentially reward performance?
- How were those who previously served in the position compensated?

If these or other considerations lead to approving compensation either above or below the midpoint of the range, the rationale should be recorded.

Seek Full Board Review and Approval

Abdicating a board’s collective responsibility for setting executive compensation to the board chair or a small group of board members has proven to be a recipe for trouble (and in some instances has garnered unwelcome headlines). A board chair is the first among equals, not an executive. And even a properly charged, properly constituted, very diligent compensation committee is just that — a committee. Neither the chair nor any single committee has authority to approve compensation. The committee has the duty to offer a full written report on its analysis and recommendations to the board and to seek its approval. And it is every board member’s fiduciary responsibility to ensure that the process followed has been effective and compliant with the law and has produced an end product consistent with fair market value and common sense.

Stay Out of the Headlines

Most scandals involving excessive compensation paid to presidents of colleges and universities follow a similar pattern: Compensation is set without transparency by the president and the board chair or by a small group of board members who do not have the proper standing or authority to do so, while the rest of the board is kept in the dark. To avoid making headlines for all the wrong reasons, institutions are wise to attend carefully to how
How Can Human Resources Help Inform Executive Compensation?

There has been no shortage of news stories over the past few years about university presidents who receive large paychecks. In fact, many presidential salaries are a source of controversy, both within their campus communities and the public at large. There was a time not too long ago that a university leader’s pay was a closely guarded secret between that individual and the chair of the institution’s governing board. However, with an increase in government regulation and stricter sunshine laws, university presidents’ salaries are now easily accessible to the masses, and transparency is expected.

In most cases, governing boards are still the sole entity responsible for recruiting, hiring and setting compensation for a university president. But human resources leaders can provide valuable support, particularly in informing compensation decisions. How?

1) By working with the governing board to create a compensation philosophy for the president’s position and for all employees of the university. A compensation philosophy is a set of guiding principles that drives compensation and compensation decision making. The compensation philosophy for the president should be reviewed and approved by the board. Some boards reaffirm the compensation philosophy annually.

2) By providing benchmarking data on executive compensation (including executive-only benefits and perks) at peer or aspirational institutions. The large paychecks make the headlines, but many presidents are paid at levels that don’t compete with peer institutions or acknowledge the complexity of their positions. An easy way to access this kind of data is through CUPA-HR’s Administrators in Higher Education Salary Survey.

3) By helping governing boards understand and communicate the complexities involved in managing a multimillion dollar, or even a multibillion dollar, organization with hundreds or thousands of employees and hundreds or thousands of students.

It’s all about the data. Using reliable data to guide decisions around executive pay and benefits helps institutions maintain transparency and withstand scrutiny. By providing governing boards with data and information, HR is uniquely positioned to serve as a value-added, strategic partner.

For more resources related to executive compensation, see the Executive Compensation Toolkit in the CUPA-HR Knowledge Center (www.cupahr.org/knowledgecenter).
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Over my nearly three-decade career in human resources, I have had many managers come into my office, shut the door, sit down and proceed to tell me that they have a “problem employee.” They then lay out their woes — the employee is not following instructions, not meeting expectations or deadlines, not hitting quality standards, is continually late to work … the list goes on. Once the complainant stops for a breath, I simply look at him or her and ask one question — “Does this person know they are a problem employee?” The manager typically responds along the lines of, “They should know better than to do what they are doing.” But why should we have that expectation?
Managers often make assumptions about what employees know or should know. But remember the old saying about what happens when we assume? Here’s the bottom line: If managers don’t set expectations or clarify desired outcomes, and those unspoken expectations are not met, they have no one to blame but themselves. Here are three ways that I have found that managers actually create problem employees, and how we as human resources professionals can coach our managers in communicating effectively with and providing guidance and direction to their charges.

Managers Assume Their Employees Know What They Want From Them
What I have found in my 20+ years of work in HR is that somewhere in the neighborhood of 85 percent of all performance and/or behavior problems exist because the employee does not know that what he or she is doing is “wrong.” When employees work on the bases of assumptions and without much, if any, feedback, they will do what they think is best in order to accomplish their goals. Without guidance, direction and clarification from their managers, how could they possibly know what it is their boss is looking for?

While perhaps some assumptions in the specific minutia or technicalities of the assignments can be made, managers should not make broad assumptions that their employees know exactly what they are looking for. This is especially the case with new employees or the first time an employee undertakes a given assignment. When managers take the time to clarify expectations, employees will have a better understanding as to the desired destination and will have a much better chance of getting there without unnecessary roadblocks and detours.

Managers Don’t Provide Regular, Ongoing Feedback
I like to use this analogy regarding feedback and open, ongoing communication: When we drive a vehicle, we depend upon the information displayed on the dashboard — it tells us all manner of things (how fast we are going, how much gas we have left, how the engine is running) that will help us get from point A to point B in an efficient, effective manner. Without this information, we could still drive the vehicle, but the likelihood of doing so without eventually encountering some issues is pretty low.

Similarly, employees need to be able to gauge on a regular basis how they are doing. Some individuals require more feedback than others. It is essential for managers to understand the frequency and depth of feedback that is required by their employees so that they can adjust accordingly. This goes for both positive and corrective feedback. People need to know what they are doing correctly so that they stay the course and continue to perform well; but employees also need to know where corrections need to be made in order to keep the car on the road.

When a problem arises, many managers simply ignore it, hoping it will just go away. But in actuality what happens is that without being addressed, problems often fester and grow.

Managers Go Silent
I remember one particular manager in an organization for which I worked who utilized the classic approach to feedback: no news is good news. He was then often boggled when employees failed to meet expectations. What I learned from this experience was that no news is NOT good news — it’s simply no news.

In the 100+ employee opinion surveys that I have administered in my career, almost consistently “communication” is an area identified as being in need of critical attention. If managers do not communicate consistently and share critical information with employees about the organization, leadership, the department, goals and objectives, outcomes, results, challenges, opportunities, etc., they are setting the stage for employees to try to fill in the blanks themselves. In order to maximize the talent of employees and help them achieve their best, managers need to bring them on board as partners. It’s been my experience that managers who share challenges and opportunities on a regular basis with their staff often find that the combined creativity of their team creates solutions that can drive productivity and performance through the roof. On the flip side, managers who keep...
Questions to Ask the Manager Who Says He Has a Problem Employee

Part of our job as HR professionals is to help our managers nurture, develop and grow their employees. When speaking with a manager about a perceived “problem employee,” I always ask three questions. After talking through the answers to the questions, the manager often leaves the discussion realizing that the problem might not fall solely on the employee after all.

1) Does the employee know that he or she is off base? Have you, as the manager, talked to the employee about the problem (you’d be surprised at how often the answer to this question is “No, but …”)? Did you coach him or her on how to improve? Did you follow up and provide feedback along the way?

2) What do you mean by “problem?” Many times the performance or behavior is not necessarily bad, just different from the way the manager thinks it should be. I always proffer, “As long as they get to the acceptable end, does it really matter how they get there?” Sure, there are a handful of industries where the “how” really does matter, but many of the things that I’ve seen supervisors get upset about don’t really matter in the grand scheme of things. I try to help managers understand that just because something is done differently than how they might do it or think it should be done, it’s not necessarily bad or wrong, and that if they spend time getting to know their employees and their work habits and styles, they may find a treasure trove of ideas and creative approaches. As Stephen Covey says, “Seek first to understand, then to be understood.”

3) When was the last time you invested in the individual — sent him or her to a training class, spent an hour in a one-on-one setting to talk about career goals, learned what parts of the job truly energize and fulfill the person? When we invest in our people, they will invest in us.

Turning a “Problem” Into an Opportunity

Part of any manager’s job is to help his or her employees (especially the “problem” employees) achieve success. By taking on a little more personal ownership, managers can help their employees bring their best efforts each and every day. As human resources professionals, we need to be in the business of advising, coaching and teaching our organization’s managers to set clear expectations, provide consistent feedback and open the lines of communication. When this is done in the right, genuine spirit, the entire organization will no doubt see the ROI of these efforts in short order.

Wade Larson is vice president for human resources at Solano Community College and president of LMM Leadership Group. He can be reached at wade.larson@solano.edu.
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According to Gallup's latest State of the American Workplace survey, an astounding 70 percent of U.S. workers are not engaged at work, leading them to become emotionally disconnected and less productive. Myriad studies have shown that disengaged employees are less motivated, less productive, less committed to quality and less interested in and committed to their organization’s success.

In light of this, some would argue that workforce engagement is one of the most critical issues on the human resources agenda. However, the relevance and significance of engagement go well beyond the HR department. Although most organizations would agree that having an engaged workforce is of strategic importance in achieving their objectives and in carrying out their mission, far fewer have a dedicated, focused strategy in place to foster this engagement.

OHSU’s Workforce Engagement Strategy

A few years ago, Oregon Health and Science University (OHSU) began a strategic push to become the employer of choice for Portland and the surrounding area. As part of these efforts, OHSU leadership asked human resources to...
Although most organizations would agree that having an engaged workforce is of strategic importance in achieving their objectives and in carrying out their mission, far fewer have a dedicated, focused strategy in place to foster this engagement.

Phase 1: Onboarding
The road to employee engagement begins with onboarding. Most organizations consider onboarding the processing of new hires — getting them from job acceptance to their first day on the job. But with OHSU’s workforce engagement strategy, onboarding takes on a much broader and more significant meaning — it targets the assimilation of the new employee into the institution’s culture. It emphasizes building a cohesive bond between new hire and employer. The objective is to create a sense of pride in the individual, plant the seeds of commitment and loyalty, reinforce the new employee’s decision to join the university, build a crescendo of excitement and anticipation, develop a sense of belonging and inclusion, and prepare the individual for accelerated productivity on the job. Onboarding is a journey that must be well articulated, methodical and systematic. Nothing should be left to chance. OHSU’s onboarding process has three clearly defined phases:

1. Job acceptance through start date.
2. Start date through 60 days on the job.
3. Sixty days through one year of employment.

Job acceptance through start date — Starting with a carefully formulated job offer letter, communication with the new hire is done early and often. Follow-up includes a handwritten welcome letter from the hiring manager and a card signed by the new hire’s coworkers. A series of communications from HR follows, each with a defined purpose and objective. Woven into these communications is information about the culture of the university and what it means to be an employee here. Also included is information about the orientation program and what to expect on the first day at work.

Start date through the first 60 days — New employee orientation occurs on the employee’s first day. At the program’s conclusion, it is our hope that the new employee feels energized and reaffirmed in his or her decision to join the institution. The first 60 days of the employee’s tenure is dedicated to further acclimation and assimilation. This is the most intense phase of the onboarding process. Managers are expected to spend considerable one-on-one time discussing competencies, performance objectives, mutual expectations, the institution’s culture, the department or work unit’s culture, the bonding process with coworkers and making the new hire aware of services offered by the university. Each new employee should also be assigned a buddy, mentor or coach — a positive, well-intentioned, helpful coworker to serve as a go-to person.

Sixty days through one year — This time is less structured, but equally important. The manager should remember that the new employee is still impressionable, and therefore strong communication ties need to be maintained. Ongoing enculturation and frequent feedback should be on the manager’s agenda. By this time, the employee will likely be fully proficient in terms of job-related duties, but may not have fully assimilated into the organization.

Phase 2: Rewards and Recognition
Rewards and recognition are often misunderstood and ill-defined. Many organizations believe they have a rewards and recognition program, when in reality all they have is a series of random and unconnected events (i.e. service awards ceremony, a summer picnic and perhaps a holiday gift card). A legitimate rewards and recognition program is neither event-oriented nor random. Effective rewards and recognition programs are:

- Systematic, organized, coordinated;
- Multifaceted;
- Diverse and broad;
- Short- and long-term focused; and
- Branded and continuously promoted.
**Phase 3: Professional Development**
Heavy investment in the workforce through education, training and development is arguably the most important element of an engagement strategy. This investment yields a huge ROI and sends the message that the organization cares about and values the workforce. Professional development, however, is often among the first areas to experience budget cuts when financial challenges arise. We’ve made it a point at OHSU to resist this temptation.

**Phase 4: A Culture of Engagement**
An engaged workforce is impossible if the organization’s culture isn’t supportive. Every business has a palpable culture, usually discernible upon entering the front door. Most organizational cultures develop and evolve by default over time because adequate care and attention have not been devoted. Progressive organizations, on the other hand, understand the importance of workplace culture and actively manage it. All of this is easier said than done and can require deep organizational soul searching. OHSU actively supports, through policies and actions, the notion that employees really are the university’s most important resource.

**Phase 5: Workforce Engagement Measurement**
Often, the go-to workforce engagement measurement tool is the employee engagement survey. Although these surveys can be a valuable tool, they should not be the sole method for measuring engagement. When taking the pulse of the workforce, it is a good idea to use several methods and tools, as multiple tools, multiple sources and multiple times will yield a more accurate picture.

Some suggestions for creating the most accurate snapshot of engagement in an organization include:

- Conducting periodic focus groups;
- Creating an HR metrics dashboard;
- Implementing a robust offboarding program;
- Interviewing new hires 45 days and 120 days after they join the organization;
- Seeking external job candidates’ perceptions of the organization (this will give an indication of what
current employees are saying “on the street”); and
- Actively monitoring the number of new job applications.

**Phase 6: Compensation and Performance Management**
Although compensation, including salary and benefits, is not the primary driver of employee satisfaction and engagement, it is safe to say that an organization cannot realize an engaged workforce without a market-competitive compensation program. Above-market wage and salary and benefits levels are not a necessity; instead, what is required is a thoughtful, straightforward, comprehensive compensation program.

Performance management, in many ways, exceeds the importance of compensation. The appraisal instrument itself must be viewed as fair, accurate, thorough and easy to understand. Appraisals must be conducted at least annually, and on time. Strong performance must be acknowledged in some meaningful way, even if the organization does not have a pay-for-performance system. Conversely, for the performance management program to have credibility, it must document weak performance as well. Nothing is more demoralizing to high performers than poor performers receiving the same ratings or rewards. In today’s competitive environment, progressive organizations will employ a total compensation strategy and have a clearly articulated philosophy on cash compensation, a documented benefits philosophy and a comprehensive performance management system.

**Phase 7: Workforce Communication Strategy**
An employer with an engaged workforce will deploy an aggressive communications strategy. Human resources is the organization’s connection to the workforce. As such, the communications plan should emanate from HR and should put into practice three basic principles:

1. Multifaceted, utilizing several different vehicles (e-mail, social media, print, Intranet, etc.), as no single method will reach the entire workforce;
2. Systematic, methodical and distributed on a regular schedule; and
3. Thoroughly branded.

**Phase 8: Workforce Wellness**
Employees who feel that their employer truly cares about their wellbeing are more likely to put forth their best efforts and to align themselves with the organization’s mission and goals. Just as employers expect a sense of loyalty and commitment from employees, employees expect the same in return. We’ve already discussed, in the seven previous phases of the workforce engagement strategy, several ways of conveying this sentiment to employees. The final piece of the puzzle is for organizations to demonstrate a genuine interest in employees’ physical, mental and emotional wellbeing. An onsite employee clinic providing primary care is a great way for an organization to showcase its commitment to workforce wellness. Such clinics have a documented ROI in terms of reduced absenteeism and fewer health insurance claims. Nevertheless, a clinic may not be within financial reach of many organizations. Even without that piece of the puzzle, employers can score high in wellness. Vaccinations, incentives tied to health insurance premiums, employee assistance programs, cholesterol screenings, health coaches, weight management, health assessments, healthy events and activities and smoking cessation programs are all examples of low-cost methods of demonstrating interest in workforce wellness.

The important thing is to do **something** to illustrate a genuine holistic concern for employees, as it will go a long way toward developing an engaged workforce.

**HR in the Driver’s Seat**
Workforce engagement is at the heart of attracting and retaining a highly competent, motivated staff. The eight-step workforce engagement strategy outlined here provides a clear-cut, granular roadmap that is helping OHSU realize a truly engaged workforce. Key to getting there was developing and maintaining a strategic human resources function, with HR as driver, navigator and champion of employee engagement.

**Heavy investment in the workforce through education, training and development is arguably the most important element of an engagement strategy.**

Derek Carissimi is vice president for human resources for Oregon Health and Science University Healthcare. His efforts in leading the creation and implementation of OHSU’s workforce engagement strategy earned him a CUPA-HR HR Innovation Award in 2013. He can be reached at carissim@ohsu.edu.
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**May**

6 Webinar – Facilitation Essentials: Build Your Competency and Credibility

8 Northeastern New York Chapter Meeting – Troy, New York

11 Utah Chapter Meeting – Orem, Utah

13 Webinar – Bringing Promotion and Tenure Into the 21st Century

13-14 Oklahoma Chapter Spring Conference – Tulsa, Oklahoma

27-29 Rio Grande Chapter Spring Conference – Albuquerque, New Mexico

**September**

13-15 South Carolina Chapter Fall Conference – Charleston, South Carolina

15 Webinar – The Real Deal on Form I-9

17-18 Missouri Chapter Fall Conference – Osage Beach, Missouri

17-18 Michigan Chapter Fall Conference – Mackinaw City, Michigan

18 Upstate New York Chapter Meeting – East Syracuse, New York

27-29 CUPA-HR Annual Conference and Expo – Orlando, Florida

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We’re constantly adding to our calendar of events – chapter meetings, region conferences, just-in-time webinars and more. Visit [www.cupahr.org/events/calendar.aspx](http://www.cupahr.org/events/calendar.aspx) for a full listing.
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**Recommended Reading**

**What Your Employer Meant to Tell You When They Made You a Manager (by Fred Rogan)**

This book is intended to help managers understand how they should think and behave in their role as manager and how they can be successful in getting their employees to be more engaged in their jobs. The book focuses not only on helping managers avoid being a bad boss but also, more importantly, learning how to be a good boss.

**The Rise of HR: Wisdom From 73 Thought Leaders (editors – Dave Ulrich, Bill Schiemann and Libby Sartain)**

In this new ebook, the essayists address how HR professionals are, and should be, the principal stewards of their organizations’ talent by recruiting and cultivating workers with competence and motivation to perform well and by building and maintaining a consistent, lasting and unique culture that enables the organization to thrive and enables leadership to support the acquisition of skills for meeting short-run goals and delivering long-run stability and growth. Collectively, the essays describe how HR practitioners must live up to and even extend expectations of their profession’s growing and evolving role. Download the book for free at www.riseofhr.com.

**The 5 Languages of Appreciation in the Workplace (by Gary Chapman and Paul White)**

By applying to the workplace the love language concept outlined in *The New York Times* bestseller *The 5 Love Languages*, this book helps supervisors and managers effectively communicate appreciation and encouragement to their employees, which can result in higher levels of job satisfaction, healthier relationships between managers and employees and decreased cases of burnout.

**The Best Place to Work: The Art and Science of Creating an Extraordinary Workplace (by Ron Friedman)**

Why do successful companies reward failure? What can casinos teach us about building a happy workplace? How do you design an office that enhances both attention to detail and creativity? In *The Best Place to Work*, award-winning psychologist Ron Friedman uses the latest research from the fields of motivation, creativity, behavioral economics, neuroscience and management to reveal what really makes us successful at work. Combining powerful stories with cutting edge findings, Friedman shows leaders at every level how they can use scientifically-proven techniques to promote smarter thinking, greater innovation and stronger performance.
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