



THE  
UNIVERSITY OF  
NORTH CAROLINA  
SYSTEM

MEETING OF THE BOARD OF GOVERNORS  
Committee on Personnel and Tenure

May 19, 2020 at 2:45 p.m.  
Via Videoconference and UNC-TV Live Stream

## AGENDA

### OPEN SESSION

- A-1. Conflict of Interest Statement ..... Kellie Hunt Blue
- A-2. Approval of the Open Session Minutes of April 16, 2020 and April 28, 2020 ..... Kellie Hunt Blue
- A-3. Informational Reports
  - a. Faculty Recruitment and Retention Fund Utilization Under Delegated Authority to the President..... Kimberly van Noort
  - b. New UNC System Office and SAAO-I Appointments Under Delegated Authority to the President..... Matthew Brody
- A-4. General Updates for the Committee ..... Matthew Brody and Kimberly van Noort
- A-5. COVID-19 Special Work/Leave Provisions for Faculty and Staff..... Matthew Brody

### CLOSED SESSION

- A-6. Approval of the Closed Session Minutes of April 16, 2020 and April 28, 2020 ..... Kellie Hunt Blue
- A-7. EHRA Salary Pre-Authorizations Requiring Approval by the Committee on Personnel and Tenure..... Matthew Brody
- A-8. Informational Reports..... Matthew Brody
  - a. EHRA Salary Adjustment Pre-Authorizations Delegated to the President or His Designee
  - b. EHRA Salary Adjustment and New Position Consultations with the Chair and Vice Chair of the Committee on Personnel and Tenure
- A-9. Executive Personnel Matter..... William Roper

### OPEN SESSION

- A-10. Adjourn



## Closed Session Motion

### Motion to go into closed session to:

- Prevent the disclosure of information that is privileged or confidential under Article 7 of Chapter 126 of the North Carolina General Statutes, or not considered a public record within the meaning of Chapter 132 of the General Statutes.
- Consult with our attorney to protect attorney-client privilege.
- Consider the qualifications, competence, performance, or condition of appointment of a public officer or employee or prospective public officer or employee.

**Pursuant to:** G.S. 143-318.11(a)(1), (3), and (6).

## DRAFT MINUTES

April 16, 2020

Via Videoconference and UNC-TV Live Stream

This meeting of the Committee on Personnel and Tenure was presided over by telephone by Chair Kellie Hunt Blue. The following committee members, constituting a quorum, also attended by telephone: J. Alex Mitchell, C. Philip Byers, Reginald Holley, Wendy Floyd Murphy, and Michael Williford.

Chancellor Kelli Brown, Chancellor Franklin Gilliam, and Chancellor Kevin Guskiewicz also participated by phone.

Staff members present by phone included Matthew Brody, Kimberly van Noort, Carolyn Pratt, and others from the UNC System Office.

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### 1. Call to Order and Reading of Conflict of Interest Statement

The chair called the meeting to order at 2:32 p.m. and read the Conflict of Interest Statement.

### 2. Approval of the Minutes of March 19, 2020 (Item A-2)

The chair called for a motion to approve the open session minutes of March 19, 2020.

**MOTION:** Resolved, that the Committee on Personnel and Tenure approve the open session minutes of March 19, 2020.

**Motion:** J. Alexander Mitchell

**Motion carried**

### 3. Informational Report (Item A-3)

The committee received an informational report on faculty recruitment and retention fund utilization under delegated authority to the president.

### 4. General Updates (Item A-4)

Kimberly van Noort updated the committee on recent System Office efforts related to the coronavirus outbreak. Dr. van Noort specifically noted the active discussion taking place regarding ongoing faculty evaluation and post tenure review.

**5. COVID-19 Special Work/Leave Provisions for Faculty and Staff (Item A-5)**

Matthew Brody presented a report to the committee detailing recently implemented human resources provisions for faculty and staff in response to COVID-19. The report included updates regarding special work and leave provisions developed and implemented over the last month.

**6. 2019 Annual SHRA Compensation Review (Item A-6)**

The committee reviewed a presentation by Mr. Brody on the results of the 2019 annual SHRA compensation review.

**7. Closed Session**

The chair called for a motion to move into closed session.

**MOTION:** Resolved, that the Committee on Personnel and Tenure move into closed session to prevent the disclosure of information that is privileged or confidential pursuant to Article 7 of Chapter 126 of the North Carolina General Statutes [N.C.G.S. 143-318.11(a)(1)]; to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged [N.C.G.S. 143-318.11(a)(3)]; and to consider the qualifications, competence, performance, or conditions of appointment of a public officer or employee or prospective public officer or employee [N.C.G.S. 143- 318.11(a)(6)].

**Motion:** J. Alexander Mitchell

**Motion carried**

**THE MEETING MOVED INTO CLOSED SESSION.**

(The complete minutes of the closed session are recorded separately.)

**MOTION:** Resolved, that the Committee on Personnel and Tenure return to open session.

**Motion:** J. Alexander Mitchell

**Motion carried**

**THE MEETING RESUMED IN OPEN SESSION AT 3:22 p.m.**

There being no further business, the meeting adjourned at 3:29 p.m.

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Michael Williford, Secretary

## DRAFT MINUTES

April 28, 2020

Via Videoconference and UNC-TV Live Stream

This meeting of the Committee on Personnel and Tenure was presided over by telephone by Chair Kellie Hunt Blue. The following committee members, constituting a quorum, also attended by telephone: J. Alex Mitchell, C. Philip Byers, Reginald Holley, Michael Williford, and Wendy Floyd Murphy.

Staff members present by phone included Matthew Brody, Kimberly van Noort, Carolyn Pratt, and others from the UNC System Office.

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### 1. Call to Order and Reading of Conflict of Interest Statement

The chair called the meeting to order at 10:06 a.m. and read the Conflict of Interest Statement.

### 2. Closed Session

The chair called for a motion to move into closed session.

**MOTION:** Resolved, that the Committee on Personnel and Tenure move into closed session to prevent the disclosure of information that is privileged or confidential pursuant to Article 7 of Chapter 126 of the North Carolina General Statutes [N.C.G.S. 143-318.11(a)(1)]; to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged [N.C.G.S. 143-318.11(a)(3)]; and to consider the qualifications, competence, performance, or conditions of appointment of a public officer or employee or prospective public officer or employee [N.C.G.S. 143- 318.11(a)(6)].

**Motion:** J. Alexander Mitchell

**Motion carried**

### THE MEETING MOVED INTO CLOSED SESSION.

(The complete minutes of the closed session are recorded separately.)

**MOTION:** Resolved, that the Committee on Personnel and Tenure return to open session.

**Motion:** J. Alexander Mitchell

**Motion carried**

**THE MEETING RESUMED IN OPEN SESSION AT 10:15 a.m.**

There being no further business, the meeting adjourned at 10:15 a.m.

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Michael Williford, Secretary



## AGENDA ITEM

A-3a. Informational Report: Faculty Recruitment and Retention Fund  
Utilization Under Delegated Authority to the President..... Kimberly van Noort

**Situation:** This is an informational report provided to the committee at each meeting pursuant to Section 200.6 of the UNC Policy Manual.

**Background:** Authority has been delegated to the president for approval of salary increases supported by the University of North Carolina Faculty Recruitment and Retention Fund.

**Assessment:** This month's report includes the following:

**Faculty Retention and Recruitment Fund Expenditure:**

- University of North Carolina at Charlotte, two approved requests

**Remaining Balance of Fund**

Note: Permanent adjustments to salary may be accomplished only with recurring funds. However, nonrecurring funds may be used for retention bonuses, research equipment and facilities, and other one-time inducements to counter outside offers. The remaining balances are:

**\$0** in nonrecurring funds

**\$374,072** in recurring funds

**Action:** This item is for information only.



**THE UNIVERSITY OF NORTH CAROLINA SYSTEM**  
PRESIDENT'S DELEGATED FACULTY RECRUITMENT AND RETENTION FUND REPORT

**The University of North Carolina at Charlotte**

Erin Basinger, assistant professor in the Department of Communication Studies, \$8,056 from the Faculty Recruitment and Retention Fund and UNC Charlotte funding the cost of benefits  
(\$75,000 **from** \$66,944 effective April 9, 2020)

James Walsh, professor in the Department of Political Science and Public Administration, \$20,000 from the Faculty Recruitment and Retention Fund and UNC Charlotte funding the cost of benefits  
(\$130,000 **from** \$110,000 effective April 20, 2020)





## AGENDA ITEM

A-3b. Informational Report: New UNC System Office Appointments Under Delegated Authority to the President ..... Matthew Brody

**Situation:** This is an informational report provided to the committee at each meeting pursuant to Section 200.6 of the UNC Policy Manual.

**Background:** Section 200.6 of the UNC Policy Manual delegates authority to the president to appoint and fix the compensation of senior academic and administrative officers and other employees exempt from the State Human Resources Act serving at the UNC System Office.

Section 600.3.4 of the UNC Policy Manual delegates authority to the president to create Senior Academic and Administrative Officer positions (Tier I) within the System.

**Assessment:** This meeting's report includes the following:

**UNC System Office Appointments:**

- Seven personnel appointments that are state-funded
- One personnel appointment that is non-state funded

**Action:** This item is for information only.



**THE UNIVERSITY OF NORTH CAROLINA SYSTEM**  
**PRESIDENT'S DELEGATED PERSONNEL ACTIONS REPORT**

The following actions have been approved by the president pursuant to Section 200.6 of the UNC Policy Manual during the period February 25, 2020 to April 29, 2020.

***UNC System Office***

**Appointments**

State Funded Positions:

Christopher McClure, Executive Vice President and Chief of Staff, 3/1/20, \$350,000, vacant position

Haley Lohr, Higher Education Law Fellow, \$50,000, 3/30/2020, vacant position

Laura Billbro-Berry, Executive Director for Educator Preparation & Laboratory Schools, \$120,000, 4/1/2020, new position

Darnell Collins, Applications Developer, \$79,000, 5/1/2020, new position

Shannon Henry, UNC-TV Chief Operating Officer, \$168,000, 5/18/2020, vacant position

Leah VanLandingham, IT Client Support Manager, \$65,000, 5/18/2020, vacant position

Allison Stockweather, NC Research Center EHS Director, \$72,850, 6/29/2020, vacant position

Non-State Funded Appointments:

Samuel Stephens, UNC-TV Creative Director, \$123,000, 5/18/2020, vacant position



## AGENDA ITEM

A-5. COVID-19 Special Work/Leave Provisions for Faculty and Staff ..... Matthew Brody

**Situation:** To ensure that University operations could continue as required during the COVID-19 situation, the UNC System, in coordination with the Office of State Human Resources, developed a set of work and leave provisions for faculty and staff, incorporating mandatory employee designations, paid administrative leave, and additional compensation provisions.

**Background:** Provisions are based in the state’s Communicable Disease Emergency policy for SHRA employees and the related Policy on UNC System Pandemic and Communicable Disease Emergency. The original set of provisions was published in mid-March for use March 16-31. In response to the feedback from the institutions and the developing situation, the provisions were revised for use April 1-31 and amended for use May 1-22 in alignment with Governor Cooper’s executive order.

The primary changes since the last update provided to the committee in April are:

- Effective April 1, incorporation of leave packages passed as part of the federal Families First Coronavirus Response Act (FFCRA), including emergency paid sick leave and emergency family and medical leave expansion for specific reasons.
- Effective May 1, chancellors have flexibility to grant added compensation for mandatory employees at rates of 1.05, 1.1, 1.2, 1.25, or 1.5 hours of compensation for each hour worked on-site.

**Assessment:** The provisions incorporate mandatory employee designations, paid administrative leave, additional compensation provisions, and integration with FFCRA leave provisions.

A table that compares the March, April, and May provisions is attached with additional detail.

**Action:** This item is for information only.

| Topic                           | March 16-31, 2020<br>Special Work/Leave Provisions  | April 2020<br>Special Work/Leave Provisions   | May 1, 2020, until revised/rescinded<br>Special Work/Leave Provisions  |
|---------------------------------|---|---|--|
| Mandatory Employee Designation  | <ul style="list-style-type: none"> <li>Mandatory employees defined as those directed to work at designated University worksite other than home at specific dates/times.</li> <li>Non-mandatory employees defined as those not directed to work at designated University worksite; <b>expected to telework if feasible.</b></li> <li>Mandatory designations may be changed by management based on operational needs.</li> <li>Mandatory employees meeting specific risk criteria may be allowed to use special leave provisions and/or work remotely.</li> </ul> | <ul style="list-style-type: none"> <li>Mandatory employees defined as those directed to work at designated University worksite other than home at specific dates/times.</li> <li><b>Only mandatory employees allowed to work onsite.</b></li> <li>Mandatory designations may be changed by management based on operational needs.</li> <li>Mandatory employees meeting specific risk criteria may be allowed to use special leave provisions and/or work remotely.</li> </ul>     | <ul style="list-style-type: none"> <li>Same as April 2020</li> </ul>   |
| Mandatory Employee Compensation | <ul style="list-style-type: none"> <li>All employees received regular pay for work performed; <b>no special compensation provisions in effect.</b></li> </ul>   | <ul style="list-style-type: none"> <li>Mandatory permanent employees receive <b>added compensation for hours required to be worked at designated University worksite</b> other than personal residence, for specific dates and times that onsite work is required.</li> <li>Teleworking is not subject to added compensation.</li> <li><b>Mandatory FLSA non-exempt: 1.5x pay for all hours worked on-site (regular overtime rule apply in addition to COVID pay).</b></li> </ul> | <ul style="list-style-type: none"> <li>Same as April with one addendum:<br/><b>Effective May 1, chancellors have flexibility to grant added compensation for mandatory employees at rates of 1.05, 1.1, 1.2, 1.25, or 1.5 hours of compensation for each hour worked on-site.</b></li> </ul> |

| Topic   | March 16-31, 2020<br>Special Work/Leave Provisions      | April 2020<br>Special Work/Leave Provisions   | May 1, 2020, until revised/rescinded<br>Special Work/Leave Provisions |
|---|---|---|---|
|   |   | <ul style="list-style-type: none"> <li>• <b>Mandatory FLSA Exempt: 1.5x pay or 0.5x COVID comp time up to 40 hours in a work week</b></li> <li>• SAAOs, faculty, physicians, directors/deputy directors, department heads, division heads, RADAs, CADAs, coaches and other specified positions are excluded from special compensation provisions.</li> <li>• Institution has discretion to award additional compensation as pay or comp time as lump-sum, series of payments, paid leave or other combination within 12 months of accrual.</li> <li>• <b>Institution has discretion to provide 1.5x pay for temporary employees for on-site hours worked</b>, or may increase the hourly rate.</li> </ul> |   |
| <p><b>Families First Coronavirus Response Act (FFCRA) Leave</b></p> | <ul style="list-style-type: none"> <li>• N/A</li> </ul> | <ul style="list-style-type: none"> <li>• Effective April 1, in two parts:               <ul style="list-style-type: none"> <li>○ Emergency Paid Sick Leave provides up to 80 hours at full pay (up to \$511/day) for employees who are quarantined, have COVID-19 or are caring for someone who does; OR at two-thirds pay (up to \$200/day) for someone caring for a child whose school/care provider is closed.</li> </ul> </li> </ul>  | <ul style="list-style-type: none"> <li>• Same as April</li> </ul>     |

| Topic                                   | March 16-31, 2020<br>Special Work/Leave Provisions   | April 2020<br>Special Work/Leave Provisions   | May 1, 2020, until revised/rescinded<br>Special Work/Leave Provisions   |
|---|--|---|---|
|   |  | <ul style="list-style-type: none"> <li>○ Emergency Family and Medical Leave Expansion provides up to 12 weeks for childcare; first two unpaid, then 10 weeks paid at two-thirds pay (up to \$200/day).</li> <li>● Employees may use Paid Administrative Leave to supplement partial pay</li> </ul>  |   |
| <p><b>Paid Administrative Leave</b></p> | <ul style="list-style-type: none"> <li>● Applies to mandatory/non-mandatory employees (<i>including temporary/student employees</i>) who:               <ul style="list-style-type: none"> <li>○ Have child/elder care needs due to COVID-19-related facility closings</li> <li>○ Cannot telework because duties cannot be performed remotely; reasonable alternate work is not feasible</li> <li>○ Are sick with COVID-19-related symptoms or are caring for a dependent with such symptoms</li> </ul> </li> <li>● Part-time employees may receive Paid Administrative Leave on a pro-rated basis.</li> </ul> | <ul style="list-style-type: none"> <li>● Management has discretion to deny/defer Paid Administrative Leave to mandatory employees whose presence is deemed critical</li> <li>● Applies to employees who:               <ul style="list-style-type: none"> <li>○ Have child/elder care needs due to COVID-19-related facility closings</li> <li>○ Cannot telework because duties cannot be performed remotely; reasonable alternate work is not feasible</li> <li>○ Are sick with COVID-19-related symptoms or are caring for a dependent with such symptoms</li> </ul> </li> <li>● Part-time employees with irregular schedules may receive paid leave considering their average hours/week over a month.</li> <li>● Part-time employees may receive Paid Administrative Leave on a pro-rated basis.</li> </ul> | <ul style="list-style-type: none"> <li>● Same as April; Paid Administrative Leave is secondary to FFCRA leaves for covered reasons</li> </ul> |

| Topic                          | March 16-31, 2020<br>Special Work/Leave Provisions              | April 2020<br>Special Work/Leave Provisions  | May 1, 2020, until revised/rescinded<br>Special Work/Leave Provisions  |
|--------------------------------|---|--|--|
|                                |   | <ul style="list-style-type: none"> <li>Institution has discretion to offer full/partial Paid Administrative Leave to <b>temporary and student employees</b> based on fund availability/ business need; may also place on inactive status and/or allow telework.</li> </ul> |  |
| <b>Additional Compensation</b> | <ul style="list-style-type: none"> <li>None provided</li> </ul> | <ul style="list-style-type: none"> <li>Employees may be reassigned to complete assignments outside normal duties and may be compensated accordingly for the duration of the assignment.</li> </ul>   | <ul style="list-style-type: none"> <li>Employees may be reassigned to complete assignments outside normal duties and may be compensated accordingly for the duration of the assignment.</li> </ul> |