

**University Council**  
**Monday, June 10, 2024**  
**East Tennessee Room**

**1. Call to Order**

Provost Dr. Kimberly D. McCorkle called the meeting to order at 8:30 a.m.

**2. Roll Call**

Melissa Nipper led the roll call. Members present were: Ms. Bridget Baird, Dr. Ginni Blackhart, Dr. Joe Bidwell, Dr. Bill Block, Dr. Cheri Clavier, Dr. Joel Faidley, Mr. David Finney, Ms. Joy Fulkerson, Ms. Christy Graham, Dr. Adam Green, Dr. Nick Hagemeyer, Mr. Stephen Hendrix, Dr. Mike Hoff, Dr. Karen King, Dr. Dharendra Kumar, Dr. Sam Mayhew, Dr. Kimberly D. McCorkle, Dr. Brian Noland, Dr. Rob Pack, Dr. Tony Pittarese, Mr. Jeremy Ross, Dr. Joe Sherlin, Dr. Bess Sirmon-Taylor (on behalf of Dr. Debbi Quesenberry), and Dr. Lynn Williams.

**3. Standing Items**

*3.1 Approve Minutes of the May 13, 2024 meeting*

A motion was made to approve the minutes from the May 13, 2024, meeting. The motion was seconded; the minutes were approved.

*3.2 Review Agenda*

*3.3 Consent Agenda Items*

Dr. McCorkle noted that there are nine items on the consent agenda. Ms. Lori Erickson requested that one item be pulled from the consent agenda, 3.3.1 Leave Policy – Sick Leave Banks, for further discussion.

A motion was made to approve the remaining eight policies on the consent agenda (listed below). The motion was seconded and approved.

- 3.3.2 Leave Policy – Sick Leave Transfer
- 3.3.3 Leave Policy – Military Leave
- 3.3.4 Personnel Records
- 3.3.5 Public Content Accessibility Policy
- 3.3.6 Employment Classification
- 3.3.7 Compensatory Time and Worked Holidays
- 3.3.8 Standard Business Hours and Worked Hour Requirements
- 3.3.9 Pay and Timekeeping Policy

After approval of the consent agenda, Dr. McCorkle asked for discussion to commence on the policy that was pulled. Ms. Erickson explained that in the public comment period for the Sick Bank Leave Policy, a question was raised about faculty and staff transferring between sick banks and how that would be handled. Ms. Erickson researched this and learned that ETSU allows faculty and staff to transfer between sick banks without being forced to go through additional enrollment, assessment or waiting period. She also checked the language that the Tennessee Board of Regents recently added to its sick leave bank policies, which was consistent with this practice. In light of this, Ms. Erickson asked that 3.3.1 Leave Policy – Sick Leave Banks be approved with amended language added to the policy that addresses being able to transfer between sick leave banks without going through an additional enrollment, assessment, or waiting period. The amended language will be added under the Eligibility section. There were no questions about the amendment to the policy as presented.

A motion was made to approve 3.3.1 Leave Policy – Sick Leave Banks as amended. The motion was seconded and approved.

#### *3.4 Call for Voluntary Reports of UC-Essential Action Items from Governance Organizations*

*Council of Academic Chairs:* Dr. Beth Sirmon-Taylor reported that the Council of Academic Chairs is continuing work on modifications to the handbook for academic chairs, as well as development of chair training and a mentorship model to pair new chairs with experienced chairs.

#### *3.5 Sub-Council Report: Budget and Strategic Planning Committee*

Ms. Christy Graham reported that a sub-committee of the Budget and Strategic Planning Committee is meeting this afternoon to discuss the carry-forward policy that will be incorporated into the budget model redesign. She also noted that they continue to work closely with the academic restructure, as that will affect how the base budget is reset. They are addressing several other policies within the budget model redesign, including vacant positions, capital expenditures, and strategic initiative funds. They hope to conclude discussions with deans and vice presidents in the first half of July, with a second set of discussions planned for the second half of the month.

#### *3.6 Sub-Council Report: University Governance Organizations*

Mr. Stephen Hendrix reported that the Sub-Council for University Governance completed three major items this spring. First, they examined the rosters of current sub-committees to look at how they can fill vacancies by working with deans, academic chairs, and by putting out a call across the institution by including a regular feature in the *BucWire* weekly e-newsletter that has a link to current vacancies. Next, they began work on their annual report and rosters for the fall term. Finally, they have been working with Dr. Rob Pack on the academic restructure implementation and how it will impact some of the governance organizations.

## **4. Action Items**

### *4.1 Old Business*

There was no old business to come before the council.

### *4.2 New Business*

There was no new business to come before the council.

## **5. Information Items/Presentations**

### *5.1 Update on FLSA*

Ms. Lori Erickson provided an update on the Fair Labor Standards Act (FLSA). In April, the Department of Labor released the new proposed FLSA regulations. They have updated the salary threshold for exemption, stating that effective July 1, 2024, the new salary threshold will be \$43,888. (Today it is \$35,568.) At ETSU, approximately 75 employees will be affected by this change in exemption status. Over the last several weeks, HR has been meeting with vice presidents and other campus leaders to discuss whether those employees should have their salaries raised to meet the new exemption status or should they be converted to non-exempt. For the majority of employees, converting to non-exempt is a no-harm conversion, with their salary staying the same. During the first round of FLSA changes, the affected employees would be grandfathered into their current annual leave status of two days per month and their retirement plans.

The Department of Labor has proposed a tiered increase to the minimum salary threshold, with a second increase proposed for January 2025. That will be an approximate \$15,000 increase to \$58,656. If the second proposed change is implemented, approximately 500 exempt employees would be affected, and the university may have to consider handling it differently due to the increase. She also mentioned that several organizations have filed lawsuits against the change, and the university is watching those closely.

Moving forward, HR will communicate with employees who are affected. Employees whose salaries are being raised to meet the exemption threshold will receive a letter. Employees who are being converted to non-exempt will receive a letter with an invitation to a Zoom meeting explaining what that means with the two biggest changes for them being that they will have to record hours worked and they will be eligible for overtime payment. Ms. Erickson emphasized that these changes will not change their jobs or job duties; they are still professional employees who will now be considered non-exempt. Faculty (including lecturers) and coaches whose primary duty is in coaching or contributing to life skills of student athletes are not subject to the minimum salary threshold.

## **6. President's Report**

President Noland presented a review of the May 24 ETSU Board of Trustees meeting. The Board approved the academic restructure that was approved by University Council last month. Last week the Tennessee Higher Education Commission approved the structure, which takes effect July 1. Next steps include the examination of base budgets so that revenues flow to follow programs that are moving to new colleges. The phased implementation is being led by Dr. Rob Pack. President Noland thanked Provost McCorkle and all of those who worked on the new academic structure plan.

The Board also received an update on enrollment. Enrollment projections continue to hold. President Noland discussed the impact that the FAFSA delays and changes have had on the admissions process. He commended Dr. Joe Sherlin and his staff for their work to keep enrollment strong.

He also noted that the Board took actions on an amended fee recommendation and an amended salary pool, both which relate to the FLSA changes and other desired changes related to salary. The Board recognizes the need to generate more resources to be applied to salary, and they approved a 5.25% increase in tuition and fees. All of the additional revenue will be put in the salary pool. As the university explores enrollment in the fall and other efficiencies that can create opportunities to enhance the salary pool, the Board will then consider final action on salary at its November meeting.

President Noland updated the council on the Voyager implementation. He thanked staff for their continued work on the project.

He provided a brief overview of other important work happening on campus including an examination of the classification and compensation system at the university, budget model review, and the ongoing construction of the Academic Building and the second phase of the Commons. He is hopeful that the Commons space will be completed in time for the first home football game this fall. Additionally, ETSU is in the process of resubmitting a funding request for the second phase of Brown Hall.

Finally, he presented an update on Athletics. He applauded the ETSU Men's Golf Team, which finished 12<sup>th</sup> in the nation. Due to the success of the team and the national attention, the ETSU Men's Golf coach is moving to LSU. A new ETSU golf coach will be announced this week. He also discussed the changes on the NCAA landscape around the future of Division 1 college athletics.

## **7. Announcements**

Dr. Sam Mayhew announced that there are two orientation sessions this week and 10 remain this summer.

## **8. Adjournment**

Provost McCorkle adjourned the meeting at 9:19 a.m.

*The next meeting is scheduled for August 12, 2024, at 8:30 a.m.*