

The Higher Education Workplace

Published by the College and University Professional
Association for Human Resources

Spring 2009

Special Section: Weathering the Economic Storm

Also In This Issue:

- The New Washington
- Does It Matter How We FEEL
in the Workplace?
- TMI in E-mail Is Nothing
to LOL About
- The Cost of Health Care
- Paid Time Off for Exercise?

 VOL. 1, No. 1

PREMIER ISSUE • PREMIER ISSUE • PREMIER ISSUE

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Welcome to the inaugural issue of *The Higher Education Workplace*, CUPA-HR's publication for all things higher ed workforce-related. Here you'll find articles, resources and briefs to help you meet your day-to-day and long-term strategic workforce and workplace challenges. We welcome your feedback on this first issue and encourage you to submit content ideas for future issues (just send an e-mail to communications@cupahr.org).

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A WORD FROM THE PRESIDENT AND CEO



CUPA-HR vows to be your resource for economic challenges, day-to-day challenges and strategic workforce planning.

As you and your colleagues face numerous challenges at your institution created by the current economic crisis, please know that your CUPA-HR colleagues in the national office and across the country are ready, willing and able to help you meet those challenges.

Knowledge Center Tools

“Ask Ken” queries in the Knowledge Center have increased substantially, and our economic issues task force has developed some outstanding economic downsizing resource materials. These resources are now posted in the Toolkits section of the Knowledge Center (www.cupahr.org/knowledgecenter). Thanks to great leadership from Lynn Bynum from Bellarmine University and Ken Tagawa from the national office for so quickly creating and making these resources available.

We also continue to post Knowledge Center resources to better help you manage the just-in-time, day-to-day and more strategic parts of your job. There are now well over 1,000 specific resources that are available in the Knowledge Center, including **FREE** BNA resources (just click on the BNA link in the Library section of the site). If there are resources that you need that you do not find in the Knowledge Center, please let us know!

New Priorities

In addition to our focus on economic issues, the national board recently adopted new strategic priorities for our association. We have experienced exponential growth in the number of member institutions, the number of individual representatives from those institutions and the number of corporate members. We are also thrilled that we now have 38 chapters!

This tremendous growth, the ever-changing higher ed environment and our higher ed workforce challenges have caused us to pause and more clearly articulate our key strategic priorities. These new priorities will be reviewed annually by the national board to make sure that we are always focused on the issues and challenges most relevant to those of us who have primary responsibility for managing higher ed workforce issues.

CUPA-HR will:

- Be the leading voice regarding higher education workforce issues.
- Proactively impact legislative and regulatory issues that affect higher education and general workforce issues.
- Prepare colleges and universities to

address challenges of sustainability, growth and consolidation and be contemporary and futuristic in viewing workforce trends and in designing solutions to address evolutions.

- Develop programs and services and an association governance structure that reflects the diverse and changing needs of the higher education community and CUPA-HR member representatives both within and outside of the United States.
- Actively reach out to and engage all higher education employees who impact the higher education workplace (HR professionals, senior campus leaders and others who manage employees or help provide key services to employees).

We Want to Hear From You

If you have thoughts regarding how we can help you deal with the economic crisis or how we can help you meet your other short- and long-term goals, please do not hesitate to let us know.

A handwritten signature in black ink that reads "Andy Brantley". The signature is stylized and cursive.

Andy Brantley
CUPA-HR President and CEO

THE COST OF HEALTH CARE

From CUPA-HR's Benefits Survey

Results from CUPA-HR's 2007-08 Comprehensive Survey of College and University Benefits Programs show that the annual cost for health care over the last four years at responding institutions has increased 25.5% for employee-only coverage and 26.1% for employee + family coverage. These results reflect data for approximately 500 institutions and represent the costs for the three most common plan types: PPO, HMO and POS.

As Table 1 shows, employee costs have increased more than institutional costs for employee-only coverage (37% vs. 29.4%), while the reverse is true for employee + family coverage (15.9% vs. 27.6%).

Increases in cost have also been different by plan type (see Table 2). HMO plans have had the largest total premium increases at 27.5% for employee-only coverage and 35.3% for employee + family coverage. POS plans have had the smallest increases and PPO plans are in the middle.

And within plan type, there are differences in whether the employee or the institution had the greatest increase. For PPO plans, employees saw their premiums increase by 40% for employee-only coverage, but only by 10.2% for employee + family coverage. In HMO plans, institutional costs increased more than employee costs; in POS plans, increases were more evenly split between the employee and the



institution — employee costs increased more for employee-only coverage (35.5% vs. 29.9%), but less for employee + family coverage (18.2% vs. 20.9%).

On the positive side, while premiums have increased significantly over the four-year time span, individual and family deductibles and maximum out-of-pocket expenses have stayed about the same.

Table 1

Median Annual Health Care Premiums for Employee-Only and Employee + Family Coverage for PPO, HMO and POS Type Plans (2008 Compared to 2004)

	Employee-Only Coverage			Employee + Family Coverage		
	2008	2004	Change	2008	2004	Change
Employee Portion	\$930	\$679	37.0%	\$3,823	\$3,298	15.9%
Institution Portion	\$4,337	\$3,352	29.4%	\$9,442	\$7,401	27.6%
Total Premium	\$5,059	\$4,031	25.5%	\$13,494	\$10,699	26.1%

Table 2

Percentage Increase From 2004 to 2008 in Median Annual Health Care Premiums by Plan Type for Employee-Only and Employee + Family Coverage

	Employee-Only Coverage			Employee + Family Coverage		
	PPO	HMO	POS	PPO	HMO	POS
Employee Portion	40.0%	26.5%	35.5%	10.2%	21.4%	18.2%
Institution Portion	26.0%	33.7%	29.9%	28.9%	27.8%	20.9%
Total Premium	24.4%	27.5%	21.8%	22.6%	35.3%	19.1%

Source: CUPA-HR 2008 and 2004 Benefits Surveys



To see a fact sheet or purchase results for CUPA-HR's 2007-08 Comprehensive Survey of College and University Benefits Programs (sponsored by Aetna), visit www.cupahr.org/surveys/benefitssurvey2007-08.asp.

VANDERBILT - TOP PLACE TO WORK

Vanderbilt University has made *Fortune* magazine’s list of “100 Best Companies to Work For,” marking the first time ever that a higher education institution has received the honor. The annual list is based on an employee survey, and rankings are determined by reported levels of credibility, respect, fairness, pride and camaraderie in the workforce. “I am proud and humbled that my colleagues are content and happy to be here,”

said Vanderbilt Chancellor Nicholas S. Zeppos. “It is a great compliment to the employees at both the university and medical center to be the first educational institution to be ranked on the *Fortune* 100 Best Companies to Work For list.”

Vanderbilt joins on the list some of the largest and most visible companies in the United States, including Starbucks Coffee Company, Google Inc., Microsoft

Corp., Mattel Inc., Mayo Clinic, eBay, FedEx Corporation and General Mills.

“Being in the company of some of the nation’s greatest businesses is a remarkable achievement,” said Vice Chancellor for Health Affairs Dr. Harry R. Jacobson. “This has long been a goal of ours and reflects the value of the work we do, our commitment to the people we serve, and, most importantly, a commitment to and belief in each other.”

OUTLOOK FOR HIRING

From CUPA-HR’s Administrative Compensation Salary Survey

We asked respondents of CUPA-HR’s 2008-09 Administrative Compensation Salary Survey if, in light of the economic situation, they expect to be authorized to fill/add more or fewer vacant/new positions this fiscal

year compared to last. Across the board, less than 1% expect the number to be “significantly more” and only 10% or less expect the number to be “somewhat more,” with the larger percentages all associated with faculty. In contrast, for all but two job categories, 50% or more

expect the numbers to be “somewhat fewer” or “significantly fewer.” The exceptions are full- and part-time faculty, where close to 60% expect fills/additions to be about the same.

	Significantly More	Somewhat More	About the Same	Somewhat Fewer	Significantly Fewer	N
Vacant Positions						
Full-Time						
Exempt/professional staff	0.3%	3.0%	45.4%	37.1%	14.3%	1112
Non-exempt/support staff	0.3%	2.2%	46.0%	36.7%	14.8%	1113
Faculty	0.6%	7.3%	57.8%	26.7%	7.5%	1103
Part-Time						
Exempt/professional staff	0.2%	1.3%	48.1%	34.2%	16.3%	1101
Non-exempt/support staff	0.3%	1.3%	47.6%	34.3%	16.6%	1099
Faculty	0.5%	5.5%	59.2%	25.4%	9.4%	1092
New Positions						
Full-Time						
Exempt/professional staff	0.7%	5.5%	29.9%	36.1%	27.9%	1112
Non-exempt/support staff	0.3%	3.2%	31.7%	36.5%	28.2%	1109
Faculty	0.9%	10.0%	38.5%	30.9%	19.6%	1100
Part-Time						
Exempt/professional staff	0.3%	1.2%	35.6%	35.4%	27.6%	1103
Non-exempt/support staff	0.3%	2.0%	35.1%	35.0%	27.7%	1101
Faculty	0.5%	6.4%	42.5%	30.3%	20.2%	1094

COMMUNITY COLLEGE CORNER

We know the recession is having a tremendous impact on higher education. But is it affecting community colleges differently than larger institutions? Here's what Charlotte Fugett, president of the East Campus, Pima Community College District, has to say.

With unemployment numbers hovering between 7 and 8 percent, many in today's workforce are now looking to community colleges for the retraining and retooling needed to upgrade employment skills or to change career paths. While enrollment in four-year institutions is likely to drop over the next couple of years, community colleges can expect to see an influx of students.

In the midst of this period of enrollment growth (and the subsequent need for new course/program development), community colleges are experiencing serious decreases in funding streams. Support from state budgets, property

tax allocations and other revenue sources is drying up, and the ability to counter these losses by increasing tuition to students — many of whom are financially strapped — understandably garners little support from governing board members, who more often than not are elected officials accountable to their public. The idea of capping enrollment as a means to contain costs is also problematic in that it violates a guiding principal of community colleges to provide excellent, affordable and accessible education.

The dichotomy facing community colleges (increased need for services

vs. shrinking resources to support growth) has created a perfect storm for our systems. Staffing, hours of service, deferred maintenance, course scheduling/offerings and course delivery modalities are all areas that need reevaluation and prioritization. Balancing these factors with increasing demand, while always an important exercise, has risen to a critical level during these hard economic times.



CUPA-HR offers several resources specific to two-year institutions in the Toolkits section of the Knowledge Center (www.cupahr.org/knowledgecenter). We've also released results of the 2008-09 Two-Year College Faculty Salary Survey. Visit www.cupahr.org/surveys/salarysurvey2008-09.asp to order survey results.

LAWROOM QUIZZES

Quiz #1

The Situation

Joe the Plumber is picky about the posters he puts on his company's walls. Although he knows he must post the FLSA minimum wage poster (Form 9282), he doesn't like how it looks. So, what's the potential penalty if Joe doesn't post the FLSA poster?

Pick an Answer

- a) Joe may be sent to jail for up to six months and fined up to \$10,000.
- b) Joe's employees may be entitled to a \$50 premium per pay period during the violation period.
- c) Joe may be fined \$100.

Quiz #2

The Situation

After only 10 months on the job, Frank announces that his wife just had a baby girl. Frank wants time off to care for his wife and newborn. If the company is covered by the Family and Medical Leave Act (FMLA), must Frank be given time off?

Pick an Answer

- a) Yes, as long as Frank has worked at least 1,250 hours for the company and is employed at a site with 50 other employees.
- b) No, because the "qualifying event" (the birth) occurred before Frank was employed for 12 months.
- c) Not right now, but Frank may be eligible to take leave to care for his wife and daughter as soon as he finishes his first year on the job.



For the answers to these quizzes, see p. 39

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PAID TIME OFF FOR EXERCISE PAYS OFF

The University of Houston-Victoria is taking an innovative approach to the wellness of its employees with a new policy that allows paid time off for exercise.

Under the Fitness Release Time program, UHV employees can take up to three hours per week of paid leave to engage in fitness activities. Participation in the program is open to full-time, benefits-eligible staff who have successfully completed six months of employment. The department of human resources oversees the program.

With UHV's program, employees have several options for how to spend their three hours. They can work out at a gym of their choice, they can take a yoga class, they can go for a walk, they can play a game of basketball ... the possibilities are endless.

"Different people get better results from different fitness routines," explains Julie Hughes, director of the DeTar Health Center, the official workout facility of the UHV Jaguars baseball and softball teams. "UHV's program gives employees more flexibility to choose what works best for them."

"Most people know regular exercise leads to improved health," says Laura Smith, University of Houston-Victoria human resources director. "But not everyone knows that healthier employees are more productive, more fulfilled in their jobs and miss fewer days because of illness."


Research shows that many people don't exercise because of the time demands of work and family life. Policies like UHV's create the time so more people can enjoy the higher quality of life physical fitness

brings without sacrificing other vital parts of their lives.

The idea for the program originated from the UHV Staff Council, which represents employees to the university administration. "We were discussing potential new benefits for employees

that would also better the university as a whole," says Past Chair Randy Faulk, recalling an officers' meeting last year where the idea was first discussed. "The program seemed a perfect fit and was welcomed by the administration."

"The ideal citizen since ancient times has a fit mind in a fit body,"

explains UHV President Tim Hudson. "Our goal at UHV is to produce leading citizens, so we need to model that ideal ourselves." 

If you're considering a similar policy at your institution and would like to speak with someone from UHV about the ins and outs of implementing such a program, contact Laura Smith at smithl@uhv.edu.

SPECIAL SECTION:

Weathering the Economic **Storm**

Navigating the Perpetual Whitewater of 2009

By Kyle J. Cavanaugh

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A CUPA-HR Pulse Survey

CUPA-HR's Economic Downturn Resources Toolkit

By Ken Tagawa

By Kyle J. Cavanaugh

For those of us under the age of 75, we are truly in uncharted waters.

By this time in their careers, the majority of senior human resource officers have lived through the occasional reduction in state appropriations, research funding and clinical reimbursements or the general increase in operational costs driven by energy consumption, construction or health care. Such pressures have required colleges and universities to respond with temporary workforce management initiatives such as cost-shifting in health care and the reduction of temporary employees.

However, for most campuses, the 1990s witnessed significant growth in student population, endowment

values, gift giving, facilities, research funding and initiatives, clinical efforts, interdisciplinary projects, international partnerships and in the numbers of faculty and staff.

But now we find ourselves looking at a constantly changing financial picture that will require significant leadership and creativity. In the past few months, we have observed dramatic changes in virtually all of the traditional metrics we use to guide our decisions.

Unemployment has reached levels not observed since the Great Depression, and in some regions of the nation it is projected to exceed 10 percent. The

equity market continues to tumble. Appropriations for higher education have been reduced significantly.

Colleges and universities across the nation are starting to see their respective voluntary turnover numbers drop, while seeing a spike in the quantity and quality of job applicants. On a daily basis, we are challenged to digest and adjust to a new set of metrics that could not have been remotely imagined even a year ago. And while navigating the turbulent waters of the economic crisis, HR is also working its way through a set of rapids in the form of new and emerging legislation.

During the early part of 2009, we have seen the passage of the Lilly Ledbetter Act, which adjusts the timing for pay



discrimination claims, and a set of Executive Orders that will dictate notification requirements and potential modifications in approaches for federal contractors that are involved with organized labor groups. And it is important that we not lose sight of emerging federal legislation such as the Employee Free Choice Act, the potential passage of which will eliminate the secret ballot process and instead rely solely on the card-check process. All of this new legislation presents emerging challenges for each and every campus.

Just as we thought we understood the depth of the water we are in and direction of the current, along comes the passage of the Stimulus Act. As we start to unravel the Act, there are a number of components that potentially could have a positive impact on our campuses — including increased funding for states that may trickle down to higher education and increased funding for research through the National Institutes of Health. The competition for these dollars is fierce and what impact (if any) such funding will have on individual campuses is yet to be seen. However, during these difficult times there are components of the bill that do give us reason for guarded optimism.

The Stimulus Act also includes some direct HR-related items that require the attention of all HR practitioners. Specifically, the Act provides funding for expanded coverage for unemployment claims and financial support for COBRA premiums for faculty and staff that are involuntarily separated.

Given the perpetual whitewater that leaders are attempting to navigate, how are campus HR officers responding, and what are some strategies they are employing to help their institutions stay afloat? Drawing from my own experience, and from conversations I've had with colleagues across the nation, I offer the following suggestions:

Stay in the game. With the landscape changing on a daily basis, it is imperative that we stay abreast of developments at the local and national level. Remaining close to identified data sources, industry journals and professional associations has never been more important.

Develop and initiate appropriate workforce management strategies. From community colleges to doctoral degree-granting institutions, each campus faces a unique set of challenges and must design strategies for the current environment that are consistent with the mission of the institution. HR leaders need to advance strategies such as hiring freezes; vacancy management; organizational redesigns; process modifications; retirement incentives; and compensation strategies such as lump sum payments in lieu of increases to base salaries, concessions from bargaining units, furloughs and potential reductions in force.


Such strategies must incorporate a financial impact analysis as well as the identification of potential negative consequences. For example, a retirement incentive on the surface may appear to be a cost-savings strategy, but if the

institution rehires the position due to operational need, it may actually end up costing more than it saves.

Communication is key. Providing timely and accurate information to faculty and staff during a time of significant change and uncertainty is critical. In addition to broad communications from the president, it is important that we equip our chairs and department heads with relevant information regarding impact and direction.

Manage the spirit. At a time of potentially significant cost reduction activities, a gloomy national economy and an uncertain immediate future, campuses must be cautious not to abandon all recognition efforts, professional development opportunities and celebrations. Obviously many programs will need to be curtailed, but we must keep our workforce engaged and motivated.

Clearly, we are in the middle of a new chapter in the life of this nation and the lives of each of our respective institutions. Although no one is quite sure of the direction of this financial river we are attempting to chart, I remain optimistic that through the leadership and creativity of human resource leaders, we will be able to navigate the changes successfully.

I look forward to seeing you downstream. 

Kyle Cavanaugh is vice president of human resources at Duke University. He can be reached at kyle.cavanaugh@duke.edu.

Rensselaer Polytechnic Institute's Story By Curtis Powell

Worldwide financial events have impacted all sectors of the economy, and higher education is no exception.

Early on in the economic freefall — in fact, before it was even considered a freefall — Rensselaer Polytechnic Institute leadership recognized the need to reduce expenses in preparation for a probable fall in revenues and recurring resources. We wanted to be ahead of the game. We wanted to take proactive steps to weather the economic storm. We also wanted to ensure a focused future direction for our institution. Challenges are welcomed at Rensselaer. “Why not change the world?” we propose. It’s the kind of culture where people can count on each other in the face of adversity. And the impending financial crisis was adversity of the first order.

Developing an Effective Contingency Plan

The Rensselaer Plan, established in 2000 by President Shirley Ann Jackson, sets forth a comprehensive strategic course for Rensselaer Polytechnic Institute. The Plan envisions Rensselaer as a top-tier, world-class technological research university with global reach and global impact. Since the initiation of the Plan in May 2000, each division of Rensselaer develops a contingency plan during the annual performance and budgeting planning process. Less than a month after Lehman Brothers filed for Chapter 11 bankruptcy, Rensselaer began a review of these contingency budget plans.

At the outset, we knew that any contingency planning had to support the Rensselaer Plan. Because the essence of the Rensselaer Plan is a campus renaissance offering the ability to attract the best among leadership,

faculty and students and to improve research grants, the contingency plan needed to sustain the overall business objectives and initiatives of the university’s academic and administrative divisions.

Planned actions were initially three: reduction of salary budgets by staff reductions through attrition and a hiring freeze; reduction of non-salary travel, procurement, advertising and consultant services budgets; and reorganization of units and assignments to minimize the impacts of the reductions.

What we didn’t know when we drafted the

original contingency plan was that the economy was going to get worse — much worse. And as the economic situation worsened, further budget reductions became necessary to enable us to manage risk prudently and to maintain Rensselaer’s core academic and student life programs.

The next viable step? Layoffs. To preserve the academic enterprise, non-academic staff, fixed-term, contract and temporary appointments were reviewed. The contingency planning team

considered a number of alternatives to a reduction in force. We pondered the positives and negatives of employee furloughs and unpaid workdays, but in the end decided these were only quick fixes and did not offer an effective long-term solution.

We explored the possibility of four-day workweeks and agreed that anything less than a full workweek would be challenging for academic departments and for those providing student services. Salary reductions and early retirement were other options. However, it was decided that these alternatives could create a situation in which

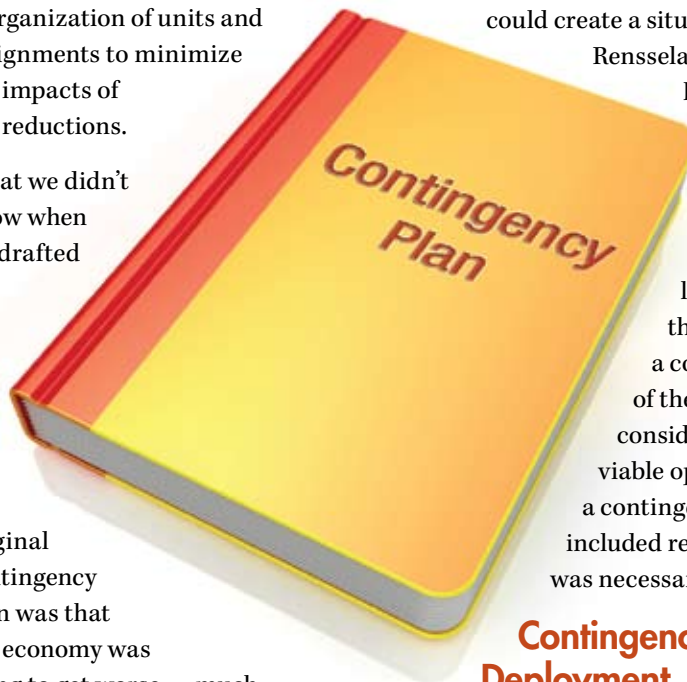
Rensselaer could easily lose some of its most productive faculty and staff.

In the end, leadership agreed that any one or a combination of the alternatives considered was not a viable option and that a contingency plan that included reduction in force was necessary.

Contingency Plan Deployment

At Rensselaer, budgets are owned by each of 18 cabinet members, including academic deans whose portfolios contain one or more departments or divisions. The portfolios are categorized as either academic (responsible for education) or administrative (enablers of the university’s academic mission).

The division of human resources spearheaded the implementation of the contingency plan. During this



SPECIAL SECTION: Weathering the Economic Storm

critical time, we sought to provide strategic leadership in informing the campus community of the reasons for the reduction in force and in offering reassurance that Rensselaer’s strategic focus was sound. As vice president for human resources, I initiated the contingency planning process by holding strategic interviews with cabinet members. The meetings gave these executives the opportunity to ask tough questions in confidence, and gave me the opportunity to provide counsel.

Results of the interviews were far ranging. Systematically, we reviewed current staffing and divisional structures, as well as gender, age and ethnicity demographics before and after deployment of the contingency plan. Additionally, HR summarized and provided to cabinet members the total savings realized through the hiring freeze and non-salary budget reductions. We also discussed misalignments that might be corrected with the contingency plan reorganization and the impact the proposed changes might have on the operational unit.

Thanks to this cohesive effort, Rensselaer developed a contingency plan that exceeded the institute’s budget

reduction goal by \$300,000. Nearly half of the total savings was realized through 180 frozen staff positions. An additional quarter of the budget goal was realized by cutting non-salary budgets. The remaining quarter was achieved by a reduction in force of 4 percent of Rensselaer’s total workforce.

The contingency planning process was designed to be transparent. Information was summarized unit by unit, and summary information was depicted in an easy-to-understand table (see Table 1). In this format, we could gauge, at a glance, the total budget reduction, the number of positions affected and potential impacts of the contingency plan on Rensselaer’s strategic goals and the unit’s overall business objectives and initiatives. We could also quickly see how closely unit contingency plans aligned with the established 10 percent layoff goal.

Each of the 18 portfolio groups had individual needs and, consequently, developed differing plans. The contingency plans of six cabinet officers exceeded the goal; 12 contingency plans did not reach the goal. All but one cabinet officer was able to reduce the non-salary budget, one by as much as 15 percent.

Metrics were identified to evaluate the effectiveness of the contingency plan optimization efforts during fiscal year 2009 and beyond, and to monitor future portfolio productivity and costs of the organizational budget. Four key metrics were developed: organizational budget ratios, institutional income portfolio, human capital and teaching.

Special attention was given to the impact cabinet officers expected the budget reductions to have on their groups. Every impact identified was negative. It was clear the contingency plan was asking faculty and staff to shoulder additional work, that outreach efforts would drop and that it would take longer for many campus services to be processed.

Moving Forward

Implementation of the contingency plan offered an opportunity for Rensselaer to reestablish the employee value proposition — what an employee receives in return for doing the job. We developed a simple table (see Table 2) depicting the relationship of each of the three values identified by Rensselaer employees to five key employee satisfiers.

Table 1 – Portfolio Summary

[Name of Unit]		% of FY09 Budget	# of Positions
Total FY09 Salary & Non-Salary Budget (prior to vacancy management)	\$		
Salary Budget-Frozen Positions	\$	%	#
Salary Budget-Position Reductions (10% Goal = \$)	\$	%	#
Non-Salary Budget Reductions	\$	%	#
(Below/Exceeded Goal = -+ \$)			
Total Salary & Non-Salary Reductions	\$	%	#
Portfolio Impact			

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Table 2 – Rensselaer Employee Value Proposition

	Employee Values		
	Research Institution	Make a Difference in the World	Great Place to Work
Employee Satisfiers			
Relationship	<ul style="list-style-type: none"> • Top private university • Great reputation 	<ul style="list-style-type: none"> • Change the world vision • Global research agenda • Making a difference in the lives of our students 	<ul style="list-style-type: none"> • Pride of accomplishment • Belonging to a world-class organization with cultural and intellectual activities
Compensation	<ul style="list-style-type: none"> • Competitive base pay • Pay for performance 	<ul style="list-style-type: none"> • Pay structures are based on local, state and national market data 	<ul style="list-style-type: none"> • Total compensation initiative • Target faculty and staff at 50th percentile of pay structures
Benefits	<ul style="list-style-type: none"> • Competitive benefits 	<ul style="list-style-type: none"> • Benchmark benefits against top 25 major universities and Fortune 500 companies 	<ul style="list-style-type: none"> • Comprehensive and competitive benefits and retirement package • Family-friendly workplace
Work Content	<ul style="list-style-type: none"> • Technical skills revered • Research and academic savvy highly valued 	<ul style="list-style-type: none"> • Prominence of current and former faculty, staff and students 	<ul style="list-style-type: none"> • Career growth • Work experience • Professional development
Career	<ul style="list-style-type: none"> • University growth provides career options 	<ul style="list-style-type: none"> • Working with cutting-edge researchers • National and international reputation 	<ul style="list-style-type: none"> • Comprehensive and competitive benefits and retirement package • Family-friendly workplace

Reestablishment of the employee value proposition was particularly important to ensure campus cohesiveness. To be successful in reestablishing the employee value statement, we needed to lead the Rensselaer community through the ongoing change process in 2009. For that, we required a communication plan. Our overall communication theme flowed naturally from an urgent sense of realism: Honor the past, be sensitive to the present, while continuing to move toward the future.

We reflected on the importance of balancing the need for strong institutional values with the need for sound financial and operational principles. Explaining how positions were selected for the reduction in force, for example, gave us an opportunity to underscore our efforts to retain an overall strategic focus and to make the

smallest impact on our already effective and efficient operations.

We wanted to promote dialogue within the university community. We delivered consistent, honest and trustworthy communications. Because faculty and staff knew the score, they felt empowered to participate in the decision-making process. Valuable suggestions and a sense of ownership and accountability resulted.

Rensselaer has always been known as a stable place to work; faculty and staff wondered if that had changed. In response, we were able to express regrets about hiring freezes and layoffs, and to propose our belief that the actions taken helped strengthen Rensselaer as an employer of choice. Campus dialogue also grew from tackling questions such as “Is everybody just expected to work harder?” and

“How did we get to this situation?”

Our communications also drew a clear link between what’s good for the institution and what’s good for faculty and staff. Faculty and staff were educated to better appreciate the situation, particularly concerning issues that matter most to employees. People wondered if the cost-saving efforts would affect their ability to write research proposals and conduct research. They wondered if safety would be affected, and if the snow would be removed from campus parking lots and sidewalks. Staff asked if the matching contribution for the defined contribution plan would continue.

In responding to all of these questions, messages linked the wellbeing of the institution with the wellbeing of the faculty and staff. We gave candid answers about the current situation.

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SPECIAL SECTION: Weathering the Economic Storm

The Impact of the Economic Crisis on Staffing & Compensation Planning

A CUPA-HR Pulse Survey

In recent months, CUPA-HR has received many calls and e-mails from institutions looking for information regarding staffing and compensation planning to help address the impact of the current economic crisis. In response to a lack of data on what actions colleges and universities are planning or taking, we decided to conduct a survey of our member institutions. A total of 330 institutions participated in the survey.

Survey respondents were asked if their institutions were considering, among other things, hiring freezes, unpaid furloughs, reductions in force, delays

in salary increases, wage freezes, paid time off in lieu of salary increases and/or reductions in the use of incentive bonus plans.

Some findings:

In the area of staffing –

- The most-used methods for keeping costs down are delayed hiring and hiring freezes, and, for non-exempt staff, control of overtime.
- Unpaid furloughs and reductions in force are NOT currently being considered by the majority of respondents.

In the area of compensation –

- The most-used method of keeping costs down is salary freezes.
- The majority of respondents indicated that the salary increase pool for the current fiscal year has not been reduced from what it was originally (before the economic downturn). However, about 20% indicated that they will be reducing the increase pool percentage going forward.



To see complete results for this CUPA-HR pulse survey, log in to the Knowledge Center at www.cupahr.org/knowledgecenter, highlight the “Library” menu item, select “Surveys/Reports” and click on “Impact of Economic Crisis on Staffing & Compensation Planning: A CUPA-HR Pulse Survey.”



SPECIAL SECTION: Weathering the Economic Storm CUPA-HR's Economic Downturn Resources Toolkit

By Ken Tagawa, CUPA-HR's Interim Chief Learning Officer

Facing an unprecedented decline in sources of funds, higher education institutions are being forced to make changes in their budgets with major consequences for their educational programs and services.

Every day seems to bring more grim news. In Arizona alone, institutions are facing 30 percent cuts (\$314 million). Arizona State University, which made \$60.3 million in budget cuts last year, is facing \$150 million in additional cuts this year. ASU is considering closing its Polytechnic campus (which opened in 1996 and has over 8,700 students), has imposed furloughs on employees resulting in 8 percent to 12 percent salary cuts for the rest of 2009, and is considering laying off 2,500 employees.

In a letter from the president of the University of Arizona, the following figures were cited: a cut of \$57 million for the balance of this fiscal year with additional cuts anticipated in the upcoming fiscal year; the possible elimination of 600 jobs throughout the university; furlough days for all employees supported by state or locally-allocated resources; a reduction from 16 to 13 academic colleges; closing of facilities on certain days; and suspension of outreach and extension operations.

In Massachusetts, public colleges and universities face the possible loss of more than \$100 million in state subsidies next year. Overall aid to community colleges, state colleges and the University of Massachusetts may be reduced by 11.6 percent. In South Carolina, Clemson University is facing a \$17 million cut as state support is reduced to \$77 million and its public support budget is reduced by more than 50 percent.

In the University of South Carolina system, three campuses have been proposed for closure over two years. In early 2008, the University of Florida reduced its budget by \$47 million, following a \$22 million cut that had been imposed in October 2007. It laid off faculty and staff employees, did not fill nearly 300 positions and has reduced enrollment by 1,000 students for the next four years.

Independent colleges and universities are not faring much better. Ninety-seven percent of respondents to a study by the National Association of Independent Colleges and Universities (NAICU) indicated that their institution's endowment "had been affected or significantly affected." The study reported the following actions at their member institutions: 50 percent have imposed hiring freezes; 49 percent have slowed down or plan to slow down capital construction projects; 48 percent have imposed travel restrictions; 22 percent have frozen salaries; 16 percent

have laid off non-faculty; and 11 percent have laid off faculty or plan to. A report by the Commonfund Institute and NACUBO indicates that the value of endowments in colleges and universities had declined 23 percent in the period ending November 2008.

While institutions are coping with these cuts, one question they are asking is whether these cuts will lead to permanent changes in colleges and universities or if the downturn will be short-lived and will be reversed in the upcoming year or two, thus restoring funding to higher education. Regardless of the answer, higher ed institutions will face numerous short- and long-term challenges that will require HR to provide services and support to help our campus communities get through this difficult period.

Workforce Woes

While as a matter of first priority institutions will be bringing their budgets/expenses in line with the level of their funding for the current year and the upcoming year, those steps to cope with the financial consequences of the economic downturn reflect only part of the "costs." As most of us are now in



SPECIAL SECTION: Weathering the Economic Storm

the midst of handling the issues facing our campus communities caused by these budget cuts, we clearly understand that from an HR perspective the impact on our workforce will be a cost with potentially long-lasting consequences.

The literature is replete with examples of the adverse impact on the workforce. Morale is a major casualty as anxiety grips staff and faculty as they wonder if they may lose their jobs or take a pay cut. Productivity declines as employees are distracted and in fact may be devoting some of their time looking for other jobs because of their feelings of vulnerability. Even after the layoffs have taken place, those who do not get laid off oftentimes suffer from "survivor's guilt," thus affecting their ability to work.

We're Here to Help

Through its economic issues task force, formed in November 2008, CUPA-HR created an Economic Downturn Resources Toolkit to provide resources to help HR, employees and administrators with the myriad HR issues related to budget cuts.

The first few paragraphs of the task force's report, entitled *Human Resources Perspectives on Downsizing in Higher Education*, captures the HR perspective on confronting the issues resulting from downsizing:

"The current economic crisis will require that our institutions make difficult decisions that in all likelihood will have an adverse impact on the employees in our workforces. The decline in budgets to support current operations means

that cuts in services and programs as well as possible reductions in force will be required.

"This growing realization that a budget reduction is needed raises anxiety among employees, adversely affecting their morale and productivity, and for a number of employees unfortunately can mean the devastating loss of a job.

"A workforce that is 'distracted' — by concerns about the possibility of downsizing — from its principal activities can lead to a discernible decline in the quality of the institution's programs and services. Handling the adverse impact resulting from these economic difficulties, however, is not beyond our control. Our institutions, by choosing to respond in ways that indicate support for our people and that recognize that their talent, energy and

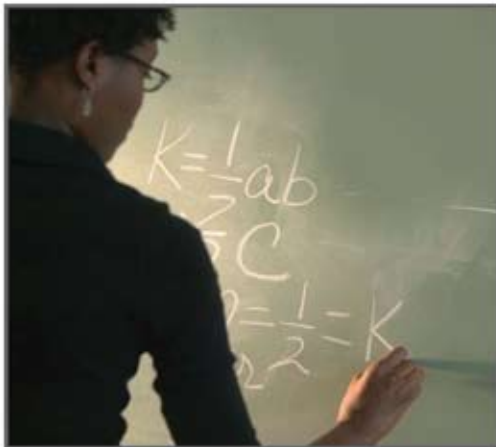
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Q: As our institutions grapple with the challenges caused by the economic downturn, what do you see as the most pressing workforce issue facing higher education institutions? What is, or should be, HR's role in addressing this workforce challenge?



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Washington and Lee
University



Val Berry
Chief HR Officer
George Washington
University



Jack Heuer
Vice President for
Human Resources
University of
Pennsylvania

Amy Barnes *Maintaining Work/Life Balance*

In recent months we have all read about or experienced hiring freezes, reduced or zero salary increases and even layoffs. Given this environment, employees are feeling anxious and uncertain about their own jobs and about the wellbeing of their co-workers who could lose their jobs. Add to that the additional workload that they are forced to bear when co-workers are laid off. In addition, many faculty and staff who were planning to retire may be forced to keep working and may feel trapped in their jobs. In this environment, how do we as HR professionals motivate and retain high-performing employees?

At Washington and Lee, we are in the early stages of an aggressive work/life initiative. We are fortunate because

we are still able to fund many of these initiatives despite the economic challenges. The three underlying principles of our initiative are:

A commitment to communication and transparency in decision making.

Staff and faculty must be kept informed about the economic challenges that the institution faces. Be honest and candid about changes that are coming and involve employees in finding solutions. They can often offer valuable advice and ideas for cutting costs. HR should work with senior leaders to ensure that internal communications include all employees (not just faculty), and that they provide opportunities for dialogue about issues facing the institution.

An understanding of employment as a package of rewards, challenges and professional opportunities. It's not always about salary. Employees remain engaged in their work when they are committed to the mission of the institution, when they feel appreciated for their contributions and when they receive good feedback and coaching from supervisors. As staffing levels shrink, it will be HR's task to make sure that the institution is retaining staff with the skills and competencies needed to perform at high levels and to ensure that supervisors are supporting institutional efforts at engaging those employees.

A campus climate of inclusiveness, mutual respect and compassion.

HR needs to take a leadership role in ensuring that employees are treated fairly and with respect — not only because it is the right thing to do,

but also because a positive work climate motivates employees to improve their performance. Happy employees are productive employees. HR professionals must continue to be in touch with employees to understand what is important to them.

In summary, HR professionals must assist their institutions in motivating and retaining high-quality employees by hiring people whose values align with the institution; by helping to create a working environment that is open and honest; by ensuring that employees are treated with respect; and by coaching, developing and providing intrinsic rewards for high performers. And all these things can be accomplished even with limited budgets.

Val Berry *Strategic Partnering*

Our challenge in HR is to maintain value through strategic partnering, cost containment efficiencies and maintaining the campus value proposition in the eyes of our customers through accountability. Accomplishing these objectives can be challenging. Your success will be rooted in how well you've laid the groundwork for strategic partnering on campus. A listing of some of the most common cost containment and efficiency suggestions follows, in no particular priority.

Centralization of services across campus. Don't limit that recommendation to just HR services. Some typical candidates for centralization and perhaps outsourcing include budget planning, events planning, purchasing, security, payroll, food services, facilities operations, internal audit and computer programming and Web management.

Freeze hiring and redeploy staff as necessary. Carefully examine the revision of positions to more generalist

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CHANGE

IS UPON US By Josh Ulman, CUPA-HR's Chief Government Relations Officer

Last year's historic elections ushered in our nation's first African American president on a platform of hope and change. He brought with him to Washington increased Democrat majorities in both the House and the Senate, setting the stage for an aggressive agenda in the 111th Congress.

Now, three months later, the change Obama promised is upon us.

The president and congressional leaders pledge that the workplace will be ground zero for economic revitalization, with targeted efforts to improve the living standards of middle-class workers. They are quickly and assertively attempting to fulfill this goal, pushing through major changes to workplace laws, issuing workforce-related executive orders and creating a task force on middle-class working families headed by Vice President Biden.

Yet, whether the president and Congress can succeed in bringing *positive* change to the workplace will depend largely on you and their willingness to listen to you. As HR professionals, you are the shepherds of workplace laws, regulations and policies, and it is your responsibility to prepare for and adjust to the changes that the president and Congress enact. As citizens and experts on workplace matters, however, you can play a different and just as important role — you can participate in change by writing your elected officials and engaging in the debate.

Outlined below are some of the changes to our workplace laws that have already occurred this year and some of the changes we may see in the near future. CUPA-HR will be working to keep you apprised of important legislative and regulatory developments so that we can work together through advocacy to improve the laws that govern the

Whether the president and Congress can succeed in bringing positive change to the workplace will depend largely on you and their willingness to listen to you.

workplace. As always, feel free to contact me directly at julman@cupahr.org with any questions you have about specific legislation or regulations or about CUPA-HR's policy positions.

The Change That Has Already Occurred

Shortly after convening the 111th Congress, the House and Senate passed the Lilly Ledbetter Fair Pay Act of 2009. On January 29, 2009, President Obama demonstrated his support for the legislation by making it the first bill he signed in office.

The new law ostensibly overturns the U.S. Supreme Court

ruling in *Ledbetter v. Goodyear Tire & Rubber Co.*, which held that a plaintiff must file a charge of discrimination within 180 or 300 days (depending on jurisdiction) of a discriminatory pay decision. As part of the decision, the Court explicitly rejected Ledbetter's assertion that each paycheck tainted by past discrimination is a discriminatory act unto itself that renews the statute of limitations under which a plaintiff can file a charge with the Equal Employment Opportunity Commission or similar state agency.

Members of Congress, unhappy with the Court's decision, introduced the Ledbetter Act, which amends Title VII of the Civil Rights Act, the Age Discrimination in Employment Act, the Americans with Disabilities Act and the Rehabilitation Act so that the statute of limitations for those laws are renewed each time the employee receives compensation (not just pay) affected by the employer's past discriminatory practice. As a result of the new law, employees are now able to challenge their current pay rate, benefits or other compensation as discriminatory, regardless of when the alleged discriminatory act that impacted the compensation occurred and irrespective of whether documents still exist or witnesses are still available.

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Been There, Done That, Got the T-Shirt

How North Carolina State University Successfully Implemented E-Verify

By Jill M. Guzman, Kathy P. Lambert and Barbara L. Carroll

On November 14, 2008, the Federal Register published the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council's final rule requiring that most federal contractors and subcontractors use the Department of Homeland Security's electronic employment verification system, E-Verify. The rule requires that beginning May 21 (this date is subject to change), federal contracts include a clause requiring contractors and subcontractors to enroll in E-Verify within 30 days of the contract award and begin using E-Verify to confirm the employment eligibility within 90 days of enrollment.

Most industries will be required to use E-Verify to confirm the work eligibility of all new hires. Institutions of higher education, however, are only required to use E-Verify for new hires assigned to work on the contract. Following the 90-day period, employers will have three days to verify the new hire. The rule also will require contractors to use E-Verify to confirm eligibility of existing employees if those employees are assigned to work on a federal contract. Employers will have 30 days from the assignment to run the employee through E-Verify. The rule places the responsibility of monitoring compliance of subcontractors on the contractors that hired them.

You may have heard rumors about the quality and completeness of information in the E-Verify database. You're trying to assess the new administrative burden that such an "unfunded mandate" will impose on your organization.

Well, North Carolina State University has "been there" — so we know how you feel; and "done that" — so hopefully we can offer helpful insight to ease your transition to use of the system.

On January 1, 2007, the State of North Carolina mandated that all state agencies, including its public universities and community colleges, use the E-Verify system. NC State University is a large research-intensive university with almost 32,000 students, more than 8,000 faculty and staff and a high volume of temporary employees. The university employs many foreign national employees, particularly in the faculty and post-doctorate ranks.

With more than two years of experience now under our belts, we offer a general explanation of the system, a description of our implementation process, and some tips and recommendations to consider as you determine how to best implement E-Verify on your campus. We've also included a "Q&A" discussion on the most universal questions related to this process.



To read the full article, visit www.cupahr.org/heworkplace/everify.pdf

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Does It Matter

How We FEEL

By Lola Komisin Mason

in the Workplace?

“Happiness is the meaning and purpose of life, the whole aim and end of human existence.” Aristotle

People have always sought the key to happiness. Many of us, however, have been looking in all the wrong places. For example, for the past several years I’ve talked about someday moving to a sunny climate. That little voice in my head seemed to be saying, “Then, you’ll REALLY be happy!”

So imagine my surprise to learn that a study of Minnesotans and Californians found that although both groups believed the sunny Californians would be happier, there was actually no difference in their happiness levels (Schkade & Kahneman 1998). In fact, it has been shown that life circumstances such as money, age, gender, looks, race, IQ, and alas, even where you live, don’t have much effect on your level of happiness. (I hesitate to put this proof in writing because my husband isn’t quite as excited as I am about the prospect of retiring to South Carolina.)

The Science of Happiness

Since 1999 when Martin Seligman, then president of the American Psychological Association, first spearheaded a focus on the scientific study of what makes people flourish rather than what makes people sick and depressed, the field of positive psychology has come a long way in discovering what makes us happy and what doesn’t.

For example, if people are asked what they would want if they had three wishes, money very often tops the list. Yet studies have shown that there’s actually a very low correlation between material wealth and happiness, except in cases of extreme poverty where people’s basic needs aren’t being met (Myers 2000).

Among 800 college alumni, those who focused on a high income, career success and prestige over having close relationships with friends and family were twice as likely to describe themselves as “fairly unhappy” or “very unhappy” compared to their former classmates (Perkins 1991). Similar correlations have been found in 41 countries (Oishi & Diener 2001). Other research has suggested that the “most ambitious” tend to be the least happy and have poorer relationships (Kasser & Ryan 2001).

So, how important is happiness? Here again, we can look to an ever growing body of research. For example, happy employees are more energetic, creative, productive, generous, collaborative, successful and persistent in solving problems. They take fewer sick days, get better evaluations and provide better customer service (Lyubomirsky 2008).

In terms of health, studies have found that happier, more optimistic people have less hypertension, heart disease, diabetes, colds and respiratory infections and, on average, live nine years longer (Danner, Snowden & Friesen 2001).

Kubzansky (2001) found that over a 10-year period, optimists were 50 percent less likely to have a heart attack versus pessimists. Another study found that happy and optimistic people develop 50 percent more antibodies than average persons (Marsland, Cohen, Rabin & Manuck 2006). Finally, Layard (2005) reported that health care costs are 50 percent higher for persons who report high levels of stress than for those who report minimal stress levels.

These findings suggest that employee happiness is a critical business issue and should be at the top of every business leader’s “to-do” list.

Since 2000, a branch of positive psychology called positive organizational scholarship has been focusing on the critical role that organizations and leaders play in creating a positive environment where people can flourish. Often work environments have toxic effects that can cause workers to languish and feel stuck. One researcher found that anger was the most frequently expressed emotion in the workplace at 57 percent,

while joy was the least frequently expressed at 19 percent (Caruso 2007).

This tendency to focus on the negative rather than the positive has led to more than a dozen major studies on employee engagement, defined as “a heightened emotional and intellectual connection that an employee has for his/her job, organization, manager or coworkers that, in turn, influences him or her to apply additional discretionary effort to his or her work” (Gibbons 2007).

These studies have concluded that in a typical organization, only 20 to 30 percent of employees are fully engaged (Gibbons 2006). In terms of beneficial organizational outcomes, a multiyear Gallup study of more than 100,000 workers found that work groups with positive attitudes were more likely to have above-average employee retention, customer loyalty, safety, productivity and profitability (Buckingham & Coffman 1999).

Most of us are aware that a negative boss or coworker can bring us down,

but we often pay much less attention to the reverse — that being around a happy person can have a positive effect on us. For example, Fredrickson & Losada (2005) discovered that team environments in which the ratio of positive to negative interactions is at least 3:1 are more creative, collaborative, productive and effective.

The phenomenon of mood contagion has recently been linked to biological underpinnings in the brain. Neuroscientists have discovered “mirror neurons” in our brains which actually mirror the emotions of those with whom we interact. This discovery explains why emotions, both positive and negative, are contagious. We can actually “catch” those emotions and spread them around, similarly to how a virus spreads through the office.

Moreover, the more power and influence a person has, the stronger the level of emotional contagion from that person to others (Goleman & Boyatzis 2008). The bottom line is that our working environment plays a critical role in

our wellbeing, both physically and emotionally.

In terms of who is actually flourishing, there’s a lot of room for improvement. Fifty-four percent of U.S. adults are “moderately mentally healthy” yet not flourishing. They’re described as lacking great enthusiasm for life and not being engaged in the world. In fact, only 18 percent are described as flourishing (Keyes 2003). Can you imagine what it might be like to be in an environment, whether it’s school, work or community, where the majority of people are flourishing?

So if it’s not money, fame or other life circumstances, where should we be looking for happiness? A good place to start is within. There are many things we can do to become more aware of our emotional state and improve our mood. Sonja Lyubomirsky (2008) says that it’s not like looking for a lost wallet. Rather, happiness is something that we can create or construct within ourselves. And, according to scientists, there isn’t a single key ingredient to happiness,

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but rather a recipe of ingredients. Of the many techniques that have helped people increase their levels of happiness, different personalities will find some techniques to be more helpful than others. The key is to practice as many as you can until you discover what works best for you.

Positive Life Practices Applied

In 2006, I taught a half-day seminar on positive life practices at Carnegie Mellon University. This workshop focused on the research of what does and doesn't make us happy and introduced several proven techniques and activities for increasing one's happiness level.

The seminar was so well received that I decided to turn it into a multiple-session workshop. In February 2007, I piloted the six-week positive life practices workshop for a group of 16 employees. Although the six-week workshop contained much of the same material as the half-day seminar, it was a very different experience.

Because the same group met weekly for an hour and a half, there was significantly more time to delve deeper into topics and practice the skills and techniques proven to increase happiness levels. Most importantly, this format allowed for the opportunity for discussion and sharing. As the trust level among those in the group grew, we shared personal stories, fears and triumphs, and discussed our successes and difficulties with the happiness techniques we were incorporating into our lives each week.

Martin Seligman, a founder of positive psychology, was the first to teach an undergraduate seminar on happiness. He described the student assignments as "real-world assignments that are meaningful and even life changing." Modeled after his classes and based on scientific research, each week I introduced a new homework assignment. Several of the homework

assignments that were introduced in the first two weeks, such as regular exercise, keeping a gratitude journal, acts of kindness and readings, were ongoing throughout the six-week period. In addition to homework assignments, participants took several assessments to increase self awareness.

These included the Steen Happiness Index (taken once at the beginning of the six-week course and again at the end), a Self Esteem Scale, VIA Strengths Assessment, a Gratitude Questionnaire, an Optimism Assessment and more. At each session, I provided a mini-lecture

Happy employees are more energetic, creative, productive, generous, collaborative, successful and persistent in solving problems. They take fewer sick days, get better evaluations and provide better customer service.

on topics related to stress, relationships, optimism, etc.

A couple of participants dropped out in the first week, but in the end, 14 individuals attended regularly and completed both the pre- and post-test of the Steen Happiness Index. With the exception of one individual whose score was the same, everyone saw an increase in their happiness index score at the end of the six-week course. Half of the participants had increases of 10 or more points. The average increase in scores for the group was seven points.

One of the group's favorite assignments was the Three Good Things (Gratitude/Blessings) exercise. At first this exercise, which entails writing down three things that you are grateful for at the end of each day, was difficult for some of the participants, but eventually, everyone agreed that it was worth doing. It has been shown that when people focus on the good things in their lives they feel better, feel more optimistic about their future, exercise more and have fewer health complaints (Emmons & McCullough 2003).

Fredrickson (2003) reported that victims of the tragedy of September 11, 2001, who expressed gratitude recovered better. In effect, gratitude buffers stress. Here are just two comments from the post-workshop survey:

"I like the Three Good Things [exercise], because on bad days I find some bright spots, and on good days I get especially happy thinking about all the good things that happened that day."

"I am familiar with the Three Good Things exercise and have done it in the past. The benefit of doing it through this class was introducing it to my partner who now

does it with me. This is a positive and uplifting thing for us to do together."

A second favorite activity was the VIA Strengths Survey, a scientifically-validated and widely-used

assessment tool developed by Seligman and fellow positive psychologist Christopher Peterson to help people discover and learn about their strengths. Workshop participants took the VIA-IS Strengths Assessment online at www.viastrengths.org.

At our next meeting, we each shared our top five strengths and discussed how we might be able to use our strengths in new and different ways. During the



upcoming week, each group member was to try to use one of these strengths in a new and different way every day. In his research, Seligman reported that this exercise increased happiness and decreased depressive symptoms for six months. Even though I was familiar with Seligman's research, I was still somewhat surprised and gratified to see how uplifting this exercise was for many in the group. Participants made the following comments:

"I found the VIA Strengths exercise very interesting. I guessed many of my top strengths. Using them in a new way has been a challenge, but one worth doing. I like the concept of building on your strengths first before focusing on improving in areas of weakness."

"It was very important to identify my top strengths. I was aware of some of them while others were a surprise. One of them is perseverance, and so far I am able to remind myself of it when I feel that I am less motivated in an activity."

"I loved the signature strengths assessment. It is beneficial to realize what

my strengths are and to use them to their fullest potential."

Discovering your signature strengths not only is an important aspect of self-awareness and personal development, but also is useful for building teams and creating a positive environment at work. The purpose of learning about each others' strengths in the workplace is to change the focus within organizations from "what we need to fix or improve" to "what is right about people and, specifically, about the strengths of character that make the good life possible." The Myers Briggs Type Indicator is another tool that can be used to help team members discover their strengths and appreciate their differences.

In another session of the positive life practices workshop, we focused on a psychotherapeutic technique often referred to as the ABC technique. Emotions aren't automatic. They are based on what we perceive, and if we can check our perceptions, we can often control our emotions. Experts

estimate that we evaluate 95 percent of our perceptions as either positive or negative, not neutral. First described by Albert Ellis and used in cognitive therapy, this technique is a method for recognizing and disputing pessimistic thoughts.

"A" stands for adversity — what actually happened; "B" stands for beliefs you automatically have when the adversity occurs; and "C" stands for consequence — how does it make me feel?

In challenging pessimistic thoughts, one learns that thoughts can create feelings. For example, you learn that your colleague was selected over you for a promotion (adversity) and you feel angry and depressed (consequence). When you examine your automatic thoughts (beliefs), you discover that your self-talk (that little voice) has been saying, "You're not good enough;" "They don't think you're smart enough or capable enough;" or "You'll never get promoted."

The next step, the "D," is to dispute these thoughts. For example, "While I didn't get this promotion, I can talk

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with my supervisor about what I can do to improve my chances of getting promoted in the future.”

When things go wrong, optimists tend to take them less personally and work at coming up with alternative explanations for why they might have happened, then try to find ways to deal with the situation. Teams can also have an explanatory style, and research has shown that optimistic teams are more likely to be successful whether in sports or business (Seligman 2002).

One participant wrote in the workshop survey that she found the ABC technique to be the most beneficial:

“I’m a good one for negative thoughts and reactions. I can create an entire terrible situation from one crooked look or harsh word. I seem to think I have the power to make bad things happen just because I think they might. I am beginning to recognize these thoughts before they

develop into a major mood-destroying event.”

Other comments from the course surveys included responses to the question, “What stands out for you with respect to learning or insights you may have had?” Answers included:

“I always knew that I was responsible for my own happiness, but I didn’t know how to improve it and had never focused on improving it in such a proactive way. The class added focus and gave me a set time to work on this.

“What stands out the most is the fact that everyone in our group has the same feelings and fears that I do. I am not alone and [now I know] it is possible to work my way out of all the negative stuff. It is going to take work, and that’s okay.”

“The most important [insight I’ve had] is ... recognizing when I’m having unhappy thoughts ... and attempting to stop them. I have read that people who have close

relationships are happier and live longer, but [I’m] the type who has problems making new friends and getting close to friends and family I do have. The acts of kindness and gratitude [exercises] have given me a way to reach out to people.”

“I have learned to let go of the little things that used to stress me out. I have learned to see my blessings every day. It makes life so much more enjoyable to put down the stress bucket once in a while and focus instead not on what I have to do, but on what I have.”

Going Forward

Teaching this workshop was an uplifting and gratifying experience. However, travel schedules and other workplace demands make it difficult for many staff to commit to a long-term schedule. A more practical approach in our environment is to incorporate positive psychology research and techniques into the learning and development

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TMI in E-Mail Is Nothing to LOL About:

Sweeping the E-Discovery Mine Field By Scott Harrison



There is a scene in John Grisham's *The Rainmaker* in which attorney Rudy Baylor reads a letter his client received from her insurance company denying for the eighth time her claim and concluding with "You must be stupid, stupid, stupid!" In a real life case, Detroit Mayor Kwame Kilpatrick faced felony perjury charges last year based on evidence culled from text messages between the mayor and his female advisor with whom he was romantically involved.

Not only has the mode of communication changed in the 12 years between Grisham's fictional depiction of a "smoking gun" discovery in a client's written correspondence and the scathing text messages discovered by the prosecutor in the Kilpatrick case, but user perceptions about communication tools have also changed. One significant challenge for human resource professionals is keeping pace with the ever changing deployment of technology and the legal implications from its use. Even more crucial is for human resource and other organizational managers to understand the need to influence and regulate message content generated with this technology.

A Necessary Nuisance

Attorney David R. Warner noted in an August 2005 *HR Magazine* article, "e-mail has evolved from a novelty ... to a necessity, even as it continues its perhaps inevitable creep toward being a nuisance." Such observations are illustrative of the general blessing-and-

curse perspective many organization leaders began adopting in the post-*Zubulake* world. *Zubulake v. UBS Warburg* was notable for drastically redefining an organization's obligation to produce electronic records during a lawsuit and imposing huge monetary penalties for failing to produce the documents. *Zubulake* and its progeny ignited a firestorm of cautionary tales regarding the legal discovery rules for electronically stored information (ESI) — often shorthanded as "e-discovery."

In response to the evolving legal perspective over ESI, data management companies emerged or shifted focus to fill the niche of identifying, storing and retrieving electronically recorded evidence that might figure into lawsuits. Nonetheless, potential ESI pitfalls continue to grow given both the lightning speed with which electronic data technology morphs to fill organizational applications and the now common co-mingling of personal-use devices with work-related activities. Floppy disks have given way to flash drives; PDAs and mobile telephones have become virtually indistinguishable; and text messaging now allows a virtual conversation to occur almost anytime, anywhere.

Despite the dynamics at play in this area, advice to human resource practitioners for managing ESI has remained fairly constant since *Zubulake* through the 2006 e-discovery amendments in the Federal Rules of Civil Procedure to the present day. Recent trade publication articles

addressing e-discovery challenges can be fairly characterized as follows: If you don't have an e-discovery policy, make one; if you have one, review it; consult with your organization's IT department and legal counsel; develop or revise a document retention schedule; don't delete arbitrarily, and certainly don't delete to cover-up or dispose of potential problems. Later articles also discuss personal electronic media use within the organization, with recommendations for limiting such resource co-mingling through policy application (Roberts 2007; Seaver 2007; Zeidner 2007).

While implementing this advice will help organizations avoid serious penalties for not producing discoverable materials, the question of what may be discovered in those records should be the first concern. A preemptive attack on the front end is critical to limiting the threats inherent in any discovery matter, as well as improving the quality and accuracy of records. The burgeoning world of ESI has only complicated this task.

Better the Devil You Know

The legal discovery process is just that — a process. Discovery encompasses depositions, interrogatories and the production of documents and other relevant items not only as potentially admissible evidence in a lawsuit, but also as a means toward those ends. If an interview, item or record might reasonably lead to admissible evidence, it is fair game in the discovery process. This is even more significant if what

was originally thought to be a stepping stone toward admissible evidence is itself admissible or generates a new line of attack.

And plaintiffs' attorneys already have some advantages in planning discovery in an employment action. The former-employee client is usually an information treasure trove — having seen many of the documents that will later be discovered, knowing the organizational processes used to manage employees and employment records, and frequently having a familiarity with the participants in the events giving rise to the suit.

If a government agency has already been involved in the matter, or perhaps even with earlier similar issues within the organization, a freedom of information request will likely garner the opposition additional documentary evidence and inform its approach. The idiom “better

the devil you know” is wise counsel long before the discovery phase of a lawsuit.

Improving the Odds

There is little question that electronic communication, including its continuing advances in application, ease of use and distribution capabilities,

Employees rarely set out to hurt the organization, but they do frequently misunderstand or forget that their actions can have serious consequences for their employer.

has contributed significantly to streamlining the management efficiencies in our organizations and our personal lives. At the same time, this technology has fostered among users an unfortunate sense of intimacy, anonymity and speed leading to often careless, even negligent behavior in its business applications.

The easy crossover between personal applications and business applications confuses the user's sensibilities about

the impact of their end products. For example, an e-mail communication between two friends including the observation, “I'm concerned that Mary may have a drinking problem,” takes on an entirely different significance if the same message is communicated between Mary's supervisor and the human resource manager.

Managing message content is more cumbersome and a much more inexact process than

knowing where to look for records, how long to keep them and who may access them. This is particularly true for human resource professionals given that they are charged with administering not only the employment of an organization's collective workforce, but also each individual's employment within that organization.

The subject matter areas making up employment are diverse and often distinct from one another. Qualified

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and unqualified sources, as measured by the nature and context of the information being reported, provide input to the records. Information from a supervisor may have a completely different value than the same information offered by the supervisor's boss or a co-worker or a customer.

Employees rarely set out to hurt the organization, but they do frequently misunderstand or forget that their actions can have serious consequences for their employer. In the new world of electronic communications and e-discovery, training is the key to regulating what information goes into which record and how it is characterized by the author. Human resource professionals seeking to limit liability exposures in the discovery process must get ahead of the issues before they become issues.

Following are some considerations that human resource professionals should incorporate into training modules and communication processes to improve their organization's odds for limiting disastrous discovery outcomes and improving the quality of employment records.

Keep Messages Focused, Professional and Business Related

Remind employees that electronic communications are not anonymous, nor are they the appropriate forum for venting frustrations or testing the limits of colorful hyperbole. In a recent discrimination case from New Mexico, the E.E.O.C. on behalf of plaintiff Maria Sandoval, successfully bolstered her claim that she was subjected to a pervasively hostile work environment by introducing a particularly vulgar e-mail sent by a subordinate employee to one of her co-workers.

The message, filled with locker room bravado regarding Sandoval, was

inadvertently discovered by her while she was accessing her co-worker's e-mail account. The employer's counter argument that Sandoval could not claim the e-mail contributed to a hostile work environment because the employees responsible for the message never intended for her to read it was summarily rejected by the court.

With Title VII, ADA, ADEA, FMLA, HIPPA and other alphabet soup laws swirling around in the employment arena, even the most seemingly innocuous comments can cause problems. When Jeffrey Kinzel was fired

Electronic communications are not anonymous, nor are they the appropriate forum for venting frustrations or testing the limits of colorful hyperbole.

from a manual labor job after reporting an occupational safety concern to OSHA, he filed a lawsuit against his former employer alleging retaliation in violation of his whistleblower protections. Kinzel's core evidence was e-mails concerning his employment activities. The e-mail messages, transmitted between his former supervisor and the primary contractor of his company's services, described fallout from Kinzel's OSHA complaint as resulting in a "wound" and "pain" in the business relationship between the two.

The court inferred from such analogies "an animus" toward Kinzel for filing the complaint. Although neither the E.E.O.C. case nor the Kinzel case relied exclusively on the e-mail evidence, the messages contained in the documents clearly played key roles in strengthening the plaintiffs' cases.

Limit the Scope of Messages to Those Who Have a Stake in the Messages

The organization's e-mail, text messaging or other electronic messaging systems should not be used as a chat room. Employees need to be reminded that response messages

using "reply" or "forward" options usually include the originating sender's text below the response text. Each subsequent "reply" or "forward" of the original message and its responses continues building the thread. Add to this the nefarious use of "blind copying" and the whole endeavor is fraught with risk. Caution employees against spontaneously replying to or forwarding messages, particularly if a text history of the communication is part of the record. They need to think about what they've written or read and who they may be inviting into their audience.

During the Vioxx liability trial, pharmaceutical giant Merck filed a motion to exclude entire e-mail threads from discovery

because certain portions of the e-mail threads involved communications between management and the company attorneys that were therefore subject to attorney-client privilege. The court disagreed, permitting only those portions of the thread specifically directed to Merck's attorneys for purposes of legal advice to receive the privilege. The remaining portions were discoverable. In the words of the court, "When, for example, Merck simultaneously sends communications to both lawyers and non-lawyers, it usually cannot claim that the primary purpose for the communication was for legal advice or assistance because the communication served both business and legal purposes."

Likewise, the department head who notifies the HR/benefits office that an employee is planning FMLA leave to undergo heart surgery and simultaneously copies payroll to suspend the employee's salary payments may have unintentionally violated the HIPPA privacy rules. The point is that *who* receives *what* e-mail communications and for *what purpose* does matter.

continued on page 42

Overheard in the Forums

Here are some of the queries that recently generated discussion in CUPA-HR's online forums (including the CompSIG listserv):

Do you offer a Health Savings Account in your benefits package? If so, how did you go about educating your employees on the concept of this type of plan?

Does your HR department have the responsibility for hiring your adjunct faculty? If not, then who does?

We are exploring the option to change our professional staff from 24 pays to 26 pays (bi-monthly to bi-weekly). What is the most common pay cycle used for professional staff?

I'm looking for data on retirement plan contributions. Is your plan voluntary or mandatory? What is the required percentage an employee must contribute to obtain a college contribution? What is the percentage of the college contribution?

We currently have only a limited amount of funds which are made available through our University Foundation for recognizing a handful of outstanding faculty and staff each year. Are any of you doing anything interesting as it relates to service or outstanding performance recognition?

We are moving to a business partner model for our HR department. Are there other institutions that have this business partner model or something similar? I'm curious to see if higher education utilizes this model.

CUPA-HR's forums have several focus areas, including benefits, compensation, employee relations, organizational development, wellness, recruitment, selection and retention, and more. To access the forums, log in to the Knowledge Center at www.cupahr.org/knowledgecenter, click on the "Forums" menu tab, click on "All Forums" and then subscribe to the forums in which you'd like to participate.

Find the Answers You Need in the CUPA-HR Knowledge Center

With the steady stream of changes coming out of Washington and the deepening recession, more and more members are turning to the Knowledge Center for links, resources and answers. In fact, the number of pages viewed over the past month has increased about 30 percent over the same time last year.

**Most popular resources for the first quarter include: Economic Downturn Resources Toolkit • FMLA Toolkit
FMLA Forms • Furlough Policies • Notification of Employee Rights Under Federal Labor Law**

To find these and other just-in-time materials, added daily, visit the Knowledge Center home page (www.cupahr.org/knowledgecenter) and check out "Hot Topics in HR" and "Most Popular Pages."

What Are You Reading?

Ken Tagawa, CUPA-HR Interim Chief Learning Officer:

Outliers: The Story of Success

(Malcolm Gladwell)

Why do some people succeed, living remarkably productive and impactful lives, while so many more never reach their potential?

Transforming Performance Management: Rethinking the Way We Measure and Drive Organizational Success

(Dean Spitzer)

A breakthrough approach that will reduce the dysfunctions of traditional performance measurement systems.

The Starfish and the Spider: The Unstoppable Power of Leaderless Organizations (Ori Brafman and Rod Beckstrom)

If you cut off a spider's head, it dies; but if you cut off a starfish's leg, it grows a new one, and that leg can grow into an entirely new starfish. Traditional top-down organizations are like spiders, but now starfish organizations are changing the face of business.

Kirk Beyer, CUPA-HR National Board Chair and HR Director at Gustavus Adolphus College:

The Drunkard's Walk: How Randomness Rules Our Lives (Leonard Mlodinow)

An exploration of how random events

shape the world and how human intuition fights that fact.

How to Reduce Workplace Conflict and Stress (Anna Maravelas)

This book will help executives, supervisors and managers (and the people that work for them) protect pride, profit and productivity from disabling emotions.

Getting Things Done: The Art of Stress-Free Productivity (David Allen)

Tips and tricks to help you get (and stay) on top of it all.

Allison Vaillancourt, CUPA-HR Past Chair and VP for HR at The University of Arizona:

Zen and the Art of Making a Living (Laurence Boldt)

A good reminder about doing work with a purpose.

Blunder (Zachary Shore)

A fascinating look at why smart people make bad decisions.

Generational Shockwaves and the Implications for Higher Education

(edited by Donald Heller and Madeline B. d'Ambrosio)

A higher education spin on the generations-in-the-workplace conversation.

Member Service FAQ

Q. I don't remember my User ID and Password for the website. How can I get that information?

A. Your User ID and Password give you access to your CUPA-HR profile, ordering information and the Knowledge Center. Here's how to obtain your log-in credentials if you don't already know them:

1) Go to www.cupahr.org. In the Membership menu at the top of the page, click "My Profile." Now you are on the profile landing page.

2) Click the "Log In" link. Now you are on the main log-in page.

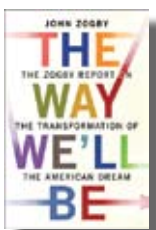
3) On the left, click the "Forgot My ID" link.

- If you know your Password, but not your User ID, fill in the boxes on this page and click "Submit." You will receive an e-mail with your User ID only.
- If you do not remember your Password, or you need both your User ID and Password, do not complete the boxes. Instead, click the "Reset My Password" link. Type in your e-mail address (the one associated with your CUPA-HR record), and you will receive an e-mail with your User ID and a reset Password.

To change your reset Password to something more memorable, log in and click on the "User ID & Password" link. Enter your current Password (the reset Password you received) and your new Password (twice). Then click Save. The change takes place instantly.

If you need additional assistance, contact Member Service at memberservice@cupahr.org or toll free at (877) 287-2474.

Featured Book



The Way We'll Be: The Zogby Report on the Transformation of the American Dream (By John Zogby)

Drawing on thousands of in-depth surveys conducted especially for this book, the author points out where Americans are headed – politically, culturally and spiritually.

John Zogby is a keynote speaker at CUPA-HR's National Conference and Expo 2009

Tap Into the Network of CUPA-HR

Looking for ways to connect with higher ed colleagues? CUPA-HR offers several venues for networking, exchanging ideas and keeping a finger on the pulse of the profession.

Listservs – The **CompSIG** (our general member listserv) has hundreds of participants. Have a question? Throw it out there, and find out how others have tackled the challenge. The CompSIG and other member listservs are located in the Forums section of the Knowledge Center (www.cupahr.org/knowledgecenter).

LinkedIn CUPA-HR has a **LinkedIn** group, where you'll find news and discussion items posted. Visit the CUPA-HR home page (www.cupahr.org) to find a direct link.

facebook If you're a **Facebook** user, be sure to check out the CUPA-HR fan page for a list of upcoming events and announcements. Visit the CUPA-HR home page to find a direct link.

twitter Do you **twitter**? Follow CUPA-HR President and CEO Andy Brantley ([andybrantley](https://twitter.com/andybrantley)) and Interim Chief Learning Officer Ken Tagawa ([kentag](https://twitter.com/kentag)), and find out what news and trends are catching their attention.

JobLine – CUPA-HR's JobLine is the only online job site dedicated exclusively to job postings in higher ed HR. Have a job to post? Check out the new low rates at www.cupahr.org/jobline.

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Movers and Shakers

Awards

Arizona Western College received the Southern Arizona Human Resource Association's 2008 Workplace Excellence Award.

Susan McGarry Basso, associate vice president for human resources at Seton Hall University, received the Sol Stetin Award from the American Labor Museum for "improving the lives of working people and for tireless dedication to just policies and causes."

Karen Goodlet, assistant director of human resources at Florida State University, was honored as the 2008 Big Bend SHRM Volunteer Leader of the Year.

Degrees

Janice Minder, director of human resources for the South Dakota Board of Regents, received her doctorate of education in educational administration in May 2008 from the University of South Dakota.

Moves

Cynthia Beckwith recently joined Harvey Mudd College as director of human resources. She came to Harvey Mudd from Claremont University Consortium, where she also served as director of HR.

Kyle Cavanaugh joined Duke University in February as vice president for human resources. Before joining Duke, he served as vice president for human resources at the University of Florida.

Analissa Mendoza joined University of Texas Health Science Center at San Antonio as compensation manager. Prior to this role, she worked at Mercer Consulting in Chicago as a senior-level compensation specialist.

Jill Pollock joined the University of Colorado System as senior associate vice president and chief HR officer. Prior to this, she served in the same position at Texas A&M University.

Betsy Rodriguez was appointed vice president for human resources at the University of Missouri. Before this, she served as associate vice president for HR at University of Colorado.

Shelly Ruocco was named associate vice president for human resources at Hampshire College. Prior to that, she served as director for employee relations and employment at Tufts University.

Brian Sagendorff, former president of the CUPA-HR InterMountain West Chapter, has been tapped to serve as director of human resources for the City of Idaho Falls. Prior to his appointment to this role, he served as senior HR representative at Idaho State University.

Promotions

Ryan Dawson was promoted to the position of associate director of human resources at Duquesne University.

Pam Fairfax was promoted to associate vice president for human resources at Edison State College.

Kathy Jaczesko was promoted to associate director of HRIS at Duquesne University.

Retirements

Connie Baskette retired in June 2008 from the University of Tennessee after 26 years of service. Before her retirement, she had served for a year as interim assistant vice president for human resources. Prior to that, she served as executive director for the UT System HR office. Baskette also was a founding member of the CUPA-HR Tennessee Chapter.

Clint Davidson retired from Duke University in February. He served for 12 years as vice president for human resources at Duke and worked in higher education human resources for more than 40 years.

Mary Ann Wersch retired from Reed College in December after nearly 19 years as director of human resources.

Been promoted? Retiring? Moving to another institution? Received an award?

Send your announcements to communications@cupahr.org.

National Conference 2009 Keynoters

One is a political forecaster. One is a popular pollster. One is a Gen Y journalist. And at this year's national conference, to be held October 19-21 in Las Vegas, they'll share their unique perspectives on the present economic situation and what the future may hold.

CUPA-HR Las Vegas

Where **Now** Meets **Next**



Amy Walter is one of the nation's top political forecasters and serves as editor-in-chief of *The Hotline*, Washington's premier daily briefing on American politics. She was the recipient of *The Washington Post's* Crystal Ball award for her spot-on predictions in 2000, and *George* magazine has dubbed her one of the most powerful people in politics.

Walter also serves as a political analyst for CNN and is a frequent contributor to "The Newshour" with Jim Lehrer. She has also served as a panelist and commentator on "Face the Nation," "Meet the Press," "Washington Journal," "Real Time With Bill Maher" and "The Early Show." She provided election night commentary for CNN in 2002 and 2004 and was a member of CNN's Emmy-award winning election night team in 2006. In 2007, she concluded a banner decade operating as a senior editor of *The Cook Political Report*, a nonpartisan publication renowned for providing some of the nation's most respected and intuitive political analysis.



Pollster **John Zogby** is president and CEO of Zogby International, a worldwide research and marketing firm. His clients include NBC, MSNBC, CNBC and several other television stations and newspapers across the United States. For the 2008 election season, he teamed up with Reuters and C-SPAN to provide political survey research on the race for the White House.

Zogby currently writes columns for *Forbes.com* and *Politics* magazine. His analytical expertise has been published on the opinion pages of several prominent newspapers, and he is a founding contributor to the prestigious website The Huffington Post. He is the author of the recently published book *The Way We'll Be: The Zogby Report on the Transformation of the American Dream*.

Zogby has taught history and political science for 24 years and is a member of the board of trustees of Le Moyne College. He

also is a senior advisor at the Kennedy School of Government at Harvard University.



Nadira Hira is a writer for *Fortune* magazine, where she has focused increasingly on stories for and about Generation Y, the fastest growing segment of the American workforce. She writes and speaks on relationship-building in the workplace, workplace retention and productivity, social networking, diversity in the workplace and more. She authored *Fortune's* widely discussed 2007 cover story on Gen Yers and their impact on corporate America. She also writes a blog for Gen Yers on *Fortune.com* called "The Gig."

Hira has authored articles for various other publications, including *Essence* and *Smithsonian* magazines. She has appeared as a guest on many major television outlets, including HBO, ABC, VH1, BET, CNN, CBS, MSNBC, CNBC and BBC America. In 2007, Hira received the NewsBios 30 Under 30 award, which showcases the most promising business journalists. She has twice been nominated for a National Association of Black Journalists Salute to Excellence award.

Keynote presentations sponsored by VALIC.

You Could be the Recipient of a \$1,500 Conference Grant

CUPA-HR is once again offering assistance to individuals who would otherwise not be able to attend their regional conferences or the association's national conference.

This year, the Bob Barley Memorial Conference Grants program will award eight grants in the amount of \$1,500 each. Grant monies can be used for the national conference in October 2009 or a regional conference in the spring of 2010.

Individuals wishing to be considered may be recommended by others or may self-nominate. Visit www.cupahr.org/awards/grants.asp for more information. The nomination deadline is May 1.

SPECIAL SECTION: Weathering the Economic Storm

Contingency Planning: A Case Study

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We reminded the campus that we were not alone in this crisis and that no one had a crystal ball. And we came back at every opportunity to the fact that we were doing everything we could to ensure that Rensselaer's core mission and academic and administrative operations were not unduly compromised.

What's Next?

Plans are underway for optimization efforts in fiscal year 2010. We'll be identifying redundant work functions,

programs and activities. We will restructure work processes and jobs to ensure optimal workforce staffing and utilization of human capital. Rensselaer's division of human resources will continue to reestablish the employee value proposition, reinforcing accountability and productivity, institutional pride and the core initiatives of the Rensselaer Plan.

Rensselaer's contingency plan, however, has not diluted the measures and benchmarks by which we gauge our successes in the division of human

resources. Benchmarks such as employee engagement and productivity, the number of high-quality faculty and staff, workforce diversity and the timeliness and accuracy of HR transactions remain vital elements of the division's performance metrics. HR continues its strategic effort to strengthen Rensselaer as a world-class, top-tier technological research university with global reach and global impact. 

Curtis N. Powell, SPHR, is vice president of human resources at Rensselaer Polytechnic Institute. He serves as a human resource consultant to the president and members of the president's executive cabinet and participates in strategic planning and decision making for the institution and all subsidiaries. He can be reached at powelc2@rpi.edu.

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SPECIAL SECTION: Weathering the Economic Storm CUPA-HR's Economic Downturn Resources Toolkit

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commitment are critical to helping our institutions through this fiscal crisis (and other crises), will position higher education to play an even more effective role in the future.”

Accordingly, while the Toolkit contains information from the Knowledge Center related to policies on layoffs, reductions in force, severance policies, terminations and furloughs, as well as related legal considerations (adverse impact, ADEA, WARN Act), it also focuses on strategies related to the workforce that institutions may consider as they move forward.

Recognizing that the workforce is the key component to the services of our institutions, the Economic Downsizing Resources Toolkit was built based on a set of guiding principles: (1) communicate frequently to fully engage the workforce; (2) utilize a partnership strategy model; (3) recognize that talent development and retention is a top institutional priority; (4) redesign jobs/work processes for optimal efficiency and productivity; (5) to the extent possible, minimize adverse economic impact on employees; (6) make workforce decisions in ways that continue progress on institutional goals; and (7) be mindful of legal issues.

The Toolkit contains two principal work products that can be modified by CUPA-HR members for use at their institutions. The first document, *Human Resources Perspectives on Downsizing in Higher Education*, includes information for HR, supervisors/managers, academic

leaders and campus officers. The second document is a PowerPoint presentation, *Human Resources Issues Related to Downsizing*, which discusses workforce and HR issues and strategies with various campus audiences, including deans and campus officials.

Perhaps one of the best resources in the Toolkit is the update to the book *You Can Get There From Here: The Road to Downsizing in Higher Education*. Former CUPA-HR president Barbara Butterfield and Susan Wolfe coauthored the original version of the book, which addresses the issues and approaches that Stanford University utilized when it downsized in the 1990s. With support from Sibson Consulting, a Division of Segal, where Butterfield now works as a consultant, she is revising the book to make it relevant to the challenges higher ed institutions are currently facing.


In addition, there are a number of articles in the Toolkit on downsizing and other strategies/concepts used by organizations and companies to emerge from a budget reduction. Among those titles are: *Recession Forcing Changes to HR Programs – a Watson Wyatt Survey*; *From Both Sides Now Organizational Downsizing: What Is the Role of the Practitioner*; *Workforce Reductions: Practical Suggestions for Making Them in a Legally Defensible Way*; *The Successful Executive's Secret Weapon: Leveraging the Workforce to Achieve Corporate Goals*; *Core Values and Engaging Employees: The IBM Experience*; and *The Effects of Downsizing on Voluntary Turnover*.


And additional resources are being added on a regular basis.

Looking Forward

It's clear there are major issues facing higher education as seen in the steps being taken by various institutions. If higher ed is facing a protracted decrease in its resources and is therefore in many cases seriously considering major changes, does it not stand to reason that HR as well may have to change its business model?

In some ways, that change is occurring; the crisis has necessitated that HR work more closely with employees, supervisors/managers and campus leaders to deal with the crisis. Yet with HR also possibly losing resources and staff, we will likely have to address how to continue to operate effectively — to shape ourselves for continuity.

In closing, all of us in human resources recognize the numerous challenges facing our institutions due to the economic downturn. By sharing information regarding the magnitude of the changes occurring in our colleges and universities and by providing resources such as the Economic Downturn Resources Toolkit, CUPA-HR will continue to support HR professionals and their expanded roles within our institutions. 

 To access the Economic Downturn Resources Toolkit, visit CUPA-HR's Knowledge Center at www.cupahr.org/knowledgecenter.

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duties rather than expansion of the division of labor. Where possible, implement this process through attrition. Be sure redesigned positions make sense and are not simply an effort to do more with less.

Automation. Expand the use of automation within HR through applicant tracking systems. These systems cost very little and pay for themselves within one to three years. Given enhanced regulatory schemes, consider the use of third-party administrators for retirement and health and welfare programs management and related support processes such as reconciliation, compliance reporting and health care cost containment.

Expanded use of employee self service, especially for benefits enrollment, retirement fund allocation appraisal systems and participation in wellness programs.

Expanded use of call centers for routine queries. Use of call centers can free up your key personnel so they can spend more time on strategic rather than transactional activities.

Keep your campus apprised of proactive measures your institution is taking to address the downturn.


Hire an audit consultant to examine internal controls improvement across all administrative units.

Jack Heuer *Developing and Managing Talent*

Many institutions are being forced to make difficult choices regarding staffing, compensation and benefits — and institutional leaders are looking to human resources to come up with a plan. As HR leaders, we face a dual challenge: to react pragmatically to our institution's current state and to stay focused on longer-term strategic goals.

Engaging, developing and retaining existing talent will be a critical element to sustaining organizations in the long term. How we react now will set the stage for years to come. Unfortunately, some institutions have no choice but to downsize because of the current economic environment. Even if that's the case, it should be done strategically. We can't lose sight of long-term talent and growth agendas.

Particularly during a down economy, organizations cannot afford to lose their best people. In his book *Good to Great*, Jim Collins reminds us: "first who, then what." We need to identify the talent that matters most in our institutions and ensure that we provide the right resources for them to develop and grow within the organization. As Collins explains, "only with the right team in place can we find the way to greatness."

Through our leadership in the areas of talent management and development, HR professionals can ensure that internal development and mobility is available and communicated throughout the organization. We also must actively work to maintain employee engagement and foster a sense of community by communicating regularly with our staff. Despite the daily economic challenges we are facing, we still have the opportunity to meet our current needs while actively shaping the organization of the future. 

Answers to LawRoom Quizzes

from page 6

Quiz #1

A: Joe may be sent to jail for up to six months and fined up to \$10,000.

Quiz #2

A: Not right now, but Frank may be eligible to take leave to care for his wife and daughter as soon as he finishes his first year on the job.




Does It Matter How We FEEL?

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workshops that we already offer. At Carnegie Mellon, we have developed workshops around assessing emotional intelligence; the science of happiness; giving and receiving constructive feedback; employee engagement; assertiveness; stress techniques; and teambuilding. In the final session of

the positive life practices workshop, we shared goals that we wanted to continue working on, and the group members suggested that we meet a couple of times over the summer. In these follow-up sessions, everyone acknowledged that the most important lesson learned is that happiness is something to which we need to commit every day. So,

instead of asking, “Am I happy?” we should ask, “What can I do today to be happier?” Sometimes, it can be as simple as performing an act of kindness for someone or just making the effort to notice what’s right in the world. Do you have happiness at the top of your “to-do” list? 

Lola Komisin Mason, Ed.D., SPHR, is director of organizational development at Carnegie Mellon University. She has more than 20 years of experience developing and implementing leadership and organizational effectiveness interventions in university, health care, manufacturing and corporate settings. She can be reached at lola@cmu.edu.

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Change Is Upon Us

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The legislation passed exactly as it was introduced despite the thousands of HR professionals who contacted their legislators about potential problems with the bill and offers by CUPA-HR and other employer representatives to work with lawmakers toward a solution that would address concerns with the Court's decision while also preserving the time limitations on filing charges. CUPA-HR hosted a webinar on the Ledbetter law's requirements, which is available for viewing at www.cupahr.org/webinars.

In February, President Obama signed into law a stimulus package and the State Children's Health Insurance Program, both of which contain changes to COBRA. CUPA-HR also hosted a webinar on the COBRA changes (available at www.cupahr.org/webinars). The stimulus package also creates unprecedented "whistleblower" protections for employees of companies that receive stimulus funding.

In the last few weeks, the president also signed several pro-labor Executive Orders impacting government contractors. While the full impact of the Orders will remain unclear until implementing regulations have been issued, they are likely to impose additional burdens on employers.

The Change To Come

As we move forward, CUPA-HR will keep you apprised of developments and opportunities to voice your opinion on pending legislation and regulations. Despite some early failings this year where debate was limited, we remain hopeful the new administration and Congress will keep

their promise of greater transparency and accountability. A robust debate on workforce issues that includes and incorporates recommendations from HR will undoubtedly result in better outcomes for workplace regulation.

Set forth below are details of some initiatives we expect to see this Congress, as well as CUPA-HR's position on those initiatives.

One bill likely to be considered sometime this year is the Employee Free Choice Act (EFCA). EFCA would require both card-check and mandatory arbitration, both of which CUPA-HR opposes. The card-check provision essentially would replace secret ballots as the primary method for determining whether or not a group of workers wants a union with a "card-check" process, where an employee "votes" for a union by signing a card in front of a union organizer and co-workers who support the union. An employer must recognize the union under EFCA if it collects signed authorization cards from a majority of workers in the proposed bargaining unit.

While there may be opportunities to improve upon the union election process, CUPA-HR feels that eliminating secret ballots is not one of them. EFCA's binding arbitration provision would permit a government arbitrator to impose terms and conditions on the employer and union for a two-year period if the parties fail to come to an agreement within 120 days after union recognition. Parties may not appeal the arbitrator's decision and must live with those terms for two years.

CUPA-HR feels that parties to the contract are in a better position than an arbitrator to determine the terms and conditions that will result in long-term positive outcomes for the employer and its employees. Among other things, arbitrators are unlikely to have experience running a business, let alone a university, and certainly do not understand the unique issues a university may face that would lead it to accept one term offer by a union, while rejecting another. Moreover, the arbitrator could impose unacceptable work rules, wages or benefits, which could place the university in financial distress or create other hardships that might have been avoided if an agreement was reached through the give-and-take of negotiations.

Congressional leadership is also likely to push legislation requiring seven days of paid sick leave, known as the Healthy Families Act (HFA). The rigid requirements HFA would impose on employers would make integrating HFA leave into existing leave policies a near impossibility, while also inviting unscheduled absences and increasing HR's administrative and paperwork burdens. CUPA-HR is engaging policy makers in a dialogue on paid leave in hopes that alternatives to HFA that better integrate into existing leave programs can be developed. We will keep you posted on opportunities to weigh in on this important issue.

The Public Safety Employer-Employee Cooperation Act of 2007 is another bill likely to receive attention this Congress.

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Change Is Upon Us


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The legislation would provide a federal collective bargaining right for police, firefighters and EMTs employed by states or municipalities with 25 or more full-time employees and populations over 5,000. It would give the Federal Labor Relations Authority (FLRA) jurisdiction over collective bargaining for these employees. States with laws that meet the yet-to-be determined

criteria established by FLRA would be exempt from federal jurisdiction. Campus police are likely to be impacted by the bill. CUPA-HR is working with proponents of the bill to make clear before the bill passes which states might be exempt.

Finally, we expect the Obama administration to offer an aggressive regulatory agenda, which may include ergonomics, use of federally

administered unemployment insurance for paid leave, and re-evaluation of several opinion letters issued by the Bush Administration on overtime and FMLA.

CUPA-HR will be closely monitoring these bills, regulatory initiatives and other new legislation throughout the 111th Congress and will keep members apprised of opportunities to make their voices heard. 

TMI in E-Mail Is Nothing to LOL About

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Minimize the Amount of Recorded Communication

Managers or supervisors faced with an employment challenge need to ask themselves if more efficient problem solving can be achieved by simply picking up the telephone. Can an informal one-on-one conversation in someone's office reduce lag time in responding to a situation and promote more unfettered thinking about an issue? The fewer written communications generated, the fewer opportunities for illicit information to be discovered and misconstrued.

Consider taking a page from U.S. Cellular, which recently adopted "E-Mail Free Fridays." Excluding critical dispatches necessary to keep the company operating or its customers serviced, the company instructed its employees to handle communications by telephone or face-to-face. Despite some initial panicky reactions akin to a drug user going through withdrawals, the results have not only been positive, but the organization has also recognized the confining effects that electronic communications can impose (Schaper 2008).

Make Quality Communication Count


Human resource professionals and the organizations they serve need to take affirmative steps toward employee understanding that poor or careless communication ending up in an electronic record somewhere can jeopardize the organization. Communication activities are a work product that should figure into the performance evaluation process. Faculty evaluations routinely include student observations relating to delivery of course content, classroom demeanor and efficacy in answering questions. Similar standards should be incorporated into both evaluation practices and the institution's electronic communication policy and applied to the employment-management aspects of faculty, staff and administrators.

This is not to suggest that every misstep or etiquette breach in electronic communication should result in some form of documented discipline, but neither should managers look the other way in those cases. Establishing a practice within the parameters of the electronic communication policy, and in consultation with legal counsel, for declining first draft e-mails and other messages that contain questionable materials can provide opportunities

for further educating the sender on appropriate content.

The importance of communication quality may also be heightened by confronting employees with specific examples during the performance review. Finally, it may be necessary to establish a performance improvement plan for employees who repeatedly or egregiously violate the tenets for producing quality communications.

Here to Stay

Approximately 60 billion e-mails are generated every day (Grouix 2008). The explosion in electronic messaging coupled with continued growth in its application and ease of use paints a daunting picture for managing, tracking and preserving ESI. Even a sound e-policy augmented by a state-of-the-art management system does not address the core threat inherent in message content. Making communication practices an element in performance evaluations and educating employees through training programs about what message content is appropriate and how that content affects specific employment practices helps the organization limit unforeseen risks when the time comes to pony-up in e-discovery. 

Scott Harrison, SPHR, is director of human resources at Thomas M. Cooley Law School. Prior to joining the law school, Harrison served as a human resource director at Smithfield Foods. He frequently teaches business and management courses, including labor and employment law, negotiation and dispute resolution, and business ethics, at Davenport University. He can be reached at harrisos@cooley.edu.

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CUPA-HR Featured Events

April 2009

Chapter Meetings

April 14: Tennessee Chapter Meeting – Knoxville, TN

April 15-16: InterMountain West Chapter Meeting – Pocatello, ID

April 16-17: Ohio Chapter Meeting – Location TBD

April 17: Utah Chapter Meeting – Salt Lake City, UT

April 21: Indiana Chapter Meeting – Indianapolis, IN

April 21: Minnesota Chapter Meeting – Duluth, MN

April 23-24: Iowa Chapter Meeting – Ames, IA

April 24: Oregon Chapter Meeting – Portland, OR

April 24: North Carolina Chapter Meeting – Winston-Salem, NC

Region Conference

April 26-28: Eastern Region Conference – Providence, RI

Webinars

April 16: Campus Security/Threat Management (*sponsored by Aon Consulting*)

We've all seen it play out in the news – a disgruntled employee wreaks havoc at an office building, an armed student rampages across campus, a suspicious package is found in a hallway. How has your institution responded to these tragedies? Would you be prepared if something like this were to happen on your campus? This Webinar will provide insights on assessing, preventing and responding to potential threats on your campus.

Presenters: Louis G. Caravelli, senior security consultant for Aon Schirmer Engineering, and Dr. James N. Madero, licensed psychologist and faculty member at the California School of Professional Psychology at Alliant International University

May 2009

Chapter Meetings

May 4: Lone Star Chapter Meeting – Houston, TX

May 6-8: Arkansas Chapter Meeting – Hot Springs, AR

Region Conference

May 3-6: Midwest Region Conference – Branson, MO

May 17-20: Southern Region Conference – Louisville, KY

Webinars

May 14: Managing an International Workforce

Don't get blindsided by new immigration legislation! This Webinar will examine trends in immigration law and procedures under the new administration and Congress and will outline Michigan State University's experience in setting up an HR program for employees in the United Arab Emirates.

Presenters: Jill Guzman, international employment manager for human resources at North Carolina State University, and Scott Sowulewski, director of employee relations at Michigan State University

June 2009

Chapter Meetings

June 4-5: Wisconsin Chapter Meeting – Wisconsin Dells, WI

June 12: Northern New England Chapter Interest Meeting – Location TBD

June 19: Southern California Chapter Meeting – Location TBD

Region Conference

June 7-9: Western Region Conference – Westminster, CO



As the Obama administration continues to set policy and pass legislation, we'll be presenting just-in-time Webinars throughout the spring and summer. So keep an eye on our website, www.cupahr.org, for newly added programs. For more information on the events listed here, visit www.cupahr.org/conferences/upcomingevents.asp.



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