

**TENTATIVE AGREEMENT SUMMARY
YOUNGSTOWN STATE UNIVERSITY
AND
YOUNGSTOWN STATE UNIVERSITY
ASSOCIATION OF CLASSIFIED EMPLOYEES
March 11, 2015**

Youngstown State University and Youngstown State University Association of Classified Employees reached a tentative agreement on a new collective bargaining agreement, containing the following changes to the 2011-14 collective bargaining agreement:

Article 1 Agreement and Recognition

Section 1.2:

- Removed reference to O.R.C. Chapter 4117 regarding the University's recognition of Union

Article 2 Scope of Unit

Section 2.2:

- Housekeeping -- Added the word "the" between into & bargaining in the next to the last sentence to make it a complete sentence.

Section 2.3:

- Removed specific references to O.R.C. Section 4117.01 regarding definition of bargaining unit exclusions

Article 3 Wages

Sections 3.1(A), 3.3:

- Wages of all bargaining unit members shall be frozen at their current step for the duration of the agreement;

Sections 3.1(B), 3.4, Exhibit 1:

- Annual step adjustments will be frozen at current rates and levels for the duration of the agreement;

Section 3.1(C):

- All A/B conversion steps shall be frozen for the duration of the agreement

Section 3.2, Exhibit 1:

- Starting wages for the following classifications shall be effective July 1, 2015 for all persons hired after that date

	CURRENT	PROPOSED	PAY GRADE/STEP
Accounting Clerk I	\$15.07	\$12.93	26/1
Accounting Clerk II	\$15.75	\$13.61	27/1
Administrative Assistant I	\$16.61	\$14.61	28/1
Administrative Assistant II	\$19.34	\$16.98	10/1
Executive Secretary I and II	\$19.34	\$16.98	10/1
Secretary	\$15.75	\$13.61	27/1

clf 4/28/15

AEB 4/28/15

Article 7 Employee Discipline

Section 7.1:

- Removed specific references to the O.R.C. Section 124.34 regarding reasons for discipline

Section 7.7:

- Added language clarifying employee's choice of available Union representative for investigatory interview/meeting where employee has reasonable belief that discipline or other adverse consequences to employee may result from what employee says and rescheduling of interview/meeting if Union representative is unavailable

Section 7.8:

- Added language permitting on-site testing of employees suspected of substance abuse or illegal use of alcohol;
- Added language that negative substance abuse or illegal use of alcohol test results should not be in personnel files.

Article 8 Personnel Files

Section 8.1:

- Removed specific references to O.R.C. Chapter 1347 regarding maintenance and access to personnel files;
- retains language that personnel files are maintained in accordance with law

Article 9 Grievance Procedure

Section 9.5, Step 1:

- Added language permitting initial hearing of grievances at Step 2 when the Step 1 respondent is the subject of the grievance.

Section 9.6, Step 2:

- Added language that Step 2 hearing officer will not be the same person who heard that grievance at Step 1 or the individual against whom the grievance is filed;
- Added language that Step 2 hearing officer will hold a hearing or issue a Grievance Distribution form with 14 days after receipt of original filing at Step 2

Section 9.7, Step 3:

- Added language that actual hearing will be held at Step 3 by the CHRO or his/her designee from appeal from step 2 or a grievance originally filed at Step 3

Section 9.8(C), Step 4:

- Added language requiring that agreement on an arbitrator or rejection of the list will be made within 45 days from receipt of FMCS list of proposed arbitrators and that arbitrator selection will be made within 45 days following receipt of the second FMCS list.

Section 9.8(E), Step 4:

- Added language that performance evaluations are not subject to arbitration.

Section 9.8(K), Step 4 (NEW):

- Added language requiring that grievances be scheduled within 180 days after arbitrator's selection unless time is mutually extended or the arbitrator's schedule will not allow the hearing.

Initialed:

cel 4/28/15
YSU-ACE

ALB 4/28/15
Administration

Section 14.8(D):

- Added language clarifying that employees who are applying for positions are responsible to maintain updated related materials in their personnel files

Section 14.12(A):

- Changed language, now allowing a minimum ten percent out-of-grade differential for long-term assignments

Section 14.12(C):

- Housekeeping – Added comma between “classification” and “the”

Article 15 LeavesSection 15.1(A):

- Amended for ACA compliance regarding upper age limit for definition of “Child”

Section 15.2:

- Replaced existing language defining sick leave with language detailing expectations for use of sick leave, purpose of sick leave, and precluding use of sick leave in place of other leaves of absence;
- Added language to address instances when an employee is afflicted with or known to be exposed to a contagious disease where the employee’s presence would jeopardize other employees;
- Replaced Chief Human Resources officer with employee’s immediate supervisor as the person to receive a physician’s certification of a family member’s illness for absences of three or more days

Section 15.4:

- Typographical correction

Section 15.5:

- Replaced Chief Human Resources Officer with employee’s immediate supervisor as person to initiate procedures to address suspected absence abuse

Section 15.16:

- Add language requiring exhaustion of paid sick leave accrual for FMLA-covered condition before employee can use unpaid leave
- 15.16(b): Housekeeping – restructured sentence for clarity.

Section 15.26(B):

- Add language requiring seven days’ notice for use of personal leave except that a shorter period may be permitted for emergencies (not unreasonably denied);
- Precluding personal leave on days when vacation leave is not permitted;
- Converting into sick leave personal leave that cannot be carried over

NOTE: The University and the Union shall sign an MOU concerning those individuals to be paid out on personal leave per a signed settlement agreement for Grievance Nos. 615 and 651 so those individuals affected will receive their payout per the settlement even if upon ratification of the contract their leave converts to sick time.

Section 15.26(E):

- Reducing personal leave balances to a maximum of 24 hours;
- Upon ratification, converting to sick leave all personal leave balances exceeding 24 hours

Initialed:

cel 4/28/15
YSU-ACE

AcB 4/28/15
Administration

Article 18 Health and Safety
No Changes

Article 19 Non-Discrimination

Section 19.3:

- Housekeeping – Replaced “religious” in the last sentence with “religion”.

Section 19.4:

- Changed title of the YSU office of Equal Opportunity and Diversity to Equal Opportunity and Policy Compliance.

Section 19.5 (NEW):

- Added language providing resource information to employees with questions or concerns regarding discrimination.

Article 20 Classification and Position Audits

Section 20.4

- Housekeeping – in the last sentence “request” capitalized. Now reads “Audit Request Form”

Article 21 Retirement

Section 21.5:

- Effective July 1, 2015, reduce sick leave payout to 25% of sick leave accumulation up to 240 hours paid out (*i.e.*, 25% of 960 accrued hours)

Section 21.6:

- Deleted as outdated (2008-11 ERIP Participation Sick Leave Conversion)

Article 22 Insurance Benefits

Section 22.1(C)(1):

- Revised working spouse/coordination of benefits language to make it easier to understand and to clarify employee responsibilities and limitations on coverage

Section 22.1(D):

- Deleted language providing for additional coverage features for certain services upon retaining a capable third-party administrator

Section 22.1(G):

- Clarified language to provide that University will maintain “current” funding of Wellness Program during the term of the Agreement

Section 22.1(H):

- Deleted language as outdated, providing for establishment of run-out and maximum liability reserves and providing for use of additional savings after reserves have been fully funded

Section 22.1a:

- Deleted outdated language regarding prior employee premium cost-sharing percentages before as part of phase-in to current 15% aggregate level
- Adjusted floor/ceiling for employee premium cost sharing to 10%/20%

Section 22.5:

- Deleted outdated effective date language

Section 22.8:

Initialed:

cll 4/28/15
YSU-ACE

ALB 4-28-15
Administration

Section 27.10:

- Added language to continue current practices regarding parking arrangements for the ACE Labor Consultant;
- Deleted language requiring quarterly meetings of the Parking and Traffic Committee and submitting minutes of same to the Union and Chief Human Resources Officer

Article 28 Intermittent EmployeesSection 28.4:

- Typographical inclusion of "of"

Section 28.6

- Housekeeping – In next to the last sentence in paragraph 2, changed "described in B and C" to "described in C and D"

Section 28.6(A):

- Increase sick leave accrual for intermittent employees to 4.6 hours for every 80 hours in active pay status

Section 28.6(C) & (D):

- Housekeeping – Added numerics in parentheses to keep consistency throughout the Agreement; in first sentence of (C) replaced "work" with "worked"

Article 29 SenioritySection 29.1(C)(3):

- Housekeeping – Added numeric (4) between "four" and "digits" for consistency

Article 30 Term Of AgreementSection 30.1:

- Term of Agreement changed to August 16, 2014 to August 15, 2017
- Changed commencement date for negotiations to no later than May 1, 2017 (previously June 1)
- Changed number of days to serve notice to negotiate from 90 days before expiration to 120 days

Article 31 Student Employees

No Changes

Article 32 Intellectual Property Rights

No Changes

Appendix A Classifications of Positions Included in the Bargaining Unit

- Retained current list of included positions, subject to the efforts of the joint committee established under this Agreement or a MOU
- Established joint committee to review included and excluded bargaining unit positions for the following purposes:
 - Delete outdated positions
 - Update position titles and replace outdated position titles with current titles

Initialed:

df 4/28/15
YSU-ACE

peb 4-28-15
Administration

"Expected Claim Liability" Definition:

- Added language that Expected Claim Liability can be determined by actuary for the health care consultant

"Margin" Definition:

- Deleted and replaced by new definition

"IBNR Reserves" Definition:

- Deleted and replaced by new definition

"Surplus" Definition:

- Deleted

Funding Level/Rates Calculations:

- Established July 1, 2015 as date to calculate new Funding Level and Funding Rates and discontinue use of Fully Insured Equivalent in for health and prescription benefits
- Deleted outdated and redundant language

Reserve:

- Added language establishing maintenance of health care reserve per guidelines outlined in HCAC Target Reserve Policy

HCAC Target Reserve Policy:

- Established components of Target Reserve: IBNR Reserves and Margin
- Established Targeted Reserves to be expressed as a range from Optimistic, Intermediate, and Pessimistic to reflect potential for variance
- Established Intermediate Target Reserve Level of 35% of projected annual costs
- Integrated Reserve Policy into annual Funding Level Calculations:
 - Established three-year projection of Targeted Reserves to effectively plan and adjust accounts through premium increases or decreases
 - Established options in response to reserve balance exceeding 45% of "average annual actual cost" to reduce the reserve balance and defines same based upon three-year average of annual "actual cost" (and costs to be included) required to operate health care plan for previous three fiscal years
 - Established options in response to reserve balances falling below 25% of projected annual costs to raise reserve balance
- Established requirement that actuarial consultant confirm annually that reserve policy is properly aligned with stop loss coverage and to identify risks associated with coordinated policies

Employee Contributions:

- Deleted outdated language regarding prior employee premium cost-sharing percentages before as part of phase-in to current 15% aggregate level
- Adjusted floor/ceiling for employee premium cost sharing to 10%/20%

Appendix I

No Changes

Classified Position Information Form**Appendix J**

No Changes

Available Parking

Initialed:

cl 4/28/15
YSU-ACE

MB 4-28-15
Administration

Appendix K

Distinguished Service Award Form

- New form details eligibility criteria and procedures for submitting nominations

Initialed:

Connie L. Frisby
YSU-ACE 4/28/15

AOB 4-28-15
Administration