



Insights



Human Resources: The Calm at the Center

Since our last issue, some major changes have occurred in our country and around the world. While some changes can be perceived as positive, many, particularly on the economic front, have been disturbing. In these unsettled and often unsettling times, it's worthwhile to take a minute to consider how we, as human resources professionals, can act strategically to help our University to respond effectively to the emerging needs of our workforce.

We all know that uncertainty causes stress and anxiety. Conducting business can be difficult if people are worried or distracted. Under these circumstances, managing major new initiatives like CUNYfirst can be even more challenging than normal. When external events cause anxiety, we HR professionals must strive to maintain a calm demeanor and confident outlook.

All of us deal better with stress when there is a coherent plan or structure to manage it. Some methods for holding people together

through periods of disequilibrium include:

- Emphasizing the bonds of association, common purpose and values.
- Demonstrating a shared commitment to problem-solving.
- Encouraging others to believe in what they are doing and providing the support they need to deliver their highest level of performance.
- Creating an environment of trust in which each individual is respected and empowered to do his or her best.
- Acknowledging the jobs that employees are doing and giving them positive and public recognition. I like to think of it as "catching people doing something right."

It's also vital to keep our workers optimistic about the future by assuring them that our strategic goals are still in place while we ride out the storm. As leaders we should continually restate our goals to help our employees (and ourselves) stay focused and define what needs to be done to keep moving ahead.

Chancellor Goldstein ended his November financial update by noting that "CUNY

has never been stronger. I am confident that the University will meet its budgetary challenges with resolve and resilience, maintaining its commitment to academic progress and integrity and to supporting our students' educational success." These words of optimism and resolve should form the basis of our HR strategic message: we will get through this challenge and be a stronger University as a result.

And finally, let us not forget to take care of ourselves. We can and should form a support system for each other. Sometimes all one needs is a listening ear— try to be that for one of your HR colleagues.

My dedicated OHRM team is committed to working with all of our campus colleagues to maintain a positive work environment for CUNY's employees. Together, I am certain that we can create successful solutions to the current challenges, and develop new strategies to meet the opportunities coming our way.



Many Peoples, One University

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In the News ...

New CUNY Conflict of Interest Policy

At its meeting on June 23, 2008, the University's Board of Trustees approved a new Conflict of Interest Policy, which took effect on July 1st. The policy requires that all University activities be conducted in accordance with the highest standards of integrity and ethics, and establishes general standards for conducting the University's business and rules regarding hiring, employment, and supervision of family members, as well as contracting decisions involving family members. These rules apply to any individual who is now, or at any subsequent time becomes, a full- or part-time employee or a post-doctoral associate at the University, or a student engaged in faculty-directed research at the University other than as part of his or her course work. The policy also sets forth specific obligations of covered individuals involved in research or similar educational activities.

Covered individuals should read the full policy, which is available on the Faculty & Staff page of the CUNY website at www.cuny.edu/academics/info-central/addressesources/faculty-staff/conflict-of-interest.html. They are also encouraged to consult the advisory opinions of the NYS Commission on Public Integrity at <http://www.nyintegrity.org/advisory>, and to call the Office of CUNY's General Counsel with questions regarding the applicability or interpretation of the policy.

Revised Intra-University Mobility Guidelines

For thirty years, the University has had guidelines governing the hiring of employees of one college by another college within the University. The revised guidelines that were promulgated in July were the product of the most comprehensive review in 24 years.

One of the key features that has been retained in the guidelines is the requirement that the hiring college notify the college at which the employee works before a formal offer is made to the employee. This notice applies to employees in the classified staff and in the instructional staff, including the members of the Executive Compensation Plan.

A new feature in the guidelines is the opportunity to offer an instructional staff member or a member of the classified managerial pay plan an increase of up to 10% above his/her current salary, if the offer is to perform functions in the same job title similar to those the employee is currently performing. Under special circumstances, an offer of an addi-

tional 10% above the current salary may be made with the prior approval of the Vice Chancellor of the Office of Human Resources Management. If the offer is to a higher title, the salary is based upon market considerations, including salary comparisons both within and outside of the University, the employee's present salary, and the college's budgetary capability. The salaries of classified staff employees, other than those in the Classified Managerial Pay Plan, are governed by Civil Service Rules and the collective bargaining agreement. Salaries of members of the Executive Compensation Plan are governed by the terms of the Executive Compensation Salary Plan.

The goal of the guidelines is to recognize an employee's aspirations to career advancement in a context that minimizes disruption within the University.

Amendments to the Law on 211 Waivers

Under Article 7, Sections 210-212 of the New York State Retirement and Social Security Law, retirees of most public agencies who are under the age of 65 and are hired or re-hired by a public agency cannot earn more than \$30,000 in a calendar year and simultaneously receive pension payments/distributions, unless they are granted a waiver. Recently, significant amendments were made to Section 211 of the law that have a major impact on the requirements for waivers in the future. Going forward, in order to receive a waiver:

- The Retiree must meet the minimum stated requirements for the position.
- The Retiree cannot be employed in the same position or a position similar to the one from which s/he retired for a period of one year following retirement.
- The agency must have a detailed plan to fill the position on a permanent basis.
- The hiring agency must have an urgent need to fill the position on a non-permanent basis as a result of an unplanned and unexpected vacancy where sufficient time is not available to recruit a qualified individual, or have undertaken extensive recruitment efforts and found that no non-retiree was qualified and available to take the position. In the latter case, the search must include advertising in at least two sources.
- The hiring agency must attest that employment of the retiree is in the best interests of the government service.

The maximum waiver duration is two years. The earliest effective date of a waiver is the date of the employment offer (*i.e.*, once the search officially ends). A waiver request can-

not be retroactive to a prior year. Colleges may employ the retiree while a waiver request is being processed. Tenure, permanency, or 13.3(b)/CCE status does not guarantee that a waiver will be granted.

The major change in the law prohibits CUNY from employing retirees in a similar or same position for a period of one year after retirement. In addition, campuses must have a detailed plan to fill the position on a permanent basis.

For questions relating to the changes in University policy and procedures for 211 waivers, contact Raj Singh at 212-794-5345.

Revised Terms and Conditions of Employment for Executive Compensation Plan

The *Terms and Conditions of Employment for Staff in the Executive Compensation Plan*, (hereinafter the "ECP Terms and Conditions") recently received its first thorough review and revision since its issuance in January 1987. The new document of the same name, dated November 12, 2008, has been distributed to each ECP member and appears on the Faculty & Staff page of the CUNY website.

Many of the provisions in the revised ECP Terms and Conditions are restatements of the old, but there are some significant changes:

- The ability to revert to an underlying tenured title in order to take a fellowship leave is eliminated, but discretionary study leaves are now applicable to all ECP titles.
- Members appointed to the ECP on or after January 1, 2009, with no CUNY service immediately preceding the appointment, will not accumulate additional annual leave after reaching the cap of 50 days.
- Although not available this year, in years when the University's finances permit, the Chancellor may authorize ECP members who meet certain criteria to exchange up to five days of annual leave for a cash payment, and
- The severance benefit for involuntary separation from the ECP will henceforth be calculated on the basis of months of service rather than years of service.

In addition, applicable terms and conditions have been consolidated and explained more fully, providing important information to ECP members in a readily accessible format. The complete document, its appendices and the Summary of Benefits for the Executive Compensation Plan, can be accessed on the Faculty & Staff page of the CUNY website: www.cuny.edu/administration/ohrm/reports-forms/ecp/ECPTandC.pdf.

CUNY and Columbia Co-Host HERC Diversity Conference

On November 7, 2008, the Metro New York Southern Connecticut Higher Education Recruitment Consortium (HERC) held its first diversity conference, entitled “*Making Excellence Inclusive: Promoting Diversity in Higher Education*,” at the CUNY Graduate Center. The conference was co-sponsored by The City University of New York and Columbia University. Graduate Center President William Kelly greeted 675 participants from 84 institutions including Columbia, Cornell, St. John’s, Rutgers, Harvard, Yale, and Memorial Sloan-Kettering, Cold Spring Harbor Laboratories, and the Sloan and Elsevier Foundations. CUNY was well-represented at the conference, comprising 25% of the participants.

The HERC partnership, which is headquartered at Columbia, is part of a rapidly expanding national network designed to overcome the twin challenges of promoting diversity and accommodating dual-career families in academia by consolidating the posting of regional job openings on one web site. CUNY is a founding member of the organization, which reaches out to a global population with the intent of attracting broad and diverse candidate pools for all the member institutions.

The conference objective was to disseminate state-of-the-art information and best practices for promoting excellence through diversity in higher educational settings, with a special emphasis on creating inclusive

faculties. Panel discussions were held on such topics as “Mentoring, Faculty Development and Retention,” “Diversity and American Liberalism,” and “Creating Opportunities for Women in Science.”



Vice Chancellor Ginger Waters

In her remarks to the conference attendees, Vice Chancellor Ginger Waters noted that “CUNY is committed to infusing its work-force with the vibrant diversity of varied ethnic backgrounds and perspectives ... and CUNY’s participation in HERC has been an essential element of our quest.”



Dean Henry Davis and President Lee Bollinger of Columbia University



Dr. Freeman Hrabowski

Dean Henry Davis of OHRM’s Office of Recruitment & Diversity, and conference Co-Chair, introduced the guest of honor, Dr. Freeman Hrabowski of the University of Maryland, Baltimore, who delivered the keynote speech at the conference’s Plenary Luncheon. Dr. Hrabowski engaged the audience in a lively discussion of diversity as an element of institutional transformation, and shared practical advice on engaging faculty in inclusive search processes and increasing the number of under-represented students in Ph.D. and professional programs.

For more information about HERC, go to www.mnyscherc.org.

Photos by Andre Beckles



CUNYfirst is coming!

When the flowers begin budding around New York City, CUNYfirst’s new Human Resources modules will do the same.

After two years of planning, learning and understanding how PeopleSoft processes for HR and Benefits will lead to change at CUNY, the engagement of hundreds of HR professionals and leaders from around CUNY, and configuring the new processes, it’s almost time to launch.

Testing

As this is being written, the first tests have begun to make sure the new processes integrate with systems currently in operation that support our HR work. That is called System Integration Testing (SIT). This is where we see if CUNYfirst satisfies the functional design and ensure that all components work together correctly. The next step is Users Acceptance Testing (UAT). We will ask professionals from around the University to put the new processes through their paces to make sure it works the way we want it to so we can perform our job functions. We will test until we are sure our new HR business processes are working to our satisfaction.

Role-Mapping

A key task currently underway is the mapping of existing jobs to the roles and functions within the CUNYfirst HR module. This is important for security, for training and for communications. At this time, HR Liaisons are working within their departments to understand exactly what every-

one does and then matching that work to the various processes within CUNYfirst. When that task is completed, a document will be created matching every HR professional, and managers and supervisors whose work is connected to HR, to the specific functions they’ll need to do their work. Those are the functions for which they will learn new skills.

Training

After the first of the year, the CUNYfirst Training Team will train trainers – people from around CUNY who will guide their peers through the classes that will help them learn new functions. Classes will be assigned to HR professionals based on what they do in their jobs – see Role Mapping. Training for HR staff will take place at the five CUNYfirst Borough Training Centers at Hostos Community College (Bronx), Brooklyn College, the City College (Manhattan), Queens College and the College of Staten Island. The same training will be available at all of these locations, so anyone can attend sessions where it is most convenient – for work or home. A CUNYfirst caveat is that users will not get access to processes unless they have received training. The final training plan is under review. On-line classes will also be available, and users can take the same class more than once to make sure they are proficient in the new tasks they will perform.

There remains an enormous amount of work still to do, but as we move toward spring, we’ll begin using a tool that moves our processes into the 21st Century. Our goal is for this new tool to allow us to become more integrated across CUNY and more collaborative from department to department. The next set of modules to follow includes benefits administration, payroll and time and attendance.

To keep up to date on the progress of the project, check in on the project website – <http://first.cuny.edu>. — John Ray

MYTHBUSTERS: Compensation & Hiring at CUNY

One of the “myths” at CUNY is ... that salary decisions are made arbitrarily. Quite the contrary. It may indeed be difficult to reconcile CUNY salary schedules with unscientific data such as self-reported internet surveys. So what factors actually go into salary decisions at CUNY?

Most Classified Civil Service positions have strict salary ranges and rules based on collective bargaining. For Higher Education Officer, Classified Managerial, and Executive titles, salaries fall within wide ranges.

CUNY’s Classification and Compensation unit supports pay decisions using a variety of tools:

Classification: To classify a job, we compare it to pre-established standards in order to assign an appropriate title and level: this determination dictates the salary range. We use written classification standards and a database of CUNY’s previous reviews. This same information is provided to campus Human Resources Directors.

External Surveys: CUNY acquires published higher education compensation surveys as well as surveys for specific types of jobs, such as IT. The surveys apply industry standards for data coverage and quality, and provide pay statistics based on a large number of participants. Then we “market price” the job by matching a CUNY job to position descriptions in these outside surveys. Most surveys break out numbers in different ways – for example, nationwide versus New York area salaries – and we also evaluate which statistics are the most relevant and reliable for a particular job.

Internal Survey: We also compare pay data of employees with similar positions across CUNY, matching various functional titles at CUNY with standard job descriptions. One big advantage of CUNYfirst will be that streamlined functional titles will permit salary reviews to be performed with greater accuracy and speed.

Governmental Sources: We evaluate data from other government entities, especially New York City and New York State. This is particularly useful in looking at titles that are not unique to higher education.

One big advantage of CUNYfirst will be that streamlined functional titles will permit salary reviews to be performed with greater accuracy and speed.

Now, how does this all come together? Let’s use a hypothetical example. A new director for an academic program has been recruited from a private university in the area. What should we offer as a starting salary?

First we look at the data — the “comparables” — such as those shown below:

Source	Minimum Pay	Median Pay (mid-range)	Maximum Pay
Employee’s current pay (self reported)		\$96,000	
Classification established as HE Officer	\$66,799	\$82,870	\$109,674
External Survey #1	Not provided	\$89,731	Not provided
External Survey #2	\$64,100	\$89,960	\$113,000
CUNY Internal Survey	\$91,851	\$102,982	\$109,674

Based on this evaluation, we will recommend considering a salary in the range of \$90,000 (the approximate median pay of outside surveys) to \$102,982 (CUNY median pay). In reality, managers will also consider other factors, such as the candidate’s current pay, complexity of the job, differences in benefits packages, and the candidate’s unique qualifications, when making a salary offer.

In the example cited above, based on current CUNY data, our median pay is actually *higher* than the median pay reported by surveys. This can be explained by several factors, such as:

- CUNY is located in New York City. For many typical CUNY jobs, this accounts for about 5% of salary difference.
- According to the internal survey cited above, CUNY’s existing directors generally have long tenure. Long-serving employees are usually paid at higher steps in the salary scale, and this affects the median pay when compared with outside surveys.
- CUNY’s directors may have more complex jobs than those found at at other institutions, which merits a higher salary.
- Competition between CUNY campuses for internal candidates may drive compensation up to levels higher than those in the outside market.

Salary matters can indeed be complicated, but the Office of Human Resources Management can provide useful data and evaluation tools to aid managers in decision-making. Please let us know if we can be of assistance.

— Anne Chamberlain

We Value Your Comments!
 Do you have any questions or suggestions?
 Let us know what types of articles you would like to see
 featured in OHRM INSIGHTS. Please contact us at:
 OHRM.INSIGHTS@mail.cuny.edu

Everybody Asks Raymond

by Senior University Director Raymond O'Brien

There are a number of myths out there about hiring at CUNY. In particular, the search process is often considered to be onerous and overly time-consuming. Onerous it need not be, and there are also ways to reduce the time that searches take. Let's look at some of the most frequently asked questions:

Q. Why does the University require searches?

A. There are two complementary reasons for requiring searches. The first is that filling positions via searches advances the goals of the University's affirmative action policy by guaranteeing broad outreach to diverse qualified applicants. The second reason is less well known. As a public sector employer, the University is governed by Civil Service Law and Rules and Regulations, including the requirement to test for merit and fitness, to the extent possible, before employing individuals. Many years ago, the Board of Trustees determined that it could not reasonably test faculty and other instructional staff for merit and fitness. It therefore substituted the search as "an unassembled examination," in lieu of traditional civil

service examinations. Thus, the search furthers two important objectives: compliance with the University's affirmative action policy and civil service law.

Q. Is there a required minimum number of members on a search committee?

A. Contrary to widespread belief, there is no "rule of three" when it comes to search committees. The fact is that the University has never set a minimum number of members for search committees. Individual colleges may have established a minimum number of members or have set specific requirements for representation by various constituencies.

Obviously, a search committee should be comprised of individuals who will bring relevant knowledge and experience to the search and reflect the rich diversity of our community. However, a large search committee often makes scheduling interviews difficult, which inevitably slows down the hiring process. For that reason, limiting the number of members may help expedite the search.

On November 1st, the City University rolled out an important new benefit for

all of its employees and their dependents: the **CUNY Work/Life Program**.

This voluntary, free and confidential program is intended to help employees balance the demands of their professional and personal lives. Traditional counseling is available for stress, family problems and substance abuse, and there many other services such as referrals for child care and elder care – even pet care!

Some of the areas that the Program covers include:

Emotional Well-Being – Counseling and assistance are offered for employees and their family members who are experiencing high stress levels, anxiety and depression.

Marriage/Family/Relationship – Individuals experiencing marital difficulties, divorce, family conflict or relationship issues can speak to a counselor who can help arrange for couples counseling or family therapy.

Alcoholism & Chemical Dependency – Clinical intervention and confidential assistance is available for individuals abusing alcohol and/or prescription or illegal drugs.

Child Care – Child care specialists will provide resources to assist employees and their family members with any issue involving children, such as prenatal care, adoption, nanny/daycare agencies, parenting, child development, summer camps, etc.

Adult Care – Resources and counseling in every area of adult care or elder care, including nursing homes, assisted living facilities, home care agencies, hospice care, Medicaid/Medicare issues, transportation, meal delivery for a home-bound parent, etc.

Academic – A wide range of resources are available to assist employees in locating all levels of academic institutions, from preschool through college, post-graduate and continuing education.

Workplace Challenges – Help and counseling for work-related interpersonal problems (excluding direct intervention in the manager-employee relationship).

Health & Wellness – Counseling, information, referrals and support for individuals with physical health issues.

Financial and Legal – Information and resources to assist employees and their family

members with debt management, budgeting, divorce and family law, landlord and tenant law, recording wills and estate planning, and more.

The University offers the Work/Life Program through Corporate Counseling Associates (CCA) at no charge to the employee. CCA's experienced team of counselors is available to speak to employees or their dependents 24 hours a day, 7 days a week by calling 800-833-8707 for a confidential consultation. In addition, the new Work/Life website on the CUNY portal has links to hundreds of educational articles, useful tips and internet resources: www.cuny.edu/worklife.



Counselors are available to speak to CUNY employees and their dependents 24 hours a day, 7 days a week ...

News from CUNY's Office of Labor Relations

Collective Bargaining Agreements Reached with PSC/CUNY & Classified Staff Unions



The City University of New York has reached agreements with its blue and white collar classified staff unions: District Council 37 and its affiliated Locals, Service

Employees International Union, Local 300, Motion Picture Projectionist, Video Technicians and Stage Employees, IATSE Local 306, and New York State Nurses Association. The agreements cover more than 10,000 full- and part-time members in the blue and white collar units at CUNY's colleges. These agreements have been ratified by the union's rank and file membership and approved by the University's Board of Trustees.

The economic terms include:

District Council 37

- 37-month agreement: October 1, 2006–October 31, 2009
- 3.15% 10-1-2006 - 1st day of the Agreement
- 4% 10-1-2007 - 1st day of the 13th month (compounded)
- 4% 10-1-2008 - 1st day of the 25th month (compounded)

International Brotherhood of Teamsters Local 237

- 37-month agreement: August 16, 2006–September 17, 2009
- 3.15% 8-18-2006 - 1st day of the Agreement
- 4% 8-18-2007 - 1st day of the 13th month (compounded)
- 4% 8-18-2008 - 1st day of the 25th month (compounded)

SEIU Local 300 and IATSE Local 306

- 37-month agreement: July 1, 2006–July 31, 2009
- 3.15% 7-1-2006 - 1st day of the Agreement
- 4% 7-1-2007 - 1st day of the 13th month (compounded)
- 4% 7-1-2008 - 1st day of the 25th month (compounded)

New York State Nurses Association

- 37-month agreement: August 16, 2007–September 15, 2010
- 3.15% 8-16-2007 - 1st day of the Agreement
- 4% 8-16-2008 - 1st day of the 13th month (compounded)
- 4% 8-16-2009 - 1st day of the 25th month (compounded)

Other highlights of the agreements include:

- A \$50 increase in rate to the per annum welfare fund contribution for full-time active employees and retirees; and a pro rata amount for less than full-time employees, effective 1st day of the 13th month.
- A Dedicated Sick Leave Program and Sick Leave Bank will be established, modeled after the programs promulgated by the City of New York.
- The overtime cap will be increased to \$68,490. Thereafter, unless otherwise agreed to by the parties, the overtime cap amount shall be adjusted by future collective bargaining increases.
- CUNY agreed to increase from one to three days the amount of sick leave accruals that may be used to care for an ill family member.
- Involuntary overtime or involuntary standby time will be authorized in writing as soon as practicable following assignment.
- Any child care leave, including any extensions, must be taken consecutively. An employee returning to work before exhausting the allotted child care leave will be deemed to have waived the remaining child care leave under the provisions of these agreements.

The Memorandum of Agreement settling the 2007-2010 PSC/CUNY collective bargaining agreement, which was approved by the Board of Trustees in June and ratified by the PSC in September, provides for salary enhancements and significant changes in terms and conditions of employment for employees represented by the PSC. The economic terms include these across-the-board salary increases for instructional staff:

- 3.15% retroactive to September 20, 2007
- 4% effective October 6, 2008, compounded
- 3% effective October 20, 2009, compounded
- Effective October 20, 2009, an additional increase of 3.1% compounded on the salary rate effective October 6, 2008, shall be applied to the top step of the salary schedules of all annual titles with salary steps.
- Effective October 20, 2009, an additional increase of 1.04% compounded on the salary rate effective October 6, 2008, shall be applied to the salary rates of all incumbent employees in annual titles with salary ranges and all incumbent employees in Adjunct titles in the Law School.
- Effective October 20, 2009, an additional increase of 5.75% compounded on the salary rate effective October 6, 2008, shall be applied to the top step of the salary schedules of the following non-full-time titles: Adjunct Lecturer; Adjunct Assistant Professor; Adjunct Associate Professor; Adjunct Professor; Adjunct College Laboratory Technician; Adjunct Senior College Laboratory Technician; Adjunct Chief College Laboratory Technician; Non-Teaching Adjunct (I-V).
- The minimum hourly rate for new hires in the Continuing Education Teacher title is increased by 3.15% retroactive to September 20, 2007, and will be increased effective October 6, 2008, by 4% compounded, and by 3% compounded effective October 20, 2009.

Other highlights of the agreement include:

- Establishment of a new Clinical Professor title effective with the start of the Spring 2009 semester, an increase in the number of years a Distinguished Lecturer may serve from five to seven, and replacement of the former maximum of 80 Distinguished Lecturer appointments with a combined maximum of 125 Distinguished Lecturers and Clinical Professors University-wide.
- A Dedicated Sick Leave Program and a Sick Leave Bank will be established for eligible instructional staff, to permit them to donate sick leave to an ill colleague, or to donate leave to the Bank and subsequently be able to draw upon leave time in the bank if/when the employee has exhausted his/her sick leave.
- Full-time instructional staff will be permitted to use up to three days of accrued temporary disability leave annually for the care of an ill family member, consistent with applicable rules and procedures.
- CUNY will contribute to a fund to provide paid parental leave benefit for full-time employees to care for a newborn or newly adopted child for a period of up to eight weeks.
- A pilot student mentoring program will be developed for trial implementation in the Fall 2009 semester.

The full Memorandum of Agreement will be available soon on the Faculty & Staff page of the CUNY portal.

Several recent arbitration decisions should provide guidance to the University's administrators and HR professionals:

Annual Evaluation This grievance decision reinforces the principle that an employee's annual evaluation must be based on total academic performance. Here, the Grievant's supervisor prepared a two-page annual evaluation memorandum, the second page of which consisted of a Performance Evaluation Grid in which he rated the Grievant "Unsatisfactory" in nine of the 16 listed categories, including attendance, and "Outstanding" in one category. In six categories the supervisor noted that the Grievant's performance was satisfactory when she was at work. The supervisor acknowledged that the Grievant's poor attendance "negatively impacted all the other factors listed on the evaluation form."

The Arbitrator explained that while the supervisor was within his right to rate the Grievant's poor attendance as unsatisfactory, he erred by basing many of his other determinations of the Grievant's performance on her attendance. He therefore directed that the evaluation be removed from the Grievant's file. (AAA Case No. 1339-2908-06)

Academic Judgment/Guidance This grievance decision illustrated that a President's academic judgment, based on adequate guidance, will not be disturbed despite the presence of minor contractual violations.

Here, the President decided not to recommend the Grievant, an Assistant Professor, for reappointment based on a pattern of poor student evaluations; the Grievant's chairs had addressed the need for her to improve in this area during annual evaluations. The Arbitrator rejected the argument that the College had made a rush to judgment by considering the Grievant for reappointment in the early fall of 2005, even though she had taught out of state during the Spring 2005 semester and at the Graduate Center (against the strong suggestion of her Chair) during the fall of 2004. The Arbitrator concluded that the Grievant had received adequate guidance and an opportunity to improve her performance. He also concluded that an error in the reasons

ing himself. Several months after the employee returned to work, the individual who had initially discovered the offending items filed a complaint with campus Public Safety, who referred the matter to the New York City Police Department. The employee was charged with a number of offenses and pleaded guilty to the Class E felony of possessing representations of a sexual performance by a child, and was sentenced to ten years probation and designated a low risk (Level One) Sex Offender. Shortly thereafter, the College sus-



ended the employee without pay and recommended his termination.

LESSONS FROM ARBITRATION

letter regarding the number of classes in which the Grievant's student evaluations were below the department mean, and a classroom observer's failure to remain for the entirety of the class, were *de minimis* violations that did not taint the President's academic judgment. (AAA Case No. 1339-2557-06)

Workplace Misconduct This disciplinary arbitration decision reinforces the principle that when fashioning a remedy for misconduct, arbitrators will consider a number of factors. After the employee took a medical leave of absence, one of his colleagues discovered a cache of items in his work area, including adult magazines, books, video cassettes and photos of the employee expos-

The Arbitrator concluded that just cause existed for discipline, but ruled that a seven-month suspension without pay, rather than termination, was the appropriate penalty. He based this conclusion on the employee's unblemished record during his 22 years of service, the absence of any evidence that he had acted inappropriately towards students or other members of the College community, the fact that the offending material had been seized and out of his control for nearly a year prior to his arrest, the absence of any pornographic material on his computer, and his acceptance of responsibility and willingness to undergo therapy. (AAA Case No. 13 390 00182 08)

In keeping with the agreement entered into between the University and the PSC to implement the arbitration award concerning compensatory time for HEO series employees represented by the PSC, there are essentially two circumstances in which a HEO series employee is entitled to compensatory time: (i) if s/he has been assigned to work a specified number of hours in excess of his/her usual 35-hour workweek (for example, if a HEO with a Monday to Friday work-week is assigned to work extra hours on a Saturday); or (ii) if s/he has been assigned to complete a time-sensitive project, in addition to his/her usual responsibilities.

HEO series employees represented by the PSC who are **non-exempt** under the Fair Labor Standards Act ("FLSA") and who are assigned by their supervisor to work more than 35 hours during the work week shall receive compensatory time, on an hour-for-hour basis, for hours assigned between 35 and 40 hours. Non-exempt employees shall receive payment at the rate of time and one-half for the hours worked in excess of 40 hours in a week.

HEO series employees represented by the PSC who are **exempt** under the FLSA shall receive compensatory time, on an hour-for-hour basis, for hours assigned by their supervisor in excess of 35 hours in a week.

Compensatory Time for HEOs: Guidelines

In all instances, the time worked must have been authorized by a college administrator designated by the President, not just the employee's supervisor.

The employee's time records must reflect the additional hours worked. In emergency situations where it is not practical for the administrator authorized by the President to provide such advance written authorization, such authorization shall be put in writing as soon thereafter as practicable by such administrator(s) as designated by the College President.

To the extent possible, the supervisor shall provide the employee with 48 hours' notice of the assigned overtime.

Overtime earned during a quarter of the contractual HEO leave year (September 1–August 31) shall be scheduled to be used as promptly as possible within the quarter, but no later than thirty (30) calendar days after the end of the quarter in which the compensatory time is earned. The use of compensatory time shall be scheduled by the supervisor, in consultation with the employee.

Represented HEOs shall be provided with quarterly statements of compensatory time accrued and/or taken.

Workforce Planning, Succession Management and Inclusive Excellence at CUNY: the Nexus

Workforce planning is a process whereby an organization ensures that employees are recruited and developed to fill each key role within the organization – that it has the right people in the right places at the right times. The purpose of succession planning is to have the right *leaders* in the right place at the right time, and to ensure that you can fill key roles from *within* the organization.

Best-practice organizations make succession planning an integral corporate process by exhibiting a link between succession planning and its overall business strategy, with the potential to affect the organization's long-term goals and objectives.

Workforce and succession planning in higher education differ from other industries in that the selection of faculty must combine a process for faculty advancement in rank (internal promotion) with the equally important necessity of adding intellectual and scholarly diversity to academic disciplines (external recruitment). With respect to executives, administrators, and managers, filling higher education positions in these categories mirrors quite closely the challenges faced by all industries: the need to identify, recruit and retain highly qualified individuals.

Like other areas of the workforce, higher education faces the impending retirement of the Baby Boom generation which, despite the ramifications of the current economic downturn, will inevitably produce a sharp decline in the ranks of qualified personnel to fill both faculty and administrative positions. The average college graduate today will change jobs five times in his or her career. Within the next decade, this norm will probably increase to seven job changes. Therefore, recruiting and retaining top flight faculty and administrators becomes an economic and strategic challenge – but successfully meeting that challenge will constitute a considerable competitive advantage for the University. For

these reasons, CUNY must carefully plan for the eventual replacement of faculty, administrators and managers at all levels in our organization.

And the best way to recruit and/or keep talented people is to provide them with growth opportunities that keep them stretching and finding more promising opportunities *within the organization* than they might find elsewhere. Thus, a key in any succession planning strategy is to create a match between the University's future needs and the personal aspirations of individuals.

Monitoring Future Needs

Succession planning involves identifying and monitoring various talent pools within and without the organization to match the future needs of the organization with all available talent. Not having the right talent in place is often a factor limiting efforts to achieve the organization's full potential. To counter the retirement of the Baby Boomers and meet increased demands for diversity, many leading institutions are building systems that provide talented, high-performing employees with opportunities to grow. CUNY should be similarly engaged.

Talent Identification/Assessment/Inventory

Talent assessment/inventory is a necessary process that (i) identifies and works with incumbents to ascertain retirement plans, or other reasons that will result in a position vacancy; (ii) identifies current personnel capable of filling future vacancies, or (iii) establishes the need to recruit externally to fill the vacancy. Items (ii) and (iii) are considered when filling a newly created or established position.

Best-practice organizations typically use a cyclical, continuous identification process to focus on personnel needs. In higher education, this process should involve constantly monitoring and evaluating the performance of adjunct staff, including examination of

continuing scholarship and credentialing. Maintaining active *vitae* banks, utilizing state-of-the-art technology to provide grouping by discipline, degrees earned and other such information for ready evaluation, are other tools that can assist in the identification of internal talent.

An essential tool in succession planning is mentoring. Indeed, there is a good business case for mentoring. Mentoring has been linked to easier socialization, less turnover, more productivity, and increased loyalty and commitment to the organization. According to research by *Catalyst*, access to mentoring is one of the most significant enablers of executives' career advancement—likewise, the most significant barrier to executives' advancement is the *lack* of mentoring. For that reason, many best-practice institutions formalize the mentoring process to identify the best and brightest workers and assist in their advancement.

Some agencies are using social network analysis—a technique of mapping and analyzing people within groups and their interactions with each other—as a way to improve diversity in the workplace. Using social network analysis, managers can map how knowledge flows in and out of their organizations—who the connectors are, who is on the outskirts of the group. Managers can then see more clearly any vulnerabilities in the organization's knowledge base.

Engaging Future Leaders

Best-practice organizations use a core set of leadership and succession management competencies, and emphasize the importance of specific, individualized development plans for each employee. Typically there should be a mechanism in place to make it simple for the employee to undertake the suggested activities, which may include coaching, training, special assignments, action learning, and web-based development activities.

Recommendations for Success

- Keep the process simple. Most refinements to succession planning systems involve making the process more logical and simple so that busy managers and executives would not consider it burdensome or onerous.

The average college graduate today will change jobs five times in his or her career. Within the next decade, this norm will probably increase to seven job changes.

- Engage technology to support the process. Information technology makes it possible for managers to monitor and update developmental needs and activities on a timely basis.
- Align workforce management and succession management within the organization's overall business strategy. Administrators are much more likely to support a system that clearly reinforces institutional goals and objectives.
- Secure senior level endorsement for the process. No strategy will be successful without support from top management.*

Workforce Planning, Succession Management and Inclusive Excellence: the Nexus

It has become increasingly apparent that appropriate management of a diverse workforce is crucial for any organization that seeks to improve and maintain its competitive advantage. Focusing on diversity and actively seeking ways to have a truly inclusive environment is not just a “nice” idea — it is good business sense that encourages greater productivity and provides a competitive edge.

In its broadest context, “inclusiveness” is defined as recognizing, appreciating, valuing, and utilizing the unique talents and contributions of all individuals regardless of age, career experience, color, communication style, culture, disability, educational level or background, employee status, ethnicity, family status, function, gender, language, management style, marital status, national origin, organizational level, parental status, physical appearance, race, regional origin, religion, sexual orientation, thinking style, speed of learning and comprehension, etc.

More narrowly defined and organizationally focused, **Inclusive Excellence at CUNY (IEC)** is a “collective mixture characterized by differences and similarities that are applied in pursuit of organizational objectives.” It is the process of planning for, organizing, directing, and supporting these collective mixtures in a way that adds a measurable difference to organizational performance: the benefits that diversity in viewpoints, skills, knowledge, and abilities can bring to problem-solving, which in turn are enhanced by what distinctive cultural experiences can bring to the manner in which change (and improvement) is managed.

CUNY’s success in the future depends on the quality of its employees today. A diverse

CUNY’s success in the future depends on the quality of its employees today ... Effectively managing diversity is an integral element of any succession planning strategy to recruit and retain the best and the brightest employees.

workforce can offer different perspectives, ideas and solutions that generate new opportunities for our organization. Effectively managing diversity is an integral element of any succession planning strategy to recruit and retain the best and the brightest employees. With IEC, CUNY can improve its competitive edge by mirroring the diverse communities throughout New York City that comprise the University’s constituents, customers and stakeholders. Without a doubt, having superior and diverse employees who reflect its customer base – its students – and who identify and understanding their needs, will benefit the University now and in the future.

Workforce planning, succession management and Inclusive Excellence serve as a critical interface between the Office of Human Resources Management and the strategic direction of The City University of New York. OHRM can be a vital resource in anticipating and planning for the future needs of the University and in finding, assessing, developing, and monitoring the human capital required for its success.

— Raphael Rosa

**Adapted from “Choose Tomorrow’s Leaders Today” – R.M. Fulmer, Ph.D. – Graziadio Business Report, 2002*



2008 Diversity Awards

Each year the Diversity Projects Development Fund sponsors awards for Colleges and individuals who further the cause of diversity, multiculturalism and inclusion throughout CUNY. 2008 honors went to Brooklyn College, John Jay College of Criminal Justice and Bronx Community College “in acknowledgement of their important contribution to promoting inclusive excellence and diversity throughout their college community in an effort to create an inclusive atmosphere for all.”

Special recognition was given to Dr. Avis J. Smith, Professor of Dentistry at the New York City College of Technology for eliminating a gender barrier in dentistry. Dr. Smith found that the manual press used to make the molds for dentures posed a problem for his female and physically challenged students because it required an enormous amount of manual pressure in order to function. Dr. Smith invented a prototype that eradicated the problem. The prototype has been patented, and will be used in the American Dental Association's teaching institutions.

Since 2002, DPDF grants ranging from \$1,000 to \$5,000 have been awarded to 126 multifaceted proposals promoting the participation of individuals from protected groups in fields and academic disciplines in which they are under-represented, or involving research, workshops, or seminars related to under-represented groups. Both faculty and non-teaching staff have participated in the program, and 18 of the 23 schools in the CUNY system have been represented. For information on grants and deadlines for submission of proposals for 2009, write to OCDP@CUNY.edu.

Graduate Center Honored by NYS Comptroller’s Office

The CUNY Graduate Center was honored by the New York State Comptroller’s Office with its 2008 Payroll Achievement Gold Star Award. The award is presented annually for outstanding performance by a CUNY Senior College in the on-time processing of appointments and separations.

OHRM congratulates William Tandrian, Nadine Brydson and Jennifer Myers of the Graduate Center’s Payroll Department on their accomplishments.

Professional Development & Learning Management

COME LEARN WITH US!



THE OHRM PROFESSIONAL DEVELOPMENT AND LEARNING MANAGEMENT OFFICE (PDLM) WELCOMES YOU TO ANOTHER EXCITING YEAR OF LEARNING! In 2006-2007, PDLM launched the CUNY Professional Development Program (CPDP), which offered a modest number of professional development programs to University employees. In 2007-2008, the CPDP was expanded to include technology courses and courses for professionals and administrative staff. Attendance almost tripled. In 2008-2009, PDLM will introduce new courses and learning initiatives to CUNY employees, as well as revive some of our most popular and effective past programs. At the same time, we will sharpen our focus to deliver programs that support current and upcoming CUNY initiatives, while continuing to meet the demands of CUNY employees striving to achieve excellence in their professional lives.

CUNY PROFESSIONAL DEVELOPMENT PROGRAM (CPDP)

CPDP provides a variety of courses to assist CUNY employees in maximizing their professional development and personal workplace productivity. The Program also offers managers, supervisors, and administrative support professionals the opportunity to earn skill-building certificates designed to develop and enhance professional competencies. Future theme months are:

December 2008	<i>Employee Learning Day Courses</i>
January 2009	<i>Personal Productivity Month</i>
February 2009	<i>Diversity & Communications Month</i>
March 2009	<i>Technology Month</i>
April 2009	<i>Administrative Professionals Month</i>
May 2009	<i>Managers & Supervisors Month</i>
June 2009	<i>Technology Month</i>

PDLM AND THE CITYWIDE TRAINING CENTER (CTC)

PDLM continues to work with the New York City Department of Citywide Administrative Services (DCAS) to provide CUNY employees with access to training and professional development opportunities at reduced rates through the **Citywide Training Center (CTC)**. The CTC offers courses and programs for developing skills in the broad subject areas of *Workplace Effectiveness, Communication, Management & Supervision, Technology, Procurement, and Auditing*. PDLM distributed CTC's Fall 2008 course catalog and schedule (listing courses available through January 2009) to the campuses in September. Individuals interested in attending CTC "open enrollment" courses must submit a CTC registration form to the Campus Training Contact in their Human Resources/Personnel Office. CTC applications are available from CUNY HR Offices or may be downloaded from the CTC web site at www.nyc.gov/ctc.

ON-SITE COURSES

PDLM also brings select CTC courses to CUNY campuses and other CUNY locations, at the request of the colleges, to address specific developmental needs. By proactively reaching out to the campuses as well as continuing to be responsive to their requests, the "**On-Site**" program grew from 24 courses with 314 attendees in 2006-2007 to **65 courses with over 1,000 participants in 2007-2008**. We are pleased to offer on-site courses again in the coming year.

Details on the CUNY Professional Development Program, Campus On-Site Courses, and the CTC's Fall 2008 Open Enrollment Courses are available on the CUNY website, the CTC website, and in the Fall 2008 PDLM Course Catalog.

BACK BY POPULAR DEMAND!

The **Connections™ Train-the-Trainer** course prepares participants to provide customer service training for student services employees on their campuses. In October, 23 campus trainers participated in a one-day **Training Essentials** preparatory session covering the fundamentals of training and professional development, and a subsequent one-day session on how to present the **Connections™ Customer Service** course taught by a senior consultant from Noel-Levitz.

The **CUNY Executive Leadership Program (ELP)** will resume in Spring 2009 following a three-year hiatus. The ELP was created at the Chancellor's request to help Colleges cultivate promising executives into strong, visionary leaders for the University. Participants will explore leadership practices, management communications theory, technological innovations, change management theory, strategic planning methods, and employee motivation techniques in the context of higher education.

SPECIAL INITIATIVES

In September, PDLM collaborated with the CUNYfirst Organizational Change Unit to pilot readiness workshops for clerical employees and their supervisors. The workshops were called **Getting Ready for CUNYFirst** and provided a review of key system changes, potential transaction-based roles associated with the CUNYfirst system, and a preview of upcoming role-based training activities. The courses were presented at the two vanguard colleges (Queens and Queensborough Community). Information obtained from these courses will be used to prepare the University's administrative support staff for the transition to CUNYfirst.

PDLM also chairs the **Professional Development Liaisons Committee** of the **CUNY Task Force on Sustainability**. The Committee's charge is to help CUNY identify, develop and promote ongoing training and education programs for Campus Facilities Officers on sustainable practices and conservation. This will include leveraging the two existing "green building" courses offered at CUNY's School of Professional Studies (SPS): *Building Systems* and *Principles of Energy Management*.

In May 2008, the New York State Office for the Prevention of Domestic Violence (OPDV) and the CUNY Board of Trustees approved CUNY's **Domestic Violence and the Workplace Policy and Procedures**. PDLM will work with OHRM's Human Resources Operations and Services unit and the Office of the General Counsel to coordinate additional *Train-the-Trainer* sessions for campus domestic violence liaisons if required. In a related effort, we hope to revive the **Workplace Violence Advisory Team (WVAT) Orientation** course, originally conducted in 2005, to assist campus WVATs in carrying out their responsibilities under CUNY's workplace violence prevention policy.

SEXUAL HARASSMENT PREVENTION PROGRAM

Last spring, PDLM sent 28 CUNY employees – campus Sexual Harassment Awareness and Intake Committee (SHAIC) Coordinators and Deputy Coordinators – to an off-site seminar entitled **7 Steps to Investigate Alleged Employee Misconduct**. The response was overwhelmingly positive and we hope to offer this course again in the coming year. We plan to supplement this course with a **Sexual Harassment Investigations Report-Writing** workshop offered in partnership with the Office of the General Counsel. We hope to offer our full curriculum of sexual harassment courses for SHAIC members again this year, but with a **newly redesigned Train-the-Trainer** course that places a stronger emphasis on the fundamentals of training and professional development. This new sexual harassment prevention course will be offered in January only.

ASSESSING CUNY'S TRAINING NEEDS

The new initiatives and program enhancements we are implementing in 2009 emanate from careful analyses of results and feedback received over the past year. From the evaluation forms we distribute at the conclusion of each class to our many conversations with College HR Directors, HR Training Contacts, and course participants, we have developed a clear sense of the kinds of training CUNY employees want and need. Furthermore, last August, we circulated an online **Professional Development Needs Survey** to College HR Directors to obtain additional input regarding specific training needs on their campuses.

FUTURE GOALS

Administratively, we are seeking to streamline our registration process by implementing an **Online CPDP Course Registration Form**. Once this is in place, registration for PDLM courses may be completed online! Our goals are to reduce the processing time for your applications and to make it easier for all parties involved (employee, supervisor, HR Office) to provide required information. We look forward, however, to the day when registration for our courses will be handled electronically with CUNYfirst, eliminating the need for mailing, emailing, or faxing registration applications!

PDLM would like to thank the CUNY community for your participation, feedback, and support for our programs. Please encourage your employees to take advantage of the learning opportunities available to them. Our **Fall 2008 Program Schedule and Course Catalog** are posted on the CUNY website. The Catalog includes a "**Manager's Planner**" section to assist supervisors in planning employees' professional development. We invite you to take a few minutes to review the Catalog and select courses that are appropriate for your staff. To learn more about PDLM, our courses, and our current registration process, visit us at www.cuny.edu/training, or contact us at University.Training@mail.cuny.edu.

**THANK YOU!**

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Office of Human Resources Management

Our Mission

To provide strategic, consultative and effective human resources services that promote organizational success, individual achievement, and inclusive excellence.

Our Vision

OHRM will serve the University community by embracing the dual role of transaction and transformation in response to the current and emerging needs of the University and its workforce. It will become a model for human resources as internal consultant and problem-solver; it will provide expertise and leadership to enable the campuses and the University to achieve their goals while complying with HR policies and regulations. In all matters, OHRM will carry out its duties in a manner that is respectful, knowledgeable, and that reflects the highest standards of inclusiveness and excellence.

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