



## THE SYSTEM CONNECTION

Greetings:

I trust everyone had a relaxing and restful Thanksgiving break -- at least as much as that is possible if you gathered with family, friends, and loved ones. Especially if you had to cook the meal!

We are once more in that "slogging-through" period that starts about now every semester and continues until the SIU campuses close for winter break. We all scramble to complete our unique "to do" lists, personal and professional ... and attend the various holiday receptions ... and get through December commencement ... before closing the door on Calendar Year 2016.

However, as intense as this time can get for those of us who work at a college or university, it still is better than being a student as the fall comes to a close! I'm guessing that most of us who experienced these days way back when can vividly recall the pressures of papers yet to be written, projects yet to be presented, and exams yet to be taken. Which is why I then usually slept through most of my holiday break when I was an undergrad! So hats off to our Cougar and Saluki students who will be more productive than I was those many years ago -- by doing an intersession course, traveling with Study Abroad, taking a mission trip, or maybe just working to pay the bills between semesters.

Anyway: I'm using the rest of the column today to update three distinct areas that have been -- and remain -- in the news, all of which will impact us at SIU individually and corporately. Each will be covered in turn below.

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Since the last *Connection*, I've been hearing from many of you throughout the system concerned about what the future holds regarding our employee health insurance through the State of Illinois. I absolutely understand the desire for more detail than what I provided previously, along with any greater certainty given the vital importance of this issue to thousands of us at SIU. I wish I could be more specific in knowing what will happen.

In lieu of something more concrete, I'll just share some informed thinking about one scenario that could play out given where things stand at this juncture. (Keep in mind, this may only be worth what you're paying for it...) Also, if you didn't read my column from two weeks ago, you will want to take a moment [here](#) and review the section on the ruling from the Illinois Labor Relations Board. The main thing to remember is that the statewide AFSCME union contract establishes the health insurance options available to all state employees, including those of us at the public universities.

*It is not out of the question to imagine a doubling of employee-paid insurance premiums to maintain our current plans as presently structured.* Insiders with more knowledge than I estimate that figure could even be on the conservative side.

Logistically, it would appear there would need to be an "emergency" benefits choice period opened up so employees could choose what sort of plan they wanted under the new benefits and cost structure. It's always possible the universities or other state agencies would be permitted to hold off their benefits choice period until the next regularly scheduled open enrollment, but that's merely a guess on my part.

I certainly expect that the state will offer a less costly set(s) of plans, but almost just as surely those cheaper premiums would come with significantly higher deductibles and/or out-of-pocket maximums. It is impossible without some outline of the new plans to know exactly what we're talking about, but if you or a dependent family member have a severe or chronic health issue, don't be shocked to see a family maximum which might run north of \$10,000 ... instead of averages around \$6,000 now (again, all of these are my approximations only).

Some have wisely queried whether the state infrastructure exists to pull all this off timely ... and I think it does. Contrary to what may be popularly believed by some, one of the things I learned as a state agency head is that there exist many outstanding and talented state employees with the expertise and capacity to perform some of the most challenging administrative tasks when the job demands it. I believe that to be the case here.

Neither can I predict what the AFSCME organization may do in the event the new insurance plans are imposed as a result of the ILRB ruling. Numerous informed commentators have suggested that AFSCME could go to court and ask for an injunction covering all this -- of course, there is no guarantee that an injunction would be granted and the governor's administration would almost certainly be within its authority to move forward with implementation while any legal proceedings ensue.

At about this point, you're asking what advocacy SIU is undertaking on our collective behalf. We continue to talk to numerous officials -- elected, agency, and otherwise -- to plead the universities' case. In fact, as you read this today, I'm in Springfield for the short legislative session (the "veto session") that concludes tomorrow. But to be brutally honest: The issue is really not about advocacy anymore. It's not something that's amenable to change by working the (lobbyist) rail. Rather, it is probably totally a legal question now, so we'll have to wait it out.

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I am aware each of the campuses has done some sort of all-users message on this topic already, but for those of you who may have missed those notifications in recent days, the U.S. Department of Labor's new overtime rules -- scheduled to take effect tomorrow, December 1 -- are now on hold following a nationwide injunction issued by a federal judge in Texas.

As a reminder if you need it: President Obama in 2014 ordered the Labor Department to revise its federal regulation governing exemptions to the Fair Labor Standards Act overtime pay requirements. As it stood -- and now still stands -- anyone earning more than \$23,660 a year is generally exempt from receiving overtime pay in a salaried position. The agency issued the proposed rule change in 2015, basically doubling the threshold amount. Anyone earning less than that would then be considered an hourly worker eligible for overtime pay.

Obviously the new rule would have impacted a not-unsubstantial number and wide array of non-faculty employees across the SIU System (generally in HIED, those engaged in teaching are exempt from earning overtime pay). Many of those affected (e.g., recruiters, coaches, student affairs personnel, etc.) undertake work not well-suited to hourly wage status.

So like virtually every college and university around the country, our HR, Legal, and program staffers have spent the last six months or so identifying 1) which employees would have been eligible under the rule; 2) how that rule would be implemented, whether through a change in status, base salary, or access to overtime; and 3) the source of funds to cover resulting pay increases. At SIU, the new DOL rule could have affected some roughly 500 Civil Service and Administrative-Professional employees across all locations and positions.

Last week's injunction is not permanent. Instead, it maintains the existing overtime rules until the court reviews the merits of the legal challenge that had been filed by 21 states along with the U.S. Chamber of Commerce. It is rumored that the Obama administration may appeal that ruling before his term ends in January.

Some (many?) of you might argue that SIU should simply go ahead and implement the rule anyway. I understand that sentiment ... and some institutions may well go that route. President-elect Trump has promised to undo many of the Obama administration's executive orders and agency rules, and as you would imagine, this one is seemingly on that list. The revenue stream to implement this -- for those employees either getting their salaries raised to the new threshold or earning overtime pay -- was uncertain at best for us within the current fiscal environment, and in my view would not have been looked upon favorably from a political standpoint in the state right now. As well, with the rule blocked, this level of employee reclassification and pay adjustment, if done by SIU unilaterally, would demand careful Board of Trustee deliberation and potentially consultation with our various employee unions. Since anyone is unable to say right now what the future holds for all this -- that's not a good environment for making what would be a major policy decision for SIU. So we'll take some time for the situation to clarify before entertaining any future action on this.

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It's also pretty much impossible to know what to expect from President-elect Trump's nominee for Secretary of Education, Betsy DeVos. As you've likely read by now, she is widely known for promoting charter schools and school vouchers in the K-12 world. But, as with Mr. Trump, little is known about her attitudes toward higher education ... particularly in the public sector. She has no direct experience in higher education -- though that's not necessarily uncommon in this role. The

current education secretary, John B. King, Jr., and his predecessor, Arne Duncan, both came out of elementary and secondary education.

Some of you maybe noted commentary in the HIED trade press -- especially in the online daily, *InsideHigherEd* -- that access to opportunity and accountability would likely be major interests of hers. The DeVos family has had significant involvement in higher ed in Michigan, including through a foundation that has donated hundreds of thousands of dollars to public and private colleges and universities in that state (the DeVos family founded Amway). Her focus on access would hint that she'll be strongly supportive of community colleges.

With so much of the big policy stuff on the plate right now -- affordability and student debt, accountability, "Dear Colleague" letters and Title IX enforcement, reauthorization of the Higher Education Act and a host of others -- all of us usual suspects will be closely watching as DeVos undergoes Senate confirmation and then starts moving forward with early directives and decisions. We might end up with the strongest indication of her views toward us by who she names as the Education Department's undersecretary for postsecondary education.

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Sorry this has been a long one. If you've stayed with me this far... thank you! The final *Connection* for the semester will run on December 14 and we'll be back to kick off Spring 2017 on January 18.

Randy Dunn

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## Faces of SIU

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Regular readers of the *Connection* know that I often use this space to highlight one of our many dedicated employees who work outside the spotlight, but whose daily contributions have such a positive impact on the rest of us, our students, and our communities.

Meet SIUE's Ed Matecki.

A native of Evergreen Park, Ill., Ed developed an interest in a career in the energy field during his undergraduate days at SIUC, where he earned a bachelor's degree in mechanical engineering technology. He followed that with a master's degree in environmental studies from SIUE.

After spending more than 20 years in the power industry and facility management business, he returned to SIUE in 2004 as assistant director for utilities. In other words, he is part of the Facilities Management team that maintains the heating and air conditioning systems, utilities and wastewater treatment plant.

"SIUE is not unlike a small city whose infrastructure must be operated and maintained to provide a modern living and working environment," he said.

During Ed's tenure at SIUE, the university acquired both the natural gas and electricity distribution systems from Ameren.

"With these acquisitions, we can better manage our electric and gas rates by monitoring prices and locking them in when it is to our advantage," he said. "It is important to note that SIUE purchases 50 percent of its electricity from renewable sources."

Ed is passionate about energy conservation; he has been involved in implementing efficient technology and practices, including leading re-commissioning studies of all of the main campus buildings to operate them more effectively and save energy dollars.

"I take pride in the fact that energy dollars saved can be recycled into needed programs at SIUE," he said.

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## Other Voices in HIED

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The New York Times: ['Is It Safe?' Foreign Students Consider College in Donald Trump's U.S.](#)

ABA Journal: [Can universities create 'sanctuary campuses' to protect immigrant students?](#)

Forbes Op Ed: [Action Needed To Boost College Enrollment Of Low-Income Students](#)

WUIS 91.9/NPR Illinois: Education desk: [Higher ed employees may face furloughs](#)

The Atlantic: [The Push for Sanctuary Campuses Prompts More Questions Than Answers](#)

The New York Times: [Professor Watchlist Is Seen as Threat to Academic Freedom](#)

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