From: Jill Pollock
Sent: Friday, October 04, 2013 3:59 PM
To: Nesbitt, Kathy (Kathy.Nesbitt@state.co.us); 'Deborah Layton-Root - DPA'
Subject: Comments on Proposed Rules Changes

Kathy and Deborah,

Thank you for the extraordinary and detailed work you have performed to update this round of Personnel Rules. We so not have concerns with most of the proposed rule changes. Many of the changes reflect a clean-up of the language from the previous changes, such as removing the ranking language from hiring rules and changing "achievement pay" to "merit pay." For your consideration, this email covers one suggested sentence change and one rule change the University of Colorado opposes.

Chapter 5 Rule 5-21 A

The proposed language is confusing. We recommend, "Eligible employees are entitled to up to a total of 520 hours (13 weeks) of FML during a rolling 12-month period, measured backward from the date an employee uses any FML." This approach is consistent with many employers' across the country.

Chapter 6 Rule 6-4 D

CU does not support changing this rule, preferring that it remain April 1-March 31. If this is non-negotiable, we recommend adding in an exemption clause for higher education institutions, recognizing their budget processes and funding sources are different from the State's.

<u>Reasons why fiscal year performance management won't work for higher education:</u>

The state's fiscal year is established to effectively manage the budget and, as such, all necessary analyses and policy determinations should be completed prior to the beginning of the fiscal year. Changing the annual performance management cycle for classified staff at the University of Colorado is problematic for the following reasons:

- The salary increase levels for the merit grid are ideally based on actual performance ratings from the previous cycle. If the ratings are not complete, compiled and analyzed until the end of the fiscal year, such budget planning is not possible until the state is at least three months into the new fiscal year.
    - If employees receive annual increases retroactive to July 1, they likely will receive several months of the increases at a single point in the fall. This payment will be difficult to administer and will have significant impacts on employers with employees who terminated during that period. Retirees who terminate during the period will have permanent reductions in their

retirement benefits as a result. Tax withholding would also be negatively affected.

- Many classified staff members report to faculty members on nine-month appointments, therefore, unable to be present to complete fiscal year performance evaluations.
- Many supervisors are heavily engaged in fiscal year-end close which, coupled with the burden of performance evaluations, will negatively affect the amount of time and attention devoted to this important employee feedback process.
- The change will create unnecessary administrative burdens and increase the likelihood of payroll errors by adding multiple variables.
- It will be difficult to explain the rationale and effects of this to employees, many of whom already distrust "the system" and believe that such changes are intended to disadvantage them in some way.

We respectfully request that any changes to the performance management process be focused on the rating levels and substantive improvements to planning and evaluation instead of timeline alteration in a way that will be disruptive and detract from performance development. Alternatively, if the state wishes to pursue the cycle change, we request that there be enough flexibility in the revised rules to allow agencies and institutions to establish their own timelines for performance management cycles.