TSEA Exclusive

TN

DOHR Commissioner
Rebecca Hunter

On efforts to increase employee pay, the recent comptroller’s audit of DOHR, and her passion for service.

By Chris Dauphin
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& Gayle Robb
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Employees in Jan. received their largest raise since July 2012, and some employees just received market adjustments in March, can you talk about those?

Commissioner Hunter: Our governor is committed to making sure that we can recruit, retain, and reward a talented workforce. He has continued [raises] with each budget, and if you recall the year we didn’t receive raises, they started off in the budget but were removed. Haslam said that was one of the toughest things he’s had to do, but we were glad. Haslam also that was one of the toughest things he’s had to do, but we were glad. Haslam also did not receive any raises, but when we received the raise in January 2013, those raises were also the first time we’ve paid for performance.

When I first came on board in 2011, the Deputy Governor and I went on a state-wide employee listening tour. We went to all the major cities and had two daily sessions with state employees. Our governor’s goal was simply to ask their ideas on how to recruit, retain and reward a talented workforce. One of the things we heard from these sessions was that employees expressing frustration regarding pay. And some of the employees expressed frustration that another employee sitting beside them was not at all productive, yet both employees were receiving the exact same raise.

We were excited about pay-for-performance because we didn’t get the idea in a vacuum, we sent out a survey. We pulled together a task force from people who responded to the survey and got their input and feedback before we moved forward with the design.

The performance raises in January were from a pool of $26.9M. If you look at the appropriations bill, it stipulated that the funds would be used for pay-for-performance, market adjustments, and range adjustments.

The market adjustment that occurred in March was to move all the ranges 1 percent. When you move the ranges 1 percent, you are typically going to have people that then fall below the minimum of those ranges. So, our goal was to make sure we had the funding to also adjust anyone who fell below the minimum of the range and move that individual to the new minimum.

There was just a little funding left, which was used to continue to move people towards market. We moved the people who were the closest to the minimum range based on a formula using the funds that were remaining.

How many were moved towards the mid-range?

Danielle Barnes: 3,112

Pay for performance (P4P) raises which state employees received in Jan. were allocated from a

CONTINUED ON P6
Calendar of Events

May

- 25 Wednesday
  DEADLINE – R.A. Registration for delegates

30 Monday
Holidays – Memorial Day

June

- 1 Wednesday
  TSEA Election Day
  Ballots will be counted

- 16-18 Thursday - Saturday
  Representative Assembly
  Cool Springs Marriott

July

- 4 Monday
  Independence Day

14 & 15 Thursday & Friday
Board planning session

August

Retiree luncheons - TBD

September

5 Monday
  Labor Day holiday

16 Friday
Board meeting

October

10 Monday
  Columbus Day holiday

November

4 Friday
Board meeting

11 Friday
Veterans Day

24 Thursday
Thanksgiving Day

December

2 Friday
Board meeting and holiday dinner

Questions?
Contact the TSEA office @ (615) 256-4533,
Toll FREE @ 800-251-8732,
or by email: info@tseaonline.org

Worksite Visits

Please take a look at some of the upcoming recruitment dates listed below and bring your coworkers by to visit Gayle, Lisa, and Sandra to see what TSEA can do for them.

All dates are subject to change.

- Williamsons County -

TUESDAY, MAY 10
Probation and Parole
Note: Federated only
10:00 a.m.
426 Century Court, Suite 200
Franklin

TDOT
Note: Federated only
3:00 p.m.
1601 West Main Street
Franklin

WEDNESDAY, MAY 11
TN Rehab Center
10:00 a.m.
1405A Brookwood Avenue
Franklin

Department of Safety
11:00 a.m. to 1:00 p.m.
3830 Carothers Parkway
Franklin

Department of Children’s Services
2:00 p.m.
1810 Columbia Avenue, Suite 18
Franklin

- Davidson County -

THURSDAY, MAY 12
Labor & Workforce
Note: Federated only
10:30 a.m. to 3:30 p.m.
220 French Landing, Floor 3A
Nashville

TUESDAY, MAY 17
Rachel Jackson Building
9:00 a.m. to 1:00 p.m.
320 6th Avenue North
Nashville

THURSDAY, MAY 19
Laboratory Services
9:00 a.m. to 1:00 p.m.
630 Hart Lane
Nashville

- Shelby County -

TUESDAY, MAY 24
Memphis Mental Health Institute
9:00 a.m. to 4:00 p.m.
951 Court Avenue
Main Hall Lobby
Memphis

WEDNESDAY, MAY 25
One Commerce Square Building
9:00 a.m. to 4:00 p.m.
Note: w/ Federated
40 South Main St.
4th Floor Break Room
Memphis

THURSDAY, MAY 26TH
Dept of Human Services
9:00 a.m. to 4:00 p.m.
Note: w/ Federated
3230 Jackson Avenue
Clinic Area
Memphis


STAFF

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Jo Ann Davis-Davis

Legal Services Coordinator
Keisha Pittman

Paralegal for Legal Services
Susan O’Bryan

Employee Compensation and Benefits Manager
Gayle Robb

Employee Compensation and Benefits Coordinator
Terry Carroll

Membership Manager
Lisa Hogne-Moffett

Administrative Assistant for Membership
Linda Cartwright-Darden

Field Representatives
Lisa Hogne-Moffett - East TN
Sandra Pleas - Middle TN
Gayle Williams - West TN

Receptionist
Jamie Redens

Postmaster, please send address changes to:
Tennessee State Employees Association
Co-Worker
627 Woodland St., Nashville, TN 37206
(615) 256-4533 • 1-800-251-TSEA
tseaonline.org
From the Executive Director

A strong legacy of TSEA pays dividends for all state employees

It is an honor to have been chosen to serve as Executive Director of TSEA. Our organization has developed relationships across Tennessee that has benefited state employees for many years. I appreciate the vision of our founders over 40 years ago to develop an association “to protect, advocate for, and represent the rights of Tennessee’s state employees.” While understaffing remains a challenge across our state, the first few months of 2016 has seen improvements for state employees. In January employees received raises for the first time since 2013. Most of our members will receive a market salary adjustment in July of this year and then receive another salary adjustment in January of 2017. While I wished the market adjustment reached all state employees; those in the higher salary ranges can take some comfort in knowing those with higher salaries will receive a larger dollar per month increase in January of next year when pay-for-performance and across the board raises go into effect.

TSEA is also encouraged that some new hiring is now taking place in understaffed departments. The governor has even cited the hard work of state employees as one reason the Tennessee economy is so strong. While I know these are the most challenging times many have faced as state workers, it is good to see some sunshine on the horizon.

The good news we have enjoyed is based largely upon the legislative support you have helped us build by building relationships with your local legislators. Those legislators have been critical to successful lobbying efforts in conjunction with Governor Haslam and his leadership to help everyone understand that, while some business priciples may be applied to government, the State of Tennessee is not a business, it is here to serve the people.

One cannot compare most private sector jobs to the important duties our dedicated employees serve to families and the “least of these” in Tennessee. It is much easier to measure the output of a factory worker than the impact of DCS worker on a young life. It is equally difficult to assess a value in dollar terms or “measurable gain” to those that are keeping our state safe through our correction system and at the same time preparing those who have been abandonded with the tools for a second chance. Whatever department or agency you serve, know that TSEA is your voice to articulate to those in power about your value and the advanced skills you bring to your careers every day.

In the weeks ahead I will begin to further our relationships especially in the higher education community to carry out our mission of fighting for state employees. I also want to remind you that this is an election year and we will need to stand by those legislators that have stood with state employees. Make sure your family and friends are registered to vote by July 5th in order to participate in our August legislative primaries.

Thank you for your service to our state and thank you for being a member of TSEA.

Randy Stamps
Reach TSEA Executive Director Randy Stamps at 615-226-4533, or by email: randy.stamps@tseaonline.org

TSEA Legislative Wrap up

By Randy Stamps
TSEA Executive Director randy.stamps@tseaonline.org

The 2016 Legislative Session is over and it was a success for state employees. While TSEA did not achieve all of its legislative goals for the 2016 Session, it was a marked improvement over recent years.

The good news includes a pool of over $60 million for salary adjustments. Those dollars will be distributed in January of 2017 through the pay for performance system to the TEAM Act agencies. Non-TEAM Act agency employees will receive a 3% across the board salary adjustment.

25,000 employees will receive a market adjustment raise in July of 2016. $29.6 million has been designated for TEAM Act agencies and $64 million is for non-TEAM ACT agencies, for a total of $93 million. According to DOHR these dollars will be allocated to move employees paid below $50,000 closer to the market rate, and will be effective July 1, 2016 and will appear on their July 29 check.

We appreciate the legislature and Governor Haslam’s investment in state employees. The raises reflect the largest investment in salaries since 2007.

We also want to thank Senator Paul Bailey and Representative Kent Caldwell for carrying the TSEA bill to return longevity for newly hired employees. The mere presence of that legislation was a constant reminder to the Haslam administration that a commitment was made to improve pay for state employees. State workers are being asked to be more productive and efficient than ever before.

The total investment of over $96 million improving state employees pays a significant step toward demonstrating a real commitment to recruiting, retaining, and rewarding our State of Tennessee’s workforce.

Senator Becky Massey and Representative Bill Dunn lead the fight for TSEA to amend the TEAM Act. SB2485 / HB269 amends the law regarding employee appeals for discipline and dismissal. Current law already requires the Department of Human Resources to provide rules for appeals; this legislation will add a requirement that the department establish guidelines for the conduct of appeal proceedings. This will help insulate consistency across all departments for discipline and dismissal hearings.

DOHR has agreed to use the new guidelines to determine when a complainant’s non-attorney representative is allowed to participate in the discussions at a Step 1 proceeding. Finally, it gives a complainant the ability to respond to any new evidence or information obtained after a hearing but prior to a decision being issued. The response must be received within three days of the respondent being notified of the new evidence or information.

TSEA supported efforts by Senator Jeff Ybarbo, Representative Mike Stewart and Representative Gerald McCormick to address assaults on Department of Correction personnel. In the end SB2424 / HB2377 by Ybarbo and Stewart was amended to provide that any conduct regarding disciplinary actions and their midpoint. At the same time, we made great strides in changing sections of the TEAM Act. Equally important, we won a case sent to court with a ruling that burden of proof regarding disciplinary actions must now lie on the department. This is a huge legal victory for us.

We also continue to see improvements regarding relations with State Departments. We are hearing from and meeting with Commissioners and their staff to work through your departmental issues. We are over turning disciplinary actions where processes were not followed or reasonable outcomes were obtained. We have been asked to speak at multiple Legislative hearings.

At the same time, as an Association, we have taken a serious look at our financial position. We have been trying to live within our means, and still provide great service and products to our members. If you are a TSEA member, I am happy to report we are on track to having over a $50,000 surplus at budget year end.

We continue to look for ways to improve our budget, but for now, we are grateful to be operating in the black.

Are you receiving emails from TSEA?

If you would like to receive emails from TSEA about the issues and events which impact state employees, please sign for email through our website. Or, contact the TSEA office at 1-800-251-TSEA (8732) or by email at info@tseaonline.org. You will need to provide your full name, your member ID (the last four digits of your SSN), your email address.

IMPORTANT: If you have already signed up for TSEA email, but are no longer receiving emails from TSEA – you may have unsubscribed. Since it is illegal for any organization to re-subscribe someone to an email list, TSEA cannot sign you back up to our list. You will need to visit this link to re-subscribe to our email list: https://bit.ly/TSEAsubscribe

If you have any questions, please contact the communications division of TSEA at the number listed above.
Problems persist in Department of Human Services

By Chris Dauphin
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The Department of Human Services is again under scrutiny after a recent audit from the state comptroller uncovered $11.4 million in questionable spending.

DHS manages an $80 million federally-funded food program which is intended to provide meals for needy children in Tennessee. Basically, the department contracts with private companies and provides them money for food that is distributed in child care programs throughout the state.

Some of the concerns described in the audit include issues with accounting practices, lacking documentation for allocated funding, questions about contractor verification practices, and concern over staffing levels which might impact the department’s ability to prevent fraud and abuse.

TSEA is disappointed to hear of potential oversight failures by the Department of Human Services pertaining to the distribution of federal food program funds. We agree with the comptroller’s report that the department is ultimately responsible for providing proper oversight and implementing effective controls over the distribution of funds from these programs; however, it is important that taxpayers realize the responsibility of the Department that is intentionally defraud- ing the public, not DHS.

DHS denied the Comptroller’s allegations. “It should be noted that no funds have been unappropriated or misappropriated by the Department,” the department said in a news release issued shortly after the audit’s release. “The funds were used for their intended purpose.”

Nonetheless, SB1472 sponsored by Sen. Jim Tracy and signed into law by Gov- ernor Bill Haslam requires DHS every three months to submit reports on the food programs to the speaker of each chamber of the general assembly, chair- persons of the government operations; health; and finance, ways and means committees, and the comptroller.

The legislation also transfers the management and administration of the department’s financial accounting to the department of finance and administration, and takes an aggressive approach toward the monitoring and investigations of the department’s federal entities that carry- out a federal program pursuant to an award from the department, also known as sub-recipients.

While much of the heat has been aimed at DHS, the comptroller acknowledged the risk associated with these programs.

“Most sub-recipients want to do the right thing, but others are taking advantage of a system,” said Tennessee Comptroller Justin Wilson during an early April hearing about the problems in DHS.

Wilson pointed to a few examples of vendors receiving payment from DHS with the understanding that it was for a particular item, but then the vendor purchased a completely different, much less expensive item. In one instance the executive director of an organization receiving federal funding through DHS, but then used the money to build a gazebo and other additions on their personal residence.

“It is unfortunate that some private sector organizations that contract with our state are so immoral that they are stealing money intended to buy food for needy children,” TSEA Executive Director Randy Stamps said.

“It is a shame that the public discussion is centered on placing blame for this issue on DHS for low staffing or inadequate planning, when we should be focused on rooting out these private companies who are stealing from taxpayers. DHS does need to continue to improve its oversight efforts, but that is only because of a culture of fraud and abuse within some of the private organizations who contract with our state.”

TSEA plans to meet with DHS Commissioner Raquel Hatter in May and will report any additional information we learn at that time.

Outsourcing not required for cost savings

By Chris Dauphin
TSEA Communications Director
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While we applaud the work by the Haslam admin- istration to locate areas where the state can realize $30+ million dollars in cost savings, we do not agree that realizing this cost savings requires out- sourcing the facilities management at all of our state buildings.

TSEA believes this is a small, easily-correctional issue which deserves a small solution.

These cost savings could be accomplished without relinquishing control of services, dis- rupting the system, sub- jecting current and future students to potential bureaucratic and fee increases, impacting local small busi- ness, and potentially affect the livelihood of employ- ees currently performing the jobs.

TSEA testified to this idea on March 22 before the Senate State and Local Government Committee in response to the Haslam administration’s business justification report on their Facilities Manage- ment Outsourcing plan.

TSEA’s message was clear: don’t give up on state employees!

We believe a more con- servative, common-sense solution would be to simply leverage our $30+ million enterprise to nego- tiate better pricing on goods and services, cross- train our current employ- ees, and let state employ- ees continue the great work they are doing.

We believe our state employees offer the most effective long-term cost savings plan for Tennessee, and we believe the ap- proach we outlined during the hearing best serves the long-term financial interest of Tennessee.

This is the second time TSEA has been invited to address this senate com- mittee concerning this issue.

On March 29, TSEA sent a letter to Governor Haslam urging him to con- sider a different, more conservative approach to realizing these potential cost savings. We told the governor outsourcing all of these positions is not the right answer for Tennes- see, and we asked him to stand by his words when he said, “our administration will always work to get the right answer, not just our own answer.”

Nonetheless, on April 11 the state moved to the next step of their plan and released a request for qualifications to gauge private-sector interest in the outsourcing plan.

In response to our letter, TSEA was invited to meet at the end of May with members of the Gov- ernor’s administration to discuss the issue.

The Haslam adminis- tration on March 8 pre- sented to the Senate State and Local Government committee the business justification report for their Facilities Manage- ment Outsourcing (FMO) plan. The administration claims their FMO plan will save $35.8 million per year without eliminating any jobs or benefits. The ma- jority of their projected cost savings, according to the administration, will come from “self-perfor- mance” and “volume dis- counted.”

The Director of Haslam’s Consumer Focused Government Terry Cowles, as reported by the Commercial Appeal, told lawmakers and report- ers after the hearing the numbers only are “pro- jected potential. This is not definitive and it won’t be definitive until we receive proposals [bids from private contractors], at which point we have actual numbers to work with.”

Please be sure to monitor the TSEA website and your email inbox for updates about this very important issue, as TSEA will continue to be very active in the fight against this plan.

Efforts to privatize golf courses

By Chris Dauphin
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The Tennessee Depart- ment of Environment and Conservation in a March 31 email announced it is for now placing on hold a Request for Proposals (RFP) to operate their nine Ten- nessee State Parks golf courses.

According to documents obtained by TSEA, the de- partment planned on April 1, 2016 to issue a Request for Proposal (RFP) to gauge outside concessionaires to manage and run the golf operations. The RFP would have been issued for 45 days, with a response due by May 18, 2016. Their intent was to award a con- traction on June 20, 2016.

In early 2014, the De- partment of Environment and Conservation issued a Request for Information (RFI), on behalf of Tennessee. Seeking information from private for-profit companies to help the state assess the viability of leasing Tennessee’s State Park concessions and other revenue generating facili- ties.

Then, in 2015, an RFP was issued by the adminis- tration as part of their effort to outsource hospitality operations at 11 state parks, but failed to draw any inter- est from private vendors.

During 2015’s RFP process, the department discovered that vendors considered golf manage- ment a “specialty service.” After no bids were submit- ted in 2015, the department decided there was an op- portunity to issue a separate RFP for their nine golf courses.

That RFP would not have included any of the inns, restaurants, marinas or cabins included in their original plan. According to the information we ob- tained, they are still evaluat- ing what steps to take for those. But, that RFP would have required all current state employees affected by the proposal, who wished to keep their jobs, to reapply for their jobs under a private contractor.

For now, no state em- ployees jobs will be affected as it appears the depart- ment’s plans are on hold.

According to an Associ- ated Press story from De- cember, one of the three companies who had ex- pressed interest in a bid on the original RFP dropped out due to doubts that leg- isolators would approve funding for park facility upgrades.

TDEC, in late 2015, as part of their budget presen- tation to the governor re- quested $35 million for fa- cility upgrades before the parks could be handed over to a private company.

Shortly after the news that no bids had been sub- mitted, TSEA issued a state- ment regarding TDEC’s funding request.

“We completely agree with the $35 million needed in upgrades, and support TDEC in the use of these tax dollars,” TSEA President Merritt said. “But we also feel strongly it should remain out of private hands, as to not give the appear- ance of corporate welfare being handed out.”

TSEA will continue to monitor this and all efforts to privatize state services. Please check your email and our website often for updates.
The Tennessee Court of Appeals recently issued an extremely favorable decision to a TSEA member regarding an employee’s termination from their file. The employee resigned, and subsequently, their file was removed from their employment record. The Court of Appeals ruled that the employee’s resignation was not a valid reason for terminating their employment. Furthermore, the Court stated that the employee was entitled to receive a “substantial measure of the relief sought” at the Step 3 hearing, and that the Board of Appeals must award the employee reasonable attorneys’ fees and costs.

The Benefits of the Court of Appeals’ Ruling for State Employees

- The ruling by the Court applies to all disciplinary actions taken by a department in a Step 1 hearing, a Step 2 review by DOHR and a Step 3 hearing before the Board of Appeals.
- The department must carry the burden of proof that it disciplined the employee for cause as a result of a violation of department rules, DOHR rules and/or the TEAM Act.
- There must be ‘sufficient and material evidence’ to support a disciplinary action under the TEAM Act.
- The Board of Appeals must award a complainant/employee reasonable attorneys’ fees and costs who obtains a “substantial measure of the relief sought” at the Step 3 hearing; for example, getting a termination dismissed and being reinstated by the department.

TSEA: Court of Appeals ruling affects TEAM Act

By Jonathan Stephens
TSEA Staff Attorney
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Charges Against the TSEA Member and Protections

As you can see, it pays to be a member of TSEA. If you have a Legal Services issue that you need help with, please contact TSEA’s Legal Services division at: info@tseaonline.org 615-256-4533 | 800-251-TSEA (8732)

Legal Services’ Good News

1. Our member with the Department of Mental Health and Substance Abuse Services terminated our member; a settlement was reached by allowing the member to resign and remove all mention of termination from their file.
2. Our member with the Department of Children’s Services received a termination from their file and was reinstated with a resignation and received a one-time settlement payment.
3. Department of Mental Health and Substance Abuse Services terminated our member; a settlement was reached by allowing the member to resign and remove all mention of termination from their file.
4. Two members with the Department of Children’s Services had their terminations changed to resignations.
5. Department of Children’s Services suspended our member, after their appeal the 2-day suspension was reduced to a written warning with back pay.
6. A member with the Department of Children's Services received a settlement payment. After their appeal hearing the 5-day suspension was reduced to a 2-day suspension, reinstated to their position and given back pay.
7. The Department of Correction terminated two of our members, however, after their appeal it was reconsidered and both were allowed to report back to work.
8. Our member appealed their 3-day suspension from the Department of Correction; the decision was reduced to a written warning with back pay.
9. Three members from the Department of Children’s Services received suspensions, after their appeal hearing the 5-day suspension was reduced to a 2-day suspension, a 15-day suspension was reduced to a 5-day suspension, and the other member had their 5-day suspension reduced to a written warning; all received back pay and any lost benefits.

Factual Background

TSEA represented the member at the Step 3 hearing before the Board of Appeals. TDOC offered the testimony of the warden, the correctional officer, the Post commander and the food service manager. TDOC also had footage from surveillance camera coverage of the incident showing the inmates removing food from the storage area. Testimony from the TDOC witnesses was that the inmates stole as much as $55,000.00 of food which they took to their unit to sell illegally to other inmates. Upon cross-examination by the TSEA attorney, the TDOC witnesses could not produce an inventory of the missing food, could not provide an accounting of the value of the food and could not identify the food that was allegedly found in the inmates’ cells. The warden testified that our member violated a post order by breaking a seal on a secure door and failing to file a written report regarding his entry into a secure area. Upon cross-examination, however, the warden and the investigator admitted that there was not a seal on the secure door. The Board ruled that our member broke a seal on the door. As regards the stolen food, two TDOC officers attended the incident knowing the food was stored in the kitchen, but did not find any food or contraband on the inmates. The officers testified that no one at the correctional facility interviewed them about the incident.

At the conclusion of the hearing, the Administrative Law Judge informed the Board that the burden of proof issue in great detail in reaching their decision. The Court noted that the term “burden of proof” is nowhere to be found in the TEAM Act, but there was an overriding constitutional guarantee involving an employee’s protected property interest that must apply in these circumstances. The Court reasoned that a state employee may only be disciplined “for cause” per the DOHR rules and regulations. As such, employees who have successfully completed their probationary period have a protected property right in continued employment with the state. Ultimately, the Court ruled that under the TEAM Act, the state must shoulder the burden of proof to show cause sufficient to uphold the disciplinary action taken by a department. Therefore, in the present case, the Court found the administrative law judge correctly instructed the Board that TDOC had the burden of proof to show that it terminated our member for cause. As the Board ruled, TDOC was not able to satisfy its burden of proof.

The Court of Appeals Ruled the Burden of Proof is on the State

This appeal was a “case of first impression” for the Court of Appeals because the TEAM Act had never been reviewed by an appellate court since its passage in 2012. The Court took the opportunity to discuss the burden of proof issue in great detail in reaching their decision. The Court noted that the term “burden of proof” is nowhere to be found in the TEAM Act, but there was an overriding constitutional guarantee involving an employee’s protected property interest that must apply in these circumstances. The Court reasoned that a state employee may only be disciplined “for cause” per the DOHR rules and regulations. As such, employees who have successfully completed their probationary period have a protected property right in continued employment with the state. Ultimately, the Court ruled that under the TEAM Act, the state must shoulder the burden of proof to show cause sufficient to uphold the disciplinary action taken by a department. Therefore, in the present case, the Court found the administrative law judge correctly instructed the Board that TDOC had the burden of proof to show that it terminated our member for cause. As the Board ruled, TDOC was not able to satisfy its burden of proof.

The Court of Appeals Dismissed the 14 Day Suspension

The Court reviewed the evidence from the Step 3 hearing to determine if there was a factual basis to support the Board’s conclusion that a 14 day suspension was appropriate discipline. The Board, as well as the Court, found that our member did not break a ‘tamper seal’ on the secured door. The Board, however, determined our member should have filed a report even though such a report was not required by the Post Order. The Court disagreed with the Board’s finding and ruled the facts of this incident did not support the legal conclusion that our member violated the Post Order. The Court found that there was not sufficient evidence to support a 14 day suspension. The Court, therefore, determined that no discipline should be imposed against our member.

The Court of Appeals Awarded Our Member Attorneys’ Fees & Costs

Our member requested that the Board award his reasonable attorneys’ fees and costs at the conclusion of the Step 3 hearing. The Board declined to award them because the Board found the employee guilty of “at least one allegation of misconduct.” The Court stated the Board abused its discretion in reaching this conclusion. The Court stated the correct analysis is whether the employee/complainant is a “successfully appealing employee.” This standard is determined by whether the employee/complainant “succeeds on a significant claim which affords the employee a substantial measure of the relief sought.” In other words, the Board dismissed the termination and imposed a 14 day suspension which the Court also dismissed. Clearly, our member was a successfully appealing employee and entitled to an award of his attorneys’ fees and costs.

A Final Note

The Court of Appeals ruling may be appealed by the Department of Correction to the Tennessee Supreme Court no later than 60 days following the date of the ruling or approximately mid-June 2016. TSEA will, of course, monitor these proceedings closely and file the appropriate response to any appeal by the department. In the meantime, however, the Court’s ruling remains in effect and will continue until such time as the Tennessee Supreme Court issues a contrary ruling.
We can’t...
What would someone who fills potholes need to do to earn an outstanding rating?

Commissioner Hunter: What you are talking about is the jobs that are created by our construction work. If we didn't have people out there filling potholes, TDOT would be in serious trouble. Here is my philosophy on that. What you are looking for are the ones who differ- entiate themselves, I can't speak to potholes because that is not my expertise, but using my background, I started my working career as a secretary, I always looked to try and make the letters that were dictated to me as profes- sional as possible. I would come back with suggestions and they'd say, "oh, I really like that," so it's really just helping employees un- derstand that we value their ideas and we value their input. Because, it's the frontline employees that typically know how to make things better, and we are looking for that employee who can just go through the motions of their daily job, but actually thinking about ways we can make things better.

We are also challenged by the fact that some supervisors resent this. So, we got to work with that as well and have supervisors open to employee ideas.

What are the pay-for-performance system's strengths and weaknesses?

Commissioner Hunter: We really needed to do a reset when it came to performance management, because we were simply not com- pletely, a lot of them weren't being completed. And, recognizing that the purpose of it was first to set expectations. As an employee, you want to know what you were hired to do, what employment means. And, what you want to do is work anywhere with the expec- tation of disappointing their super- visor or failing. They want to win in and do the best job that they can possibly do. And, in order to do that, we need to set the expectations for them.

What I love about this system is it requires, at a minimum, four conversations with each employee. The first is for the supervisor and that employee to sit down on the front end and talk about what the expectations are and make sure the employee fully understands what is needed to get there. And those [goals] have to be S.M.A.R.T.

When that first interim comes around, then what you are talking about is how has it been, how can I help, what barriers have you achieved.

That is another thing of which I am really proud. We are trying to equip supervisors for those con- versations. If you think about it, most supervisors dread perform- ance evaluations.

If you are having those con- versations, it's not a surprise. The employee knows what's expected, and once you get to that rating you have a really good feel for what it is going to look like. So, you start off with that preliminary discus- sion, setting those expectations, making sure that employee under- stands where we have those two interim discussions to make sure they are on target, and then by the time you get to that rating, there are no surprises.

I know it makes time because it is a culture change. But, between the performance coaching and the Get S.M.A.R.T. here, and making sure that the performance plans are objective, we really feel that we have made great progress towards creating a con- tinuous feedback focused on em- ployee success.

The Comptroller's report said there are instances where a supervisor change could affect an employee's eligibility for a salary increase, e.g., if an em- ployee changed with less than 90 days until the end of the evaluation period. Could this happen? If so, what options would those em- ployees have to ensure they did not become ineligible for a salary increase?

Commissioner Hunter: In that case, we would revert back to the rating from the previous cycle so they would be eligible for the raise, and there are examples where it has reverted back to valued. The default is valued.

Is DOHR looking to make changes to - or end - the SLB? And/or are there plans being considered that will impact the annual and sick days employees currently receive?

Commissioner Hunter: I have a great network of peers across the country, and we meet twice a year to exchange ideas. I learned through those meetings that there are only about five states in the country [that offer this]. Most states are actually utilizing short term disability. I sat at the last insurance committee meeting and listened to [Benefits Administration] describing the advantages of short term disability and that it covered certain things that the sick leave back doesn't. We're always thinking about ways to make things better. There are no immediate plans to do anything like that because, believe me, I have my hands full right now. But, when you look at the statistics, I don't think the employees get the return on investment that they could [with short term disability].

Do you think employees benefit from the SLB?

Commissioner Hunter: I can get you the statistics, but what sur- prised me was how few employees take advantage of it.

Wouldn't it be the same way if there was a short term disability, only those who needed it would use it?

Commissioner Hunter: At the insurance committee meeting I was really surprised, especially after just having the audit, at all of the things [Benefits Administration] shared the fact that the entire workplace that they would cover that the sick leave bank doesn't.

I think it would be helpful to put the statistics in there, because we don't do that. That's not something the employees are aware of, and if I were investing my money into the sick leave bank, I would want to know what my return was on that.

As the Commissioner of Human Resources, you are an advocate both for the public policies of the Governor, as well for the employees who work for Tennessee. How do you balance the needs of both parties?

Commissioner Hunter: I have the privilege of working for a Governor who always asks, "what is the right thing to do?" And knowing that is how he approaches his work is tremendously encouraging. I think that if I remember is, the Department can't just look only through the lens of the employee. It is not that simple.

In my role, I can't look just through the lens of the employee. I have to look at the cost, the impact on the citizens, and it is a balancing act. And the rewarding part of it is trying to get it where it's a win-win for both parties.

If you've built those relationship- ships, and the employees know that you have their best interests at heart, they may not always agree with every decision that is made, but they understand that you are in place to do what's right for all parties concerned. Budget is always a concern, knowing what the Gov- ernor's priorities are is always a concern, and keeping in mind that the citizens are the ones paying for all of this. We can't always do everything we would like to do because of the different constraints, but my goal is always to make sure everything we do is from a fair and equitable perspective so employees know that we do have their best interests at heart.

(At this point, we briefly discussed the governor's Outsourcing plan, and our belief that state employees should be cross trained for the work instead of outsourcing their jobs. DOHR listened, but reminded us that they are not over Higher Ed.)

Commissioner Hunter: This is a good segue into some of the great work our team is doing. I am a lifelong learner and am passionate about employee development. Ever since Governor Haslam came on board, he's empowered me to put a focus on employee development.

(Here Commissioner Hunter handed us a 40-page magazine style pamphlet of their enterprise-wide leadership programs, which in- cludes much of the information available online at [http://tn.gov/hr/section/learning-develop-ment].)

I want to draw your attention to the Management and Leadership Learning Pyramid. It is focused on supervisors, but if you look at level one you'll see that there is curriculum there for employees who aren't supervisors, but are considering becoming supervisors. We don't say "you are supervisor," but you can in order to take them. In order for employees to be successful, their supervisors need to be the best they can be. So, we've really put a big focus on developing supervisors and managers.

We have also reached out across the enterprise to host lead- ership academies with agencies as the need arises. For example, back in the fall of 2011 when we were accepting applications for LEAP Tennessee, which is the State's premier development initiative that accepts both current and emerging leaders (you don't have to be a su- pervisor), we've now rolled that out to the Management and Leadership Executive Series in order to do the workforce succession planning.

(Commissioner Hunter gave us a list of agencies who have gone through the Talent Management Executive Series in order to do the workforce succession planning.)

The leadership teams go through this, and it really equips them to identify where there are gaps, and make sure people are being developed into those roles. We don't develop a person; we develop a pool of talent because, as you know, we make our applica- tion process as competitive as can be. We're really proud of the work we are doing to get employees to be successful, to develop them for these roles. Like our Next Level Leadership Academy, we have both supervisors and front line employ- ees, we're cross training them to be a leader. You can influence from wherever you are.

Everywhere I go, I hear em- ployees who say how much it means to them, how much invest- ing in them. Companies that don't invest in their employees don't have happy employees.

What is most proud of is the work we are doing giving supervisors the tools they need to be better supervisors. This allows supervisors to help the employees be better and provides develop- ment opportunities across the state, it's endless of the level, so that we're positioned to better serve our taxpayers.
Good news from Compensation and Benefits division

Here are a few examples of how our Compensation and Benefits staff have been helping our members:

1. Comp and Benefits staff were contacted by several members in DCS who were not correctly paid for the inclement weather day. After contacting DCS HR and identifying the problem, these issues were all corrected.
2. A member had been offered a job and salary to transfer from one department to another. When the member arrived at the new work site the salary offer was changed to a lower amount which was not acceptable. Comp and Benefits staff helped the member move back to the previous position while the problem is corrected.
3. Comp and Benefits staff were contacted by several members regarding a rumor spreading at Middle Tennessee Mental Health that policy for annual leave had changed and it would become more restrictive. Staff made the MH HR aware of the issue and was able to alleviate members concerns that a policy change was not imminent.
4. After being contacted by a member in the Department of Safety about a concern with her over-time pay during unusual circumstances, Comp and Benefits staff contacted the agency and received written confirmation that in the future the compensation will be more clearly explained to the employee before the work is performed.
5. Comp and Benefits staff received a notification the lights in the Roane County DHS/DCS office parking lot were not working properly causing our member and other employees to be concerned about their safety. A call was made to the Regional Director of JLL and within a few hours the employees were told the lights would be replaced at the end of the week. Although this issue was not quickly resolved, staff was persistent and eventually the light was replaced.
6. Comp and Benefits staff received numerous email and phone calls regarding the announcement of the additional salary adjustments from the market study effective March 1. Employees receiving the increase were not notified individually and had to wait to see if they had a change in their paycheck once they were able to view it in Edison. Better communication from DOHR could have helped prevent some of this confusion.

As you can see, it pays to be a member of TSEA!

If you have a compensation or benefits issue that you need help with, please contact one of our Comp and Benefits staff members for assistance: Gayle Robb Comp and Benefits Manager gayle.robbs@tseaonline.org 615-256-4533 | 800-251-8732

Terry Carroll Benefits Coordinator terry.carroll@ tseaonline.org 615-256-4533 | 800-251-8732

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2016 Partnership promise

By Gayle Robb TSEA Comp and Benefits Manager gayle.robbs@tseaonline.org

Simple Steps to Save Money

The goal of the Partnership Promise is to help you get and stay healthy. Why is this important? Poor health costs all of us.

Check out these staggering statistics about partnership plan members:
- 45% are obese and 33% are overweight.
- Obese members are also 35% more likely to have a hospital admission – and cost 23% more per admission.
- 17% do not exercise at all. Medical costs are $4,000 per year more for non-active members than those who exercise 3-4 times a week.

The Good News
- Emergency room visits decreased by 15% since 2011.

To Continue with your 2016 Partnership Promise Requirement for 2016

July 15, 2016 is the deadline to complete your biometric screen.

You will need to provide your Doctor with your Physician Screening Form (PSF).

- Make sure you measure and write your waist circumference on your PSF.
- Your doctor will need to complete all form fields, and you must both sign and date the form or your form will not be processed.

To download your Physician Screening Form (PSF) visit: https://my.onished.com/restricted/signup/tn

If you do not have access to a computer, call Healthways at 888-741-3390 to order the form.

You or your doctor must fax, upload, or mail your PSF to Onsite Health Diagnostics (OHD) by the July 15, 2016 deadline.

Fax the form to: 972-823-0684

Upload the completed form:

Physicians: https://my.onished.com/dropbox/pcp

Or, Mail to:

Onsite Health Diagnostics
Attn: Results Dept.
1199 S Belt Line Road.
Ste 120
Coppell, TX 75019

In addition:
- Actively participate in coaching if you are called. Coaching could include a tobacco cessation program and/or case management, which is managed by BlueCross BlueShield, Cigna and Magellan.
- Keep your contact information current. You or your covered spouse must make sure that your phone number, mailing address, and email address (if you have one) are current. If your information changes during the year, you must notify your employer to update your record.

Partnership Promise Status Update

Automated Verification System: Call 888-741-3390. Select option 1 to use the automated verification system.

Physicians: https://my.onished.com/restricted/signup/tn

As you can see, it pays to be a member of TSEA!

By mail: Healthways will send status updates in the mail to let you know your standing with your Partnership Promise steps for 2016. If you choose the Partnership PPO or the Wellness HealthSavings CDHP you agree to complete the Partnership Promise and take steps for better health. The Partnership Promise is an annual commitment, but you are not required to sign a new promise each year.

If you and/or your covered spouse fail to fulfill any requirement of the 2016 Partnership Promise, the entire family will be transferred from the Partnership PPO to the Standard PPO or from the Wellness HealthSavings CDHP to the Health Savings CDHP.

Enrolled employees and covered spouses (if applicable) are required to complete the requirements. Children enrolled in a health plan are not required to participate.

Note: The benefits of the Partnership Promise are open to all plan members. If you think you might be unable to fulfill the Partnership Promise, call the Partners for Health Wellness Program at 888-741-3390, Monday – Friday, 8:00a.m. to 8:00 p.m. CST. They will work with you and/or your physician, if you wish, to find an alternate way for you to meet the Promise.

The state group insurance program determines the Partnership Promise requirements. Health ways administers the Partnership Promise. Requirement may change each year. Partnership Promise benefits, such as telephonic coaching and online access to the wellness site, are open to all plan members including Standard PPO, Limit PPO and Health Savings CDHP members.

Should you have questions or concerns regarding your 2016 PFH requirement please contact Compensation and Benefits staff.

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Co-Worker
Summer benefits for TSEA members

The TSEA is fighting for you! And now YOU deserve to have some fun! Members have access to discounts at many regional theme parks. Some now offer print-at-home tickets and for the others, we will have tickets in the Nashville office.

To access these discounts, log-in to the membership section of www.tseaonline.org or call 615-256-4533 (toll free at 1-800-251-8732).

The following attractions have 2016 confirmed pricing.

**Biltmore House in NC**
- Employee Discounts

**StubZero - Orlando**
- Admission

**Museum of Science & Industry**
- Admission

**Guinness World Records**
- Admission

**Davy Crockett Mini-Golf**
- Admission

**Haunted Adventure**
- Admission

**Ripley’s Moving Theater**
- Admission

**Harbor’ 75 anniversary**
- Admission

**Aquarium of the Smokies**
- Admission

**TSEA has even MORE discounts coming your way soon.**

**Beech Bend Park (Kentucky)**
- Adult or Child: $30.99 ($5 savings)

**Dollywood**
- Adult: $59.50 ($5.50 savings)
- Child: $24.95 ($4.85 savings)

**Holiday World (Indiana)**
- Adult: $39.99 ($10 savings)
- Seniors/Children: $34.49 ($5 savings)
- Print-at-home tickets! Call the TSEA to get your temporary username & password and order online from the Members-Only section on the website

**Knoxville Zoo**
- Adult: $14.95 ($5 savings)
- Child: $11.95 ($5 savings)
- Print-at-home tickets for TSEA members

**Memphis Zoo**
- Adult: $12.00 ($3 savings)
- Child: $8.00 ($2 savings)

**Nashville Zoo**
- Adult: $10.00 ($6 savings)
- Child: $7.00 ($4 savings)

**Six Flags Over Georgia**
- Adult $39.99 ($10 savings)
- Child $19.99 ($5 savings)
- (no minimum purchase required through TSEA discount)
- Print-at-home tickets! Call the TSEA to get your temporary username & password and order online from the Members-Only section of the website

**Six Flags St. Louis**
- One Day General Admission: $39.99
- (main gate price $52.99. $13 savings)

**TN Aquarium**
- Adult $25.50 ($4.45 savings)
- Child $16.95 ($2 savings)

**TN Aquarium/IMAX Combo**
- Adult: $33.50 ($4.45 savings)
- Child: $24.95 ($2 savings)

**The Official Ticket Center Orlando**
- TSEA members have access to these discounted admissions at these central Florida attractions:
  - Walt Disney World, Universal Studios, LEGOLAND®, Cirque De Soleil®, Sea World, Busch Gardens, Kennedy Space Center, Medieval Times, and many more!

To order, have your membership number available and use the link provided in the Members Only section.

New benefits coming soon

TSEA has even MORE discounted tickets to local attractions coming your way soon.

- Kentucky Kingdom in Louisville, KY
- Kings Island, Ohio
- Ripley’s family of Gatlinburg attractions:
  - Aquarium of the Smokies – Featuring the Pearl Harbor ‘75 anniversary Exhibit
  - Ripley’s Believe It or Not
  - Ripley’s Moving Theater
  - Haunted Adventure
  - Davy Crockett Mini-Golf
  - Ripley’s Mirror Maze
  - Old McDonald’s Farm Mini-Golf
- Guinness World Records Museum
- StubZero - Orlando Employee Discounts
- Discovery Park of America
- Biltmore House in NC

Additional details will be available on TSEAOnline.org.

East TN Sick Leave Bank Board

The state Sick Leave Bank, created through legislation drafted and lobbied into law by TSEA, includes a Board of Trustees. The Board sets policy and reviews appeals of bank members. There are three employee representatives on this board; one from each region of the state elected at the annual TSEA Representative Assembly. The term of office is three years.

Election for the East Region representative will be held at the annual TSEA Representative Assembly in June. Only one employee representative per department may serve on the Board.

**This year we have one candidate for the East Region Representative:**

Alisa A. Cade, DDS
Appalachian Chapter
TSEA Member: 6 years

Association leadership positions that you have held:

I have not held any local positions. I have been serving as the East Regional representative to the Sick Leave Bank Board for four years.

List TSEA events that you have participated in:

I have not had an opportunity to participate in any TSEA events other than local chapter meetings. I did receive the Appalachian Chapter “Rising Star Award” in 2011 for participation in our local chapter activities

Current Job Title and Time in Position:

My current job title is Northeast Regional Dental Director for the Tennessee Department of Health

Brief statement of why TSEA Sick Leave Bank Board of Trustees is important and why you wish to serve:

I am currently the East TN Representative to the SLB board, and I wish to continue to serve the Sick Leave Bank Board of Trustees. I have been a Sick Leave Bank member since becoming eligible, and I feel like this is an important benefit for State employees.

While serving on this board, I have been impressed with the number of committed employees I have encountered. I find it rewarding to interact with members of other State agencies that have been trusted as fair representatives to their membership.

I have been a strong voice for membership to the Bank, and my position has only been strengthened while serving on the Board currently. This has been a very rewarding experience.

I would like to submit my application with the assurance that if I were elected to the Sick Leave Bank Board of Trustees, I would continue to serve in a fair and positive direction.

Co-Worker

May/June 2016 • Page 9
**Constitution & Bylaws Proposals**

42nd Annual TSEA Representative Assembly

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### Bylaws & Resolution Proposal for TEAM Administrative Committee

Whereas, it would be beneficial to allow additional T.S.E.A. members the ability to participate as voting delegates at the Representative Assembly.

Be it resolved by the 42nd Annual Representative Assembly of the Tennessee State Employees Association, that appropriate parts of the T.S.E.A. Constitution and T.S.E.A. Bylaws are amended that:

Current member(s) of the TEAM Administrative Committee would be allowed to be counted as automatic voting delegates at the Representative Assembly, just like the T.S.E.A. Board Members and Chapter Presidents.

**CB&R Committee Recommendation:** APPROVE.

**TSEA Board of Directors Recommendation:** CONCUR with the CB&R Committee to APPROVE.

**Sponsor(s):** Patricia Bowman, Maury/Marshall chapter member
Jackie Coleman, Davidson County chapter member
By petition with 30 valid member signatures

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### Election of TSEA Board of Directors, TSEA Presidents, TSEA Secretary, Treasurer by Mail

BE IT RESOLVED by the 42nd Annual Representative Assembly of the Tennessee State Employees Association, Update the TSEA’s membership address list to insure that the address for each member is correct. Review the TSEA’s most recent mailing to all members to determine if any pieces of mail were returned undelivered, then make a list of members for whom new addresses are needed, and attempt to obtain updated addresses for those members.

Prepare an accurate voter eligibility list with up-to-date member addresses. In order to facilitate ballot sorting and voter identification at the tally of ballots, election officials should assign a sequential number to each member’s name on the eligibility list. This same “voter identification number” should be placed in the lower left corner of the voter’s corresponding return ballot envelope before mailing the ballots.

Keep a list of the names and addresses of any members who request replacement ballots. Replacement ballots return envelopes should be marked with a special designation (such as “D” for duplicate) to alert election officials at the tally that these members have been sent more than one ballot. A record must be kept of all replacement ballots sent in response to requests and all ballot packages which were re-mailed after being returned undelivered, including dates received and mailed; now therefore.

If a voter returns a replacement ballot in an envelope marked by election with a “D” for duplicate, indicate that fact on the voter eligibility list and on the list of replacement ballots maintained by election officials. If a voter returns two ballots, election officials must decide in advance which ballot to count. Usually the replacement ballot should be counted; the other returned ballot should be declared void.

**CB&R Committee Recommendation:** The Committee recommended NOT TO APPROVE on the basis that most of the steps outlined are already followed and there is already discussion to pursue other procedures including electronic voting.

**TSEA Board of Directors Recommendation:** The Board of Directors moved to concur with the CB&R Committee NOT TO APPROVE for the reasons outlined by the committee, also because there is a small number of ballots being returned and there is concern for duplicate ballots being sent out.

The Board also moved an amendment, which was properly seconded and passed that because a plan is underway which could include electronic voting, if electronic voting is not approved, then voter ID numbering would be used.

**Sponsor(s):** Paul Cade, Memphis Higher Education Chapter
Endorsed by Memphis Higher Education Chapter at March 7, 2016 chapter meeting.

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### Bylaws Proposal – Associate Membership

Whereas, Currently TSEA BYLAWS ARTICLE II – MEMBERSHIP, SECTION 1. Rights and Privileges includes two membership categories:

- Regular: Regular members in good standing shall have full rights and privileges.
- Retiree: Retiree members shall be eligible to participate in association activities and shall have the same rights and privileges as regular members.

Whereas, TSEA desires to incorporate a third membership category called “Associate Members” for the purpose of increasing membership availability to vested employees with five or more years of service not previously covered for membership in the category of regular or retiree member.

Whereas, To be considered an eligible “Associate Member” you must:

- Be an employee of state government and Higher Education that is not retirement eligible, but has five (5) years of state or Higher Education service, is vested with TCRS and has left state government or Higher Education thru no-fault of their own.
- Not be eligible for membership as either an active or retired state government or Higher Education employee;
- Pay annual membership dues of $186.00

Whereas, With active membership as an “Associate Member”, you may:

- Be elected and hold chapter office;
- Attend and vote as a delegate at the annual Representative Assembly;
- If meeting all criteria, be eligible to seek election to the TSEA Board of Directors;
- Attend statewide meetings as a chapter representative/delegate; and
- Be an employee of state government and Higher Education that is not retirement eligible, but has five (5) years of state or Higher Education service, is vested with TCRS and has left state government or Higher Education thru no-fault of their own.

- Be elected and hold chapter office;
- Attend and vote as a delegate at the annual Representative Assembly;
- If meeting all criteria, be eligible to seek election to the TSEA Board of Directors;
- Attend statewide meetings as a chapter representative/delegate; and

- Membership perk benefits include access to discounts and benefit programs including:

- Discounted Insurance Benefits: (i.e. Ameritas Dental and Vision, Hospital Indemnity Plan, Wholesale Priced Term Life Insurance, Group Universal Life Insurance, discounted rates for auto, Home and Renters insurance, Disability Income Policy with Critical Care coverage; Wellness benefits for cancer screenings, Long-term Care Policy for nursing home, Home health and community based care, Accident insurance for employee, spouse and children, Identity Theft Protection, Pet Insurance)
- Discount tickets to offered theme parks (i.e. Tennessee Aquarium, Regal, Carmike & Malco Theaters, Knoxville Zoo, Memphis Zoo, Nashville Zoo and Official Ticket Center of Florida)
- Other Discounts: Computer purchases through Dell, vehicle purchases and car rentals, movie tickets, Sam’s Club, Official Ticket Center Orlando & theme parks, and savings on pharmacy items with Rx Savings Card.

BE IT RESOLVED, by the 42nd Annual TSEA Representative Assembly, that BYLAWS ARTICLE II – MEMBERSHIP, SECTION 1. Rights and Privileges is amended to include the following new section:

- Associate Member: An employee of state government and Higher Education that is not retirement eligible, but has five (5) years of state service, is vested with TCRS and has left state government or Higher Education, shall be eligible for membership and shall have the rights and privileges as outlined above. Dues payments for Associate members shall be $186.00 annually.

**CB&R Committee Recommendation:** APPROVE with the following changes:

- Change to read: state government and/or Higher Education (both places)
- Change to read: Pay annual membership dues of $125, payable upon enrollment
- Change section c. to read:
  - c. Associate Member: An employee of state government and/or Higher Education that is not retirement eligible, but has five (5) years of state service, is vested with TCRS and has left state government or Higher Education, through no-fault of their own, shall be eligible for membership and shall have the rights and privileges as outlined above. Dues payments for Associate members shall be $125.00 annually, payable upon enrollment.

**TSEA Board of Directors Recommendation:** APPROVE with the following changes:

An Associate member(s):

- must be a current TSEA member at the time of separation;
- must have five (5) years of state service or higher education service and be a TSEA member for at least one (1) year;
- if holding an office currently (at the Board or chapter level), that position is retainable as an associate member;
- is eligible to be in future elections for that position;
- is eligible to run for other positions or future elections;
- if a staff member of TSEA can hold office at any level;
- receives an election ballot to vote; and
- dues will automatically adjust the same as active employee dues; initial dues are payable at the time of enrollment and annually thereafter.

**Sponsor(s):** Constance Smith-Burwell, Davidson County chapter member
By petition of 26 valid member signatures

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President Merritt interviews Lt. Gov. Ramsey

By Chris Dauphin
TSEA Communications Director
chris.dauphin@tseaonline.org

Shortly after announcing he would not seek another term in the state Senate, Tennessee Lt. Gov. Ron Ramsey sat down with TSEA President Bryan Merritt for a brief interview about Ramsey’s political career, state employee issues, and the future. Merritt opened the interview asking Ramsey about his political career. Ramsey said he recalled having his first meeting with TSEA in 1992, seeking the association’s support for his initial run for the House, and has made a point to meet with us in every election year since then.

After two terms in the House, and moving to the Senate in 1996, Ramsey said he wasn’t happy about his party being in the minority since the Civil War, so he decided to aggressively recruit and raise funds for Republican candidates.

According to Ramsey, in 2004 Republican’s achieved their first majority in Tennessee. Three years later, Ramsey became the first Republican Lt. Governor of Tennessee in over 140 years. The only Republican Lt. Gov. prior to Ramsey served two years from 1867-1869.

When asked about his decision to not seek reelection, Ramsey said, “I have four grandsons, and it makes my heart hurt when I leave them on my way to the Senate.” Ramsey then went on to say, “I’d dang, I wish I had spent more time with them. I’m going to make sure I spend a lot of time with them.”

President Merritt asked Merritt how TSEA can be effective in the future. “The number one thing you can do is have several state employees develop a personal relationship with their legislators,” Ramsey said. “There is an old saying that legislators perceive a trickle to be a flood. If you get 10 phone calls on an issue, you think ‘the world is falling apart.’” Ramsey ended by saying state employees need to be willing to call their legislators when there are important issues under consideration.

President Merritt ended the interview by thanking the Lt. Governor for his years of support, and his understanding of state employee’s issues.

Important Election Deadlines

TSEA Election Timeline

Wednesday, March 2, 2016 (at least 60 days prior to ballots being mailed) was the deadline for submitting nominating petitions to seek election to the Board of Directors for the positions of President, Secretary, Treasurer, and Districts 2, 4, 6, 8, 10 and 12 Directors.

Based on that deadline, the only contested race was declared, which was President. Please refer to the March/April issue of the Co-Worker for candidate bio information.

The 2016 election ballot was approved for mailing by the Board of Directors at their Friday, March 18 meeting. Election ballots were printed and mailed on Monday, May 2, 2016.

TSEA members statewide have the opportunity to cast their vote until Wednesday, June 1, which is the deadline for ballot to be received in the designated post office box. On that date, the TSEA Election Certification Committee will retrieve those ballots, review and tabulate the votes to determine the election outcome.

Please watch the mail for your ballot. If you have changed your address and have not notified the TSEA office, please call or email the TSEA office immediately to update your membership information. And, if you don’t receive your ballot in a reasonable time after the May 2 mailing, then please contact the TSEA office.

Thursday - August 4: Election Day, State Primary

State and Federal General Election

Tuesday - October 11: Voter Registration Deadline to vote in November State and Federal General Election

Wednesday - October 19: November 3: Early voting for November State and Federal General Election

Tuesday - November 8: Election Day, State and Federal General Election
### TENNESSEE STATE EMPLOYEES ASSOCIATION

#### PROPOSED BUDGET FOR 2016-2017

**Anticipated Income for 2014-2016**

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<td>I.</td>
<td>Membership Dues</td>
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<td>II.</td>
<td>TEAM Administrative Fees</td>
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<td>III.</td>
<td>Miscellaneous (Includes Purchasing Power, Federated, Interest and Fundraising)</td>
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<tr>
<td></td>
<td><strong>Total Income</strong></td>
<td>$2,273,162</td>
<td>$2,226,174</td>
<td>$2,332,902</td>
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Membership dues are based on regular dues of $14.77 per month ($13.42 per month for TSEA Budget plus $1.35 per month as pass-through for TEAM)

Regular Members* 12,300 x $15.69 per month x 12 $2,315,844
Retiree Members 1400 x $5.00 per month x 12 $84,000
**Total Anticipated Dues** $2,399,844

* Includes members from Central Government as well as Higher Education

TEAM Dues
$200,880.00 pass-through funds will go to TEAM based on the above membership projections.

Regular Members 12,300 x $1.41 x 12 $208,116
**Net TSEA Dues Revenue** $2,191,728

**Expenditures for 2014-2017**

* Rounded to nearest 1,000

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<td>1</td>
<td>STAFF SALARIES AND BENEFITS Includes salary, longevity, TCRS, (401K) match, employees insurance contributions, and employment taxes. Includes 2.5% raise.</td>
<td>1,577,000</td>
<td>1,490,000</td>
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</tr>
<tr>
<td>2</td>
<td>MEMBER/LEADER INVOLVEMENT Includes chapter meetings, meetings for standing committees and ad hoc committees, Representative Assembly, Retiree Meetings, and other seminars, training or projects. Includes all member travel and facilities cost for these meetings.</td>
<td>98,000</td>
<td>100,000</td>
<td>100,000</td>
</tr>
<tr>
<td>3</td>
<td>LEGAL FEES Includes costs of outside legal counsel, filing fees, cost of records, necessary depositions and travel for witnesses.</td>
<td>54,000</td>
<td>50,000</td>
<td>50,000</td>
</tr>
<tr>
<td>4</td>
<td>POSTAGE Includes cost of mailing the Co-Worker, recruitment materials for new state employees, new members welcome packets, worksite representative information, and all other mailings.</td>
<td>44,000</td>
<td>40,000</td>
<td>40,000</td>
</tr>
<tr>
<td>5</td>
<td>PRINTING Includes printing of Co-Worker, printing and production costs, and photography supplies for internal and external communications</td>
<td>62,000</td>
<td>60,000</td>
<td>60,000</td>
</tr>
<tr>
<td>6</td>
<td>STAFF TRAVEL Includes fuel costs for Association vehicles, mileage for business related use of personal cars, lodging and meals for all staff business related travel.</td>
<td>57,000</td>
<td>55,000</td>
<td>55,000</td>
</tr>
<tr>
<td>7</td>
<td>INSURANCE Includes insurance on vehicles, building and contents, business liability, employment practices liability, board, staff, and attorney liability, and liability insurance.</td>
<td>32,000</td>
<td>32,000</td>
<td>32,000</td>
</tr>
<tr>
<td>8</td>
<td>TEMPORARY SERVICES Includes cost of temporary assistance and contracted services when required.</td>
<td>4,000</td>
<td>4,000</td>
<td>4,000</td>
</tr>
<tr>
<td>9</td>
<td>BOARD TRAVEL Includes all travel reimbursement for the Association board of directors necessary lodging and meals to attend board meetings, chapter meetings and other official Association related activities.</td>
<td>35,000</td>
<td>35,000</td>
<td>37,000</td>
</tr>
</tbody>
</table>
## TENNESSEE STATE EMPLOYEES ASSOCIATION
### PROPOSED BUDGET FOR 2016-2017

(Continued)

<table>
<thead>
<tr>
<th></th>
<th>MAINTENANCE</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>10</td>
<td>Includes maintenance contracts on the computer system and other office equipment, cost of vehicle maintenance, routine building maintenance and minor repairs.</td>
<td>47,000</td>
<td>40,000</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>RECRUITMENT ACTIVITIES &amp; MATERIALS</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>11</td>
<td>Includes recruitment incentives and projects to attract new members.</td>
<td>75,000</td>
<td>75,000</td>
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</tbody>
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<table>
<thead>
<tr>
<th></th>
<th>TELEPHONE</th>
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</thead>
<tbody>
<tr>
<td>12</td>
<td>Includes all phone lines, FAX and internet service.</td>
<td>20,000</td>
<td>20,000</td>
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</tbody>
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<table>
<thead>
<tr>
<th></th>
<th>UTILITIES &amp; HOUSING</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>13</td>
<td>Includes electric, gas, and water bills, trash removal service, pest control services, building security, custodial services and lawn care.</td>
<td>21,000</td>
<td>22,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>SUPPLIES</th>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>14</td>
<td>Includes all general office supplies and paper for both in-house printing and general usage. Also includes minor computer software and equipment purchases.</td>
<td>15,000</td>
<td>15,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>PROFESSIONAL FEES</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>15</td>
<td>Includes annual audit, 401K administration, professional privilege tax for registered lobbyists and staff attorney.</td>
<td>19,000</td>
<td>20,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>DUES &amp; SUBSCRIPTIONS</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>16</td>
<td>Includes subscriptions to various legal and employee publications.</td>
<td>4,000</td>
<td>5,000</td>
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<thead>
<tr>
<th></th>
<th>LOBBY DAY/LEGISLATIVE DINNERS</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>17</td>
<td>Includes lobbyist, cost of development and production of informational materials and activities in support of the Association’s legislative agenda.</td>
<td>25,000</td>
<td>23,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>TAXES</th>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>18</td>
<td>Real estate and Personalty taxes.</td>
<td>16,000</td>
<td>16,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>MISCELLANEOUS, AWARDS AND TRAINING</th>
<th></th>
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<tbody>
<tr>
<td>19</td>
<td></td>
<td>5,000</td>
<td>5,000</td>
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<thead>
<tr>
<th></th>
<th>PROPERTY AND EQUIPMENT REPLACEMENT</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>20</td>
<td>Computers, automobiles, etc.</td>
<td>8,000</td>
<td>15,000</td>
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<table>
<thead>
<tr>
<th></th>
<th>TEAM REPAYMENT</th>
<th></th>
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<tbody>
<tr>
<td>21</td>
<td></td>
<td>42,000</td>
<td>42,000</td>
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### TOTAL CASH EXPENDITURES

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<tbody>
<tr>
<td>Gross Income</td>
<td>2,260,000</td>
<td>2,164,000</td>
<td>2,251,000</td>
</tr>
<tr>
<td>Net Income</td>
<td>13,000</td>
<td>62,000</td>
<td>82,000</td>
</tr>
</tbody>
</table>


A budget for TSEA will be adopted during the Representative Assembly by the member delegation. The above proposed budget has been recommended and approved by the TSEA Board of Directors and is presented here for your review prior to the assembly.
Chapter Meetings

Reminder: TSEA also sends out Chapter Meeting notifications by email. If you’d like to receive your notices by email, please sign-up for our emails on our website at tseaonline.org, or you can view them in the tsclaw@tseaonline.org.

If you do not have access to email and/or would like to receive your communications from TSEA by U.S. Mail, please contact TSEA at 1-800-251-TSEA (8732) or email info@tseaonline.org.

Campbell/Scott
Thursday, May 12
6:00 p.m. – Dinner & Meeting
El Rey’s Mexican Restaurant
201 Howard Baker Highway
Pioneer, 37847

Chapter will pay up to $10.00 limit on meal.
Topic: Legislative Recap, RA Planning
For info, contact: Lisa Moffett
(423) 571-0094

Davidson County
Monday, May 17
5:30 p.m.
Goodwill Career Solutions Center
937 Herman Street
Nashville, 37208
Topic: Davidson County Elections
For info, Contact: Cheryl McCormick
615-867-7075

Shelby County
Wednesday, May 18
5:30 p.m.
Benjamin L. Hooks Library
3030 Poplar Ave
Memphis, 38111
Five $5 door prizes
For info, contact: Calvin Lewis
(901) 212-4621

Fayette
Thursday, May 19
5:30 p.m.
Trustmark Bank
16790 Hwy, 64
Somerville, 38068
Topics: Upcoming RA General Assembly
Door Prizes
For info, contact: Helen Jones
(901) 465-8257

Knox/UT
Tuesday, May 24
5:30 p.m. – Dinner (Dutch treat)
6:00 p.m. - Meeting
Chick-Fil-A
4944 Kingston Pike
Knoxville, 37919
Topic: Representative Assembly
For info, contact: Betty Beal
(865) 622-1679
Betty Hardin (865) 755-0821, or
Pat Kline (865) 216-9360

Maury/Marshall
Thursday, May 26
5:00 p.m.
Bethel Chapel AME Church
1125 South Glade Street, 38401
Columbia, 38401
Agenda Items: LOBBY DAY and ELECTIONS OF OFFICERS. ALL members are asked to please attend.
For info, contact: Yolanda Neal
(c) (931) 632-0255
(w) (931) 540-2662

MHE
Monday, June 6
5:00 p.m.
Junior League of Memphis
3475 Central Avenue
Memphis, 38111
Meal paid by Chapter
Topic: Recruitment
Guest Speaker: Lisa Moffett, TSEA Membership Manager
Members - bring a non-member to join our chapter and win a prize. Good food, music and door prizes.
Regina Cade
(901) 485-1486
rmcade@bellsouth.net

Shelby County
Thursday, June 2
12:00 p.m.
La Carreta
1386 Dolly Parton Parkway
Sevierville, 37862
Door Prizes A few lunches will be given away.
Topic: Legislative Recap, Chapter Elections, RA
For info, contact: Dawn Whitley
(865) 654-6391

Greene
Friday, June 3
12:30 p.m.
GVDC Staff Dev., Classroom 5
1125 South Glade Street, 37924
Grenville, 37745
Topic: Pizza will be provided please bring a drink
Legislative Recap, Chapter Elections, RA
For info, contact: Bernice Jozsa
(423) 787-6882

Tims Ford
Thursday, June 9
6:00 p.m.
Oasis Restaurant
708 College Street
Winchester, 37398
For info. Contact: Wendell Carter
(931) 841-1184

Tennessee
Friday, June 10
5:00 p.m.
Junior League of Memphis
3475 Central Avenue
Memphis, 38111
Door Prizes or Dutch treat
For info, contact: Patricia Goodwin
(901) 485-1486
rmcade@bellsouth.net

Forked Deer
Tuesday, June 7
5:30 p.m. - Dinner
6:00 p.m. - Meeting
Lowell Thomas State Office Building
225 Dr. Martin Luther King Dr.
Jackson, 38301
Meal paid by Chapter
Election of officers for info, contact:
Debra Harston
(731) 426-6170

Highland Rim
Tuesday, June 7
6:00 p.m.
Taste and See Café
N. 90 College Street
McEwen, 37101
For info. Contact: Sharon Curtis
(931) 622-0767

Hatchie River
Thursday, June 9
6:00 p.m. – Dinner (Dutch treat)
7:00 p.m. - Meeting
Emily’s Restaurant
815 Highway 51 North
Ripley, 38063
Topic: Election of new Chapter Officers
Door prizes, RA last minute details
For info, contact: Wanda Epps-Secretary
(731) 671-5805

Upper Cumberland
Thursday, June 9
6:00 p.m.
Casa Luna
125 Churchill Drive
Sparta, 38583
Dinner is a Dutch treat
Topic: Upcoming RA
Door Prizes
Sam Elder
(931) 349-2665

Shelby County
Wednesday, June 15
5:30 p.m.
Benjamin L. Hooks Library
3030 Poplar Ave
Memphis, 38111
Five $5 door prizes
For info, contact: Calvin Lewis
(901) 212-4621

Tealeaf
Tuesday, June 21
6:30 p.m.
Rhea County DHS
224 4th Ave Suite 102
Dayton, 37321
Light snacks provided
Topic: Chapter Elections, RA Recap, Legislative Recap
For info, contact: Mary Runyon
(423) 618-6853

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Roane
Wednesday, June 22
5:30 p.m. - Meeting (w/Elections)
6:15 p.m. - Dinner
Roane County Park
3575 Roane State Hwy.
Harriman, 37748
Annual Cookout with Elections
Guest Speaker: State Senator Ken Yager and Rep. Kent Caffee
Note about cookout: Chapter will pay for the meats (hamburgers and hot dogs), plates & utensils. Members are to bring trimmings, condiments, side dishes & desserts. Everyone bring your own drinks.
For info, contact: Daniel Orange
(865) 425-4483
Daniel.Orange@TN.Gov

Knox/UT
Tuesday, June 28
5:30 p.m. - Dinner
(Dutch treat)
6:00 p.m. - Meeting
Chick-fil-A
4944 Kingston Pike
Knoxville, 37919
Topics: Recap of RA Door Prizes (2)
For info, contact: Betty Beal (865) 622-1679 or Pat Kline (865) 216-9360

Marion
Thursday, July 7
5:30 p.m. - Dinner
6:00 p.m. - Meeting
Raphael's Italian Restaurant
4725 Main Street
Jasper, 37347
Meal paid by Chapter
Topic: RA 2016 update
Door prizes
Please RSVP (email preferred) to Ingrid Long by July 3rd to schedule available seating.
For info, contact: Ingrid Long
(423) 942-2238 x 108
Ingrid.LONG@TN.GOV

Hamilton
Thursday, June 23
6:00 p.m.
TDOT
4005 Crow road
Chattanooga, 37421
Olive Garden
6:30 p.m.
Carrissa Coleman
(731) 222-0225
Carrissa.Coleman@TN.GOV

Hiwassee
Friday, June 24
5:30 p.m.
Bradley County DHS
950 Star View Drive
Cleveland, 37311
Light Meal will be provided.
Topic: Legislative Recap, Chapter Elections, RA Re-Cap
For info, contact: Clarence Ross
(423) 503-2343

Southwest
Thursday, July 14
Details pending

Shelby County
Wednesday, July 20
5:30 p.m.
Benjamin L. Hooks Library
3030 Poplar Ave
Memphis, 38111
Topic: Planning Meeting Five $5 door prizes
For info, contact: Calvin Lewis
(901) 212-4621

Pioneer
Thursday, August 4
11:30 a.m.
DCS
802 Gibson Rd.
Trenton, 38382
Lunch provided by chapter.
For info, contact: Carrissa Coleman
(731) 222-0225

TWS
Tuesday, August 9
6:30 p.m.
Olive Garden
401 S. Mt. Juliet Rd.
Mount Juliet, 37122
Meal paid by Chapter Topic: TSEA Business
For info, contact: Bill Bledsoe
(615) 253-1115
bill.bledsoe@tn.gov

Wayne County
Monday, June 27
6:00 p.m.
2nd Annual TSEA chapter mixer
LeFlore Dining Facility
705 Highway 99
Waynesboro, 38485
For info. Contact: Darlene Risner
(931) 722-7393

TSEA promotes Lisa Moffett to Membership Manager
With over 22 years of service as the East Tennessee Field Representative for TSEA, Lisa Moffett has been promoted to Membership Manager.
“Lisa received a B.A. in Political Science from ETSU where she was a member of the Delta Zeta Sorority and the ETSU Alumni Mentoring Program. She is currently a member of the Tennessee Lobbies Association. Please take a moment to welcome Lisa into her new role with TSEA. We know she will continue to be a great asset to our members and our association.”

Lisa Moffett
615-253-1115
bill.bledsoe@tn.gov

May/June 2016 • Page 15
RA delegates, make your plans today to attend the 42nd Annual TSEA Representative Assembly scheduled for June 16-18 at Cool Springs Marriott in Franklin, TN. The first contact delegate notices were mailed to chapter presidents informing chapters of the number of delegates they can bring to the RA. Actual registration materials will be mailed to chapters by April 27 (at the latest) with a deadline for delegate registration for guaranteed annual leave and hotel lodging on Wednesday, May 25.

Chapters are already meeting to select the delegates they will send to represent their chapter at the RA.

There are great events scheduled at this year’s RA. At the Board of Directors meeting that will be an opportunity to hear and discuss the legislative session outcomes with the Board of Directors and Executive Director Randy Stamps and information about on-going issues that affect state employees. And TEAM will begin discussion of the first round of legislative endorsements for this election cycle. On Friday, TSEA is planning a panel of representatives from the Dept. of Human Resources, Finance & Administration and the Governor’s office to talk with you about pay raises and market adjustments for employees. Also there will be chapter officers training to better equip our chapter officers for the coming year and continue with TEAM Local Coordinator training by the TEAM PAC on the role and responsibilities for coordinators.

Even with all the hard work planned as part of the RA, there will be time for some RA fun. You will want to attend the TEAM Convention and 35th birthday celebration as there will be many surprises for those attending TEAM’s celebratory convention. And, then more fun at the awards celebration and the Friday night dance with music provided by DJ Tim.

On Saturday, delegates have the responsibility of approving the budget for TSEA operation during the next fiscal year as well as voting on Bylaws or policy recommendations.

For more information, including a tentative schedule of events, please visit our website at tseaonline.org.

The Co-Worker is published by the Tennessee State Employees Association with the intent to advise and inform Association membership. The TSEA Executive Director has reviewed and approved this issue and is the final authority on its content.