

APA July/August Newsletter

Much more than the basic package

The Right to Work law requires all employees working a position covered under a collective bargaining agreement (CBA), to have representation for those provisions covered within that CBA. This law feeds the misperception that those not paying union dues get the exact same thing as those who do pay. Our everyday work lives are impacted not solely by the terms of our current CBA but also through a wide range of ever-changing University ordinances, policies, procedures and practices. The opening statement from the MSU Support Staff Employee Handbook clearly indicates there are many more aspects impacting our work life than those topics covered in our current Administrative Professional Association (APA) CBA.

In addition to the extensive list of topics in the MSU Support Staff Employee Handbook, we also work inside the boundaries of individual departmental policies.

Below are common topics that influence our everyday work life. These are examples that are not covered by the current CBA. Help in these areas is a benefit only available to dues-paying members in addition to the basic contractual representation. This is not the entire list, but it does reflect weekly assistance the APA provides to dues-paying members. In reviewing the depth of the MSU Policy and Procedures it is apparent there are many areas where a partner can help us traverse a complicated path.

- All stages of a performance evaluation
- How to succeed during first-year probationary period
- The issues to consider if asking for reclassification
- Adaptation to new procedures and practices during these times of change
- Make a good case for a promotion or merit recognition
- Approach conversations related to workload and balancing that with the supervisor's expectations
- Negotiate a fair starting wage when changing a position on campus
- Applying for other positions on campus
- Start the conversation to understand how our October raises are divided and what parameters are the basis of the decisions
- Advisement on new policy forms being presented and how we should respond
- Working with difficult work situations
- Flexible work schedules including telecommuting
- Address the Outside Work for Pay document
- Work with Compensatory time

These topics are only a small sample of the situations where the APA helps our dues-paying members every day. Non-dues paying members do not "get the same thing for free". For every topic which is outside the CBA, the APA can have a profound effect on our members' lives and careers. Having a partner is invaluable not only in the bad times but in our everyday work life and the unexpected moments that arise.

Our collective voice is the foundation of the protections we have at this time. It is also the root system from where we grow. Dues-paying membership not only re-enforces our basic foundation but adds personal value when we have partners who can assist with the entire breadth of issues encountered in our day to day work.

Relationship Violence, Sexual Misconduct and Title IX Policy

Submitted by Shannon Alston, MEA/APA UniServ Director

Please note that the following is not intended to be construed as legal opinion, I am not advising you in a legal capacity, and the laws referred to could be subject to change prior to enactment. The information below is not a substitute for the advice of legal counsel.

On August 14, 2020, a change in the law surrounding Title IX will take effect and it will impact MSU's handling of complaints of relationship violence, sexual misconduct and stalking. As a result, MSU is drafting an updated policy. Once the new version of MSU's policy is finalized, it will likely be posted on the MSU website and be made readily available to all employees and students. I encourage everyone to review those policies when they become available as they provide detailed information on how the Office of Institutional Equity (OIE) and Title IX Coordinator deal with complaints about relationship violence, sexual misconduct and stalking. In the meantime, I would like to share a couple changes that may impact you whether you are a Complainant (accuser) or a Respondent (accused).

One of the most significant changes, in my opinion, is that once a matter becomes a *formal* complaint (one that has been reduced to writing and signed), it must progress through all of the steps of the investigation process INCLUDING the holding of a hearing. In the past, a hearing was only required if *at least one* of the parties (Complainant or Respondent) wished to have a hearing. Now it will be mandatory. Please note that only a *formal* complaint triggers this requirement. Up until the time that the complaint becomes formal, there is generally no requirement that it progress to a hearing stage. Furthermore, a complainant should still be able to choose to drop a complaint at any time before it reaches a hearing stage. Unfortunately in that situation there is not a final determination because the complaint has been dismissed prior to the hearing. The one exception is that a Title IX investigator can choose to file a formal complaint and continue it through the hearing process without a Complainant's signature if the university knows or reasonably should have known that prohibited conduct was occurring in violation of the policy.

Another change to the law is that the Respondent will now be presumed "not responsible" for violation of the policy until there has been a determination, based on the preponderance of the evidence, that it is more likely true than not that the Respondent is responsible. The burden of proving responsibility will be on the university.

Most of the other changes in the law do not impact MSU's process for dealing with these matters because the process used by MSU is already in compliance with those changes.

The most important thing that you should take away from this article though is not about the changes to the law, it is that APA members are never alone in these matters.

If you feel that you are a victim of relationship violence, sexual misconduct, or stalking, you can contact the following resources to discuss reporting options, the formal complaint process and to get support in *confidence*:

MSU Center for Survivors <https://centerforsurvivors.msu.edu/>

MSU Employee Assistance <https://eap.msu.edu/>

MSU Counseling and Psychiatric Services (CAPS) <https://caps.msu.edu/>

MSU Safe Place <http://safeplace.msu.edu/>

University Ombudsperson <https://ombud.msu.edu/index.html>

Of course, you can also contact your APA to provide support to you as a victim and/or defend you as a Respondent in these matters. However, I would like to caution members that while we, as your representatives, keep our discussions with you confidential, there is no legal right to confidentiality between you and your APA leader or between you and your MEA UniServ Director. We could be compelled to testify as to the content of our conversations with you in a court of law. This is particularly relevant if you are a Respondent and the actions that you are being “accused” of amount to criminal behavior. In such a case, you should tell us this when contacting us for assistance, without including details, so that we can request criminal representation for you.

Lastly, I would like to say that using the formal complaint process through the university is not the only means of dealing with the issues of relationship violence, sexual misconduct and stalking. In many cases you might also consider involving the police, contacting an outside agency (such as the EEOC) or contacting an attorney to discuss other legal options.

Legislative Update

Dear Members,

I hope all is well with you and your families during this uncertain time.

With some of our members being on furlough, we want to continue to keep you inform. The general election is on November 3rd and is fast approaching, we wanting to send you a quick note with various links regarding voter registration, requesting an absentee voter ballot and, most of all, voter education. **Remember, you do not need a reason to vote early with Michigan’s new voter law. You may register to vote online until October 19th, 2020. From October 20th through November 3rd, you can register to vote with your local clerk with proof of residency.**

We respect the divide between business and personal matters, and therefore we are sending this information to your personal email address. Please be aware that no union dues are ever spent on political matters, such as partisan campaigning. If you are interested in learning more about the Michigan Education Association (MEA)’s Political Action Committee (PAC), please visit the MEA link below. In these uncertain times, engagement is more important than ever. Do not be discouraged but be encouraged to participate.

<https://mvic.sos.state.mi.us/RegisterVoter>

https://www.michigan.gov/sos/0,4670,7-127-1633_8716_8728-21037-,00.html

<https://www.vote411.org/>

<https://pac.mymea.org/>

Meet Fellow APA John “JJ” Thomas



- 1. What is your job title?** Administrative Business Analyst
- 2. How long have you been at MSU?** Started as a student in January 2013 (graduated May 2016) and returned in October 2016 as an employee.
- 3. Have you been a member of the APA the whole time?** No, I originally started in the CT Union, but joined the APA union when I started at the School of Criminal Justice in January 2018.
- 4. What department do you work in, and can you tell me a little bit about what you do?** I work in the School of Criminal Justice. I handle the School's communications/engagement efforts such as the School's website, social media accounts, etc. I am also the Assistant to the Director.
- 5. What brought you to your job at MSU?** I jokingly say "I grew up on this campus" because of the amount of time I spent in East Lansing as a kid (my mom worked here, so visits to campus were frequent). After graduating from MSU, I didn't believe my story at MSU was finished so I decided to return here as an employee and see where they story led.
- 6. What do you enjoy most about working at MSU?** I would say the people: students, faculty, staff, guests, etc. There is an atmosphere on campus when everyone is around that I haven't found replicated anywhere else.
- 7. What do you like to do when you are not at work?** I play the guitar, golf, mountain bike, read, spend time out on the water (paddle boarding, kayaking, fishing, or just simply being on a boat), doing house projects and building/fixing things. I am also enrolled in the Strategic Communication Master's Program here on campus, which is actually a lot of fun. It is an amazing program.
- 8. In high school I was known for ____.** Well, I was voted the Class of 2012 "Best Shoulder to Cry On" so I guess either that or stating random music facts that really didn't pertain to any particular conversation I was having at the time.
- 9. People would be surprised to know I am skilled at ____** hmm... wood working and building things. That seems to surprise people
- 10. I have ____ pets.** A lot (ha-ha). But, really, my girlfriend Brooke and I have 4 cats: Rex, Mojo, Little Lion Man, and Scarla. Growing up my family had two dogs: Spot and Rimshot who still live with my parents.
- 11. I like a lot of music.** However, my favorite style is Rockabilly.
- 12. My favorite area restaurant is any place with a patio, but my favorite food dish is Stir Fry.**
- 13. My favorite junk food is Gummy Bears because...**I'm not entirely sure why...but they seem to make the world a better place.

Membership Chair – Kandy Slack



New to APA?

Any new member signing up between August 1st and November 30th will be entered into a drawing for a chance to win several gift bags of MSU Gear, APA and MEA Swag!

For details on how to join or to submit your [membership form](#), contact MSU APA Membership Chair, Kandy Slack at slackkan@msu.edu for details.

A photograph of a modern brick building with large glass windows, likely the MSU building mentioned in the text. The building is illuminated from within, and the sky is a clear blue.

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Calendar

APA Executive Board
Location TBD
September 15 | 2:00 pm

[A Word from the APA President](#)

Much more than the basic package - benefits for our dues-paying members.

[Relationship Violence, Sexual Misconduct and Title IX Policy](#)

Shannon Alston, MEA/APA Uniserv Director with an informative message on changes to Title IX and how it will effect MSU policy.

[Legislative Committee Update](#)

Voting information from our Legislative Committee

[Your Fellow APs](#)

Meet Fellow APA member John "JJ" Thomas, Administrative Business Analyst at the School of Criminal Justice.

[New APA Member?](#)

Submit your [membership form](#) to be entered into a drawing!

If you know colleagues who are not receiving the APA Newsletter, encourage them to sign up at www.msuapa.org.

Michigan Education Association, PO Box 2573, East Lansing, MI 48823, USA

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