



FLORIDA INTERNATIONAL UNIVERSITY

BOARD OF TRUSTEES

GOVERNANCE COMMITTEE

FIU, Modesto A. Maidique Campus, Graham Center Ballrooms

Livestream: <http://webcast.fiu.edu/>

Thursday, June 16, 2022

12:45 PM

or

Upon Adjournment of Previous Meeting

Chair: Dean C. Colson, *Board Chair*

Vice Chair: Roger Tovar, *Board Vice Chair*

Members: Carlos A. Duarte, Natasha Lowell, Gene Prescott, Marc D. Sarnoff

AGENDA

1. Call to Order and Chair's Remarks Dean C. Colson
2. Approval of Minutes Dean C. Colson
3. Action Items
 - G1. Updated Exclusion Resolution Elizabeth M. Bejar
 - G2. Ratification of the Wage Reopener for Fiscal Years 2021-2022 and 2022-2023 for the 2020-2023 Collective Bargaining Agreement between The Florida International University Board of Trustees and Florida Public Employees Council 79, affiliate of the American Federation of State, County, and Municipal Employees, AFL-CIO (AFSCME) El pagnier K. Hudson
4. New Business *(If Any)* Dean C. Colson
5. Concluding Remarks and Adjournment Dean C. Colson

The next Governance Committee Meeting is scheduled for September 22, 2022

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THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
Governance Committee

June 16, 2022

Subject: Approval of Minutes of Meetings held March 17, 2022, March 18, 2022, and April 26, 2022

Proposed Committee Action:

Approval of Minutes of the Governance Committee meetings held on March 17, 2022, March 18, 2022, and April 26, 2022, at the FIU, Modesto A. Maidique Campus, Graham Center Ballrooms and via Zoom.

Background Information:

Committee members will review and approve the Minutes of the Governance Committee meetings held on March 17, 2022, March 18, 2022, and April 26, 2022, at the FIU, Modesto A. Maidique Campus, Graham Center Ballrooms and via Zoom.

Supporting Documentation: Minutes: Governance Committee Meetings, March 17, 2022, March 18, 2022, and April 26, 2022

Facilitator/Presenter: Dean C. Colson, *Board Chair and Governance Committee Chair*

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Governance Committee

March 17, 2022

via Zoom

MINUTES

1. Call to Order and Chair's Remarks

The Florida International University Board of Trustees' Governance Committee meeting was called to order by Board Chair Dean C. Colson at 12:01 p.m. on Thursday, March 17, 2022.

General Counsel Carlos B. Castillo conducted roll call of the Governance Committee members and verified a quorum. Present were Trustees Dean C. Colson, *Board Chair*; Roger Tovar, *Board Vice Chair*; Carlos A. Duarte; Natasha Lowell; Gene Prescott (*joined after roll call*); and Marc D. Sarnoff.

Trustee Joerg Reinhold was also in attendance.

Board Chair Colson explained that at its March 3, 2022 meeting, the FIU Board of Trustees delegated to the FIU Board of Trustees Governance Committee the authority to identify search firms that can assist the Board of Trustees in the selection of the University's next president, and after due consideration, to select and retain a search firm. He indicated that a Board of Trustees meeting will be scheduled in early April to name the search committee and that, in accordance with Florida Board of Governors regulation, upon formation of the presidential search committee, the FIU Board of Trustees will retain the presidential executive search firm/consultant that the Governance Committee has identified.

2. Review Presidential Executive Search Firms/Consultants

Board Chair Colson pointed out that, in anticipation of today's meeting, Board Vice Chair Roger Tovar met with the principals of nationally regarded search firms. He added that Trustees received background information on each firm along with the responses to a series of questions and indicators that each firm submitted.

Board Vice Chair Tovar stated that he met with the principals of the following presidential executive search firms/consultants: Greenwood/Asher & Associates; Isaacson, Miller; Myers McRae; R. William Funk & Associates; SP&A Executive Search; and Storbeck Search, which is Diversified Search Group's Higher Education firm. He indicated that Board members did not receive materials and information relating to Isaacson, Miller. Board Vice Chair Tovar explained that after he spoke with said firm, he was advised that they currently do not have the bandwidth to engage in a presidential search. Board Vice Chair Tovar stated that Board of Governors regulation provides that after the search committee is formed, the board of trustees or its designee, may retain the services of an executive search firm/consultant and any search firm/consultant that is retained should be familiar, or demonstrate its ability to become familiar, with Florida's Sunshine laws.

Board Vice Chair Tovar commented that the University's numerous accomplishments present a unique opportunity. He remarked on his conversations with the aforementioned firms, excluding Isaacson, Miller, and recommended that the Committee considering narrowing the potential presidential executive search firms/consultants and advancing three firms for interviews, specifically R. William Funk & Associates; SP&A Executive Search; and Storbeck Search Diversified Search Group. Board Vice Chair Tovar commented on each firm's qualifications and experience with recent R1 (Carnegie Classification: Doctoral Universities – Very high research activity) presidential/chancellor searches. In response to Trustee Natasha Lowell, Board Vice Chair Tovar mentioned that candidate qualifications are equally important to the willingness and ability to acclimate to FIU and the South Florida community. Trustee Carlos A. Duarte remarked on the fees associated with the firms. He noted that Myers McRae were the lowest, Greenwood/Asher & Associates were the highest, and the firms that Board Vice Chair Tovar is recommending were comparable. Trustee Duarte concurred with Board Vice Chair Tovar's recommendations.

Pursuant to the delegation of authority from the FIU Board of Trustees, as approved by the Board of Trustees on March 3, 2022, the FIU Board of Trustees Governance Committee (i) reviewed potential presidential executive search firms/consultants and (ii) recommended the following presidential executive search firms/consultants for interviews with the FIU Board of Trustees Governance Committee: R. William Funk & Associates; SP&A Executive Search; and Storbeck Search Diversified Search Group.

Board Chair Colson indicated that the firms selected for interviews would be allotted 20 to 30 minutes each.

3. New Business

No new business was raised.

4. Concluding Remarks and Adjournment

With no other business, Board Chair Dean C. Colson adjourned the meeting of the Florida International University Board of Trustees Governance Committee on Thursday, March 17, 2022 at 12:30 p.m.



Governance Committee

March 18, 2022

via Zoom

MINUTES

1. Call to Order and Chair's Remarks

The Florida International University Board of Trustees' Governance Committee meeting was called to order by Board Chair Dean C. Colson at 11:03 a.m. on Friday, March 18, 2022.

General Counsel Carlos B. Castillo conducted roll call of the Governance Committee members and verified a quorum. Present were Trustees Dean C. Colson, *Board Chair*; Roger Tovar, *Board Vice Chair*; Carlos A. Duarte; Natasha Lowell; Gene Prescott (*joined after roll call*); and Marc D. Sarnoff.

Board Chair Colson welcomed all Trustees and members of the University administration. He also welcomed the University community accessing the meeting via the webcast.

Board Chair Colson explained that at its March 3, 2022 meeting, the FIU Board of Trustees delegated to the FIU Board of Trustees Governance Committee the authority to identify search firms that can assist the Board of Trustees in the selection of the University's next president, and after due consideration, to select and retain a search firm. He indicated that in accordance with Florida Board of Governors regulation, upon formation of the presidential search committee, the FIU Board of Trustees will retain the presidential executive search firm/consultant that the Governance Committee has identified.

2. Interview Potential Presidential Executive Search Firms/Consultants and Identify Presidential Executive Search Firm/Consultant to be Retained

Board Chair Colson stated that after a thorough review of nationally regarded search firms, the Committee, at its March 17, 2022 meeting, recommended three (3) firms for interviews: R. William Funk & Associates, SP&A Executive Search, and Storbeck Search Diversified Search Group. Board Chair Colson added that each firm will be allotted 20 minutes for their respective presentations.

Board Vice Chair Roger Tovar introduced Mr. Robert William "Bill" Funk of R. William "Bill" Funk & Associates. Mr. Funk commented on his prior experience working with FIU and provided a summary of the firm and their experience in conducting presidential or chancellor searches. He mentioned that the firm has recruited presidents or chancellors to more than one-half of *U.S. News & World Report's* recently published "Top 30 National Universities." Mr. Funk noted that, over time, the firm has conducted more than 430 searches for college and university presidents and chancellors and has recruited chancellors/presidents for two-thirds of all public AAU (Association of American Universities) universities. He remarked on his firm's expertise in recruiting presidents to major public research institutions and discussed efforts in the area of diversity, equity and inclusion. Mr.

Funk mentioned that his firm is one of *Forbes* magazine's top 100 executive search firms, stating that the firm is listed in the best recruiters in various publications that have been published over the last five (5) to 10 years. Mr. Funk mentioned that his firm's contracts have recently included stipulations that the firm will not initiate another similar search for some period of time from the beginning of the search that they are conducting.

In response to Trustee Natasha Lowell, Mr. Funk mentioned that on an accumulative basis, he has spent approximately a month of time on the University's campus over a number of searches, which included the recruitment of R. Alexander Acosta as Dean of the FIU College of Law. Also responding to Trustee Lowell, he remarked on the recruitment of the first Chancellor of the Florida Board of Governors and presidents for institutions across the State University System of Florida. He commented on his placement of Dr. Donna E. Shalala as President of the University of Miami.

In response to Board Chair Colson, Mr. Funk remarked on his firm's placement of Mr. Mitchell E. Daniels, Jr. as President of Purdue University. In response to Board Vice Chair Tovar, Mr. Funk commented on outreach strategies to identify diverse pools of qualified candidates. Mr. Funk added that his firm recruited the first African American Presidents to Ohio State University and Rutgers University and the first Latina President at San Diego State University. Also responding to Board Vice Chair Tovar, Mr. Funk mentioned that important aspects to successful recruiting are ensuring that the candidate's intrinsic values align with the culture of the institution and the community. Further responding to Board Vice Chair Tovar, Mr. Funk indicated that a general timeframe for completing a presidential search is six (6) months.

Board Vice Chair Tovar announced that SP&A Executive Search has been named as the search firm for the University of Florida's presidential search. In light of that recent development, Board Vice Chair Tovar added that the Committee would no longer proceed with the interview of SP&A Executive Search. Board Chair Colson stated that the Committee would proceed to meet with Storbeck Search Diversified Search Group earlier than anticipated and that Committee would take a short break to allow Storbeck Search Diversified Search Group to become available to join the meeting.

Board Vice Chair Tovar introduced Shelly Weiss Storbeck and Tom Fitch of Storbeck Search Diversified Search Group. Ms. Weiss Storbeck provided an overview of the Storbeck team. She stated that the firm employs more than 80 consultants who support the education practice nationally and that 2/3 of said consultants are women and people of color. She noted that the firm conducts over 125 searches annually and that 1/3 of the firm's work relates to presidential searches. Ms. Weiss Storbeck indicated that the firm received an Exceptional "91" Net Promoter Score for the education practice. She commented on relevant presidential search experience.

Mr. Fitch described the presidential search process. In terms of the recommended timeline, he stated that recruitment over the summer is ideal and can be followed by candidate interviews over the fall with a summer 2023 start date. He commented on building a diverse pool and added that the firm's consultants have all completed unconscious bias training. He described the candidate vetting process, which include a database review, internet searches, negative press, deep background checks, and personality inventory. Mr. Fitch discussed best practices and communications. Ms. Weiss

Storbeck highlighted active and upcoming presidential searches and described the profile of college/university presidents nationwide. She commented on the pathways to presidency. In terms of trends and changes, she remarked on decreasing lengths in tenure, increase in percentage of women presidents and overall diversity, and the dramatic increase in the number of retirements/resignations resulting from the COVID-19 pandemic.

In response to Trustee Lowell, Ms. Weiss Storbeck commented on her firm's placement of Dr. Eduardo J. Padron as President of Miami Dade College. Also responding to Trustee Lowell, Ms. Weiss Storbeck remarked on the firm's Miami office, which is led by Mr. John Mestepey who has expertise in the Miami area. In response to Board Chair Colson, Mr. Fitch mentioned that FIU can expect overwhelming interest. In response to Trustee Marc D. Sarnoff, Mr. Fitch indicated that the number one priority for any president is to fundraise. Also responding to Trustee Sarnoff, Ms. Weiss Storbeck added that energy and integrity are key qualities that a president should possess. In response to Board Vice Chair Tovar, Mr. Fitch indicated that the firm's on-campus presence and continued engagement with the University community are important aspects in ensuring that potential candidates are familiar and connected with the community. Further responding to Board Vice Chair Tovar, Ms. Weiss Storbeck pointed out that Mr. Fitch would be the lead contact for FIU should they be the selected executive search firm.

Board Vice Chair Tovar reiterated the Board's commitment to a thorough, comprehensive, and patient search process that is centered on identifying the best candidate for FIU.

Committee members engaged in a discussion regarding the interviewed firms. Board Vice Chair Tovar mentioned that while he deemed R. William Funk & Associates and Storbeck Search Diversified Search Group equally qualified to undertake the presidential search at FIU, he commented that R. William Funk & Associates is best suited to attract a talented pool of candidates given the firm's experience with presidential/chancellor placements to R1 institutions. Trustee Sarnoff voiced his support of Storbeck Search Diversified Search Group. He remarked on Mr. Fitch's response to the question regarding the top qualities that a president should possess and the quality of the firm's presentation. Board Chair Colson mentioned that Mr. Funk's firm understands higher education and academia and can attract a high caliber candidate pool. Trustee Carlos A. Duart commented that while both firms are highly qualified, R. William Funk & Associates is more experienced in terms of R1 placements. Trustee Lowell concurred that Storbeck Search Diversified Search Group's presentation was superior but conveyed her support for Board Vice Chair Tovar's recommendation. Trustee Gene Prescott agreed that both firms were impressive. While he acknowledged the importance of Board Chair Colson's prior positive experience with R. William Funk & Associates, he stated that he leaned towards Storbeck Search Diversified Search Group because of the quality of their presentation. Board Vice Chair Tovar urged the Committee to focus on each firm's access to a highly qualified candidate pool.

Pursuant to the delegation of authority from the FIU Board of Trustees, as approved by the FIU Board of Trustees on March 3, 2022, a motion was made and passed that the FIU Board of Trustees Governance Committee (1) select the presidential executive search firm/consultant to be retained by the FIU Board of Trustees, upon the formation of the presidential search committee, in accordance

with Florida Board of Governors Regulations, in the following ranked order: 1st R. William Funk & Associates and 2nd Storbeck Search Diversified Search Group.

Trustees Prescott and Sarnoff voted against the motion.

A motion was made and unanimously passed that the FIU Board of Trustees Governance Committee authorize Board Vice Chair Roger Tovar to assist the University in negotiating and finalizing the contract and all other necessary documents for the retention of the presidential executive search firm/consultant, and take all actions related thereto.

3. New Business

No new business was raised.

4. Concluding Remarks and Adjournment

With no other business, Board Chair Dean C. Colson adjourned the meeting of the Florida International University Board of Trustees Governance Committee on Friday, March 18, 2022 at 12:39 p.m.



Governance Committee

April 26, 2022

FIU, Modesto A. Maidique Campus, Graham Center Ballrooms

MINUTES

1. Call to Order and Chair's Remarks

The Florida International University Board of Trustees' Governance Committee meeting was called to order by Board Chair Dean C. Colson at 11:42 a.m. on Tuesday, April 26, 2022.

General Counsel Carlos B. Castillo conducted roll call of the Governance Committee members and verified a quorum. Present were Trustees Dean C. Colson, *Board Chair*; Roger Tovar, *Board Vice Chair*; Carlos A. Duarte; Natasha Lowell; Gene Prescott; and Marc D. Sarnoff.

Trustees Joerg Reinhold, Chanel T. Rowe, and Alexander Rubido and Interim University President Kenneth A. Jessell were also in attendance.

2. Approval of Minutes

Board Chair Colson asked if there were any additions or corrections to the minutes of the Governance Committee meeting held on March 3, 2022. A motion was made and unanimously passed to approve the minutes of the Governance Committee meeting held on March 3, 2022.

3. Action Items

G1. Bonus Plan Certification Form

General Counsel Castillo presented the Bonus Plan Certification Form for Committee review. He pointed out that in the Board's discussions relating to the FIU Bonus Plan, the Board requested, in addition to the Board of Governors required certification from the University president, a certification from the General Counsel created in the same fashion as the Board of Trustees-approved Funding Certification Form. General Counsel Castillo indicated that the Bonus Plan Certification Form requires signatures by the Director of Compensation and Benefits, Senior Vice President of Human Resources, Chief Financial Officer, General Counsel, and University President.

A motion was made and unanimously passed that the Governance Committee recommend that the FIU Board of Trustees approve the proposed Bonus Plan Certification Form.

G2. University President's Performance Goals for Incentive Compensation, 2022

Interim University President Kenneth A. Jessell noted that while it was not his expectation to complete the goals for incentive compensation during his tenure as interim president, he was committed to making progress and setting up the frameworks and formats for addressing the included targets. He presented, for Committee review, the 2022 University President's Performance Goals for incentive compensation. He described the first goal: "improving FIU's transition to a

COVID-19 post-pandemic reality in regard to appropriate and sustainable educational instruction, workforce management, student engagement, financial stability, and business services operations.” Interim President Jessell explained that targets within said goal include aligning student credit hours taught online, hybrid, and face-to-face with Board of Trustees approved goals, ensuring that flexible work policies for faculty and staff prioritize student success and university goals, achieving enrollment targets to meet credit hour growth and non-resident tuition as specified in the University’s strategic plan, and developing sustainable academic program and enrollment plans for the Biscayne Bay Campus and FIU at I-75.

Interim President Jessell delineated the second goal: “opening the University’s new FIU in DC facility and launching strategies to increase student academic and internship experiences, enhancing federal agency engagement and funding, supporting national ranking strategies, and increasing alumni job placement at influential national organizations.” He pointed out that targets within said goal include generating incremental operating revenues by increasing research grants and indirect funding, auxiliary revenues, sponsorships, and philanthropy to enhance student success initiatives and strategic priorities. Interim President Jessell highlighted the third goal: “completing the final phase of the Next Horizon Campaign: focus on building a Panther movement where alumni feel connected to FIU and are engaged through events, storytelling, volunteering, and philanthropic support.” He noted that the campaign will culminate with the opening of the Alumni, Hotel and Conference Center. He remarked on targets within said goal, namely increasing the number of alumni participating in the capital campaign by 5,000 for 2022-23, achieving the \$3M fundraising goal for the construction of the Alumni Center, and maintaining the fundraising target of \$84M for 2022-23.

Interim President Jessell outlined the fourth goal: “establishing a succession planning framework for key leadership positions within the university to ensure that FIU is prepared to meet the challenges of a changing workforce.” He commented on targets within said goal, such as understanding the strengths of talent pool for critical executive roles, ensuring top talent remains at FIU, creating action plans to mitigate succession risks, identifying pivotal roles, and leveraging development tools and resources to enhance talent readiness. Interim President Jessell indicated that the fifth goal related to “significant events or milestones that help foster a culture of belonging and inclusiveness within the FIU community”. He added that targets within said goal include analyzing findings and developing recommendations in response to the University-wide belong survey; continuation of diversity, equity, and inclusion initiatives; and strengthening FIU’s accessibility infrastructure.

Interim President Jessell stated that the sixth goal pertained to “significant events or milestones of major impact to the University, including FIU development, community, and engagement initiatives; workplace culture enhancement; and local, regional, and national academic engagement, visibility, and ranking.” He provided an overview of the targets within said goal, including supporting initiatives, events, communications, and programs that assist in raising FIU’s reputation, representing FIU at community functions and events, actively participating in FIU events and programs, meeting with legislative, educational, and community partners, and assisting in donor relations and development.

A motion was made and unanimously passed that the FIU Board of Trustees Governance Committee recommend that the FIU Board of Trustees adopt the Interim President's Performance Goals for Incentive Compensation for the term of his employment agreement as presented and provided in the Board materials.

4. New Business

No new business was raised.

5. Concluding Remarks and Adjournment

With no other business, Board Chair Dean C. Colson adjourned the meeting of the Florida International University Board of Trustees Governance Committee on Tuesday, April 26, 2022 at 12:14 p.m.

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THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
Governance Committee

June 16, 2022

Subject: Updated Exclusion Resolution

Proposed Committee Action:

Recommend that the Florida International University Board of Trustees adopt a Resolution that updates the exclusion of the named members of the FIU Board of Trustees from the requirements for a personnel security clearance.

RESOLUTION

WHEREAS, Florida International University (“FIU”), a university in the State University System of Florida, has and desires to continue to enter into contractual obligations with agencies of the United States Government, including contractual obligations requiring security clearance; and

WHEREAS, current Department of Defense (DoD) policy requires that the Chair of the FIU Board of Trustees and all FIU principal officers meet the personnel clearance requirements established for the level of the University’s security clearance; and

WHEREAS, said DoD policy permits the exclusion from the personnel security clearance requirement of members of the Board of Trustees and other officers, provided that this Board adopts a resolution stating that such Board members and officers designated by name shall not require, shall not have, and can be effectively excluded from access to all classified information in the possession of FIU, and that they do not occupy positions that would enable them to adversely affect FIU's policies or practices in the performance of classified contracts for the DoD or other agencies of the National Industrial Security Program; and

WHEREAS, by Resolution dated December 8, 2021 (the “Exclusion Resolution”), it was resolved that the following Board of Trustees members, who were at the time serving on the Board, shall not require, shall not have, and can be excluded from access to all classified information in the possession of FIU, and do not occupy positions that would enable them to adversely affect FIU’s policies or practices in the performance of classified contracts for the Department of Defense (DoD) or other agencies of the National Industrial Security Program. As such, they were excluded from the requirements for a personnel security clearance.

Dean C. Colson
Rogelio Tovar
Cesar L. Alvarez
Jose J. Armas
Carlos A. Duart
Donna J. Hrinak
Natasha Lowell
T. Gene Prescott

Trustee, Chair
Trustee, Vice Chair
Trustee
Trustee
Trustee
Trustee
Trustee
Trustee

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|------------------|---------|
| Joerg Reinhold | Trustee |
| Chanel T. Rowe | Trustee |
| Alexander Rubido | Trustee |
| Marc D. Sarnoff | Trustee |
| Carlos Trujillo | Trustee |

WHEREAS, the composition of the FIU Board of Trustees has changed since the adoption of the Exclusion Resolution in that the term of the following Trustees ended, or will end, on the following dates: Alexander Rubido, May 8, 2022, and Joerg Reinhold, July 31, 2022, and the term of the following Trustees began, or will begin, on the following dates: Cristhofer Lugo, May 9, 2022, and Deanne Butchey, August 1, 2022. Accordingly, an update to the Exclusion Resolution is needed to reflect the current composition of the FIU Board of Trustees and the exclusion of those Board members, including the new Board of Trustees members, from the requirements for a personnel security clearance.

NOW THEREFORE, BE IT RESOLVED, that the following Board of Trustees members shall not require, shall not have, and can be effectively excluded from access to all classified information in the possession of FIU, and do not occupy positions that would enable them to adversely affect FIU's policies or practices in the performance of classified contracts for the Department of Defense (DoD) or other agencies of the National Industrial Security Program. As such, they are excluded from the requirements for a personnel security clearance.

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| Dean C. Colson | Trustee, Chair |
| Rogelio Tovar | Trustee, Vice Chair |
| Cesar L. Alvarez | Trustee |
| Jose J. Armas | Trustee |
| Deanne Butchey, effective August 1, 2022 | Trustee |
| Carlos A. Duart | Trustee |
| Donna J. Hrinak | Trustee |
| Natasha Lowell | Trustee |
| Cristhofer Lugo | Trustee |
| T. Gene Prescott | Trustee |
| Joerg Reinhold, through July 31, 2022 | Trustee |
| Chanel T. Rowe | Trustee |
| Marc D. Sarnoff | Trustee |
| Carlos Trujillo | Trustee |

This action is in the form of a resolution to take effect immediately upon adoption.

Adopted this 16th day of June, 2022 by the Board of Trustees of Florida International University.

Dean C. Colson
Chair
FIU Board of Trustees

Kenneth A. Jessell
Corporate Secretary
FIU Board of Trustees

Supporting Documentation: None

Facilitator/Presenter: Elizabeth M. Bejar

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THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
Governance Committee

June 16, 2022

Subject: Ratification of the Wage Reopener for Fiscal Years 2021-2022 and 2022-2023 for the 2020-2023 Collective Bargaining Agreement between The Florida International University Board of Trustees and Florida Public Employees Council 79, affiliate of the American Federation of State, County, and Municipal Employees, AFL-CIO (AFSCME)

Proposed Committee Action:

Recommend that the Florida International University Board of Trustees (BOT) ratify the wage reopener for fiscal years 2021-2022 and 2022-2023 of the 2020-2023 Collective Bargaining Agreement between the BOT and the Florida Public Employees Council 79, affiliate of the American Federation of State, County, and Municipal Employees, AFL-CIO (AFSCME). The major changes from the 2020-2023 BOT-AFSCME CBA are to the following section:

- Article 9: Wages
-

Background Information:

Representatives of the BOT and AFSCME have engaged in collective bargaining negotiations to discuss the wage reopener (Article 9) for AFSCME employees. The bargaining teams have reached an agreement on Article 9, Wages, of the 2020-2023 BOT-AFSCME CBA (see Term Sheet).

Florida Board of Governors Regulation 1.001 (5)(b) provides that each board of trustees shall act as the sole public employer of all public employees of its university for the purposes of collective bargaining and shall serve as the legislative body for the resolution of impasses with regard to collective bargaining matters.

On Thursday, June 9, 2022, representatives of the bargaining team signed the tentative agreement for the revised Article 9 of the 2020-2023 Collective Bargaining Agreement between the BOT and AFSCME.

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| Supporting Documentation: | BOT-AFSCME Term Sheet |
| | Article 9 of the 2020-2023 Collective Bargaining Tentative Agreement between the BOT and AFSCME, redlined |

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| Facilitator/Presenter: | El pagnier K. Hudson |
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BOT-AFSCME Term Sheet

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| Term: | 2020-2023 |
| Article 9.1 Wages | <p>Salary Increase for Fiscal Year 2021-2022</p> <p>Effective July 1, 2022, all eligible in-unit employees shall receive a one-time, nonrecurring bonus equal to \$3,500 dollars subject to applicable taxes and withholding. The bonus shall be paid in the first full pay period following ratification. This one-time, non-recurring bonus shall not adjust the base salary of the bargaining unit member. To be eligible, the employee must (1) have been employed by the University on or before June 30, 2021 and have been continuously employed through the effective date of the salary action, (2) not be in receipt of a notice of termination or submitted a letter of resignation, and (3) received an overall rating of 3 on the most recently submitted PEP.</p> <p><u>Salary Increase for Fiscal Year 2022-2023</u></p> <p>The University and the Union agree to a wage reopener for Fiscal Year 2022-23 to begin no later than May 2023.</p> |
| Article 9.2 Wages | No Change |
| Article 9.3 Wages | No Change |

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FIU Proposal – Wage Opener for Article 9

9.1 Salary Increase for Fiscal Year 2021-2022

Effective July 1, 2022, all eligible in-unit employees shall receive a one-time, non-recurring bonus equal to \$3,500 dollars subject to applicable taxes and withholding. The bonus shall be paid in the first full pay period following ratification. This one-time, non-recurring bonus shall not adjust the base salary of the bargaining unit member. To be eligible, the employee must (1) have been employed by the University on or before June 30, 2021 and have been continuously employed through the effective date of the salary action, (2) not be in receipt of a notice of termination or submitted a letter of resignation, and (3) received an overall rating of 3 on the most recently submitted PEP.

Salary Increase for Fiscal Year 2022-2023

All eligible in-unit employees shall receive no compensation, either in the form of an addition to the employees' base salary or non-recurring bonus for fiscal year 2022-2023. Instead, the University and the Union agree to a wage reopener for Fiscal Year 2022-23 to begin no later than May 2023.

9.2 Contract and Grant-Funded Employees

Employees on contracts or grants shall receive salary increases provided that such salary increases are permitted by the terms of the contract or grant, and adequate funds are available for this purpose in the grant or contract.

9.3 Additional Salary Increases

Nothing contained herein shall prevent FIU from providing salary increases beyond the increases specified above. These increases may be provided for market equity considerations, including verified counteroffers and compression/inversions; increased duties and responsibilities; special achievements; litigation/settlements; and similar special situations

TENTATIVELY AGREED BY:

FIU BOT:

El Pagnier Hudson:  (initials)

Date: 6/9/2022

TENTATIVELY AGREED BY:

AFSCME:

Madelin Gonzalez:  (initials)

Date: 6.9.22

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