



Cornell University Employee Assembly

Cornell Employee Assembly Minutes of the November 1, 2017 Meeting 12:15-1:30 PM 401 Physical Sciences Bldg.

- I. Call to Order – U. Smith called the meeting to order at 12:15pm.
 - a. *Members Present:* I, Allen, P. Anderson, C. Dawson, D. Harris, A. Hourigan, A. Howell, T. Grove, L. Johnson-Kelly, J. Kruser, K. Mahoney, B. Nicholson, B. Roebal, K. Shiels, P. Thompson, S. Willcox, C. Sanzone, T. Shapiro, H. Sheldon, U. Smith
 - b. *Members Absent:* B. Ayanfodun, M. Carcella, H. Depew, K. Fitch, A. Haenlin-Mott, M. Mosereiff, S. Vaccaro
- II. Approval of October 18, 2017 minutes – **Approved**
- III. Business of the Day
 - a. Follow-up on 2016-17 EA Resolution 7 “LGBTQ Inclusion in University Benefits” (G. Barger, Senior Director of Benefits)
 - i. G. Barger gave an overview of this resolution that was passed on December 21, 2016 by a vote of 17-0-0.
 1. It requested information on all university benefits programs and plans as related to gender-specific or gender benefits, focusing on any discrepancies or variations in coverage and benefits based on gender.
 2. This presentation was made to present its findings to the EA. It is not meant to be released to the public or present proposals.
 - ii. G. Barger gave an overview of the Health Care grouping findings.
 1. G. Barger explained that for the Health Insurance grouping, the presentation lists plans, major source if worked with outside consultants, gender references (thorough reviews in which gender was used to determine benefits or offerings within the plan), and whether or not there were coverage/service variation with gender-specific ties.
 2. G. Barger said they examined Endowed Coverage programs (Cornell Program for Healthy Living, Weill/Cornell Medicine PPO, Aetna Health Savings Account) and Optum Rx.
 - a. Both AETNA and Optum Rx followed nationwide standard communications with first person pronouns.
 - b. For health care services in particular, there were gender specific healthcare coverage. Across the medical industry there are benefits coded for gender-specific services, and there is not much Cornell can do about it. G. Barger says this can be a potential challenge for transgender situations. For all healthcare providers, Cornell is the source of records and can help individuals transitioning with certain claims.
 - c. On the whole, results did not show a challenge of comparability of benefits in endowed health care plans.
 3. G. Barger explained that Contract College (CC) – HMO Blue – CNY are insured products of New York state. There are certain places where they do have some

differing language, but Cornell is limited until they can get either the industry or the state to move them.

- a. Found similar gender-specific standards in the HMOBlue systems. Again, Cornell can help out individuals with certain claims.
- b. Examples of gender specific coverage include selecting OB/GYN, maternity care, and mammograms and pap smears, and prostate treatment. However, these are pretty standard across the industry.
- c. There is no transsexual surgery coverage in a lot of the state HMO plans and this is a state decision. There are medical necessity clauses, so Cornell can assist those writing appeals, but cannot control the insured plan.
4. G. Barger reviewed MVP Health Care – CNY.
 - a. Gender specific coverage include Well-Women exams, sterilization procedures, prostate screening.
 - b. MVP uses a birthday rule.
 - c. This plan also does not cover sex change operations unless medically necessary.
5. G. Barger reviewed the Empire Plan - both In & Out of Network.
 - a. Plan has very generic uses of communication.
 - b. Civil service determines spouse and domestic partner rules. It is not gender-specific.
 - c. There are certain gender specific services concerning women's health and preventive screening.
 - d. An exclusion that is very gender-specific in this plan is surrogacy. For both same-sex and opposite-sex partners, surrogacy is not covered in state or endowed plans. There is not much movement about this within the medical industry; it is determined by who the individual is covered by. G. Barger says Cornell does not have a solution right now, but there are some consulting firms talking about how to address this.
 - e. There are services in Assisted Reproductive Technology for both genders, and it depends on what plans are covering. For this particular plan, it is gender-based. Looks at both gender and in-and-out of network.
6. G. Barger reviewed Artificially Assisted Fertilization (AAF) and Advanced Reproductive Technology (ART).
 - a. AETNA is very similar in all its current health care coverage offerings.
 - b. AAF and ART technology are covered members of the plan, but there has not been an opportunity to provide this coverage for members not on the plan. Correlated with same-sex males in particular who would need to use a surrogacy program, the program has not been covered.
- iii. G. Barger gave an overview of the Dental Insurance grouping.
 1. Endowed plans have very generic communication. As far as gender-specific coverage, there is no discrepancies.
 2. Emblem Dental (state program) on domestic partner eligibility coverage mentions tax implications but there is no difference in how they handle taxes across them.
 - a. Pertaining the coordination of benefits, it does look at gender of the parent to determine which coverage.
- iv. G. Barger gave an overview of the Flexible Spending Accounts (FSAs) grouping.

1. No gender distinctions noted in review or coverage.
- v. G. Barger gave an overview of the Life Insurance grouping.
 1. No gender distinctions noted in review or coverage.
- vi. G. Barger gave an overview of the Disability Coverage (Short-Term Disability, Long-Term Disability) grouping.
 1. In leave coverage, gender is mentioned in parental leave, citing that if the “birth mother” is a Cornell employee then first Short-Term Disability likely applies before the parental leave kicks in. There are no other gender distinctions noted.
 - a. In Voluntary Benefits, there are no gender distinctions noted in review or coverage.
- vii. G. Barger gave an overview of the Retirement Plans grouping.
 1. No gender distinctions noted in review or coverage.
- viii. G. Barger gave an overview of the Business Travel & Accident Plan grouping.
 1. No gender distinctions noted in review or coverage.
- ix. G. Barger gave an overview of the Long-Term Care grouping.
 1. No gender distinctions noted in review or coverage.
- x. G. Barger gave an overview of the Education Programs grouping, which included the 529 New York State Plan.
 1. No gender distinctions noted in review or coverage.
- xi. G. Barger gave an overview of the Family Support Programs grouping.
 1. Child Care grant: no gender distinctions noted in reference review, but in coverage, any dependents have to be IRS-allowable dependent. We have to follow the IRS rules.
 2. Adoption assistance: no gender-specific language, but currently there is no Cornell provided adoption assistance payment. Not a program that was built into the program.
 3. Elder Care & Child Care: no gender distinctions noted in review or coverage.
 4. Cornell Child Care Center: no gender distinctions noted in review or coverage.
- xii. G. Barger gave an overview of the Family Wellbeing & Perks grouping.
 1. No gender distinctions noted in review or coverage.
- b. Opening mic to questions.
 - i. G. Barger clarified that contract college employees only have access to contract college health benefits per the original arrangement of Cornell being a land-grant institution with contract colleges.
 - ii. U. Smith said this is part of a larger initiative to bolster LGBT+ inclusion, pointing to surrogacy for same-sex male couples as the only option at some point, compared to same-sex female couples who could take advantage of that benefit due to their gender. Regarding adoption, U. Smith noted that G. Barger said helping your spouse adopt your child was never built into the program, and inquired if it was a simple policy change or if it would lead to an arduous process.
 1. G. Barger answered that it was a process that could be requested and the office would evaluate the expense. He clarified that at the time, adoption assistance programs were implemented to get someone health coverage, as having a relationship status to put onto a group plan helped people. That venue wasn’t needed in other areas. Surrogacy usually has a much higher price tag, and does not always result in a positive end result.

2. G. Barger brought up a list of concerns if Cornell does develop something a benefit for surrogacy assistance.
 - a. If it is something only for same-sex male couples, another issue that may be brought up would be that it wouldn't be available for opposite-gender couples.
 - b. Would Cornell be pushing people towards surrogacy instead of adoption?
 - c. Cornell has to consider the cost of the benefit, how many people the benefit can assist, and the value of it, without creating a discriminatory benefit.
- iii. U. Smith asked G. Barger what his top two priorities would be after looking at these results.
 1. G. Barger said looking at the only group of individual that glaringly comes out as not getting the same benefits would be same-sex male couples, but they have to consider the cost and benefits in a \$200 million benefits pool.
- iv. L. Johnson Kelly brought up that this problem doesn't just affect same-sex couples. There are instances where women in opposite-sex relationships cannot maintain pregnancies, citing a broader issue.
 1. G. Barger says he sees the same-sex male partner grouping as having no other alternative while opposite-sex couples may have other options that do not result in surrogacy. However, he agreed that both groups could benefit from such benefit.
- c. Employee Engagement Survey Team Report
 - i. T. Grove said her group focused on the connection to the mission of the university, proposing more communication avenues and reaching out to other members of the university for more transparency as well.
 - ii. EA member said the group was working on promotions and discussions on recognition, focusing on increased communication about recognition and emphasis on supervisor training to make supervisors aware of all the benefits and promotional opportunities for their staff. One concern was a lack of resources across units and colleges and they plan to create more central resources of financial support. They are advocating for a Career Development Center to facilitate planning and pathways.
 1. The group is planning on going before the Steering Committee on Nov. 14.
 - iii. Policy Fairness of Application also focused on communication and training of managers. They plan on being a more cautious in communications about what a policy, program, or perk is and utilizing a constituent policy brief in the Pawprint or career digest. The goal is to train managers on the difference between what a policy states, and the spirit of the policy, leaving room for discretion while uploading the spirit of the policy.
- d. Cornell Retiree Bus Discounts Update (H. Sheldon and P. Anderson)
 - i. P. Anderson says they need more information for retirees about the bus system for better use. They already have access to central campus if they utilize the bus system.
 - ii. K. Mahoney said the Transportation Task Force is working to increase and target communication. Their Facebook page seems to not be so efficient, so the team is working on partnering with Pawprint. One of the concerns they have is that the work the task force is doing is often misunderstood or not communicated.
 - iii. J. Kruser said the email from H. Sheldon in regard to this was a concern that retired staff net-IDs are considered inactive, and thus cannot receive a discount for bus passes. This is something important for Transportation to look at. There is a real value to utilizing the huge body of knowledge that retirees bring to the table.

IV. Old Business: U. Smith clarified that these items are up for full debate, amendments, and motions.

a. EA R5: Clarification of Bylaws Section 1.9 (K. Fitch, P. Thompson)

- i. P. Thompson said she has not received any direct feedback, but the main lead on this resolution was one of the ex-EA members. K. Fitch requested, which she seconds, to move to table the resolution and bring it up next meeting. She encouraged members to review the documents in the box and provide us direct feedback.
- ii. U. Smith said the resolution deals with issues very specific to what they encountered earlier in the term. There is no provision for what happens if the number of extensions far exceeds the number in support, or not, of a resolution, and this resolution seeks to address that.

iii. Motion to table – Tabled until meeting of November 15.

b. EA R6: Condemning Violence and Hate (J. Kruser)

- i. J. Kruser said there is a number of proposed amendments for this resolution, which was written following the acts of violence on campus. This resolution intends to put forth goals and actions to the statement that the EA made earlier. In the “Results” clauses, the EA is asking for action from the administration and the amendments were made to further clarify the roles and responsibilities.

1. J. Kruser added one amendment, adding “it was reported that” on in line 14 after the date “Sept. 6, 2017.” He said this was in response to direct feedback from constituents.

- ii. U. Smith said when the decision for the Presidential Task Force came down, a group of staff was pulled together for a long discussion about the things to prioritize. At the time, the group didn’t know the composition of the staff force, so those recommendations make up the amendment being put forward. These are not things explicitly entered into the charter of the task force, such as actual investment in staff resources and education and development for this task force for staff.

1. J. Kruser said this was not something he wrote himself, and the language came from conversations and collaborations from staff across campus.

2. U. Smith said from the perspective of someone who has had to respond to resolutions, it is incredibly frustrating to see resolutions that do not include specific tasks for the administration. Staffers have almost been entirely left out of this conversation. In the email about the task force that went out regarding original times for open sessions, there was not a time slot reasonable for staff to attend. U. Smith feels the staff are being asked to do a lot with very little resources and this is a way to make sure staffers are firmly inserted into the conversation by giving a list of thing we would like to be considered by the task force.

3. C. Sanzone, referring to line 69 of the marked-up version regarding adding full time positions for the resource centers, said the EA has not seen any concrete data. There is not information outline which resource centers are being referred to, what body of staff they serve, what is underserved, and by how much. C. Sanzone said it sounds as if they would be asking for a blank-check type of commitment to invest in resource centers that haven’t really been identified. She would like more information before asking the administration to invest in here rather than somewhere else.

- a. U. Smith said this was not necessarily a blank-check. A year and a half ago, VP Ryan Lombardi was involved in adding full-time termed professional assistant director positions to each of the resource centers. Most of these staffs have actually left due to various reasons. If you look at LGBT, it is the only resource center founded explicitly for students, faculty, and staff. There was a directive in the LGBT resource center to stop supporting staff, and there would be no one for us to turn. There is no position in HR for this.
 - (i) J. Kruser said he wanted to add onto the history of the resource centers. The Women's Resource center is still currently funded by the SA, so women using the resource center who are not students are not given priority. This is one of the things we need to change.
 - (ii) K. Mahoney said she would feel more comfortable if the language of the resolution listed specific priorities to be added into the dialogue. She feels uncomfortable as a member of the EA telling someone that they need to add staff to this space, and does not feel like she has the view into the operations to make that claim.
 - (iii) J. Kruser said he did reach out to the leadership of these organizations and trusted their expertise in what they need.
4. L. Johnson-Kelly brought up reframing the whole document to incorporate the priorities the EA feels the task force should address, and then present it to the president for incorporation into the presidential task force.
 - a. J. Kruser said because they do not know exactly what the task force's objective will be, he does not want to make the task force the focus and instead wants to focus on the administration. Regardless of what the task force does, J. Kruser said this is important and should be what the administration is doing.
 - b. U. Smith said in the email from the president that went out addressing this task force, there was a line included that said the task force was going to consider the recommendations from the group of staff convened by this body. These recommendations are a result of that. He felt it was more appropriate for these recommendations to come from the EA, but wants the EA to know that these additions were made to the resolution after this task force charge became explicit. U. Smith says he fears they will not be meaningfully included and that even if they are, their voices will be stifled by the 40 or so students that wish to sit on this task force.
 - c. J. Kruser made a motion to extend the meeting by 5 minutes – **passed**
5. T. Shapiro raised a concern about the language of the resolution. She said it sounds like the resolution is centralizing a lot of the decision making and wants to focus more on their voice at a more grassroots level. Many have been subjected to initiatives to educate us without a voice to what that should entail. T Shapiro says she needs more information on whether or not we want to advocate for such centralized decision making. She also said this resolution focuses very much so on the relationship of diversity, but there may be more complex issues of dignity and respect worth looking into instead of being simply reduced to a diversity-related problem. The EA could be making a broader statement.

- a. J. Kruser brought up a question of whether the EA should lose this specific request in order to rework for a more general request, or whether it should include this specific request as a step to further improvement and look at further resolutions addressing other areas.
 - b. EA Member said the EA has not heard from the outside individuals involved in the writing of the resolution.
 - c. U. Smith said this resolution went up a month ago for public comment and the EA members were instructed to distribute it to their constituent groups for feedback.
 - d. U. Smith **tabeled** the resolution until the next meeting of November 15. He asked the EA members to get feedback from their constituents.
- V. New Business: U. Smith clarified that items under “New Business” are only open for questions and comments not argumentative in nature. If an EA member wants to move it to “Business of the Day,” it has to be approved by a 2/3rds majority of members present.
 - a. EA R7: Advancing a Comprehensive Transportation Plan for the Ithaca Campus (K. Mahoney, L. Johnson-Kelly)
 - i. Ran out of time.
- VI. VII. U. Smith adjourned the meeting at 1:39 pm.

Future Guests:

- 2017 Cornell Climate & Sustainability Update (Sarah Brylinski, Sustainability and Communications Integration Manager) - November 15
- Discussion with President Martha E. Pollack and VP Mary Opperman – November

Respectfully Submitted,
Catherine Tran
Clerk of the Assembly