Consulting Management Committee

November 20, 2018

2:00 – 3:00 p.m.

Present: A. De Blas, B. Mayer, T. Van Hoof

Staff: K. Fearney, E. Morrison, J. Shoulson, A. Vrabely, S. Wetstone

**Actions:**

* The minutes of November 1, 2018, were approved: motion by B. Mayer, seconded by A. De Blas, passed unanimously.
* Management Response to FY17 Audit of the Faculty Consulting Activities and University Procedures

1. J. Shoulson provided an update from Provost C. Kennedy on audit finding 2 regarding the faculty consulting policy for management exempt. Provost C. Kennedy believes that individuals who hold this title can engage in consulting activities abiding by the same rules as other faculty but wants to ensure that the work performed by management exempt employees with faculty appointments is not negatively impacted.
   1. CMC discussed if the current consulting process for management exempt employees needed to be reframed to reflect that they are to follow the same process. S. Wetstone suggested that the policy be eliminated and by default, management exempt employees with faculty titles would fall under the Policy on Consulting for Faculty and Members of the Faculty Bargaining Unit.
   2. In his meeting with J. Shoulson, Provost C. Kennedy raised the idea of Payroll developing a timecode to indicate consulting on the timecard. CMC discussed flaws of the current timecard system for individuals who are management exempt with a faculty title as most do not solely work within the 8:00 a.m. to 5:00 p.m. (8 hours per day) timeframe, going largely over this window. K. Fearney stated that this could provide additional control over when management exempt are consulting but also echoed the practicality of such a timecode. CMC discussed that as the policy states, it is the responsibility of the faculty member’s supervisor to ensure that consulting does not conflict with time-owed to the University and this would be the same for management exempt with faculty titles. Additionally, the faculty consulting request form captures the requested date and time of the consulting and so the timecard would not be needed to collect that information.
2. S. Wetstone provided an update on his discussion with C. Chiaputti, Chief Audit Executive on audit finding 1. S. Wetstone asked C. Chiaputti what the response would be from the Joint Audit and Compliance Committee (JACC) about holding off on changing the current rules on a cap on consulting until the hire of the new Vice Provost for Health Sciences. C. Chiaputti shared that the Audit Office will not object to this response but could not definitively say how the JACC would respond. J. Shoulson explained that the person who will occupy the Vice Provost for Health Sciences role will have a greater capacity to understand the complexities of what these restrictions would entail and should have a say in a policy that would impact their work.
3. S. Wetstone will formulate the management response to all audit findings to have it reviewed by J. Shoulson and Provost C. Kennedy.

* UConn Health Center (UCHC) Request for Action #13

1. The Consulting Management Committee (CMC) began discussion of UCHC’s Request for Action #13 – Serving as an Expert Witness Against a State of Connecticut Agency at the November 1, 2018 CMC meeting. S. Wetstone circulated a second draft of the action before this CMC meeting.
   1. K. Fearney suggested adding in a statement that a faculty member cannot serve as an expert witness if they were at all involved in the case. While this is written in other areas, it would be helpful to highlight this information.
   2. T. Van Hoof raised the question as to what a faculty member is to do in a case in which they learn that they are serving as an expert witness against a state agency. S. Wetstone highlighted the addition of footnote 4 in an attempt to capture this scenario and put the onus on the faculty member and the contracting entity to terminate the consulting activity.
   3. B. Mayer suggested changing the language from “the faculty will be prohibited” to “the faculty will not be compensated.” This was suggested as to not stifle a faculty member’s academic freedom or constitutional rights.
   4. T. Van Hood suggested adding in the word “knowingly” to serving as an expert witness against a state agency to leave a faculty member harmless for agreeing to the consulting activity and learning it is against a state agency after the fact.
2. The committee charged S. Wetstone to make revisions to this draft action for further consideration by the committee. This will be distributed prior to the next meeting.

* The Faculty Consulting Offices (FCO) will be presenting the management responses to the FY17 Audit of the Faculty Consulting Activities and University Procedures at the December 18, 2018 JACC meeting. The FCOs will provide an update on this presentation to the CMC at the next meeting.

Respectfully submitted,

Ashley Vrabely