

**Business Administrator Services**

**Forum Minutes**

**October 12, 2016 9:00 a.m. to 11:00 a.m.**

**Kent Student Center**

**Governance Chambers**

**Mail Services Update**

**Steve Finley, Manager Mail Services**

Mail Services is now accepting and processing priority and overnight shipments. If you have an item to be shipped contact Mail Services at 2-2614 before 12:30 for pick-up and same day shipping.

Shop for your shipping needs and obtain best prices using the shipping services available on the Mail Services website. Departments benefit by having Mail Services receive their lists and process mailings for automation.

Mail Services has purchased new machinery that meets the new code requirements. The machinery improves the ability to address on a wider variety of surfaces and finishes and with a heater at the end of the inkjet it allows printing on glossy documents at no additional charge.

Limited personalization can be added to outgoing mail and with proper programming QR codes can be produced. Hand labeled material can no longer be submitted as automated non-profit and must be sent out at 1st class rates.

Educational opportunities were available to the university community during the months of September, October and November 2016.

* Mailology 101 provides an overview of the mail, including classes of mail, piece design and general mail topics
* Mailology 102 provides information on automation and best practices for mail delivery
* Mailology 103 reviews mailing lists, where to get them on campus and how to use them
* Flashpac provides training and use of Kent State’s ship shop process

Mail Services keeps the Kent State community informed of changes or processes that may affect the cost or quality of a mailing through a listserv called Departmental Mail Handlers. If you would like to be added to this listserv or if you have someone in your department that would benefit from the information please contact Steve Finley at [sfinley7@kent.edu](mailto:sfinley7@kent.edu).

**Independent Contractors (IC) at Kent State University**

**Rationale, Process and Procedures**

**Paula DiVencenzo, Tax Manager; Mike Pfahl, Assoc. University Counsel**

**Julie Rayl, Special Assistant-Human Resources**

An Independent contractor is an individual who performs a service for the university, but is free from immediate control or direction in the performance of his or her work under a contract of service. Individuals classified as independent contractors are not eligible for any employee benefits, are not covered by worker's compensation, and pay for services is not subject to income tax withholding. Individuals who are currently employed with Kent state university may not be paid as an independent contractor. Individuals who have been employed with Kent state university may not be paid as an independent contractor in the same calendar year that they were an employee holding the same position, with the same duties.

**Legally Speaking:**

The decision of whether a person is an employee or an independent contractor involves considerations of

* [University policy 6-04.3](https://www.kent.edu/policyreg/administrative-policy-regarding-independent-contractors)
* The IRS Code (20 factor test)
* NLRB decisions (National Labor Relations Act Section 2, Part 3)
* Fair Labor Standards Act
* U.S. Court of Appeals for the Sixth Circuit test (common law analysis)
* Other state and federal employment related regulations

The university has one opportunity to get the classification right before the relationship begins.

IN 2010, Congress took measures to enact the Employee Misclassification Prevention Act (EMPA) which would make misclassification a Federal Labor Law Violation punishable by fines from $1,000 to $5,000 per employee, per violation. Since then, millions of dollars in fines have been levied and paid.

There are two types of agreements that someone can enter into with the university:

1. Employment Agreement – created by the University and available from the Division of Human Resources. This agreement creates an employment relationship.
2. Independent Contractor Agreement – should be created in some format by the independent contractor. Agreement should describe “deliverables” and “schedules” and should not have any mention of a salary. Specific duties, terms of the duties and payment are to be included in the agreement.

Legal Counsel looks for legal sufficiency in the IC agreements. Completed agreements (signed by both parties) must be sent to [contracts@kent.edu](mailto:contracts@kent.edu). Terms common in creating an independent contractor relationship include:

* Indemnification of the university
* Contractor uses his/her own tools and controls own work
* Contractor is responsible for all taxes
* Contractor is not entitled to benefits i.e. leave, health, tuition, etc.
* University can terminate at any time or with 30 days’ notice

Independent Contractors require HR review and approval (per policy). All agreements must be reviewed by Office of General Counsel and must be completed BEFORE any work by the “independent contractor” begins.

A university policy is part of the Ohio Administrative Code. Per the Ohio Attorney General, if policy is ignored, employees could be found to be acting outside the course and scope of their employment and could be personally liable for the agreement and its consequences.

**Process:**

Independent contractor information, forms and agreements should be submitted BEFORE an IC engagement occurs.

1. Gather data about the independent contractor. If the individual wants to do business with Kent State University, the following information must be obtained:
   1. Name
   2. Date of birth
   3. Social Security or Tax ID number
   4. Address
   5. Resident status (US citizen, Permanent Resident or Non US Citizen)
2. Gather information about the services that the independent contractor will be providing; be descriptive and elaborate on the services.
3. Know what the expected amount of payment will be
4. Complete the agreement, but DO NOT obtain signatures
5. Complete the online determination form: <https://solutions.kent.edu/IndependentContractor>
6. Attach the UNSIGNED agreement (contract) located at: <http://www.kent.edu/hr/independent-contractor>
7. Confirm that the independent contractors personal information, dates of services , scope of work and amount of payment match what has been entered on the online form
8. Attach other supporting documentation i.e. workshop agenda, etc.
9. Submit the form for approval
10. Receive approval email once the request has been reviewed and approved
11. Obtain signatures from Dean/VP or delegated authority AND the contractor (Signatures of the IC are obtained after university approvals)

*At this point the independent contractor can perform his/her approved services*

1. Complete the check request (see the Payments to Independent Contractor section for other documentation that will need to accompany the check request)

**Tax and Accounts Payable for Independent Contractors**

Independent Contractor determination is required for payment for services rendered by individuals or a business whose income is reported on an individual tax return.

The IC determination is not required for non-services such as the purchase of goods, rental of property, non-service scholarship/fellowship or business expense reimbursement only-with no honoraria.

*If the check request is for a service payable to an individual, the payment cannot be made without approvals. There is no exception. The payment is either through payroll or with a check request with the HR approval attached.*

Individual Contractor vs. Employee vs. Entity

If the payment is for services, IC determination is required for:

* Individual
* Sole proprietor
* DBA’s (Doing Business As)
* Disregarded single member LLC’s
* Any payee whose income is reported on Form 1040

IC determination not required for:

* Corporations
* Partnerships
* Multimember LLC’s
* Single member LLC’s electing to be treated as a corporation for tax purposes

The use of an employer identification number DOES NOT prove independent contractor. The university requires a completed W-9 from the individual or entity.

The contract determines who the payee is, not what is invoiced. The payee on the invoice must match the contract.

**Payments to Independent Contractors**

Once services have been rendered, submit the following paperwork to Accounts Payable

* Completed and signed check request form
* Copy of the HR Independent Contractor Form email
* Copy of the fully signed contract or IC terms of agreement
* OPERS PEDACKN form
  + PEDACKN is an independent contractor acknowledgment form
  + Required under State of Ohio Senate Bill 343 Sec, 145.038 which is a pension reform bill passed in late 2012
  + Must be signed and dated within 30 days of the contractor’s start of service

You can view a prior taped webinar regarding Independent Contractors at <http://ksutube.kent.edu/playback.php?playthis=7rron76pb>

There is also a FAQ (Frequently Asked Questions) link at <http://www.kent.edu/hr/hr-independent-contractor-determination-form-icdf-faq>

Update: Effective December 14, 2016 Nickole McCail, Senior Compensation Analyst, reviews and approves the independent contractor requests on behalf of Human Resources.

Contact information regarding Independent Contractors:

Mike Pfahl – Associate University Counsel 2-2982; [mpfahl@kent.edu](mailto:mpfahl@kent.edu)

Nickole McCail – Senior Compensation Analyst 2-8326 nmccail@kent.edu

Paula DiVencenzo – Tax Manager 2-8622; pdivence@kent,edu

Barbara Biltz-Accounts Payable Specialist 2-8644 [bbiltz@kent.edu](mailto:bbiltz@kent.edu)

**New Job Description Website**

**Vanessa Vesely, Manager Compensation**

In collaboration with the Division of Information Services, the Human Resources Compensation team completed a project to update the university’s job description website. The HR and IS project team completed development on this project using the Agile project methodology.

Vanessa’s presentation covered the following:

1. Features and enhancements of the new website
2. Navigating the new website
3. Open labs and going live

Some of the enhancements for users include:

1. Summary job information is available for each description to assist the user in determining which jobs to view in more detail, this includes displaying pay range information
2. Search and filter capabilities
3. Ability to view job descriptions on a mobile device
4. Ability to revise and create draft job descriptions using the website application

Revising and creating draft job descriptions using the website application

1. **Login** -enter your *Flashline* username and password
2. **Create Draft** -select the *My Drafts* tab, and then select the *Create Draft* button
3. **New Job/Existing Job Title** -select *New Job* if creating a new description or choose an *Existing Job Title* from the drop down list to revise a description
4. **Proposed Job Title** - enter the *New Proposed Job Title* if creating a new description or you have the option of editing the *Existing Job Title*
5. **Template** - you can choose to work from a *Blank Template* or you can select an *Existing Job Title* from the drop down list
6. **Start Draft** – once you click *Start Draft*, this will direct you to a page to create or edit job description content
7. **Submit for Review** – once you are ready to proceed with your draft job description, click *Submit for Review* and an email notification will be sent to the Compensation Team alerting them to review your draft

**Open Labs and Going Live**

Sessions to gain familiarity with the new website:

1. Super Users – a few sessions will be offered for high volume users. It’s anticipated that these will be held in late October and early November
2. Open Sessions – it is anticipated that open labs will be scheduled in November

Going Live:

1. January 1, 2017 is the scheduled “go-live” date
2. The old job description website will no longer be available

A copy of the notes and screen shots that Vanessa used for the presentation can be found under the minutes on the BAS website.

**University Facilities Management**

**Minibus Rentals**

**Nicole Corll, Associate Director UFM**

In January 2016 University Facility Management added two 15 passenger minibuses to their fleet. Due to safety concerns over the previous use of 15 passenger vans, the university banned the rental and use of the vans for transporting people. The newly purchased minibuses are available for rent by university departments for university business.

The rentals are available for daily, weekly and monthly use. The minibus will carry a driver and up to 14 passengers. The minibuses are equipped with overhead storage, backup cameras and larger windows for better visibility.

Reservation requests can be found at [www.kent.edu/ufm/rentals](http://www.kent.edu/ufm/rentals). The minibus will have a full tank of gas when picked up and should be refilled by the renting department before returning the vehicle. Personal use is strictly prohibited.

There are no mileage limits for the use of the minibus but it must be for a university function.

Drivers must meet eligibility requirements and be trained by in-house staff. Any person that will be driving the minibus must be a university employee (faculty or staff) or a student and must be at least 21 years of age. A license check is completed and the driver cannot have more than 6 points on their license.

All drivers of the minibus must attend and pass driver training by in-house staff. The driver training consists of a FlashTrain online course (approximately 30 minutes) as well as a hands-on training that will take approximately 4 hours. Training is limited to 4 trainees per session.

The cost of the training is $106.25 per person and this includes both the online and hands-on sessions. License checks are $9.50 for in state licenses and $19 for out of state licenses per person.

The pickup and return location for the minibuses is UFM located at 1781 Summit St. Pickups must be done during their regular business hours which are Monday through Friday 7:00 a.m. – 3:30 p.m. The vehicle can be returned during regular business hours or an afterhours drop off is available.

As a convenience to the department, Fleet Services offers delivery and pick up services for $10 each way.

Upon return of the vehicle, the vehicle is inspected by Fleet personnel. Any damages to the vehicle will be the responsibility of the renting department.

Any questions regarding the rental vehicles can be directed to John Croop, Fleet Services Superintendent. Email [jcroop@kent.edu](mailto:jcroop@kent.edu) or direct line 2-0818.

**Apple in Education**

**Apple Authorized Campus Store**

**Tom Parsons, Computer Sales Manager**

The Apple Store is conveniently located on the 1st floor of the Student Center. Their hours are Monday through Thursday 8 a.m. to 8 p.m., Fridays from 8 a.m. to 5 p.m. and on Saturdays and Sundays from 11 a.m. to 4 p.m.

The Apple Store offers Apple® Education Pricing to faculty, staff, students and departments. It supports Kent State’s technology initiatives and showcases the latest innovative technology at KSU. Depending on the models purchased you could save $50 - $200 off laptops and desktops as well as $20 off the retail price of iPads. Hands on demonstrations and consultations are available to meet individual and department needs.

Standard configuration is available on in-stock items. Bulk and custom orders are accepted and can be direct shipped to your department. The Apple Store is considered a university department so IDC’s can be done for department purchases eliminating the use of the department pcard.

Purchases made by KSU employees (some restrictions apply) can be paid via payroll deduction. A form will need to be completed and 10% down is required. If the payroll deduction is to be used, the purchase must be a minimum of $500 and a maximum of $3,000 with payment plans from 6-12 months. Only 1 open payroll deduction purchase will be permitted at a time.

Any questions regarding the Apple Store can be directed to extension 2-1595. Email address is [FlashTech@kent.edu](mailto:FlashTech@kent.edu) and web address is <http://www.kent.edu/flashtech>.

**Open Enrollment**

**Your Plan Your Choice**

**Sheba Marshall, Assistant Manager University Benefits**

The health insurance options for 2017 now include a High Deductible Health Plan. Medical Mutual of Ohio (MMO) and Anthem Blue Cross Blue Shield will continue to be your choice of insurance carriers. Both the 90/70 and 80/60 PPO plans will remain but the 70/50 PPO will not be available in 2017.

A high deductible health plan (HDHP) and a Health Savings Account (HAS) is a new medical option that combines the medical benefit and a savings account all into one.

The high deductible health plan has lower premiums compared to the more traditional health plans. It does carry higher deductibles and higher maximum limits on out-of-pocket calendar expenses in a calendar year. It also includes both medical and prescription costs whereas the traditional plans do not include the prescriptions in with the medical deductibles. The HDHP provides 100% coverage with in-network providers for preventive care and preventive generic medications for certain conditions i.e. asthma, diabetes, heart disease and stroke, prenatal vitamins and smoking cessation.

**HDHP Plan Basics**

With the HDHP, preventive care is also covered at 100% with in-network providers. This includes but is not limited to annual exams, routine prenatal and well-child care, and child and adult immunizations.

Preventive (non-diagnostic) screening services are also covered

* E.g., cancer, diseases (heart and vascular, infectious)
* Conditions: metabolic, nutritional, endocrine, mental health, obstetric and gynecological and pediatric
* Disorders (musculoskeletal, vision and hearing)

Eligible preventive medications

* For certain conditions such as asthma, heart disease and stroke
* Prenatal vitamins, generic contraceptives approved by the FDA, smoking cessation

Coinsurance Phase:

* After meeting your deductible, you pay prescription coinsurance

Out-of-Pocket Maximum Phase

* Plan pays 100% of eligible medical after deductible, and then you pay the same prescription drug coinsurance that you pay under the PPO up to maximum out-of-pocket

**Health Savings Account (HSA)**

PNC will be the new plan administrator for the Flexible Spending Account for health care and dependent care as well as the new health savings account.

An HSA is a bank account called a health savings account. It offers tax advantages and allows savings to build over time. The HSA is available with the high deductible health plans only. Debit cards allow convenient access to the funds and the account is accessible via the web and mobile devices.

Certain IRS rules apply with HSA accounts.

* You must be covered under a high-deductible health plan
* You cannot be covered under any non-HDHP plan
* You cannot be enrolled in Medicare
* If you elect an HSA you cannot have a health care FSA
* You cannot be claimed as a dependent on someone else’s tax return

Kent State will contribute to your HSA and you also have the option to make contributions up to the IRS limits. Contributions by the employee are deposited pre-tax and are available for use on or after each pay date. If you are 55 or older any time during 2017 you are eligible to contribute an additional $1,000 to your HSA. Contributions can be updated any time during the year. If you choose to leave the university, your HSA account goes with you.

**Employee Wellness**

**Sheba Marshall, Assistant Manager University Benefits**

Sheba introduced the *Wellness Your Way* Employee Incentive Program. This program is all voluntary and it seeks to promote healthy lifestyle choices that align with the Kent State of Wellness priorities. The incentive program offers higher point values for preventive care choices such as Know Your Numbers, HRA completion, well visits, sustained engagement activities (i.e. Fit for Life, On the Move Challenges, health coaching, weight management programs, etc.)

Tier One is getting started. You will need to complete your Know Your Numbers health screening at the worksite with Be Well or with your primary care physician. You will also need to complete your health risk assessment (can complete a paper copy or it can be completed on-line).

Once tier one is completed you will receive a $150 wellness incentive added to your pay or, if eligible, to your health savings account.

Tier Two requires you to earn a total of 350 points your way to earn an additional $150 in incentive rewards. Points can be earned through a variety of individual or group activities between Jan 1 and Oct 15, 2017. Go to the Wellness website at [www.kent.edu/hr/benefits/wellness](http://www.kent.edu/hr/benefits/wellness) to find out more information on how to earn points, rewards and challenges.

Tracking points will be maintained by wellness partners, Be Well Solutions. Employees will have a secure, personal web portal with 24/7 access.

Be Well offers unlimited health coaching available telephonic or face-to-face. Certified dietitians, nutritionists, health educators, nurses and physicians are just some of the resources through BWS that are available at no extra cost to the employee.

**Update on Smoke-Free, Tobacco-Free University**

* Website launched Sept. 30 [www.kent.edu/smoke-free](http://www.kent.edu/smoke-free)
* All cessation resources identified, cataloged and posted for students, faculty/staff at [www.kent.edu/smoke-free](http://www.kent.edu/smoke-free)
* Prescription plan updated to include nicotine replacement therapy and other cessation medications with zero co-pay/coinsurance effective July 1, 2016
* Smoke-free, tobacco-free policy to be translated in multiple languages by Institute of Applied Linguistics
* University policy 3342-5-21

**Parental Leave**

A paid parental leave policy has been approved for university employees. Effective Jan. 1, 2017 university employees will be provided 6 weeks of paid leave to recover from childbirth and/or to care for or bond with a child.

**Celebrations**

Kent State has been recognized by the American Heart Association as a Fit Friendly Worksite and recipient of the AHA Innovators Award.

Kent State was recognized as a Top 50 Most Active Employer. KSU came in 29th out of 50 in a national participation in the Wellness Council of America’s Move Challenge.

NEXT BAS FORUM

Wednesday

February 8, 2017

Kent Student Center

Governance Chambers