

President's Staff Sack Lunch Q&A
Oct. 12, 2021

Questions were answered by UNT President Neal Smatresk unless otherwise noted.

1. When will construction for the new building off Mulberry be complete?

That's the CVAD Annex. We're within a year and a half of completion.

Additional information provided by Clayton Gibson, vice president for finance and administration:

Substantial completion is on track for the end of the Spring 2022 semester, with the demolition of Oak Street Hall to follow.

2. When will the Family Leave Pool be widely communicated? When will people be able to donate? When can we expect to have the updated policy related to parental leave and what is being done to support expectant mothers in the meantime who do not have enough sick and non-sick leave to cover 12 weeks of maternity leave?

There's a whole bunch of different questions and they could possibly relate to slightly different activities. Family Leave is more broad than maternity leave. There are maternity leave specific questions that I've received in the last few weeks. I'm going to start with how I feel, and then we can talk about what the law allows us to do. And then I'm going to ask Katy [McDaniel] to come up and correct any errors that I make. So how I feel... We have to follow the law, when it comes to dispensing maternity leave. The law is strict and we need to attend to it. It requires, and I'm speaking specifically about maternity leave, at this point, it requires that people use up their sick leave after the initial period and/or, use up their vacation time before anything else can kick in like pool time. There are taxing consequences to some of this because it's a benefit received.

Again, I will get you the details and there will be an FAQ sheet out on this and a website out on this, in the near future. So that's kind of some facts of the matter, six weeks with the possibility of an extension for an illness or a severe condition that can follow. The reason I actually know this is because I raised it in Chancellor's Council with the System folks a week or two ago, and I got to tell you, I was a little hot under the collar. I'm a fan of appropriate periods of time for people to be able to take care of their newborn children and to be able to make sure that they've bonded in an adequate fashion, but I also can't rewrite law. So with that, we are working right now to get out an FAQ, it should be out sometime this week, that will describe the policy. What you also need to know though, and here's a kicker, is if you want to donate your time to this leave time and Katy, this is where I'm going to screw up, I think that you get taxed on the time you donate, which seems cruel and unusual to me when you're trying to do something humanitarian. *[groans from the audience]* Yeah. I didn't make this law up.

Okay. I will be making a donation and I'll go ahead and pay the tax on it, but just be aware that this is how that works. And Katy is going to be here to now try to give you actually the really accurate story, but I want you to know that I'm sympathetic, empathetic and that we will have to handle unusual circumstances one at a time.

Katy McDaniel, UNT Human Resources Director, speaking:

Thank you, Neal. As he said, we certainly support leave for a variety of reasons, including maternity leave. And unfortunately we can't alter state law in terms of leave that's allowable nor, or can we be non-compliant with IRS rules. And, so one of the things with Family Leave Pool, we were so excited when the House introduced the bill and it passed in the last legislative session, because it provided a leave pool for things that weren't

covered under Sick Leave Pool, such as expanded leave, that wasn't quite as strict regarding health conditions of an employee or their family member and baby bonding time. For those of you who may not know what baby bonding time means, at the point of childbirth, there is a recovery period, a medical recovery period, following childbirth. That's typically six to eight weeks, depending on the type of delivery, barring any complications.

The remaining weeks that after that of leave are considered baby bonding time, so that's where the mother is not medically restricted from working, but they're bonding and caring for that newborn child without a medical need. So this Family Leave Pool provided the first type of leave under the state regulations where we could donate into a pool and employees receive that leave for that baby bonding period. Otherwise, the only types of leave under state statute that are eligible for those non-medical types of reasons are vacation leave, or of course, compensatory leave that's been accrued.

We had a policy drafted and ready to go this summer. We knew there needed to be a tax analysis done. It was anticipated that we would have that completed in time for the 9/1 effective date for Family Leave Pool. And unfortunately, that analysis was much more complex than anticipated. Our legal team has been working nonstop researching, engaging with other public university legal teams as well here in Texas, in terms of what those tax implications will be. We have another meeting this afternoon, actually at 4 p.m. to get what I feel like will be the last piece of clarification needed. And so, as Neal mentioned, we've got an FAQ document drafted. As soon as we have this last piece of clarification, we will be pushing mass communication and that FAQ document. However, we've deliberately held on advertising this new type of leave pool because of that taxation implication. And it's really important to us that as a donor, you're able to make an informed decision because the last thing that we want to happen is for you to donate in, in support of your colleagues and then get hit with an unexpected tax consequence in your paycheck.

Where that comes into play is under the internal revenue code. Donated leave is taxable to a donor, unless three conditions are met by the recipient. Those three conditions are the recipient has to have been employed a minimum of 90 days, they have to have a current medical need for leave that meets the definition of a serious health condition or medical emergency, and third, they have to exhausted all of their own applicable leave first. And so if any of those three are not met, then the donor is taxed, and that rate I believe is 25%. So if I were donating a week of leave, if I were donating 40 hours of leave and my weekly salary were \$1,000, that means I would pay \$250 in taxes on that leave that I donated.

That is why we've held off on communicating this donation program. Although it passed in the legislature, as with any new law, state agencies have as soon as, as practical to be able to design a program and implement that. It's really important that we have all the information that you need to make that decision. Because like I said, the last thing we want to do is implement this program and then have a lot of surprises coming in terms of tax burden.

Neal Smatresk speaking:

We don't make these laws up. We have to abide by them and understand the consequences of them. That said, I remain sympathetic about how we give mothers of newborns their time and how we take care of them in our office settings and beyond. I do know we have things like lactation rooms and so forth, available to support. And I hope that, those are available and accessible for all who need them.

Additional information provided by Katy McDaniel, UNT Human Resources Director: FAQs and Family Leave Pool donation/request forms are posted online: <https://hr.untsystem.edu/family-leave-pool>

3. What happens when you have comp time that expires and you don't have time to be off? Can we get paid for that comp time?

No. If you got comp time, please use it. I mean, just consider your work-life balance and how you got the comp time. Probably meant you work nights or weekends. Take some time for yourself, OK. Take care of yourself. Use your comp time.

4. What's the name of the building that was open serving hot meals during snowvid?

It started at Eagle Landing, but we had some issues and we had to move it to the Bruceteria, and then we moved it back to Eagle Landing as soon as we were able. We also served meals at Champs.

5. Can we please get a UNT baseball team? And then I'll give you the caveat to, can you tell us anything about possible conference realignment?

For those of you to don't know, I'm on the board of the NCAA, I'm on the Board of Governors for the NCAA, and I'm chair of the Conference USA. So like three, four or five times a week, I'm involved in calls that just seem to swirl. All I'll tell you is a lot of the are happening.

The other question was baseball. Oh, baseball. So bearing in mind that Title IX is very important to us. If we add baseball, we'll have to add a woman's sport. I think right now I'm totally in favor of a woman's sport that everybody around here would probably really love, beach volleyball. It's a reasonable sport and it's a good sport, I think from a spectator perspective and it's reasonably inexpensive. We do need to worry about gender equity. Baseball takes a large commitment and a large pot of travel funds, and it's really money that we don't have to invest at this point. I will also tell you that I'd love to see a baseball team here and sometime in the future when we can afford it. Thank you.