Resolution on a Vote of No Confidence in the Leadership of Vice Chancellor Shelton

Whereas the Guiding Principles of the Maricopa Community Colleges' Human Resources Division[1] are to:

1. work collaboratively and share ideas to provide seamless and consistent customer service
2. foster relationships built on trust by delivering consistent customer resolutions that inspire confidence and credibility
3. [be] accountable to ethically utilize our resources in an efficient and effective manner
4. embrace and promote an inclusive environment where everyone is treated with fairness and respect
5. encourage innovation and creativity through an open exchange of ideas, progressive thinking, and responsible risk-taking
6. demonstrate and advocate for value-added personal and professional development

Whereas Vice Chancellor Shelton has failed to ensure that the Human Resources Division, under her leadership, fulfills these Guiding Principles as demonstrated forthwith:

1. Failure to "work collaboratively and share ideas to provide seamless and consistent customer service":
   a. The lack of a District-wide HR policy for addressing sick or personal time as it applies to faculty teaching overload resulted in local Human Resources inconsistently docking faculty when requesting sick or personal time
   b. Being unable to quickly resolve errors in pay for all employees as a result of the Human Capital Management upgrade (HCM), resulted in numerous employees being overpaid or underpaid for multiple pay cycles
   c. Failing to provide instructions or support to ensure that extended contracts are created and/or approved in a timely manner resulted in employees completing work but not being paid for such work, including Department/Division Chairs and employees working on some grants
   d. Providing inconsistent, incorrect, and ever-changing instructions after the implementation of the HCM go-live such that employees and managers are unable to ensure that employees are paid accurately
   e. Continued inability of the Maricopa Community Colleges' Human Resources Division to provide timely and accurate training to employees and managers on the usage of HCM

2. Failure to "foster relationships built on trust by delivering consistent customer resolutions that inspire confidence and credibility":
   a. The independent investigation completed by Ogletree, Deakins, Nash, Smoak & Stewart, P.C.[2] supported the allegations made by the President of the Classified

Staff Council regarding "erroneously publish[ing] an altered written agreement in the SPM [Staff Policy Manual]"

b. The same independent investigation found that under Vice Chancellor Shelton's leadership, the Maricopa Community Colleges' Human Resources Division was "careless in their management of the MOU and SPM" and that "the lack of process and document control for the editing and publishing of staff policies, coupled with inattentiveness on the part of Human Resources, led to the erroneous publication of an altered written document in the SPM"[2]

c. Vice Chancellor Shelton unilaterally initiated the One Maricopa Workforce (OMW) initiative to collapse the five (5) formerly independent employee groups into a single Classified Staff Employee Group and ignored the concerns expressed by former Governing Board President Gutierrez[3] and numerous individual employees

d. Failure to "inspire confidence and credibility"[1] was most clearly evidenced by the finding of the aforementioned independent investigation, "multiple witnesses, including some in the Human Resources Department, expressed serious concerns about a lack of accountability and responsiveness in the Human Resources Department. Many of the complaints raised by the CSC [Classified Staff Council] Officers could have been avoided had there been a better relationship between Human Resources and the CSC, and if there was trust in the Human Resources Department."[2]

3. Failure to be "accountable to utilize ethically our resources in an efficient and effective manner":
    a. The Maricopa Community Colleges' Human Resources Division implemented the HCM system without sufficient testing or validation of the results to ensure the system could successfully handle the conversion of data
    b. Despite the best practice of running a "shadow system" while undergoing a system upgrade of this magnitude and sufficient District cash reserves to support a dual system, Maricopa Community Colleges' Human Resources Division responded to a question from the Vice Presidents of Academic Affairs Council by stating that "budgetary constraints of running a dual system prevented us from running a shadow system. In addition, the business processes and systems were not in place six months ago to operate in this capacity before go-live."[4]
    c. The breakdown of the integration of the Student Information System (SIS) with the Human Capital Management System (HCM) resulted in numerous errors in SIS negatively impacting the ability of students to select and enroll in Summer and Fall 2018 classes
    d. Implementation of the HCM required currently employed Residential and Adjunct Faculty to submit application materials (e.g., resume and transcripts) which are already on file with District or College Human Resources in order to be assigned summer and/or overload classes, which has resulted in increased work load and duplication of effort

4. Failure to "embrace[e] and promot[e] an inclusive environment in which everyone is treated with fairness and respect":
    a. Vice Chancellor Shelton informed Collaborative Policy Development Co-Chair Fulton (a member of the Classified Staff Council) that "we are not negotiating any aspect of policy but rather we are collaborating on the development by seeking employee input."[5]
    b. The mishandling of concerns expressed by the Classified Staff Council, which eventually led to an independent investigation into these concerns.[2]
    c. Vice Chancellor Shelton failed in her duty to adequately communicate and inform the Governing Board about the provisions in the Residential Faculty Policies (RFP)[6] that provide for "faculty accountability," including RFP §§ 3.5., 3.6., 3.10., 3.11., 3.12. and 6.6.;

Whereas the failure to adhere to these Guiding Principles has resulted in egregious harm to students, faculty, and staff;

Now therefore be it resolved that we the undersigned, on behalf of the Faculty Senates of the Maricopa Community Colleges, do hereby vote no confidence in the ability of Vice Chancellor LaCoya Shelton to lead the Human Resources Division of the Maricopa Community Colleges District.

ADOPTED this 26th day of April, 2018.

_____
[Chandler Gilbert Community College]

_____
[Paradise Valley Community College]

_____
[Estrella Mountain Community College]

_____
[Phoenix College]

_____
[Glendale Community College]

_____
[Rio Salado Community College]

_____
[GateWay Community College]

_____
[Scottsdale Community College]

_____
[Mesa Community College]

_____
[South Mountain Community College]

3

References

[1] 2015-2018 Human Resources Strategic Plan
(https://hr.maricopa.edu/sites/default/files/ONEHR%20Strategic%20Plan%202015-2018.pdf)

[2] Independent Investigation Report Regarding Classified Staff Council Complaints to the Governing Board on February 28 and March 28, 2017
(https://chancellor.maricopa.edu/sites/chancellor/files/Independent Ivestigation Report and Exhibits.pdf)

[3] Maricopa County Community Colleges' Governing Board Meeting, June 28, 2016
(https://district.maricopa.edu/sites/district/files/minutes/11.1 6.28.16 Regular Board Meeting Minutes.pdf)

[4] VPAA Questions Responses from HR (see Appendix A)

[5] Vice Chancellor Shelton email to December 27, 2016 CPD Co-Chair Mike Fulton (see Appendix B)

[6] Residential Faculty Policies (http://mccfa.wildapricot.org/resources/Documents/RFP 2017-2018.pdf)

Appendix A: VPAA Questions Responses from HR [sic]

- **What is the timeline for fixing pay? Was there ever an emergency fund set up for employees that didn't receive their pay to access for critical needs (like gas money to get home, like bills that are paid automatically)**

The timeline for fixing pay varies by volume and complexity of the issues presented. Issues that have been presented, on average, get fixed by the next pay cycle. The technical issues will be listed on the HCM website with the status of the fix to ensure employees are aware of what items are being worked on. Cases where the same issues continue to occur are usually due to non-technical issues, such as when correct information is not input into the system. We understand employees have needs, and to that end we committed to doing everything possible to ensure employees have their correct pay, this includes cutting off-cycle checks and couriering them to the colleges, or even hand delivering to the employee's home. Due to these previous efforts, an emergency fund as not been established.

- **What is the timeline for form 4366 to be fully functioning? We have all types of work now going on based on DO stating it is fine for folks to do their work even though they didn't have the mechanism to pay them working – we need to get paying folks.**

We are unsure what Form 4366 is and will need more clarity to fully answer. Pay mechanisms have been in place to pay employees, but due to conversion issues this has been a challenge.   We are working with Oracle to remedy these issues and have an update list that will be shared out this week as to the status of these fixes with HCM.

- **Are there going to be extra resources deployed to the colleges to help the IT, HR and schedulers manage the myriad of issues this has caused?**

Unfortunately, we do not have access to extra resources to provide to the colleges. However, there is a plan in place to work with the colleges in order to help resolve the back log of issues that have been reported. This plan does call for dedicated resources from the colleges assigned to research, which is the most time consuming part of resolving pay issues. As this plan is formalized we will be sharing out.

- **When will folks be moved under the correct supervisors in HCM? (I am up to 720 direct reports in my HCM and told we cannot move them because if we move them to their correct supervisor, they won't get paid – how is this possible, we are almost two months out)**

We are working to correct this issue in HCM, however, it is a number two priority at present. Our number one focus is on getting our employees paid correctly and resolving the issues that are causing the incorrect pay moving forward. We assume this question came from EMCC, and the issue here is slated for correction right after this week's pay cycle.

- **Why did we roll out a major system without running it as a shadow system for 6 months? (I have never seen anyone roll out a major new system without running it as a shadow system to make sure it worked, fix the issues, and make sure you have business processes defined)**

Budgetary constraints of running a dual system prevented us from running a shadow system. In addition, the business processes and systems were not in place six months ago to operate in this capacity before go-live.

- **Is there any understanding of the gross amounts of extra work that have landed on the colleges to fix these issues? One example: we had multiple classes that students could not access on their first day of class because of system errors with instructors and being able to schedule them. The response was that our own IT had to drop everything, every time, to fix the issue so that we could get students into their classes. Just one example of the time and efforts that have been pulled from doing what we should be doing – educating students (these situations include the faculty chairs, support, IT, schedulers and hiring managers**

We are all, colleges and DO staff, investing more time than expected in correcting issues related to HCM R4. We did not expect these issues related to go-live, but are working with Oracle to correct as soon as possible. Our focus has been, and continues to be, to create a system that will operate more efficiently with the system as a whole. In some cases this does not mean it will be simpler than before, but it will meet the requirements as laid on us from audits. Please understand, this is not the new normal. Once the conversion issues are resolved, our time spent on HCM will return to a manageable pace. In the interim, it will require all of us to band together to resolve. We have two options before us, we can rally together to help lead our teams through this challenge as a unified team and help resolve the issues; or we can allow this to defeat us and hold up progress. We prefer the first option, but we need your help to move forward. We deeply regret we are currently in this situation but things are improving, little by little.

Appendix B: Vice Chancellor Shelton email to December 27, 2016 CPD Co-Chair Mike Fulton

---------- Forwarded message ----------
From: **LaCoya Shelton-Johnson** <lacoya.shelton-johnson@domail.maricopa.edu>
Date: Tue, Dec 27, 2016 at 12:38 PM
Subject: RE: Policy Approval? SPM Update?
To: CSC CPDOfficer <csccpdofficer@domail.maricopa.edu>
Cc: barbara.basel@domail.maricopa.edu, megan.tormey@domail.maricopa.edu

Hi Mike,
I received no comments/edits from CEC, so they are good to move forward.

Re: the A-C sections – I'm not entirely certain I understand this one – can you clarify what you would like to propose to CPD? A small detail, but meaningful one is that we are not negotiating any aspect of policy but rather we are collaborating on the development by seeking employee input. I think that unfortunately the word 'negotiate' carries a connotation which implies approval is necessary for policies to move forward, which I know you realize. I only mention it as you begin to lead this group, nomenclature will be important.

We should review these first at our next CPD co-chair meeting to brief you and Barb and then discuss how best to proceed with engaging the full CPD group.

Let me know if other thoughts – thanks