STAFF SENATE MEETING
MINUTES
March 14, 2011

Note to Senators: Please share the Senate agenda, minutes, and any other enclosures with your colleagues prior to the scheduled meeting. Senate meetings are open to all staff. Agendas, minutes, and attendance rosters are available on the Staff Senate website at http://www.etsu.edu/stsenate/default.asp


EXCUSED: Cindy Canter, David Collins, Paul Lavoie, Leigh Lewis, Mary Maupin, Joe Miller, Stephanie Nave, Crystal Nelson, Jamie Simmons, and Kathy Smith.

I. Call to Order

Mr. Chuck Patton, President, called the meeting to order at 2:35 pm.

II. Welcome Special Guest – Marla Hayman, Generalist, Office of Human Resources

Ms. Marla Hayman, Generalist, Office of Human Resources, was invited to speak to the Senate in an effort to provide updates and expand on current policies and procedures regarding Workers Compensation Benefits. Ms. Hayman shared that ETSU adheres to the state process for worker’s compensation. She noted that the first and foremost action when someone is injured on the job is to report the injury to the supervisor and as soon after as possible contact Human Resources. Worker’s compensation forms are available online and can be found at http://www.etsu.edu/humanres/forms.aspx#7. Completion of worker’s compensation forms are required whether or not medical attention is sought. If possible, the forms should be completed before seeking medical attention. However, if the injury is sufficiently severe that medical attention is needed immediately, a call to Human Resources will set the process in motion and forms can be completed after being seen by the doctor. Sedgwick CMS is the university’s workers compensation insurance carrier and functions similarly to our health insurance in that Sedgwick has in-network and out-of-network providers. Many times treatment for non-emergent injuries can be treated by in-network physicians, at urgent-care clinics, and can be attended to in a timelier manner. However, more serious injuries should be addressed in the emergency room. If an injury requires an employee to be out of work for less than 7 days, the employee will use their own sick and annual leave time. If an employee is off of work for more than 7 consecutive days due to a work-related injury, lost time benefits (total temporary disability benefits) can be requested through Sedgwick CMS. The employee will be put on Sedgwick’s payroll and removed from the university’s payroll thereby no longer using sick and annual leave. Sedgwick will pay the employee at a reduced rate of 66 2/3% of their salary on the 8th day of lost time. If you reach the 14th day of leave, Sedgwick will then pay the employee for the first 7 days. However, the employee can choose to remain on the university’s payroll as usual, use their own sick and annual leave, and receive 100% of their pay. Ms. Hayman noted that family medical leave is also instituted with worker’s compensation leave in that if an employee is off for three consecutive days with a serious health condition, family medical leave will run concurrently with worker’s compensation leave time. Many times, light duty is an option in returning to work as long as the employee’s department can accommodate the restrictions and not violate them. Otherwise the employee can return to work when they are released without any type of restrictions at all. A doctor’s release note should accompany the employee’s return to work. Retirement service credit is not affected by total temporary disability benefits, but a form must be completed through Human Resources in order to apply.

The employee’s departmental supervisor does not approve the worker’s compensation claim, and instead the official authority lies with Sedgwick CMS in approving or denying a claim. In addition, and in accordance with HIPAA guidelines, an employee’s medical information is protected.
If an employee is out for a day or two, they will use their own sick leave and record it as sick leave on their timesheet. However if they are out more than 3 consecutive days then a worker’s compensation leave will run concurrently with FMLA and the timesheet would reflect the “K” code to identify a paid leave of absence. If there is no sick leave available, time will still be recorded as sick or FMLA time, but the hours could potentially be pulled from compensation or annual leave hours available. If there are no leave balances available, the time will be recorded as sick leave or FMLA, but the paid will be docked as this is now an unpaid leave of absence. While on leave for a worker’s compensation injury, working at home is not recommended for non-exempt clerical employees. However, faculty and administrative staff are exempt from the Department of Labor Laws in reference to the Fair Standards Labor Act and can work from home if it is required.

The Employee Assistance Program (EAP) is a strictly confidential counseling service, which is available to employees and their eligible dependents to provide consultation and referral for those who are experiencing personal problems which are likely to impact work performance and/or well-being. The EAP service is offered at no cost to employees and eligible family members. EAP offers counseling services for work-related and non-work-related issues such as substance abuse, family issues, marital concerns, emotional, legal, financial, elder care, and stress-related concerns. Additional information for EAP is available online at http://www.etsu.edu/humanres/eap/default.aspx.

Ms. Hayman noted that it is her intention that the presentation will help Senators guide staff members in the right direction for help with potential worker’s compensation claims and the Employee Assistance Program and further noted that referring staff members to Human Resources is always the best approach.

III. Special Presentation, Tennessee State Employees Association (TSEA) Representative, Ms. Lisa Moffett

Ms. Lisa Moffett, Representative, Tennessee State Employees Association (TSEA), requested to speak to the Senate to raise awareness of the TSEA and hopefully gain staff support and membership. Ms. Moffett is the Upper East Tennessee Representative for District 1. District 1 consists of 18 counties and 11 chapters primarily in East Tennessee and Northeast Tennessee. Ms. Moffett noted that TSEA is the “voice” of state employees with a mission to protect employee rights and lobby for improved pay, benefits, and working conditions. TSEA is a membership driven, service oriented, respected organization that represents state employees in the workplace, in the General Assembly, and to the public. TSEA currently has approximately 600 members in higher education and a little less than 50 ETSU members. Ms. Moffett notes that TSEA has enjoyed 37 years of historical success. TSEA currently has a blog, can communicate through Twitter, and has a Facebook page. Updates and announcements will be provided on the three media outlets. Ms. Moffett shared TSEA’s lobbying records from 1977 to 2010 (attached). One of TSEA’s most notable accomplishments has been the change in longevity pay from $15 for every year of service up to 10 years – to $100 per year up to 30 years of service. To date, fiscal year 2010’s successful lobbying efforts include negotiations with TBR to provide a 90-day notice prior to a lay-off; negotiating sufficient funds into the state budget – passed by both the Tennessee Senate and House and signed into law by the Governor – to safeguard, for one year, 559 of the many state jobs originally slated for layoff in the Governor’s proposed budget; the continuation of the $50/month matching contribution to state employees’ 401K account; and the prevention of a 5% state employee salary cut to name a few. April 12th is slated for this year’s lobby day for East Tennessee and all members are welcome to attend. The Upper East Tennessee delegation will be meeting with the Lt. Governor in a roundtable discussion. Ms. Moffett noted that she recognizes that a union is making its way on campus and that some faculty and staff are participating in the union. She asked staff members to consider the fact that TSEA has 37 years of successful history and to weigh this success against the number of members in the aspiring union, how long the union has been active in Tennessee, their actual rights by state law, and if they want the union to be their voice of choice. Ms. Moffett also distributed the Legislative Update for February 18, 2011 (attached) identifying bills TSEA has filed and/or supported for this legislative session. TSEA has a Higher Education Committee which meets regularly to discuss the issues of higher education. Senator Bond is the President for the ETSU committee and she communicates the concerns of ETSU’s staff members at meetings. TSEA is a dues-operated association and the rate of membership is $13.50 per month; an increase has not been realized for four years.
Ms. Moffett circulated membership applications for anyone desiring to join TSEA and noted that among some of the benefits are insurance offerings, discounted movie tickets, aquarium discounts, and many more. Ms. Moffett brought t-shirts for anyone desiring to join TSEA today. Ms. Moffett asked Senators to contact her at 423-571-0094, or lamtsea08@yahoo.com with any questions or concerns.

IV. **Approval of Minutes** - The minutes of February 14, 2010 were approved as distributed and will be posted on the Staff Senate website.

V. **Staff President’s Report – President Chuck Patton**

A. **Committee for Review of Staff Awards Process, Project/Standing Committee** – Senator Sullivan shared that during the committee meeting last month a discussion took place regarding whether or not the Committee for Review of Staff Awards Process should remain a project committee or convert to a standing committee. Due to the duties, functions, and responsibilities of the committee, members propose that the committee should be a standing committee in lieu of remaining a project committee. Approval of the proposal will be sought at the next meeting.

B. **Committee on Staff Concerns** – At the last meeting, Senator Keener proposed an amendment to the Constitution, Article III, Membership – regarding clarification of the term “twelve (12) month period” as being September through August which coincides with the terms of Senators. A vote took place and passed by acclamation. A change to the Constitution requires a vote by the full staff and will be carried out via email voting method. The email vote will be executed in the very near future.

The proposed amendment offered by the Committee on Staff Concerns which is specifically in regard to the vacancy of an elected position and appointed senate position has been rescinded and will be brought forward by the Committee on Elections.

The final issue concerns the name and description of the committee as it reads on the Senate website and in all written media. Currently, the name of the committee is Committee on Staff Concerns and Grievances. The committee proposes to amend the title and remove the term “Grievances” due to an inaccurate implication of the title and note the committee as Committee on Staff Concerns. This change does not require a vote, but only to request that the change be made.

C. **United Campus Workers (UCW) Representative** – President Patton shared that the United Campus Workers (UCW) representative will be a guest speaker at the Faculty Senate Meeting on March 28, 2011 at 2:45pm in the Culp Center. This meeting is open to anyone who may be interested in hearing the presentation. Members of the Staff Senate Executive Committee plans to attend.

VI. **Treasurer Report** – No report.

VII. **Report on Standing Committees**

A. **Committee on Committees** – Senator Warner, Chair, no report.

B. **Communications and Website** – Senator Jones, Chair, no report.

C. **Liaison Committee** – Senator Batchelder, Chair, no report.

D. **Committee on Staff Concerns** – Senator Keener, Chair, noted that President Patton was approached at the Meet & Greet event by a staff member with a fairly definitive concern of over exposure to heavy odors and scents from perfumes, colognes, cleaning products, air fresheners, etc. A formal letter of concern was forwarded to the committee.
The staff member noted that vulnerability to these elements can potentially cause health concerns to some from excessive exposure to these types of elements. President Patton met with Mr. Dan O’Brien to discuss items, elements, or components which may prove to be unsafe, i.e. air freshener plug-ins, candles, etc. Mr. O’Brien noted that the majority of the campus is currently using “green” cleaners. However, plug-in items may be a safety issue. An indoor air assessment of the individual’s workspace and work area will be conducted to see if the work area warrants any type of change. Another option would be for the staff member to ask fellow staff members to minimize their use of perfumes and colognes. In the complaint, the staff member shared some good websites of potential interest. WebMD.com characterizes some of the noted elements as either being irritants or having allergy causing factors. President Patton assured the staff member that the issue is being addressed and President Patton will update the committee as developments occur.

E. Committee on Staff Development and Evaluation – Senator Renfro, Chair, noted that the committee met on March 2nd and established that the committee will be meeting the first Wednesday of every month, 2:00-3:00pm, in the Library. Mr. Rich Ashley, Training Manager, was a guest speaker and was very informative. Prior to meeting with Mr. Ashley, the committee discussed the need to encourage staff members to seek ongoing formal education to develop their skills. Clerical employees should be made aware that the CPS examination is available and upon certification receives a one-time 9% increase to their base salary. Staff members are responsible for the cost of the exam which is quite high and the books are costly as well. A suggestion of payroll deduction for the cost of the exam and books was brought forward. This recommendation is tabled until the committee meets with Payroll regarding this possibility. Mr. Ashley has been very diligent in advertising the CPS by announcing the opportunity in the EDC fall newsletter 2010 as well as posting the information on the Training website. For faculty or senior administrators reaching a terminal degree, a one-time payment of $750 is offered. However, there is nothing in place currently for staff members reaching a bachelor’s or master’s degree. Mr. Ashley referred the committee members to Dr. Collins for discussion and possible recommendation of this item. Mr. Ashley shared information regarding online training which is available to staff members for implementation. Mr. Ashley volunteered his work site for the next meeting in April so that the committee could appreciate some of the online training offered. Senator Renfro invited interested Senators to attend the next meeting which is scheduled for the first Wednesday in April, 2:00-3:00pm, at the Training Center in the Minidome. Senator Renfro will forward the reminder of the meeting to President Patton to share with all Senators. President Patton shared that the University of Memphis currently offers $1,000 – bachelor’s degree; $2,000 – master’s degree; and $3,000 – doctoral degree; all depending on available budget. Payment for the bachelor’s degree is for the initial degree and not dependent on whether or not the degree supports the position. However, payment for the master and doctoral degrees is dependent on whether or not the degree supported the position.

F. Committee on Elections – Senator Greenwell, Chair, distributed a document (attached) (green highlights are from the original proposal – yellow highlights are additional proposed verbiage) depicting additional change of verbiage to the bylaws. Shortly after the last Senate meeting, the committee received notice that a Senator would be retiring who served as an alternate with two years remaining on the term. It became apparent that alternate positions had not been addressed in the bylaws. Therefore in addition to the proposal by the Committee on Staff Concerns, which was presented at the last meeting, the committee is proposing to include verbiage which will embrace alternates as well. The proposed verbiage is as follows: “This amendment, effective April, 2001, amends Article I, C: 2. e. (2) to read: Each category will be ranked by number of votes received in the election. In order of votes received and in the appropriate category, alternates will be appointed to fill the remainder of the term of the Staff Senate vacancies. If less than six (6) months remain of a Senator's term or if there is no alternate to fill a vacancy that space will not be filled but will be left vacant until the next election is held in July.” Approval will be sought at the April meeting.

G. Visibility Committee – Senator Hill, Chair, no report.
VIII. Report on Project Committees

A. Staff Awards Committee – Senator Sullivan, Chair, reported that nominating period for the Distinguished Staff Award and Career Award begins today and will run through April 15th. The committee has met to discuss internal criteria for the selection process. The committee has not set a date for the next meeting, but expects to meet in the very near future.

B. Blood Drive – Senator Booher, Chair, no report.

C. Holiday Drive – Senator Bond, Chair, reported that she neglected to thank some very important contributors to the Holiday Blood Drive. Senator Miller served as an integral component to the committee as were three students from University High (UH) who helped sort food and fill bags. Community service reports have been forwarded to UH in recognition of the students’ efforts in assisting in the community service.

D. Staff Picnic – Senator Cooper, Chair, reported that the band which was secured for the picnic last summer is not available for this year’s picnic due to a member of the band being out of town. She further noted that there will be a charge of approximately $200-$300 for a replacement band this year. Senator Cooper distributed a document (attached) depicting the prizes which have been secured to date and are identified in blue. Vendor prizes which remain in red have not yet been secured. Senator Cooper noted that it is important for everyone to help make phone calls to solicit prizes, but cautioned everyone to be sure to check with her first before calling vendors to be certain the vendor has not already been contact. Food for the picnic will consist of hamburgers and hotdogs, baked beans, and coleslaw. There was a tie for choice of dessert between cookies and sheet cake. A vote of the Senate, by show of hands, was conducted and the sheet cake was determined the dessert of choice. Senator Cooper shared that the cake will be precut and decorated keeping in mind our Centennial design and school colors.

IX. Old Business

A. Staff Senate Logo - President Patton reported that there have been two entries to date. Due to the late hour, this item was tabled until the April meeting.

X. New Business – There was no new business offered for discussion.

XI. Open Floor for New Agenda Items/Concerns – None.

XII. Announcements – There were no announcements.

Adjournment – There being no other business to discuss, the meeting was adjourned at 4:10pm.

Respectfully submitted,

____________________________________
J. Ann Eargle
Secretary

Attachments:
1. Worker’s Compensation PowerPoint
2. Tennessee State Employees Association Lobby Record
3. Legislative Update for February 18, 2011
4. Proposed Bylaw Changes

~ Next meeting ~
April 11, 2011, 2:30pm
D. P. Culp Auditorium, Meeting Room 6
Use of Leave
Worker’s Compensation

Marla Hayman
Human Resource Generalist
Worker’s Compensation

• **Workers Compensation**
  – What to do when you get hurt at work?
    • Report to your supervisor.
    • Call HR.
    • Fill out the forms online. [http://www.etsu.edu/humanres/forms.aspx#7](http://www.etsu.edu/humanres/forms.aspx#7)
    • Do you need to go to the doctor? Choices, but recommendations.
  – **Lost Time Benefits**
    • 7 days, 14 days. Out less they use their own sick leave.
  – **Out more than 3 days runs consecutively with FMLA**
  – **Light Duty**
    • Return to work. Doctor’s note.
  – **TCRS Service Credit**

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**Important Phone Numbers and Addresses**

- Sedgwick CMS - Knoxville
  - P.O. Box 14484
  - Lexington, KY 40512-4484
  - 1-800-526-2305 (toll-free)
  - (865) 583-8310 (facsimile)

- Prime Health Network
  - 1-866-348-3887

- To File a New Claim:
  - 1-866-245-8588 (toll-free)

[www.treasury.state.in.us/wc](http://www.treasury.state.in.us/wc)
Approval Procedure

• **Supervisor responsibilities to Approve/Deny**
  – HIPPA Rights
  – Worker’s Comp (Acknowledgement)

• **Record Keeping**
  – Worker’s Comp (Sick Leave or K code)

• **Doctor’s note**

• **Working at home on Leave**
  – Faculty/Admin
  – Clerical Support
  – PPP 73 Telecommuting
    • Issues with working from home. Liabilities
• Employee Assistance Program
  – Available to all employees and their dependents
  – Additional information on-line
• Questions?

• Marla Hayman
• haymanm@etsu.edu
• 9-4787
2010 Legislative Accomplishments

- During one of Tennessee’s most difficult years economically in all of it’s history, facing massive layoffs, TSEA was successful in negotiating sufficient funds into the state budget - passed by both the Tennessee Senate and House and signed into law by the Governor - to safeguard, for one year, 559 of the many state jobs originally slated for layoff in the Governor’s proposed budget.
- Negotiated with the Tennessee Board of Regents to provide support staff involved in a RIF the same 90-day notice as other state employees.
- Secured and had signed into law the right of TSEA’s Board of Directors to take up to 12 administrative leave days per year to attend board meetings and conduct the Association’s business.
- The $50/month matching contribution to state employees’ 401(k) accounts was continued.
- Prevented a 5% state employee salary cut.
- Limited the private sector’s expansion of 150-bed “transitional facilities” - for persons presently incarcerated in Tennessee within one year of their release dates - to 150 state-wide and a maximum of four facilities, total.
- Helped secure legislation to enact a recession stipend for state employees (contingent upon sales tax collections exceeding predictions by $50 million). Although tax collections came up short, TSEA continued to fight into the next legislative session to secure the stipend, based on tax collections that were - at the time - improving.
2009

- Faced with unprecedented tax revenue shortages, TSEA was able to postpone planned layoffs and negotiate stronger rights for state employees with passage of legislation that gives more flexibility to the Administration should layoffs become necessary. This legislation retained grievance rights and “bumping and retreating” rights as well as expanded the ability of employees to transfer to positions where they meet the job category criteria.
- Successfully passed legislation requiring employees’ longevity check be separated from their regular pay check, unless the employee elects not to receive a separate longevity check.
- Successfully passed legislation allowing state and higher education employees to participate in a retiree dental plan upon retirement effective January 1, 2010.
- The Association retained the $50 match to 401k.
- The proposed tobacco use surcharge of $50 per month was successfully postponed until January 1, 2011.
- A severance package was negotiated for all employees laid off after April 1, 2009 that includes $3,200 cash and 2 years of college tuition.
- The Employee Transit Card Program, also known as the Swipe and Ride program, was retained for the Nashville Metro area and expanded to include rail service. This benefit also now extends to the Memphis metro area.

2008

- Faced with the possibility of a full-scale termination of over 2000 state employees, TSEA initiated a massive grassroots lobbying blitz that successfully averted proposed involuntary separations until January 1, 2009.
- Although Governor Bredesen opposed any pay raises or bonuses, TSEA obtained $19.7 million for a $400 one-time bonus for state employees and higher education employees, with at least three (3) years of service history, paid in October 2008. The full amount of the bonus counts as earnable compensation for retirement purposes, unless under a statutorily mandated pay plan.
- $6.6 million in funding to continue the $50 state match to 401(k) contributions.
- Maintained funding for the state’s 80% contribution toward the cost of individual/family health insurance.
- Maintained funding at the same level for longevity payments.
- Secured funding to continue the state’s contribution toward the cost of Medicare supplement plans for retirees: $50 for employees with 30 years of service or more; $37.50 for employees with 20 to 29 years of service; and $25 for employees with 15 to 19 years of service.
- TSEA protected the safety and privacy rights of state employees by successful passage of vital legislation restricting public access to personal information contained in personnel files of employees. In addition to other currently protected personal information, home phone numbers, personal cell phone numbers, and home addresses, including city, state, and zip codes are no longer accessible by the public and the media.

2007
- $42.3 million was approved for a full 3% across-the-board pay increase for all state employees effective July 1, 2007.
- A total of $23.8 million was approved in the budget for 1/2 of the remaining compression adjustment effective July 1, 2007. The cap per individual for full funding is $10,000.
- A total of $3.1 million was approved for a management salary plan – an increase for the Department Manager level up to the Commissioner level.
- A total of $6.6 million was added to increase the 401k match to $50, effective July 1.
- $33.0 million was approved for a 3% across-the-board raise for Higher Education employees.
- $75,000 was approved for Class Comp Adjustments.

- Longevity was continued at the same level.
- Comprehensive Pay Plan continues to be on schedule for finalization in December.
- State employees who do not enroll in the basic health insurance plan are now able to participate in the basic term life and accidental death & dismemberment insurance plans effective January 1, 2008.
- Legislation was passed to require agencies to compensate employees, regardless of budgetary constraints, if the employee is assigned to perform the duties of a higher level classification for more than 90 days.

2006
- A full 3% across-the-board pay increase for all state employees effective July 1.
A total of $21.1 million was approved in the budget for 1/3 of the compression for the first installment – July 1, 2006 – the average increase for the first 1/3 is 4.1%. The cap per individual for full funding is $10,000.

A total of $1.4 million was approved for a management salary plan - an increase for the Department Manager level up to the Commissioner level.

$15.0 million was approved for class upgrades to be determined.

There was another $13.0 million approved for a one-time bonus of $350 that was paid in October 2006 for all employees with at least 3 years of service history.

A total of $4.8 million was added to increase the 401k match to $40.

$35.0 million was approved for a 2% across-the-board raise for Higher Education employees. Or, in lieu of this the BOR or UT system, was given the option of implementing a 1% minimum increase for faculty; and a 2% minimum or $600 increase for staff, whichever is greater. The percentage of raise can be increased with institution funds.

There was another $14.0 million signed on to for one-time bonuses to Higher Education employees of $350 paid in October 2006 for all employees with at least 3 years of service history.

$3.1 million was added to increase longevity payments of $100 per year to 30 years.

$2.2 million was put into the budget to increase the state’s portion of the Medicare supplement insurance – The state’s portion was increased from $40 to $50 for employees with 30 years of service or more; $30 to $37.50 for employees with 20 to 29 years of service; and $20 to $25 for employees with 15 to 19 years of service.

An additional $2.1 million was added to increase retirement amounts for employees who retired before July 1, 1989.

2005

A full 3% pay increase for all state employees effective July 1, 2005, up from the originally proposed 1%.

$7.2 million approved in the budget just for state employees for class and computer upgrades. This was a $2.2 million improvement over the original $5 million proposal.

A $10 per month increase in the 401(K) employer match for all state employees including higher education, raising the total matched by the state to $30 a month.
- Continued funding for the state’s 80% contribution toward the cost of individual/family health insurance.
- Longevity was continued at the same level.
- Funding was secured to continue the state’s contribution toward the cost of retirees’ Medicare supplement plans.
- A budget amendment, sponsored by Sen. Jim Kyle and Rep. Kim McMillan, was passed appropriating $108 million to complete the compression adjustment plan. In addition, an important provision was passed by both the House and Senate, directing the Department of Personnel to conduct a joint study with representatives of TSEA to address the issue of compression as well as development of a comprehensive pay plan.
- Successfully supported legislation that converted CSA employees to state employees.
- Opposed legislation allowing the leasing of employees.
- Opposed legislation that would adversely affect the merit hiring system.

**2004**
- 3% raise effective July 1, 2004.
- Range moved by 3% effective July 1, 2004.
- One-time bonus of $70 per year of service. The minimum received by any employee with three years of service or less is $210 and the maximum paid is $1,750 for those with 25 or more years of service. The bonus counts toward earnable compensation for retirement purposes and is in addition to the regular longevity compensation.
- $11 million funded for classification upgrades effective July 1.
- $1.1 for increased mileage reimbursement.

- $27 million to pay the state’s portion of health insurance.
- $73 million to fund the TCRS pension plan.
- Longevity pay continued at $100 per year of service up to 25 years.
- $20 match for 401(K) continued.
- Included language in parks legislation to prohibit services contracts for jobs that are performed by state employees or that could be performed by employees.
- Stopped legislation that would have adversely affected the merit hiring system.
- Successfully opposed legislation that would prohibit mail order pharmacy savings.
- Increase in benefit cap for Class B retirees.
2003
- Defeated language to reduce the state’s 80% portion of Insurance Premium.
- Protected 90 day notice for employees affected by layoffs.
- Defeated language which would have used days donated to sick leave bank to be used for administrative costs.
- Continued longevity at the current rate of $100 per year up to 25 years of service.
- Continued $20 match for the 401k.
- Rights of employees to access Internal Affairs Reports prior to due process hearing in law.
- Required sole source contracts over $250,000 to be filed with Fiscal Review Committee.

2002
- 3% pay increase effective January, 2003; K-12 2%.
- Policy developed to require state departments to compensate employees at the time-and-a-half rate of pay when called into work on holidays or from annual leave unless at least 12 hours notice is given in advance of beginning the leave or holiday.
- Requirement in law for state to pay at least 80% of health insurance premium. The law previously required the state to pay at least 60% of premium cost.
- Requirement that employees who were adversely affected by the three-day furlough be made whole including pay and benefits.
- Protected current employee rights and benefits.

2001
- 2.5% across-the-board pay increase retroactive to July 1.
- $100 per year of service longevity pay.
- $20 per month 401(k) match.
- State’s portion of insurance premiums funded at 80%.
- $7.7 million for class compensation and range movement.
- Successfully opposed privatization of state parks.

2000
- Pay range minimum and maximum raised 4 1/2%.
- 3.5% across-the-board pay increase for state employees and non-faculty higher ed employees July 1.
- $14 million in class compensation funding non-recurring. (Provided upgrades for 22,000 state employees.)
- $20 per month 401(k) match.
- $100 per year of service longevity pay.
- Whistleblower legislation protects state employees who report fraud and abuse.
- Allows state employees and their dependents to continue their state insurance as supplemental to Medicare at age 65 when they retire to maintain same benefits as basic plan.
- Protected employee discounts at parks.
- Successfully opposed shutdown of state parks and DOT garages.

1999
- Maintained $20 million in class compensation funding. (Provided upgrades for 23,000 employees.)
- Achieved funding for management training.
- Protected jobs and benefits.
- Maintained longevity pay and 401(k) match.
- Eliminated Social Security and driver’s license numbers from public records included in personnel files.
- Achieved protection for employees of TRICOR in special pay plan.
- Stopped privatization of the Department of Tourism.

1998
- Defeated legislation to privatize 70% of prison beds.
- Defeated legislation to merge MHMR with Department of Health.
- Inclement Weather Policy put into effect.
- 2% pay increase for all state employees effective Jan. 1, 1999.
- $15 million for upgrades and classifications scheduled but not funded in the governor’s original budget to affect more than 10,000 employees
- $25.8 million to fund a service bonus of $50 for each full year of service up to 25 years for all state employees including those in higher education who have 3 or more year’s service
by July 1, 1998. Bonus counts toward earnable compensation for retirement purposes and is in addition to the regular longevity compensation of $100 per year up to 25 years.

- $3.7 million to fully fund the $20 per month match on the 401(k) for all state employees including those in higher education.
- $1.7 million to increase the state’s support of retirees’ Medicare supplemental insurance.
- Supplemental retirement bridge for 2 years for law enforcement officers with mandatory retirement at age 60.
- Raised the cap on allowable retirement benefit to 80% of the member’s average final compensation for Group I and Class C members of the super ceded state retirement system.
- Authorized state employees to be represented at all steps of the grievance procedure.
- Established a 50% year-round discount for all state employees on camping fees charged at all state parks in the state system.

1997

- Privatization of prisons put on hold.
- 2% pay increase for all employees January, 1998.
- $10 million for range adjustments and upgrades.
- Appropriation of additional state dollars to continue 401(k) match at $20 per month.
- Civil service protections strengthened so that reorganization cannot result in individuals losing civil service status (retroactive to June 1, 1995).
- Career service employees with 5 years of experience may promote to executive service with the right to return to a career service vacancy within 10 years.
- 3.6% retirement index fully funded for all employees in state service when retirement became noncontributory.

- Real compounded COLA for retirement benefits beginning in 1998.
- Requirement that career employees may not be asked to make conflict-of-interest disclosures unless directly related to work assignment.
- Disabled employees forced into retirement may continue state insurance until regular Medicare eligibility.
- Statutory provision for pre-Medicare retiree insurance:
  - 30 years of service state pays 80%.
  - 20-30 years of service state pays 70%.
- 10-20 years of service state pays 60%.
- 25% tuition discount for children of deceased state employees.

1996
- Continued protection of state employee rights and benefits.
- 3% across-the-board salary increase.
- Salary range minimums were increased 5% and salary range maximums 13%.
- Budget included funding for fee waiver and discount programs for higher education of employees and their children.
- Passed legislation to protect state employees from politically-motivated firings. (Vetoed by Gov. Don Sundquist.)
- Funding for state's portion of retirees' health insurance premium.
- Funding for Medigap supplemental insurance program increased.
- Purchase of prior service made available on installment plan.
- 3.6% index used to compute retirement benefit continued another year.
- Service credit for peacetime military service expanded.
- Protected employees from losing pay, benefits and rights in proposed legislation to create Department of Children's Services and to reform welfare.
- Opposed legislation that would have allowed for the privatization of all future state prisons.

1995
- Monthly employer match on 401(k) contributions of $20.
- Study of salary ranges, including compression and caps on ranges.
- Civil service protection for Public Service Commission employees.

- Longevity to recognize all prior part-time service of full-time employees with three years of experience, if part-time service is equivalent to five years of service.
- Bereavement leave extended for grandchildren and grandparents.
- Opposed legislation that would have harmed workers' comp benefits for employees injured on the job.
- Opposed legislation that would have created a single Department of Children's Services on July 1, 1995, and urged careful study of issues.
1994

- 4% pay increase in January, 1994.
- 2% pay increase in July, 1994, followed by 2% in October, 1994,
- Classification upgrades.
- Longevity raised to 25 years.
- Longevity for career part-time employees scheduled to work 1600 hours.
- Limited filling career service vacancies by temporaries to 90 days.
- Cost/benefit analysis disclosed by departments for purchases and other expenditures.

1993

- 4% pay increase in January, 1993; 2% pay increase in July, 1993.
- Longevity pay increased two years for a total of 24 years.
- 5% increase in retirement benefits for all active and retired employees.
- Grievance procedure for higher education employees.
- 90 days advance notice of potential job abolishment's and layoffs.
- Career counseling, job testing and placement efforts for laid-off employees.
- 25% tuition discount extended to children of retirees and employees killed on the job.
- Successfully protested state's plan to close state mental health institutions.
- State insurance benefits provided for part-time employees who have worked 24 months and work at least 1450 hours per year.

1992

- A commitment of up to a 4% pay increase effective January, 1993.
- 25% tuition discount at state higher education institutions for the dependents of state employees.

- Job security for workers whose jobs are abolished and later re-established.
- Full credit for all years of state service during reduction-in-force for employees who have worked in more than one department.
- Five-year vesting rights for state employees in the TCRS.

1991
- "Mismatch" legislation set a 90-day time limit on time an employee can be required to perform the duties of a higher-level position than job title without appropriate compensation.
- Employees who are within two days of maximum annual time accumulation allowed to take annual time before compensatory time.
- Employees' evaluation procedure made grievable.
- Study to be conducted on the contracting out of traditional state services.
- Extension of 3.6 indexing for computing retirement benefits. Affects employees that worked under self-contributory system.
- Legislation that allows employees who are within two days of maximum annual time accumulation to take annual time before compensatory time.
- Require bulletin boards in all state offices.

1990
- Salary increase of 2.5 to 12 percent depending upon prior salary range.
- Legislation that allows employees to take one free course per semester at state colleges and universities, on a space available basis.
- Insurance benefits extended to part-time employees who work a minimum of 1450 hours per year.
- Increased credit for longevity pay to 22 years.
- Civil Service Commission was given authority to enforce its decisions.

1989
- Salary increase of 2.0 to 5.6 percent depending upon prior salary range.
- Credit for longevity pay increased to 21 years.
- Legislation that gives TSEA representatives the right to access state employees at their work sites, provided there is no interruption of work.

- Extended Civil Service protection to non-certified personnel at state special schools.

1988
- Average salary increase of 6.3 percent, plus funding for compression equity raises.
- Establishment of the Sick Leave Bank
- Longevity pay increased from $95 to $100 per year up to 20 years service.
- Bereavement leaves for the death of an immediate family member.
- Sick leave credit is re-established immediately when a former employee returns to state service.

1987
- 4.5 percent salary increase.
- Reduction in Force Reform Act which provides uniform procedures for bumping, retreating, and rehire order during a RIF.
- Continued funding for longevity benefit, increased from $90 to $95 per year of service.
- Salary increase for certain teachers in juvenile and correctional facilities.
- Implementation of dental insurance program
- Annual Step Bill provides at least one step raise, annually, for each employee (on steps 1-9).

1986
- 4.5 percent salary increase, plus additional funding for compression equity raises.
- State pays 100% of insurance premiums for employees receiving worker's compensation.
- Part-time employees working over 1600 hours receive full-time sick leave and annual leave benefits.
- Continued funding for longevity pay, increased from $85 per year to $90 per year up to 19 years service.
- Annual leave converted to sick leave annually instead of monthly.

1985
- 5 percent salary increase. - 7.8 percent salary increase, instead of 3.6 offered by administration.
- Increase in longevity pay to $85 per year.
- Employees are paid for overtime instead of compensatory time for those who have reached maximum comp time balance.
- Insurance cost to be reduced by 10 percent if preferred provider option is implemented.
- Sick leave reinstated for employees that return to state service within six months.

1984
- 10 percent salary increase, instead of 7 percent offered by administration
- Greater preference for seniority in layoffs
- Preference for laid off employees in rehiring
- Increased maximum for longevity pay
- TSEA supported legislation to improve minimum retirement benefits and additional retirement credit for military service.

1983
- Passed legislation for 3 percent salary increase. (vetoed by governor)
- 70% of insurance to be paid by state.
- Continued funding for longevity pay
- Grievance time limit extended.
- State's insurance contribution continues when an employee qualifies for Board of Claims coverage.

1982
- 7% salary increase.
- Solicitation by qualified employee organizations during non-work periods on state property (vetoed by governor)
- Funding for dental insurance. (vetoed by governor)
- TSEA opposed the deletion of additional jobs from Civil Service protection.

1981
- 7.8 percent salary increase, instead of 3.6 offered by administration.
- Longevity pay increased to $75 per year.
- Establishment of dental insurance.
- Employee Suggestion Award increased from $2,000 to $5,000.
- Sick leave must be granted if employee has a doctor's statement.

- Payment of accumulated sick leave to employee's esta
- Employee must be informed of appeal rights in case of disciplinary action.

1980
- 9.3 percent salary increase. Administration offered 5 percent.
- Longevity pay raised to $60 per year.
- One hour lunch break.
- Outlawed age discrimination against state employees.
- TSEA supported Civil Service Reform which enlarged commission and made its decisions binding.

1979
- 8.7 percent salary increase.
- Establishment of longevity pay program.
- 60% of insurance premium paid by state
- Involuntary transfers grievable to Civil Service Commission.

1978
- 9.2% salary improvement instead of 5.5%
- Moving expenses paid for involuntary transfers
- Personal automobile liability for employees on state business
- Increase in size of State Group Insurance Committee by adding three state employees
- Suggestion Awards Program for employee ideas which save the state money

1977
- Payroll deduction of state employee organization dues
- Removal of ceiling on accumulation of sick leave
- Credit for old sick leave if an employee returns to state service within two years

_TSEA’s lobbying record spans over 30 years to our beginning in 1974._
Legislative Update

Tennessee State Employees Association Publication – February 18, 2011

TSEA has filed and/or supports the following bills for this legislative session:

**HB1129/SB591** - Sponsors: Speaker Emeritus Jimmy Naifeh and Sen. Lowe Finney
(This bill should be of particular interest to state employees.) Reinstates the bonus promised during last year’s legislative session. It amends last year’s budget to allow the bonus payment based on longevity to be paid to state employees on or about April 15, 2011. TSEA has contacted these two members to thank them for taking the initiative and trying to make right the promise that was made by the TN House last year. We will work closely with them both to find additional sponsors and do what we can to see this bill passed.

Establishes an equalization of death benefits for non-contributory retirees. This bill will have to be heard by Pension and Insurance before it goes to the Finance, Ways, and Means Committees.

Extends grievance rights to support staff within Higher Education to include an administrative law judge hearing. This bill has been referred to the Education Committees.

Under this bill, in the case of any contract for services to be let by a department or agency of state government to an outside entity, the commissioner or director of such department or agency must certify to the comptroller that:
(1) No state employee within that department or agency is capable of accomplishing the tasks sought to be contracted; and
(2) No vacant positions in such department or agency exist that can be filled by hiring an employee to perform the services in lieu of contracting for such services to an outside entity. This bill has been referred to the State & Local Committees.

As introduced, requires commissioner of human resources to develop criteria to distinguish applicants based on applicants' unique characteristics, history and abilities. This bill has not been assigned to a committee as of the time of this update.
Other legislation to watch:

TSEA is very concerned about several other bills that will require close monitoring and even opposition. Presently, Rep. Glen Casada has filed HB159, HB 160, and HB 594. These bills have negative impacts on our association and membership. They directly prohibit TSEA from lobbying on behalf of its members. The bills also prohibit public employees from having a payroll deduction to a political action committee or membership dues that are used to fund political activities. If any of these bills passed, TSEA would not be able to participate in various political activities including lobbying and or any type of help or support to or for a political candidate. Our membership relies on the lobbying efforts of TSEA to protect state employees’ benefits.

According to the sponsor, Rep. Casada, he has replaced these bills with HB 599/SB401 and plans on moving it instead. Rep. Casada said that this new bill will allow labor associations to still collect dues by payroll deduction, but that no part of the dues collected could go to political action committees. This legislation would prohibit TSEA from donating to or affiliating with a PAC. It appears this bill would allow TSEA to still lobby on Capitol Hill, but it would eliminate our avenue of contributing to candidates.

We will be watching all of these bills closely over the next few days and provide more information after conversations with the sponsors. TSEA is strongly opposed to all these bills in their current form. **A call to action will be made if and when appropriate, so please be prepared to act when called upon.**

Tennessee State Employees Association
627 Woodland Street
Nashville, TN 37206
The Elections Committee would like to propose a change to the Bylaws:

Article I, C: 2.e. (2) was amended in April 2001 to read: “Each category will be ranked by number of votes received in the election. In order of votes received and in the appropriate category, alternates will be appointed to fill the remainder of the term of the Staff Senate vacancies. If less than six (6) months remain of a Senator’s term, that space will not be filled but will be left vacant until the next election is held in July.” This Amendment is referenced in the Amendments of the By-Laws, section 5.

Last month at the February Staff Senate meeting it was presented to amend this section to read: “Each category will be ranked by number of votes received in the election. In order of votes received and in the appropriate category, elected alternates will be appointed to fill the remainder of the term of the Staff Senate vacancies. If less than six (6) months remain of an elected Senator’s term, that space will not be filled but will be left vacant until the next election is held in July. Vacancies for appointed Senators can be filled at any time during the term at the discretion of the appointing Dean.”

The Elections Committee would like to change the section to read as follows. This is an addition to the previous recommendation made last month.

“Each category will be ranked by number of votes received in the election. In order of votes received and in the appropriate category, elected alternates will be appointed to fill the remainder of the term of the Staff Senate vacancies. If less than six (6) months remain of an elected Senator’s term or if there is no alternate to fill a vacancy, that space will not be filled but will be left vacant until the next election is held in July. Vacancies for appointed Senators can be filled at any time during the term at the discretion of the appointing Dean.”

Justification: The procedure for filling a vacancy for election position when there were no alternates was not addressed in the By-Laws. The Elections Committee concluded that this procedure needed to be defined.

Amendment proposed to this section last month by the Committee on Staff Concerns.

Amendment to be proposed March 14 by the Elections Committee.
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<td>Charlie 282-9713</td>
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<td>CPA</td>
<td>Candy</td>
<td>Lynn Nester 439-7980</td>
<td>Shirts, Bags, Sunglasses, Key Rings</td>
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<td>Dell Computer</td>
<td>Janet</td>
<td>Phil Owens (615) 773-2483</td>
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<td>Wetland’s Water Park</td>
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<td>Rachel Conger 753-1558</td>
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<td>Crystal</td>
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<td>Farmer’s Daughter</td>
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<td>5 – T-Shirts</td>
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<td>Gregg’s Pizza</td>
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<td>Mike 282-4541</td>
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<td>Hooters</td>
<td>Josh</td>
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<td>Two (2) T-Shirts</td>
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<td>Golf Bag / Hat</td>
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<td>Dollywood</td>
<td>Mary Lyda Wellons</td>
<td>865-428-9610 865-428-9743 - fax</td>
<td>Two (2) one-day complimentary admission tickets CERTIFIED # 846</td>
<td>1020 Dollywood Lane Pigeon Forge 37863</td>
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<td>Bristol Motor Speedway</td>
<td>Christy</td>
<td>Linda Bailes 989-6942</td>
<td>Four (4) O'Reilly 200 Truck Race Tickets and 50 cars</td>
<td>P O Box 3966 Bristol 37620</td>
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<td>Hands On Regional Museum</td>
<td>Crystal</td>
<td>928-6508 Kristine Carter</td>
<td>Ten (10) Admission for one</td>
<td>315 E. Main St. 37601</td>
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<td>Firehouse Restaurant</td>
<td>James B.</td>
<td>Tony Seaton 929-7377</td>
<td>Three (3) $25.00 Gift Certificates</td>
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<td>Fuddruckers</td>
<td>Lisa Shell</td>
<td>915-1004</td>
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<td>Gray Fossil Site</td>
<td>Margaret</td>
<td>Stephanie 439-3640</td>
<td>Two (2) all-access passes Expires 12/31/10</td>
<td>ETSU &amp; General Shale Brick Natural History Museum Box 70642</td>
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<td>Quillen COM</td>
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<td>Ruby Tuesday</td>
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<td>926-1336</td>
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<td>Marco’s Pizza</td>
<td>Mike Saylor</td>
<td>928-5888</td>
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<td>Loretta</td>
<td>439-4436</td>
<td>Pen / Key Ring</td>
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<td>Aramark</td>
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<td>Chris Parks</td>
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<td>Leigh</td>
<td>979-6417</td>
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<td>(2) Lamps</td>
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<td>Regions Bank</td>
<td>Lisa B.</td>
<td>Tammy Campbell 282-7625</td>
<td>Gift Tote $25 Visa Card</td>
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<td>Jason’s Deli</td>
<td>Christy</td>
<td>Brittany Henegar, Manager 467-3354</td>
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<td>1091 Hamilton Place 37604</td>
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<td>Ripley’s Aquarium of the Smokies</td>
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<td>1-888-240-1358 865-430-8818 - fax</td>
<td>Two (2) Free Admission Tickets</td>
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<td>Applebee’s Neighborhood Grill &amp; Bar</td>
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<td>Karen</td>
<td>753-4648</td>
<td>Tote Bag w/miscellaneous items</td>
<td>Jonesborough 37659</td>
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<td>Karen Sullivan 439-4231</td>
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<td>Margaret</td>
<td>461-1090</td>
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<td>207 Mockingbird Lane JC 37604</td>
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<td>Jane's Lunch Box</td>
<td>Phyllis</td>
<td>434-2665</td>
<td>One (1) Free Massage</td>
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<tr>
<td>Heavenly Ham</td>
<td>Marsha</td>
<td></td>
<td>One (1) Free Box Lunch</td>
<td>701 N. State Of Franklin Rd</td>
</tr>
<tr>
<td></td>
<td></td>
<td>434-4266</td>
<td></td>
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<tr>
<td>Starbuck's</td>
<td>James</td>
<td>283-0818</td>
<td>lb. bag of coffee (1) Mug</td>
<td>2008 N Roan St 37601</td>
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<tr>
<td>Rocky’s Pizza</td>
<td>Becky</td>
<td>753-2433</td>
<td>One (1) Free two (2) topping pizza</td>
<td>1003 E Jackson Blvd. Jonesborough 37659</td>
</tr>
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</tr>
<tr>
<td>Cranberries</td>
<td>Beth Bryant</td>
<td>282-8765</td>
<td>(2) Tote Bags</td>
<td>600 N. State of Franklin Rd</td>
</tr>
<tr>
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<tr>
<td>COM / Sim Lab</td>
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<td></td>
<td>T-Shirt / Mug</td>
<td>Undergraduate Advisement Box 70291</td>
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<tr>
<td>Food City – South Roan</td>
<td>Paul</td>
<td></td>
<td>One (1) $10 Gift Certificate</td>
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<tr>
<td>One Stop Market</td>
<td>Phyllis</td>
<td></td>
<td>Will call back</td>
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<tr>
<td>Kozey Kitchen</td>
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<td></td>
<td>(3) Dinners for Two</td>
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<tr>
<td>Apple Computer</td>
<td>Janet</td>
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<tr>
<td>Enkore Spa</td>
<td>Loretta</td>
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<tr>
<td>COMPANY</td>
<td>SENATOR</td>
<td>CONTACT</td>
<td>PRIZE</td>
<td>ADDRESS</td>
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<tr>
<td>Cook-out</td>
<td>Christy</td>
<td></td>
<td></td>
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<tr>
<td>Tomy Thai</td>
<td>Christy</td>
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<td>2 Gift Certificates for Free Meals</td>
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<td>Rita’s Ice</td>
<td>Christy</td>
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<td>Multiple coupons for free ice Gift</td>
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<td>Cards for Free Quarts</td>
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<td>Double Tree</td>
<td>Janet</td>
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<tr>
<td>Nebraska Bookstore</td>
<td>Charlie</td>
<td></td>
<td>??????????</td>
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<tr>
<td>Red Sunset Jewels</td>
<td>Kathy</td>
<td></td>
<td>Jewelry</td>
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