

Deans Council Responses

- 1) **From:** Oliver, Patricia B
Sent: Monday, January 28, 2013 3:41 PM
To: DeFranco, Agnes L
Subject: Re: University Coordinating Commission (UCC): Dean's Council Response Needed for UCC Agenda Items - Part 2

Agnes:
 I have reviewed this policies and have no issues with the changes indicated.
 Patricia

Patricia Belton Oliver, FAIA

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- 2) **From:** Rooks, Dana C
Sent: Tuesday, February 12, 2013 3:37 PM
To: DeFranco, Agnes L
Subject: Tobacco-Free Campus Policy No. 07.02.02 -- Comments

I have spent my career in Universities in part because I viewed the academy as a place that valued tolerance and diversity. The draft of the "Tobacco-Free Campus Policy" certainly disavows this view. It rings of the private businesses that impose their religious and personal beliefs and views on their employees and their constituents, whether it's tobacco, alcohol, birth control, or Christianity or even whether we choose to eat fried foods.

This policy is a total over-reaction to a policy put forth by a corrupt and largely discredited agency, CPRIT, that will likely be disbanded in the current legislative session. However, even the CPRIT policy spoke only to limiting smoking in facilities where cancer research was being conducted. This draft policy extends these limitations to the extreme. The policy states that it is intended to "Reduce health risks...while respecting the rights of individuals..." (II.E.1). Yet it is clear the policy seeks to create a very limited number of designated smoking areas, "not more than 25", which it intends to continually reduce. Given the size of the campus plus the ERP, these areas will not be conveniently located for the vast majority of students, faculty, staff or visitors. It is not intended to respect anyone's rights except for the small number of truly anti-smoking activists.

Most of us who smoke adapted long ago to those who were bothered by smoking. I don't even smoke in my own car if there are others in the car. There are a small minority of smokers and there are a small minority of intensely anti-smokers. The majority in the middle could care less unless it's being blown directly in their face. Yet as in so much of the world today, this University policy is an over-reaction to the small minority of those opposed to smoking who only want their views represented. Of course in Houston, and most of the

world, if you really want to worry about the air you breathe, you would ban cars and trucks and not cigarettes.

I hope you will re-consider this very oppressive policy and truly demonstrate your stated intention of respecting the rights of individuals. This policy will send the wrong message to our faculty and staff and to our current and future students, smokers and non-smokers alike, who do value tolerance and respect for the rights of others.

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- 3) **From:** Bowen, John T
Sent: Monday, February 18, 2013 4:23 PM
To: DeFranco, Agnes L
Cc: Nguyen, Mybao T; Chandapilla, Thomas P
Subject: MAPP Comments

Agnes

I have two comments on the MAPPS On Tobacco – Free Campus Policy 07.02.02 and Travel Paid from Local Funds 04.02.01B. If my comments are unclear, please feel free to call me for clarification.

Tobacco – Free Campus Policy 07.02.02

This seems really ambiguous. Last fall we were told by email it would be implemented in the spring semester of 2013 and the campus would be tobacco free by spring 2014. We filed with Hilton to have a smoke free hotel both inside and on the grounds. Currently we have a designated smoking area outside. This will cost us a few points in occupancy – net loss about \$100,000 per year.

The current map proposal states that the smoking areas will be reviewed yearly with no end date to go tobacco-free. The review each year clause means we could be reviewing the 20 smoking spots 5, 6, 7, 8 or etc years from now.

If there is no end date we would like to reverse our request with Hilton and provide a place for our guests to smoke.

Travel Paid from Local Funds 04.02.01B

See Maybao's note below. I feel the present MAPP is too restrictive on personal days. For example we have an instructor from political science teaching Texas History for our students in Lima. One of the reasons we were able to get him to go to Peru was he likes the country. He is teaching for us and then his wife is flying and he is traveling around the country. According to the research done in the Law center and reported by Maybao it is not against IRS regulations to reimburse employees for the business portion of their trip, even if the personal days were more than the business days.

I would like to see X.A.2 and X.B.2.a in MAPP 04.02.01B changed to allow the travel to get reimbursed fully for business days, even if the personal days were more than the business days. We can get an airfare quote for when they would have returned if they were coming home after the business trip and compare this with the price when the employee is returning after their leisure days. If the price is higher after the leisure stay then they should be reimbursed for the lower airfare.

As we develop executive education and off-campus programs it will make it easier to recruit faculty for these programs if the employee can spend some time exploring the destination. This does not cost the university anything extra.

X.A.2 – Below – page 12

2. Travel Primarily for Personal Reasons in the US – When the number of days spent on business activities is less than the number of days spent on personal activities or the nature of the business activities and their benefit to the university is not sufficiently documented.

None of the travel expenses (airfare, lodging, meals, etc.) may be directly charged to the university or reimbursed to the traveler.

X.B.2.a – Below – page 12

2. Travel Primarily for Business Outside the US – When all of the following are true (1) more than 50% of the total time outside the US is spent on business activities which are documented to benefit the university, and (2) more than 25% of the total time outside the US is spent on non-business activities, and (3) the trip is more than seven consecutive days including both the day of departure and return to the US.

a. Airfare may not be directly charged to the university on a Voucher or Travel Card. Airfare to and from the business destination will be reimbursed to the traveler proportionally based on the number of days spent primarily on business activities and the number of days spent primarily on personal activities, in accordance with IRS requirements. Airfare to personal destinations that are not on the way to the business destination or not on the way back home from the business destination

will not be reimbursed.

- 4) **From:** Bowen, John T
Sent: Tuesday, February 19, 2013 7:38 AM

To: DeFranco, Agnes L

Subject: Clarification on Tobacco - Free Campus: MAPP Comments

Thanks Agnes,

To clarify our request:

We would like to include our current smoking area which is between the North and South wings and more than 25 feet from the entrance to continuing education and the Hilton College south wing as a smoking area for hotel guests only. Students and employees will use the currently designated spots. We would like to maintain this as a smoking spot for hotel guests until the University eliminates its smoking areas and becomes totally smoke-free.

Tobacco – Free Campus Policy 07.02.02

If there is no end date we would like to reverse our request with Hilton and provide a place for our guests to smoke.

John Bowen

Dean

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- 5) **From:** Nguyen, Mybao T
Sent: Friday, February 22, 2013 5:25 PM
To: DeFranco, Agnes L
Cc: Nimmer, Raymond T; Alderman, Richard M
Subject: FW: University Coordinating Commission (UCC): Dean's Council Response Needed for UCC Agenda Items - Part 2

Dr. DeFranco – I am responding to your request on behalf of Dean Nimmer. The current attached travel MAPPS drafts are too restrictive and we would like to recommend the following changes:

- 1) MAPP 04.02.01A- Travel Paid from State-Appropriated Funds, Section XI.A.2: be changed to allow the traveler to receive full reimbursement for business days, even if the business days are less than the personal days.
- 2) MAPP 04.02.01B-Travel Paid from Local Funds, Section X.A.2: be changed to allow the traveler to receive full reimbursement for business days even if the business days are less than the personal days.
- 3) With regards to the airfare cost, the traveler can provide two airfare quotes: 1) for just the business days and 2) with the addition of personal days and the traveler would be reimbursed for the lesser of the two. Or, the traveler can pro-rate the cost of the airfare.

I reviewed the IRS policy at <http://www.irs.gov/pub/irs-pdf/p463.pdf> , page 6 under the section for Trip Primarily For Personal Reasons and found the IRS rule allows reimbursement for business expenses even if the trip was primarily for personal reasons.

If I can provide additional information, please let me know. Thanks!

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