Welcome

Valarie Maxwell
Fair Labor Standards Act
(FLSA)

Dawn Fisher
The *Fair Labor Standards Act (FLSA)* is a federal law enforced by the Department of Labor (DOL).

- Establishes minimum wage & overtime standards
- Distinguishes between covered (non-exempt) and excluded (exempt) employees
  - Non-Exempt – Eligible for overtime/comp time
  - Exempt – Not eligible for overtime/comp time
- Establishes overtime threshold (40 hours per week)
- Specifies employer record-keeping requirements
Current FLSA Guidelines

- **Currently**, to be exempt from overtime/compensatory time, an employee must pass three tests:

  - **Job Duties Test**: employee performs work that primarily involves certain executive, administrative, or professional duties.

  - **Salary Basis Test**: employee receives a fixed salary each week that is not subject to reduction because of variations in the quality or quantity of work.

  - **Minimum Salary Test**: employee receives a minimum salary — *currently* $23,660 (2004 revision)
NEW FLSA Guidelines

• The U.S. Department of Labor issued new regulations addressing overtime provisions of the Fair Labor Standards Act (FLSA).

  – To hold exempt status the salary threshold increased to **$47,476 annually** ($913 weekly)
    • An amount equal to the weekly earnings of the 40th percentile of full time salaried employees
    • Does not apply to teachers, lawyers, doctors, outside sales professionals

  – There will be automatic updates to the salary threshold every three years (next being Jan 2020, estimated increase to $51,168)

  – Effective date of implementation – December 01, 2016

  – No change to job duties test.
How does this impact MSU?

• Several job titles fall below the $47,476 salary threshold; therefore, these titles will no longer be considered exempt.

• More employees will track work hours differently and be eligible for overtime/compensatory time.
Options for Compliance

- Increase Salaries to $47,476
  - Current budgetary constraints
  - Increasing salary threshold
    - Estimated $51,168 in 2021, $55,108 in 2023

- Reclassify titles to non-exempt
  - Account for all hours
  - Accrue Compensatory Time

- Adjust Schedules/Flex time

- Reorganize Staff Workload
Discussion

- When is Compensatory/Overtime time allowed?
- What is considered work time?
- What are the guidelines for an alternate or flexible work schedule?
- What time reporting methods are available for non-exempt employees?
- What new policies are needed?
## Task Force Members

<table>
<thead>
<tr>
<th>Category</th>
<th>Member</th>
</tr>
</thead>
<tbody>
<tr>
<td>Co-Chairs</td>
<td>Dawn Fisher/Angie Reay</td>
</tr>
<tr>
<td>Admissions</td>
<td>Gayonne Beavers</td>
</tr>
<tr>
<td>Athletics</td>
<td>Kyle Williams</td>
</tr>
<tr>
<td>Business Office</td>
<td>Terry Ortiz</td>
</tr>
<tr>
<td>College – HSHS</td>
<td>Renee McAfee</td>
</tr>
<tr>
<td>College – PY</td>
<td>Dr. Andrea Button</td>
</tr>
<tr>
<td>Facilities</td>
<td>Jeff Desborough</td>
</tr>
<tr>
<td>Faculty Senate</td>
<td>Vicki Sanders</td>
</tr>
<tr>
<td>Information Technology</td>
<td>Jim Hall</td>
</tr>
<tr>
<td>Library</td>
<td>Clara Latham</td>
</tr>
<tr>
<td>Marketing/Advancement</td>
<td>Laura Peterson</td>
</tr>
<tr>
<td>Police</td>
<td>Albert Jimenes</td>
</tr>
<tr>
<td>Registrar</td>
<td>Darla Inglish</td>
</tr>
<tr>
<td>Residential Life</td>
<td>Kristi Schulte</td>
</tr>
<tr>
<td>Staff Senate</td>
<td>Dr. Pam Morgan</td>
</tr>
<tr>
<td>Student Affairs</td>
<td>Cammie Dean</td>
</tr>
</tbody>
</table>
The Requisition Approval Process
And other Internet Native Banner FAQs

Hayley Roach
I just entered this requisition. Why does it require my approval?

– At this level, we decided to make approvals “explicit”, which means that you must indicate your approval even if you entered the requisition because your approval is not implied/”implicit.”

Why did we decide to make approvals “explicit”?

– Some departments are so small that the administrative assistant who put in the requisition is the only other employee available to be the backup approver, and policy requires at least two explicit approvals on each requisition.
What do I need to do to make changes to the people who are required to approve reqs?

– When it is known that an approver is leaving MSU (i.e. retirement/resignation), the transition will be smoother if their replacement is decided upon and the date they will start approving is communicated to me ahead of time.

– If changes occur unexpectedly, please let me know as soon as possible so that I can get the approver list updated.

– A requisition will go to the people who were on the approval list at the time it was submitted, even if changes are made to the list.

– Please communicate any desired changes in email so I will have a written record of who requested the changes.
What do I need to do to make changes to the FOAPALs that are approved by my department?

– When Dr. Clark’s position did not remain after he went back to teaching, his accounts were split between different departments. I am just now getting the FOAPALs set up to go through the proper approval routing.

– If you notice a requisition that is not going to the correct person, please notify me so that I can fix the problem.

– Some approval lists are set up only by their organization code, but some are fund org specific, so please let me know if any FOAPALs are changed or new accounts (that will have purchase requisitions) are added to your dept.
How do I find out where my req is at in the process? (Who still needs to approve it?)
<table>
<thead>
<tr>
<th>Queue ID</th>
<th>Queue Description</th>
<th>Queue Level</th>
<th>Approval Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>INV1</td>
<td>REGULAR INVOICE APPROVAL</td>
<td>100</td>
<td>+</td>
</tr>
<tr>
<td>INV2</td>
<td>REGULAR INVOICE APPROVAL</td>
<td>101</td>
<td>+</td>
</tr>
</tbody>
</table>

+ Indicates what will be approved

In suspense: ☐
Detail: ☐
Approve: ☑
Disapprove: ☐
Nothing shows up on FOAAINP. Now what?
How do I find out who all approved my requisition?
I just realized after completing my requisition that I made a mistake. Can I get it back myself, or does someone have to disapprove it?
After denying my requisition, how do I get back into it to make changes?

– Go to **FPAREQN**, just like you would if you were creating a new requisition
– Type in the Requisition Number
– Hit next block and make the necessary changes
  • Sometimes it’s necessary to hit the tab key if you’re attempting to change the FOAPAL or dollar amount information (don’t forget the top and bottom dollar amounts must match)
– Hit complete again to send to the approval process
  • Even if you were halfway through getting the approvals, it has to start over again with the first approver
What do I do when I get this error when trying to do a Requisition or Self Service Budget Entry?

Dial x4108 or email hayley.roach@mwsu.edu
How can I tell if I have revenue that hasn’t been added to my budget in my account?

– When on FGIBDST, go to Options, Budget Summary Information

– From the Home Screen, Go To FGIBSUM and type in your fund and organization (hit next block)

– If you are owed some revenue budget, the number in the available balance column will be negative

– We do the budget from revenue entry around the 15th of the month, once the monthly bills from campus services have posted
How can I quickly see what encumbrances I still have that are open/outstanding?

– From FGIBDST, go to Options, Organization Encumbrances

– From the Home Screen, Go To FGIOENC and type in your fund and organization (hit next block)

– Most encumbrances showing up right now start with PR, which is payroll

– The account code (acct) can help you determine what an expense is if you don’t recognize it
Any more questions?

KEEP CALM AND CALL THE ACCOUNTANT
Account Managers Group

Contract Management

Steve Shelley
What is Contract Management?

- Contract management is the process of directing contract planning, formation, execution, and assessment through closeout to maximize financial and operational performance and minimize risk. Good contract management procedures are critical to the efficient and effective use of public funds for Midwestern State University (MSU) to achieve its mission.

- The information contained in this *Contract Management Handbook* complies with Section 2261.256 of the Texas Government Code which requires MSU, as a state agency, to publish a contract management handbook that establishes consistent contracting policies and practices and contract review procedures to be followed by MSU and that is consistent with the State Comptroller’s contract management guide.

- In addition, MSU is required under Section 2261.256 to develop and comply with a purchasing accountability and risk analysis procedure that must provide for:
  - assessing the risk of fraud, abuse, or waste in the contractor selection process, contract provisions, and payment and reimbursement rates and methods for the different types of goods and services for which the agency contracts;
  - identifying contracts that require enhanced contract monitoring or the immediate attention of contract management staff; and
  - establishing clear levels of purchasing accountability and staff responsibilities related to purchasing.
Contract Management Process

- **Routing Sheet Plan**: identify contracting objectives and contracting strategy
- **Risk Assessment Matrix**
- **Sole Source if applicable**: fairly and objectively select the most qualified contractors
- **Log**: keep a log for all major contracts and major purchase orders and monitoring contracts.

**Step 1**
Initiating Dept

- **Approval process**: responsible for ensuring that approval by the appropriate department(s) and supervisor(s)
- **Forward to Contract Management Office for review**: They will assist the initiating department’s contract liaison with negotiating contract terms and conditions and the preliminary preparation and review of the contract.
- **Will obtain signatures and return a fully executed agreement back to Liaison**.

**Step 2**
Contract Management

- **Vendor Performance Forms**
- **Annual Review**
- **Proper Closeout with appropriate file contents**

**Step 3**
Completion
The Contract Liaison

➢ The Contract review process starts with the initiating department’s Liaison

➢ Contract Liaison responsibilities
  ✓ assisting in planning and developing contract objectives
  ✓ ensuring proper completion of the Risk Assessment Matrix (Appendix A)
  ✓ ensuring proper completion of the Contract Routing Sheet (Appendix B)
  ✓ monitoring progress and performance and ensuring proper completion of the Vendor/Contractor Performance Report (Appendix C)
  ✓ authorizing payments consistent with contract documents
  ✓ maintaining appropriate records.
Contract Management and the Routing Sheet

New One

- A contract or agreement that creates a legally enforceable obligation and Midwestern State University must adhere to MSU Contract Administration Procedures. Examples of contracts include:
  - Agreements
  - Contracts
  - Leases
  - Letters of Intent
  - Memorandums of Understanding
  - Easements
  - Licenses
  - Purchase Orders
  - Terms & Conditions

Contracts must be reviewed and approved by the initiating department. The contract routing sheet captures this approval.

Only specific University officers and employees are authorized to enter into an agreement (sign) on behalf of the University.
## Risk Assessment Matrix

### Table 1: Evaluation Criteria

<table>
<thead>
<tr>
<th>Factor</th>
<th>Low (1)</th>
<th>Medium (2)</th>
<th>High (3)</th>
<th>Extremely High (4)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Cost</td>
<td>&lt; $25k</td>
<td>$25k but &lt; $100k</td>
<td>$100k but &lt; $1 million</td>
<td>&gt; $1 million</td>
</tr>
<tr>
<td>Type of Contract Purchase</td>
<td>Interagency, MOU or Interlocal</td>
<td>Contract less than $25k</td>
<td>Consulting, Emergency, Sole Source, Proprietary, or Construction &gt; $25k</td>
<td>Major Information Technology Purchase</td>
</tr>
<tr>
<td>Payment Type/Structure</td>
<td>Fixed price or contingency</td>
<td>Rate or Fee for Services</td>
<td>Cost Reimbursement &gt; $100k but &lt; $1 million</td>
<td>Cost Reimbursement &gt; $1 million</td>
</tr>
<tr>
<td>Essential MSU Function</td>
<td>Contract services are not essential to MSU’s mission</td>
<td>Contract services are moderately essential to MSU’s mission</td>
<td>Contract services are essential to MSU’s mission &gt; $100k but &lt; $1 million</td>
<td>Contract services are essential to MSU’s mission &gt; $1 million</td>
</tr>
<tr>
<td>Percentage of Services Performed by Subcontractors</td>
<td>No Subcontractor involvement</td>
<td>Subcontractors account for less than 50% of contract work performed</td>
<td>Subcontractors account for 50% to 75% of contract work performed</td>
<td>Subcontractors account for more than 75% of contract</td>
</tr>
<tr>
<td>Stability &amp; Experience of Vendor’s Key Management</td>
<td>No recent change and significant experience</td>
<td>No recent change, but not significant experience; or recent change but significant experience</td>
<td>Recent change and not significant experience</td>
<td>Recent change and less than 1 year of experience</td>
</tr>
<tr>
<td>Compliance History</td>
<td>No issues of non-compliance</td>
<td>Moderate instances of non-compliance</td>
<td>Substantial finding of non-compliance</td>
<td>Substantial finding of non-compliance</td>
</tr>
<tr>
<td>Past Programmatic Performance</td>
<td>Met or exceeded all output and outcome measures</td>
<td>Met 90% or more but less than 100% of output and outcome measures</td>
<td>Met 75% or more but less than 90% of output and outcome measures</td>
<td>Met less than 75% of output and outcome</td>
</tr>
<tr>
<td>Audit Results</td>
<td>No audit required or no issues or findings in audit(s)</td>
<td>Moderate issues or findings in audit(s)</td>
<td>Substantial issues or findings in audit(s)</td>
<td>Substantial issues or findings in audit(s)</td>
</tr>
<tr>
<td>Number of Years Vendor in Business</td>
<td>More than 5 years</td>
<td>3 to 5 years</td>
<td>1 to 3 years</td>
<td>Less than 1 year</td>
</tr>
<tr>
<td>Performance Measures</td>
<td>Contract contains multiple defined and measurable performance</td>
<td>Contract contains at least one clearly defined or measurable performance measure</td>
<td>No performance measures included in contract &gt; $100k but &lt; $1 million</td>
<td>No performance measures included in contract</td>
</tr>
<tr>
<td>Deliverables</td>
<td>Contract contains multiple deliverables that are clearly defined</td>
<td>Contract contains at least one clearly defined deliverable</td>
<td>No deliverables included in contract</td>
<td>No deliverables included in contract</td>
</tr>
<tr>
<td>Financial Reports Required</td>
<td>&gt; $500k but &lt; $1 million</td>
<td>&gt; $1 million but &lt; $1 million</td>
<td>&gt; $1 million - minimal financial reports required</td>
<td>&gt; $1 million - no financial reports</td>
</tr>
</tbody>
</table>
## Risk Assessment Matrix

**Table 1A:**
Evaluation Table (Use the criteria in Table 1 to determine the score for each factor and total up the scores.)

<table>
<thead>
<tr>
<th>Project Name:</th>
<th>Factor</th>
<th>Comments</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total Cost</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Type of Contract Purchase</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Payment Type/Structure</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Essential MSU Function</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Percentage of Services Performed by Subcontractors</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Stability &amp; Experience of Vendor’s Key Management</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Compliance History</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Past Programmatic Performance</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Audit Results</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Number of Years in Business</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Performance Measures</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Deliverables</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Financial Reports Required</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>TOTAL</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Table 2: Risk Assessment Matrix
(Use the scores provided in Table 1A to determine the level of risk.)

<table>
<thead>
<tr>
<th>Risk Level</th>
<th>Point Range</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extremely High Risk</td>
<td>E 40-52</td>
<td>Projects include unexpected levels of risk, including critical issues that are likely to occur if the contract is not properly managed. Contract management staff must consider possible contract risks, document and include them in the contract management plan and determine how risk will be monitored.</td>
</tr>
<tr>
<td>High Risk</td>
<td>H 27-39</td>
<td>Projects contain potentially serious risks that may occur. The contract management plan must include language that ensures proactive strategies to reduce risk and the method of monitoring the risk.</td>
</tr>
<tr>
<td>Medium Risk</td>
<td>M 14-26</td>
<td>Projects contain some level of risk that may occur. Contract management staff should consider if a contract management plan is required. If a contract management plan is not required, the purchaser will identify and document with an explanation of how risks will be managed. This information will be maintained with other contract documentation.</td>
</tr>
<tr>
<td>Low Risk</td>
<td>L 0-13</td>
<td>Projects contain minimal risks and are unlikely to occur. Contract management staff can proceed with contracting as planned.</td>
</tr>
</tbody>
</table>

**Summary of Risk Management:**

**Risk Mitigation Plan:**
# Appendix C

**Midwestern State University Vendor/Contractor Performance Report**

**Instructions:** This form is required to be prepared by the Contract Liaison and then submitted to the MSU Purchasing/Contract Management Office. For less than satisfactory evaluations or unacceptable evaluations, a copy will be submitted to the Contractor/Vendor. Supporting documentation of correspondence with Contractor/Vendor shall be attached to this evaluation form for record.

## Part I - GENERAL CONTRACT DATA

<table>
<thead>
<tr>
<th>Field</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contract No</td>
<td>(not project number)</td>
</tr>
<tr>
<td>Contract Date</td>
<td></td>
</tr>
<tr>
<td>From</td>
<td>Department Name and Address (please include contact name, phone number, and e-mail address)</td>
</tr>
<tr>
<td>To</td>
<td>Vendor Name, Address, Fax number, VID Number</td>
</tr>
<tr>
<td>Today’s Date</td>
<td></td>
</tr>
</tbody>
</table>

**Description and location of work:**

## FISCAL DATA

<table>
<thead>
<tr>
<th>Field</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amount of original Contract</td>
<td></td>
</tr>
<tr>
<td>Amount of Modifications (’ or -)</td>
<td></td>
</tr>
<tr>
<td>Liquidated Damages Accrued (if any)</td>
<td></td>
</tr>
<tr>
<td>Net Amount Paid to the Contractor</td>
<td></td>
</tr>
</tbody>
</table>

## SIGNIFICANT DATES

<table>
<thead>
<tr>
<th>Field</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of Award</td>
<td></td>
</tr>
<tr>
<td>Original Contract Completion Date</td>
<td></td>
</tr>
<tr>
<td>Revised Contract Completion Date</td>
<td></td>
</tr>
<tr>
<td>Date Work Accrued</td>
<td></td>
</tr>
</tbody>
</table>

## Part II - PERFORMANCE EVALUATION OF CONTRACT

**Performance Elements**

<table>
<thead>
<tr>
<th>Field</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quality of Work</td>
<td></td>
</tr>
<tr>
<td>Timeliness</td>
<td></td>
</tr>
<tr>
<td>Effectiveness of Management</td>
<td></td>
</tr>
<tr>
<td>Compliance with Labor Standards</td>
<td></td>
</tr>
<tr>
<td>Compliance with Safety Standards</td>
<td></td>
</tr>
<tr>
<td>Overall Evaluation</td>
<td></td>
</tr>
</tbody>
</table>

**Detailed explanation (Please be specific; attach additional sheet if required):**

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**Administrative Hand/assigned Contract Liaison:**

Revised: 08/01/2016

**Office of Purchasing/Contract Management Signature:**
Purchasing & Contract Management Website

- The Purchasing and Contract Management website is your one stop link to everything purchasing and contract/agreement related. The website includes:

  - Current Bid Opportunities
  - Purchasing Resources & Forms
  - Contract Management Information
  - Warehouse and Surplus Inventory
  - Procurement Card Information
  - Preferred Vendors
  - Purchasing Transparency Report
  - Links to Purchasing Policies and Guidelines
  - FAQ’s
  - Purchasing Directory

- [www.mwsu.edu/purchasing/](http://www.mwsu.edu/purchasing/)
SHRED DAY

• Next scheduled date:
  - October 26th, 2016

• Documents must be sent to central warehouse prior to these dates

• No cost to your department
Account Managers Group

IT Security Awareness

Jim Hall
Texas Administrative Code (TAC)

TAC202.74
(b) State institutions of higher education are responsible for:
   (2) administering an ongoing information security awareness education program for all users
Awareness and Training

Standard AT-2

State organizations shall:

- Provide an ongoing information security awareness education program for all users; and

- Use new employee orientation to introduce information security awareness and inform new employees of information security policies and procedures.
Not all threats can be detected by file scanning tools.

Not all threats can be detected by embedded URL filtering technology.

In late 2015 statistics showed that over 90% of cyberattacks that were successful required human intervention. In 3rd quarter 2016 that number is growing.

You cannot assist in protecting MSUNet from a threat you know nothing about.
Security Awareness

Ransomware!

Your personal files are encrypted!

Your important files encryption produced on this computer: photos, videos, documents, etc. Here is a complete list of encrypted files, and you can personally verify this.

Encryption was produced using a unique public key RSA-2048 generated for this computer. To decrypt files you need to obtain the private key.

The single copy of the private key, which will allow you to decrypt the files, located on a secret server on the Internet; the server will destroy the key after a time specified in this window. After that, nobody and never will be able to restore files...

To obtain the private key for this computer, which will automatically decrypt files, you need to pay 100 USD / 100 EUR / similar amount in another currency.

Click <Next> to select the method of payment and the currency.

Any attempt to remove or damage this software will lead to the immediate destruction of the private key by the server.
To start with KnowBe4 enter your email address below

Email: Enter your work email

Next
Welcome! securityadmin@zwnsu.edu!

Thank you for joining your organization's KnowBe4 account.

To activate your account, click the link below.
Activate my account

Thanks,
KnowBe4
Security Awareness

KnowBe4
Setup your account

Email: securityadmin@mwsu.edu
First name: Security
Last name: Administrator
Password: ************
Password confirmation: ************

By clicking Save & Continue you are acknowledging that you have read and accepted the KnowBe4 Privacy Policy / Terms of Service

Save & Continue
Security Awareness

Available courses

Active Training Campaigns

MSU Initial Security Awareness Training Offering (Due in 80 days)

<table>
<thead>
<tr>
<th>Course</th>
<th>Enrolled On</th>
<th>Status</th>
<th>Completed On</th>
<th>Time Spent</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016 Kevin Mitnick Security Awareness Training - 25 min</td>
<td>09/27/16</td>
<td>Not Started</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2016 Kevin Mitnick Security Awareness Training - 25 min</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Estimated completion time: 25 minutes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2016 Ransomware</td>
<td>09/27/16</td>
<td>Not Started</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2016 Ransomware</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Estimated completion time: 25 minutes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Questions?
Payroll Information

• Timesheet Approver
• Student/Temp Term Dates
• Birthday Days

Kathy Rice and Connie Strickland
Tips — Did you know that with our medical insurance you get:

$10 Co-Pay

realappeal No cost

http://realappeal.com
Account Managers Group

- Next Meeting - October 27, 2016
- Shred Day – October 26th

Questions or Suggestions??
Thank you!

mwsu.edu