

NIH CHILD CARE BOARD MEETING MINUTES

January 22, 2004

Building 31 – Conference Room 6

10:00 a.m. to 12:00 p.m.

Members in Attendance:

Janet Austin, Deborah Fountain, Alisa Green, Valerie Hurt, Lynn Hudson, Susan Koester, Jayne Lura-Brown, Juanita Mildenberg, Barbara Murphy, Henry Primas, Mary Ellen Savarese, Lisa Strauss, Tim Tosten

Members Absent: Kim Plascjak, Qin Ryan, Susan Reider,

Liaisons in Attendance:

ChildKind, Inc.: Lee Ettman, Charles Carter

POPI: Paulina Alvarado, Lucretia Berlinski, Martina Vogel-Taylor

First Environments: Dona McNeill, Beth Lake, Trudi Tuinstra

Guests:

Linda Jensen / NIMH, Allyson Stokes / OAMP

- I. Welcome and Introductions:** Janet Austin began the meeting by welcoming members and guests.
- II. Approval of Minutes:** Members voted and approved the minutes from the December 11, 2003 board meeting.
- III. Report on Meeting with Dr. Kington:** Janet Austin updated members on the January 13, 2004 meeting with Dr. Kington to discuss the Board's recent Annual Report. Also attending were Susan Koester, Mary Ellen Savarese and Tim Tosten and Steve Ficca. Included in the Board members' packet was a copy of Janet Austin's note to Dr. Kington thanking him for meeting their meeting and a copy of his response.

Child Care Subsidy Program: Dr. Kington was very supportive of the Board's recommendation for a Child Care Subsidy Program, and would like to see a more formal proposal detailing how the NIH would implement the program. Tim Tosten informed members that he has included in his FY'05 and FY'06 budget requests money to fund the subsidy program.

ORS Legislative Proposal: Dr. Kington was not as enthusiastic about his ability to assist on this issue, and would like the Board to send him a memo specifically related to this topic and he would be "aware" of the situation. In this memo, the Board will need to better explain that by changing the language in the legislation would allow employees in training positions the opportunity to benefit from all of the child care programs and services offered by the NIH.

Northwest Child Care Center: Construction for this center was originally slated to occur in FY'05 has now been pushed until FY'08. The protocol for getting approval to construct buildings on the NIH campus is a difficult process and currently the NIH's primary focus is on completing construction of the Building 10 Clinical Research Center and the Porter Neuro-Research Science Center.

Dr. Kington was not as comfortable in supporting this issue given the reality that this project could be moved again. He did indicate that the project will remain as a line item on the NIH's Building and Facilities Budget Requests to Congress.

Parenting Festival: Dr. Kington indicated he would be willing to participate in this year's Parenting Festival and asked the Board to send him a letter outlining any other ways he could assist the NIH Child Care Programs.

IV. Discussion -Contractors and Child Care Services: Susan Koester began the discussion by mentioning at the beginning of the year, several Board members noted that between A-76 and the loss of FTE's and other initiatives occurring NIH-wide, the number of contractors working at or in affiliation with the NIH is increasing. There are a large number of people who are performing jobs where the previous incumbent had been a government employee. These individuals are working side-by-side with FTE's doing the same work and yet some benefits offered to government employees are not available for contractors, or the benefits are different. One of these benefits is access to the NIH Child Care Programs and potentially the Child Care Subsidy Program.

Members were asked to identify what the issues would be in terms of having the contractors get access to these benefits whether it would be through the NIH benefits or through their own contracting agency. A lot of these individuals are not brought onboard under Professional Services contracts, but are employees of a company that the NIH has contracted with for services. The Tribble Amendment (the authorizing legislations which allows the NIH to contract with outside organizations to provide child care services on Federal property) states that child care services are to be provided to Government employees. It does not prohibit contractors but specifies Federal employees as a priority.

- Allyson Stokes informed members that if a contractor has service employees, they are required to follow the provisions of the Service Contract Act, which indicates that the contractor has to have certain Workman's Compensation and Health and Welfare benefits for employees. The NIH can not dictate to the contractor what they do or do not do; it's required by law, however, the NIH has a responsibility to ensure that the contractor is following the rules and regulations outlined by the Department of Labor.
- Linda Jensen added that part of the Service Contract Act has a Health and Welfare Benefit in it of so much per hour per employee, but it does not guarantee that the contractor has to fund specific benefits. It is the contractor's option of where that benefit goes and a contractor could put it to help pay for their employee's health insurance, retirement, or it could be added to the employee's salary. It depends on how that contract is written with that individual contractor. There is no guarantee that you will see the same benefits across the board with all of these contracts. She suggested the board consider the following:
 - The Service Contract Act is mandated by law and outlines certain required provisions. All the other individual provisions that you write into a contract have to be stipulated when you write the terms of that contract. In order for child care services to be addresses in these contracts, the NIH would have to say across the board that they want contracts to supplement XX number of dollars a month.

- Include as part of the ORS's Legislative Proposal a clause stating that if a Government employee is converted to contract not by choice, their children will be allowed to remain in the NIH Child Care Programs.
- Martina Vogel-Taylor asked if the Board could find if any discussions are occurring at the Office of Personnel Management level on how A-76 and is affecting other benefits provided to employees.
- Janet Austin summarized the discussion by suggesting the Board look at a solution for FTE's who become contractors and have children in the NIH Child Care Programs. She recommended that the Board include in their ORS Legislative Proposal to incorporate language that if a Government employee's job is converted to a contract and they have a child in the NIH Child Care Programs, their children could be grandfathered into the programs.
 - Deborah Fountain commented that consideration may need to be given to employees already enrolled in the NIH Child Care Programs whose jobs may become affected by A-76.
 - Mary Ellen Savarese mentioned that these issues are policy decisions the Board could recommend the NIH consider changing. The current policy as defined in each of the NIH Child Care Programs Use Agreement states that when an employee leaves the NIH there child can no longer be in the NIH Child Care Programs. She also mentioned that the same current policy regarding the NIH Child Care Programs Wait List can be changed to include contractors. The Board was asked to consider the pros and cons for each and submit their recommendations to her.
 - Valerie Hurt reminded members that the Tribble Amendment does not define "employee", as a consequence, the agency refers to general definitions of "employee" which would exclude Fellows and IRTAs. However, the NIH has other laws that define "employee" to include Fellows and IRTAs. As a consequence, the NIH has made a judgment call to include Fellows and IRTAs as a general priority placement and allowed these individuals to remain as a second tier for priority placement. The NIH does not have similar statutes that can be referenced for contractors.
 - A subcommittee was appointed to explore the possible options for a solution to address this issue and come back to the Board with a recommendation on how we can provide services to FTEs that are converted to contractors.

V. Appointment of a Committee for the May Parenting Festival: Alisa Green shared with members that the 2nd Annual Parenting Festival is scheduled for May 26, 2004 and will be held again in Building 50 from 11:00 a.m. to 2:00p.m. The Parenting Festival showcases a variety of parenting/child development resources offered by several Institutes and other amenity services at the NIH for parents-to-be and parents of infants through teens. The festival was well attended last year and employees have asked that the event be held at one or more of the satellite locations (Executive Boulevard, Rockledge). Members of the subcommittee will be asked to review the list of prior participants, deciding if more participants should be invited, organizing and publicizing the event, recruiting volunteers to assist at the event, and organizing an event to take place off campus.

VI. Child Care Current Events:

First Environments Early Learning Center: Beth Lake shared with members that her center provides child care services to employees that work for NIEHS and EPA at Research Triangle, N.C. They are currently planning the design and construction of a new center that will be located on the NIEHS campus.

The new center will allow for (50) additional children (primarily infants - toddlers) to their current capacity of 134 children. The center originally started with (90) children in 1988, and within a couple of years the program found that they were only taking siblings off their wait list. Fortunately a building became available near the center and was renovated to care for preschoolers. The current program has (80) preschoolers and (50 – 60) infants - toddlers. The center does serve contractors. The new center's playground will be designed by Robin Moore through the North Carolina State University initiative called the Natural Learning Initiative where individuals come to your center and plan areas to make nature-friendly "outdoor learning environments". The teachers and children will assist in the planning and installation process. To maintain the intimacy of the current center, the new center will be designed in "pods" to flow with the T-shape of the building. The center is slated to open in the spring of 2005.

ChildKind, Inc: Lee Ettman announced that the center is planning its 20th Anniversary open-house celebration to take place this spring. Recently, the center acknowledged their Assistant Director for her 20 years with ChildKind. Board members are looking forward to their invitation to the festivities.

Parents Of Preschoolers, Inc.: Paulina Alvarado shared with the Board that her center's Board of Directors recently completed revising their by-laws to reflect the expansion of their program to include infants and toddlers. Revisions included discontinuing the summer program for the Kindergartners and the election of officers will occur during the summer instead of the fall. The final step will be to have the parents vote on and approve the new by-laws. Lucretia Berlinski shared with the members that the center will be celebrating Chinese New Year today and several parents have prepared traditional meals for the children to eat. Children will be wearing traditional clothing and will be participating in a dragon dance. The center recently installed in their lobby a large indoor loft that the children are enjoying.

VII. Other Announcements and Adjourn: The meeting was adjourned at 11:25 p.m.

**The next meeting is scheduled for March 4, 2004
Building 31 – 6C/Room 7**

Prepared by:
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