

**Minutes of the Business, Finance, and Audit Committee**  
**July 9, 2009**  
**Madison, Wisconsin**

The Business, Finance, and Audit Committee convened at 9:03 a.m. in Room 1511 Van Hise Hall, on the UW-Madison campus. Present were Regents Connolly-Keesler, Falbo, Smith, Walsh, and Wingad.

**a.1. Approval of a Food Service Contract at UW-Green Bay.** Senior Vice President Tom Anderes provided background information on the seven-year contract with A'viands LLC to provide dining services at UW-Green Bay. This contract was originally presented at the June meeting, but a number of questions regarding A'viands' commitment to the employees of the current contractor prompted the Committee to remove the items from the consent agenda and call for discussion by the full Board. Mr. Anderes indicated that since the meeting in June, discussions with A'viands have yielded the following information:

- All employees were given the opportunity to interview with A'Viands
- 21 of 24 non-management staff will be offered positions
- Those offered positions will be offered their current wages
- Those who are offered, accept, and begin employment will be given a 90-day fair trial period
- A'Viands provides a comprehensive benefits package, and
- Staff will be credited for all years of service at UW-Green Bay

Matthew Schumwinger, Laundry and Food Services Director of Workers United, and Fay Goring, Food Service Worker at UW-Green Bay, addressed the Committee, focusing primarily on the process used to determine which employees were not offered employment, and the increased cost of health insurance. Mr. Schumwinger indicated that this process did not follow the previous process of hiring current employees, and stated that he would like to be involved in future contract negotiations.

Regent Falbo questioned how A'viands could be expected to make certain guarantees regarding their hiring practices when it wasn't specified as a term of the contract. The Committee agreed that, in future contracts, specific details regarding health insurance and other benefits may need to be more clearly articulated. The Committee also suggested looking at peer examples with an emphasis on transitions between contractors.

Tom Maki, Vice Chancellor for Business and Finance at UW-Green Bay informed the Committee that UW-Green Bay employees are pleased with the process that was followed for the Food Service Request for Proposal (RFP). He indicated that contractors are not required to hire the current employees, and stated that the contract with A'viands is in the best interest of the students.

Regent Falbo questioned if the re-hired employees would be credited with their current years of service—to which Vice Chancellor Maki responded that they would.

Regent Walsh asked Mr. Schumwinger if A'viands has the right to hire three less people. Mr. Schumwinger responded that they do, but A'viands has not explained why they have not

hired those people. Regent Walsh raised concerns that the Committee was being asked to micromanage the contractor, and he indicated that many businesses do not offer health insurance coverage immediately upon appointment.

Senior Vice President Anderes indicated that the RFP process that was used was very competitive and UW-Green Bay staff were closely involved. He reported that it would be inappropriate at this point for A'Viands to inform the Committee why they didn't hire the three people.

When Regent Walsh questioned if it might be problematic that staff don't have a collective bargaining agreement with A'viands, Mr. Anderes responded that it would not be a problem because A'Viands will continue to recognize staff seniority.

Upon the motion of Regent Falbo and the second of Regent Connolly-Keesler, the Committee approved Resolution I.2.a.1. for a food service contract with A'Viands, LLC at UW-Green Bay. Regents Connolly-Keesler, Falbo, Smith, and Wingad voted in favor of the Resolution, and Regent Walsh voted against it.

**[Resolution I.2.a.1.]**

That, upon recommendation of the Chancellor of the University of Wisconsin-Green Bay and the President of the University of Wisconsin System, the Board of Regents approves the contract with A'viands, LLC to provide Dining Services to the University of Wisconsin-Green Bay, effective August 1, 2009 for a period of seven years.

**a.2. Approval of a Pouring Rights Contract at UW-Platteville.** Senior Vice President Tom Anderes gave a brief overview of the contract. Rob Cramer, Assistant Chancellor for Administrative Services at UW-Platteville, indicated that Pepsi is the current vendor, and the campus has a good relationship with them.

Regent Smith questioned how the profits will be spent, and Mr. Cramer responded that they will be used to pay off the debt for the Student Center.

Upon the motion of Regent Connolly-Keesler and the second of Regent Wingad, the Committee unanimously approved Resolution I.2.a.2.

**[Resolution I.2.a.2.]**

That, upon recommendation of the Chancellor of the University of Wisconsin-Platteville and the President of the University of Wisconsin System, the Board of Regents approves a four year eleven month contract with Pepsi Cola Bottling of Dubuque to provide exclusive soft drink pouring rights to the University of Wisconsin-Platteville effective August 1, 2009.

**b. Approval of the Minutes of the June 4, 2009 meeting of the Business, Finance, and Audit Committee.** Upon the motion of Regent Falbo and the second of Regent Wingad, the Committee unanimously approved the minutes of the June 4, 2009 meeting of the Business, Finance, and Audit Committee.

The meeting adjourned at 9:45 a.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Zayda R. Back". The signature is written in a cursive style with a large, looping flourish at the end of the word "Back".

Zayda R. Back, Recording Secretary