

STATEWIDE PEF – DOL LM
Agenda
Wednesday, March 19, 2025

PEF -planned attendees	MANAGEMENT – planned attendees
Scarlett Ahmed, Co-chair	Suzanne Piccirillo, Co-chair
Bill Clingersmith, Temporary Co-chair	Jane Thompson
Kevin Jones	Sean Hennessy
Scott Hektor	Michelle Daly
Robert Wright – PEF Field Rep	Lars Thompson
	Leighann Brown
	Paul Milanovich
	Jennifer Williamson
	Allison Konderwich
	Jeanette Lazelle
	Gregory Felter

I. Welcome/Introductions (Roll Call)

II. Approve prior minutes

Minutes approved.

Confirm meeting minute process.

III. Discussion of Work Group related to UI Career Centers

A. PEF requests discussion of the Working Group relating to UI and Career Centers

Management proposed making meeting updates a standing agenda item on Statewide agendas.

PEF requested minutes be taken during the workgroup meeting. PEF would like this to be taken into consideration. Minutes would be taken for the purpose of sharing to members.

Management suggested saving these updates for statewide LM.

PEF noted concern about TCC staffing.

Management advised that this concern is heard and concerns like this are the purpose for the work group.

PEF advised there has been little contribution from Management during these meetings.

Management advised they have been setting up and preparing these meetings and haven't received any agenda items from PEF. It was noted DEWs leadership has made great contributions in these meetings.

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PEF advised their members and DOL staff are curious to what is happening in the group.

Management advised that they could figure out the best ways to report out and get back to PEF at the next statewide meeting.

PEF requested this be discussed at the next work group meeting. They noted that CSEA is represented in the group as well and want them to be able to hear the reporting.

Management advised that they meet with CSEA for statewide meetings as well.

IV. Division of Employment and Workforce Solutions (DEWS)

A. General Division Update

1) Update on the Asylum Seeker project.

Management advised they've reached 24,000 people. Project continues per usual. Treating them as any other customer that walks in. They've seen early employment outcomes, around 1,000 people.

PEF requests discussion of guidance for staff should ICE demand entry.

Management advised they are still holding recruitment events. They have raised this concern to the executive level and are working on response.

PEF asked what if something was to happen today.

Management advised it should be escalated to Pamela Miller.

PEF requested that this be added to the agenda in June and that a subject matter expert be invited.

Management advised they hope to have a guidance soon, but this has been noted.

PEF asked if all DEWS programs are federally funded.

Management advised they are not. Each staff person is funded a little differently.

2) Update on Jails to Jobs program

Management advised they made some progress. Engaged with partners from DOCCS in February to restart conversation about a process to move forward. Working to secure staff that will be willing to participate. Email for volunteers has not gone out. Will go out in coming weeks. 1 pilot program will be started despite initially intending to do 2 pilots. Pilot for this project will begin in Wyoming county. Second one was going to be in Long Island city but DOCCS now looking for a better placement for that. It is intended to be all virtual, volunteers could participate anywhere in the state.

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PEF asked if there are no volunteers, will anyone be mandated to do it.

Management advised that this hasn't been discussed yet. They are expecting plenty of volunteers but can revisit this.

PEF asked if employees are to do this, would these people be paid for out of title work.

Management advised no because these are still services that could be provided as an LSR.

- 3) Update on WFS rollout - PEF requests discussion on system rollout and implications

Management advised they piloted with 8 offices. On February 18th it was launched. They've had success processing weekly downloads. Customers will now receive notifications about their appointments via email and they can review documents online. They are supporting staff by adding supervisors and managers to a specific Teams chat where they can troubleshoot with each other and find common threads. Already hearing good feedback from this.

Management has been collecting requests for enhancements/edits. Some have been delivered, others on the way. They've had a good experience so far and believe it will be a valuable tool moving forward.

PEF asked where the 8 offices are located.

Management advised 2 in Long Island (Hauppauge, Patchogue), 2 in Capital Region (Albany, Schenectady), and 4 in Western NY (Buffalo, Williamsville, Lockport, Niagara Falls).

PEF asked if there is a set appointment time for RESEA appointments

Management advised that 1st time appointments are an hour and 15 minutes, and future meetings are an hour long.

PEF advised they've heard of people editing appointment times.

Management advised they can confirm that this should not be happening. If you put it in as a RESEA appointment it will only allow those times.

PEF asked if it could happen, should it be happening.

Management said they want more context but can follow up after more information is received.

PEF asked if these times align with the grant.

Management advised that the grant allows for an hour and a half per 1st appointment and 1 hour for following appointments. They looked at the data to

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see the average rate of how long an average RESEA would take. Most complete within an hour, they saw around 45 minutes with consecutive appointments. If employees are running into a time issue, they should reach out to their supervisor. They also wanted to note DEWs staff are doing great hitting targets for the grant. We got notice that we were one of the states that was receiving funds under the performance outcomes of RESEA. Speaks to great work that is happening in DEWS.

UPDATE from DEWs Management: It was brought to our attention that the duration of RESEA appointments were being changed by career centers to shorten the length of time that is allotted for appointments. We looked into the issue and discovered that there were a few managers that had made adjustments to accommodate for FTR rates, similar to the previously used Reemployment Operating System (REOS) system. This served to limit any large blocks of time between scheduled appointments in the event the customer did not show up. Managers were advised not to make any further adjustments while we continue to evaluate system operations. DEWS management will continue to work with the career centers to assess the reporting rate of customers and productivity of staff as a result. If we find that staff do not have an appropriate number of customers, we may reconsider appropriate adjustments for this purpose in the future.

B. Staffing update.

Management advised they received approval for Dana Politis to be officially named the Deputy Commissioner for Workforce Development.

They also indicated that there is not a hiring freeze. They are being cautious about hiring and strategic about staffing levels.

V. Unemployment Insurance

A. General Division Update

Management advised UI has been busy through the first quarter. Staff did an amazing job getting us through back logs and servicing customers in ways that we've never had to deal with before. Employees have really stepped up to the plate. In the third round of user acceptance testing, it is working. Still gearing up for our eventual launch. Management received a little more latitude with funding from the Federal government. They've been keeping their eyes on the Federal landscape for the past few months. Normally impacts are seen afterward so we are actively planning to be ready for changes that may come. They announced Nancy Harrington as the new Deputy Director of UI. We are excited to have a fresh perspective.

1. PEF requests discussion on metrics reported

PEF inquired about quality control numbers being at 52% and asked for comment from management and any implications that may have on the Feds.

Management advised there are no implications on the Federal government. Management's job is to ensure our customers are given due process and to make sure we aren't creating risk for the organization. Everything they are doing is strategic, but it will not affect long term funding. The escalations are going down

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because staff are getting to things timelier. These metrics are happening across many states. There is no connection to funding lines.

PEF asked if something changed that caused the drop in percentage.

Management advised this is the federal measure of what needs to be done to get x, y, z. There is a lot of new staff, the number could partially be due to this. We have people working on this. It isn't that it isn't important, it is a federal number that they give to the states to adhere to. This is still a result of the post pandemic world we are in.

PEF asked to confirm there is no financial penalty.

Management confirmed there is no penalty.

PEF asked if it could be due to customers showing up at the career centers.

Management advised there is not a correlation there, they are separate things.

PEF asserted that it sounds like claimants are going to the career centers because they aren't getting a decision.

Management advised what matters is that staff are making accurate decisions. Regarding their relationship with USDOL, they've been fortunate to engage with them as they are the second largest UI program in the country. If there is anything that comes down the pipe, they've built a great working relationship with the feds and things are communicated.

B. Staffing update

Management advised we are getting close to fill level. they are being strategic from here.

PEF asked why there is one UI LSR that is hourly.

Management advised they would investigate this offline.

Update: Management advised they are currently working on the nomination process for this employee and approval to offer has gone out.

C. Update on UI modernization

Management advised that this is going to be a big change, but it is very exciting. The light is nearing the end of the tunnel. It will kick off with training and staff will have repeated months of staff being able to dive into it.

VI. Research and Statistics

- A. Division Update**
- B. Staffing update**

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Management advised that they haven't received update yet but can follow up at a later time.

UPDATE: Management reported there were two PEF hires and one PEF promotion.

VII. UI Appeal Board

A. General Division Update

Management commended staff in 2024 for their resilience and work, UIAB undertook a lot and made over 35,720 decisions last year. The quality of their decisions remain extremely highly. During 2024, as in 2023, federal quality review scores remained over 98%. During a rereview where randomly selected cases from each state are assigned to other states for review, NYS cases scored over 99%. Moving into 2025, they launched the CLE library at the end of January. Classes are available to all attorneys and non-attorneys working for DOL and UIAB. They plan to have 20 courses by the end of 2025. We can only grant access to people with NYS emails.

PEF asked who to reach out to for access.

Management advised if you have a labor.ny.gov email they are linked and accessible on DOLi, searching CLE will bring you to the links. External state employees can reach out to cle@uiab.ny.gov.

PEF: Thank you for allowing PEF DOL members to attend the CLE classes.

Management advised they initiated plans to transfer to paperless in 2024. Now that it is in effect, staff are adjusting well. Also working on a centralized virtual training for the administrative team. The judicial team has a very comprehensible training program, want to do the same for administrative team. Will create consistency among admin.

B. Update on staffing.

Management advised there are 113 employees, excluding board members.
93 are PEF members, up from 88 previous quarter.

New hire class of 9, May 8th start date.

Moving up judicial recruitment from September start date to July start date, to support NYS Your Hired Initiative.

Posting 15 UI referee positions statewide (except Hauppauge and Garden City because they are fully staffed)

New LSR started in Brooklyn, a new one to start Thursday in Syracuse, and admin are fully staffed at this point.

1 ALJ retired in Brooklyn and 1 ALJ is retiring in Rochester, and one retiring in September in Syracuse.

Recruitment, development, and retention are a big focus. Continuing to work with DOL to develop and build our team.

C. Update on the UI hearing platform.

Management advised overall virtual hearings are going well.

VIII. Worker Protection

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A. General Division Update

Management advised they are working on change management internally. Managers and supervisors are meeting with leadership to eliminate workflow where necessary and implementing changes. Staffing is at 527 and has remained consistent through hiring as staff retire.

PEF asked about SHER

Management advised Safety and Health in general is not on here, but public employee safety and health is. Safety and Health is the broader division, SHER is under that.

B. Update on Staffing

1) PESH

Management advised they created a formal complaint intake team. Within the last year, they made the complaint form digital to make filing a complaint easier. They have seen a dramatic increase in the number of complaints. Traditionally, 400 a year; now over 800. They continue to add more staff to PESH. Focusing on promotional opportunities internally, then will onboard more employees. PESH and DOSH will be doing the apprenticeship program and have been approved for apprenticeships in safety and health and the industrial hygienist series.

i. PEF Requests discussion on Industrial Hygienists

PEF asked how many industrial hygienists there are in Binghamton Syracuse area.

Management advised it is more difficult to hire for these positions. They require an inorganic and organic chemistry background. We have far less health complaints that would require an industrial hygienist. When we looked at where the concentration of complaints are, they are in the NYC area. The need for these would be more in that area. Will not be hiring anymore Industrial hygienists at this time, too early to make the call right now.

PEF asked how many Industrial Hygienists there are in the Binghamton, Syracuse area.

Management advised in PESH there is one in that area but staff are moved around wherever the work is. It also depends on the nature of the complaint.

2) Public Work

Management advised staff level remains at 84 investigators and support staff. The new contractor registry went into effect for a lot of employers at the end of 2024. This impacted the Bureau of Public Work. Since end of 2024 to date, they have processed 8445 contractor registry applications. At the end of the year, they will have certified payroll requirements. They are currently building this system.

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3) Labor Standards

Management advised pay raises went into effect as of February 27. They are onboarding a bunch of staff and looking into creating a strategic enforcement team. They have done mostly complaint-based work but will be tackling industries without complaints, doing education and enforcement work. We will track how we impact these industries. They are seeking current staff to take these rolls as promotional opportunities or transition out of complaint work and do something more proactive. This team will be called Strikeforce. Strikeforce will be located in White Plains, Albany, and Buffalo but will travel statewide. Looking for 22 additional positions for this team.

i. Congrats to all on the reallocation. PEF requests an update/FAQs.

4) Special Investigations

Remains steady at 100 staff. No other updates.

5) Division of Compliance and Education (DOCE, formerly “DIPA”)

Director Mary Slattery joined DOCE. Mary has a JD from Northeastern University School of Law, concentrated in Labor, Work, and Income. Previously, she was associate counsel at CSEA where she managed contract disputes and represented Union members on various legal matters. She is bilingual and grew up on a dairy farm. She has an ag background which has taken well with farmers.

PEF requests discussion of M/C Project Coordinator/Internal Endorsement Officer

Management advised they wanted to bring this position on to monitor field work, audits, and to provide feedback. At this time, they won't be posting this item but have yet to find the right candidate. If they do choose to bring people onboard to the WP Admin team, it will most likely be already existing staff that can aid with auditing/spot checking things.

PEF requested update on NYC and Long Island cases being reassigned to other areas of the state.

Management advised that NYC has the highest number of cases. These should be started and finished timely. The staff in NYC are at the beginning of a lengthy investigative process. They need to ensure cases in NYC are moving, this work belongs to all of us. Cases had been moved that had not yet been started and they asked staff to shift their focus to more aged cases that needed to be started. Goals were made very clear with timeframe; regular reporting happens on all of these cases. Many NYC cases were worked locally or in Albany but they have now expanded that strategy to other offices. We asked staff in Rochester, Syracuse Buffalo and Albany to work these cases. There is a need to figure out the best ways to accomplish these goals. With 5000 cases a year, if goals aren't being met, telecommuting may need to be adjusted. Management noted that the work is shared among the division, they must work together to meet their goals.

PEF expressed discontent with the mention of telecommuting adjustment and expressed that NYC needs an increase in staffing.

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Management noted PEFs position and requested to move on in the interest of addressing remaining items.

PEF advised they are working with legislators to create legislation that reinvests the money back into the work Labor Standards does.

Management had no comment.

PEF requested an extra 15 minutes be added to the meeting.

Management agreed to 15 minutes, maximum.

IX. Division of Administration and Finance –

A. Division Update

- 1) List of lease expiration dates**
Attached lease dates.

- 2) Federal update**
PEF requests discussion on federal funding

Management advised there is no indication at this point of federally funding being frozen.

PEF asked about DEWS federal funding

Management advised that a majority of the DEWS division is federally funded.

- 3) State update**
PEF requests discussion on workplace safety funds

Management advised this wasn't something they were familiar with as workplace safety isn't funded by the general fund.

PEF advised they would move onto the next question in the interest of time.

- 4) UI Trust Fund Status**
PEF requests update on DOL's repayment to the feds

Management advised they are at 6.5 million dollars. Estimated pay off in 2027.

- 5) Excel Spreadsheet showing all current PS&T members at DOL.**
a) Current Staffing by Division, including hourlies.

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- b) Monthly Position Allocation vs. Spending by Division, including if applicable:**

B. Personnel-

- 1) Unit update.**

- a) Update NY HELPS program.**

Management advised that NYHELPs has been extended through June 26, 2026. They are continuing to recruit through NYHELPs.

- b) Update on recruitment and retention efforts across the divisions**

- 2) Discussion of any other plans for new titles, reclassification or earmarking of existing titles, redefining job descriptions/duties, or other changes to a title?**

PEF: Thank you for the Labor Standards unit reallocations.

PEF requests update on reallocation for Boiler Inspectors.

Management provided an update that they are still actively working on reclassifications. They received notification from CS about Comp studies being done. Due to this they are unable to move forward with any reallocations as this comp study put things on pause. However, the comp study seems to have beneficial outcomes.

PEF requested to put the boiler inspectors back on the top of the list once this is over.

Management advised they would assess status and take it from there once the pause is over.

PEF requests update on any other reallocation efforts.

- 3) Other**

- 1) PEF requests discussion of some Provisional staff titles: Supervising Safety and Health Inspectors**

UIAB supervisor

Management advised supervising safety and health inspector exams were held on March 1st. They don't have an eligible list for UIAB supervisors, and no exams are being held currently.

The exam process has begun so they can circle back with UIAB to see if this can be a priority for the upcoming cycle.

- 2) PEF requests clarification on longevity information**

PEF advised they were requesting that employees don't receive denials despite the upcoming change in April.

Management advised to reach out offline to provide more detail.

Has USDOL provided any guidance on a potential funding freeze.

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Management advised that this was addressed by Finance. They can note that there are no issues thus far, the agency is operating as it always has. There is no insight or knowledge about future budget approvals. 85% of DOL staff are federally funded and 75% of that are PEF represented.

PEF asked if there had been any job offers withdrawn due to budget cuts/funding freezes.

Management advised they would need more information on this and to provide it offline.

PEF asked if there are any job titles that have been or have been impacted by the current administration's commitment against DEI.

Management deferred question to Finance.

X. PEF: Requests discussion of traineeship fast tracking.

PEF wants to know how to implement this.

Management advised that the agency supports this and are actively working on getting this information out to division leadership.

PEF asked if there is a final percentage of trainee fast tracks that the agency is seeking.

Management was not aware of a percentage; it is up to the employee's performance.

XI. PEF: Requests discussion on DOL's discretion with respect to probation extension implementation.

Management advised that they are operating in accordance with CS law. The discretionary piece is whether the absence is extended for the number of absences beyond the 20 days or the entire absence period. DOL chose to extend for the difference of absences.

PEF advised in the past it was manager discretion and asked if this had changed.

Management advised that the discretionary piece is only regarding how long the probation is extended.

PEF asked if it was a change in CS policy or a change in the interpretation of policy.

Management advised this was direction received from CS.

PEF advised that the agency does have discretion whether to extend probation. In CS law it does give the agency discretion to extend or not. It was past practice over the years. It puts people who are at the top of their accruals in the position of using it and having your probation extended or not.

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Management advised it is not intended to be punitive. It is about spending enough time in the position so that you can properly evaluate it is the right position for you.

PEF advised that goes back to the discretion of the manager. If you are promoted and now on probation with over 300 hours of vacation time, no matter how proficient you prove yourself to be, you will be extended if you use too many vacation days. PEF asked what is considered a day missed.

Management advised it is calculated by hours. Management advised they understand PEFs position and it is noted.

XII. EAP

A. General Update

1) Discussion of Hudson Valley vacancy

Management advised it was posted and didn't receive actionable response, going to seek approval to repost it.

PEF asked to confirm there were no applicants.

Management confirmed no recollection of applicants

XIII. Misc.

A. PEF requests discussion on counseling

PEF advised they encourage counseling, but we want the Harnett memo followed.

Management advised this was raised through the grievance process and is not appropriate to discuss here.

PEF asked if it is true that DOLs policy is to have more than one supervisor or manager in a counseling with a subordinate.

Management indicated that sometimes a neutral party is brought into the counseling, it is not intended to be punitive.

B. PEF requests discussion of other financial enhancements

C. Potential differential for language specialists.

D. DOL support for location pay enhancements in high cost of living regions.

Management advised that DOL doesn't take positions on legislation.

E. EZ Pass Deal/Congestion Pricing Reimbursement for downstate DOL commuters.

Management advised that DOL doesn't take positions on legislation.

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F. PEF requests consideration of position to occasionally convene in-person with an open invitation to the Commissioner.

Management advised they are comparing schedules for June and September to see what might work. The commissioner is always invited to the meetings but is traveling a lot with a busy schedule.

G. PEF requests to meet and confer on telecommuting program.

Management advised to setup a meeting offline.

H. PEF requests discussion/update of Meditation space – Albany

Management advised there is a space in Albany, Building 12 and staff can contact ODEIA to find out more information.

XIV. Reminder of dates for upcoming LM meetings.

Agenda Building (PEF only)	6/5/2025	10:00-01:00
Labor/Management meeting	6/25/2025	01:00-03:00

HANDOUTS

Budget Section:

1. Federal, State Budget, UI Trust Fund Status Update
2. Monthly Summary Position Allocation & Spending by Major Division
3. PEF Count of Employees by Division
4. PEF Permanent and Hourly Employees
5. Summary on Leases

UI Section:

6. Initial Claims