

STATEWIDE PEF – DOL LM
Wednesday, May 8, 2024, 1pm-3pm

PEF -planned attendees	MANAGEMENT – planned attendees
Scarlett Ahmed, Co-chair	Suzanne Piccirillo, Co-chair
Bill Clingersmith	Jane Thompson
Kevin Jones	Sean Hennessy
Robert Wright – PEF Staff	Lars Thompson
Erik Ruiz - PEF Division 245 Steward	Christopher White/Vicki Mockler
Scott Hektor – new e-board member	Jennifer Williamson
	Leigh Brown
	Karen Ronca
	Lucas Smock/Paul Milanovich
	Allison Konderwich
	Jennnifer Lee/Patty Cahill

I. Welcome/Introductions

II. Minutes from 2/7/24 meeting approved to be posted to DOLi.

Both management and PEF agree to try and provide the draft minutes in two weeks.

III. Division of Employment and Workforce Solutions (DEWS)

A. General Division Update

- Vicki Mockler, who began with the State as a grade 6, has been promoted to Division Director.
- DEWS management is committed to visiting site and having more informal conversations with staff. Hoping to receive feedback on that effort.
- DOL is on the national stage due to asylum seekers, teacher ambassador, and virtual reality programs.
- Commissioner Reardon visited the White House highlighting DOL initiatives.
- Apprenticeship conference held for staff in Schenectady, to brainstorm.
In process of updating the regulations. Received a lot of ideas for process changes.

1) Update on request for a Sr EC to oversee ECs in Rapid Response statewide.

Management's focus is on support and collaboration. ECs report through Business Engagement. Assoc Emp Services Rep, SLSR is the Rapid Response coordinator over Employment Counselors. Management is reviewing ways to collaborate better and support all parts of the division.

2) RESEA grant proposal.

PEF thanks DEWS for sharing the proposal.

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**3) Front-line staff RESEA concerns as they relate to the RESEA grant.
with guest PEF presenter, LSR Erik Ruiz**

PEF: Elements of RESEA Program/Grant

- Element 9a. First appointment with resume suggested time for completion is 120 minutes but scheduled for 60.
- Element 10a. Follow-up appointments. Suggested time is 95 minutes with resume but LSRs encouraged by managers and supervisors to complete in 20-30.
- Element 6b. Carrion funds – 12.8 million. LSRs are doing significant clerical work, id.me, and at front desk, 60-80% of the week.
- Element 5b and 21h. Refer to videoconferencing as well as telephone. No mention of requiring face to face. It would be much easier to complete via audio call.
- Previously average of 70-90 customers. Now 100-140 customers per week.
- Element 22a. Grant funds can only be used for intervention of strategies. LSRs assigned to front desk focus on ny.gov, id.me, elements of UI benefits secured. This work is inconsistent with Element 22a.
- Study of intake at Bronx office shows disproportionate to what should be done with grant. 80% of customers are seeking UI assistance.
- Most traffic coming in related to UI issues. Can UI staff be hired to be on site?
DEWS will have a conversation with UI Management and Executives.
- Johnson City- Pilot Program has TCC LSRs in the Career Center. Is their sole purpose to assist with a pilot program?
Two new staff, WPS1, were placed in Johnson City for Workforce Guide. Not aware of UI staff located in Johnson City. DEWS will review and follow-up.
- Seven (7) RESEA appointments scheduled. Feel this scheduling practice is built for failure. Failure to Report (FTR) rate is on par nationally. DEWS/Chris is currently working on a scheduling tool, hopefully going live summer 2024.
- Often must turn away customers requesting resume services, due to lack of staff to assist. Requesting additional LSRs in resource room.

Management:

A plan is created and must adjust as the world changes globally. DOL continues conversations with the Federal Government.

- 100% is not charged to the RESEA grant because management is aware of funding needs changing on a daily basis, and cognizant of funding for all team members. Upcoming UI updates will hopefully bring relief to DEWS staff.
- Average use case is significantly shorter. Pre and post planning is accounted for but may not be happening during appointment properly.
- Trying to ensure appropriate technology is available as back-up.
- Face to Face conversations – After an audit the Federal government provided guidance stating it must be face to face technology. This is not DOL's choice. Customers not technology proficient need face to face assistance.
- Customer for OSOS is us; want to be as specific as possible.
- Carrion funds do not fund clerical staff. Carrion funds are a result of not charging RESEA during the pandemic. DOL is continuing to spend down the funds.
- Management is aware of the need for clerical staff and is actively working to fill positions to alleviate stress on staff.

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- Workforce Guide positions hired for Johnson City.
- Pandemic surge has not subsided, staff have always helped individuals, but the scale has changed.

4) Update on the Asylum Seeker project.

- This is an active project and remains a priority.
- Monitoring to be sure services and funding is provided effectively.
- Held over 17,000 appointments collectively, providing 75,000 career services.

PEF has concerns regarding Spanish speaking staff now dedicated to this project.

5) Update on Jails to Justice program and our demand to bargain.

PEF requests setting up a meeting for this.

Robert Wright submitted Demand to Bargain, which is being handled by PEF Headquarters and NYS OER.

6) Request for information about Labor Standards.

1) Will Career Center staff absorb some Labor Standards work?

DOL was unaware of this, and confirmed this rumor is not true.

B. Staffing update.

PEF: Thank you for reducing the number of hourlies and making them permanent!

As part of NYS HELPS specifically - 40 PEF promoted from hourly to permanent.

IV. Unemployment Insurance

A. Division Update

- As a whole, the Division is extremely busy.
- UI is doing their best to maximize the resources available to hire more staff.
- UI Modernization remains a priority.
- A lot of staff across the entirety of the Division are working on User Acceptance Testing (UAT), which is going well.
- Claims are historically low level, which is reflective of economy as a whole. Expect seasonal increases in summer. Authorized for compensatory OT in certain areas and staff are stepping up.
- PEF request to have UI trained staff in Career Center. UI is aware of that need, and desire to serve customers in the best way possible. UI modernization should help alleviate this issue. This remains an ongoing conversation.
- Roll out for new phone system is underway. More customized information for adjudicated cases can be provided via phone, to alleviate number of customers coming in person.
- For a period of time in October, a shutdown will occur as the old systems goes down, and the new system launches. This information will be communicated with the customer base and continued claims in a very direct way. Requests have been submitted to ITS to have an unavoidable notification 6-7 weeks in advance. The new system can certify back two weeks.

B. Update on UI modernization

Continuing non-stop engagement with vendors and partners. Launch potentially set for second half of 2024.

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V. Research and Statistics

A. Division Update

1) Staffing update

Three recent promotions within division and three new hires.

PEF will follow up with an email to ERO, requesting confirmation of their status (hourly or perm)

VI. UI Appeal Board

A. Division Update

1) Update on staffing.

- UIAB has 79 PEF employees, with an incoming ALJ recently hired. A posting is forthcoming for an additional five ALJs.
- Judge for Rochester hired through NY Helps and will be permanent in May.
- Virtual hearings continue to go well.
- UI Coalition provided nice compliments regarding ALJs.
- Back to UISIM training in early fall.

2) Update on the UI hearing platform.

- Phase 2 clean up regarding long term storage occurring in the background.
- A lot of training occurred before going live. Every Friday, a practice session occurred. On the admin side, statewide training mirrored off judges' activities.

VII. Worker Protection

A. Division Update

1) Staffing

- Worker Protection as a whole has 518 staff, the majority of whom are PEF.
- There are 30 active nominations in various stages of recruitment and hiring.
- In 2020, WP had 471. Since then, have onboarded or promoted 451. Workforce is relatively new and in process of learning skills.
- DOSH has most MC staff.
- Opportunities for staff to move around in the state, depending on their region. May see more turnover.

- Self-defense training provided for staff.
- Drone pilot team enforcement implemented.
- Internal enforcement officer to ensure field staff are conducting consistent investigations across the state to mitigate regional differences and promote best practices.
- Intend to hire a Forensic Accountant (PEF) to ensure match is correct going in front of the IBA.

B. Update on the status of the SHER Program (formerly the HERO Program)

1) Discussion of the “think tank process.”

HERO name changed to SHER (Safety & Health Employment Rights) – new laws had to be implemented and enforced; work added to the HERO unit because that universe of complaints was nominal, they had capacity.

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Think Tank process – Jackie Kagan and Jeanette Lazelle implemented with programs to have them come in and evaluate how the process is working; what can they do or change; address training/staffing.

VIII. Division of Administration and Finance

A. Division Update

1) List of lease expiration dates see attachment # 5

- Warehouse - moved to a new facility in Watervliet.
- 215 125th Street, Harlem - renovations complete.
- 155 Washington Avenue, Albany – renovations close to completion.
- 5640 State Highway 12 in Norwich – move is pending installation of modular stations.
- Newark - actively working on this office. Space is complete, pending furniture.
- Auburn- working on new space.
- 155 Broadway, off the list for the future.
- Massena – actively pursuing redesign at new location.
- Peekskill – terms are negotiated. Pending vendor paperwork completion.

a) PEF requests an update on the lease and redesign for the Elmira Career Center

The lease is progressing. DOL met with OGS, working with landlord on paperwork, and vendor rep paperwork.

DOL staff share space with partner and are assigned specific areas within the location. There are new modular stations, carpet, and paint. Working on approved drawings and financials.

2) Federal – update on budget/shutdown see attachment # 1

The budget government passed a continuing resolution through 9/30/24. UI base funding is done by a formula, and DOL does not have control.

3) State updates. see attachment # 1

Budget has been approved by the legislature, set to be signed by the governor.

4) UI Trust Fund Status see attachment # 1

Balance remains an estimated 3-4 years away from being paid down. DOL has not been provided the percentage payout from UI Contingency for this year.

5) Excel Spreadsheet showing all current PS&T members at DOL. see attachment # 4

a) Current Staffing by Division, including hourlies. see attachment # 3

**b) Monthly Position Allocation vs. Spending by Division, including if applicable:
see attachment # 2**

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B. Personnel-

1) Unit update.

Personnel is currently recruiting for several supervisory positions, Assistant Director, and Director. Personnel utilizing NY Helps to recruit several trainee staff.

a) Discussion of hourly M/C Project Coordinators

not discussed

b) Discussion of NY HELPS program.

Received over 14,000 resumes to date in 2024. 16,000 total received in 2023.

Working with tech solutions to find a solution to streamline the process. Personnel is using Interview Stream.

Personnel is working with DEWS planning future job fairs. They outreached to local colleges to establish engineering and accounting internships.

PEF suggests outreach to high schools. DOL has not dealt with the high schools in the past but is a great suggestion for further investigation.

PEF requests “hourly to perm employees” be highlighted on the hiring list, and the hiring mechanism used. Personnel will follow up on the ability to do so. As of the date of the meeting, 10 additional LSRs were moved to permanent.

c) Discussion of hiring from LSR T&E exam vs New York HELPS

If a person is eligible on the T&E exam or canvass list, Personnel will utilize the best hiring mechanism. They will hire from the list rather than NY HELPS. Personnel continues to canvass off the lists, and open to the public.

d) Discussion of the Civil Service Initiative for recruitment and retention, including an update on DOL’s efforts in reviewing WP titles and the work of the Worker Protection staffing committee.

(NOTE: Moved from WP)

Personnel actively worked with Civil Service (CS) on LS Investigative titles. The audit went well, and PEF staff articulated their job duties well. Personnel feels this will move quickly. Personnel is working with CS to create minimum qualifications for a Grade 16-18 traineeship. CS has several approval levels, and this is currently with Class Service Staffing, and then to CS Commission calendar and then DOB.

Personnel is not limiting this to the 16-18 LS Investigative Officer traineeship, but all titles.

C. Discussion of any plans for new titles, reclassification or earmarking of existing titles, redefining job descriptions/duties, or other changes to a title?

Several areas are being reviewed for reorganization. Personnel will share the information when able to.

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D. Discussion of the Civil Service review of Worker Protection titles (see above)

1) Are any other titles being discussed about with Civil Service for potential review?

Several areas are being looked at for reorganization. Personnel will share the information when able to.

CS is moving forward with exam planning for next year, which Personnel is also involved with.

E. Update on Boiler Inspector reclassification.

Personnel is currently compiling a list of next titles to look at agency wide. Boiler Inspector titles have not been forgotten.

IX. Old Business

A. Update on local LM vs. regional LM meetings.

Agency's position has not changed- quarterly regional LM meetings. If a region has more than one PEF division- can combine or hold separately.

PEF's position- this breaks with past practice. PEF would like an individual meeting to discuss, to confirm all agree on the process. A meeting is pending the response from individual counsel leaders.

PEF will confirm with the following counsel leaders they can hold quarterly S&H meetings: Mike Singleton, Jessica Ramsey, Eric Steinberg, and Gail Stewart.

X. New Business

A. Update on process for giving staff time to complete required trainings.

This issue was shared with UI to discuss a resolution. There is a training code available on LATS. Please forward any individual issues regarding this issue to ERO to follow up.

B. EAP

1) Discussion of EAP vacancies in Rochester/Albany

2) Discussion of EAP coordinator posting in NYC

There is no EAP vacancy in Rochester. The EAP position in Buffalo is currently vacant. A list of possible candidates has been forwarded to the regional rep and EAP Committee for review.

After multiple unsuccessful recruitment cycles for Albany and NYC, NYS OER is working with ERO to create an item that will include external candidates, in order to fill these vacancies. The new positions are listed as M/C, to support the neutrality the agency would look for in a coordinator. PEF objects to this, stating this should be a peer, and new hires are strangers rather than peers. DOL's objective is to get these positions filled asap. If this is not successful, other options will be reviewed.

This position is listed as hourly/temporary. Submitting as temporary is the easiest mechanism for filling the position. PEF understands DOL's position but continues to object to this mechanism, wanting a permanent title.

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C. Telecommuting

- 1) PEF requests a date to meet/confer, per the CBA, as the current telecommuting agreement expires in June.**

ERO: The current guidance document is scheduled for an internal review in January 2025.

PEF's position: The current contract states meet and review on an annual basis, and they cannot go outside the scope of the contract. Robert Wright will confirm with Executive staff and forward to Suzanne for review.

D. Discussion of career growth outside Capital region

PEF would like to see more positions, when appropriate, moved into different regions of the state and decentralized from Building 12 if the job can be done remotely or in Career Centers. PEF asks that DOL review this request. DOL understands this position and agree Personnel may review.

XI. Confirm dates/times for 2024 LM meetings and agenda building meetings.

PEF Agenda-building: 07/18/24 10am-1pm

LM: 08/07/24 1-3:00pm

PEF Agenda-building: 11/13/24 10am-1pm

LM: 11/13/24 1-3:00pm

NOTE: Agenda-building meetings are for both Health and Safety and Labor-Management