

PEF/OCFS STATEWIDE L/M
Thursday, April 14, 2016
PEF Headquarters
1168-70 Troy-Schenectady Road, Latham, NY 12110
Conference Room C/D

MEETING MINUTES

ATTENDEES

PEF

Mikki Ramos-Ensslin
William Nolan
Charles Mangels
Steve St. Clair
Robin Matthews
Taurina Carpenter
Susan Radosh, PEF Field Rep
Nancy Holford, PEF Recorder

MANAGEMENT

Ines Nieves
Carol McClellan
Colleen Driscoll
Emily Stooks
Joe Mancini
Maria Tedesco
Beth McCarthy
Tonya Boniface
Mary Carli
Jim Barron

New Business:

1. Justice Center

PEF had questioned can a report by a mandated source be made anonymous.

Management responded yes and no. Anyone can make a report. You simply don't give a name or other information when the VPCR staff request your name and contact information. As a mandated reporter, you are then in a tough spot because you do not have sufficient proof that you actually made the report, therefore, you do not have proof you fulfilled your mandated reporter responsibilities. You can make a report anonymously, but need to have a good plan for how you are going to demonstrate that it was you who made the report.

PEF asked if you need to write a report even if you are not mandated.

Management replied they will look into the activity report since this was never addressed before in DDJOY.

PEF inquired as to who does the investigation for Adult Vulnerable Person with Mental Retardation in homes/facilities.

Management stated they do not know. It depends on the person and where they are residing.

Not all adults are covered by the Justice Center; not even all adults with disabilities. They would have to be part of a program covered by the Justice Center. The definition of who is covered is found in Section 488 of the SSL.

PEF questioned do staff contact city/county to conduct investigation since they recently had an incident.

Management responded county based local department of social services all have Adult Protective Services offices. Depending on the living situation, the LDSS APS office may have some responsibility. If it doesn't fall to the Justice Center or Adult Protective Services, any assault, battery or menacing would be a law enforcement matter. Management requested as to the incident that occurred, PEF send the name of the facility and home where the person resides and they will look into it.

2. Close to Home

Management provided information regarding how many youths are still in Limited Secure Facilities with 3/6/9 months of placement remaining.

ACS -Close to Home – 11 youths. There were problems with the start up-through the end of December. We continue to meet with DCS – when ready for release and community from now to December.

PEF inquired if they need more time – 3 months expiration, are they extended until they are ready and is there tools available to us.

Management replied there is discretion out of 11 kids when they are moved. It depends on if some are fairly new and what the circumstances are.

There are 175 youth in limited security – within 3 months.

3. DDJOY Strategic Plan for OCFS

Management reported due to the “Raise the Age Initiative” not being in this year’s Budget, it will not affect the staffing levels within DDJOY and will have no impact at all.

Old Business:

1. Staffing Issues

PEF asked if there were any transfer moves to another location.

Management indicated they are not anticipating any at this time. Raise the Age was not passed with the budget and is still in discussions.

2. OCFS Restraint Policy and Procedures

PEF inquired as to the status of the Pilot for the CPM technique bringing a resident from a seated position to a standing position.

Management reported this technique will start on April 11. Management is looking at the data as to how often it is being used. This will run for a while; 3-6 months. It is up and ready to go.

PEF asked if there has been any discussion on Youth Restraints in community settings.

Management replied they are being trained. If there is a situation, call 911. We still have to provide training which falls under the Youth Council categories. An on-line safety course was sent to everyone.

3. Facility Closures

PEF had requested information on the potential of facility closures/reorganization within the next 12 months.

Management reports there are no plans at this point. Currently in a waiting stage for "Raise the Age".

Management distributed a list on the number of current vacancies in facilities by titles and locations. (I do not have a copy for OCFS' file)

4. Hazardous Duty Pay

PEF requested an update on the status of the Management meeting/Upstate and Downstate staff meeting which was discussed at the last Labor Management meeting regarding Hazardous duty.

Management requested PEF to provide the same package PEF submitted to Civil Service, so they can review and comment.

5. Workplace Violence

PEF had requested an update on the status of the STOP (Staff Trauma Outreach Program) and the Active Shooter assessment.

Management replied that both assessments are fairly similar and they are combining them if they can. Assessments are being conducted and should be in the home office within a week or so. August-September at each location and staff will be notified before they appear. State Trooper to attend also. First, OCFS and then State Trooper and notification will be given each time.

PEF inquired if the building landlord be notified.

Management replied they will check.

Management reported they added another facility. In March, this brings the total number of facilities that have implemented STOP to 8. Redhook Residential Center has now implemented STOP as of 3/30/16. Columbia is scheduled to implement by May, 2016. Brentwood, Ella McQueen and Goshen will attend an implementation training this summer and then work to implement this within their facilities by years end. The new training design is nearly completed and will be used to train these 3 facilities. STOP team leaders will be attending quarterly meetings in home office beginning April 12, 2016.

6. EAP – Vacant Positions in OCFS

PEF requested an update regarding the Multi-Agency EAP in NYC/Albany Region and potential consolidation in other regions.

Management reported in NYC, OTDA reposted the position and should have 3 candidates within the next month. In Albany, Sue Keeler was appointed EAP and is working out of OASAS and is not assigned to OCFS. Jean Brennan is still assigned to OCFS.

Sub-Committee Reports:

1. Education: Steve St. Clair, Tim Bromirski, Janice Miller, Gayle Sullivan, Kelly LoBiondo

PEF announced there are two new members on the Education Sub-Committee; Todd Derkacz and Matt Sikora.

Next year's school calendar is completed; 184 days. We have contacted Apple and they have a tablet for us to look at and bring into the facilities. We will not need the internet and can download what the children need. Our contact information was given to them. Also, looking at other prison facilities and what they are using now.

Management indicated that the kids have access to our computers and there might be problems managing the programs they can get into.

PEF suggested the facilities have Conference Days which involve all departments. A forum to get together to discuss teaching techniques to bring back to your facility; meet and map criteria. Suggest guest speakers; staff can split into groups – some can go to McCormick or Parker facilities for training. PEF inquired if there is funding for this.

Management replied staff have time for those kind of days. Management suggests PEF start setting up foundations for staff to be allowed to attend this sort conference.

PEF expressed each facility send a representative so the facility is not shut down for the day. The sub-committee will not meet until September, when the new school year

starts.

2. Counseling: Sue Sample Brown, Taurina Carpenter, Dr. Leslie Gullo, Dr. David Logvin, Susan Hollander

PEF reports Dr. Gullo has a new position. Dr. Logvin is the only psychologist and we are trying to get more psychologists. A meeting will be scheduled within a week.

3. Alternative Work Schedule/Telecommuting: Mikki Ramos-Ensslin, Maria Tedesco, Kathleen Griffin, Diane Hammond, Barbara Gregorek, Nancy Bowen

The committee has not met. Nancy Bowen was the Co-Chair and we now have a new member. Barbara Gregorek will contact the new person to schedule a meeting.

4. Training and Staff Development: Emily Stooks, Pam Kelly, Charles Mangels, Ron Sampath, Bill Nolan

The committee has not met including Nursing. Emily Stooks is no longer on the sub-committee and will be replaced by Annette Grant. The committee has reached out to Bill for an April meeting, but have not heard anything yet.

5. Nurses: Dan Leffingwell, Mary Alice Vitti, Carol Norfleet, Janine Bianco, Kelly LoBiondo, Deb Causa

No updates.

6. Hazardous Duty Pay: Steve St. Clair, Dan Leffingwell, Charles Mangels, Bernard Johnson

No updates.

Information:

1. Office Moves

PEF requested an update for the Nassau County Alternative site.

Management expressed they are reassessing where to go; looking at the Blind location.

PEF inquired if the Buffalo Region office lease is signed or pending.

Management replied they are waiting for a response from OMS.

PEF expressed concerns with the clause which states construction must be started within 120 days. If there is health and safety problems, let PEF know as soon as possible since there is Hearing Officers and clients concerns.

PEF reported that there were walkthroughs on Thursday and Friday and concerns were brought to Management regarding the issue of children and parents being present. PEF claims this could have been avoided.

Management responded this falls under OMS and understands the concerns. OMS does have staff that speak to people before there are hearings.

PEF asked if there is an estimated date when this occurs. Local PEF leadership should know what is happening.

PEF also expressed concerns regarding temps monitoring doors and security. Anyone can walk in. Temp is a keyboard specialist who controls the door and asks the reason for the visit. Temp – DDJOY staff.

Management indicated security varies across the state and there is no permanent security staff anywhere. This issue was raised to the landlords and there responsibility for security. Management will make sure they have all the questions raised by PEF and will get back to PEF and respond accordingly.

2. Update on Upcoming Exams and List Status

Management reports they have a list of titles and will provide PEF with the list. Management is looking at next year for YC1 and YC2.

3. OCFS Mandated Trainings

PEF requested information regarding the percentage of employees who have completed mandated training.

Management replied 7% have completed everything. Management suggests PEF remind staff to start on the internet.

4. Access to PEF New Employee's

PEF requested an update on Management's plan for allowing the union to have access to new employees to provide union orientation.

Management reports there is a unit to cover orientation; developing transfer action to the BSC, May 19th. New employees scheduled, schedule times to meet with staff. New employee orientation will begin once we transition over to the unit to deal with orientation and similar issues.

PEF inquired to the list of hires, terminations forwarded to the entire committee. Terminology changed on that list.

Management replied because the list is confidential. There are two lists; new hires and separations.

PEF expressed the disconnect with members submitting doctor notes, clocked in by BSC. Two active grievances, supplied notes to BSC and it took two weeks.

Management indicated that Medical, FMLA, Workers Compensation and EEOD will stay with us.

PEF requested an update on the status of EOSS (Equal Opportunity and Diversity Development Office) and the hiring of a new Director.

Management reported they are currently interviewing.

PEF requested an update on the status of the Professional Career Opportunity Job Analysis study.

Management reports that the survey has been completed and under review. 9,000 responded. Management will expand the number of titles next year when the exam is held.

OCFS Workday Policy

PEF expressed concerns regarding change in staff schedules implemented by a Draft Policy. The concerns are staff had these schedules for a few years and now they are being changed. Problems arise; work not getting done, operational need should have been discussed first before a policy was created.

Management responded the policy was submitted for review and there were no comments. Both CSEA and PEF had two weeks to review. Management states that those who came back outside the 8-5 schedule were able to keep the hours. There was no operational need to be working those hours. Division comes to Management with overtime and we review and we rely on each division to let us know. Flexibility with

the hours. Staff work all kinds of shifts. Need staff to man the phones. Each form requesting to work outside the schedule is individually looked at.

PEF indicated when submitting the form with various hours worked to the local Administrators and is approved, it can be denied by Management. There are 24 hour facilities who have alternate work schedules; OMH and OPWDD. Workforce needs flexibility. PEF understands the need to be well staffed. Coverage within the parameters of the contract. The range of coverage later in the day, early in the morning. Missing the appeal process when denied. There is no recourse.

Management replied 8-5 is the core hours and flexibility needs to be justified. Staff can grieve the denials. The ones that were denied, not in a gray area; were related to child care issues, second jobs, and were easy to address. To staff our agency is what we are looking at.

PEF responded how it is achieved is the question. Need coverage, how to get it, volunteer, less senior staff to step up. We service the committee instead of our staff when it comes to child care issues. We do not help our people.

Management reports they work with employees with the child care issues. Changing hours can be accommodated on a temporary basis.

PEF states Management should have addressed this first as a draft which would have alleviated the aftermath of discussion and grievances.

Management stated they will get grievances regardless. A Draft was sent to the unions for a reason; to comment, to have discussions, holding off on putting the policy out. Unions were consulted. Management will continue to have discussions and if there are any specific issues; contact Management.

5. Access to Form B Data Submitted by the Consultants

Management will speak to Derrick and get back to PEF with the information at a later date.

Next Meeting – Thursday, July 21 at 52 Washington Street

**Minutes from the April 14, 2016
PEF Labor Management Meeting**

The parties have reviewed the attached recorded minutes from the above meeting of the PEF Agency Level Labor/Management Committee and by the signature affixed below, the minutes are hereby accepted.

Mikki Ramos-Ensslin 8-30-16
Mikki Ramos-Ensslin Date
PEF Co-Chair

Carol McClellan 8/30/16
Carol McClellan Date
OCFS Director of Labor Relations