

**PEF/OCFS STATEWIDE L/M**  
**Friday, June 16, 2017**  
**PEF Headquarters**  
**1168-70 Troy-Schenectady Road, Latham, NY 12110**  
**Conference Room C&D**

**MEETING MINUTES**

**ATTENDEES**

**PEF**

Mikki Ramos-Ensslin  
William Nolan  
Robin Matthews  
Barbara Gregorek  
Taurina Carpenter  
Sharon Robinson  
Susan Radosh, PEF Field Rep  
Nancy Holford, PEF Recorder

**MANAGEMENT**

Ines Nieves  
Carol McClellan  
Jim Barron  
Onna Cooley  
Jim Barron  
Mary Carli  
Derek Holtzclaw  
Joe Mancini  
Tonya Boniface  
Amelia Barbadoro  
Donna Fesel

**New Business:**

**1. LATS**

PEF expressed concerns regarding the deadlines for LATS timesheets submission which does not match the deadline segment for OCFS policy and what is the reasoning behind this. The concerns are related to not only people on vacation; but in the field; or at their desk which makes it impossible to submit their timesheets on time. Some staff are coming in on Fridays to enter their paperwork into LATS.

Management indicated that the OCFS policies and timelines related to LATS submission need to be updated so reflect the BSC requirements. The deadline for submission is Friday; after the pay period closes. Management will discuss with BSC regarding the time frame. Management stated they are not taking any action with anyone. Sometimes, the timecard may be held up on a Supervisors desk. We encourage people to submit the timecard right away.

PEF questioned if staff do not submit their paperwork (time cards) on time what happens.

Management responded that staff will still get paid; but it may affect overtime; or staff can be overpaid if they do not have accruals.

PEF expressed that at Ella McQueen there is an issue with overdue timecards due to Supervisor's (AOD) at EMRC are not supervising the staff that works on their shifts to provide support and guidance to correct LATS and counsel staff on timesheet

submissions and not able to see each other due to working different shifts from their supervisor

OCFS Management will speak to the facility's Management.

## **2. DDJOY Strategic Plan for OCFS**

PEF asked if the Bureau of Training can make available to staff Skill of the Day Training during shift exchange.

Management responded it depends on the climate in the facility. Smaller facilities sometimes perform skills. There is no problem doing this, but it is at the discretion of local management.

PEF reported that larger facilities have a higher rate of injuries on the job and need some sort of team training.

Management replied there are training staff located in facilities. If training is needed, we will review and address any issues that staff request; post skills; focus of the day of what they are seeing as issues. There are two refresher trainings every year, and staff gets reintegrated when out on worker's compensation or other extended leaves.

## **3. Fatality Reviews**

PEF requested Management to provide PEF the secondary reports and complaint information.

PEF confirmed with Management there is only one report not two.

Management replied yes.

PEF indicated if someone complains about the agency; they need to look into that and how many secondary non-facility reports are received.

Management did not understand the question and did not answer due to the topic being different. PEF expressed will request information at next Statewide meeting.

### **Old Business:**

#### **1. Staffing Issues**

PEF asked what is the plan for staffing for DJJOY if Raise the Age is passed.

Management reported that the bill was passed. They are working with DCJS people regarding strategic planning and looking at the projections; impact and voluntary programs will begin to be assigned in; October, 2018; 17 years old will be next.

Currently waiting for numbers; bed projections. AO's Judge has option of removing cases down to Family Court.

PEF asked if Management knows how many youths from DOCCS will be coming.

Management replied no. We have a plan and are waiting for the numbers to work within the Budget. There is a basic presentation regarding Raise the Age rolling out to the facilities in July and Management will touch base with the Commissioner when this can be made available to PEF.

Management reported the Governor's bill takes all the young people out of Riker's Island which is approximately 70 kids. As of October, 2018 a juvenile under the age of 18 is no longer put in jail. OCFS makes room for AO kids which cannot be mixed with detention children. A child coming from Criminal Court is processed as a JD.

The Judge makes the decision; Criminal Court AO. There is a three-part test; was the crime violent; injury to victim, sexual crime; was gun used. If three of these have been committed; the child is going to the DOCCS facility. If the three is not met; it comes down to Family Court and the JD's are kept until the age of 21. If dealing with older adolescent residents; then kept up to age of 23. Violent AO's are put in AO facilities in DOCCS.

PEF asked if OCFS would still receive the restricted JD's.

Management does not know what the decision the Judges will decide when removed from their court. It is up to the judges. Upstate is more conservative; downstate is more liberal. We do not know the exact numbers.

PEF inquired if there are units specifically for older kids.

Management stated there are designated facilities for older kids; programs are different. We looked at other states; Massachusetts has vocational training; curriculums for adolescent kids, retraining of staff. Management suggests a presentation to be conducted at labor/management.

PEF also inquired if the Budget will be increased.

Management indicated this will be handled in next year's Budget. We have received capital funding in the current budget and are making plans now. Looking at staffing, projections; determining which facilities; how many beds to bring in. By April, 2018, we will see what we can bring in.

PEF asked if AWOL will come back into the program.

Management reported they will be processed the same way. Any youth that AWOL's and is subsequently returned to the facility will need to make up the time they were out. Still 12 and 19 month placements. Voluntary side will keep them longer. AWOL times will not be impacted. After age 23, they go to DOCCS.

PEF requested if the Medical Director and Director of Nursing positions have been hired yet.

As of January 26, 2017 Helen Blanchett has been hired as the Director of Nursing. There is a tentative proposal for the Medical Director position and we are still waiting for an answer.

PEF asked if OCFS has any plans to hire more Law Judges. PEF is asking for clarification of what is a normal caseload for ALJ's.

Management reported the Governor's office is looking at different strategies. We do not know at this time since it has not been raised as an issue. Management will take a look if there is a problem and address it.

PEF asked if there is any anticipation of placing the ALJ's together under one Agency? Management does not think this was discussed internally.

PEF inquired as to how many temps are being used in some of the regions.

Management does not have those numbers at this meeting, but will provide the numbers to PEF.

PEF requested a list of the Medical Doctors employed or contracted with for each OCFS facility. PEF explains there have been issues with the Physician Assistant at Brookwood who was asked to cover Red Hook. Many kids coming into Brookwood needed to have physicals which were not required before. The Physician Assistant has a lot of work to do; initially go to Red Hook; no Doctor to oversee license.

Management expressed if the Doctor leaves there is a vacancy which does take time to fill. This is temporary until we can get someone in there.

PEF asked if Management is trying to fill the vacancies. Management replied they are and once the Medical Doctor goes through, he will be going to Red Hook.

PEF reported that at Ella McQueen, YC's have to fill out a form which needs to be completed within 72 hours.

Management stated this is not a medical form they need to fill out; but just general questions. PEF added that staff need to be trained to complete this form; which Management replied they will look into this.

PEF had asked what the current plan is for staffing at the 2017 State Fair.

Management informed PEF that the State staff work the State Fair. Temporary staff is supplemented when there is not enough staff; primarily Syracuse staff or the surrounding facilities which is voluntary.

PEF asked if each agency has their own booth.

Management replied there is an OCFS booth and any staff in the agency can sign in for the slots. Staff will need to receive Release Time for this.

PEF asked if Management can provide information regarding this and Management will get back to PEF.

## 2. Facility Closures

PEF has asked if there are any foreseen closures within the next six months. Management replied no.

PEF reported that the classrooms in Brookwood do not have working phones with the exception of one classroom; even though the Agency purchased phones that are sitting in storage.

Management has purchased lock boxes and there is a work order submitted to supply phones in all classrooms, and Management will make sure they are all working.

PEF indicated that there should be working radios for all staff.

Management replied that Direct Care staff should have a radio. Management is in the process of obtaining new radios which will also include a GPS. The computer will know where staff is located. A pilot was performed at the Finger Lakes to test the radios. The second roll out will be in Brookwood.

PEF's clinicians request cameras in the offices.

Management made the request and provided cameras in general areas. There are areas with cameras you can bring the children to. Until more cameras are received, Management suggests going to where there is a camera located (which is private).

PEF reported that at Ella McQueen in the mental health area (day room) is locked and there isn't any access to the room. There are no youth records in this area to avoid access to this area. Youths can lock themselves inside this area with no camera's installed which is a huge health and safety issue. PEF requests cameras and access to the mental health (day room) which is located on the second floor.

Management replied cameras are a budget issue but, they will look into this.

## 3. Workplace Violence

PEF requested a follow up regarding the system that collects the data on the STOP (Staff Trauma Outreach Program).

Management replied staff have been trained at every facility except Brentwood. Brentwood's training is scheduled for the fall of 2017. At this point, there are no data collections.

### Reports:

#### 1. Sub-Committee Reports

Reports from the following sub-committees:

1. Education: Steve St. Clair, Tim Bromirski, Janice Miller, Gayle Sullivan, Colleen Driscoll, Todd Derkacz and Matt Sikora

One update – Remove Gayle Sullivan from the sub-committee.

2. Counseling: Sue Sample Brown, Taurina Carpenter, Dr. Daniel Logvin, Susan Hollander.

No updates.

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

PEF expressed there has not been any success with this committee. Changes in alternative work schedules; compressed work schedules; telecommuting we are not moving forward.

Management replied there will be no telecommuting at the SCR due to types of calls they take in that setting. SCR is not a viable option. There was discussion, but did not go any further.

PEF noted when there is very bad snow storm – would we be able to work from home and pilot the process in a secure location at home.

Management stated there are many requirements from the Agency to have a telecommuting policy in place. We need to make sure you have the same equipment at home and would also need security in place.

PEF noted that a Pilot Program was the focus. Certain people could fill the security, equipment, etc. Snow emergencies; problem solve for these situations.

Management responded we will have the sub-committees and go from there.

4. Training and Staff Development: Annette Grant, Pam Kelly and Bill Nolan.

PEF noted to remove Pam Kelly and Annette Grant.

5. Nurses: Mary Alice Vitti, Carol Norfleet, Janine Bianco and Deb Causa.

PEF is looking for replacements for Dan Leffingwell and Kelly LoBiondo.

6. Hazardous Duty Pay: Steve St. Clair, Frank Tamburro and Bernard Johnson

Management to provide updates to list.

#### **Information:**

1. **Office Moves**

PEF requested an update on installing an intercom at Rochester Regional.

Management replied the answer is the same as last time; until the lease is approved which is not finalized yet.

PEF has concerns regarding space.

Management stated OGS negotiates the leases and Management is not aware of any situations regarding leases.

William Nolan, OCFS L/M Co-Chair noted that the security guards are working great in the Buffalo region.

PEF would like to know the final outcome of Security Plans and if they are consistent. PEF indicated OGS Security Plans want staff to come up with a security plan.

Management reported there is a good working relationship with upstate. If there are still concerns, reach out to Steve Taylor, Emergency Services Management. Any additional concerns, let Management know and we will take additional action; limited by OGS.

PEF inquired as to how the Security Plan was developed.

Management replied by an Active Shooter Annual walk through; Workplace Violence – should be one walk through. Also, we received tips from the State Police.

PEF questioned the Security Plan developed for the office and if it was provided to staff.

Management responded they need to speak to Steve Taylor who is the point person to give information to staff.

Management also added if PEF has any specific concerns to speak to Management as soon as possible; do not have to wait for labor/management meeting.

## **2. Update on Upcoming Exams and List Status**

PEF requested an update on the upcoming exams and lists expiring.

Management reported there are two exams coming up in September; Fire and Safety Representative and Public Information Specialist 2. Program Specialist is being reviewed.

In December upcoming exams are; Psychology Assistant 3, Psychologist 1 and Psychologist 2.

Mary Carli distributed to PEF an exam list expiring and upcoming exams list.

PEF asked how will the Professional Career Exam affect current titles and hiring and if Management can provide a list of the trainee positions within OCFS (i.e., Child Protective Services Specialist Trainee – Grade 13)

Mary Carli had distributed the current PEF Traineeship titles which include; Child & Family Protective Specialist 1 and Special 1L, and Child Protective Services S1.

Management added there is a current list right now for Grade Level 18. YC1 and 2 are also out now.

### **3. Access to PEF New Employee's and Other Employee Concerns**

PEF questioned if Management can ensure new hired employees attend the new employee's orientation, i.e., Meeting response or a final list of who is attending.

PEF is not receiving any information regarding newly hired employees. It is confusing and difficult at times especially when we need to submit EOL forms. PEF is requesting Management to provide a list at least 2 weeks ahead.

Management indicated that employees have a choice to do a Webinar which is every second Friday of a new pay period. The Webinar is performed Statewide and arranged in the facilities. Management will send PEF the schedule.

PEF asked if employees can complete the forms on the Webinar. Management replied they will look into our onboarding. The Agency has specific forms before joining the Webinar. BSC has other forms.

Management reported on the second day for new employees, it is a BSC requirement they receive orientation. All OCFS employees need second day orientation coming from the LEAN project.

PEF explained they are looking to meet face-to-face with new employees. Previously, new employees met with PEF in a particular room. Without a list of new members, we cannot reach out to them.

Management will speak to Jeremy and help figure this out for PEF.

PEF requested an update on the Lactation Policy – no end date.

Management has been issued and given to PEF February 28 comments which are due by March 14. End date – an employee identified; after 3 years; no longer to have space for them.

PEF noted that in some locations; space is not identified.

Management informed PEF they need to call Tonya Russell. Facilities and Regional Offices should reach out to her with any problems.

PEF requested a breakdown of what positions get paid standby recall.

Management indicated this was provided at the last meeting and there are no additions or deletions.



PEF asked why there are no facility people getting recalled; YC1 and 2; and what is the pay formula for standby.

Management replied regarding recall; anywhere we have 24/7 YC's on the clock; mandated folks. If PEF has specific concerns, they can reach out to Barbara Coonradt.

PEF inquired about the LATS code since there is only one for labor/management. There isn't one for health and safety.

Management stated that BSC has the codes. LATS is for all agencies. Management advises to state health and safety and what it was for.

PEF requested what titles does OCFS consider "essential" during emergencies and why.

Management responded it depends on what your title is; circumstances; essential staff is very small. It also depends on the event and the nature of the work you do.

PEF asked how does an employee know who is essential; and if there is some designation in LATS in a time of emergency to identify who they are.

Management stated that Human Resources does not determine who is essential; the program does. Staff should reach out to their Supervisor to find out if they are essential; depends on the situation.

PEF stated this puts the burden on the employee by going to their Supervisor.

Management reported that all staff are essential except the clerical staff. CMSO – problem building – is closed; staff cannot get in. In a regular snow storm; staff are required to come to work. During the recent snow storm Governor called this and made decision to close state offices.

PEF stated there needs to be clarification and information to employees, especially new employees. NYS Alert does not give them notification they are essential.

Management stated they will work with NYS Alert.

PEF requested the fill level for OCFS and what are the actual FTE's broken down by department or division.

Management replied the fill level is ever changing. We are getting revised numbers and do not have this information at this time. Management will send the FTE information to PEF.

PEF also asked how does OCFS determine who is on the on-call roster and who is not. NYC and Spring Valley are sharing the on-call.

Management requested PEF to e-mail Carol McClellan the question.

PEF asked where can employees find the FMLA application and Sexual Harassment form if it is not referenced on the intranet site.

Management explained the information is on the forms page. Mary Carli distributed to PEF the Human Resources Forms list. Intranet-Human Resources tab-click on forms tab. Forms have been added on the site.

PEF asked if an employee is out on FMLA which form to use. Management stated to contact Personnel. If the employee needs FMLA; their Supervisor can send the information.

PEF questioned why members are being denied Reasonable Accommodation who have had ongoing accommodations for years. They are now being retracted/denied or made to jump through hoops to maintain.

Management replied it is good for one year. We are reviewing all applications. Everyone is treated the same way when they reapply. Every time someone reapplies; they need to be reassessed.

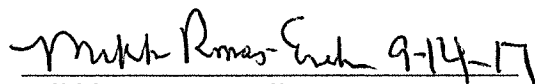
PEF asked if employees with ongoing chronic conditions; need to be recertified; which is excessive with no change in condition; is there a different way to let Management know. For example, a check box indicating no change.


Management responded if an employee has a disabling condition which is apparent i.e. a paraplegic, they would not need to submit certification. But that someone with diabetes their condition might have gotten better. If an employee request something new; we would need to know the reason why and a new medical would be required with any changes. No changes; we do not need recertification. The employee still needs to reapply; but will not need medical documentation.

**Next Meeting Date:** Thursday, September 14 at 52 Washington St.

**Minutes from the June 16, 2017  
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                      Date  
PEF Co-Chair

  
Carol McClellan                      Date  
OCFS Director of Labor Relations