

**NYS OFFICE OF MENTAL HEALTH & PUBLIC EMPLOYEES FEDERATION
STATEWIDE LABOR MANAGEMENT COMMITTEE
December 6, 2018, 9:30 AM- 12:30 PM
PEF HEADQUARTERS**

Present for PEF:

Carl Ankrah, Rockland PC
Gina Corona, Hutchings PC
Lisa Couperous, Rochester, P C
Virginia Davey, L/M Chair, SLPC
Ken Dischel, South Beach PC
Scott Dobe, WNY Children's PC
Dee Dodson, PEF Nurse Coordinator (phone)
Albert Famularo, Creedmoor PC
Mary Haltermann, Capital District PC
Nancy Holford, PEF Recorder
Errol London, Kingsboro PC
Gerard Riconda, CNYPC/Mid-Hudson PC
Jose Rodriguez, Pilgrim PC
Jeanette St. Mary, Vice Chair, Mohawk Valley PC
Kevin Wilson, Sagamore Children's PC
Nancy Wolff, PEF Field Representative

Present for OMH:

Christina Calderwood, OMH State Operations
Kim Dilmore, OMH, Assistant Dir. BER
Lillie Johnson, BEWD
Tim Lamitie, CNYPC
Crystal Scalesci, OMH, Deputy Dir. HRM
Maxine Smalling, Chief Executive Nursing Officer
Grace Spinner, OMH Central Office
Valencia Thomas, OMH Central Office

<u>Approval of Minutes</u>		
	The September 2018 minutes were signed at the end of this meeting. The June 2018, March 2018 and December 2017 minutes were previously signed.	
<u>Review Action Items</u>		
Management to provide PEF with each facilities VOT and MOT usage by month since January 2018.	Management will wait until the beginning of February to run the 2018 report in order to insure all overtime data has been entered into the time and attendance system.	1) Management to provide PEF with VOT and MOT usage by the end of February.
Management will identify critical elements	There is no statewide nurse coverage plan. Plans are developed locally specific to each facility's operating needs. PEF is	2) Management will identify critical elements of an effective nursing

**NYS OFFICE OF MENTAL HEALTH & PUBLIC EMPLOYEES FEDERATION
STATEWIDE LABOR MANAGEMENT COMMITTEE
December 6, 2018, 9:30 AM- 12:30 PM
PEF HEADQUARTERS**

of an effective nursing coverage plan.	concerned that coverage plans may not be working or facilities do not have the necessary staffing to implement the plans. PEF also feels that coverage plan best practices should be shared between facilities. Management agrees.	coverage plans and share those with facilities.
PEF requested an update on employees incumbering nursing titles who are functionally assigned to different roles.	Management indicated that there are situations when functional assignments are made, e.g. URC and Risk Management. Nurses have a skill set that often makes them the most qualified candidate for these positions.	3) Management agreed to review these functional assignments.
PEF requested an update on closures, consolidation and patient movements slated to occur within the next 6 months.	Management indicated that this information is shared publicly via the monthly legislative report. This is available at: https://omh.ny.gov/omhweb/transformation/ Information available at the bottom of the page.	Complete.
PEF requested an update on the Nurse Title Study.	Management reported that Civil Service is reviewing the completed CC3s and working with agencies to get the outliers completed.	4) Management will provide updates as available.
2. Recruitment and Retention of OMH Professionals		
Physical Therapist salary reallocation.	PEF informed Management that the Physical Therapists in OMH want to see a reallocation in their salary. Management indicated that they have not heard any recent initiatives to reallocate their salaries. Management indicated they would not oppose a reallocation if it were proposed.	
Nurse Practitioner recruitment and retention.	PEF foresees major recruitment and retention challenges for these titles due to insufficient grade allocation. Management indicated that OMH had not experienced recruitment/retention challenges for this title. Twelve RNs were just accepted to the University of Rochester online NP Program. There are currently 35 – 40 OMH RNs pursuing NP degrees through OMH's Nurse Development Program and DOH's HWRI Program.	

**NYS OFFICE OF MENTAL HEALTH & PUBLIC EMPLOYEES FEDERATION
STATEWIDE LABOR MANAGEMENT COMMITTEE
December 6, 2018, 9:30 AM- 12:30 PM
PEF HEADQUARTERS**

	<p>Management explained that Civil Service indicated Nurse Practitioners are appropriately allocated at a Grade 24 and that the recent Geographic Pay Differential increases to \$20K upstate and \$30K downstate are competitive.</p>	
Registered Nurse recruitment and retention.	<p>Management stated that OMH continues to "grow our own" nurses through the above referenced NDP and HWRI Programs. Additionally, OMH attends multiple job fairs throughout the state to recruit nursing candidates.</p> <p>PEF asked where the recruitment challenges exist. Management indicated that there are significant recruitment problems at St. Lawrence PC due to their geographic location and supply and demand. A geographic differential for SLPC is currently under review by Civil Service and DOB. Hutchings PC has recruitment and retention issues due to the other hospitals in Syracuse, which are able to offer incentives that OMH cannot, including sign-on bonuses and flex time.</p> <p>Management indicated that loan forgiveness programs for nurses do not include psychiatric hospitals. Health Professional Shortage Area (HPSA) designation does not include inpatient facilities, only outpatient programs. PEF requested a list of HPSA designated sites. Management indicated that this information can be found on the at: https://data.hrsa.gov/tools/shortage-area/by-address. PEF has brought this issue to the attention of President Wayne Spence.</p>	<p>5) Management will continue to advocate for the geographic differential for SLPC.</p>
Personnel Services Budget	<p>PEF inquired about a rumor that OMH will offer budget monies to hire staff at each facility. Management explained that there has been a change in hiring strategies and a personnel services budget has been in place for 5 – 6 months. Facilities have been working with the financial team to create a personnel services budget that looks at fill levels, locum tenens, extra service, overtime, etc. If facilities are within their personnel budget then</p>	

**NYS OFFICE OF MENTAL HEALTH & PUBLIC EMPLOYEES FEDERATION
STATEWIDE LABOR MANAGEMENT COMMITTEE
December 6, 2018, 9:30 AM- 12:30 PM
PEF HEADQUARTERS**

	<p>staffing requests will be reviewed in this broader context and not just with respect to their fill level.</p> <p>PEF asked if the proposed 2019 – 2020 SFY budget would allow for provisional employees to become permanent. Management indicated that this would not be part of the budget but rather a concern for Civil Service.</p>	
3. Closures, Consolidations, and Other Movements		
Update on inpatient and outpatient bed movements.	PEF asked if there were any updates regarding inpatient and/or outpatient bed reductions, consolidations, or other movements/closures. Management shared that during the first 9 months of 2018, 10 beds were closed due to being vacant for 90 days. There were instances where vacant beds could have been closed but were retained due to other variables. There is no plan for closing specific beds and OMH continues to follow the 90 day guideline. OMH stated there are no significant service reductions planned in outpatient services.	
Rockland PC's ACT Team and SOCR.	PEF requested an update on the status of Rockland PC's ACT Team and SOCR in Middletown. Management shared that the ACT Team is currently staffed for 48 patients, as of the meeting the census was 45. Rockland continues to recruit for ACT and with the addition of 1 more ACT Team member they will be able to serve 68 patients. The census increase will take some time due to onboarding, training and orientation of new staff. Management indicated that Rockland continues to hire MHTAs for the SOCR, so far 9 have been hired.	
Barriers to service.	PEF reported that there is no wait list at Rochester PC and community providers have been told not to refer recipients to inpatient. Management clarified that the message being sent statewide is for appropriate referrals to occur in a timely manner.	6) Management requested that PEF provide them with any specific concerns related to referrals.
Increasing Caseloads.	PEF noted there has been an increase to caseloads amid decrease in staffing. Management indicated that efficiency studies and tools need to be adjusted to provide realistic productivity data. They stated that a new productivity tool is almost ready to roll out.	

**NYS OFFICE OF MENTAL HEALTH & PUBLIC EMPLOYEES FEDERATION
STATEWIDE LABOR MANAGEMENT COMMITTEE
December 6, 2018, 9:30 AM- 12:30 PM
PEF HEADQUARTERS**

	<p>PEF stated that previous caseload recommendations were 35 – 45 patients. Clinicians continue to be concerned about ever increasing caseloads that are well above this range. Management stated that there have never been limits set on caseloads. Management encouraged PEF members to continue to have local conversations on the topic. PEF indicated they will continue to complete Protest of Assignment Forms.</p>	
Buffalo PC's underutilized space.	<p>PEF asked about space at Buffalo PC being used by private company to care for children who have been dually diagnosed. Management indicated that they were not aware of any plan, but is assessing what is programmatically needed.</p>	
Affirmative Action and Diversity Service Programs		
Status of Affirmative Action and Diversity Service Programs.	<p>PEF indicated there were some concerns in the transition of Affirmative Action staff from OMH to GOER, specifically staff had difficulty contacting Affirmative Action Administrators. Management stated that all of the past OMH Affirmative Action Administrators are currently still located where they were prior to December 1, 2018. Once the initial process of transferring functions to GOER is complete, it is expected that investigations will take less time and resources allocated more efficiently.</p> <p>PEF confirmed that they had received notifications regarding the newly adopted process at their various worksites. Management stated that emails were sent to all OMH employee regarding the change and facilities were directed to provide written information to employees without email.</p>	
Reasonable Accommodation.	<p>Responsibility for processing RA requests is being shifted to the facility personnel offices. Because OMH HR staff have not been involved in the reasonable accommodation process in the past, OMH is seeking a transition period with Civil Service in order to provide regional training. BER and Counsel's Office will be working closely with the facility HR offices through the transition process.</p>	

**NYS OFFICE OF MENTAL HEALTH & PUBLIC EMPLOYEES FEDERATION
STATEWIDE LABOR MANAGEMENT COMMITTEE
December 6, 2018, 9:30 AM- 12:30 PM
PEF HEADQUARTERS**

	PEF questioned who will be responsible for decision making and who will get to provide input. Management replied that the interactive process will remain the same and that it is necessary for any accommodation to be communicated to supervisors to assure it is implemented appropriately. Facilities are able to approve reasonable accommodations without contacting Central Office.	
5) Second Nurse Verifier By The Kitchen Sink		
Concerns/Challenges regarding the availability of a second nurse verifier to meet the requirement to administer insulin.	<p>PEF stated that every facility addresses the need for a second nurse verifier differently and they requested clarification to standardize this process. PEF asked if the need for a verifier was determined by facility mandate. Management stated that the facilities have their own process for assuring a second verifier. Having a second nurse to verify medication deemed critical is a vital part of the OMH protocol throughout the state.</p> <p>PEF has concerns regarding the limited number of nurses available to be a second verifier to ensure insulin is drawn and administered properly. Management requested to table this topic until the next meeting.</p>	7) This topic is tabled and will be added to the March 2019 agenda.
6) EVista Update		
PEF requested an update on the status of EVista.	Management stated that OMH is reviewing options for an EVista replacement.	8) Management will provide an update at the next meeting.
7) Labor/Management Meetings		
Facility Labor/Management meetings.	<p>PEF inquired if the facilities are holding labor/management meeting at least twice a year. Management stated that they do not have facilities notify them of their local labor/management meetings. Management ask PEF to let them know if meetings are not occurring regularly.</p> <p>Both PEF and Management stated the importance of good labor/management relationships. Funding for labor/management training was discussed as well as best practices.</p>	9) Management to provide PEF with a copy of the labor/management best practices that was sent to facilities.

**NYS OFFICE OF MENTAL HEALTH & PUBLIC EMPLOYEES FEDERATION
STATEWIDE LABOR MANAGEMENT COMMITTEE
December 6, 2018, 9:30 AM- 12:30 PM
PEF HEADQUARTERS**

9. Statewide Grievance Chart		
Review/Discuss information contained in the chart.	<p>Management distributed the 2018 PEF Substantiated Findings chart.</p> <p>PEF expressed concern regarding the number (16) of nurses substantiated by the Justice Center in 2018 to date. Management indicated that because nurses are the most populous PEF title with direct patient contact they will make up a larger percent of the substantiated findings among PEF employees.</p> <p>PEF questioned if the impact of the substantiated findings, as well as the unsubstantiated investigations, on nurse recruiting and retention. PEF requested that exit interviews be held to determine why nurses are leaving. Management indicated they are currently reviewing exit interview tools.</p>	10) Management to provide an updated chart at the next meeting.
10. Grievance Chart Update		
Review/discuss information contained in the chart.	Management provided a Step 2 Grievance chart which indicated that the number of Step 2 grievances has remained steady in 2018 and is significantly lower than 2017. Management continues to eliminate the backlog and become current.	11) Management to provide an updated chart at the next meeting.
11. Quarterly Meeting Dates		
	<p>2019 Quarterly L/M Dates are:</p> <p>3/14/19</p> <p>6/6/19</p> <p>9/12/19</p> <p>12/5/19</p> <p>All meeting will be from 9:30 – 12:30 and located at PEF Headquarters.</p>	

**NYS OFFICE OF MENTAL HEALTH & PUBLIC EMPLOYEES FEDERATION
STATEWIDE LABOR MANAGEMENT COMMITTEE
December 6, 2018, 9:30 AM- 12:30 PM
PEF HEADQUARTERS**



Virginia E. Davey
Labor Co-Chair
PEF-OMH Labor
Management Committee
Chairperson

06/06/19

Date



Kimberly Dilmore
Management Co-Chair
Assistant Director, Bureau of
Employee Relations

6/6/19

Date