

**New York State Department of Labor  
Statewide PEF Labor Management Meeting  
May 22, 2019**

**MINUTES**

<b>MANAGEMENT</b>	
Geoff von Bieberstein, OER Director, Co-Chair	Roberta Reardon, Commissioner of Labor
Mary Batch, Dep. Comm. Employment Security	Nathaalie Carey, Executive Deputy Commissioner
Karen Coleman, Dep. Comm. Workforce Development	Vince Coyne, OSI
Darlene Shattuck, Personnel	Victoria Gray, DEWS
Susan Borenstein, UIAB, MOVI	Bo Wynnyk, Research & Statistics
Chris Alund, Public Work	Maura McCann, Labor Standards
Selica Grant, DEOD/ Chief Risk Officer	Jack Dougherty, Finance
Stephen Geskey, UI	Russ Oliver, DEWS
Milan Bhatt, Worker Protection	Eric Holm, Property
Kevin Jack, Research and Statistics	Ed Vargas, Director of Labor Relations
Rebecca Rauhauser, OER, Mgmt. Recorder	Eileen Franko, Safety and Health
Paul D'Urzo, OER	Jeanette Castagnola Lazelle, DIPA
<b>PEF</b>	
Scarlett Ahmed, PEF Co-Chair	Jose Medina, PEF
Bob Beckwith, PEF	Helen Esposito, PEF

**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. Permanent Employees
5. PEF Hourly Employees
6. Number of Hourly vs Permanent LSRs & Employment Counselors by office location and division
7. Five (5) years of DOL staffing
8. Leases

**UI Section:**

9. Initial Claims

**1. Welcome/Introductions/ Minutes sign off.**

Minutes sign off was delayed allowing further review of minutes for PEF (Minutes were reviewed and signed by parties at later date)

**2. Commissioner/Executive Deputy Commissioner's Comments**

**Commissioner Roberta Reardon** – We have a lot of new things happening at DOL. We are happy to welcome a new Executive Deputy Commissioner, Nathaalie Carey. Spring is a busy season for us. Worker Protection is busy with inspectors out in the field and their caseloads will be heavy. It's also the time of graduations so we will have lots of students coming into the career centers if they haven't already. Summer jobs are going on and still open with unemployment being so low which is an extra piece of work for people in the DEWS department. We are busy, we are engaged, we're doing a lot of great things for the citizens of New York and the bottom line is that we couldn't do it without all of you.

**A. Status of Agency Staffing (Nathaalie Carey)-** One big organizational change that we have going on right now is that Selica Grant has been named the new Chief Risk Officer for the Department of Labor. Each agency has its own special risk counsel and she is performing in that role as the Chief Risk Officer for us. This means that internal audit will be moving under that office and also internal controls. The new Internal Controls Officer is Janice Adams who has recently started. We do have a new internal audit director who will be starting with us in the next couple of weeks.

**3. Budget – Nathaalie Carey/Jack Dougherty**

**A. Federal:**

- a. Update on budget and DOL funding:** Overall our federal budget has been pretty stagnant. We have seen some reductions in UI funding and that is something we are working to address at this point. Those reductions are things that we have a game plan that we will be able to absorb this year, so we don't think there's going to be any impact to our bottom line but it is something that we will have to monitor going forward. Some of the smaller cuts do tend to add up and have an impact so it's important that we know those things are happening early and are willing to address those.
- b. PEF inquires if there are any anticipated changes in RESEA funding? (Karen Coleman)–** Instead of having to apply every year it's now an appropriation that will go out by formula to the states. There is a hold harmless clause in it, so we won't be effected from the perspective of having the largest grant in the country. With that said, its formula driven so we will be losing a little bit of resources and this is a calculation we have been working with research and statistics on. We are very fortunate we had been very aggressive in the past to get us where we are today. We are happy it has been made a fixed program so that we do know we will have it to plan. We have benefited from the program and will continue to do so.

**B. State:** I've been working with all the Directors to discuss the impact on Worker Protection and we've been held stagnant. Stagnant in the budget means a cut because the cost goes up every year. We've seen this particularly in DOSH and we've been talking to them specifically about how we're going to address this. We want to make sure in our future years we are not going to be seeing these major cuts. We are trying to make sure the powers at be are aware of what we do, the value that we bring and the benefits that they get for supporting us financially.

**C. UI Trust Fund Status**

**D. Monthly Position Allocation vs. Spending by Division, including if applicable:**

- a. Changes in FTEs.
- b. Planned fills and promotions

**E. Current Staffing by Division:**

- a. Provide any information on attrition plans.
- b. Count of Employees by division permanent/hourly (in separate columns)
- c. Number of hourly LSRs and Employment Counselors (Personnel)

**F. Excel Spreadsheet showing all current PS&T members at DOL**

**G. Excel Spreadsheet showing current listing of hourly PS&T employees at DOL**

**H. PEF requests brief discussion regarding DOL provided Excel Spreadsheet showing five (5) years of DOL staffing – Staffing is down due to the Department's inverse staffing relationship with economic conditions.**

**I. Changes in the list of lease expiration dates (Eric Holm)**

- a. PEF requests an update on the status of locations with month-to-month leases – Flushing is still going through lease negotiations with OGS so there is no formal plan for when any moves will take place. Bond Street is still waiting for OGS to give them a final cost on that. When that happens there will be a build out on that and then the move will happen.
- b. PEF requests participation in a walk-through of new sites – We always try to do that as a courtesy with major moves. Department typically contacts the local PEF representative when the locations are ready for a walk-through.
- c. PEF requests an update on Troy TCC move – The move is coming soon. Will update as more information comes in.

**4. Division of Administration and Finance**

**A. Division Update**

**a. OER General update– Geoff von Bieberstein –**

- I. PEF requests final update on BSC transition – At some of the local LM meetings there has been questions about LATS. DOL's version was slightly different. The cancer screening and conference leave are no

longer tracked in separate buckets. No one lost any benefit, they are just no longer tracked separately.

**Helen Esposito** – I have two hourly employees who we're having issues with their union dues being deducted.

**Geoff von Bieberstein** – send that to me and I will look at it to see what I can do to assist.

- II. **PEF requests discussion on VCC/similar phone applications/timekeeping context** – We do not use our phone systems for timekeeping. It's a way to manage the calls and its workload driven. When someone is away from their desk it directs the call to someone who is available to answer it.
- III. **PEF requests update on parking permits for staff in the field** – The only way we could get more than 35 placards would be if we can show that more employees are spending 75% plus of their time out in the field. Management confirmed that employees could not share a placard.
- IV. **PEF requests discussion of the Performance Evaluation Appeal process (Bob Beckwith)** – I had an appeal that I was beginning to do and I found that there was a change in the process. We have some concerns but I don't think we should talk about it here. We should set up a conference call and discuss this offline. Management agreed to meet based on PEF availability.
- V. **Management reminder to PEF regarding participation in NEO (New Employee Orientation)** – We just wanted to remind PEF about the importance we place on their participation in the program. We have them every two weeks on Thursdays. PEF inquired if the representative has to be in Building 12 if DOL hands out union material. Management replied the PEF representative can be at any location since all locations are video-conferenced. The names and locations of new employees are sent to PEF approximately one week in advance so that the union can make arrangements to personally meet with the new employees and hand out union information.

**b. Personnel – Darlene Shattuck**

- I. **Any plans for new titles, reclassification or earmarking of existing titles, redefining job descriptions/duties, or other changes to a title?**  
– Currently nothing to share.
- II. **PEF requests discussion of changes to LSR/SLSR class standard** – On occasion Civil Service will go through and ask for our comments. We cleaned up the language, made it more consistent, and changed the technology references.

**Scarlet Ahmed - We are just concerned that it means limitations on promotional opportunities but it sounds like it was just tightening up the standards.**

**III. PEF requests update on status of next exam for Employment Counselors, including how is the need for Spanish speaking counselors determined – I can't give you any specifics on when exams are going to be scheduled but the department did request that this title be scheduled for an examination. We currently have two Spanish speaking titles filled. When program advises they have a need for an exam or to move an item from one location to another based on operational need, the request is reviewed and if appropriate the item is moved.**

**IV. Telecommuting Program update**

- i. Management update on pilot phase 1 and 2 – We started phase II with Worker Protection in February. People are happy with the program.**
- ii. ADAPT Telecommuting update – We are looking at the next phase and we had a large, ADAPT meeting a couple weeks ago and asked for other agencies interested in joining for phase two. We have a conference call in July with those agencies and starting out a program for them probably in August or September. We are trying to align everything up with the documents.**
- iii. PEF requests a discussion on use of personal cell phones under the telecommuting policy (Jose Medina)– If you don't have a state phone and your telecommuting then you're required to forward all your calls to your personal phone. Maybe we can have state phones that are shared for staff that don't have one. That way we have a few phones that float so that we don't have to have cell phones for everyone. Management indicated that they would consider this suggestion.**

**c. Lead – Darlene Shattuck**

- I. GOER mandatory training reminder – Must be completed by October.**
- II. LEAN Training**
- III. Building 12 Service Animal training – There is a service animal that will be moving from the Troy TCC to Building 12. There is training online and we will be promoting that for all employees of building 12.**
- IV. PEF requests update on recent computer trainings – We are fully staffed in LEAD. Computer classes from January to April we had twenty-three (23) sessions with the majority being split between NYC and Albany with one hundred and ninety-four (194) attendees. They were classes on various levels of Word, Excel, Outlook, and SharePoint. We have thirteen (13) sessions scheduled between April and September. Other classes that were held between January to April we had twenty-three (23) sessions and there**

were six hundred and eighty-nine (689) attendees.

**d. Technology/Miscellaneous – Geoff von Bieberstein/Nathaalie Carey**

- I. Update** – There is a file sharing solution being piloted in several sub-divisions called IBM Aspera . From what we've been told so far is that tests have gone very well and we're in a position where we can just roll it out broadly. We will follow-up on that. We are also starting a cyber security task force made up of several people across the agency. This will be done under the Chief Risk Officer. We are working with ITS where they have data loss prevention which means if anyone is sending data out of our offices that have any kind of PPSI there are three levels. Right now we are in the monitoring phase just to see how much of this is happening. The next step is alerting which will create a question before sending asking if you really want to send the information. The third step is that you just can't do it and the system will not allow you to send it. ITS wants us to ramp up to the point where we cannot send PPSI. We are starting with the monitoring phase so that we do not do something that will impact operations. The problem is today with all of our computers you can put any of that information on a thumb drive, download it and walk out of the building with it. The big thing that we're working on with the cyber security task force is that there is a proposal to lock out all the of the USB ports. We are looking to roll this out in the coming months but there is a lot of work that must be done. Some units use their USB ports such as the TCC for their telephones. There may be operational reasons why some computers will need their USB ports but as of now everyone will get it because we can't figure out who shouldn't have it.

**5. Division of Employment and Workforce Solutions (DEWS) Russ Oliver**

**A. Division Update**

- B. Update on Manager and SLSR promotions** – We've hired fifty-two (52) staff since we last met, three (3) new managers, and three (3) new supervisors.
- C. Hourly LSRs made permanent** – Since the list came out we've made seventy (70) hourly LSR's permanent.
- D. PEF asks if DEWS will consider hiring WPS (Workforce Program Specialists) to assist managers and supervisors at busier/larger career centers?** – There is a WPS 1 in Brooklyn because that is a heavier volume office. We just had a conversation about workforce specialist items and what that really means to our centers. That is something that may take a little bit of time because we have to think of all of the impacts. If we feel there is a justification similar to what happened in Brooklyn when you're overseeing business services, rapid response, and all of those kinds of things between two buildings, we will consider it going forward.

**6. Worker Protection Division**

- A. Safety & Health Update (Eileen Franko)** – The biggest issue is staffing. We've gone from two hundred twenty-six (226) to one hundred and eighty-seven (187). Last quarter

we lost seven (7) staff. Four (4) of which were senior staff. We've promoted three (3) people but none of those were in programs that we lost people.

**Scarlet Ahmed** – Is all of Worker Protection State funded?

**Eileen Franko** – I'm just DOSH. We have four programs that are funded with federal money. All the rest of the staff is state funded.

**Scarlet Ahmed** – Would you be able to send that to me in an e-mail?

**Eileen Franko** – I can send you the percentages.

- B. Public Work Update (Chris Alund)** – Promoted someone to an IO 2 and presently recruiting to fill four (4) IO 1 titles.
- C. Labor Standards Update (Maura McCann)** – We've had four (4) promotions, one (1) new hire, one (1) transfer from NYC to Albany, one (1) probationer resigned, and one (1) retirement.
- D. Special Investigations Update (Vince Coyne)** – We're in the best shape we've been in the last three (3) years. We lost a senior manager yesterday in the western portion of the state which has an impact but we have three (3) very talented IO 2's which we're hoping will put their name in for that position.
- E. Division of Immigrant Policies and Affairs Update (Jeanette Castagnola Lazelle)** – In the process of hiring two (2) field staff for the Albany Office which we hope to have on board by July 1<sup>st</sup> which is the start of the program year for the federal program. New Jersey has hired three (3) new outreach workers and have asked us to train their staff as well. As we train our staff we are going to provide those resources to them as well. They view NYS as a model state for outreach to farm workers so we will be doing that this summer.

**Scarlet Ahmed** – Has the Farm Worker Bill of Rights been passed?

**Milan Bhatt** – It hasn't been passed yet but there has been a lot of push out of the Commissioner where she recently spoke at an annual lobby day where said on behalf of the Governor that it was something he supports. It certainly would have a huge impact if some of the major parts of it passed.

## **7. Unemployment Insurance Division (Mary Batch)**

- A. Division Update** – Overall we're doing really well. During this period of time we take the opportunity to increase our training and increase our efficiencies. The Verizon Solution has been implemented everywhere with the exception of the claims activity at the front end of the process. That will happen this summer. We're experimenting with text messaging as a pilot program. We had sent out 267,000 text messages associated with the 1099G which was very successful. We are now expanding that and are looking to move forward with a generic message to a claimant customer that would say you have an important message from the Department of Labor pending in your two-way communication. We launched a new benefit rate calculator which has also been successful.

**B. Update regarding RFP for mainframe –UI Modernization is at the tail end of the procurement process.**

**C. PEF requests discussion on role of contract employees in UI Modernization – It's a highly technical project and it will involve a mix of people.**

**8. Research and Statistics**

**A. Division Update – Since we last met we have seven (7) new hires. A lot of those came off the professional's careers test.**

**9. UI Appeal Board**

**A. Division Update – We have one Judge who is retiring in July and we have one (1) promotion in White Plains. The intake is low because UI is low. We are also taking this time to do trainings and we had a lot of technical updates in March. We did an in-person training on the update of our new case management system. Unfortunately as a result of the training there were a lot of problems with it so we were not able to go live. We still are going to have to do more testing which means we do not have a new go live date. We also took the opportunity to do a public service training. This was all in-person at every location. The training staff were judges and administrative staff. All of the evaluations came out pretty well. We started a new project called tech-tips which are 15-minute trainings about computer and other technical issues. They're done as a web-ex at different times during the day so that staff can join them based on their own schedules. The topics range in subject, such as How to Access and Use Cognos Rreports. An upcoming training will be for ALJs on how to track cases in our case management system. They are very quick little trainings, popular with the staff, and many of the subjects are based on suggestions from staff..**



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