

**NYSIF/PEF JOINT LABOR MANAGEMENT MEETING**

1 Watervliet, Albany NY

7/11/19 @ 10:00am

<u>PEF</u>	<u>MANAGEMENT</u>
Charles Browning – Co-Chair	Cliff Meister – Co-Chair (via video)
Dan Warren	Karen Anderson (via video)
David Dubofsky	Patricia Carroll
Radhakrishna Mohan	Alyce Siegel (via video)
Chris Rampe, PEF recording secretary	
Patty Mason	
Clifvon Jones	
John Babich	
Jeff Hutchinson	
Kathy Czachorowski	
Bradley Kolb – PEF Field Representative via phone	
Brandi Loveday-Chesley	
Lisa Wells	

- 1.) **Minutes** – 4/11/19 minutes approved 5/15/19.
- 2.) **Next Meeting** - PEF proposes October 17, 2019 at 10:00am
- 3.) **Local L/M Meetings** - Discussion abbreviated, due to length of agenda.
- 4.) **Statewide Staffing Levels** –
  - a.) PEF indicates: Sr. Auditors, PA Department - A mandate directing Sr. Auditors from Buffalo, Rochester and Syracuse to travel to Albany and stay in Albany for a week at a time for multiple weeks from March through May 2019 is burdensome to Sr. Auditors.

-PEF would like confirmation that this project has ended and would also appreciate confirmation that SIF will place any future items that require such mandates on the SWLM agenda for discussion prior to implementing them.

b.) Hearing Reps - PEF queries SIF re: the amount of hearings and depositions statewide that are being assigned to outside counsel in lieu of hiring hearing reps statewide. Per last meeting, SIF is compiling data regarding the number of Hearing Representatives vs. the number of claims in particular offices.

-PEF requests an update on that study.

SIF's Management advised that: a) the Sr. Auditor project is complete; and

b) Regarding the Hearing Reps, the report that will be used to determine appropriate staffing levels is not yet complete. It is hoped it will be ready for the next meeting. Ms. Czachorowski asks whether virtual hearings are serving to benefit NYSIF. Ms. Anderson does not know for certain whether that will be addressed in this report.

#### **5.) Telecommuting –**

As last reported, SIF advised that Ms. Carroll is on a pilot telecommuting committee comprised of multiple agencies. PEF has consistently requested that SIF include rank and file prior to implementing new policies and procedures as those who actually do the job have the best input and suggestions that later would not have to be amended if the state took a proactive approach.

-PEF requests a status/update and asks if the State's pilot committee will include PEF input and involvement.

*Ms. Carroll states that NYSIF is looking into a pilot program. While there is no definite timeline, NYSIF hopes that a pilot will be in place by the end of the year. Several agencies have implemented programs and NYSIF will be observing. DOL has rolled out their program. Mr. Meister speaks on PEF involvement in the pilot and what that might entail. Mohan discussed that PEF involvement in the previous program was beneficial. Ms. Carroll feels that any potential upcoming pilot will be clear cut and very narrowly defined. The intent would be to start small to ensure there are sufficient controls in place. Mr. Meister spoke to the prior program in which the formal program did not match the pilot. Ms. Czachorowski proposes crafting an email to Ms. Carroll voicing PEF's objectives.*

#### **6.) Dissemination of Information –**

PEF thanks SIF for approving the 4/11/19 minutes in a timely fashion as agreed.

-PEF requests SWLM and SWH&S minutes be posted to the SIF intranet.

Ms. Carroll doesn't see a problem with LM and H&S minutes being posted on intranet.

7.) **ITS Concerns** – Last meeting PEF ITS staff brought specific concerns re: reduced security, inadequate training, various specialties, staffing, networking, servicing, and OOT work.

-PEF requests an update on SSA's staffing; has request to fill been approved for Binghamton?

-Any progress in addressing any of the concerns provided in the ITS evaluation paper at the last meeting?

-Any update on technical security training?

Mr. Dubofsky reports that there is no SSA in Binghamton, that other SSA's are covering. End users are advised that an SSA will be available on certain dates.

Ms. Carroll states that the issues are being addressed. Ms. Carroll asks that specific issues be brought to her attention. Supervision in Binghamton has recently changed. Ms. Carroll will investigate. Mr. Warren asks for update on technical security training? Ms. Carroll states that the issue is being handled locally through Ms. Loveday-Chesley. Management acknowledges that the SANS training that was provided was not sufficient. Ms. Loveday-Chesley advises of a discount program that may allow for more people to attend at a lower cost.

8.) **Pool Car Inspection** – PEF understands the need for members to "inspect" the pool car prior to use; however, inspections should be limited to reporting obvious defects, not checking brakes and service records. The Supervisory Pool Car person should be in charge of maintenance and assuring vehicles are safe.

- PEF requests an update on SIF's review of and changes requested by PEF in this policy.

Ms. Carroll advises the policy has been re-written, is posted on the intranet, and all pool car managers were informed. Mr. Singapura questions whether new signatures on the new policy are required. Ms. Carroll advised that she is unsure if anyone needs to sign the new policy as SIF made it less restrictive now.

9.) **Claims and PHS Policy Manuals** – PEF thanks SIF for Jeff Silino's 4/26/19 email, Claims Manual Updates, which states, in part, "To facilitate the process of reviewing the full text of the updates in the Claims Manual, they will appear in red text for a period to be determined."

As reported at last meeting, PHS updates are listed on SIF's intranet.

- PEF queries how long updates remain in red text.



PEF thanks Management for posting updates in red. SIF advises that the red text should be present for about a month or until the next manual update.

10.) **Feedback forms** - Last meeting PEF requested that feedback forms be created for SIF Departments PAD, PHS, and FS, and also that staff be directed to a central location to view the status of these requests. Management advised that the Claims feedback forms are successful.

-PEF requests a status on this request, including a central location to view their status.

Mr. Browning questions why all systems regardless of discipline do not have feedback forms. Ms. Carroll advised that EMPO will take a look.

11.) **Languishing grievances** – At the last meeting, SIF committed to reaching out and meeting CBA timelines on Step 2 decisions.

A list of outstanding grievances was sent to SIF LR for review on 3/27/19. PEF was given dates certain of 4/22/19, 4/29/19, and 5/6/19. Three Step 2 decisions out of seven have been received to date on 5/30/19 and 6/4/19.

PEF notes that SIF issues counseling memos, NOD's, and unsatisfactory performance evaluations to members due to not meeting deadlines and/or receiving penalties. SIF not meeting deadlines with no penalty diminishes morale and respect of SIF and PEF.

-PEF requests a status on remaining Step 2 decisions and also a status on the hiring of more LR staff.

Ms. Czachorowski reports out that 3 of the Step 2 decisions are still outstanding. Ms. Siegel advises by next week these should be closed out. Mr. Browning speaks to the problems of languishing grievances especially where financial/accrual issues are concerned. Ms. Siegel states that employees are made whole, but that she will make financial/accrual grievances a point of priority.

12.) **Location of "medical folder" for SIF employees** – SIF maintains a "medical folder" that is separate from the Personal History Folder.

PEF would like to know:

- Where is this folder located
- Who has access to this folder
- How long is it stored for and where
- How is it kept secure

- Is it paper or digital

Management answers the “medical folder” that contains documentation is a permanent digital file on SharePoint. It is referred to as the “master medical folder for employees” and only 3 people have access: Director of Admin, Ms. Siegel, and Damaris Torres. Paper documents are shredded. The file has been in electronic form since 2017, previous paper files were destroyed. Ms. Carroll speaks to her opinion that it is better to have the medical documentation folder and the accommodation folder remain separate as separate departments govern and have access. Mr. Browning asks who has access to reasonable accommodation information. Ms. Carroll will advise. Mr. Browning asks if there is a procedure in place to review the medical file. Ms. Siegel will run it past GOER and Civil Service and advise. Item to remain on agenda.

13.) **White Plains Seniority List** – PEF requests SIF produce the seniority list for the White Plains office.

Ms. Carroll states that if there is a problem to bring specifics to her and that unless a problem exists, she sees no reason to share. PEF will grieve.

14.) **PPD claims letter** – In the interest of SIF, in order to reduce cost in medical treatment per the new MFS, PEF requests SIF formulate a mass mailing/letter to educate claimant’s and doctors re: MTG’s and minimum requirements for treatment/prescriptions.

Mr. Meister states that there are variety of issues that would make this problematic. Ms. Anderson will look into it. Item to remain on agenda for next meeting. Ms. Czachorowski will send MTG fact sheet/FAQ’s on WCB site to Ms. Anderson.

15.) **“Employee Contacts” link on SIF intranet** - Per Executive order 187 discrimination complaints now go directly to GOER.

-PEF requests that Heather Woolfolk and her direct GOER email be removed from the list of Employee Contacts and be replaced with these two links:

<https://goer.ny.gov/executive-order-187> to the GOER website.

Complaint form link: <https://goer.ny.gov/system/files/documents/2018/11/nys-discrimination-complaint-form.pdf>

Ms. Carroll advised that Ms. Woolfolk’s NYSIF email can come down and will check on this.

**16.) Notification of law enforcement/convicts in or around the premises -**

PEF requests communication from upper management/executive to NYSIF local management so local management can advise members when outsiders - such as uniformed officers, law enforcement agencies, and work release programs - are present within SIF buildings and also when officers outside the building are dealing with perpetrators.

PEF requests improved communication at every level.

Mr. Singapura asks whether there is a formal procedure in place to inform employees as Melville recently had inmates on site and their Business Manager was not made aware in order to notify staff.

Ms. Carroll states that there is not. Ms. Carroll cannot commit to letting everyone know about law enforcement presence. Ms. Carroll states that NYSIF takes their direction from law enforcement. Mr. Browning speaks to his building that contains 3 agencies during a "dangerous person" in which 2 agencies were locked down but NYSIF was not. Mr. Dubofsky states that when SWAT teams practice near his office, NYSIF is the only agency that is not informed. Ms. Carroll adamantly states that she will work with us but that NYSIF takes their direction from law enforcement.

**17.) Request for Proposals (RFP) for Insurance Consulting Services posted 6/27/19.**

PEF seeks information re: NYSIF is seeking firms that have proven, documented knowledge and experience in assisting Workers Compensation and Disability carriers in core insurance-related subject matter including, but not limited to; fixing (establishing) and collecting premiums, claims, actuarial, underwriting, field services, loss control/prevention, reinsurance, premium audit, investments review and analysis, and other insurance-related services. Technology and management roles and practices continue to evolve and change; NYSIF is committed to utilizing optimal solutions and recognizes that change is necessary to meet customer needs and to provide services.

Ms. Czachorowski voices concerns about outside contractors once again giving recommendations to SIF and SIF not seeking recommendations from their own rank and file who do the job. Ms. Carroll states that there is no defined project yet, that the RFP is for future potential projects. Ms. Czachorowski asks if PEF will receive an Organizational Chart for the new PHS configuration. Ms. Carroll will meet with Ms. Czachorowski after the meeting to discuss this.



18.) **MCR Staffing.**

Per local discussion with Binghamton management, SIF is reviewing SW requests and will report back in the future. PEF requests information on the status of MCR hiring request(s) out of Binghamton.

Binghamton has many unfilled positions including PHS Mgr., legal supervisor, and Premium Audit supervisor. Down to 2 MCR's, one is having surgery and they will be down to one MCR. Ms. Anderson states that there is no open request to fill an MCR position in Binghamton. The Syracuse and Albany office notes they too are told backfills were requested. Ms. Anderson states there are no requests pending from the local offices. Item to remain on agenda.

 8/30/19

Cliff Meister, SIF Co-Chair



Charles Browning, PEF Co-Chair