

**PEF/NYSIF Statewide Labor/Management Meeting**

**199 Church Street, 15<sup>th</sup> Floor**

**10/17/19**

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

- 1.) Minutes – PEF thanks management for working with PEF to approve submitted minutes as soon as possible.
- 2.) Next Meeting - PEF proposes January 16, 2020 at 10:00am in Albany.
- 3.) Local L/M Meetings - Reported out.
- 4.) Statewide Staffing Levels –
  - a.) Hearing Reps - PEF queries NYSIF 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, NYSIF is compiling data regarding the number of hearing reps vs the amount of

claims in particular offices. From 6/1/17-6/1/19 SIF has spent \$6,321,993.40 statewide on outside counsel. PEF argues that it would be more cost effective to hire hearing reps.

-PEF requests an update on that study.

Management's study has recently been completed and is in the process of analysis. Management states that they are aware of the shortage of NYSIF hearing reps and that hearing reps are wanted. Issue to remain on agenda.

b.) ITS – Staffing – SSA staffing.

PEF requests SSA's be adequately staffed SW.

PEF advises that there is no posting for an SSA in Binghamton. They are down one person on the Helpdesk. Binghamton Helpdesk is primarily the external Helpdesk so they are not as familiar with internal issues; conversely, NYC Helpdesk is primarily internal, and they are getting external/customer service calls. Mr. Warren requests that the staffing level be increased with sufficiently trained staff, preferably an SSA. Ms. Carroll states that the issue is being addressed. As always, Ms. Carroll states that if there are specific issues, she is available to discuss.

5.) Telecommuting –

As per last meeting, PEF submitted a telecommuting memo outlining the history of telecommuting at NYSIF and included additional suggestions for consideration.

-PEF requests a status/update.

Ms. Carroll states that it is on the table, it is being looked at, but NYSIF cannot commit to any specific timetable for implementation. A specific work plan for each day of telecommuting, a formal application process, and quantification of work product are key to a successful program. This is a multi-agency effort, and DOL is spearheading this. NYSIF has many agency-wide issues to attend to, and telecommuting is not Management's top priority at this time. NYSIF is a large agency with diverse work roles, so it is not as easily implemented as smaller agencies. Ms. Carroll states that PEF will have involvement in the process. It is not a simple issue, and there are many factors that need to be considered. Ms. Carroll states that a large number of eligible employees did not apply to the telecommuting program. PEF felt that is due to the restriction of allowable candidates and restriction on the number of days per pay period offered. Mr. Dubofsky states that there are agencies that allow more than 2 days a pay period for telecommuting. Page 189-191 of the PEF contract states no more than 4 days per pay period.

6.) Dissemination of Information –

-PEF requests SWLM and SWH&S minutes be posted to the SIF intranet. Last meeting NYSIF was ok with implementing that. PEF requests an update and a date certain.

Management reports that the posting of SWLM minutes is awaiting final approval and a tab on the intranet should be seen within a week, maybe even today. SWH&S minutes to also be considered.

7.) ITS Concerns – PEF ITS staff have brought specific concerns re: reduced security, inadequate training, various specialties, staffing, networking, servicing, and OOT work to this forum.

As PEF ITS members work through the requesting process for training, there are requests pending, deadlines not being met, discounts are being lost, difficulties in garnering a decision from supervisors/managers as to instructor-led course versus online access.

-PEF requests improved communication between NYSIF managers and ITS staff re: training requests and procurement statuses.

There has been no word on upcoming trainings, PEF requests that we be kept up to date on this. Ms. Carroll asked Ms. Loveday-Chesley whether she just hasn't heard anything, or if she asked a question and has not received a response. Ms. Loveday-Chesley states a little of both. Ms. Carroll advises that the chain of command be followed and if there is no response, Ms. Carroll can be contacted directly. Ms. Carroll further states that she will discuss with Ms. Endries.

Mr. Hutchinson has members who feel that they are doing out of title work; lower grade employees conducting operations that supervisors do not know how to do. Ms. Carroll advises that if this is an issue, there exists a mechanism for resolution. Mr. Hutchinson states that employees are scared to avail themselves via grievance. Ms. Carroll states employees should not feel this way; the mechanism exists for a reason. Mr. Meister indicates that Civil Service generally considers the complexity of work, the level of decision/~~policy~~/ policy-making and supervision, when allocating grades to titles.

8.) Feedback forms - Last meeting PEF requested that feedback forms be created for NYSIF 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, if EMPO "took a look" as per last meeting, including a central location to view their status.

PEF requests update on feedback forms. Ms. Carroll states that there has been no action taken on this issue though it remains on Management's radar. Surveys have been circulated on specific issues. Ms. Carroll feels the surveys are a good way to gauge operations, both internally and externally.

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

A list of outstanding grievances was sent to NYSIF LR for review on 3/27/19. PEF was given dates certain of 4/22/19, 4/29/19, and 5/6/19. One Step 2 decision remains outstanding.

-PEF requests a status on final Step 2 decision.

Ms. Siegel advised that a final decision on the last languishing Step 2 decision is to be handed down in a couple days. There are also a few new ones that are being looked at.

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

- 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

PEF's above questions were answered at the last meeting.

PEF awaits a response re:

- a.) who has access to RA information?
- b.) is a procedure in place to review the medical file and, if so, what is the procedure.

Mr. Okfafor and Amanda Hugely-Williams have access to reasonable accommodation related issues. Regarding the reasonable accommodation file, Mr. Browning asks if this folder is digital or paper copies. Ms. Siegel will check on this. Mr. Browning asks for an update on an employee asking to see their medical file. Ms. Siegel says that requests to view can be sent to her and that, upon verification of the employee's identity, a copy of his/her medical file will be mailed to the employee's address on record. Mr. Browning stresses the importance of safeguarding the release of this information.

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

Post meeting PEF submitted a draft letter to the claimant as a place to start. PEF requests management's thoughts on the draft letter.

PEF noted that WCL requires updated medical every 8 weeks yet NYSIF is requesting medical every 30 days from its employees out on worker's comp.

Management advised that it is looking into the medical update every 30 days mandate. It could be revised in the future and it may be a case by case basis rather than a one size fits all process. This issue is also the subject of grievances and an IP.

12.) "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>

Last meeting NYSIF advised that Ms. Woolfolk's NYSIF email can come down, PEF requests a date certain on this.

Ms. Carroll advises that there were some problems with Ms. Woolfolk's GOER email, so her NYSIF email remains active as her availability is important. Ms. Carroll will look into this.

13.) MCR Staffing -

Last Meeting NYSIF advised there were no backfill requests pending from local offices. In the interim, on 9/25/19 NYSIF put out an RFP for Utilization Review nurses in lieu of hiring more MCR's.

MCR's in certain offices have had their local workload replaced with virtual work from other offices. If NYSIF is not going to hire staff in the office it is needed and instead distribute the work virtually, have MCR's performing work from a remote location, PEF feels this is telecommuting, just from one office to another, rather than from home, and PEF would appreciate SIF explain the difference.

PEF also requests information on the status of MCR hiring vs the MCR RFP.

Mr. Warren speaks to shortages in Buffalo office and how it ties into a current RFP. Ms. Anderson advises that the outstanding RFP has nothing to do with our MCR's. The RFP has to do with a mandated second level of review in certain instances, which per law, has to be done

by a physician. PEF asks that MCR staffing be increased statewide, MCRs are retiring. Ms. Anderson states that Management is looking into the level of staffing relative to the number of cases and CSRs. Ms. Anderson states that Management is aware of the importance of MCRs. Management encourages PEF to advise people to take the MCR test.

#### 14.) MCR Job duties –

MCR job duties were recently defined 8/8/19. This has resulted in confusion and inconsistencies in some offices re: CSR1 duties. PEF notes that at one point the WCB was to implement a program for MG2's but that never happened due to programming issues at that WCB. PEF suggests streamlining the MG2 process as current procedure is not efficient. PEF requests the following be considered for SW implementation:

- a.) Create an MG2 EML email for MCR's and CSR1's
- b.) Eliminate Sharepoint MG2 tracking
- c.) Work on automating the MG2 process with a diary for CSR1's and MCR's.

PEF advises that in Buffalo, MG2's were handled by nurses, now CSR1's are doing them. This process is cumbersome from an IT standpoint, getting these off Sharepoint and into the Claims system may be beneficial. Ms. Anderson states that an MG2 email box is being set up to be centralized, and soon. Sharepoint is not going away until and unless IT can come up with a better way to track these.

#### 15.) Service Now Survey –

NYSIF's Service Now survey has a question on it asking how your service was using Service Now. There is a box for specific comments. While PEF appreciates NYSIF's inquiry, PEF is concerned this could be used in a problematic manner as ITS staff work on each other's tickets.

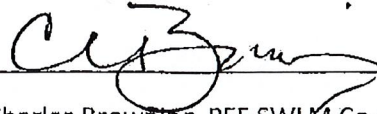
PEF requests that any negative comments received by employees about ITS are used in an educational, coaching, and training manner but not in a disciplinary manner.

Mr. Hutchinson brings up the issue of the "evaluation" portion of the survey and does not want it used in a formal evaluation of PEF employees, especially as more than one employee can be working on a single ticket concurrently. Mr. Meister questions whether it's the service that is being evaluated or the employee. The question exists as to who sees the results of these surveys. Item to remain on agenda.



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Cliff Meister, NYSIF SWLM Co-Chair



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Charles Browning, PEF SWLM Co-Chair