

**New York State Department of Labor
Statewide PEF Labor Management Meeting
November 6, 2019**

MINUTES

MANAGEMENT	
Geoff von Bieberstein, OER Director, Co-Chair	Eric McShane, Dep. Commissioner for Administration and Chief Financial Officer
Carolyn Piccirillo, Finance	Ed Vargas, Director of Labor Relations
Darlene Shattuck, Personnel	Milan Bhatt, DIPA
Eileen Franko, Safety and Health	Kevin Jack, Research and Statistics
Bo Wynnyk, Research and Statistics	Chris Alund, Public Works
Victoria Gray, DEWS	Russell Oliver, DEWS
Maura McCann, Labor Standards	James Rogers, Dept. Commissioner Worker Protection
Jackie Kagan, OSI	Shawna McDaniel, DEOD
Stephen Geskey, UI	Paul Danaher, Property
Rebecca Secor, OER/recorder	Selica Grant, Chief Risk Officer and Special Counsel
Susan Borenstein, UIAB	
PEF	
Scarlett Ahmed, PEF Co-Chair	Mike Singleton, PEF
Robert Wright, PEF	Helen Esposito, PEF
Kevin Jones, PEF	Jose Medina, PEF
Nancy Holford, PEF recorder	William Clingersmith, 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. Leases

UI Section:

8. Initial Claims

1. Welcome/Introductions

- Minutes from the 8/9/19 meeting were signed off on and later posted to the intranet

2. Commissioner/Executive Deputy Commissioner's Comments

A. Status of Agency staffing

3. Budget – Carolyn Piccirillo

A. Federal:

a. Update on budget and DOL funding

- At this point Department is not aware of numeric specifics for our Federal Funding. As far as we know all the grants that are in place are going to continue.

B. State

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 vs. number of

Permanent 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. Changes in the list of lease expiration dates. – Paul Danaher

- Bond Street is already in hold over and Varick Street is coming to its lease expiration within the next year or so. Glendale building 16 just received the lease within the last week and was signed off on by Eric McShane. It will go back to OGS to complete the lease execution process.

I. PEF requests update on status of moves (Troy, Bond Street, Flushing)

- Troy TCC move to building 12 was completed. We are still trying to finalize a lease for a new location for the UIAB and ASO unit so they will remain in Toy while we work that out. We are putting as much pressure as we can along with OGS to have the landlord be responsible and address any issues with the building. We are currently looking at options for Varick Street and the Bond Street site. The site where Flushing was supposed to move keeps changing ownership which has presented some complications with lease execution by OGS.

4. Division of Administration and Finance

A. Division Update

a. OER General Update/Special Issues – Geoff von Bieberstein

I. Time to Vote benefit update

- Program is implemented and we have spoken to Civil Service on some specifics. For example, benefit cannot be used for early voting. Civil Service also indicated that you cannot use the benefit for out of state voting. The election law is based on NYS elections. Civil Service also indicated that you can use both the misc. time to vote leave as well as earn the floating holiday.

II. PEF requests discussion regarding language access

- PEF and DOL discussed use of the language access line and using the Spanish speakers at Department locations. PEF asserted that when their customers know there is a certain language easily available at a center, they get more traffic but when customers believe that the language is not easily accessible, they will not come to that center. DOL indicated that the Department will maintain awareness regarding language issues and that representatives from major DOL divisions were present at the meeting.

III. Discussion on DOL printer acquisition process

- User submits an SFS request. The request then goes through an approval process. This includes obtaining quotes, funding approval by budget and the executive staff. That process takes four weeks. When the request is approved a purchase order is placed with the vendor. It can take four weeks for the vendor to deliver the device. Upon delivery, an ITS ticket is made for them to install the device. Depending on their workload, that can also add additional time. Updates on the process can be found in SFS in the end users account who placed the request. DOL noted the process and way submissions were written up could both impact timeframes for printer acquisition.

b. Personnel – Darlene Shattuck

I. Any plans for new titles, reclassification or earmarking of existing titles, redefining job descriptions/duties, or other changes to title?

- There has been a title structure change for Secretary I & II, they are now administrative assistants. Everything has mostly stayed the same. The duties have been reviewed with Civil Service (CS) and the language has been updated. We are reviewing the draft classification standard. Letters have been sent out to employees. There is now a two-year traineeship moving toward the grade 11. Staff need to participate in some course work as well as complete the required duties for the traineeship. We are getting our normal standards to review as CS issues them while they're doing title consolidations and updates.

II. PEF requests a discussion of transfer opportunities for Investigative Officers

- Investigative Officer I (IO1) can transfer to LSR and Safety and Health Inspector. IO1 PW can transfer to IO1. IO2 (UI) can transfer to IO2, SLSR, Safety and Health Inspector. All information about transfer opportunities are

on the CS website through Got-It. If you have any specific transfer request, we can take a look at it.

III. Telecommuting pilot program status update

- Phase I & II is continuing. We're discussing with executives the next phase of the DOL expansion. When the next phase is rolled out we will also do the reapplications for phases 1 & 2.

IV. Update on email canvassing

- CS came out with email canvassing this past spring and we are ready to roll it out. An L-memo will be issued. As we transition to email canvassing, people who do not have an email in the system will get a paper canvass. For exams prior to 2016, paper canvassing will still occur.

V. Update on SLSR exam

- There were some issues in the Binghamton area where thirteen (13) people were given the wrong booklets. There were not enough correct booklets at the testing location. CS states it was due to an internal shipping error that has since been addressed. The thirteen (13) candidates were rescheduled to new exam dates. As is the case when candidates need an alternate date due to a reasonable accommodation, the same examination is used. Candidates sign an attestation that they haven't discussed the examination with anyone. There will be one eligible list and there will not be a delay in the results.

VI. Higher Level Clerical Series

- This started in the summer of 2018. CS notified us that they were going to be looking at our titles. Five (5) titles twelve (12) positions have been earmarked. Those titles are in UI and Research and Statistics: UI Account Support Supervisor I, Head Statistics Clerk, Head Clerk, Head File Clerk and Chief Clerk.

c. Technology/Miscellaneous

- Nothing new to document. (IBM ASPERA covered under LEAD update)

d. LEAD update – Darlene Shattuck

I. Mandatory training

- We are at 99% compliance. For those that haven't made the October 31st deadline we are sending out email reminders to the employees and their supervisors. Our goal is to get 100% compliance.

II. Training class information

- We are continuing to offer classes throughout the state. In particular, November and December in NYC. We are providing Excel and Word at various levels. Performance evaluation training and supervisory training – Supervisors Making the Transition and Skills for Supervisors. Year-to-date we've trained one thousand eight hundred and fifty-nine (1,859) employees through one hundred and seventeen (117) classes throughout the state. In August we trained one hundred and ninety-three (193) staff, September seventy-three (73) and October two hundred and thirty-eight (238). With respect to the ASPERA file sharing training, we are meeting with our program areas that are going to be using the program– Labor Standards, Counsel, UI and a few others to determine exactly what their needs are. LEAD staff had been given access so training can be developed for file sharing, but some

programs will utilize other functions of the program. A demonstration by ITS is scheduled for early December. We will share with ITS program needs.

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

A. Division Update

- I would like to thank the working with the Veterans incentive this year. In the November 13 paycheck twenty-three (23) of our veteran staff will receive \$2,150. Three hundred and forty-five (345) employees will receive a cup, pen and challenge coin. These are big in the military.

B. Update on Manager and SLSR promotions

- We've hired forty (40) new staff.

C. Hourly LSRs made Permanent

- DOL noted that Department has hired seventy-two (72) staff from hourly to permanent.

PEF indicated dissatisfaction with continued hiring of hourly staff.

DOL articulated financial and programmatic rationale for doing so.

6. UI Appeal Board-Board – Susan Borenstein

A. Division Update

- We're meeting all of our US DOL time markers. Our Lower Authority average case age is twenty-five (25) days. We recently had a senior ALJ training conference that was very successful. We had our first employee recognition awards ceremony which was also a success. There was a temporary ALJ hired as permanent in Troy, as well as an Ass't ALJ hired in Brooklyn.

7. Unemployment Insurance Division – Stephen Geskey

A. Division Update

- Fifteen (15) PEF employees have been hired since the last meeting with forty-two (42) in progress. The Verizon project is done for the most part and has received some pretty good feedback. There are still some improvements that need to be made and they're being worked on.

B. Update regarding UI Modernization

- We're three months into this project and it will take several years to get done. Right now we're in the process called gap sessions. These are NYS requirements and the system that they've built in other states. This is the foundation on which this technology will be built.

8. Research and Statistics

A. Division Update

- We've had two (2) retirements in the last month. We plan on back-filling those positions. We submitted an annual report to the Employment Training Administration (ETA) for our Workforce Information Grant and it was done successfully. A year ago I mentioned a project that we were doing with the Census Bureau to try to make sure that we have all the correct addresses. They have a master address file and we worked with them last year to make sure that file was up to date. We also have a project on new construction, homes that are just being built that could have someone living in them by next

April or May. We identified about 2,000 new homes that will eventually have addresses and that has been submitted to the Census Bureau.

9. Worker Protection Division

A. Safety & Health Update – Eileen Franko

a. In the last three months we have lost five (5) staff. Four (4) from PESH and one (1) from Industry. Two (2) of the PESH people were promotions as well as the person from Industry. Two (2) were lost to retirements.

b. PEF asks for an update on request for DOL's support for reallocation of Boiler Inspectors from SG-14 to SG-16.

- DOL indicated that this is still being discussed internally. There's a lot of different considerations that are built into this. Civil Service had looked at the class standard in 2017 and no concerns were raised about the grade level. We are comparing duties with some of the similar titles and there's a fiscal consideration as well.

B. Public Work Update – Chris Alund

- We've hired three (3) investigator positions in Albany, Newburgh, and NYC

C. Labor Standards – Maura McCann

- We've hired seven (7) Investigators since the last meeting. Two (2) in Syracuse, two (2) in Buffalo and three (3) in NYC. Right now the focus is end of the year.

D. Special Investigations Update – James Rogers/Jackie Kagan

- The new Director of Special Investigations is Jackie Kagan. She is an extremely experienced criminal prosecutor. We are doubling and tripling our efforts to find the worst kinds of employer behavior and exploitation. With Jackie being here that project is going to move even faster. We've had two (2) promotions. One (1) to IO3 in Rochester. Four (4) new hires. The new case management system should be completed by the end of the year. That should enhance the ability to do things more expeditiously and identify fraud better. The new investigator analysis database is also in its final stage.

E. Division of Immigrant Policies and Affairs Update

- In the last quarter we've added a grade 18. When it comes to field operations, DIPA takes a compliance and educational approach and continue to do that through the implementation phases of the new Farmers Bill, working hand in hand with Labor Standards. Typically what that means is that our staff will be on a farm engaging workers and businesses and if there are issues that are non-compliant with labor laws that we enforce we will make every effort possible to try to reach compliance. We also receive complaints across the industry that go directly to Labor Standards and we work with them hand in hand on all matters.

Geoff von Bieberstein
Director of Employee Relations
Management Co-Chair

Scarlett Ahmed
PEF Co-Chair