

**PEF Statewide Labor/Management Meeting**

**Via MS Teams**

**6/24/21**

| <u>PEF</u>                            | <u>MANAGEMENT</u>        |
|---------------------------------------|--------------------------|
| Charles Browning – Co-Chair (excused) | Cliff Meister – Co-Chair |
| Dan Warren                            | Sadhna Gujral            |
| Bradley Kolb, PEF Field Rep           | Patricia Carroll         |
| Lisa Wells                            | Alyce Siegel             |
| Chris Rampe, PEF recording secretary  |                          |
| Patty Mason                           |                          |
| Clifvon Jones                         |                          |
| John Babich                           |                          |
| Jeff Hutchinson                       |                          |
| Kathy Czachorowski                    |                          |
| Brandi Loveday-Chesley                |                          |
| Radhakrishna Mohan                    |                          |
| Prashant Singapura                    |                          |
| David Dubofsky                        |                          |

**1.) Minutes** – 5/29/21 minutes approved.

**2.) Next Meeting** – Next scheduled meeting 7/29/21 for a full agenda. 8/26/21, 9/23/21, 10/21/21 at 9:30am for pandemic related concerns.

**3.) \*\*\*Tabled\*\*\* Local L/M Meetings –**

Due to NYSIF's departmental reorganizations, PEF requests SW organizational charts for all departments for proper communication of local LM and H&S issues.

NYSIF advised that employees with local concerns should go to the highest rank of the respective department. NYSIF to provide a listing of top ranked management for respective offices.

- PEF requests the SW list of managers that will be handling local LM/H&S meetings.

NYSIF advised to seek out local Business Managers in the interim due to the pandemic.

#### 4.) \*\*\*Tabled\*\*\* Statewide Staffing Levels

##### a.) CSR 1 Staffing levels:

White Plains is down 3, Long Island is down 3. PEF appreciates 4 new CSR1's in Buffalo and another posting for CSR1 & CSR2.

- \* PEF asks if these positions will be filled in White Plains & Long Island.

There have been four CSR2 promotions in Albany and Syracuse.

- \* PEF asks if the remaining CSR2 openings posted will be filled.

##### b.) ITS – Staffing – SSA staffing.

- \* PEF requests a status/update on SSA staffing.

#### 5.) Reintegration & Telecommuting –

Effective 3/15/20 & 3/17/20 temporary telecommuting where possible was directed by the Governor. It was again extended to 7/2/21 and slated to end in the midst of a tentative contract.

Maintaining production in every NYSIF department and quality customer service is a mutual goal. PEF and NYSIF management agree that telecommuting is successful, and that health and safety is a mutual priority when returning to the office.

In addition to physical health and safety, PEF members are reporting many benefits including better focus, increased production, general well-being, and overall improved mental health while telecommuting.

PEF appreciates NYSIF reporting out at this forum, and their on-going updates via NYSIF email, NYSIF intranet, and other communications with PEF. PEF seeks to continue to work with NYSIF on safe reintegration.

a.) **\*\*\*Tabled\*\*\*** Office air concerns:

PEF awaits a list of all building's Make/model of HVAC system. NYSIF reports this was provided to GOER.

This information has yet to be provided by GOER to PEF.

b.) Telecommuting:

PEF seeks to work with NYSIF on implementing an agency telecommuting program, one that would include full-time telecommuting.

It is advantageous for NYSIF to have a telecommuting agreement in place:

- For when the statewide temporary telecommuting policy ends,
- in the event of another surge in Covid-19,
- in the event of any other disaster to come, statewide or local.
- Reduced number of grievances filed due to minimal in-person presence.

NYSIF's proactive approach to telecommuting at the start of the Covid-19 pandemic is what made our telecommuting imminently successful. PEF urges NYSIF to be proactive and agree to an agency telecommuting program.

PEF SWLM submitted a written Telecommuting Program to NYSIF on 12/17/20 for review and implementation.

PEF requests an agency agreement be in place to pick up full time telecommuting when GOER's SW agreement ends.

- PEF notes a tentative contract is in the midst of being ratified. This contract amends the MOA on Telecommuting to read:

The Public Employees Federation (PEF) and the Governor's Office of Employee Relations (GOER) support and encourage this exploration of advanced technology in the workplace through telecommuting projects. Because of the work force and workplace ramifications, PEF and GOER believe that telecommuting programs should be developed in the agency labor/management process, within the context of the principles detailed in this Memorandum of Agreement.

- To that end, within nine months of ratification, each agency shall develop and implement a telecommuting policy consistent with operational needs and this Memorandum of Agreement.

NYSIF has been assessing telecommuting since it reappeared on the SWLM agenda of 8/2/18. Telecommuting over the last 15 months has been successful. NYSIF has been flexible with no loss of productivity. PEF requests continued flexibility continue as a bridge to the Temp SW Tele agreement, including a full-time telecommuting option.

- While an agency is free ultimately to determine if and where within the agency telecommuting is programmatically feasible, each agency shall develop a telecommuting policy. The specifics related to employee involvement in the telecommuting program, including where telecommuting is programmatically feasible, must be developed in the agency labor/management forum.

All NYSIF departments have proved programmatically feasible for 15 months. Management has previously reported that only a handful of staff are essential, or unable to telecommute fully, if at all.

- Each telecommuting policy must contain a finite term. The parties shall meet in the labor/management forum no less than 60 days prior to termination of any telecommuting policy.

PEF requests the finite term be end of this new contract once ratified.

- Telecommuting programs shall include a review process, beyond the supervisor level, for employees who volunteer and are denied. An employee not selected will be made aware of reasons for non-selection.

PEF suggests a review process similar to the evaluation appeals process.

- Agencies, to the greatest extent possible, should allow flexibility in the employee's choice of which and how many days to telecommute per pay period or per week.

PEF continues to request full time, 10 days per pay period, be offered.

- All telecommuting programs shall include procedures by which the work to be performed offsite is assigned and the manner in which the offsite work will be managed.

Most of our work is preassigned and programmatically managed by a supervisor. Supervisors monitor workload, have been doing so remotely, and monitoring someone's work in or out of the office is no different.

- Reasons for and notice of access to the employee's home worksite must be discussed and developed in the labor/management forum. Participating employees must be made aware of such arrangements prior to beginning a telecommuting assignment.

PEF queries what NYSIF's criteria will be.

- Employees are responsible for safeguarding State equipment. Employee's liability for State equipment damaged or stolen in/from the employee's home will be determined by investigations of the circumstances of the damage or theft. In each case, PEF will be notified of such investigations. Employees will not incur any financial liability unless found to be negligent; however, no disciplinary action will result from such a finding.

Ms. Carroll spoke to the 2020 Claims Goals statistics submitted by PEF prior to the meeting. Ms. Carroll states that these stats need to be delved into deeper as workloads have changed since the beginning of the pandemic, we are down in policies and in claims.

The affirmation from GOER should be completed ASAP. Regarding returning to the office, something will be forthcoming soon. Details are unknown at this point. PEF raised concerns about disparate treatment between vaccinated and non-vaccinated members.

Re: telecommuting, specific conversations need to be had. There will be telecommuting in some form, but unclear as to what that will look like. There will be meetings scheduled with PEF to discuss.

Mr. Warren inquired as to whether the Agency would like to adopt the current GOER telecommuting policy/framework. Ms. Carroll was non-committal.

Ms. Czachorowski speaks to the language in the tentative contract regarding the number of days available to telecommute per pay period. Ms. Carroll states that the covid-19 mailbox is inundated with members offering their opinions on telecommuting and she feels that this is not the proper place for these opinions. PEF responds that we have nowhere else to send them.

PEF asks whether there will be a plan in place by 7/31/21. Ms. Carroll responds, Will every "i" be dotted and every "t" crossed by 7/31, no, but there will be pen to paper, discussions will be had and suggestions from PEF may be incorporated. Ms. Carroll suggests that she and Ms. Czachorowski stay in touch over the next couple weeks as regards this matter.

Mr. Babich speaks to members' feelings about returning to the office and whether management is considering employee morale. It would be a shame to see nothing good come out of this tragedy. Ms. Carroll responds that the agency is being directed by GOER to increase in-person frequency. Mr. Babich relates an anecdote about a meeting in White Plains pre-pandemic at which former ED Madoff stated that telecommuting offered no benefit to the agency. Mr. Babich states that these past 17+ months shows that this is not the case. The agency is benefitting from increased production, while employees are benefitting from an improved home/life balance; let's not go backwards, let's go forward. Ms. Carroll states that things do change, and certainly this incident has shown that it is a benefit.

Mohan speaks to special circumstances and young ~~infant~~ children and if there will be allowances made. Ms. Carroll speaks to the RA process and continued discussion of child and elder care.

Ms. Jones asks about specific dates. Ms. Carroll advises that per the GOER memo, July and August are to be used to increase frequency in the office, with a plan to be back to pre-pandemic office levels by September. Word should be out by tomorrow.

SIF advised members should continue to check the intranet for updates.

Ms. Czachorowski speaks to keeping 100% WFH through July as other agencies are doing (DFS, OSC). Ms. Carroll counters that OSC personnel have been in the office at least sporadically.

- c.) PEF asks, going forward, what guidance will our field staff be following when conducting field visits to assureds?

Ms. Carroll reports no direction at this time. PHS will be making these decisions. When asked whether an increased office presence is being contemplated for field personnel, Ms. Carroll stated she honestly didn't know. Field personnel are being used in the "office count" when planning social distancing, etc. There is no thought to sharing cubicles.

PEF does thank NYSIF for being the pre-eminent agency as far as remote work up to this point.

Mr. Hutchinson directly inquires about whether a policy is on paper. Ms. Carroll assures the LM committee that there is a plan on paper, that it is still being devised.

Ms. Czachorowski directly asks whether PEF will have a voice in this policy. Ms. Carroll advises there will be discussions.

**6.) \*\*\*Tabled\*\*\* ITS Concerns** – PEF ITS staff have brought specific concerns re: reduced security, training concerns, various specialties, staffing, networking, servicing, and OOT work to this forum with suggestions for better workflow.

- NYSIF's compartmented departments, fragmented ITS specialties, and unequal distribution of work should be reviewed and assessed.
- NYSIF's SSA career path is stagnant.

**7.) \*\*\*Tabled\*\*\* NYSIF Budget in the midst of COVID-19 –**

PEF queries NYSIF on their Financial Business Plan and projections for the agency.

- PEF would appreciate Ms. Gujral provide an updated presentation of the information presented in January.

PEF requests NYSIF bring concerns, issues, and anticipated changes to SWLM for input prior to implementing. Thank you.

Cliff Meister 07 28 21  
Cliff Meister, NYSIF Chair

CLBrowning 07/28/2021  
Charles Browning, PEF Chair