

MEETING MINUTES

OTDA PEF Labor Management Meeting

Date: January 9, 2025

Location: OTDA, 40 North Pearl Street, 3rd Floor, Albany, NY

Time: 9:00 a.m. – 12:00 p.m.

Agenda Items

1. Agenda Item – Hearing Officer Recruitment Update

☐ New Business ☒ Old Business

Description: Please provide an update regarding Management's efforts to adequately staff Hearing Officers and Fair Hearing Specialists, specifically:

- How many Hearing Officers in the title series have been hired in 2024?
- How many Fair Hearing Specialists in the title series have been hired in 2024? Please provide a breakdown by location.
- Labor noticed more members appear to be leaving OAH in comparison to other areas of OTDA. What is Management doing to increase the retention rate for OAH?
- How many positions remain to be filled?

Response:

See Attached

2. Agenda Item – Reasonable Accommodation (RA) Process

☐ New Business ☒ Old Business

Description: Labor and Management met on October 10, 2024, to discuss the Reasonable Accommodation process and see what improvements could be made for applicants to gain a clearer understanding of how the process works. As an action item, Management and Labor were to work on developing a Frequently Asked Questions document to be placed on OTDA's intranet; Management was also going to review correspondence to see if improvements could be made on providing clearer language. Please provide updates.

Response:

Labor and Management met on December 18th to discuss this agenda item. A list of FAQ's was agreed upon and is currently working its way through OTDA's clearance process before being finalized and published.

Management will continue to review correspondences to see if improvements can be made on providing clearer language.

3. Agenda Item – Exit Interviews

☐ New Business ☒ Old Business

Description: Please provide an update to the development and implementation of the Exit Survey.

Response:

The Exit Survey was shared with both PEF and CSEA and requested they provide feedback by close of business January 17, 2025.

4. Agenda Item – Interview Feedback

☐ New Business ☒ Old Business

Description: At our last meeting, OTDA Management agreed with PEF and stated they have communicated with Senior Staff to provide interview feedback. Management has asked for this issue to be discussed with their Program Management Staff to ensure it is communicated to all supervisory levels. Has this been happening at all levels? What can Management do to ensure that good interview feedback is communicated?

Response:

Management will revisit with Senior Staff to ensure that all Supervisors are encouraged to share feedback when requested.

5. Agenda Item – Supervisory/Management Communication

☐ New Business ☒ Old Business

Description: At our last meeting, Management stated they are open to discussing OTDA's Supervisory Training modules with Labor. The current modules do not focus on the soft skills and concentrates on HR policies and procedures. Labor shared several training modules focused on Leadership Training that would complement the OTDA Supervisory Training, so both would be encouraged. PEF continues to encourage standardized training for supervisors on how to be an effective supervisor. Labor feels that top-down communication is not consistent. What is Management doing to improve Supervisor's soft skills? How can we ensure that Management and supervisors communicate uniformly across the board?

Response:

OTDA will be implementing a mandatory training track for new supervisors to include both soft (leadership), policy and administrative skills. The trainings will be available to existing supervisors as well.

Management will consider developing a mechanism for post training follow-up.

6. Agenda Item – Call-in Procedure

☐ New Business ☒ Old Business

Description: Per last meeting, OTDA Management will be discussing the policy internally to see what, if any, changes can be made. Management will also discuss the two-hour requirement with Civil Service Time and Attendance Unit. Medical Emergencies are given consideration in the call-in procedure. What has Management learned about call-in procedures that they can implement to make the process easier?

Response:

The sick leave call-in procedure was reviewed by Management and no changes will be made with respect to the requirement of calling and speaking to either the employees' supervisor or designated staff member.

Management will be reviewing for changes to the 2-hour notification time frame that is currently allowed from the employees' initial start time. As part of this review, Management will consider staggered employee start times.

7. Agenda Item – Hearing Officer 1 Employment

☒ New Business ☐ Old Business

Description: Labor requests a hold on the issue of employing paralegals. Specifically, Labor requests an unequivocal undertaking by Management to PEF as to the job security of Hearing Officer 1s, if at all the project of paralegal employment proceeds. Furthermore, Labor suggests and requests that the costs to be disbursed in the hiring of paralegals be diverted and used in overtime payments for Hearing Officer 1s, to hold hearings and script decisions to reduce and or eliminate completely the backlog of both scheduled and unscheduled cases.

Response:

Onboarding contracted paralegals is a short-term initiative as OAH continues to recruit and train new ALJs. Recruiting new ALJs and job security for current ALJs is not effected by this short-term initiative. (ALJ, Administrative Law Judge - synonymously used with Hearing Officer 1)

8. Agenda Item – FIDE Assignment

☒ New Business ☐ Old Business

Description: Labor requests that Management immediately stop the assigning and scheduling of FIDE (Fully Integrated Dual Eligible) cases to Hearing Officer 1s, as it violates the Contract and Memorandum of Understanding (MOU) between FIDE and OTDA, that mandates and requires such adjudicatory functions to be performed by legally authorized officials, i.e. Hearing Officer 2s or higher who are authorized to hold and issue all such hearings conducted. Is Management considering promoting all Hearing Officer 1s to be assigned such calendars to Hearing Officer 2 positions? Has there been any consideration of reclassifying the Hearing Officer 1 title?

Response:

FIDE hearings are assigned and heard in manner that is consistent with the FIDE MOU and are not in any violation of contracts or MOU's.

On October 23, 2024, an email was sent to OAH attorneys with a detailed explanation of why assigning FIDE Personal Care Services (PCS) cases to Hearing Officer 1s was appropriate. It addressed the "misperception that FIDE cases, even those involving only Medicaid and PCS, can only be assigned to Hearing Officer 2s."

The email explained that "FIDE hearings fall into two large categories: Personal Care Services (PCS) and all other services or items." FIDE PCS cases do not require Medicare knowledge and analysis because Medicare does not cover PCS. Medicaid is the only law needing consideration in FIDE PCS cases. All Hearing Officers are trained to conduct Medicaid PCS hearings. A Hearing Officer's questions, drafting, and analysis are basically the same regardless of the overarching program paying for PCS. The FIDE PCS cases assigned to Hearing Officer 1s are the same as any other PCS case. Therefore, all Hearing Officers can and may be assigned PCS hearings whether the calendars are labeled MLTC, OHC, or FIDE.

9. Agenda Item – Local Access to Human Resources

☒ New Business ☐ Old Business

Description: PEF would like to see more training offered to Administrative Coordinators (ACs).

Response:

Human Resources will consider additional training opportunities for Administrative Coordinators.

FINAL

Informational Items/ Accomplishments

On December 13, 2024, Civil Service announced that the Housing Specialist 2 exam is scheduled to take place on March 1, 2025. Labor thanks Management for their actions in working with Civil Service to prioritize the scheduling of this promotional exam.

The following individuals were present at the OTDA PEF Labor Management Meeting held on January 9, 2025.

Labor:

Chukwuduziem Ajoku
Carl Anderson
Leslie Apacible
Pam August
Danielle Bridger
Bruce Giddings
Germaine Greco
Omotayo Kuku
Peter Maurer
Jill Poeller
Chelsea Propati
Martin Robinson
Scott Staub
Ryan Stoliker

Management:

Rajni Chawla
Barbara C. Guinn
Kadijah Jenkins
Christian Mullin
Tiffinay M. Rutnik
Jim Ryan
Eric Schwenzfeier
Samuel Spitzberg
Jared Tallman
Kenneth Wells-Crannell

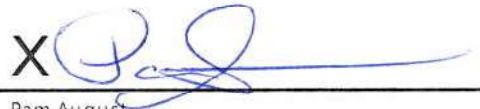
Next Meeting/Date & Place

PEF Headquarters

- April 23, 2025, 9:30 AM

X 

Jim Ryan
OTDA Director of Human Resources

X 

Pam August
PEF Statewide LM Chair, OTDA