

OTDA PEF Labor Management Meeting

Date: February 12, 2026

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

Time: 9:30 a.m. – 12:00 p.m.

Introductions

Agenda Items

1. Full-Time Employee (FTE) Rates: OTDA's Projections Moving Forward

New Business Old Business

Description: In 2024-2025 NYS budget OTDA had a projected FTE of 1922 employees. The NYS 2025-2026 budget included 116 FTE increase for OTDA with the vast majority being in Office of Administrative Hearings (OAH), the other being in Employment and Income Support Program (EISP).

- A. What is the current OTDA FTE count, compared to 2024 (March 31, 2024)?
- B. Was OTDA able to achieve the 116 FTE increase projected in 2025?
 1. EISP current vs EISP March 31, 2024
 2. OAH current vs OAH March 31, 2024
- C. What is OTDA's projected FTE fill level for fiscal year 2026-27?

Response:

- A. The current OTDA FTE count (as of December 31, 2025) is 1937.16. An increase of 83 when compared to the FTE count on 3/31/2024, 1854.16.
- B. We did not meet the projected 116 FTE increase.
 1. EISP current FTE, as of December 31, 2025, is 287.9; as of March 31, 2024 it was 238.7
 2. OAH current FTE, as of December 31, 2025, is 320.8; as of March 31, 2024 it was 246.2
- C. The projected FTE for OTDA in 2026/2027 is 2053.

2. Inordinate Number of Separations from The Office of Administrative Hearings (OAH)

New Business Old Business

Description: At the November 6, 2025, Labor/Management (LM) meeting, Management explained that while the number of separations in OAH appears to be high, the number of staff OAH has onboarded is greater than other program areas within OTDA. In December, Labor followed up with Management to see if they looked at additional separation data. Although onboarding may be higher, the number of separations from OAH is concerning. Labor maintains that so many separations are counterproductive for the Agency overall. These departures hurt the morale of those who onboarded, trained, supervised and worked alongside them.

Of all those onboarded in OAH since January 1, 2025, how many have been retained? What is the percentage of hiring to separations?

Does Management have data for other program areas within OTDA that compare to this? What is the average percentage of hiring to separations by department?

Response:

In 2025, there were 80 new hires within OAH.

- 67 of those hires have been retained; a retention rate of 84%.
- 7 of the 13 separations were terminated while serving probation.

For 2025 EISP had 43 new hires.

- 39 of those have been retained; equating to a 91% retention rate.

Labor is provided bi-weekly hiring and separations reports that include all program areas.

3. Staffing and Scheduling of Hearing Officers

New Business Old Business

Description: Labor believes Hearing Officer intake is unsustainable due to the demands of Management. With the current work structure, Hearing Officers do not retain autonomy to structure their day and there is no planned catch-up time for any emergencies (including scheduled time off, hearings running over, increased hearing days, etc.).

Labor would like to address the following:

- A. What is the status of the backlog? How many cases are backlogged? Is the backlog increasing or decreasing, and by how much?
- B. Is Management still actively recruiting Hearing Officers? How many Hearing Officers were recruited from the Hiring for Emergency limited Placement Statewide Program (HELPS)? How many recruited from colleges, job fairs, and other recruiting efforts? Is Management still utilizing and recruiting paralegals?
- C. People have writing days taken away (e.g. for Emergency Assistance) yet Hearing Officers are not given sufficient writing days to make up for it. Hearing Officers are asked to do more writing than their caseloads allow for. How are Hearing Officers supposed to keep up when even a 1:1 schedule is challenging?
- D. Labor has previously requested overtime for Hearing Officers. Management indicated that multiple requests for overtime were denied. Labor would like to meet with the individual(s) impeding that request.

Response:

OTDA Management continues to address unscheduled fair hearings and has made substantial progress in regard to overdue Supplemental Nutrition Assistance Program (SNAP) related hearings. Management is focused on reducing unscheduled hearings in other categories and is working to make substantial progress over the next year.

OTDA Management continues to aggressively recruit Hearing Officer positions and continues to add additional employees. If a Hearing Officer picks up an assigned calendar on a Hearing Day, the Hearing Officer should receive a make-up hearing day. Over time, with make-up writing days, there should be an equal number of writing and hearing days. If there is a specific Hearing Officer with an issue, bring that to the attention of OAH Management so they may address it.

Action Items:

Labor requests and OTDA Management will investigate the potential of re-introducing a waiver for Hearing Officers to earn overtime beyond 10 (excess) hours logged in LATS per week.

OTDA Management will reach out to PEF employees and remind them that all hours worked should be logged into LATS.

PEF will continue to remind their members to appropriately report all hours worked in LATS.

4. Staffing Needs for New York City (NYC)

New Business Old Business

Description: NYC's Human Resources Administration (HRA), is the social services division of New York City. They have been significantly short-staffed. As a result, they have been producing numerous errors that add to the Fair Hearing backlog. Many Fair Hearings from NYC do not have an HRA representative present. When a representative is present, if there is an obvious mistake made by HRA, the representative and Hearing Officer can agree to reverse the district's action, and a decision does not need to be written. Without an HRA representative present, the Hearing Officer needs to write up a decision regardless of the work.

Labor requests that Management (or other representative) reach out to New York City's HRA or Mayoral administration to hire and train more people for HRA.

Response:

OTDA Management continues to work with NYC HRA as they address their staffing levels.

5. Civil Service Exams

New Business Old Business

Description: In 2025 OTDA submitted the following positions to civil service for exam requests in 2026.

1. Fair Hearing Specialists 3 (G-23)
2. Hearing Officer 3 (M-3)
3. Supervising Accountant (G-25)
4. Chief Disability Determination Program Policy and Planning (G-27)

What are the pending dates for these exams?

What exam priorities will OTDA submit to Civil Service for exams to be held in 2027?

Response:

1. Fair Hearing Specialists 3 (G23)
 - Already established, Nov. 20, 2025.
 - OTDA continues to recruit from that list.
2. Hearing Officer 3 (M3)
 - Tentatively scheduled for August 8, 2026.
3. Supervising Accountant (G25)
 - Civil Service did not move forward with OTDA's request to hold this exam in 2026.
4. Chief Disability Determination Program Policy and Planning (G-27)
 - Tentatively scheduled for August 8, 2026.

OTDA exam planning has not begun for 2027. Typically, the Agency is asked to prepare exam requests in April (2026) for the following year (2027).

Informational Items/ Accomplishments

Labor appreciates the Commissioners dedication to communication and for keeping OTDA employees abreast of Agency updates.

The OTDA Mandatory Supervisory Training is underway. Management is encouraging identified supervisors to register for classes as they become available to avoid non-compliance.

The following individuals were present at the OTDA PEF Labor/Management Meeting held on February 12, 2026:**PEF:**

Carl Anderson
Pam August
Peter Maurer
Jill Poeller
Joyel Richardson
Ryan Stoliker

Leslie Apacible
Omotayo Kuku
Matthew Nirelli
Chelsea Propati
Scott Staub

Management:

Donnovan Beckford
Barbara Guinn
Bryce Luttenegger
Matthew Rider
Eric Schwenzfeier
Felicia Valle Job
Rajni Chawla
Marc Isaacs
Christian Mullin
Jim Ryan
Jared Tallman
Kenneth Wells-Crannell

Next Meeting/Date & Place

PEF Headquarters: May 28, 2026

The following representatives certify the minutes above to be an accurate representation of the PEF OTDA Labor Management Meeting held February 12, 2026.


X _____
Pamela August
PEF Labor Management Chair, OTDA

3/3/2026

Date


X _____
James P. Ryan
Director of Human Resources, OTDA

3/3/2026

Date

FENVA