

NYS and PEF
Article 13 Joint Committee on Health and Safety
September 30, 2022 - Meeting Minutes

PEF Representatives:	Management Representatives:		
Agenda Topic		Issues	Action/Follow Up
<ul style="list-style-type: none"> • David Dubofsky, Article 13 Co-Chair • Prakash Lal, OITS • Vicky Urena, DOCCS • Ed Aluck, Esq. PEF • Geraldine Stella, Director Health & Safety • Niki Grabo, H&S Asst. 	<ul style="list-style-type: none"> • Ed Cottrell, OER Article 13 Co-Chair • Mary Sherman, DCS A&L Unit • Vince DePaul, DCS A&L Unit • Clay Lodovice, Esq. OER 		
1. Introductions			
2. Committee Operations a. Meeting Dates of 2022 i. 11/9/2022		<ul style="list-style-type: none"> • PEF suggested change of date to 12/21/2022 • OER and committee agreed 	<ul style="list-style-type: none"> • PEF-sent out calendar invite • OER will meet via ZOOM
3. Minutes a. OER to propose a format		<ul style="list-style-type: none"> • OER agreed with the general format (chart) of minutes from Oct 2018 • PEF requested old minutes be reviewed and signed off on, and for the Committee to use this format moving forward 	
4. New Parole Benefit a. Per Memo of Agreement, certain DOCCS Parole titles now qualify for 3 months of full pay for WC b. Outline of responsibilities of the Art 13 Committee i. Develop guidance documents ii. Expand MOU to other PEF titles c. How is it working so far? i. Please provide Claim data since 1/1/22, to date,		4b.i: <ul style="list-style-type: none"> • PEF suggested developing guidance documents we gave from WC Training and expand on it, training/people involved understand process. • PEF proposed training for eligible DOCCS employees. Could use materials from the 2-day comp training. Members may not be using the program because they are concerned they will suffer repercussions upon their return for taking time and are coming back injured. • OER Program is a pilot and evaluation phase and expires 3/2023, and considers it premature to do a training until it is 	<ul style="list-style-type: none"> • OER to find process for application (Will try to get back to Committee in 2 weeks with information) • OER- Data from DOCCS, by 12/21/22 • OER will review internally about what information/data will be used to evaluate the benefit to see if it will be continued

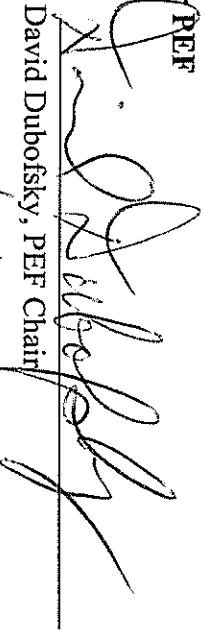
<p>by title, location, and number of weeks for:</p> <ol style="list-style-type: none"> 1. Number of WC claims submitted under this benefit 2. Number of WC claims determined to qualify for this benefit 3. Amount paid out under this benefit 	<p>clear that the program will move forward and become part of the contract.</p> <p>4b.ii – expansion to other titles:</p> <ul style="list-style-type: none"> • PEF – the MOA states that a committee (in this case Article 13) will convene to discuss implementation and expansion of the program. • OER – issue is contractual and should be expanded under the pilot program • Parties disagree and will revisit. <p>4c:</p> <ul style="list-style-type: none"> • PEF - requested claim data since program started: how many have submitted for benefit; number of qualified claimants; amounts paid under benefit. • OER - But cannot pull numbers, but DOCCS should be able to - this is the same exact benefit as NYSCOPBA, only difference is one is 6 months, and one is 3 months will request information from DOCCS for how many in the title C256.2 reimbursement to the state. Will also check with NYSIF on what data they have. • PEF - How does someone access the benefit? Is there a form they fill out? Under the enhanced benefit they receive 3 months pay with no waiting period. How do they ensure full pay for those 3 months? Per Contract language: They should be automatically in that program, not as an opt-in option. • OER: To contact DOCCS regarding a policy/directive on the benefit, how DOCCS advises employees of the benefit, how to access it, and any forms given to employees. 	<ul style="list-style-type: none"> • OER- Ask DOCCS and NYSIF for claim data since 1/1/2022 • OER: To contact DOCCS regarding a policy/directive on the benefit, how DOCCS advises employees of the benefit, how to access it, and any forms given to employees.
<p>5. Article 11 Death Benefit</p> <ol style="list-style-type: none"> a. Issues with benefit include confusion over how it is administered and how families/beneficiaries apply for it b. September 25, 2001 Currier Memo has good info, but outdated especially contact information 	<ul style="list-style-type: none"> • PEF - Issues with benefit include confusion over how it is administered and how families/beneficiaries apply for it. 9/25/2001 Currier Memo has good info, but outdated especially for contact information. • PEF requested claim data information since January 1, 2020 to date for <ul style="list-style-type: none"> ○ Number of applications for each benefit (Cash benefit and Tuition benefit) ○ Number of approved claims for each type of benefit 	<ul style="list-style-type: none"> • OER will send PEF updated Currier memo from 2015 & 2018 by 11/7/22 • OER will get claim data information by 12/21/2022 • PEF will add special sessions to draft agenda for H&S

<p>c. Please provide the claim data since Jan. 1, 2020 to date for:</p> <ol style="list-style-type: none"> i. Number of applications for each benefit (cash benefit and Tuition benefit) ii. Number of approved claims for each type of benefit iii. Amount paid per benefit 	<ul style="list-style-type: none"> o Amount paid for each benefit o OER – The Currier Memo was updated in 2015 and 2018 which clarified the process. Will send to PEF. Will get claim data. Offered to do trainings on this topic at H&S Conference - perhaps during breaks. 	<p>Conference (referred to Article 18).</p>
<p>6. Status of RFP for PBM Rx Benefit issued August 2017</p> <ol style="list-style-type: none"> a. Still CVS Caremark- but are there any changes to the benefits? b. Action Item/OER- Waiting for a link form OER to the new benefit-After we get that we will remove from Agenda 	<p>6a</p> <ul style="list-style-type: none"> • PEF requested a summary of changes and a link to the benefit. • OER – Received the amendment from Vincent Gernardi at NYSIF - will send a copy to PEF. They will ask Gernardi for a summary of the changes (if one exists) and to attend next meeting to go over any changes to the contract and benefit. 	<ul style="list-style-type: none"> • OER to send amendment and new contract to PEF, and contact Gernardi, provide a summary of changes and attend the 12/21/22 meeting
<p>7. Sample Workers Comp packet from each Agency (including those Pilot Program)</p> <ol style="list-style-type: none"> a. Action -OER to provide a copy from each agency <ol style="list-style-type: none"> i. Status? 	<ul style="list-style-type: none"> • Copy of WC packet from each agency is an outstanding action item. • OER- State agencies use template Civil Service packet from website. Agency will have a separate cover letter with instructions. OER is collecting samples for each agency, but can send what they have so far. 	<ul style="list-style-type: none"> • OER to provide a copy of WC packet from each agency (including DOCCS Parole pilot program)
<p>8. Workers Compensation Booklet</p> <ol style="list-style-type: none"> a. Some info from the prior OER/PEF booklet is now on OER webpage- https://oer.ny.gov/workers-compensation <ol style="list-style-type: none"> i. IS not the same as the joint PEF/OER resource booklet used previously ii. Does this now replace the booklet that used to be handed out by Agency Personal 	<ul style="list-style-type: none"> • OER - Documents provided by PEF are good – would like PEF input. Will check last revisions sent, have to update links and phone numbers. Will get back to PEF about printed copies. Prefers online – more green. But OER website would have to include info on other bargaining units too. • PEF - Hard copies are harder to keep updated, but are sometimes easier for people at home. If online, will need to include links to PEF website/resources. Attendance and Leave Manual has a good chart on the benefits across bargaining units and MC, but would need links added to each parties' websites. 	<ul style="list-style-type: none"> • OER: will confirm by 12/21/2022 the latest version sent to him by PEF, and if OER wants online or printed booklet.

<p>iii. How do we make sure PEF contractual benefits are just as prominent?</p>		<ul style="list-style-type: none"> • OER, PEF and CS to have a training review meeting.
<p>9. Training</p> <p>a. SW H&S Chairs Training 8/8-8/9/2022-report out by OER and PEF</p> <p>b. Which agency personnel are the contacts for injured workers and what training do they receive?</p> <p>c. Problems on the local level with inaccurate information given to injured workers</p>	<ul style="list-style-type: none"> • OER- first day not sure how much agency management got out of it, maybe in future 1st day be for PEF members then agency people after. Breakout with management went well. We have had a lot of turnovers, so the newer people didn't have a lot of perspective on issues. Feedback was generally good from management, no negative feedback, and specific comments about valuing the training were passed along. • PEF - pre-survey did not have a lot of response from management. Suggested a focus group to get a better perspective on what management wants in the next training. • Parties agreed - Need to revise case study to add more for management on their side of the process. Will have a separated meeting on that. 	<ul style="list-style-type: none"> • OER: Will report back on CSEA training status and if it is available to anyone. • OER - Will check on status of training from DHSES, and new contact.
<p>10. WTC Programs</p> <p>a. Status of OER training development with CSEA Partnership?</p> <p>b. How can agencies help people get proof of assignment?</p> <p>c. OER had permission to use DHSES PPT-is it updated, and can that be shared?</p>	<p>9 a</p> <ul style="list-style-type: none"> • OER - still working on training with CSEA Partnership. Maybe a webinar so available to anyone. • 9b OER- Finding orders may be difficult because it was 20 years ago. There is a self-attestation form if someone does not have any other proof. They are being liberal with approvals. Any problems contact Ed Cottrell directly and he will intervene. • 9c OER's contact with DHSES retired – checking if the program is still being offered. 	

Minutes Approved and accepted by:

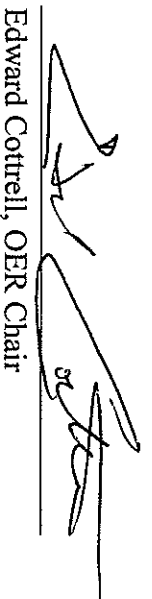
For PEF


 David Dubofsky, PEF Chair

Date

7/6/2023

For OER


 Edward Cottrell, OER Chair

Date

7/6/2023