

NYS Department of Health Statewide Labor Management Meeting Minutes

November 7, 2024, 10AM
Held at PEF Headquarters & WebEx

In-Person Attendees:

| | | | |
|----------------------|--------------------|------------------|----------------------------------|
| PEF: | Myron Getman | Qudsia Akram | Alejandra Stein |
| Co-Chair Erika Baker | Patricia O'Toole | Scott Crossman | <u>Virtual Attendees:</u> |
| Co-Chair Kim Jensen | Rosa Arenas | Sharon Lacy | Jessica DiPrima, DOH |
| Susan Billi | Chelsea Propati | Jennifer Lanahan | Tammy Honeywell, PEF |
| Steven Brooks | Ryan Stoliker | Karen McCarroll | Adam Reinemann, DOH |
| Kenneth Ferro | <u>DOH:</u> | Andy Ruby | Jennifer Rigney, DOH |

1. Introductions

- a. Introduce PEF and DOH representatives – names and roles

2. Prior Meeting Minutes

- a. Approve May 2024 minutes
- b. Action items for publishing minutes to DOH HRMG and PEF Internal

Decision/Outcome:

There is an area on the DOH website dedicated to Minutes that Management will publish; after they have been finalized and agreed upon. Reasonable 1 week turn around (per minutes)

Action Items:

Management will review and reach out to Labor within 1 week per minutes (3 to review) three weeks.

3. Telecommuting

- a. Will DOH agree to extend the current telecommuting agreement to match the end of the current PEF contract – March 31, 2026?

Decision/Outcome:

- DOH has every intention to continue telecommuting – the current policy expires in June 2025.
- Management plans on reviewing in Spring 2025 to agree and extend the policy into June 2026.
- Management will review the agreement on an annual basis.
- Management does not anticipate any significant changes.
 - o The agreement has remained consistent and DOH fully expects that to continue.

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4. PEF Orientation

- a. Review of August 2024 Orientation
 - i. Use of existing Orientation WebEx vs. separate remote environment for PEF presentation
 - ii. EOL for PEF representatives at Orientation

Decision/Outcome:

- Management acknowledges there was a mishap at the 2024 Orientation.
 - o We want to provide privacy to PEF members, which is why there was a separate PEF WebEx.
- The WebEx link that management distributes is open to all attendees including management.
 - o There is no other way to ensure privacy other than providing a separate link directly to PEF members.
- At the next meeting (Dec. 17th, 2024) Management will add a 15-minute break after orientation concludes to allow people to travel, use restroom, etc.; also allowing time for Labor to connect their separate PEF-driven WebEx.
- Management can also make an instructional announcement when they break. Such as, “Now is the time to log out of this meeting and log onto the Webex provided by your union”.
- Management can also add some language to the meeting invite and include the separate link specific for PEF members to use (once instructed).
 - o They will be considerate of sharing the allotted time frame, so schedules are not confusing

EOL Clarifications:

- EOL is available to either use for bi-weekly onboarding sessions or the quarterly meetings, but EOL cannot be used for both.
- The bi-weekly meeting schedule is not published, new employees are contacted via email and the meetings are primarily conducted over Web-Ex (typically the Tuesday after Pay Day)
 - o As of right now, all negotiating units are included in same bi-weekly orientation so management will need to regroup and discuss the best practice of having the Union involved in the meeting or to include an additional 15 minutes after the meeting.
 - o B-Weekly meetings are very short – usually ½ hour to an hour at most
 - o Meetings ensure new employees read policies, sign policies, have insurance information and payroll information – the most time sensitive information.
 - o Bi-weekly onboarding meetings are only for state employees.
 - o There are anywhere from 10-30-50 new employees at each bi-weekly onboarding.
- Logistically, quarterly is the most frequent that Management can meet with new employees to provide longer training and more in-depth information
 - o Last quarterly meeting included 300+ employees (HRI attends quarterly not bi-weekly's)
- Management will need to work with Labor and facilities more directly: specifically, Hellen Hays, to distribute this training information moving forward
 - o Alejandra or Karen are the best management contacts for these topics

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Action Items:

Management will send information on bi-weekly & quarterly meetings to Erika and Myron.

Management and PEF will align on timeframe and Webex messaging sent out to members when it is time for the next WebEx training.

Management to add language on their training and orientation invitations instructing PEF members to follow a separate WebEx link at the conclusion of DOH's WebEx.

PEF Follow-Up Questions:

- a. How does that factor into the 15 minutes allowed with new hires?
 - There is an amount of EOL set aside to address members in a general sense; and then the 15 minutes we are given with each employee individually to discuss onboarding with the Union.
- b. Is there a Hiring Freeze, or is DOH still actively recruiting and hiring?

Managements Response to Follow-Up:

- a. *Management will need to check with OER on the EOL allotted before providing a concrete answer.*
- b. *Management can confirm there is no current Hiring Freeze.*
 - *Certain offices may have slowed down on recruitment because they are full; but management is actively hiring.*

Action Items:

Management will follow up with OER on access to new members/hires

- Management will email OER today (they have been pretty responsive)

→ Management expects to have a response to share with Labor in a few days.

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5. New and Separating PEF Employees List

- a. Can the separating list be updated to include:
 - i. Mail Drop
 - ii. Unit (of departing employee)
 - iii. Supervisor (of departing employee) – looking for trends in the data

Decision/Outcome:

- *Currently the list includes division and geographic location of the employees work site.*
- *Management would need to work with their supplier to see if they could obtain a list with the information PEF is asking for.*

PEF Follow-Up:

Does DOH HR complete exit Interviews or do Managers complete the interviews?

Managements Response to Follow-Up:

- *HR does complete exit interviews, and they are **only** completed by HR.*
 - o *Management asks Program Managers specifically not to do exit interviews,*
- *Typically, they are completed over the phone unless an employee requests one in person.*
- *The HR Exit Survey Form is the only approved form*
 - o *No program should be providing any sort of form outside of knowledge feedback, transfer of power, documentation of processes etc....*
 - o *If it is anything on “why they are leaving” it would need to be done on the official HR form*
- *Management will reach out to Nutrition tonight and see what form the program is distributing.*

Action Items:

Management will take a look if they can obtain list items requested and circle back with labor.

→ No ETA of when they will have a response for Labor

Management will reach out to Nutrition to see what “Exit Form” the program is distributing.

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6. **2025-2026 \$600 Higher Education Payment**

- a. Notification to PEF represented staff on how to submit documentation
- b. Who needs to submit documentation/request
- c. Documentation requirements
- d. Timeframe expected

Decision/Outcome:

- a. *Information will be posted on DOH news and emailed to PEF members with instructions on how to submit that information.*
- b. *Anyone who is new to DOH will either need to submit their application*
 - *Members who Submitted in 2024 do not have to submit again in 2025.*
 - *No new hire will automatically be included in the bonus – they each need to apply and submit proof of education separate from new hire orientation.*
- c. *Members must submit a copy of their diploma or proof of transcripts to prove the degree was completed.*
 - o *To properly identify the employee, Management requires a proof of Name Change (if different from diploma/transcripts) and will standardize that regulation moving forward.*
- d. *Applications must be complete prior to March 2025*
 - o *The money will be payable in the last paycheck of April 2025.*
 - o *OER would be the ultimate deciding factor if PEF requested a deadline extension in 2025*

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7. Health and Safety

- a. Scheduling of Health and Safety Meeting
- b. Workplace Violence Advisory Committee
 - i. Rescheduling time for review
 - ii. Updated list of invitees for PEF representatives
- c. What steps has the agency taken to prevent a hostile work environment?
 - i. Can PEF, EAP, and DOH work together on a lunchtime program to meet with staff to explain how to report workplace violence, the importance of reporting these incidents, and the process that the reports go through?
 - ii. Can we mandate supervisory trainings:
 1. First time supervisors and ongoing education
 2. Discipline and Performance Evaluations
 3. Communication
- d. What is the procedure to determine and ensure adequate staffing of DOH Institutions?
 - i. If there is a shortage of staff, what plan is in place to ensure the safety of staff during these shortages?
 - ii. Provide a list of units that have vacancies on a quarterly basis:
 1. Titles vacant
 2. Location
 3. Length of vacancy

Decision/Outcome:

- a. *Management is Committed to the December 11th, 2025, Meeting*
 - *Meeting invitation has already been sent out.*
- b. *WVAC is pending a software issue correction – IT is working to resolve these issues internally.*
- c. *Remove item C and add it to the Health and Safety Meeting Agenda.*
- d. *Remove Item D from this agenda as well.*

Action Items:

PEF to send email to management of everyone they would like invited to Health & Safety Meetings moving forward.

Similar with Workplace Advisory Committee, PEF to send a list of who should be invited.

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8. DOH News for PEF Related Postings

- a. PEF Scholarship announcement rejection
 - i. Children’s names historically had always been included
 - ii. PEF Labor agrees that this is a practice we can move away from and would agree to redact including the winning children’s names moving forward.

Decision/Outcome:

Management asks labor to “Ping Us”, there needs to be further discussion on the inclusion of children’s names when publishing and if parents need to first agree and approve.

- *Not to say it was rejected, but there needs to be more consideration.*
- *It possibly fell off the radar, but Management appreciates the reminder and will look back into this.*

Action Items:

PEF to redact Children’s Names from Scholarship Announcement.

→ Moving forward, PEF will end the practice of publishing the names of Children who won.

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9. Civil Service Fills

- a. How many are student assistants, aides, interns, fellowships?
 - i. Quarterly count of student assistants, aides, interns, fellowships in PEF represented items, broken down by title
- b. Provide annual updates showing the number of PEF represented items.
 - i. Include: total number, number of new items, number of reclassified items with what classification they were moved to, title of items

Decision/Outcome:

- 113 total titles
 - o All 113 titles are Student Assistants
 - o There aren't any Aids, Interns or Fellowships under PEF titles at DOH
- This information will be sent quarterly to Labor moving forward

Action Items:

Moving forward, Management will send a PEF a quarterly count broken down by title.

PEF Follow-Up:

- To identify trends, and track what is happening internally at DOH, PEF requests the following:
 - o What is the total number of PEF Items in DOH?
 - o What is the total number of Reclassified Items (out of PEF into another title)?
 - Are titles being lost to MC or CSEA – a base information

Managements Response to Follow-Up:

- DOH, Main Office & Facilities:
 - o total 3749 PEF employees (including facilities)
 - o 3293, about 80% of DOH Main Office are PEF employees
 - o 263 vacancies at DOH Main Office (PEF Items) that Management is recruiting for
- Management cannot provide a report on Reclassified items – since items are not individually listed, the data is neither tracked and nor relevant until an item is funded.
 - o Management can provide a comparison of how many PEF Positions are filled this year vs last.
- Management is always cognizant of career mobility when reclassifying or restructuring any DOH titles.

Action Items:

Management to look into and share the following with PEF labor once identified:

- How many funded PEF items are in recruitment
- How many Titles are filled by PEF employees this year as compared to last year

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10. Provisional PEF Members

- a. Provide a list of provisional PEF represented titles be provided by DOH annually
 - i. Report should include:
 1. Name
 2. Title
 3. Location
 4. Date of hire into Provisional Title
 5. Date of last examination for Title
 - ii. Trying to find a pathway for people to be hired

Decision/Outcome:

- Thanks to NY HELPS, DOH was able to make a significant transfer of provisional to permanent employees.
- Currently there are 16 titles that are still Provisional Titles
 - o There should only be 15, as one is a Nurse and Management is already investigating why that position hasn't been filled by HELPS.
- Management can and will provide Labor with the list of which 16 titles are still provisional
- DOH is always looking for the best mechanisms possible to turn Provisional Appointments into Permanent Positions
- If someone is looking for a pathway to be hired, Management always advocates for Exam planning
 - o It is a considerable factor in both hiring and promoting.

Action Items:

Management to provide PEF with the list of the 16 Provisional Titles within one week from today.

Moving forward, management will present this to PEF every November, on an annual basis.

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11. NY HELPS Hires

- a. Provide a count of how many PEF items have been filled through HELPS within DOH.
- b. Explain the process for hiring off HELPS when a list is established for the title?
- c. How is DOH implementing searching the direct line promotion field to find potential candidates from the title below in the series?
- d. Provide a count of how many internal candidates have been promoted within DOH to PEF items through the HELPS program.
- e. Are there more HELPS positions that would be hired?

Decision/Outcome:

- a. *DOH has made 349 hires through NY HELPS:*
 - 236 are PEF titles in DOH Main office (most in Healthcare Surveyor, Grade 18-25)
 - 79 promoted via helps
 - o 44 were in nursing titles who previously would have to be hired through PCO
 - Pay differentials and the restructuring for Nurses has been substantial and significant in NYS's ability to hire across the board
- b. *Open Competitive Positions (lower-level titles):*
 - Minimum Qualifications are still necessary when hiring through HELPS
 - There is no requirement/list for management to exhaust.

If it is a promotional title:

 - All lists, including interdepartmental lists, need to be exhausted before they can look to hire from Outside (via helps)
- c. *HR reviews duties and organizational structure of the titles for every appointment.*
 - If someone is transferring from another title (Section 52.6), Civil Service determines if they would require additional training or qualifications.
 - Management is happy to look at any titles or concerns PEF might have, offline.
- d. *Management would not be able to appoint international hires if they did not have the necessary degree from an approved educational source.*
- e. *Helps is still scheduled to continue through June of 2026 – it has been an amazing mechanism for hiring. Helps remove some of the barriers to bring people in, especially nurses.*
 - Of the 200+ funded positions to fill at DOH, management will check how many of those are Helps Titles and will provide data to PEF of the current titles being recruited.

→ Members are still eligible to apply; If they meet the qualifications, encourage them to apply!

Action Items:

PEF will confirm the transfer document referenced is the most recent and send to Management for review with Civil Service during their next meeting.

→ PEF will include specific titles of concern for direct line promotion/transfer items.

Management will provide job descriptions, including minimum qualifications, for any position listed through HELPS that HR checks and verifies.

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12. Fiscal Year 2026 Budget

- a. Are there any programs that DOH is considering curtailing to keep the budget flat, as requested?
- b. Are there any new or existing programs that will be contracted out?
- c. Will any current contracted projects be expanded?
- d. Are any offices or institutions being consolidated?
- e. Are there any legislative changes that may require altering the delivery of services?
- f. Are there any priorities coming from Chamber or the Governor that may impact or change operations within the Department?

Decision/Outcome:

- *Of course, there is not much to say at this point of year.*
- *There was a semi-public Budget Call Letter sent out by the Budget Director requesting a Flat Budget to keep the entire budget within their projection.*
 - o *Flat Budget: statutory growth allowances for State education aid, Medicaid and medical assistance*
- *The update on the Status of Financial Planning on a Cash Basis, points to a reality that is neither indicative of surpluses nor terrible gaps.*
- *Management is not sure where funds will go in the process*
 - o *They are prioritizing and reprioritizing resources.*
 - o *Making changes in local (outward facing programs)*
- *State Operations has not been significantly impacted because they are still hiring.*
 - o *DOH Management has not heard anything of a hiring freeze*
- *As status of financial plan is reviewed, Management will have a better idea and more to share however, nothing has been significantly developed at this point in the 2024 Fiscal Year, and Management cannot speak further until the Governor has released her Budget for the year.*
 - o *The Mayors Budget is usually in January, around MLK Jr. Day.*

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13. Reasonable Accommodations

- a. Provide a count of reasonable accommodations are currently in place for PEF represented items?
- b. Provide a quarterly report with the following information:
 - i. Number of applications received
 - ii. Number of approvals
 - iii. Number of denials
 - iv. Category of accommodation: Equipment, Remote work, space/location, etc.
 - v. For denials - category of denial: documentation, operational needs, etc.

Decision/Outcome:

*Management is still assessing what could and should be provided within the DOH, CS and OER
The number of denials are low, however, Management will absolutely review any specific members concern if their RA has been denied.*

→ Those members should individually reach out to Scott directly.

PEF Follow-Up:

Does the agency consider alternative suggestion or modifications as a denial?
Is the action of appealing a modification skewing the numbers?

Managements Response to Follow-Up:

- In the reasonable accommodation world, a modification is not a denial.
 - o *Modifications are provided as indicated by a medical provider.*
 - o *They may not be exactly what the employee is seeking, but the proposed modification meets whatever the provider says to be a necessary accommodation.*
- *If any denials or modifications are suggested, appeal information is given to the employee.*
- *RA requests should be done through HR, not the members supervisor.*
 - o *Supervisors should not be weighing in on RA; whether or not 55B.*
 - o *Management checks with a supervisor to confirm a request is operational and feasible.*
 - o *HR will then Review that information internally and look at the duties required of the position to make their final determination.*
 - o *The process is confidential – even when asking supervisors of operational feasibility, no medical information would be distributed or provided.*
 - *Under any circumstance, supervisors may not ask employees for medical information.*
 - *If supervisor does receive that information accidentally, they are instructed to send that to HR, delete and remove that information from their email.*
- *Either Scott Crossman or Elizabeth Rivera will review all Reasonable Accommodations.*

Action Items:

Training for RA is recorded and provided on DOH website – if management sees concerns about RA, they can refresh themselves through the provided training.

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14. Workplace Discrimination

- a. Provide the number of workplace discrimination reports that have been received for Q1-Q3 2024?
- b. Provide an annual report with the following information:
 - i. Number of reports, total and per quarter
 - ii. Category of discrimination reported
 - iii. Number of reports found to be credible
 - iv. Number of reports dismissed
 - v. Number of reports per building (Corning Tower, One Commerce Plaza, Riverview Center, etc.)
- c. Beyond the mandated annual online training, what internal processes has DOH put in place to prevent workplace discrimination?
- d. What programs are in place to provide education, preventative measures, and ongoing accountability to DOH staff who have behaved in a discriminatory manner?

Decision/Outcome:

Not discussed during this SW LM Meeting.

Action Item:

Add Agenda item to next SW LM Meeting.

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15. Hoteling

- a. When will DOH be releasing guidance or policy on the use of hoteling spaces?
- b. Provide a count of PEF represented staff that have been asked to utilize a shared desk or hoteling space.
 - i. Include names and locations (Example: 1 Commerce Plaza - new hoteling desks)

Decision/Outcome:

- *The few examples have been very decentralized so far – places like the tower, where we have a lot of available space; keeps management asking how they could accommodate different schedules if/when hoteling.*
- *Certainly, the concept is a convenient way to fit employees into an existing space and stitch together office presence with telecommuting but there is no policy.*
- *Hoteling is something Management has considered but something they are hesitant to enforce.*
- *Management is in a position where they must reevaluate space and see where staff can best be placed.*
- *Management heard that staff would be willing to share space, if it would allow them to continue telecommuting.*
 - o *Management is looking at it that way, but there is no policy in place, yet.*

PEF Follow-Up:

- How are we going to prevent overlapping issues if we are maxed at 50% telecommuting?
→ With the current structure it doesn't seem possible without accommodating something closer to 70% telecommuting.
- Central Islip – until it happens, it's hard to determine what the true concerns will be from members. Once they are concerned, Labor will hear about it and share those matters with Management.
- Labor also heard a rumor that hoteling is intended for contract staff, not state staff.

Managements Response to Follow-Up:

- *Hoteling could accommodate traveling staff regardless of who their employer is (contracted or otherwise).*
 - o *Not so much as hoteling space, but as additional workspace to be used, when necessary, regardless of an employee's regular workstation.*
- *From a statewide perspective, we do not yet have enough experience to determine what the needs of employees will be to have a successful hoteling experience.*

Action Items:

PEF Labor to send an email to Members asking what concerns they might already have in regard to hoteling on Long Island.

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16. Hiring

- a. PEF representatives have received reports that the hiring process is taking longer than typically expected. Is there a common reason for this delay?
 - i. If so, what can be done procedurally within DOH to prevent this from continuing?
- b. What is the policy on which candidates received declination letters?

Decision/Outcome:

- a. *There is no common reason for a delay (speaking to 200+)*
 - *Management promotes training, HRMG training is available online*
 - *Overall, the process from resume to nomination is a relatively quick turnaround from the perspective of HR.*
 - *The process follows the following:*
 1. *A request to fill is approved through HR to make sure it is an appropriate title for usage.*
 2. *The next step – send the fill request to finance for budget reviews*
 - *generally, the fill request is approved quickly*
 3. *From there, it is all about the time it takes for programs to interview and select a candidate.*
 - *that seems to be where the bulk of the time takes*
 4. *Once a candidate has been brought to HR, it is usually quick for them to provide a nomination.*
- a. *Declination is not the appropriate term – it says you are on a list but don't want to accept a position from that list.*
 - *This would probably be a non-select letter – any program that interviews a candidate who is not selected, should then send a letter to that candidate.*
 - *Anyone interviewed should be notified if they do not receive a position.*
 - *Management has advised supervisors to follow this procedure and will remind them to adhere to this policy.*

Programs have the suggested letters and if they are not being used properly, Management appreciates the tip and will make an Agency-Wide reminder to all programs

Action Items:

Management to reach out to various DOH programs and remind supervisors to adhere to the policy of sending letters to any applicant who has interviewed and not been selected for a nomination.

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17. Laboratory Specialist Series

- a. When was the last test date for Laboratory Specialist 2 and 3? When will the tests be given again?
- b. Provide a current count of vacant Laboratory Specialist 1, 2, and 3 items.
 - i. Are any of these vacancies in the process of being filled?
 1. listed 38 vacancies Lab Specialist 1's
 - a. How many of those are “real” vacancies and how many are artifacts of time gone by?
 2. Lab Specialist 2 has 10 listings open, only one is filled.
 3. Lab Specialist 3 has 4 openings, none have been filled.
 - a. PEF Is aware of Lab Specialists who have left DOH because they were not offered promotion track.
 4. Last exam offered was in 2017 – the current list expires in 2025 will it automatically be renewed?
 5. Last test for Lab Trainee and Lab Specialist 2 hasn't been offered since 2008
 - ii. Total of 75 Listed positions for these titles and 52 vacancies
 - iii. Paper sealing presented to people with promotional opportunities.
- c. Have any items been converted from Laboratory Specialist titles to other DOH titles in the past 5 years?
 - i. Provide how many and the titles converted to.
- d. Is the Laboratory Specialist series being reviewed for restructuring?

Decision/Outcome:

- 1 active recruitment for Lab Specialist 1 (Adam Reinemann)
 - o Lab Spec 1 – Grade 18
 - o Lab Spec 2 – Grade 23
 - o Lab Spec 3 – Grade 27
- 2-1 fill in Bio (total 5 bio positions)
- Chem. has 6 total positions and no fills.
 - o This title is only used at DOH central office, not used in facilities.
 - o Chemistry Parenthetic has 16 eligible candidates on the list
- Exams for Lab. Spec. 2 have been requested on the exam planning agenda with civil service since 2019 (prior to COVID). It has been on the schedule to include in CS exam planning every year since 2022
 - o NY HELPS has provided some bandwidth for allowing for additional promotional exams to be listed.

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- *The Lab Specialist Series was initially envisioned in 2003-2005, to professionalize lab environment and provide a promotional track.*
 - o *In actuality, of the total pool of positions, it is likely not all 60 items would be funded.*
- *Grade 18 Level – has had 10 total recruitments since April 2023*
- *Grade 1 Level – has had 23 fills with 37 vacancies remaining (total 60 positions)*
- *Grade 27 exam has never been given*
 - o *Typically, candidates will apply, and packets would be reviewed by HR on individual basis.*
- *NCP – Noncompetitive Portion*
 - o *Typically for promotion titles and would be listed in a specific way*
 - o *There are very specific requirements to complete these appointments*
 - ii. *Must be posted public ally*
 - iii. *HR looks at individual’s exam history*
- *Grade 18’s are HELPS titles, so there are no Provisionals PCO select prior to HELPS appointments*
- *As far as an opportunity for Grade 23 to be provisional, there are not many cases*
 - o *Only 2 recruitments in the last year*
 - o *There are a total of 18 candidates on eligible 23 list (list from 2017) some of which are inactive.*
- *Civil service doesn’t typically extend a list for more than an 8-year period so CS would need to offer that exam prior to the list expiring in 2025.*
- *At this point, Management would have to wait for the exam to be held, or for there to be less than 3 on the list to hire someone provisionally.*
 - o *If Wadsworth plans to recruit for these titles, Management should at least know the requirements for those titles.*
 - o *If the list is broken, a provisional appointment could be made until the list is fixed.*

Action Items:

No action Item – Internal Review required

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18. Research Scientists

- a. What steps is DOH taking to ensure all Research Scientists (service/production and research/academic side) can advance in their careers?
 - i. Many understaffed (Research Sci 2 and Research Sci 3 need to have publications that they have been unable to author or co-author due to lack of staffing)
 - ii. Restructure of Peer Review process – advancement requirements
 1. Is it being structured or reexamined in a way that will help retain employees

Decision/Outcome:

- “People are unable to perform job functions because there was not enough staff over the last 12 years” → *This is not something Management can respond to now because it is due to funding.*
- *Resource constraints issue is relatively new issue to Management.*
- *Understanding of title through CS:*
 - o *There is no differentiation between a service track and a research track*
 - *If this is a concern, it needs to be brought up to the Wadsworth center.*
 - o *Management is acutely aware of issues mentioned – when they come to the attention of HR they look into each individually.*
 - *HR looks at the Full scope of the persons duties.*
 - o *Civil Service Standard – very little from a Statewide construction standpoint of review boards. There is not a step-by-step document, but the requirements are noted within the Standard*
- *What should be evaluated by the Peer Review Board is listed.*
- *Internal Procedure documents within the Wadsworth center:*
 - o *The Green Book, published Nov. 1994*
 - o *The Purple books, published Oct. 2009*
 - o *Both come from Wadsworth directly – the described processes cannot be signed off by DOH Main Office HR*

Action Items:

Management will take up discussion with Wadsworth again. No particular timing can be guaranteed; but it will be reviewed across the department and discussed at the next meeting management has with Wadsworth.

Management would want to publish something that will set a standard across the board and clear to Supervisors and Lab Chiefs. They will review and circle back with PEF Labor.

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19. Dates for Next SW LM Meeting

- a. DOH Statewide Labor Management had been meeting quarterly. PEF would like to re-establish that schedule.

Decision/Outcome:

The next Statewide Labor Management meeting will be scheduled for February 2025.

20. Upcoming Non-LM Meeting Dates

- a. Health and Safety
 - i. December 11, 2024
- b. Workplace Violence
 - i. Not Scheduled Yet – Waiting on IT to resolve issue
- c. Orientation
 - i. December 17, 2024

Non-Agenda Items Discussed:

1. Restructuring of Physical Therapist:

- Ultimately, under list of therapists, everybody received a 2-grade upgrade, except for the assistants
- PT Assistants (PTA) and OT Therapists (OTT) are required to be relicensed every 3 years, like therapists
 - PTA's attend meetings and complete all patient documentation, just as the therapists.
 - Excluding evaluations and discharges, PTS's do everything PT's do, but under this restructuring, the assistants were ignored.

Managements Response:

- CS petitioned the change for therapists – it was driven by Civil Service.
- All management can offer is to go back to CS and try to advocate for the assistants.
 - o Management felt the allocation for assistants was appropriate at the time, but they will review
 - If it was an oversight, Management will address that right away.
 - If it requires more advocacy, Management will team with PEF Labor to push that forward.
- Management highly recommends PEF CC Central Health Facilities Management: Rachel Williams (clinical director), Ryan Ash (director of health facility management) & Kevin King (commissioner) simultaneously to Christina Capullo, Karen, Alejandra and Jen.
- Include reasons why assistant should be upgraded, and Mgmt. will present justifications on PEF's behalf. They will advocate on behalf of all Facilities.

Action Items:

PEF to send email with justifications to Civil Service for review and follow suggestions of Mgmt.

DOH Labor Management – Statewide LM Meeting Minutes

November 7, 2024, 10AM

2. Employees Missing Lunch:

Ex. 1: Say an employee is in the field, taking a survey – what should members do if they can't take lunch? Can Labor see the policy and clarify so members know what to do, and by the books?

Ex. 2: Employees are not taking s lunch, but their supervisor directed them to write on lats that they took a lunch.

Managements Response:

- *It's no different than when you're in the office - employees need to take lunch every 6 hours.*
 - o *A 30-minute lunch is required regardless of work location.*
- *Employees need to talk to their supervisor – it is Labor Law, they need to record that 30 Minutes*
- *Management will share the policy to refresh that information, but this would be more off-line, case-by-case members to properly address the issue.*

Action Items:

Management to send policy to PEF for review and to accurately share the information with their members.

Management will also remind supervisors of the importance of following protocols when advising their staff to ensure employees are taking breaks and remaining truthful on lats.

3. Investigation of Contract workers used by DOH:

Based on a recent Times Union Article, there are concerns this may be a greater issue, including fraudulent work visas.

- There is concern of when visas are granted.
 - o Are we denying our own IT members from either being promoted or hired?
- One contracted individual shared the following information that was included in the article.
 - o Grace Ell Labs is sub-contractor not permitted to work in US
 - o Fired staff was taking laptops with them when they were dismissed.
 - o Employees are using VPN's to complete work when they are not in the US or authorized to work in the US

Managements Response:

- *Management will need to review and get back to Labor with a response.*
- *Management does not have control over contracted workers.*
 - o *This really would be a contract management issue, but DOH Management will look into it.*

X 

Erika Baker
PEF Statewide Labor Management Chair, DOH

X 

Kimberly Jensen
PEF Statewide Labor Management Chair, DOH