



Interoffice Memorandum

Date: November 30, 2010

Subject: Labor/Management Team 11/30/10 Meeting Minutes

To: Labor/Management Team

From: Mylynda Shaskus, Ohio EPA, Division of Surface Water

November 30, 2010, OCSEA Polaris, 9:45AM-11:45PM

Attendees: Deborah Bailey, Mike Bolas, Craig Butler, Heidi Griesmer, Kelvin Jones, Julie Methena, Ken Mettler, Nita Nordstrom, Natalie Oryshkewych, Mylynda Shaskus, Dave Sholtis, Donna Waggener, facilitator Alauddin Alauddin

Absent: Craig Rehkopf, Mike Sherron

Agenda

- 1) Identify Action Items/DecisionRecorder
 - 2) Review Minutes/Action Items/Agenda
 - 3) Finalize meeting frequency and location
 - 4) District-specific Employee Support issues
 - 5) Subcommittee reports
 - a. Policies
 - b. Incentives
 - c. Contracting
 - 6) Policies update
 - 7) Other business
 - a. L/M training
 - b. Columbus and municipality income tax issues
 - c. Outreach/marketing of statewide LMT
 - d. Work day for field season 2011
 - 8) Set next agenda
-
- 1) Roll call was taken. Ryan Sarni has transferred to a position in the Department of Insurance and will no longer be a part of the committee. The committee will need a new OCB rep. Julie agreed to record the action items.
 - 2) A minor correction was pointed out in the minutes from the September meeting. Mylynda will make the correction and send out the final minutes.
 - 3) **September action items** update. Craig R. was not at the meeting to update the group re: Webex status for 2011. Julie received no comments on the incentives survey. Some committee members met with their Division/District/Program Chief or Assistant Chief on LM issues, others did not. Mike B. talked with Karen H. and Laura Powell on the development of EPA polices.

- 4) **Columbus and Municipality Tax Issues.** This item was moved up in the agenda to accommodate our guest speaker, Tom Cochrane, counsel with OCSEA. This issue was brought up by some LMT members who have had situations where Columbus has charged them additional taxes, including late fees and interest, because the tax rates for their primary work location (e.g., Logan, Groveport) were less than the tax rate for Columbus. Columbus considers any number of days worked in excess of 10 to require filing and paying Columbus income taxes. Tom said there is no legal definition of a “working day”, but the definition being used by counsel for Columbus is that “substantive” business was conducted. This could include something as minor as dropping off a document or piece of equipment in Columbus. There is no written authority for this definition; it is just a working definition. ODOT has had this issue in the past, but Tom wasn’t sure how they dealt with it. Legally, it is the responsibility of the employer (i.e., the state) to calculate these days. However, there is no penalty to the state for not doing so. That is why employees have been getting their tax liabilities all at once in these situations. The way taxes are collected from a paycheck is technically a working term or condition, and therefore could fall into the province of OCB/OCSEA. However, it would be difficult to make the claim of injury to the employee, so it probably would not be beneficial to bring the issue up to the arbitrator during bargaining. The only possible reasonable solution, according to Tom, would be to hire a tax attorney on retainer and see if there is any possible remedy.

Tom left at this point, and the LMT continued the discussion. The example was given that if Columbus and Logan are both reporting locations for work, and there is a 1% difference in the tax rates, the employee is responsible for paying that extra 1% to Columbus based on how many days (10+) the employee reported to Columbus for work instead of Logan. The employee is then responsible for any interest or late fees accrued in addition to the 1% taxes for those days. The state will not do this for employees; the employees must know to do this themselves. Tax law allows a municipality to go back up to 7 years to collect back taxes. Any municipality can do this, not just Columbus. The only time this happens is when a municipality is assessing those taxes and the employee exceeds whatever cutoff in terms of number of days worked the municipality sets. Field staff and public information staff are the most likely to be affected, or those district staff with lots of Columbus meetings. The issue only becomes relevant when the tax rates are different between the reporting locations. Can LMT find out how many people have been affected at the agency and what the effect has been? The LMT agreed to find out how this works and then inform staff about it. Donna agreed to find out about the impacts from Janet Salyers and/or Karen H., as to how many people have reported getting back tax letters, and how many people have split tax rates. Kelvin, Donna, Mike S., and Ken agreed to form a subcommittee to look into the impacts of this, and to get back to the LMT about communicating this to staff. Heidi pointed out that there was a NewsSource

article about this issue last spring. The committee may ask to have that article re-run or revamped and then issued again.

- 5) **Meeting frequency and location.** The LMT finalized the 2011 meeting dates: January 25, March 22, May 24, July 26, September 27, and November 29, 2011. Deborah agreed to reserve the room at OCSEA for the meetings.
- 6) **District-specific employee support.** Heidi distributed a draft of the NewsSource article she and Craig B. wrote on legal representation for employees. Committee members provided her with some comments.
- 7) **Policies subcommittee.** No update due to Director's Office flux.
- 8) **Incentives subcommittee.** Julie said the survey and cover letter has been sent to the Director's Office. The LMT has been informed that this, among other activities, has been put on hold due to the upcoming administrative transition. The LMT should ask the new DO in March.
- 9) **Contracting subcommittee.** Nothing to report.
- 10) **Director's Invitation to LMT Meeting.** The LMT agreed to invite the Director (as of January/February) to an LMT meeting.
- 11) **Policy update.** No updates.
- 12) **Other business.**
 - a. Labor/Management team training. On hold until the new administration.
 - b. LMT Outreach. Dave and/or Heidi will check if Karen H. has posted the LMT minutes on the website, and if not, ask her to delegate that to someone in PIC.
 - c. Work Day for Field Season 2011. Some issues were brought up such as whether DSW is going to be doing direct billing for hotels, and if not, could we help to get that reinstated. The Central Office LMT has not been meeting lately, since Karen H. is very busy, and most of the issues are statewide anyway. Kelvin will pull together a list of the work day issues for discussion at our January meeting. He will send the list out to LMT by January 10, 2011 for review.
 - d. Joint Chiefs Meetings. Craig B. will arrange for a presentation on the LMT to the Joint Chiefs, most likely in February 2011.

The meeting was adjourned at 11:45 PM.

Next Meeting: January 25th, 9:30 AM, OCSEA

Agenda:

- 1) Identify action item/decision recorder
- 2) Review minutes/action items/agenda
- 3) District-specific employee support issues
- 4) Subcommittee Reports
 - a. Policies
 - b. Incentives
 - c. Contracting
- 5) Policies Update
- 6) Other Business
 - a. Labor/Management training
 - b. Columbus tax issues
 - c. Outreach/marketing of Statewide LMT
 - d. Work day for Field Season 2011
 - e. Joint Chiefs Presentation
- 7) Set next agenda



Interoffice Memorandum

Date: September 29, 2010

Subject: Labor/Management Team 09/28/10 Meeting Minutes

To: Labor/Management Team

From: Mylynda Shaskus, Ohio EPA, Division of Surface Water

September 28, 2010, OCSEA Polaris, 9:55AM-12:35PM

Attendees: Mike Bolas, Heidi Griesmer, Kelvin Jones, Julie Methena, Ken Mettler, Nita Nordstrom, Natalie Oryshkewych, Craig Rehkopf, Mylynda Shaskus, Dave Sholtis, Donna Waggener, facilitator Alauddin Alauddin

Absent: Craig Butler, Deborah Bailey, Ryan Sarni, Mike Sherron

Agenda

- 1) Identify Action Items/DecisionRecorder
- 2) Review Minutes/Action Items/Agenda
- 3) Finalize meeting frequency and location
- 4) District-specific Employee Support issues
- 5) Remote meeting options
- 6) Subcommittee reports
 - a. Policies
 - b. Incentives
 - c. Contracting
- 7) Policies update
- 8) Other business
 - a. L/M training
 - b. Columbus and municipality income tax issues
- 9) Set next agenda

- 1) Roll call was taken. Craig R. agreed to record the action items. The agenda for the meeting was reviewed.
- 2) A couple of minor corrections were pointed out in the minutes from the July meeting. Mylynda will correct them and send out the final minutes.
- 3) **July action items** update. Both Deborah and Craig B. were informed and supportive of the proposed bi-monthly face-to-face LMT meetings at OCSEA. Julie is coordinating the Survey Monkey effort for the incentives subcommittee. Ryan sent out SERB and CALMC training info to LMT via email. Craig B. and Heidi are still working on a New(s)Source article on employee support during legal proceedings. Mike S. still needs to brief the group on his contact with an OCSEA attorney regarding the municipal tax codes.

- 4) **Meeting frequency and location.** The LMT reached consensus that for 2011 they will meet on a bi-monthly schedule, face-to-face, at OCSEA, with January being a tentative call-in meeting depending on the weather conditions. Video conferencing may or may not be available for the January call. Craig R. will schedule a bridge line through Webex for the January meeting in case people can't make it due to inclement weather. Webex is "free" to use, in that it is covered under the \$4000/mo. bill that covers all Webex services for the agency. Generally, the fourth Tuesday of the month worked for committee members. **The schedule was tentatively set as follows, with possible changes if absent committee members have conflicts: January 25, March 22, May 24, July 26, September 27, and November 29, 2011.**
- 5) **District-specific employee support.** No issues were brought up.
- 6) **Policies subcommittee.** Karen Haight provided the subcommittee with an outline of how policies are currently drafted. The subcommittee will provide Karen with feedback on the current process. HR has limited resources, and also DAS sometimes issues directives that the Agency may not have much latitude in implementing. Despite these limitations, there are still opportunities to improve how policies are disseminated, developed and implemented.
- 7) **Incentives subcommittee.** Julie distributed a proposal for the Director's office regarding a survey about current and future incentives programs. Can she add a text box for people's incentives ideas? Julie will add a box before submitting the proposal to the Director. If anyone else on the committee has comments, please get those to Julie by 10/1.
- 8) **Contracting subcommittee.** More about contracting will be discussed at the statewide IT meeting with DAS tomorrow, and the subcommittee will report back after that. Current contracting procedures have been documented, and the subcommittee is working on recommendations based on those procedures.
- 9) **Policy update.** The recent Inspector General reports have started some rumors among the staff that some policy changes may be in the works. If there are new policies emerging, can LMT be informed of them prior to issuance, or creation if possible? Policy discussions occur between Karen H. and the Director's office, so LMT members don't always know about them. Examples of potential policy updates might be a policy regarding personal cell phone use during business hours, or updates to the sign-in/sign-out policy. If LMT members know about issues that may provoke a policy creation or change, please bring it up at LMT so we can be proactive in offering feedback. What are some opportunities for LMT to be proactive regarding policies? Can we communicate more directly with the Chiefs through the Joint Chiefs meetings? Can we meet with Karen H. or Laura P. to market LMT? Someone from LMT may attend a Joint Chiefs' meeting to share LMT's purpose, functionality, and what the team can do for them, such as

limiting conflicts, grievances, etc. LMT members should reach out to their chiefs and/or assistant chiefs, if they haven't already, and let them know what LMT is doing and can do. Kelvin will bring this idea up at the Union Stewards' meeting to send liaisons in those divisions that aren't represented on LMT. Mike B. will remind Karen and Laura of LMT's function and purpose.

10) Other business.

- a. Labor/Management team training. NWDO-LMT would like CALMC training. Since Ryan was unable to attend the LMT meeting, the statewide portion of the discussion was deferred till November.
- b. Municipality tax issues. Since Mike S. was unable to attend the LMT meeting, this discussion was also deferred until November.

The meeting was adjourned at 12:35 PM.

Next Meeting: November 30th, 9:30 AM, OCSEA

Agenda:

- 1) Identify action item/decision recorder
- 2) Review minutes/action items/agenda
- 3) Finalize meeting frequency and location
- 4) District-specific employee support issues
- 5) Subcommittee Reports
 - a. Policies
 - b. Incentives
 - c. Contracting
- 6) Policies Update
- 7) Other Business
 - a. Labor/Management training
 - b. Columbus tax issues
 - c. Outreach/marketing of Statewide LMT
 - d. Work day for Field Season 2011
- 8) Set next agenda



Interoffice Memorandum

Date: July 28, 2010

Subject: Labor/Management Team 07/27/10 Meeting Minutes

To: Labor/Management Team

From: Mylynda Shaskus, Ohio EPA, Division of Surface Water

July 27, 2010, OCSEA Polaris, 9:30AM-12:30PM

Attendees: Mike Bolas, Heidi Griesmer, Kelvin Jones, Julie Methena, Ken Mettler, Nita Nordstrom, Natalie Oryshkewych, Craig Rehkopf, Ryan Sarni, Mylynda Shaskus, Mike Sherron, Dave Sholtis, Donna Waggener, facilitator Alauddin Alauddin

Absent: Craig Butler, Deborah Bailey

Agenda

- 1) Identify Action Items/DecisionRecorder
- 2) Review Minutes/Action Items/Agenda
- 3) Ohio EPA L-M and the post-Don Starr era
- 4) District-specific Employee Support issues
- 5) Remote meeting options
- 6) Subcommittee reports
 - a. Policies
 - b. Incentives
 - c. Contracting
- 7) Policies update
- 8) Other business
 - a. L/M training
 - b. Columbus and municipality income tax issues
- 9) Set next agenda

- 1) Roll call was taken. Ken agreed to record the action items. The agenda for the meeting was reviewed.
- 2) A couple of small typos were pointed out in the minutes from the May meeting. Mylynda will correct them and send out the final minutes.
- 3) **May action items** update. Craig B. and Heidi are still working on a New(s)Source article on legal help for employees, and on converting the article to a fact sheet. Don Connelly and Craig B. will report next meeting on improving AGO relations and services to EPA. Contracting subcommittee met via phone. Policies committee did not meet. Craig R. resolved some of the teleconferencing issues with SWDO. Heidi said the duty attorney for each division is the contact for any legal issues that arise. Ryan S. will be sending the group pdfs of the

CALMC and SERB training outlines. Dave talked to management in SWDO, CDO, and NWDO to ask about LM training. For the most part team members did not reflect on training ideas for this meeting.

- 4) **Ohio EPA L-M post Don Starr.** Dave confirmed there will be no “new Don” until after November. Dave will continue to act as the LMT conduit to the Director’s office. Karen Haight will continue to fill in for Don in most capacities. Karen expressed some concerns about being dictated policies by the LMT. Mike B. assured her the committee does not work that way and that we will work closely with her prior to issuing any recommendations on policies.
- 5) **District-specific employee support.** No issues were brought up.
- 6) **Remote meeting options.** Video conferencing is being tested this week with all districts conferencing in at one time. Some reconfiguring and rerouting of the network was needed. For externals, we will still need to go through Webex and their 800 number service. The agency’s 800 line is too cumbersome and expensive relative to Webex’s. SWDO has old equipment, so the connection isn’t great, but should suffice for now. Conference room phones in general work better than desk phones.
- 7) **Meeting frequency.** LMT’s current meeting frequency is quarterly in-person meetings supplemented with monthly conference calls in non-in-person months. What are some other meeting frequency options the group would consider? 1) Quarterly in-person meetings. 2) Bimonthly in-person meetings. 3) Minimum of 2 annual statewide meetings as required in the contract. The group consensus was that a) conference calls were not working out well as a meeting tool, and therefore face-to-face meetings were preferable; and b) monthly meetings are too frequent. A lengthy discussion was held as to the advantages and disadvantages of quarterly versus bimonthly meetings. Advocates of quarterly meetings said that with the decreased meeting frequency, people would view attendance as more of a priority, and that each individual meeting could be longer to accommodate a more full agenda, and that more work could get done via subcommittee in between full statewide meetings. Advocates of the bimonthly meeting schedule said that if someone missed a quarterly meeting or one needed to be cancelled, there would be six months between meetings, which is a long time to miss getting action items accomplished and getting updates, and that regardless of personal prioritization sometimes family or work emergencies arise and it is necessary for individuals to miss meetings. A tentative decision was made to rearrange this year’s schedule to cancel the conference calls and meet in person at OCSEA in September and November. Kelvin will check with Deborah and Ken will talk to Craig B. to make sure they are okay with this. A tentative proposal was made to go to a bimonthly in-person schedule with all meetings being held at OCSEA for 2011, but that will be revisited at the September or November meetings when we schedule for 2011.

- 8) **Incentives subcommittee.** Incentives met via conference call. Survey questions were generated and distributed to the statewide LMT. The group should get back to Julie with any comments by Friday 8/13. The Director's office will not be renewing its SurveyMonkey license, but the committee should be able to use the Assembly license once the survey is finalized and approved by the Director's office. Julie will bring the final version of the survey to the September meeting. After the survey is sent out to staff and the results are compiled, the next step is recommending to the Director's office whether to keep, revamp, or eliminate current incentives programs and whether there are any new non-monetary incentives that could be implemented.
- 9) **Contracting subcommittee.** The contracting subcommittee wanted some input from the statewide LMT as to what their exact deliverable is supposed to be, and how interested the LMT is in the topic. The historical position of contracting is that the bargaining unit says that a particular task is bargaining unit work, then the state says there isn't time to train staff to do the job because it's something that needs to be done immediately. However, this is not always a good long-term strategy. For example, IT work is contracted, then when the contractors leave, the staff doesn't have the training to support the application. If we are repeatedly contracting out a service, what are we doing as an agency to develop those skills, and to support the service? The subcommittee was originally chartered to document the current contracting process and to make recommendations to improve contracting procedures. Where do the contracting procedures come from? DAS has some, and other than that, contracting is left up to the individual divisions. Can we get a procedure that would allow the bargaining unit to get notified prior to a service being contracted out? The bargaining unit needs to get together with divisions' management in February when they are determining their division needs and budget to have input on these decisions.
- 10) **Policies subcommittee.** Mike B. has been working with Karen Haight to get her up to speed on the role of the LMT subcommittee in drafting and reviewing policies.
- 11) **Policy update.** Converting vacation leave to personal leave. Can this be applied to people on probation? There is not a clear contractual answer. OCB will permit probationers to convert vacation time (with an 8 hour minimum conversion) per quarter to personal leave. There are some practical administrative issues that need to be resolved regarding the mechanics of how this is done, but it will be resolved. Also, John Vlasko sent around updated Health and Safety policies. People should review and comment on the policies as they see fit.
- 12) **Other business.**

- a. Labor/Management team training. Ryan obtained SERB and CALMC agendas (FCMS did not get back to us). Ryan will scan them and send them to the group as pdfs. The LMT will examine the course outlines and make sure we can make a decision in September. Dave contacted management in SWDO and NWDO and there was no interest, and no interest in NEDO on either management's or bargaining's side. Some people thought the districts should be strongly encouraged to have training in cases where the district LMTs are dysfunctional. How do we engage district folks who may be reluctant to have training? Dave can mention this to the Director's office.
- b. Municipality tax issues. Agency employees in some cases have been notified that if they work in Columbus more than 12 days a year they need to pay Columbus taxes. They do not get tax money back from their main municipality, so in essence they are double-paying. Columbus's tax code is vague, and is subject to interpretation and litigation. Agency staff need some education as to what we as employees need to be doing to ensure our tax obligations are met, since it is incumbent on the employee, not the employer, to ensure all appropriate taxes are paid. Mike S. will start researching this topic with Janet Salyers and OCSEA and try to find someone to educate us on this topic.

The meeting was adjourned at 12:30 PM.

Next Meeting: September 28th, 9:30 AM, OCSEA

Agenda:

- 1) Identify action item/decision recorder
- 2) Review minutes/action items/agenda
- 3) Finalize meeting frequency and location
- 4) District-specific employee support issues
- 5) Subcommittee Reports
 - a. Policies
 - b. Incentives
 - c. Contracting
- 6) Policies Update
- 7) Other Business
 - a. Labor/Management training
 - b. Columbus tax issues
- 8) Set next agenda



Interoffice Memorandum

Date: May 25, 2010

Subject: Labor/Management Team 03/30/10 Meeting Minutes

To: Labor/Management Team

From: Mylynda Shaskus, Ohio EPA, Division of Surface Water

March 30, 2010, remote meeting, 10:00AM-12:00N

Attendees: Mike Bolas, Craig Butler, Heidi Griesmer, Kelvin Jones, Julie Methena, Ken Mettler, Nita Nordstrom, Natalie Oryshkewych, Craig Rehkopf, Mylynda Shaskus, Dave Sholtis, Donna Waggener, facilitator Alauddin Alauddin, guest David Long (OCB)

Absent: Deborah Bailey (call-in difficulties), Ryan Sarni, Mike Sherron

Agenda

- 1) Identify Action Items/DecisionRecorder
- 2) Review Minutes/Action Items/Agenda
- 3) District-specific Employee Support issues
- 4) Remote meeting options
- 5) Subcommittee reports
 - a. Policies
 - b. Incentives
 - c. Contracting
- 6) Policies update
- 7) Other business
 - a. District L/M training
 - b. Overtime roster
- 8) Set next agenda

- 1) Roll call was taken. David Long from OCB sat in for Ryan Sarni, who was absent. Donna agreed to record the action items. The agenda for the meeting was reviewed.
- 2) No one had any comments on the minutes from the February meeting. It was asked if the action items could be included as part of the minutes. Alauddin agreed to send out the action items in his reminder email before the meeting, along with the agenda and the minutes.
- 3) **February action items** update. Nita sent details of her deposition to the committee. Julie received some non-monetary incentive ideas from the committee. Mike B. agreed to provide a timeline during the Policies subcommittee update. Ryan had agreed to provide the committee with OCB's view on telecommuting, but has not yet. Don had agreed to take comments on

the personal leave policy update. Dave agreed to bring the name of the management interim co-chair. Donna agreed to send out the overtime (OT) list.

- 4) **Ohio EPA L-M post Don Starr.** Before his departure, Don briefed Laura Powell on the LMT committee operations, including the need for an interim co-chair and a new permanent co-chair for management. Don also filled Laura in on the workings of the subcommittees. Karen Haight asked Dave Sholtis to be the interim co-chair. Procedurally, management representation is chosen by the Director's Office. Dave will ask the Director next week about Don's position, as to if and when it will be posted. Will the LMT still have a direct line of communication with the Director? Generally, the LMT is confident that Dave can fulfill this function. Does the bargaining unit co-chair also meet with the Director? No, just the management co-chair does. What about the information that was conveyed between the committee and Bryan Zima and Drew Bergman through Don, will there be follow up on those issues? LMT will need to let the Labor Relations posting situation get resolved before answering, with any certainty, these questions. LMT can express the needs of the committee as they relate to the Labor Relations posting to the Director's office through Dave or OCB. Should we invite the Director to the April LMT meeting? Some say yes, others no. The committee should wait to hear from Dave after his meeting with the Director to decide, but the general inclination was not to issue the Director an invitation, because it seems unlikely he would have time to attend at Polaris.
- 5) **District-specific employee support.** What should LMT do with the information from the emails regarding employee depositions? The chain of command in regard to depositions was established at the last LMT meeting. Can we get a News Source article on the subject? Bryan was going to add the topic to new employee orientation – LMT should check with him on that before he retires in the next year. The deposition information should also be added to OES/and or Legal's website. Craig B. agreed to shepherd this process to get these action items done.
- 6) **Remote meeting options.** The committee still has the video conferencing option, but when more than two locations are involved there are still sound quality issues. Right now, Webex will not connect with 1-800 phone numbers, only long-distance connections, which needs to be addressed. There may be more video conferencing ability in the future through Webex. The current video conferencing system was used at the Joint Chiefs meeting just between two offices and it worked fine. The districts are getting fiber optic connections that should increase bandwidth soon. The current options involving phones and computers are cumbersome, but we will have to work with them in the short-term. Due to bridge lines and the expense of dialing direct, Deborah seems to have the most difficult time connecting, and at this meeting she was unable to connect entirely. Maybe Webex will fix the problem? Craig R. will set up the next call (in May) through Webex's 800 number, which may work better. Is the committee

losing some of its functionality in not meeting face to face more often? The committee can discuss this at the April face to face meeting.

- 7) **Incentives subcommittee.** The subcommittee met via conference call, and plans to begin formulating questions for a survey to send to the Director's office for approval. The subcommittee will brief the full committee prior to sending the request to the Director's office.
- 8) **Contracting subcommittee.** There was no update for the main committee. The subcommittee will try to meet again before the next LMT meeting.
- 9) **Policies subcommittee.** Now that Don has gone, the policies subcommittee needs to reevaluate what its mission is, and determine its direction with Karen Haight.
- 10) **Policy update.** The draft personal leave policy update that Don had distributed at the February meeting was discussed. Don was supposed to have sent out a copy to the committee electronically but that was not done. Donna will scan in her copy and email it to the committee. The policy has not been posted to the intranet website, no one knew if it was final yet. People seemed to recall that the changes were to bring the policy into compliance with the contract language. Julie will check with Mike Sherron and Karen Haight as to the status of the policy.
- 11) **Other business.**
 - a. District Labor/Management team training. David Long from OCB offered some free, one-day trainings through OCB. LMT has to figure out the logistics on how to get everyone from the districts involved. The trainings are scheduled on demand through David Long, usually a maximum of 30 people and a minimum of 16 people. Julie will talk to Deborah about training options. Does CALMC have a one day training still? People weren't sure. Federal mediation (FMCS) also offers free training, which David Long can also coordinate through Ryan Sarni. David's contact information is david.long@das.state.oh.us or (614) 752-4842.
 - b. OT roster issue. An OT list was distributed to the group from Donna and Mike B., so this issue seems to be finished.

The meeting was adjourned at 12:00 Noon.

Next Meeting: April 27, 9:30 AM, OCSEA-Polaris

Agenda:

- 1) Identify action item/decision recorder
- 2) Review minutes/action items/agenda
- 3) Ohio EPA L-M and the post-Don Starr era
- 4) District-specific employee support issues
- 5) Remote meeting options
- 6) Subcommittee Reports
 - a. Policies
 - b. Incentives
 - c. Contracting
- 7) Policies Update
- 8) Other Business
 - a. District Labor/Management training
- 9) Set next agenda



Interoffice Memorandum

Date: February 24, 2010

Subject: Labor/Management Team 02/23/10 Meeting Minutes

To: Labor/Management Team

From: Mylynda Shaskus, Ohio EPA, Division of Surface Water

February 23, 2010, remote meeting, 10:00AM-11:30AM

Attendees: Deborah Bailey, Mike Bolas, Craig Butler, Heidi Griesmer, Julie Methena, Nita Nordstrom, Craig Rehkopf, Ryan Sarni, Mylynda Shaskus, Mike Sherron, Dave Sholtis, Don Starr, Donna Waggener, facilitator Alauddin Alauddin

Absent: Kelvin Jones, Ken Mettler, Natalie Oryshkewych

Agenda

- 1) Identify Action Items/DecisionRecorder
- 2) Review Minutes/Action Items/Agenda
- 3) District-specific Employee Support issues (skipped)
- 4) Remote meeting options
- 5) Subcommittee reports
 - a. Policies
 - b. Incentives
 - c. Contracting
- 6) Policies update
- 7) Other business
 - a. Don's retirement
 - b. District L/M training
 - c. Overtime roster
- 8) Set next agenda

- 1) Roll call was taken. Dave agreed to record the action items.
- 2) No one had any comments on the minutes from the December meeting.
- 3) **December action items** update. Nita sent Don details of her deposition. Don sent questions to Bryan Zima and Drew Bergman. Some other committee members sent Don their deposition experiences. Craig R. scheduled our remote meetings. Julie got some ideas on incentives from the committee. Ryan said there are no requirements in the contract for specifying the number of hours worked for part-timers. The legal contact for each division is the point of contact for deposition questions. Offices (e.g., PIC) should contact the lawyer for the division that the issue is regarding.

- 4) **Remote meeting options.** The Agency's video conferencing system is on the fritz. The technology is called V-tel. There are sound/audio issues with it, as well as difficulty with document sharing. Since Michael Case is retiring, no one is sure what will happen with the system, or when it will be up and running. We may be able to set up video cameras through Webex. There have also been some recent problems with the conference lines. Some people have been getting a busy signal or a continuous ringing. Craig R. will look into the issue before the next meeting.
- 5) **Incentives subcommittee.** The subcommittee plans to make some recommendations to the Director in the near future regarding a survey on incentives. Someone suggested 1-day-a-week telecommuting as being a possible incentive, even though it was widely thought that recommendation would not be approved through DAS. DAS may have a policy against telecommuting. Julie and Ryan will look into that. Telecommuting is not addressed in the contract. The subcommittee will meet again before the next LMT meeting.
- 6) **Contracting subcommittee.** Deborah had forwarded some information to the subcommittee but there was no update for the main committee. The subcommittee will try to meet again before the next LMT meeting.
- 7) **Policies subcommittee.** The subcommittee got some requested information from Karen Haight. They are still working on understanding the current policy process. OES generates policy changes and sends them to Don for review, input, and outreach. Some people have concerns in the districts that they are not getting policy updates. Policy updates are advertised in the News Source, which some folks may not be reading. Several people have requested that seeing redline/strikeout versions of the old policies would be helpful in determining what changes have been made. This is likely going to be recommendation of the subcommittee. At the next meeting, the subcommittee will present a timeline on when its recommendations will be drafted.
- 8) **Don's retirement.** Don is retiring as of March 12. He is not sure who his replacement will be. Don is making a list of LMT committee-related items for Laura Powell. Don thinks the committee can continue without him until a replacement is found. Could Karen Haight stand in? Possibly, but Laura is the one who primarily needs to be kept up to date. Management will select a new interim co-chair before the next meeting. It is the Director's decision as to who the new permanent co-chair will be.
- 9) **Policy update.** Don distributed a draft personal leave policy update to the present committee members. He will email a copy to the rest of the group after the meeting. The revised policy reflects issues such as personal leave

compensation per the current contract. If anyone has comments they should get them to Don in the next two weeks.

10) Other business.

- a. District Labor/Management team training. Deborah spoke to the union side, and Don will transfer responsibility for this to his successor. The committee agreed to table this discussion until the next management co-chair is selected.
- b. OT roster issue. The contract language says that an overtime roster should be posted, and sent to the union stewards if requested. The underlying issue is that in some cases people feel that overtime is not being distributed openly and evenly. We will need more details to get this resolved – who asked for an OT roster and when? The affected person/people can file a grievance if it is a continuing issue. OT rosters are intended to distribute work evenly among employees with similar work. Don's perception is that this is not an issue he is aware of, but anyone can contact him for a roster of who gets paid OT. Donna can send out info on who gets OT & how much for each district. She will send that out to Deborah for distribution. This issue will be brought up at the next assembly meeting. This information is sometimes generated quarterly, but can be generated in any unit of time using TAS.

The meeting was adjourned at 11:30 AM.

Next Meeting: March 30th, 10:00 AM, remote (Center for Excellence for CO folks)

Agenda:

- 1) Identify action item/decision recorder
- 2) Review minutes/action items/agenda
- 3) District-specific employee support issues
- 4) Remote meeting options
- 5) Subcommittee Reports
 - a. Policies
 - b. Incentives
 - c. Contracting
- 6) Policies Update
- 7) Other Business
 - a. OT roster issue
 - b. District Labor/Management training
- 8) Set next agenda



Interoffice Memorandum

Date: January 27, 2010

Subject: Labor/Management Team 01/26/10 Meeting Minutes

To: Labor/Management Team

From: Mylynda Shaskus, Ohio EPA, Division of Surface Water

January 27, 2010, remote meeting, 10:00AM-12:30PM

Attendees: Deborah Bailey, Mike Bolas, Heidi Griesmer, Kelvin Jones, Julie Methena, Ken Mettler, Natalie Oryshkewych, Nita Nordstrom, Craig Rehkopf, Ryan Sarni, Mylynda Shaskus, Mike Sherron, Dave Sholtis, Don Starr, Donna Waggener, facilitator Alauddin Alauddin, guest Cheri Nelius

Absent: Craig Butler

Agenda

- 1) Identify Action Items/DecisionRecorder
- 2) Review Minutes/Action Items/Agenda
- 3) District-specific Employee Support issues
- 4) Remote meeting options
- 5) Subcommittee reports
 - a. Policies
 - b. Incentives
 - c. Contracting
- 6) Policies update
- 7) Part-time employees
- 8) Other business
 - a. District L/M training
 - b. TAS Audits
 - c. Training subcommittee
 - d. SWDO overtime roster
- 9) Set next agenda

- 1) Roll call was taken. Heidi agreed to record the action items.
- 2) No one had any comments on the minutes from the November meeting.
- 3) **November action items** update. Don checked with Bryan Zima on depositions. Don sent dates for future meetings. Dave sent the News Source article on workplace mediation. Mike B. scheduled a policies subcommittee meeting. Donna sent Deborah contracting subcommittee information. Deborah and Don are not yet ready to report on interest in the districts regarding district labor management training.

- 4) **District-specific employee support issues.** Bryan will discuss deposition issues in future new employee orientations. Bryan is not aware of any specific issues that have arisen in regard to employee depositions. Some examples of depositions were given where employees felt unprepared. Timetables can be short, not leaving enough time for preparation. An example was given of a third-party lawsuit where less than a week's notice was given and therefore preparation was felt to be inadequate. More time would have been helpful so a more thorough preparation could have been done. Can the employee request a delay if the time frame is that short? Does the agency have any liability in these cases? Don will talk to Bryan about the specific details of the case presented today. Don will find out who the proper attorney to contact is. Staff should send suggestions to Don on what would be helpful for deposition preparation.
- 5) **Remote meeting options.** Do we have a bridge line with more than 6 ports, because we need at least 7? The agency has one line with 18 ports and one line with 30 ports, but those are usually the first to be reserved. Can we get the bridge line number in advance? It's in the email but difficult to find. Can we also get the Webex link in advance? The current Central Office phone quality is poor. The phone we are using is the best we have but is inadequate to hear everyone in the room clearly. Video conferencing is still in trial stage, but Craig R. should have an update in a couple of weeks. There is a problem with using the video conferencing system and the phone bridge simultaneously such that it likely will not be feasible.
- 6) **OCSEA personnel changes.** Donald Conley has been appointed as the OCSEA/EPA Operations Director and Bruce Wyngaard will assume other responsibilities for the Union. As some of you know, Don is one of our senior attorneys and had been with OCSEA for about twenty years. He will try to stop by our meeting on April 27 when we're scheduled to be at OCSEA.
- 7) **Incentives subcommittee.** The subcommittee met in December and discussed the current incentives for the agency. Garrett awards are not on the horizon. The subcommittee is working with the Public Interest Center on TREE and service pin notifications. Some people and districts don't participate in the current programs. The subcommittee is considering a potential survey to staff on what incentives they would like to see. The subcommittee met again last week to discuss more details. If anyone has suggestions, send them to Julie by February 12th.
- 8) **Contracting subcommittee.** Donna sent Deborah some info on major contracts in the agency. Kelvin and Craig R. are the other committee members.
- 9) **Policies subcommittee.** The subcommittee intends to go over the current policy process from Employee Services, but hasn't received the email describing

the process from Karen Haight yet. They should receive it by next week and Don will send it to the subcommittee.

10) **Policy update.** Health and Safety committee will be updating some policies. Don will bring them to the labor management committee and an FYI.

11) **Part-time employees.** How are they used? Considered permanent employees, so they have a set schedule of number of hours worked, otherwise they need to take leave. Can they have the number of hours modified up or down at the will of management? Management does have the ability to modify number of hours at will because the number of hours isn't specified for part-time permanent employees in the contract. For example, if someone has a 20 hour a week agreement, can they be made to work 10 or 30 hours instead? Some employees have the number of hours specified in their position descriptions. OES has said they want employees to have a set schedule that does not frequently change. What is at issue, having set hours (e.g., M-F 8-12) or having a set number of hours? This has to do with cost-savings days being used as holiday pay for part-time employees. It's the set number of hours per week that is the issue. For example, in DHWM-CO the part-timers have a minimum number of hours set, but they are informed they may sometimes need to work more. In DHWM-NEDO, the part-timers have a set number of hours and those are the hours they work, or else they take leave. Many of the part-time position descriptions don't specify the number of hours. Can we link a number of hours to each part-time position description? At least a range of hours more specific than "less than 40"? Is this currently an issue for any of the part-timers? Not that we're aware of. Maybe some people would want to leave their position descriptions flexible? As a group, where do we want to progress with this issue? Only 44 employees of 1186 in the agency are part-timers, so do we want to spend much time on this issue? Can the labor/management team agree that we want to ask OES to start including a set number of hours in the part-time position descriptions? No, we will not reach consensus on that issue. The part-timers are protected under the Union so they can work out these issues through the Union if they need to. Ryan will research this as a contract issue and get back with us.

12) **Other business.**

a. District Labor/Management team training. Postponed to the February meeting.

b. TAS audit. Are we keeping any data on quarterly TAS employee audits? Supervisors and managers turn in issue/nonissue reports to division chiefs. The information is kept on file in case it is needed. What is the issue? We could use the statistics to support our staffing levels. Do we need to do the audits quarterly if it's not an issue or could we scale back? All sign in/sign out logs are kept in fiscal. Supervisors frequently check TAS to assure correspondence with the sign in/sign out log every pay

period. If discrepancies arise, they are usually handled by the supervisor. If the situation progresses to formal discipline, the Union receives that information. The only continuous report is regarding unpaid leave usage. What about scanning ID's in central office, can that be used as a "time clock" to take disciplinary action? If so, according to the contract, wouldn't the labor/management team need to be involved? Scanning is meant to enhance security, not as a time clock. If any time clock issues arise, they will be brought up to labor/management.

- c. Training subcommittee. Can we go back to the original proposal to send to the Director? Yes.
- d. OT roster issue in SWDO. Nita will send out a synopsis of the issue to discuss at the next meeting. She will send it to the Union side first, in case it can be resolved that way first.

The meeting was adjourned at 12:30 PM.

Next Meeting: February 23rd, 9:30AM, remote

Agenda:

- 1) Identify action item/decision recorder
- 2) Review minutes/action items/agenda
- 3) District-specific employee support issues
- 4) Remote meeting options
- 5) Subcommittee Reports
 - a. Policies
 - b. Incentives
 - c. Contracting
- 6) Policies Update
- 7) Other Business
 - a. OT roster issue in SWDO
 - b. District Labor/Management training.
- 8) Set next agenda