



Interoffice Memorandum

Date: September 8, 2015

Subject: Labor & Management Team 9/2/2015 Meeting Minutes

To: Labor/Management Team

From: Cathy Altman, DMWM-SWDO

Attendees: Cathryn Allen, Cathy Altman, Ralph Baker, Mike Bolas (facilitator), John Crist, Barbara Follmann, Karen Haight, Kelvin Jones, Maria Lucente, Ken Mettler, Matt Hittle, Natalie Oryshkewych, Jim Sferra, Pete Whitehouse. Meeting took place at OCSEA.

Absent: Donna Waggener, Adam Ward, Leslie Williams

Agenda:

- 1) Greetings and Introductions
- 2) Reason for Group, Contract
- 3) History, CALMC Training/Interest base discussion
- 4) Identify Action Items/Decision Recorder
- 5) Review Minutes/Action Items/Agenda
- 6) District-specific employee support issues:
 - a. Implementation of personal leave in 2 hrs. increments
 - b. Potential impacts on 401 staff/program regarding Rules incorporating jurisdiction to Certified Professionals to implement wetlands oversight
 - c. Work Plans and intent
 - d. Flex and OT conflicts in messaging/application
 - e. Enforcement/ER new division – status update
- 7) Other business
 - a. Joint effort to identify mutual issues. Submit quarterly progress report on committee's function, mission, goals, etc.
- 8) Policies Update: IT policy
- 9) Subcommittee
 - a. Training availability throughout the Agency and State

Minutes:

1. We have new members so we started with everyone introducing themselves.
2. Mike B. explained the reason for the group and the requirements in the contract.
3. Mike B. provided a brief history of the committee
4. **Action Items** to be recorded by Cathryn Allen. **Minutes** taken by Cathy Altman.

5. **Roll call** was taken. The February 2, 2015, meeting minutes were reviewed. Spelling correction was made to Elisha Ehnes name. With the one correction the meeting minutes were approved.

6. **District Specific Employee Support Issues:**

a. **Implementation of personal leave in 2 hrs. increments:** The Union has an active grievance on the interpretation of the language in the contract. We discussed implementation questions:

- i. What happens when an employee has less than 2 hr. increments left – those hours will get carried over (any hours over 40 will be paid out);
- ii. Have there been any issues with employees who are 5:00 coverage needing to take 3 hours off at the end of the day so they take 1 hr. of vacation and 2 hrs. of personal leave – management has not heard of any employees being denied the leave, not an issue at this time; and
- iii. can an employee separate the 2 hour increment throughout the day so it totals an even number (e.g. employee takes 1 hour off in the morning, then 1 hour off in the afternoon = 2 hrs. of personal leave) – Karen will check on this and report back.

b. **Potential impacts on 401 staff/program:** new budget proposal establishing certified professionals to implement wetlands oversight. The Union has concerns regarding the impacts to current employees - will there work be shifted to outside entities, will this eliminate DSW positions, what was the reason or need for the new program, was there a backlog of permits that necessitated having consultants do the assessments in place of bargaining unit employees? Because the rules have not been written, management does not know what will be planned, but believe the legislation is intended to make the process more efficient and allow more work to be done. Management does not anticipate losing positions – just added 3 to SEDO. Pete W has been consulted because he was involved with the introduction of VAP. Karen H will talk with Tiffani Kavalec, Chief of DSW to get an update.

c. **Work Plans and intent:** Union wanted clarification on how the tracking came about and the intended purpose, there is a concern that not meeting or exceeding hours designated for a task will come back on staff. Management didn't have a good method for tracking how effectively the agency uses its resources. Management is responsible for determining the workloads and figuring out reasons for discrepancies between planned hours and actual hours worked (e.g., did a project end up being more complex, was the staff not properly trained or given the appropriate tools to get the work done, did an emergency arise that changed agency priorities). Management will evaluate the work loads and make adjustments as needed. Union would like more open communication

regarding how the workload hours are planned, when the workloads will be reevaluated, and how management plans to do the evaluation.

- d. **Flex and OT conflicts in messaging/application:** staff has been told they cannot claim overtime in any week they take any type of leave not just sick leave they must flex time instead, (an employee took vacation leave on a Monday then was asked by supervisor to conduct an inspection that would go longer than 8 hours but employee was told they had to flex the time off of Monday and could not claim OT). Management must provide 2 week notice to change an employee's work schedule to accommodate work-loads (i.e. work 9 or 10 hour days). Union wanted clarification on whether policy had changed – it has not, sick leave is the only leave that has an overtime restriction. Management does not want staff inappropriately requesting OT (e.g., waiting to do an activity/inspection that is known to take longer than 8 hours during the same week of taking leave in order to claim OT.) Staff were reminded by management that staff has the right to grieve any instances where OT is denied. Management can't force flex time (except where the policy allows with sufficient notice), but employees can voluntarily take flex time over OT. Karen agreed to review the policy with management. Another issue for staff is travel times to some inspections are very long giving staff few hours to conduct an inspection. Some have been told they cannot work beyond 5:00, forcing them to take 2 days to finish an inspection instead of 1 day. Staff feels this is wasting time and resources, not only for the agency, but for the facility being inspected. This is not necessarily an OT issue but having the ability to work longer days to do our jobs and flex the time in the week. We also discussed the proper way to code OT (on the day you worked longer than 8 hours or at the point when you exceeded 40 hours?) Time cards must be accurate to the work you were doing on the day.
- e. **Enforcement/ER new division** – status update: Marc Glasgow is the new chief, Ed Gortner is assistant chief. Karen will be reaching out to the union regarding proposals for the new division and who will be impacted (she cannot talk directly with staff she must go through the Union staff rep). The purpose of the new division is to make us more efficient and effective when responding to spills. Some of the Kaizen ideas have been implemented. Union has heard rumors about employees being moved – duty officers moved in with other state dispatchers, moving office locations from SEDO to Groveport. Management is evaluating whether consolidating duty officers with other state agency dispatchers will be productive but no final decision has been made. No decision has been made on whether SEDO responders will move to Groveport. Currently SEDO and CDO cover each other's districts on weekends. Karen will reach out to the union when the decisions are made. Karen has provided SEDO's staff rep with one proposal.

7. **Other business:** Mike B. wanted to add “Brainstorming for Future Topics” to the next agenda. Members will bring ideas for topics/issues the committee may want to work on.
8. **Policies Update:** No new policies but ES is working on revising policies based on changes in the current contract. Karen will send the policies to Barbara F. and L/M committee members for comment.
9. **Training:** Rod Spain has been rehired until the end of the year and been tasked with developing a DEAL 2 program. Rod started the first DEAL program. A new training manager position will be posted. The new training manager will be responsible for coordinating DEAL 2 and other trainings. Rod reached out to Maria L. asking for the union’s input on training. Side note – the LEAN coordinator Elisha will be leaving the agency. The LEAN coordinator position has already been posted.
10. **Additional topics.**
 - a. **Agenda:** We discussed getting the agenda out 2 weeks in advance to given members time to review and collect information. There had been some issues getting all the items together this time but will work on meeting the 2 week timeframe.
 - b. **Survey results:** Director is concerned about survey results and is working with Chiefs for ideas to address the issues. Cannot do any monetary incentives. One complaint about the survey was there was no way to leave a comment. Cathryn A. reminded the committee about the suggestion page on the Intranet. The suggestions are emailed to Cathryn and she forwards them on to the appropriate individuals but the Director sees all the suggestions. Cathryn will put a reminder in the New(s)Source about the link. Some districts have already met with staff in an attempt to generate ideas. Union wanted to make sure the Director understood the survey results were not just about attitudes. We discussed the role this committee could have on coming up with ideas. Cathryn offered to have more feature stories in the New(s)Source but the problem was having people volunteer. We talked about bringing back International Day, which always seemed to be a successful event. We can do “brown bag lunches” just need to ask ahead of time.
11. **Next meeting’s agenda.** Carry forward topics that were tabled or need further discussion. Update on action items.
 - a. update on 401 program;
 - b. update on new ER division;
 - c. develop topics for the committee to discuss; &
 - d. brainstorm ideas for improving employee engagement

Meeting Adjourn 12:20 PM

Next Meeting: November 4, 2015 @ 9:30AM at OCSEA Polaris

TO: Labor/Management Team
FROM: Karen Haight, OES
SUBJECT: Labor & Management Team 11/4/2015 Meeting Minutes
DATE: November 5, 2015

Attendees: Cathryn Allen, Leslie Jenkins, Mike Bolas, John Crist, Barbara Follmann, Karen Haight, Kelvin Jones, Maria Lucente, Ken Mettler, Matt Hittle, Donna Waggener, Pete Whitehouse. Meeting took place at OCSEA.

Absent: Ralph Baker, Natalie Oryshkewych, Jim Sferra

Agenda:

- 1) Greetings and Introductions
- 2) Identify Action Items/Decisions/Recorder
- 3) Review Minutes/Action Items/Agenda
- 4) District-specific employee support issues:
 - a. E-Docs impact on work process and timeliness.
 - b. Update on ER move/roles for duty room and OSCs.
 - c. Decentralization district IT staff from CO reporting to district office reporting.
 - d. Protocol and log book templates for sign in/out for field work. Any consistent directive given or can vary by district, unit, etc? NWDO example.
 - e. Policies Update: Conduct and Discipline Policy updated per contractual changes.

Minutes:

1. Discussion was had regarding future use of facilitator. Mike Bolas had been temporarily filling the role. Barb F. pointed out that most L/M teams facilitate themselves and since BU normally had more agenda items they historically do the agenda. Consensus was reached that group would move forward without specific facilitator and would evaluate the need as time progresses. Karen agreed to reach out to two people in the Agency who could facilitate if the need arose with future meetings. Minute taking/action items would be rotated between L/M. Expectation for action items is a one week turnaround and minutes within two weeks. Minutes and other items need to be updated on the intranet and internet. Cathryn will update once provided the necessary information.
2. Action items to be recorded by Mike Bolas. Minutes taken by Karen Haight.
3. Roll call was taken. The September 18, 2015 meeting minutes were reviewed and approved.

4. District Specific Employee Support Issues:

- a. E-Doc impact on work process and timeliness:** Some employees feel that e-docs is impacting work process. Employees have been told that they can't maintain personal files and must use documents from the eDocs system. Employees want own file, paper instead of electronic. Many feel the eDoc transition isn't going smoothly. John explained that the Agency maintains the official document in eDocs. There should not be a duplicate at one's desk unless they are working on the document. Historical documents should not be maintained in an employee's files because it becomes problematic for purposes of responding to public records request. Pete discussed the expectation in DERR-if an employee is working on a document it is allowed to be maintained at desk as working copy. Paper copies are to be destroyed in accordance with records retention policy. Goal is to ensure that all documents identified in eDocs. Ken raised an issue specific to OSI and the need to maintain original paper documents for evidentiary purposes. John explained that the Agency has the ability to put documents on "litigation hold" for discovery and litigation purposes. John and Ken would discuss specific issues unique to OSI outside of the L/M meeting. John explained that the new Public Records policy was causing some confusion; however, the policy does indicate that records have to be organized and easily accessible. Only need to preserve official record and a print copy is not the "official" copy. There was some discussion regarding the quality of documents in eDocs and John indicated that these concerns are to be raised to the eDocs Governance Board. Contacts are Rich Boudier and Mandy Payton in the Director's office. John discussed eDoc and public record training that has been done and indicated that divisions can contact him to schedule training. A question was raised about putting voluminous documents in eDocs as a strategy to save space. John explained that the eDocs governance board is proposing "backfile" strategies for each division to scan older (pre eDocs) documents, and that employees could discuss the backfile strategy with their representatives on the governance board, who could then raise it to the entire board.
- b. Update on ER move:** two OSC employees from SEDO have moved to ER in GFO. One CO, ER employee has moved to GFO. Two additional CO, OSCs are to move to GFO in the near future, but timeframe is uncertain due to rearranging of pods at GFO. Consolidation of the ER, SEDO and CO, OSCs allows for larger pool for purposes of response and on call schedule. There was discussion on how "on call" system worked and Peter indicated that it the schedule is set well in the future and is voluntary on the part of the employee. Employee has the ability to decline the call. Pete pointed out that if there needed to be changes in the schedule the OSCs normally work it out amongst themselves. Concern was raised by Kelvin on the communication of changes with regard to the movement of OSCs and the lack of notification to the appropriate people in the Union. Karen indicated that she worked with the OCSEA staff representatives and local stewards in reaching an agreement

and if there those who were not contacted it was unintentional. There was a discussion on the possible move of the duty room to EMA. It was pointed out that this is one option being explored but there has not been a final decision made regarding the duty room. There was a question on whether the employees would become EMA employees if they are moved to a location within EMA and would night duty be eliminated or consolidated with EMA. If positions are moved to EMA they remain Ohio EPA employees. No decisions have been made regarding night duty functions and/or consolidation with EMA. Group decided to add the issue of night duty and potential move of duty room to EMA for future discussions.

- c. Decentralization of District IT staff:** concern was raised about the conflicting priorities that IT staff located in districts is experiencing. Karen stated that IT had provided a draft to District Chiefs regarding IT staff roles and responsibilities for those IT staff located in district offices. This includes operationally and administratively. Programmatic assignments come from IT, CO. Districts would have administrative responsibility with regard to employee (sign in/out, coverage, etc) This is being worked on and more information will be provided to staff in the future. Maria will put this item on the IT L/M agenda.
 - d. Staff development plans for new staff:** Development plans, although a good idea and encouraged, are not a requirement for new staff at this time. Maria pointed out that development plans used to be done on a regular basis but has not been a priority once the Agency lost its training supervisor. Discussion of the possibility of development plans being done regularly in the future since a training officer has recently been hired.
 - e. Protocol and log book templates for sign in/out for field work:** There was discussion that each division/district has different requirements for field employees with regard to signing out, unscheduled stops, etc., and whether the requirements need to be consistent. It appears that a singular method may not work for all divisions due to the nature of their work. The topic was tabled until more information could be obtained from Ralph (was not present at the meeting).
 - f. 401 DSW program:** This topic was raised at the last L/M meeting. Karen and Pete will get more information from DSW on the status of the 401 changes and rationale for changes. Concern was raised about the turnaround time for review, auditing and environmental impact if done by certified professionals. Maria pointed out that there had been 7 positions in 401 in 2011 and now there are two. Pete and Ken pointed out that positions had been moved to district offices. Maria asked Karen to find out if the 401 has maintained the same staff level.
- 5. Other business:** Maria discussed what she had learned from her meeting with Rod Spain and Cindy Money about the new DEAL program and training in general. Classes for DEAL were developed based on a needs assessment coordinated by Rod Spain.

Chiefs are making recommendations for candidates for the first cohort. Director's office will make the final selection. With regard to other training, the Union raised the question of whether the Agency will allow state time for agency staff to take training to maintain their credentials (such as PE license). Union will put together a proposal with rationale for consideration.

6. **Policies Update:** No new policies. John and Karen will be working on revising existing policies over the next couple of months, including clarifying union leave requirements and TAS coding. Karen explained the Statewide Safe Driver Program being implemented by DAS. Purpose of program is to ensure that employees have a valid driver's license.

7. **Additional topics.**

- a. **Meeting dates: 2016**

February 10

May 4

August 3

November 2

Next Meeting's agenda: Carry forward topics that were tabled or need further discussion. Update on action items. Includes: update on 401 and ER programs.

Meeting adjourned: 12:20 pm

Next Meeting: February 10, 2015 @ 9:30 am at OCSEA Polaris