

PEF LABOR/MANAGEMENT Meeting Agenda

ISSUE:

Management will provide an update on moves, relocations and leases

New Business:

Number:

Old Business: X

Number: 1

INITIATED BY:

PEF	X	Management		
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RESPONSE:

Mr. Reichelt advised attendees that updates on moves, renovations, and leases are available on the BMS intranet site. A listing of projects and their status was provided to attendees. Mr. Reichelt discussed projects and provided updates. BMS will review the security stipulations in the lease at 50 Clinton Street, Hempstead, NY. Tenant agencies should advise BMS of any facility issues and concerns.

RESOLUTION/DECISION/NEXT ACTION:

MINUTES REVIEWED BY:

PEF		Management		
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PEF LABOR/MANAGEMENT Meeting Agenda

ISSUE:

As a matter of convenience and pursuant to the contract, PEF would like to develop an agency-wide agreement that will allow us to use an Electronic Bulletin Board to communicate Labor Management related matters.

New Business: X

Number: 1

Old Business:

Number:

INITIATED BY:

PEF	X	Management		
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RESPONSE:

Lee Ryan stated that a small workgroup will be formed with 3 or 4 members from both labor and management to plan and develop and implement the Electronic Bulletin Board. Paul Rickard will get back to Lee Ryan to supply names of labor committee members. This bulletin board will mirror existing physical boards as stipulated in the contract.

RESOLUTION/DECISION/NEXT ACTION:

MINUTES REVIEWED BY:

PEF		Management		
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PEF LABOR/MANAGEMENT Meeting Agenda

ISSUE:

Parking Issues – The recurrent problem of access to parking for disabled individuals has been very troubling for us. While as part of this issue we would like an update on what management has been able to do regarding handicapped accessible vans or other approaches to ameliorating the problem, we also feel that it is time to establish a Parking Committee that will participate in establishing policy and contribute to the process. It will likely require naming of members from CSEA as well as PEF. Our involvement will allow us to be better informed of what is available and to provide input that may avoid future concerns.

New Business: X

Number: 2

Old Business:

Number:

INITIATED BY:

PEF	X	Management		
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RESPONSE:

Mr. Reichelt indicated he has had discussions with OGS regarding shuttle vans, however, OGS stated they will not be providing medical vans or shuttle service. He indicated that there is a statewide parking committee and accordingly there is no need to establish another at this time. However, Management will look into this further and continue discussions with OGS. Mr. Reichelt will provide updates to Mr. Rickard. PEF was concerned about retaliation with requests for reasonable accommodation with regard to parking or any other medically based requests. Management is unaware of any retaliation but has assured the union that this will not be tolerated. It was agreed that the issue of the medical vans will be brought to the statewide parking committee by PEF. Management will contact Mr. Rickard within two weeks regarding consideration of the establishment of an agency wide parking committee.

RESOLUTION/DECISION/NEXT ACTION:

MINUTES REVIEWED BY:

PEF		Management		
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PEF LABOR/MANAGEMENT Meeting Agenda

ISSUE:

Management has brought a number of disciplinary actions of late on the subject of system misuse. We understand that a new evaluative procedure is being used on this topic and would like to be informed of the details. Points to be covered are:

Under what circumstances will the new protocol be used?

How will management avoid overreactions?

Will receipt of rather than transmission of materials be treated differently?

How will management insure that discipline is both measured and fair, especially as it relates to different instances or types of allegations – Will standards be developed or are we dealing with a case-by-case scenario?

New Business: X

Number: 3

Old Business:

Number:

INITIATED BY:

PEF	X	Management		
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RESPONSE:

Ms. Ryan distributed the protocol for inappropriate use of emails and internet and explained the process (To be attached to the minutes). Situations will be evaluated with appropriate measures taken in consideration of the violation. Management assured Labor that they will adhere to the contract with regard to employee rights.

RESOLUTION/DECISION/NEXT ACTION:

MINUTES REVIEWED BY:

PEF		Management		
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PEF LABOR/MANAGEMENT Meeting Agenda

ISSUE:

We would like an update on the system notification for AED first responders.

New Business: X

Number: 4

Old Business:

Number:

INITIATED BY:

PEF	X	Management		
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RESPONSE:

Ms. Ryan advised DDD is fully operational with regard to the system notification for AED first responders. Management is working with OFT in implementing the notification system agency wide. It is expected to be operational by mid June. PEF commends Management on a positive response to this safety issue.

RESOLUTION/DECISION/NEXT ACTION:

MINUTES REVIEWED BY:

PEF		Management		
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PEF LABOR/MANAGEMENT Meeting Agenda

ISSUE:

The Employee Handbook, not the APPM, states "A message left with co-worker or on voice mail is not valid notification." PEF requests that this sentence be removed from the Handbook. PEF agrees voice mail is unacceptable for vacation or personal leave because those leaves require prior approval. However, sick leave does not require prior approval but does require notification within two hours of regular start time.

New Business: X

Number: 5

Old Business: X

Number: 1

INITIATED BY:

PEF	X	Management		
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RESPONSE:

Ms. Ryan indicated that the proper call in procedure must be followed. Operational need dictates that supervisors are able to learn the status of work projects which may be affected by the absence.

Management will adjust the APPM and employee handbook to indicate that Divisions have discretion and flexibility to establish who to contact in the event an employee needs to call in to report illness. After an extensive discussion, Labor indicated that they are not in agreement with the policy that prohibits voice mail call in for sick leave purposes.

RESOLUTION/DECISION/NEXT ACTION:

Management will supply PEF with the Employee Handbook as it stood in 2004.

MINUTES REVIEWED BY:

PEF		Management		
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PEF LABOR/MANAGEMENT Meeting Agenda

ISSUE:

In light of the fuel price increases, reconsideration of both the four day work week and earlier start time for employees is indicated. Public benefits including reducing commute-related traffic congestion, reduction in fuel consumption and resulting air pollution all occurring simply as the result of varying the work schedule. That, coupled with proven increases in productivity from alternate scheduling, makes this topic even more mutually beneficial.

New Business: X

Number: 6

Old Business:

Number:

INITIATED BY:

PEF

Management

RESPONSE:

Management believes that outside of special circumstances with DDD, that there is already sufficient flexibility available through compressed work week, flexible hours, and VRWS to meet employee needs.

Labor disagrees with management's views on this issue.

RESOLUTION/DECISION/NEXT ACTION:

MINUTES REVIEWED BY:

PEF

Management

INFORMATIONAL ITEM

Management will update Labor in regard to the Personal Emergency Notification System (PENS), how it works, where data comes from, and when it will be used.

OTDA Investigation Process for Allegations of Inappropriate Use of Computer, E-mail, Internet

- ◆ A process has been established for seizing computers of potential targets for discipline for violating agency computer usage, internet and email policies.
- ◆ These seizures may include allegations of inappropriate use of e-mail and internet as well as displaying sexually explicit or other potentially offensive documents on the computer.
- ◆ Process is: BHR and Legal discuss allegations. If allegations are serious enough to warrant further action, advises the Deputy Commissioner for the Division where the computer may be seized. Counsel, BHR, and the Deputy will meet to discuss the case before the computer is seized. If there is no consensus within the group, the Commissioner will decide whether or not to seize and analyze the computer.
- ◆ Once agreement to seize a computer is reached, the LAN administrator for the program area will confiscate the computer. The administrator may also be asked to freeze e-mail accounts and close internet access. The computer will be secured, and proper technical forensics will be used to determine if violations of agency policy has occurred.
- ◆ As per John Paolucci's April 5, 2006 memo to all employees, staff must be aware of the policies, which are located in the APPM. Judgment will be used in assessing the severity of the violations and determining the proposed disciplinary penalty, if any is warranted.
- ◆ Supervisors and managers have an obligation to take action upon any allegations of violation of our policies in order to prevent the potential of creating a hostile work environment, and also to assure that staff are productive, and not using state resources inappropriately.
- ◆ Sending/forwarding of sexually explicit e-mails can be construed as sexual harassment and can make the agency liable for damages due to a "hostile working environment".
- ◆ Accessing, downloading, e-mailing/forwarding of sexually explicit materials that contain children is a criminal offense and will be referred to the law enforcement authorities.

The following individuals were present at the PEF Labor/Management meeting on May 25, 2006 at PEF Headquarters.

<u>LABOR</u>	<u>MANAGEMENT</u>
Germaine Greco	Randy Harris
Marion Fox	Scott Edwards
Wendy Phillips	Bob Mastro
Olubiyi Sehindemi	Lee Ryan
Steven Schwartz	Mike Normile
Paul Rickard	Bob Morris
Dale VanBuren	Rus Sykes
Rosanne Lewit	John Paolucci
Arlea Igoe	John Arena
Usher Piller	Donna Faresta
Karen Roberts	Debra Stark
Wayne Barnard	Keith Reichelt
Richard Fletcher	Kevin Boyle
	Susan Burdick