

Minutes for the Labor Management Team

Call to Order

A Labor Management meeting of Ohio EPA Management and OSCEA Representatives was held on Thursday, June 30, 2016 at the OCSEA Polaris. It began at 9:40a.m.

Attendees

Members in attendance included: Ralph Baker, Patti Hill, Leslie Williams, Mike Bolas, Cathryn Allen, Karen Haight, Maria Lucente, Ken Mettler, Matthew Hittle, Pete Whitehouse, John Crist, Sarah Lemanski

Members in attendance via teleconference: Natalie Oryshkewych

Guests in attendance included: Tiffani Kavalec, Kathleen Botos

Members not in attendance included: Donna Waggener, Jim Sferra, Kelvin Jones

Agenda:

1. Identify Leads
2. Review Minutes/Action Items/Decisions/Recorder
3. Identify action item/decision reorder
4. Policies (OAI (new); MVU (revised); Outside Employment (revised))
5. Potential Impacts on 401 staff/program regarding Rules incorporating jurisdiction to Certified Professionals to implement wetlands oversight with Tiffani Kavalec at 11:00a.m.
6. District-specific employee support issues:
 - Morale issues/ Survey NWDO results
 - New Normal/ changing expectations/ increased response/ competing priorities, etc. Defining and communicating expectations.
 - Interns and bargaining unit work
 - Performance evaluations/goals – overlapping term because forced to do perf. Evaluations prior to existing one being up and/ or prorating term (longer than 12 months) and consequences of it on staff. Also goals related to interns.
 - Manipulation of schedules for less OT accrual – modifying normal scheduled work hours or active leave use to reduce OT.
 - Management doing work instead of bargaining unit during “emergency”
7. Other business
 - Joint effort to identify mutual issues
8. Policies Update: OAI and MVU
9. Subcommittee
 - Training availability throughout the Agency and State
10. Set next agenda

Minutes:

1. There was no facilitator identified for the meeting. Minutes were taken by Sarah Lemanski.
2. The March 2, 2016 meeting minutes were reviewed and approved.
3. **Action items:**
 - a. 401 program
 - b. Karen agreed to update the Director on the stress that the uncertainty of priorities/expectations from supervisors to employees causes the employees. The specific divisions mentioned as an issue were DERR – district/CO and DGW. Supervisors need to be reminded to have open communication with their employees throughout the day regarding priorities.
 - c. Karen will send Maria a current list of employees in a TWL. Amanda will follow up monthly. Maria indicated she had been receiving list of TWLs.
 - d. Karen will distribute revised policies.
 - e. Kathleen send out link to governor's office memo garity rights link.
 - f. Motor vehicle policy page 6 #8 correction
4. **Policies Update:**
 - a. Administrative Investigation: [Union provided comments to management about the OAI policy ahead of the L&M meeting on May 9, 2016, beyond those discussed. Management \(OAI\) did indicate they received and were taking into consideration the comments received.](#) Kathleen gave an overview of the new Administrative Investigation policy and stated the purpose of the policy was to give a straightforward expectation for employees and supervisors involved in an AI. The policy is to assist the Agency in holding employees accountable in a consistent and respectful manner. The union requested clarification as to when supervisors will conduct the interview portion. Kathleen explained the supervisors will only be conducting the interview portion for straightforward investigations such as; backing a car into a pole. Neither Kathleen or Will, will not be providing a disciplinary recommendation. Retaliation will not be tolerated. Employees are able to contact Karen, Kathleen or Lynette (EEO) with any questions or concerns. [Another comment from Union was the request that a steward be made available under either investigation situation – if the BU employee is a witness or is the subject of investigation. OAI said they were okay with allowing a steward for the witness sessions as well. Also, Union asked for how long the investigatory records will be kept and if they are public record. OAI stated records are kept for 3 yrs. No answer provided, at the time, regarding if reports and associated documentation are a “public record”. Union stated some people are not comfortable getting involved to report wrong-doing. OAI stated this is more for employee's protection, not a tool to go after someone who fails to report wrong doing. A reference to Governor's memo was made, which speaks to illegal activity. The Governor's memo \(Apr 7, 2011 to Dept./Agencies\) was provided as an attachment to the OAI policy.](#)

Kathleen provided the documents requested. Please see attachments.

DAS link:

<http://www.das.ohio.gov/Divisions/HumanResources/HRDOCBPolicy.aspx#SuspectedActivity>.

- b. Outside Employment: John Crist elaborated on the purpose of the Outside Employment Policy. The intention is to simultaneously protect both the agency and its' employees. Karen Haight will be the point of contact. Supervisors have the ability to ask questions regarding scheduling. If any issues or questions arise contact Karen.
 - c. Motor Vehicle: The union requests the policy differentiate between daily assigned versus permanently assigned. Management will review and revise if necessary. [Union concerned about scope of responsibility placed on BU employees to ensure vehicle is safe to operate](#). Karen will speak with Operations and Facilities regarding employee responsibilities under the revised policy.
5. Tiffani discussed the rationale behind the Ohio Environmental Protection Agency Performance Audit June 2015. She also provided clarifications on the roles and responsibilities of DSW's new Water Quality Certified Professional (WQCP).
 6. The union voiced concern regarding employees being uncertain of their expectations and priorities due to lack of communication from their supervisors. Employees feel their priorities change throughout the day/week etc. and are not communicated specifically in DERR and DDAGW.
 - a. Remaining agenda items to be discussed at next meeting.

Meeting adjourned: 12:54p.m.

Next Meeting: August 23, 2016 @ OCSEA Polaris