

MEETING MINUTES

OTDA PEF Labor/Management Meeting

Date: January 12, 2022

Location: 1168-70 Troy Schenectady Road, Latham, New York 12110 and 40 North Pearl Street, Albany, New York 12243

Time: 9:00 a.m. to 12:00 p.m.

Introductions

Agenda Items

1. Agenda Item – COVID Concerns

New Business Old Business

Description: Labor has great concern for the continued safety of its members, due to the significant increase in reported COVID cases.

- 1) Please provide a monthly accounting of reported COVID cases within OTDA, per month since the start of the Pandemic in Feb 2020 to the present.
- 2) Is OTDA continuing to operate under the COOP plan for the pandemic?
- 3) PEF intends to propose language at the L/M meeting to allow for increased telecommuting due to exigent circumstances for a limited duration.

Response:

1) OTDA POSITIVE COVID-19 CASES BY MONTH

MONTH	# OF CASES
February-20	0
March-20	5
April-20	8
May-20	3
June-20	0
July-20	1
August-20	0
September-20	0
October-20	1
November-20	9

December-20	35
January-21	30
February-21	13
March-21	14
April-21	9
May-21	2
June-21	0
July-21	1
August-21	5
September-21	12
October-21	15
November-21	17
December-21	88
January-22	59
TOTAL CASES	327

2) Yes.

3) The telecommuting limit will be increased up to 5 days per pay period through March 31st and then reassessed at that time. All other provisions of the [telecommuting policy](#) will remain in effect.

2. Agenda Item – Schedules and Hearing Officers

New Business Old Business

Description: Schedules and Hearing Officers are still over worked, three calendars a week. No end in sight. We would like an update, including answers to:

1. Have the 3/2 calendars helped bring the number of unscheduled cases down? Where are we in numbers now? What were the numbers in November 2020 when the 3/2 started?
2. How many more calendars are actually being done since the 3/2 started? We would like to see the actual numbers.

Response: First, Management cannot thank the staff enough for their professionalism and commitment during a very difficult year. We remain committed to an open dialogue on our process and share the goal of returning to one-to-one scheduling when it is operational feasible (i.e. when we are able to meet our timeliness mandates and keep up with intake while reducing the backlog).

Currently the backlog is approximately 39,000 hearings. At the start of 3/2 scheduling, we had 105 Hearing Officers statewide and the change in scheduling gave each Hearing Officer approximately 21 additional calendars per year over 1/1 scheduling (that is an increase in 230 hearings per Hearing Officer per year, or approximately 24,000 additional hearings per year).

Unfortunately, we have lost 8 Hearing Officers over the period in question, the complexity of our hearings has increased (resulting in our having to schedule fewer hearings per calendar), our case mix has skewed to more complex hearings overall, and FIDE (which is almost entirely complex Medicaid cases, approximately half of which require a translator making them take even longer) is currently at 3 times its predicted volume and increasing. As a result, despite having an additional approximately 22,000 hearings per year even with our reduced strength, the backlog has increased by approximately 3,000 since 3/2 scheduling began.

Our planning for the coming year is based on our expectation we will receive approximately 200,000 hearing requests in 2022. Management will discuss our staffing needs with DOH and based on that number, with the goal of meeting our timeliness mandates, reducing the backlog and returning to 1/1 scheduling. Once we have approval for a specific staffing number, we will be able to determine when a return to 1/1 scheduling will be operationally appropriate.

Labor is strongly requesting and will continue to request that Management implement operational procedures that will decrease the hearing burdens placed on our Hearing Officers.

Management will look to replace writing days lost due to holidays.

3. Agenda Item - Hiring Freeze Waivers

New Business Old Business

Description: Labor would like an update to the pending Information Technology Specialist 2 and Information Technology Specialist 3 positions across OTDA.

Labor would also like an update on the total DDD positions requests pending for:

DA5's

DA4's

DA3's

DA2's

Response: Pending Information Technology Specialist (ITS) 2 and ITS 3 positions across OTDA

ITS 2: None

ITS 3: One ITS 3 (Database) in Albany – Request to fill pending move of position from NYC to Albany

Update on total DDD positions requests pending:

DA5's: Albany – 2 (currently recruiting)
NYC – 1 (currently recruiting)

DA4's: Albany – 1 (currently recruiting)
Endicott – 3 (currently recruiting)
NYC – 1 (currently recruiting)

DA3's: Albany – 4 (currently recruiting)
Buffalo – 3 (currently recruiting)
Endicott – 4 (currently recruiting)
NYC – 3 Appointments made effective 1/11/22

DA2's: Albany – 22 approved, 15 appointments pending*, 7 still recruiting
Buffalo – 13 approved, 7 appointments pending*, 6 still recruiting
Endicott – 28 approved, 23 appointments pending*, 5 still recruiting
NYC – 39 approved (27 approved in October. 12 approved in December), 26 appointments pending*, 13 still recruiting

DA2 (SL): Albany – 3 still recruiting
Buffalo – 2 still recruiting
Endicott – 2 still recruiting
NYC – 3 appointments pending*

*DA 2s set to start 1/20/22

4. Agenda Item – Case Reassignments

New Business Old Business

Description: Due to staff attrition and long-term leaves, case reassignments have been distributed inequitably. Labor requests that Management consider minusing of cases for case intake reassignments.

Response: Management will discuss both action items with local Labor representatives at their next Labor Management meeting.

Action Item: Management will investigate the case reassignments and report back to Labor at the next Labor Management meeting.

Management will investigate the possibility of a uniform policy across the state in regard to the modification of case intake when someone is leaving or retiring.

FINAL

5. Agenda Item – Recruitment of New Employees and Retention of Existing Employees

New Business Old Business

Description: In light of so many pending vacancies, eligibility lists expiring, lack of pending civil service exams, and limitations on Civil Service testing sites due to COVID restrictions....

What is OTDA's plan for recruitment of new employees and for retention of existing employees?

Response: OTDA is currently recruiting for over 130 positions. Since December 1st we've hired 117 staff, 72 of which are Disability Analyst 2's. Human Resources continues to work with the Department of Civil Service to determine the best options for recruitment of new staff.

OTDA continues to view its telecommuting program as a tool for retention. OTDA also intends to re-start its Employee of the Month program in the first quarter of 2022.

Labor contends that a long-term telecommuting agreement would be beneficial for both hiring and retention and looks forward to a robust discussion.

6. Agenda Item – Emergency Deployments

New Business Old Business

Description: OTDA canvased across agencies to assist in initiatives for COVID testing sites, Disaster Relief, Unemployment assistance, Refugee projects, etc....

Members have reported delays and discrepancies in per diems and reimbursements, some in excess of tens of thousands of dollars.

Labor is requesting OTDA assistance in a speedy resolution.

Response: Management encourages employees to contact their travel liaison or OTDA's Travel Unit for assistance when needed. Management will provide a link to those individuals.

Travel Information and Forms

If you have a travel question, please contact the OTDA Travel Unit at: otda.travel@otda.ny.gov.

If you need assistance completing your SFS Expense Report, contact your [Travel Liaison](#)

If you have SFS login problems or questions, please contact OTDA SFS Security at: SFSecurity@otda.ny.gov

Staff should inquire about reimbursements for travel and overtime eligibility prior to engaging in additional deployment.

Action Item: Management agreed to provide written correspondence to members regarding guidance on travel arrangements and overtime eligibility status when deployed.

7. Agenda Item – Contact Information for Liaisons

New Business Old Business

Description: Labor is requesting the contact information for the following:

OGS contact for OTDA lease negotiations.

SSA Liaison contact with OTDA/DDD for hiring.

SSA Liaison contact with OTDA/DDD for OT allotment.

Response: Management is not prepared to share the contact information as contact with those external agencies is a management responsibility.

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8. Action Item from September 16, 2021, OTDA PEF L/M Meeting – Case Coverage Policy - Language for Broad Guidance

Description: Management agreed to review Labor submission of language for broad guidance regarding case coverage. Please see Attachment for proposed language.

Response: Management will review the submitted language and will respond to Labor.

Action Item: Management will provide a status report at the next local and statewide Labor Management committee meetings.

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9. Action Item from September 16, 2021, OTDA PEF L/M Meeting – Management Review of Suggested Revisions to SSA Forms

Description: Management agreed to review recommendations from Labor, regarding suggested revisions to SSA forms.

Please see attachment for recommended suggestions.

Response: Management will review the submitted language and will respond to PEF.

Action Item: Management will provide a status report at the next local and statewide Labor Management committee meetings.

PEFMANA

The following individuals were present at the OTDA PEF Labor/Management Meeting held on January 12, 2022:

Labor

Carl Anderson
Pam August
Christopher Banach
Sharon DeSilva
Danielle Freeman
Ellen Fuller
Germaine Greco
Mickey Heller
Dianne Herrmann
Jill Poeller
Martin Robinson
Scott Staub
Ryan Stoliker

Management

Joseph Agars
Donnovan Beckford
Kenneth Crannell
Roy Esnard
Linda Glassman
Barbara Guinn
Alaine Heritage
Wallis Howe-Rosenzweig
Jim Ryan
Eric Schwenzfeier
Jill Shadick
Jared Tallman
Daniel Tietz

Next Meeting/Date & Place

Date for the next OTDA PEF Labor/Management Meeting is May 4, 2022.