 ****

# April 2025 Meeting Minutes

## April 16, 2025, 1:00-3:00 pm

## Meeting overview (5 minutes)

* Led off with a thank you to retiring HR director Denise Legato
* Review agenda and time allotments
* Review the action items and status of tasks

# New Business

## Professional Licensure (Keylor)

* Question about liability protections for state employees using their professional licenses and certifications.
* The Tort Claims Act (3.736) talks about when the state is responsible for the acts of employees.  We do not believe there would be a distinction between professional licensed and non-licensed staff.
	+ See <https://www.revisor.mn.gov/statutes/cite/3.736> subd. 9. Also, I found the [MN DNR Prescribed Burn Handbook](https://files-intranet.dnr.state.mn.us/user_files/1920/dnr_prescribed_burn_handbook.pdf) on the intranet, and it outlines the same subdivision and gives a brief explanation (page 26).
* Examples are Professional Geologist, burn bosses. They are afraid that when they are acting in those professional license roles that they are not covered by the above law.
* Denise confirmed that the statute applies and that they are covered, she has seen it apply during her career. Doesn’t only cover licensed staff, covers all staff acting in their job roles, as long as they are not exceeding their authority of their position.
* Barb confirmed she agreed with all of what Denise shared. It is a broader provision, covering all staff acting under some particular credential, not just those holding professional licensure. As management tries to clarify this to staff, they cannot get in the role of providing legal counsel to staff. At some point, staff need to make their own personal choice about risk management.
* MAPE will gather up the names of staff that have been concerned and pass them on to management.
* MAPE will set up a meeting for those that have concerns.
* Barb said they will check with general council about what DNR can actually say and come back to discuss this topic more at a later date.
* MAPE would like an intranet page discussing this topic and making it clear how staff are covered by DNR when acting in their professional capacities. MAPE will gather concerns to pass to management and would like to discuss at the July meeting.
* MAPE would like HR to attend the burn committee annual meeting to talk about this topic. Make this a request, find out when the meeting is. Last one was in January, so shoot for the meeting in early 2026.

## FAW Outreach EAP Climate Study (Morgan/Jed)

* Trial feedback loop to improve work culture
* We support this study and agree that this is needed
* MAPE provided some examples of workplace culture improvements that are needed
* This topic ties into our feedback loop discussions from 1/14
* Jed and Morgan to talk to affected staff and provide names to Matt for a separate meeting.

## Telework

* Ongoing discussion about member concerns and agency actions e.g.,
	+ MAPE representative on RTO Team?
	+ Central Office RFP?
	+ Facilities, office, and equipment needs evaluation
* Dan led off, acknowledged this was a governor’s decision. Shared that MAPE’s position is that the RTO needs to be rescinded. Should have brought it to bargaining.
* Barb – every year, supervisors receive a report to work survey, that has gone out to find out exactly where staff are reporting to work and where there are space concerns.
* Will there be any latitude and flexibility on policy implementation? Will DNR be seeking any kind of extension on implementation? DNR is situated very differently. Did not shed a lot of space compared to other agencies. Might have more people reporting to a location but not because DNR shrunk its footprint. DNR has not identified any place where there will be a space constraint to make them request an extension.
* MAPE, the purpose is for collaboration. I am the only person that does X at this office. Will I be driving to an office to sit on a Teams meeting so they can meet on Teams?
* Barb said they have heard similar things when out on the commissioner awards visits.
* Keylor gave some examples about staff that are worried about losing their jobs because they can’t comply. Live on other side of WI, childcare, elder care, the extra drive now, they can’t do those other things they have been doing. Barb gave the situational response. All need to comply with policy, there might be some room for agency discretion based on business needs evaluation.
* Central Office RFP was requesting less space, will that be modified? Management feels there is no need to modify the RFP as DNR can work within what was requested in the RFP.
* There is a RTO leadership team working on implementation planning. MAPE would like to be able to connect with that team. Barb would want any contact with that team for the contact to be relevant to that team’s work. Would not questions about the policy, exemptions, focus is the 2 months we have and what steps we need to take to have as effective transition as we can.

## Fire - On-Call pay on a Holiday (Megan E.)

* Fall 2024 – In on-call status on a Holiday as Duty Officer for wildfire response, multiple Forestry staff were required by payroll to reduce OC2 hours from 24 to 16 hours.
* Employees were not actually working a shift that day and, in the Duty Officer, role are therefore required to be in on-call status 24 hours a day.
* Reasoning from Jennifer Rivera included:
	+ Employee cannot code more than 24 hours in a day
	+ Employee cannot receive on-call pay for hours actually worked
	+ Employee cannot ‘double dip’ and get paid for the same hours in two different formats (HOL and OC2)
* Option was given to use earn code 9HP ‘Holiday Payoff - work on a holiday’. “Using the 9HP earn code will prorate your leave accrual earned for that pay period”.
* **Please confirm this interpretation of on-call compensation on a holiday and provide more information on the 9HP earn code.**
* Matt said they will be honoring the 24 hours of on call, even when there is a holiday. Has informed forestry of the decision.

# Old Business

## Fire (Megan E.)

* Update on outcomes from 10/21/24 meeting with HR and Forestry leadership.
	+ Written implementation of overtime calculation in non-exempt status for wildfire.
	+ Communication and clarification on FLSA status change not allowed for non-Forestry MAPE staff for wildfire.
* Matt asked who is sending the letter that changes their exemption status, Megan E reported it comes from the fire section.
* MAPE will resend a summary document that Megan E had put together.

## Fisheries Series Reclassification (Megan B.)

* Wage study and petition follow up
* Check in on status of Key Takeaways from 12/9/2024 meeting:

HR/FAW Leadership will:

* Provide an updated org chart or link to the current version, **all updated except FAW.**
* Provide a list of supervisor responsibilities COMPLETED
* **Draft a summary of the Division’s structural changes and the history behind those changes—MAPE is still waiting on this**

MAPE will:

* Review the Natural Resources Specialist Senior – Fisheries job class specification and highlight areas where text is outdated or no longer accurate COMPLETED
* Provide a draft of a revised job class spec that will address these issues COMPLETED

Bill McKibbin joined the meeting to discuss the topic.

Fisheries are looking for an update on the petition and the updated job class specification that Brad was going to do.

Matt said that looking at all the NR classifications DNR wide is on the HR priority list.

Matt wasn’t aware Brad had it and was reviewing it. Bill has asked Brad when he would have the review of the class spec document and has not heard back.

Matt will check-in with Brad on the class specs document and summary of structural changes. Kelly said if there was a document that explained why there was a difference between fishery and wildlife staff, if it doesn’t exist, it would be created. Matt will also provide a response to the petition but will want to do the entire NR class. In work plan to do the initial analysis of the NR class, not to have results this year.

## Naturalist Safety concerns (Linda)

* Update: Had discussions with Visitor Services Supervisor for PAT and discussed the need for self-defense training. There wasn’t understanding that this was something that was offered in the past.
* HR has checked in with the training and development group and pull in a resource guide that might be useful on this topic, not self-defense training but other things. That group is working on developing a 4-part series on having difficult public interactions.

## Updates from Management (CMO/HR)

1. **Other/Future Business?**

### MAPE follow-up:

* **Professional licensure**
* MAPE will gather up the names of staff that have been concerned and pass them on to management.
* MAPE will set up a meeting for those that have concerns.
* MAPE would like an intranet page discussing this topic and making it clear how staff are covered by DNR when acting in their professional capacities. MAPE will gather concerns to pass to management and would like to discuss at the July meeting.
* MAPE would like HR to attend the burn committee annual meeting to talk about this topic. Make this a request, find out when the meeting is. Last one was in January, so shoot for the meeting in early 2026.
* **Fire**
* MAPE will resend a FLSA status change summary document that Megan E had put together.