DLI Meet and Confer Minutes

Date: March 11, 2021

Time: 1:00 PM

Location: ZOOM meeting

Attendees: MAPE representatives: Cyndi Benjamin, chair (OSHA), Debra Heisick (ADR), Frances Li (ADR), Nell Nere (ADR), Dave Skovholt (Labor Standards), Rhys Ledger (Labor Standards), Laura Suess (Labor Standards), Bonnie Frisk (Labor Standards), Daniel Engelhart (MAPE Business Agent), Mary Babaya (Labor Standards)

DLI management: Commissioner Roslyn Robertson, Deputy Commissioner Nicole Blissenbach, Assistant Commissioner Kate Perushek, HR Director Laurie Jandro, HR Consultant Sandy Arvin, HR Consultant Mary Babaya

**I.** **Introductions** of all participants.

**II.** **Early Retirement – phased retirement**

**MAPE asked DLI Management to provide an update on phased retirement opportunities.** MAPE negotiations led to it being included in the MAPE contract. The provision allows for each agency’s management to determine whether they would participate. DLI Management reported that our agency is participating in this program. If employees are approved to participate, it allows them to work between half-time and full-time for a period for a limited period of time prior to retirement, with continuation of the benefits that a full-time employee receives. HR reported that DLI decided to offer phased retirement as pilot program in 2018 and did the necessary training and creation of necessary forms. The information is available on the DLI intranet page (DLI Intranet 🡪 Forms 🡪 phased retirement pilot form.) The parameters of phased in retirement program at DLI are that it is generally only allowed for 3 months. One employee has participated so far. Phased retirement is decided on unit-by-unit basis. Interested employees must submit application and meet to discuss details with their manager and supervisor, including the arrangements for the transfer of the employee’s knowledge base. Human Resources confirms that eligibility requirements have been met. While the employee remains in active employment status, they cannot draw on pension until they are actually in retirement. DLI continues to contribute to the employee’s health insurance premiums during phased retirement. Upon the request of the MAPE, meet-and-confer team DLI HR agreed to discuss the evaluate extending the phased retirement period from 3 months to 6 months.

**III. Performance Review/Professional Development**

**The MAPE meet-and-confer team asked that DLI Management review the performance appraisal** **practices at DLI.** Some MAPE employees have expressed concerns that the review process is being used unfairly to blind-side the employee with criticisms that had never been brought up by the supervisor prior to the review. MAPE members feel very strongly that instead supervisor ‘s should first be providing helpful coaching and offering training opportunities under the Professional Development section of the review form, to address areas they fell are of concern. This would be a change in the approach that some supervisors are using. It was also suggested by the MAPE meet-and-confer team that supervisors could be offered trainings on how to effectively do an evaluation, with a goal in the outcome, to help the employee have the tools needed to do their job effectively. Commissioner Robertson agreed that there should be no surprises to the employees at their performance review, and areas of concern should be addressed as they arise, instead of waiting for the performance review date. She expressed that the supervisor should be having on-going communication with the employee on updates, changes etc. to avoid misunderstandings. This is a work in progress. The MAPE meet-and-confer team also asked that supervisors be reminded that it is appropriate to acknowledge the added tasks that MAPE members are asked to perform, which may not be enumerated in their position descriptions. MAPE members have expressed that some supervisors have indicated they are not permitted to do so. DLI HR representatives pointed out that this would be an incorrect understanding of the review process and there actually is a place on the form for those items to be addressed.

**IV. Vaccines – DLI Essential Employees**

**MAPE has expressed concern that despite our OSHA and CCLD investigators performing work which is described in the State’s Phase 1 vaccination plan, these MAPE workers are being exposed to COVID-19 while on the job and they have not yet been approved for vaccination.** DLI Management stated that these essential workers can get vaccinated at public locations. Deputy Commissioner Nicole Blissenbach. said the agency will be contacting employees notifying them that they can get vaccinated at community sites where the employee lives.

**V. Flexible Scheduling**

**The MAPE meet-and-confer team asked that DLI units participating in summer flex work schedules expand** this opportunity to year-round; or at least consider expanding to from April through November. This would allow MAPE employees to demonstrate that such schedules allow all of the agency’s goals to be met during non-summer months, too. IT would also allow the unit managers to develop confidence that the flexible scheduling options can work year-round. The Agency will review and consider this suggestion as employees prepare to return to the office. MMB is creating a return to work plan that might go into effect July 1, 2021.

**VI. Building Security**

**In a prior meet-and-confer, DLI Management and MAPE had discussed the need for changes to the first floor of 443 Lafayette location, providing for improved safety and security. MAPE asked for an update on the plans.**

* DLI Management reported: Meeting Room Access on First Floor when returning to the office. The office renovations are planned to start May 1, 2021 and be completed by June 30, 2021. Additions include a turnstile barrier gate, the receptionist desk and guard station will be improved, and security features added.
* **MAPE made the following requests:** 1) An exit through the Dodge room to the Minnesota Room, because there is only one exit path for the entire hall of meeting rooms from the Hennepin room to the Dodge room. 2) Repairing or replacing the panic buttons that are supposed to be in all of the first floor rooms where we meet with the public. 3) Adding a locking door requiring security access in order for anyone to pass through to the conference rooms where we conduct non-public meetings.3.) Installing a security video camera in one or more rooms, so that the room can be observed by a security person while the room is in use. MAPE emphasized that past security issues with our first-floor conference rooms include a knife being thrown at an attorney, panic buttons that don’t work, bullet holes in windows, and unauthorized people attempting to video tape private meetings. The Agency will take all ideas into consideration.

**VII. Other Business**

**MAPE meet and confer members Rhys Ledger and Dave Skovholt** asked about a reclassification of the Labor Standards Investigators positions in light of their new job duties. MAPE expressed that the new approach to wage theft using strategic planning requires additional skills, responsibilities, and interplay with other units. MAPE also asked about the difference in the labor investigator senior and the investigator senior classifications now that the misclass investigators are in the Labor Standards Unit. HR Director Laurie Jandro said she would consult and review with managers and determine what has changed. Deputy Commissioner Nicole Blissenbach said that there have been discussions on these questions and mentioned the different authority incorporated into the two different classifications. DC Nicole Blissenbach mentioned that as we explore different investigation tools and methods, management will consider the concerns shared.