

January 2021 Meeting Minutes

Meeting was called to order at 12:04pm by Steven Speltz, Local 2001 President.

1. Standing Reports
2. Secretary Report:  Kay Pedretti—find minutes at <https://mape.org/news/local-2001-minutes-26>
3. Treasurer’s Report:  Rick Indrelie (attached)
4. Membership Secretary’s Report: Kristen Gallo (attached)
5. Chief Steward Report: Kay Pedretti (attached)
6. Regional Director Report: Angela Christle (attached)
7. Negotiations Report:  Cathy Finken (no update this month)
8. OBA Report: Pete Marincel
9. New Business
	1. Local 2001 Budget status—The 2021 budget passed per vote of the local membership.  94% of voters approved of the budget. We will forward 2021’s budget to MAPE Central.
	2. Leadership updates—Steven Speltz has now ascended to President of Local 2001 as the office was vacated by Jay Smith (per Article VIII, Section 3B <https://mape.org/resources/mape-documents/bylaws-2020/article-viii-elections-and-vacancies>).  Vice President is currently vacant—please let a leader know if you are interested in this position.  Cathy Finken was appointed Negotiations Team member from Region 20 by the local officers when Jay Smith vacated this office (per Article VI, section 9A <https://mape.org/resources/mape-documents/bylaws-2020-v-2/article-vi-statewide-standing-committees>)
	3. January’s Topic —A few things you wanted to know about layoffs but were afraid to ask—Pete Marincel explained the difference between a Reduction in Force (RIF) and a Layoff. He explained where in the contract to look for seniority lists and layoff language. If you receive a layoff letter or RIF letter contact a steward to work with them on details.
	4. Join us for our Region 20 Happy Hour—January 20, 2021 5:00pm-6:00pm.  The calendar invite has been sent out with a ZOOM link for all.

Meeting adjourned at 12:58pm

Reports attached below.

***January’s Membership Secretary’s Report***

#### Local 2001 Percentages- As of December 15, 2020

**Including Billable Members, our Local’s Membership is at 72.67%**

#### Local 2001 Percentages

|  |  |  |
| --- | --- | --- |
| **Person Type** | **Record Count** | **Percentage** |
| Billable Member | 12 | 2.43 % |
| Member | 347 | 70.24 % |
| Non-Member | 135 | 27.33 % |

Please help by signing up new employees, asking non-members to join as a member at your work site or let me know if there is someone we should be getting in touch with!

**Upcoming Quarterly Membership Meetings:**

Looking at dates for more Local Zoom “Happy Hours.” Stay tuned!

***January 2021 Chief Steward Report***

We continue to navigate COVID-19 in 2021. Two vaccines are approved for use, so I am hopeful we will see the light at the end of the tunnel for this pandemic in 2021. If you have questions that arise from the COVID response at your site, please reach out to a local steward. Redeployment is a new item that has been added to the COVID response, please see the FAQ at <https://mape.org/COVID19redeploymentFAQ> or reach out to a steward. COVID leave has changed since the inception of COVID, so be sure to review the most recent policy.

In December, the stewards of Region 20 met to review arbitration decisions. Arbitration decisions help inform us what grievances are winnable and should be pursued. These decisions also help us understand contract language that can be improved for our members.

Have you ever wanted to be a steward? MAPE will be offering Basic Steward Training in 2021 on the following dates (all Fridays): January 8, April 9, July 9, and October 8. Basic Steward training is normally held at the central office in Shoreview (3460 Lexington Ave N, Suite 300, Shoreview, MN 55126), but will be held virtually at least the first half of 2021. You will be reimbursed for time lost from your job. If you are interested, please contact Kay (kpedretti@winona.edu) OR register at [www.mape.org](http://www.mape.org) . These classes run from 8:30am until 4:30pm.

If you are a current steward and are looking to expand or refresh your skills, three Advanced Steward trainings will be held in 2021 (all Fridays): Feb 26, June 25, and October 29. These trainings will be virtual at least the first half of the year and will run from 8:30-4:30pm. You will be reimbursed for this time lost from your job. Please register at [www.mape.org](http://www.mape.org) or contact Kay for more information.

If you ever get called into an investigation or think you have a situation that may be a violation of the MAPE contract (grievance), don’t hesitate to reach out to me at kpedretti@winona.edu

Sincerely,

Kay Pedretti

Region 20 Chief Steward

***REGION 20 Directors Report:***

***December 28, 2020***

Greetings Local 2001.  This brief report is to reiterate some items we have previously discussed at our local meetings and subsequent conversations meetings.  The Board of Directors have not met over the month of December as it is typical that we do not have a regularly scheduled meeting due to the holidays.  However, we have had multiple interactions over email and phone to attend to business.  I hope that upon reading this note you have all had the opportunity to enjoy some time off for the holidays. We understand that it has been a very challenging year and undoubtedly one that has caused stress and fatigue.

\*On December 22, 2020  President Megan Dayton reported out to the Board of Directors some of the key points following the meeting with MMB that took place that day.
‘At today’s MMB meeting, Commissioner Schowalter gave a briefing on the **budget** process. To summarize, MMB and Governor Walz are adjusting to several factors - among them are the November budget projection, yet another special session for the State Legislature, and the newly-passed Federal legislation. MMB is focused on pulling out of the pandemic, keeping people alive, and getting the economy going again. Dealing with the budget deficit will be a challenge, but Schowalter and Walz are considering "new progressive revenue." Their teams are also weighing the idea that everyone is being asked to sacrifice right now and that budgets are going to be tight and unpredictable. It is going to take a while to pull out of this recession and understand what our new reality will look like post-pandemic - if such a time should exist. Schowalter wants to create solid operating budgets knowing agencies may need more resources to pull out of the pandemic and recession. He also understands there may not be a huge appetite for the new revenues they want to propose.

Leah and I both pushed Schowalter to clarify his contradictory statements. On the one hand he was calling for austerity while also attempting to sing the praises of State employees. We reminded him that some folks continue to do fine in the pandemic, while others do not, and there will only be increased demand for State services going forward. We also asked how we can help push the narrative that State government has been essential to Minnesota’s position as it stands. We hopefully made it clear that our members will continue to be critical in pulling out of the pandemic and we can champion the message of anti-austerity. Schowalter responded by reiterating how important he thinks our work is and how most folks do not understand the degree to which State workers have had to innovate to get the job done. I think we are all clear this recession has disproportionately hit low-income households and the administration believes this, too, is an important part of their narrative.

On most of these issues, Commissioner Schowalter and Deputy Commissioner Batson said their “crystal ball is still foggy.” They do not know exactly what is going to be needed from State services or how fast they can scale up. Schowalter named education and mental health as two areas where they know there will need to be increased focus and resources, but they do not yet know to what extent.

I brought up the issue of **flex spending** accounts (MDEA and DCEA) and asked for some flexibility with either a grace period (allowed by the IRS as one of the optional features which employers may choose to adopt) or some other form of flexibility to allow employees to spend their flex account dollars. SEGIP has agreed to pull together a work group (with seats for labor) to look at MDEA and DCEA balances and what to do with them. By no means a final answer here but a step in the right direction.”

\*Early Retirements Incentive Memorandum of Understandings(ELI MOU): It is our understanding that these MOU’s will most likely be in interim effect  beginning Jan 4th or 5th.  No agencies have completely ruled it out and 15 agencies  have talked with labor relations about the potential of opting in.  Those agencies that are considering opting in have not shared any finalized plans as of yet.  Perhaps we will know more by the time we meet on January 5th for our local meeting.

\* The Federal legislation recently passed basically clears the way for an extension of the current **COVID leave** policy.  MMB sent this out to employees on December 22nd. Again, please ask if you have more questions and concerns.

\*VACATION cap waiver.  President Dayton and Executive Director have signed for the extension of the waiver for VAC caps.  You may recall this from earlier this spring with the pandemic in full swing and the inability for employees to use their vacation before it expired.  This is for extension of this so that people who were not able to take vacation due to the pandemic and their work responsibilities do not lose the hours that they have gone over the 275 hours cap.  This looks like the previous waiver, only change is moving the end date from December 31st to June 30, 2021.  The intent of this agreement is for the persons that have been unable to take vacation due to job requirements/duties and  their work responsibilities.  It is not meant for those employees who choose not to take vacation due to travel restrictions. IF you have more questions, please raise them at our meeting and we will further clarify.  MMB does have these guidelines available as well.

 Be sure to check out MAPE’s website mape.org to find updates on all things MAPE including redeployment questions and concerns, FMLA FAQ’s and more.  Attached with this regional directors report are more information for your review in regards to the items mentioned in this report.

Reminder that Jay Smith has stepped down as our Local President and Negotiations Representative as of December 31st he will have fulfilled his duties in these roles. Jay has been an active MAPE member and has been very dedicated to our union in a variety of very important roles at a variety of different times during his employment with the state of Minnesota.  He has held local. Regional and state positions and has been a wealth of information and has offered guidance, encouragement and support to many of us over the years we have been working together to keep our union strong. I know I speak for many when I say our gratitude is BIG.  Jay, a sincere thank you for all that you have done and been.  WE wish you all the best as you wind down these next few months before your early retirement.  Don’t be surprise if you have a few more opportunities to volunteer or to be “volun-told” as some like to joke.  All kidding aside, THANK YOU!

Angela Christle

MAPE Region 20 Director

(2 additional attachments—Union Partner Follow-up and COVID Vacation Cap Waiver MOU Extension)

1. **Union Partner Follow Up 12/22/2020**

**Issue:** Extend COVID Leave policy to people ordered to stay home (even if the federal law is extended)

**Response:** The new policy provides that Health Leave can be used if the agency requires the employee to self-quarantine due to confirmed exposure.

**Issue:** Extend school leave policy to P1/2 employees

**Response:** Due to critical staffing needs in some agencies are not approving discretionary leaves. Some areas have several staff that are COVID positive or are symptomatic and quarantining creating less than ideal staffing situation. Individual employees can speak with their supervisor or HR office to discuss alternative schedule arrangements.

**Issue:** What is different or the connection between School Leave and 80-hour bank of hours with new policies if no extension of federal law? Do they still have 12 weeks of leave at the end of the day?

**Response:** If the employee chooses to use their 80 hours of Paid COVID Leave for School Leave, and takes all 10 weeks of Expanded School Leave, then they will have a total of 12 weeks of leave used for school closure related reasons. If, instead, they use their 80 hours of Paid COVID Leave for, say, Health Leave, and then take all 10 weeks of Expanded School Leave, then they will have a total of 10 weeks of leave used for school closure related reasons. Unlike the prior policy, there are not 2 weeks of unpaid school leave

**Issue:** What is the reason for the 1044 threshold? Where did that come from?

**Response:** It is modeled from the eligibility threshold as used in the Minnesota Pregnancy and Parenting Act and Minnesota Sick Leave law. It was a hardship on agencies to have employees taking 12 weeks of school leave during their first 30 days of employment. The 1044 threshold is not as high as the usual FMLA 1250-hour threshold and is intended to balance the needs of employers and the needs of employees.

**Issue:** Is there one form or multiple forms to use for the 80-hour bank and 10 weeks of school leave?

**Response:** There is a single Request Form.

**Issue:** Is any supervisor considered the appointing authority in the policy?

**Response:** This depends on the agency and what authority the agency head has delegated and to whom. In some agencies, the agency head will have delegated this authority to line supervisors. In some agencies, the agency head will not have delegated this authority. It is up to each agency to decide what process should be used for that agency.

1. **MEMORANDUM OF UNDERSTANDING**

**BETWEEN**

**STATE OF MINNESOTA**

**AND**

**MN AFSCME COUNCIL 5, AFL-CIO**

**MINNESOTA ASSOCIATION OF PROFESSIONAL EMPLOYEES**

**MIDDLE MANAGEMENT ASSOCIATION**

**MINNESOTA NURSES ASSOCIATION**

**MINNESOTA GOVERNMENT ENGINEERING COUNCIL**

**STATE RESIDENTIAL SCHOOLS EDUCATION ASSOCIATION**

**MINNESOTA LAW ENFORCEMENT ASSOCIATION**

This Memorandum of Understanding is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_, 2020, by and between the State of Minnesota (“the Employer”) and AFSCME, Council No. 5, AFL-CIO (hereinafter “AFSCME”), Minnesota Association of Professional Employees (hereinafter "MAPE"), Middle Management Association (hereinafter “MMA”), Minnesota Nurses Association (hereinafter “MNA”), Minnesota Government Engineering Council (hereinafter “MGEC”), State Residential Schools Education Association (hereinafter “SRSEA”), and Minnesota Law Enforcement Association (hereinafter “MLEA”) (collectively “the bargaining units”).

WHEREAS, the Labor Agreements between the Employer and AFSCME, MAPE, MMA, MNA, MGEC, SRSEA, and MLEA provide that at least once during each fiscal year, an employee’s accumulated vacation balance must be reduced to or below two-hundred and seventy-five (275) hours; and

WHEREAS, certain employees in the bargaining units were previously granted an extension to December 31, 2020 to reduce their FY 2020 vacation balances to or below 275 hours; and

WHEREAS, some employees in the bargaining units will not be able to reduce their FY 2020 vacation balances to or below 275 hours prior to the December 31, 2020 deadline, due to their job responsibilities involving COVID-19 response efforts.

NOW THEREFORE, the parties hereto, acting through their respective agents, do hereby agree as follows:

1. Employees previously granted a vacation cap extension who, as a result of their job duties related to the COVID-19 pandemic and response, have been unable to take vacation and reduce their FY 2020 vacation balance to or below 275 hours at least once by December 31, 2020, shall be eligible to submit a request to their Appointing Authority to be permitted additional time to reduce their FY 2020 vacation balance to or below 275 hours.

2. It is up to the discretion of the Appointing Authority to set a deadline for submission of employee requests, but that deadline must be no later than December 31, 2020. Further, it is up to the discretion of the Appointing Authority whether to grant an eligible employee’s request for a FY 2020 vacation cap extension, and to set the deadline by which the employee must reduce their FY 2020 vacation balance to or below 275 hours, but that deadline must be no later than June 30,

2021.

3. lf an employee who was granted a FY 2020 vacation cap extension has not reduced their FY 2020 vacation balance to or below 275 hours by the deadline set by the Appointing Authority, which shall be no later than June 30, 2021, the amount of their FY 2020 vacation balance shall be automatically reduced to 275 hours as of the date of the deadline.

4. The terms of this MOU shall not be construed to establish any precedent between the parties and may not be offered as evidence in any grievance or arbitration proceeding, except in a proceeding arising from claims brought under this MOU. The parties shall not ever assert or claim that this MOU is a precedent in any current or future personnel action or administrative procedure or litigation of any kind.

5. The parties agree that this MOU constitutes the entire agreement between the parties on the matters addressed herein and it fully supersedes any and all prior agreements or understandings between them relating to the subject matter contained herein.

FOR THE STATE:

Jim Schowalter