**MPCA MAPE Meet and confer**

**Monday, June 28, 2021, 3:00 — 4:30 pm**

**Attendees**: MPCA Commissioner Laura Bishop, MPCA Assistant Commissioner Peter Tester, MPCA Operations Division Direction Reena Solheid, MPCA HR Director Kellie McNamara, Strategic Program Manager Myrna Halbach, MAPE Meet and Confer Chair Hannah Field, MAPE Business Agent Pete Marincel, MAPE Meet and Confer Committee members: Claudia Hochstein, Kristin Kirchoff-Franklin, Mel Markert, Anne Morris, Joel Peck, Shanna Schmitt, Melissa Wenzel.

**Introduction (Hannah)**

Thanks for coming, we missed Laura at the last meet and confer. This meeting’s agenda is focused on just telework and reallocation, rather than a whole bunch of topics, so we can dedicate more time to these topics.

**Shutdown/passage of environmental bill (Laura)**

The bill that came through in final form is good for the agency. Climate agenda items moved forward. Our agency has a large investment in PFAS. The PFAS Inventory project came through at the last minute, it is a good opportunity to do water monitoring and inventory work. Some pieces did not get in the bill, such as environmental justice and re-opening permits. We did get new air equipment that we asked for this time. We did get more in the general fund than we had in the past. Greta has additional talking points on the bill. We were able to get Clean Cars and other things. I am impressed with our staff for tolerating this difficult time. Facing the threat of a shut down this session was heavy. I experienced a constant barrage of stress; it took the weekend to recover. I hope everyone else can get rest and recover from the session.

Joel shared his favorite parts of the bill: rescinding an annual report and adding the pond study.

Hannah: What about the environmental justice language we didn’t get? Will we have to wait one or two more years to revisit those proposals?

Laura: MPCA or Democrats will bring something forward.

FTE requests from the OLA Water Gremlin report were denied. “Compliance Assistance” help was denied.

Laura mentioned that we will look at the federal funding for future resources/staff.

The other piece is the Closed Landfill Investment Fund (CLIF). We got $9 million over two years.

Land policy bill gives us the ability to work on Freeway Landfill and address issues with the landowner.

St Louis River AOC Mercury & Bonding bills went forward too. Large increase in water operations. $500k for reduced salting education. Legal funding was approved. $3M transfer from Environmental to Remediation fund was also approved.

Laura noted that she hoped people felt she communicated about the shut down appropriately. She wanted to make sure staff felt like leadership was working hard to avoid a shut down.

**Telework**

Hannah: Laura, Peter, and Myrna, you may be aware that this Committee met with Kellie, Reena, and Pam Anderson earlier in June to share some of the feedback we heard from MPCA MAPE members about on the agency’s post-COVID telework policy. The feedback we gathered was during four listening sessions our Committee hosted with MPCA MAPE members in mid-May to understand what they have liked and disliked about telework, and what the agency can do to better support teleworkers as we transition into a post-COVID world. We had great participation and attendance at the sessions, reflecting just how important telework is to MPCA staff and their desire for it to continue. MAPE members had comments on a wide variety of telework-related topics, including equipment, parking, building and technology upgrades, and more. Reena and Kellie have the notes from the meeting, but please let us know if you would like us to send those to you.

**Equipment**

Hannah: Myrna and Reena, thank you for following up with answers to our specific questions about equipment, especially laptops. When we asked members during the listening sessions to name one thing that MPCA could do to improve teleworking, nearly every response to the question related to equipment, and a majority of them had to do with laptops. Myrna, I understand you are leading the effort to plan and meet the post-COVID telework equipment needs, and that we are hoping to have the entire agency transitioned to laptops in two years, hopefully sooner. If there is anything our Committee can do to help with or to speed up that effort, or any other equipment-related topics, please let us know, as this is an important aspect of teleworking to our membership.

Hannah: To clarify, employees are allowed to take home everything listed in the Standard Technology Equipment package, correct (monitors, docking stations, etc.)?

Myrna: Yes, teleworkers can take that equipment home. Staff get one set of equipment – so they need to think about how much they telework and whether the equipment should be at home or work. The whole goal is to make it so you have a package to set up your home office and be ready to go. If you have a laptop, you should be able to come in and connect to monitors. If you are coming in and participating in just meetings, then you just need a casual spot and work between meetings. If half your day is individual work, then we will have spots for monitors. This may not be set up all by September. If you are a full time teleworker, we are looking to set up temporary work spots in the agency. We are keeping some desktops so we can set up stations for those folks. We are lagging behind in the cube-clean-out stage. We need to see what we happened with the clean out and will then develop the plan. We also need to finish our work with double computers. When you come to the office, you will be able to either sign in or use the hardware in a station. We might have workstations with a large monitor. The goal is to set up the office so staff can work seamlessly.

Shanna asked about a work check out system: Chris & Reena are working on it. Reena said facilities management is working on the challenge of optimizing workspaces. Conference rooms, touchdown spaces, and more. Daniel Morales is working on this with the temporary Facilities Management manager. We are moving into a new work environment. As staff have been coming in to clean out their workstations, some are changing their minds about giving up their space. This means they cannot telework more than 4 days in a pay period. As we transition back to a “new normal” we should realize we are in a pilot period ourselves and we may want to wait 6 months to a year to assess where we are at with workspace needs to make any permanent changes. We are looking at desk booking software options.

Claudia: Are staff going to be consolidated/moved to a new cube if they are keeping their spot in the office?

Reena: We have to wait until we clean out and confirm spaces. Linear spaces will be based on our floor plans. We have to get new employees and staff who have changed positions (e.g., promotions and transfers) a desk first, then reconfigure after they have moved in.

Laura mentioned that she walked the building and brought in donuts earlier that day. It would be nice to consolidate folks. We are going to be as fluid as possible.

Myrna: A reminder: do not store agency work on the C drive, as we do not back up this drive. We working on a virtual environment for high power users like GIS folks and modelers. MNIT is working on a solution and GIS staff will be the first to test.

Hannah: We understand that 648 MPCA staff have laptops currently, while 545 have desktops. How will you prioritize which of the 545 receive laptops first? Myrna: We will figure that out soon. The 545 includes desktops in conference and focus rooms. It is really 200-300 folks with a desktop, close to 70% of staff have laptops.

Joel asked about the worldwide supply chain impact on the cost of laptops/computer chips. Myrna said so far this has not affected the agency’s efforts. We are on schedule for switching folks over.

Hannah: Can you help us understand why new employees are being prioritized with laptops over existing employees? Some have been waiting for years for such equipment.

Myrna said it is unfortunate, but only a temporary upset. New employees are not being prioritized over existing employees; it boils down to the cost of set ups. Since laptops are the default set up, the new employee is set up with a laptop when they arrive as they are set up with their other equipment. Right now, the agency is managing the switch for existing employees to laptops based on the desktop refresh schedule, folks who have older computers. Laptops cost more. Moving staff from a desktop costs money so we do not want to pay a charge for new or existing employees to make the switch all at once. MNIT cannot support this switch all at once. Post-pandemic, we might be able to move faster than the 2 years, but we don’t know that. We care about existing employees; this is just a financial decision and about the ability to complete the work. If we purchase a bunch of laptops but can’t distribute them, we are paying for no one using the equipment and meanwhile the usable life is ticking away.

Joel asked about softphones. Myrna said the agency is automatically setting up new folks with softphones. Phones are $700. Desk phone is $25/month to operate. Soft phone is $18/month. Myrna is coordinating with MNIT to move everyone to a softphone. We should all be on the softphones by July.

Claudia asked about tokens & desktops. Myrna: Citrix is moving to Horizon. There are many details to this but we will have both functionality. Desktops can use VPN. VPN is the preferred option. Desktops and laptops can use VPN technology. Tokens allow staff to access the network through Citrix or VPN. We are looking at whether tokens should be provided every staff person as standard equipment.

**Establishing a formal telework appeal process**

Hannah: As we discussed, members also have concerns about the telework policy leaving all the decision-making about each individual’s ability to telework entirely up to the supervisor. Staff are concerned this may result in supervisors applying telework decisions inconsistently among their staff, or that the ability to telework will not be available equally across a section or division as it may be heavily influenced by each supervisor’s own personal feelings about telework. We are already starting to hear stories of these things happening across the agency.

Melissa shared some examples: I have a flexible supervisor who trusts us and is aware of how well we worked during the pandemic. Going forward, staff in my unit get to choose how many days to be in the office, and which days. Many of us work on the same teams, and appreciate being in-person for some meetings, but other meetings have gone quite well virtually and we do not see pressing needs for in-person meetings with one another. Therefore, our supervisor is letting us choose our telework schedules for ourselves based on our own sense of productivity and work/life balance. That is not the case for everyone. A MAPE member has been temporarily working in my unit who is returning to their permanent position elsewhere in the agency. This member has heard all of the same information I have about telework, being at the same unit meetings. Unfortunately, they are returning to a less-than-flexible supervisor. Their supervisor did not give them a choice about how many days they want to telework per week. The supervisor directed them to do 3 days in the office and 2 days telework each week. The member’s strong preference would be to work 4 days or less per pay period in the office. This member has been on a compressed schedule for nearly their entire 12-year MPCA career. The supervisor also did not give the member a choice on whether to continue with a compressed schedule in September. They were directed to transition to 10-day 8-hour schedule in September. The Agency’s telework policy allows more flexibility to staff than this member is experiencing. This member should receive the same telework options as those in other Divisions and units, or at least, the ability to negotiate a particular telework schedule that meets business needs. Additionally, within an entire section, supervisors told their staff they could telecommute up to 2 days a week, but they could not pick the days they telecommuted. This has frustrated staff. They know it is not their direct supervisor making this decision; the supervisor is just the messenger. Regardless, staff are frustrated, as they have been telecommuting nearly 100% of the time for the last 15 months.

Hannah**:** At the meeting in early June, we discussed the need for and benefits of establishing a formal telework appeal process through which employees may appeal their supervisor’s telework decisions. We agreed to continue that discussion at this meeting. Before this meeting, we sent around our proposal for what that formal process could look like.[[1]](#footnote-1) If you have not had a chance yet to read it, it is not long. We are open to alternatives. Thoughts? Questions on this?

Laura mentioned she was hoping staff could go to the Supervisor, then manager. How are supervisors allowing for telecommuting?

Reena mentioned that pre-COVID, not two units were alike either. Collaborative relationships with supervisors is key. If supervisors deny their staff a telework schedule, staff can request an explanation in writing. Staff schedules have to meet the unit/supervisor’s needs. Staff can ask for an email explaining the rationale. Are staff approaching it from that standpoint, that it meets the business needs?

Melissa said some people work better at home, which meets business needs. Sometimes there are productivity challenges but we need to continue trusting staff, as we have during the pandemic.

Claudia: Staff do not always have that comfortable of a relationship with their supervisor. We need a formal telework review process so we can get things in writing to back up supervisors’ decisions. This will allow us to evaluate how telework goes for the next 6 months. We want to know what the business needs behind denying requests are. We do not want supervisors to feel like staff are going over the supervisor’s head to managers.

Peter Tester: We have looked at a variety of needs to train and onboard supervisors in managing staff. We want to avoid some of this conflict, so we are training supervisors to help them communicate this work. This is one more acute bit of performance management. The enterprise is looking at how we train folks. There is an honest recognition to help management deal with these situations. We need to resource this. We have not had enough time to do this, and MMB has not either. The frequency of this is hard because we just hear anecdotes. There will always be one-off stories. We need to find how often this happens, where it happens. This is one more part of training our staff.

Claudia: You are right; there will always be one-off situations. This is why we are gently pushing on establishing this process. It would collect that kind of documentation. Are you open to having denials or approvals in writing?

Reena: COVID forced everyone to work away from the office. Perseverance and resilience kept us working from home. Not everyone wants to be in a telework environment. People that had to go into the office kept them productive. The 2019 all-staff email about the LMC telework survey with tips, expectations, and reminders was referenced.

Kellie mentioned HR can help facilitate getting content in writing to find out why the denial happens so that people can get closure. MAPE contract says you have the right to get the reasons. People can get those reasons. Right now, we are using an enterprise form for telework; we cannot add new content to this form right now.

Laura mentioned that employees deserve that justification or reason.

Hannah said the telework decision form should include the employees’ preferences and the supervisor should react to those needs.

Peter Tester mentioned we should have a working relationship and this may be too much.

Pete, MAPE, mentioned that this the form would codify all the important parts: the supervisor’s decision, timelines, and more.

ACTION ITEM: Kellie will visit the telework policy and draft some language to add to it.

**Reallocations/career development**

**Update to reallocation process maps**

Kellie: HR has made updates to the reallocation process maps; I have shared those drafts with Hannah. We have a meeting scheduled for mid-July in which Kellie and Vonnie Phillips from HR are going to take the Committee on a deep-dive of the reallocation process so we can better understand it for ourselves.

**Reference materials: MPCA Telework Appeal Procedure (Proposed by MAPE meet and confer Committee, June 28, 2021)**

**Informal.** An employee who wishes to appeal their supervisor’s decision or directive regarding the employee’s telework may bring it to their supervisor’s attention orally, indicating that the employee disagrees with the decision. The employee should indicate how the telework arrangement does not support or is irrelevant of the business needs of the unit or section, or how the directive does not consider the employee’s telework preferences. The employee and supervisor may discuss the disagreement in an attempt to reach a mutually beneficial Telework Agreement that satisfies the business needs of the unit or section.

**Formal.** An employee who wishes to initiate a formal appeal of the supervisor’s decision or directive regarding the employee’s telework arrangement shall submit an appeal via a form provided by the MPCA to a Human Resources staff person. The form should identify the HR staff person to which the form should be submitted, and include the following:

* reason that the employee disagrees with the supervisor’s decision,
* how the decision does not support or is irrelevant to the business needs of the unit or section (if applicable),
* how the decision does not consider the employee’s telework preferences (if applicable),
* a proposed alternative telework arrangement, and
* how the alternative telework arrangement meets the business needs of the unit or section.

All appeals shall be initiated within 45 days of the employee and supervisor having begun a review the employee’s Telework Agreement.

Within 21 days of receiving the form, an HR representative, the Assistant Division Director, or a designated representative shall arrange a meeting between the employee’s supervisor, the Division Director, and an Association Steward, with or without the employee. At the meeting, attendees shall attempt to resolve the disagreement and reach a mutually beneficial telework arrangement that satisfies the business needs of the unit or section and the employee’s telework preferences.

1. Included at the end of the minutes. [↑](#footnote-ref-1)