# Employee Rights Committee |MINUTES

Meeting date | time 12/16/2019 8:30 AM | Meeting location MAPE, Rm. B Meeting called by Thu Phan

Type of meeting MAPE Statewide Facilitator Thu Phan

Note taker Volunteer

Timekeeper Thu Phan

Food order Thu Phan Members in Attendance

Thu Phan (Chair), Jed Becher (1), Kristin Kirchoff-Franklin (3), Ted Snaza (4), Maureen Dunaway (5), Open (6), Ellena Schoop (7), Teresa Chapman (8), Jim Roettger (9), Alex

Migambi (10), Cindy Kolodziejski (11), Angie Halseth (13), Eva Peterson (14), Bryan Kotta

(15), Leonard Skillings (16), Rosee Holte (17), Kirsten Peterson (18), Kay Pedretti (20), Shawnet

Healy (21) Staff

Kathy Fodness

# Time Certain

10:00 AM – Case Study

01:30 PM – Jim Roettger – MN Data Privacy Request AGENDA TOPICS

Time allotted | 60 mins., 8:30 AM – 9:00 AM | Agenda topic Introductions | Facilitator Thu Phan

# Introductions

## Discussion:

1. Ice-breaker
   1. How do you de-stress?

|  |  |  |
| --- | --- | --- |
| Action items | Person responsible | Deadline |
| Start your next steward meeting with an ice-breaker | All ERC members | No end date |

Time allotted | 10 mins., 9:00 AM – 9:10 AM | Agenda topic Agenda | Facilitator Thu Phan

# Approval of Agenda

## Discussion:

1. MSP for the approval of the agenda.

Action items Person responsible Deadline

Time allotted | *10 mins., 9:10 AM – 9:20 AM* | Agenda topic Agenda | Facilitator Thu Phan

# Approval of Minutes

## Discussion:

1. MSP for the approval of the minutes from the ERC meeting on August 19, 2019.

Action items Person responsible Deadline

Thu Phan (Chair)

Time allotted | *25 mins., 9:20 AM – 9:45 AM* | Agenda topic Strategic Plan | Facilitator Kathy and Thu

# Steward and Chief Steward Development

## Discussion:

1. MAPE’s Strategic Plan – Political Imagination
2. Steward Summit Debrief
   1. Debrief from Chiefs
      1. Make it an annual event
      2. Have short classes
      3. Worthwhile experience meeting other stewards
      4. Have more case studies
      5. The padfolios are still being used by stewards
      6. Have various levels of trainings: beginner, intermediate, and advance
      7. Get more Chiefs involved in the planning and training of the summit
      8. Rewarding experience
   2. Debrief from EBAs
   3. Survey results
3. Arbitration Team meeting update
   1. Cases heard since the last ERC meeting (8/19/2019)
   2. Number of cases in arbitration
      1. Three cases in September and four cases in December.
      2. Cases continue to be worked despite the declining number of MMB Labor Relations consultants (3).
         1. Jennifer Claseman, Beth Belle Isle, and James T. Haney are down to three MMB Labor Relations Consultants to manage grievance assignments from MAPE, AFSCME, and other unions.
         2. <https://mn.gov/mmb/employee-relations/labor-relations/contact/>
         3. Please relay this message to your fellow stewards.
         4. Statewide Training –
            1. Statewide training video on exempt, non-exemption, flex and balance schedules.

Have you had a chance to watch the training video on the Steward Toolkit?

A suggestion was made to slow down the closed captions.

Have you had a chance to discuss it at your steward meeting?

* + - * 1. Second topic – ADA/FMLA

Volunteers: Panelist

* + - * 1. Letters of expectation

Train the trainer one pager

* + - * 1. Third topic – Respectful Workplace Policy – review MAPE toolkit and our responsibility as members.

Volunteers: Cindy Kolodziejski and Marlijn Hoogendoorn.

* + - 1. Are you having monthly, bi-monthly, or quarterly meetings?
         1. What resources do you need from me, MAPE, EBAs, etc.?

Half of Chiefs are having monthly meetings and the other half are having either every other monthly meetings or quarterly monthly meetings due to the size of the region.

* + - 1. Identifying gaps where we need more stewards (Mapping)
         1. To better represent our members, take a moment to assess your region and determine the locations (e.g., work units, divisions, buildings, etc.) that could use one, two, or a few more stewards.
      2. Deputy Chiefs/co-chiefs/steward coordinators
         1. Bryan Kotta (Region 15) and Ted Snaza (Region 4)

To help distribute the Chief Steward workload, Bryan has a rotational set of stewards and Ted has two Deputy Chiefs.

Please reach out to them if you want to learn more about their systems.

* + - 1. Regional hub meetings – did not discuss.
         1. The purpose is for chiefs and active stewards to come to together quarterly or semiannually to discuss steward and chief steward development.
         2. For example, chiefs and active stewards around the Capitol complex (Regions 4, 7, 9, and 8) can meet together periodically.

Another example is chiefs and active stewards around downtown St. Paul (Regions 5, 6, and 21) can meet together periodically.

Regions 1, 2, and 3 can meet together.

Regions 10, 11, 12, and 13 can meet together.

Regions 18, 19, and 20 can meet together

Regions 14, 15, 16, and 17 can meet together.

* + - 1. Anti-bullying Task Force – did not discuss

Action items Person responsible Deadline

1. Strategic Plan – Please discuss it with your fellow All Chiefs March 31, 2020 stewards and get their inputs.

2.

Time allotted | *15 mins., 9:45 AM – 10:00 AM* | Agenda topic Intermission | Facilitator Thu

# Break

Action items Person responsible Deadline

Time allotted | *60 mins., 10:00 AM – 11:00 AM* | Agenda topic Training | Facilitator Thu

# Case Study

## Discussion:

* + EBA Fodness presented a grievance settlement concerning FMLA and ADA.
  + The member was bullied for 1.5 years and used intermittent FMLA.
  + The member’s doctor recommended them to get on a reduced schedule from a four 10 hour work schedule to three 10 hour work schedule under ADA accommodation.
  + HR accepted the three 10 hour work schedule request but required them to use FMLA - sick leave on the fourth day.
  + MMB agreed with the member that they did not have to take FMLA – sick leave to cover the fourth day because it was an ADA accommodation request to not work on the fourth day.

Action items Person responsible Deadline

Time allotted | 6*0 mins., 11:00 AM – 12:00 PM* | Agenda topic Development | Facilitators Angie Halseth, Ellena Schoop, and Thu

# BA and Steward Discussion- Board Task Force

## Discussion:

1. The Board task force will be facilitating a discussion on the roles of business agents, stewards, and chief stewards.

Action items Person responsible Deadline

Time allotted | *30 mins., 12:00 PM – 12:30 PM* | Agenda topic Lunch | Facilitator Thu

# Lunch

Action items Person responsible Deadline

Time allotted | 6*0 mins., 12:30 PM – 1:30 PM* | Agenda topic Development | Facilitators Angie

Halseth, Ellena Schoop, and Thu

# BA and Steward Discussion- Board Task Force – continued…

## Discussion:

1. The Board task force will be facilitating a discussion on the roles of business agents, stewards, and chief stewards.

Action items Person responsible Deadline

Time allotted | *40 mins., 1:30 PM – 2:00 PM* | Agenda topic Training | Facilitator Jim and Thu

## Discussion:

* Jim Roettger, Chief Steward of Region 9, brought up his concern that agencies have taken disciplinary actions on members using a guidance document from the Department of Administration called, “DLR, Driver's license Review Check Guide”. As Jim described it, this document gives instructions to agencies and establishes risk levels assign to employees that effect their jobs but does not appear to be a work rule. Rather it is instruction to the agencies on what action should be taken. It requires an action when a conviction is placed on the driver’s record, but the agencies are using it for discipline when the telemetric alerts are activated in State cars. The guidance document clearly states these risk levels and the resulting actions that should be taken upon a violation noted in the DMV record. In other words, a conviction of a driving offense. The agencies appear to be taking these action without the required conviction, which denies our members due process. At least when you get a ticket for speeding you have the right to question the charge in a court. Most importantly, this violates the just cause rule because no one has informed or notified our members of the decision to take an action such as this. There was no warning or agreed upon work rule. It appears that Department

of Administration did not update their DL Records check policy issued in 2014 and make sure that it takes into account the requirements with the February 2019 guidance document from the Dept. of Admin to the agencies. It is unclear if our members or MAPE were informed of the Feb policy or just the agencies.

* Jim mentioned that the Department of Administration sends information to your agency HR and your HR sends information to your boss.

Action items Person responsible Deadline

Please inform your fellow stewards and All Chief Stewards March 31, 2020 members about this document.

Time allotted | *10 mins., 2:00 PM – 2:10 PM* | Agenda topic Training | Facilitator Thu

# Basic Steward Training

1. Basic Steward Training:

January 10, 2020 from 8:30am to 4:30pm May 8, 2020 from 8:30am to 4:30pm August 14, 2020 from 8:30am to 4:30pm November 13, 2020 from 8:30am to 4:30pm

1. Any regional trainings?
   1. Region 14 may have a regional Basic Steward Training in February 2020. Action items Person responsible Deadline

Time allotted | *10 mins., 2:10 PM – 2:20 PM* | Agenda topic Training | Facilitator Thu

# Advanced Steward Training

1. Advanced Steward Training:

March 27, 2020 from 8:30am to 4:30pm July 24, 2020 from 8:30am to 4:30pm October 23, 2020 from 8:30am to 4:30pm

1. Any regional trainings?
   1. Region 8 may have an Advanced Steward Training in 2020.

Action items Person responsible Deadline

Time allotted | *10 mins., 2:20 PM – 2:30 PM* | Agenda topic Training | Facilitator Thu

# ERC Meetings in 2020

1. Regular ERC Meetings:
   1. Monday, April 20, 2020 from 8:30am to 4:30pm
   2. Monday, October 19, 2020 from 8:30am to 4:30pm
2. ERC Arbitration Appeal Hearings:

Monday, February 24, 2020 from 8:30am to 4:30pm Monday, June 15, 2020 from 8:30am to 4:30pm Monday, August 17, 2020 from 8:30am to 4:30pm Monday, December 21, 2020 from 8:30am to 4:30pm

Action items Person responsible Deadline

Time allotted | 90 *mins., 2:30 PM – 4:00 PM* | Agenda topic Training | Facilitator Thu

# Grievance Review

## Discussion:

1. How many grievances do you currently have in your local?
2. How many new grievances have you received since the last ERC meeting (4/15/2019)
3. What are the issues that are being grieved?
4. Are there any fascinating grievance resolutions that you would like to share?
5. Do you have any contract-related questions?

Action items Person responsible Deadline

Time allotted | 3*0 mins., 4:00 PM – 4:30 PM* | Agenda topic Training | Facilitator Thu

# Other Items

## Discussion:

* 1. Any items that you would like to discuss?

Action items Person responsible Deadline