

Supplemental Bargaining - Meeting Minutes

Date: 05/02/2023

Hybrid In-Person and Virtual Teams Meeting

Ramsey Conference Room

Time: 9:30 AM – 12:30 PM

Minutes prepared by: Kriystauhl Fitchett

Attendance

Present In-Person: Sandi Arvin (HR Director), Mathew J. Begansky (MMB), Dan Englehart (MAPE), Kriystauhl Fitchett (CCLD), Debra Heisick (ADR), Dave Skovholt (Labor Standards), Alexis Lohse (Construction Misclass)

Present Teams Virtual: Kristy Swanson (Assistant Commissioner), Ashley Shanley (HR Consultant), Shoua Tran (HR Consultant), Frances Li (ADR), Cyndi Benjamin (OSHA), Vicki Sanders (MNOSHA), Alexis Lohse (Labor Standards), Bonnie Frisk (Labor Standards)

Discussion Points

Introduction: K. Fitchett opened the meeting by highlighting the committee's counter to leadership's responses to each proposal presented at the initial supplemental bargaining meeting on April 24, 2023. The committee would like to share stories submitted by MAPE employees and some personal ones to share about why the proposals are important to employees.

I. Proposal #1 – Workload Retention

Human Resource Response: There is currently a proposal at master bargaining regarding incentive language. This language would allow DLI can create its own guidelines and programs. If the incentive language does not move forward at master bargaining, we can then examine whether a memorandum of understanding makes sense to pursue.

Of note, a number of OSHA safety and industrial hygiene staff received an achievement award for their work during COVID. Those achievement awards were granted in June 2021.

Meet & Confer Committee feedback: D. Englehart reiterated support and commitment received from Commissioner Nicole Blissenbach who expressed she is already on board with the bonus pay MDH employees received. Dan offered to create a letter with language for the adoption of the proposal.

S. Arvin stated that she is not opposed to the proposal however, as the language is currently written it is too vague and if parameters are included, the retention bonus could be possible. Leadership would like to have more discussions with OSHA and CCLD supervisors to determine which employees worked in the field during Covid-19 versus employees who worked from home. HR will work with OSHA and CCLD representatives for further discussion.

This topic will be added to standing Meet & Confer Committee meetings until finalized.

II. **Proposal #2 – Probationary Period Check-Ins**

III. **Proposal 5 – Supervisor Review**

Human Resource Response: HR is presenting training on performance reviews to managers and supervisors on May 4, 2023. The importance of completing mid-point and the end of probation reviews will be included. HR Consultants have started reaching out to managers to remind them to complete and submit mid-point and end-of-probation reviews for their direct reports that are on probation.

HR is also looking into starting a workgroup to develop one performance review form for staff and one for managers/supervisors. We plan on developing a process for staff to provide direct feedback that can be incorporated into the manager/supervisor form.

Our goal is to have new performance review forms and procedures in place by the Fall of 2023.

Meet & Confer Committee feedback: D. Skovholt opened the discussion and asked what is the current process for supervisors? S. Arvin stated that supervisors currently have access to a new hire mid-point review but since January 2023, a process was implemented where HR staff now routinely run a report to identify supervisors who need to complete the new-hire review process. To move the process along, supervisors also receive an email from HR as a reminder to complete the review by the deadline date. However, currently, no policy language exists to address the failure to complete the mid-point review.

K. Fitchett shared previous experience for the development of the 2017 MMB Enterprise Learning and Development onboarding manual draft called *New Employee Conversation Guide* (“MMB Manual”) and the importance of a formal and documented mid-point review where employee and supervisors date and sign an acknowledgment agreement of the event.

Section A of the MMB Manual recommends that after the third month of the new employee’s employment, the Appointing authority should welcome the employee to the third month, and document and discuss goals for the remainder of the probationary period.

The following are topics authorities are encouraged to discuss:

- Understanding of departmental vision, strategy, and goals;
- support or resources needed to reach goals;
- employees’ greatest impact for the quarter;
- any thoughts or feelings of being overwhelmed; and
- what does the employee feel most confident about.

Shared stories (Fitchett):

1. A new employee who did not receive a mid-point review, and was unaware of any negative feedback or deficiency, came to work on the last day of the probationary period to find a letter placed on their work chair advising them that the probationary period would be extended. No other explanation was provided and the employee never heard from the supervisor that they were certified when the new deadline passed.

2. The appointing authority contacted the new employee by phone on the final day of probation informing them that their probationary period would be extended an additional six months. During the call, the employee received feedback about not completing the work of an employee working in a higher classification. The employee resigned within thirty days.

MMB representative, M. Begansky, pointed out that an employee should receive feedback often and frequently, and if management has provided continual communication throughout, the employee should not be surprised at the end of the probationary period if it is extended.

S. Arvin advised that Human Resources recently implemented a new process for upcoming employee reviews. Supervisors are now contacted about the upcoming due date and response deadline. HR will draft a letter to codify the new process.

HR is also working with other state departments to coordinate a supervisor questionnaire for plans to conduct a survey in the near future. F. Li requested that the Committee share input for the development of the draft questionnaire before implementation. HR will share data performance with the Meet & Confer Committee members before publishing data on the website.

Shared stories (Sanders): When an employee is hired and selected or promoted through nepotism, the culture of the organization demonstrates to all others that work experience, education, skills, and abilities are not of value, relationship gets you the job. While appointed authorities complete training to help employees become successful in their position, some supervisors weaponize performance reviews against employees leaving them blacklisted to work in employment purgatory for the rest of their career.

- I. For several years, a number of union female employees (MAPE/AFSCME) who worked in administrative roles were subjected to harassment and were terminated or quit. In an effort to protect the employees, AFSCME eventually did not allow staff to work in the consultation unit and transferred them to work under a different female supervisor, who protected employees from the potential of future abuse.
- II. A male employee hired to work in the consultation unit who was welcomed and respected by his fellow peers, proved competent to successfully perform the job. The new hire was employed fifty-nine (59) days and at 4:00 PM on the day before his probation was due to end, was visibly embarrassed and traumatized while being escorted out of the building without warning. Onlooking employees in the work unit were also affected by the event as they witnessed a gleeful supervisor after the event.

This topic will be added to standing Meet & Confer Committee meetings for planning and updates.

IV. **Proposal #3 – Tuition Reimbursement**

Human Resource Response: DLI currently has a training and employee development policy similar to those presented by MAPE during our meeting on April 24, 2023. See attached.

Meet & Confer Committee feedback: D. Heisick recapped the DLI *Training and Employee Development* policy presented to the Committee, where HR advised of plans to rebrand the policy language to clearly separate the articulation of the certification training fees and tuition

reimbursement. DLI policy currently provides tuition reimbursement for up to 75%, whereas the new policy proposal requests up to 80% coverage based on current college costs.

K. Fitchett mentioned that in addition to favorable interest demonstrated by the DLI MAPE employee tuition reimbursement survey results, a recent news article was published about DLI administering the Office of Higher Education dual training grant program endorsed by the Walz Administration. The program is a collaboration between fifty-nine (59) Minnesota businesses that have partnered with colleges, and universities to provide continuing education to Minnesota employees for on-the-job training for career advancement. Employers receive grants for in-demand industries for employees to develop skills based on competency standards for the Minnesota Pipeline Project. Grants may not exceed \$6,000 per employee, per year – for up to four years.

S. Arvin noted that K. Bartikoski will work to complete the policy language updates and after the Commissioner's office approves the edits, HR will publish the new tuition reimbursement policy on the Intranet. The policy can be posted several times throughout the year so employees can become aware of the benefit to take advantage of it.

This topic will remain on the Meet & Confer standing Committee meeting until finalized.

V. **Proposal # –4 Work Out of Class**

Human Resource Response: DLI has an average of 2 work out of class opportunities each year. DLI HR plans on developing a guidance document on when it is appropriate to post work-out-of-class opportunities. The goal would be to have the guidance document finalized this summer.

Meet & Confer Committee feedback: The Committee revisited the discussion about work-out-of-class positions to provide opportunities for a diverse pool of applicants to advance their leadership skills. The state of Minnesota has offered leadership programs such as ELM, ELI, SEAL, and also CETA, however, the program does not provide on-the-job training to employees seeking to advance their careers.

S. Arvin advised that work-out-of-class positions for a three (3) month period or less will remain the same. Positions for six (6) months or greater can be explored. HR is open to additional discussion to determine what kind of parameters.

This topic added to standing Meet & Confer Committee meetings for further discussion.
