

SEIU District 1199 WV/KY/OH
Department of Health

Agency Professional Committee Meeting
December 16, 2021

Union Attending:

Julie Keegan, Public Health Consultant
Sherry Kraft, Surveyor (Non LTC)
Angela Ball, Surveyor (LTC)
Chris Binder, Surveyor (Non LTC)
Heather Searfoss*, Public Health Consultant
Geoff H. Davies, Administrative Organizer

Management attending:

Elaine Stewart (Labor Relations Administrator)
Jaime Erickson (Human Capital Management Administrator)
Rebecca Sandholdt (Bureau Chief)
Jill Shonk (Asst Bureau Chief)

Housekeeping

1. Scheduling APC dates for 2022
 - Feb 3
 - May 5
 - Aug 4
 - Nov 3
2. Scheduling Health & Safety Committee meetings 2022 TBC
MGT: TBD once staff is returned to the buildings.

Management Update:

3. Kronos down

MGT: As you know, the state has been experiencing an outage of the Kronos timekeeping system. This outage prevents State of Ohio employees from recording daily work time and requesting leave. It's important to note that this is a global outage and not specific to ODH or the State of Ohio. There is no estimate on when Kronos will be restored.

The Kronos system used at the State is exclusively a timekeeping system and does not generate paychecks. Payroll is generated within OAKS HCM. That means that payroll for the last pay period will not be impacted by the current outage.

Since learning of the Kronos outage, our team has been working closely with OMIS and DAS to identify and implement a temporary, simple solution to capture employee time and requests for leave. We anticipate being able to share more details about this temporary solution during the next 24-48 hours.

In the meantime, we are asking ODH employees to record hours manually. Please be sure to include start time, lunch out and in and out time at the end of the day. Employees should also follow their normal procedures for requesting time off. (If requests are typically made solely in Kronos, please email your supervisor with your request(s).)

DAS working with Kronos directly. ODH is using old Timekeeper program for attendance tracking. Setting up security measures. Memo to staff late this afternoon or early tomorrow. Staff asking what to do about time for last week. Don't know how many hours worked and leave. Goal is to get people pay. Adjusting on back end.

UNION: Lots of people never used old system. How will they know how to use system? How about the rounding of 6-minutes using this system?

MGT: Unsure of how this will change but it may be to the benefit of employees.

FORMAL AGENDA

4. Return to Offices

Phased approach to return employees to the office beginning in January 2022.

Discussion:

MGT: Toledo and Akron we're working on lease. Long term is to reduce space in both offices. Have talked to the staff there about it, they're comfortable with it. We will continue short term having a hub for people to come in and use (copiers etc.). Akron for sure are selling the building in the spring. But this won't impact when we return because we'll still offer opportunity for staff to go in if needed. Will update for longer term, which would be to eliminate those offices, but we haven't done anything on it yet and also need more feedback from employees on it.

UNION: We're (Toledo) fine but love to have the hub or location accessible.

ODH will notify if any discussions needed for WFH.

5. Questions and concerns raised by members:

- *The pandemic had demonstrated an ability for employees to work from home – how did they determine the need to go back, and what are the reasons?*
- *Management has stated there is no plan yet and there will be further discussions.*
- *Concern raised about the process for exposure within the office (recent issue). How will members know if they have been exposed to a covid positive coworker or someone who lives with a covid positive family member?*
- *Will members be given accommodations?*
- *What if any communication will there be?*
- *Will there be consistent rules across offices?*
- *Concern raised about working alongside non-vaccinated or potentially sick worker? What about my right to privacy/health?*
- *Laptops – will we be provided laptops, or would we use shared computers – health risk – who would clean?*
- *Who will be cleaning workstations between days?*
- *Covid leave – ODH members have no covid leave and must use own leave to cover illness and illness related to covid. With move back to offices members will have to make decision on coming in sick or using their own leave. This is already a problem in DRC – what is managements plan if any?*

UNION: Doesn't make sense to go through the concerns above in detail because nothing to act on yet since not back in the offices yet.

MGT: Yes, but we are interested in staff concerns about the building measures once we return. We will provide FAQs when we get closer to moving employees.

North High Street Building safety updates:

- We have the new Everwipe Stations throughout the NHSC facility for folks to use. They are containers with the Clorox wipe type dispensers.

- In the 35 Chestnut Street facility, basement level, DAS has added touchless hand sanitizer dispensers located around the common areas, and meeting room entrances.
- An ASHRAE guided water sanitation program is in place.
- All the elevators have been fitted with clean air ionizers.
- All the filtration for the air handlers has been fitted with highly rated HEPA filtration filters.
- Green cleaning happens throughout the day, provided through the Goodwill housekeeping contractor. All the door handles, elevators, front entrance areas, are wiped down daily for high touch point sanitation control. All the water fountains are sanitized daily in this process. This is a service provided in addition to the normal daily housekeeping.
- There is signage placed in high traffic areas that highly encourages the use of a mask if unvaccinated
- All the elevators are clearly marked with recommended occupancy amount by all cars on each floor.
- In the event there is a covid positive test Goodwill provides an extra sanitation measure to mist a space to kill any viruses in the area upon request.

6. Surveyors and exposure

MGT: Currently able to do a lot remotely.

UNION: Notice today those hospitalizations are up so if we will have to remain on site for the entire survey then what about the risks to us?

MGT: Not sure where this came from. It's not 100% in the building. Tasks that can be completed offsite will remain assigned remotely (e.g., record reviews). Can always discuss with FM whether assignment can be completed remotely.

UNION: It's a miscommunication from Field Managers then, two or three saying not approving off-site record view, must stay on site 100% and other saying you can finish writing up at home. So, if you could send something out to everyone that would be helpful.

MGT: Yes, I will send something out. (Management sent out clarification to all field surveyor staff during the meeting).

7. Vaccination mandate update

MGT: There is no ODH or state vaccination mandate currently. Obviously, we are following CDC guidelines for masking and testing. We are watching the federal vaccine mandates and the injunction closely. As of today, there are no changes.

UNION: Is the vaccine incentive impacted by Kronos?

MGT: No. ODH employees have earned the \$1000 for 85% of ODH staff receiving at least one shot of a Covid vaccine. We don't have a timeframe on when this will be paid out.

8. Calling Off

Concern raised about the current call off process where if you are calling off sick, the information you provide goes to multiple people – many of whom do not need to know, nor should they know why you called off. Can this be adjusted to protect privacy. Generally, advice is do not put reason for call off on the form if you are sick (keep reasons private). How it can form be modified or process modified to protect privacy. The only thing management and others need to know is that you are absent, not the reason.

MGT: Call off limited to "calling off sick, etc. today" to scheduling or FM. Only need to tell team coordinator, "I won't be at facility today."

9. Current staffing matrix and positions open in each bureau

Concerns raised by multiple members about currently doing multiple jobs/assignments because of open positions. How and when will the state be filling those positions? If they will not then why, what is the plan for those covering that work and how it relates to federal funding and grants.

MGT: Lots of positions currently being filled. Approx. 115 positions are moving through the selection process and will be filled shortly.

Added after meeting: ACTUAL field surveyor numbers as of January 2022:

Filled = 146

Open = 28

Total = 174

10. Tax Changes

Are there any updates to management's position for 2022?

MGT: The tax location change in Kronos is deferred until the Kronos issue is resolved.

UNION: A member raised the question of what happens with taxes if you're working from home in 2021 or 2022. The state budget passed this year contained updates to employee city withholding rules related to the COVID-19 pandemic. A recent article from a tax consultancy firm says:^[1]

Under the pandemic order, an employer was required to maintain employee withholding to the principal place of work (PPW) that they had pre-pandemic — even if the employee was working from home in another municipality. Although the pandemic-related state of emergency in Ohio was lifted June 18, 2021, the 2021 – 2022 Ohio budget allows employers to continue to assign 100% of an employee's wages to their PPW until December 31, 2021.

MGT: This change has been placed on hold by the State to resolve the global Kronos shutdown. When tax changes become available again, we will direct staff to job aids in MyOhio.

11. Surveyor ideas for improvements in surveyor mandation and weekend surveys. These are discussion points currently, not proposals. Discussion point provided for review and follow up discussion at next APC.

The suggestions below are from a survey of members. At this time, these are discussion points and not proposals. Our hope is that we can use some of these to create strategies and initiatives to improve the work life balance of our members.

Q13 - What operational changes would you recommend improving mandation, complaints on weekends, and the work life balance? Please be specific in your answer and why it would be beneficial to staff or ODH.

Number of complaints we get, and the backlog exceeds our staff. What is the plan for more surveyors?

1. Write up time – how to reduce
 - Backlog write ups
 - Complaint Investigation Report process (from backlog) – it doesn't make it simple it adds to it.
 - unsubstantiated complaints
 - How much complaint reports contain versus other states – can we ask other states? CMS says we write extraneously
 - Correcting errors – dates
 2. Best practices – what are other states doing scheduling complaints and annuals?
 3. Staffing – what is the current vacancy rate/number, and what should the total staffing number be compared to the volume – should the state be hiring more surveyors according to current volumes and expectations, especially given recent changes with hospital and home health agencies licensures (Note: This item for discussion is also a specific information request for the current list, the current vacancies, and all guidelines/rules that govern how many surveyors there should be).
 4. **Why are surveys that require weekend work not counted as mandation?**
 5. When there are more than seven complaints they schedule two days, or more than one surveyor. The number needs to be reduced and the time allotted and # of surveyors allotted should be based on number of complaints and *complexity* of complaints. Also, complaints need to be triaged more effectively. Number of *allegations* needs to be considered also.
 6. Complaint Dept needs to learn how to read, learn the regs, and actual provide a useful, usable, and complete set of allegations for each complaint. While I am responsible for
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reading through the complaints, but I don't have time to waste discovering and communicating with my supervisor over whether something else needs to be investigated, they don't have time to waste either. – Extraneous allegations, when we then read through there actually only one and then we're investigating three allegations for one violation.

7. Field managers to do surveys occasionally – keep them fresh and in touch.
8. Monthly office day for paperwork - with the amount of information we must keep up with a paperwork day once a month would also be beneficial to our sanity. Paperwork =admin, training (eLearnings etc.), travel logs, training logs, elite car info, emails, testing, expenses reports, receipts
9. Make complaint specific survey teams of surveyors who specifically want to do complaints.
10. Do not mandate staff for complaints/surveys that have due date not close to the weekend it would typically be mandated,
11. Allow for weekend entry surveys (regardless of the weekend day that it's entered) and offer for flex, not mandate
12. Allows surveyors to communicate directly with schedulers. Inefficient. E.g., I must contact a supervisor who contacts someone else to come back to tell me what to do. Can't I go straight to the person rather than jumps through the hoops?

Hiring and Training

1. Effective and targeted hiring for RNs, SW, Dieticians etc. according to survey type needs and each quadrant/section. Majority of recent hires are non-RNs. Are they filling a need somewhere or are we taking all applications regardless?
MGT: **YES, WE DO target, try to balance geography too. Problem is the pool is small, so we must augment.**
2. *The Department needs to stop hiring so many non-nurses. Is it required just because a complaint says weekends or nights that they must make observations then? Annuals are the most comprehensive and they do not require weekend observations even. NLTC can only be RNs.*
3. *More fairness in scheduling to make RN mandation more equal to the frequency of Social Workers or Dietician. Can't a SW or Dietician open a weekend complaint and have RN come another day to med pass or wound? Usually, the weekend allegation is staffing or personnel not being supervised, not my dressing doesn't get changed on Sunday to accommodate my church schedule. Might keep more RNs from leaving.*

MGT: **Volunteer assignments are put out first, would it be fair to tell an RN not to volunteer because need you in the weekend?**

UNION: Could we categorize and focus on Dietician/SW surveys they can do? Not to take away.

UNION: Are other states having these problems?

MGT: **Can't compare apples to apples, another state has a different population and dynamics.**

UNION: There's a network of people who do the same jobs we do, through CDC. We can reach out to someone in Vermont. NASTD. Do you have something similar

MGT: **Yes, called AHFSA**

UNION: Training to improve our computer skills would be helpful as well. Is it available on request?

MGT: **All kinds of trainings are available, go to Learning on Demand, and look for funds with your union.**

Training Experience

Training represents the organization; employees will form opinions based on their experience. Need to be more positive. An unhealthy culture coming out of the program. Specific examples were produced and discussed.

Scheduling

1. **Why do members get day to day schedules? Schedulers are being directed by management, not scheduling per the complaints coming in. Members don't always know what they are doing next day or week. Lack of consistency. Last minute updates on Thursdays – what do surveyors with children do?**
2. Alternate schedules - ask if surveyors would prefer to work alternate schedules rather than forcing us for so long, *we have no choice but to suffer the bs or find something else in another dept or out in the community*
3. **There is no reason to schedule complaints on the weekend unless there is an allegation. They could work with CMS to do some complaints via desk reviews.**
4. **They could offer weekend positions only and pay them full time or Create positions that work weekends and allow people to bid into them. Very rare that there would be no surveys or complaints to do, but if no complaints their desk reviews and other work that can be done. Any complaints can be done on weekends, even non-weekend related complaints.**
5. Allow staff to volunteer for flex schedules to include weekend coverage as needed AHEAD of time so can plan for medical appointments and family events. For example-Have surveyors choose to work weekends each quarter like how we ask for vacation. Allow surveyors to trade weekends to accommodate unplanned circumstances.
6. Give surveyors more input into their schedules. Let the people who like complaints and who are good at them do the complaints. Let those who prefer annuals work on them. Might be more efficient. To an extent this is self-scheduling.
7. Trial positions that work weekends - Saturday, Sunday, Monday off instead of Friday, Saturday, and Sunday off to cover 2-day complaints that potentially could come in on Fridays. At least they could be pulled to enter on Friday. Then another surveyor could take over on Monday or that surveyor could come back Tuesday? You post the few Mondays off positions. Key thing is that these are not positions created that are then pulled to if no-one applies.
8. **The complaints with weekend allegations should be offered for over time, then attempt schedule within 40 hours, and then mandated.**
9. **Stop enter-return surveys that require me to visit one day and return a different day (weekend).**
10. **Modification: we want the option to flex, cannot be forced to flex.**
11. Extend the mileage for mandation to 125+ miles so that the same people aren't mandated repeatedly. Calculate distances of facilities from people's houses to be driving miles not as crow flies miles.

MGT: We're targeting those areas with fewer surveyors. 125 has money concerns with overnights and time. We use a system that does mileage does not crow files. The 75 miles came from travel time and consideration.

12. Or change it to drive time – 90 minutes radius?
13. Or create a trial Schedule 10-day complaints during 40-hour week. Concern with losing flexibility when you break of a larger group leaving smaller group.

MGT: They used to do more flex weeks so people who wanted to start on Sundays could do so, and it seemed to eliminate a lot of the weekend allegations out there. I think the volume of complaints have increased and our staffing levels have decreased. So, then they mandate to get things done. I think ODH should focus on retention and keeping staff and employee appreciation. Additionally, if scheduling looked at where you lived and scheduled you closer to home well stuff gets done quicker. I think there's multiple variables.

14. OT on weekends should always be considered mandation.