Meeting Minutes – June 2, 2011

The meeting began with a warm welcome given by Ellen Allbritton. All were in attendance: Tiffany, Jamie, Phil, Dennis, Nancy, Tom & Don. Field investigators Jeri, and Ellen joined in via tele-conferencing.

With the retirement of Tom and the pending retirement of Phil, we are now down to 5 investigators in the rotation. Tom' s position will be advertised as a Trainee/ Progression Position.

Dennis and Phil have worked with Andy on the Strategic Plan and have completed the changes that will take place for the new plan:

- Currently Inventory 220 (based on incorrect date from ORACLE); new inventory 280 (this is based on corrected data and three year average; 280 is more reasonable because there are only 5 investigators working on cases and the fact that any new investigators will have to be trained).
- Closed Cases percentages have increased form 11% to 12%. On average investigators are required to close a minimum of 6 complaints per month to meet percentage; with the increase this number is now 8 cases per month.

Investigators are concerned about the number of case they are currently receiving since there are only five investigators in rotation. It was suggested that the case are assigned as needed versus as being assigned on a rotational. Tiffany has spoken with Andy. He suggested that that the cases are assigned but held for two-weeks instead of assigning it to the investigator. Investigators thought

that this would not be helpful in reducing the amount of case currently be assigned.

There is a 3 ½ reduction in the budget this year. Currently we have 6% of our budget left compared to last year at this time we were at 8%. We have to be careful with our spending because we used nearly 94% our budget.

It was questioned should we charge a filing fee to generate money for our budget? Things to consider would be how much to charge and the fact that majority of our complaints are unemployed.

The Operations Manual is currently being scanned by Dennis, Phil, and Tom. Once the federal manual is complete we will incorporate updates to our manual. Tiffany will check with Steve on the status of the federal manual.

The are no updates to report in reference to the federal audit or the Gilbert Jackson complaint.

Legal Review with Jennifer Chrisohon and Jane Gilchrist:

- Tom has a case – Roy Cheek vs. Carolina Care Enterprises, Inc. that was found to have merit, legal is considering litigation.
- We should not cases that are not covered under our REDA/our statue. If complaint filed with USDOL, then USDOL has jurisdiction in covering any discrimination. For example, they have jurisdiction for retaliation of the FLSA for complaints concerning overtime with companies making more than $500,000 annually. There is no state jurisdiction, EDB should not

investigate. Cases should be "administratively closed" and referred. No right-to-sue letter should be issued.

- There are no standards or regulations regarding workplace violence. If OSHA takes the complaint it may fall under the "General Duty Clause".
- Complainants can now request a 90-dat Right-to-Sue letter. This replaces the 180 day Right-to-Sue. The language of the Bill has not changed just length of days.
- Complainants now have 30 days to file an appeal. This is not if they disagree with the finding but if there is evidence to suggest that crucial information was not considered during initial investigation. The Commissioner may re-open the file. There is no appeals process for closed complaints over 30 days; at the completion of the appeals process (if needed) a new right-to-sue letter will be re- issued.

Nancy conducted safety training. The topic was: Heat Stroke/Sunburn – Recognizing symptoms and treatments.

Dennis discussed CPR Updates. New evidence suggests that a person who is not breathing just need chest compressions (and not the rescue breaths) until help arrives. Compressions should be given at the rate of 100 compressions per minute to keep the blood flowing. Electric shocks should be given to the person as soon as possible with a defibrillator (AED) when available. 911 should be called before this process begins.

Everyone is reminded to complete time in Beacon weekly. Andy has requested that we input our time on Mondays before 10am each week. Investigators are additionally reminded to turn in weekly reports weekly.

Investigators are reminded to continue to type activity logs. This makes notes/logs easier to read when being reviewed or disclosed.

Please toll cases whenever possible; this helps with the 90 day open/closed monthly statistics report. Currently there are: 74 cases over 90 days and the inventory is 268.

EDB will be completely moved to the 6th floor by the end of June.

There was a celebration lunch for Tom' s retirement.

Next meeting: May (date to be determined).