

Meeting Minutes – February 10, 2011

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

Reviewed and discussed SWOT analysis completed on last meeting. No changes were made.

Strengths	Weaknesses
Cohesiveness	Down an investigator
Low turnover	Lack of communication (IT and OSH)
Experienced Workforce	Old manual
Updated Equipment	Inventory
Opportunities	Threats
New manual	Budget
New FIR procedures	Retirements
Oracle Updates	Media
OSH Conventions	Spanish Complaints
	Layoffs/Furloughs

The 2011-12 Work Plan will be based on the changes made to this year's Strategic Plan.

Phil and Dennis are working on the Strategic Plan. They have suggested that the plan remain basically as is, with a few suggestions: It is proposed that in Objective 1, the 90 day standard should be extended to 180 days. This is due to fewer investigators and larger cases loads. Legal Affairs (John Hoomani) had mentioned previously that this should be taken out. It is additionally proposed that settled cases be: 2012 – 11%; 2013 - 11.5%; and 2014 - 12%.

Phil and Dennis will additionally be working on updating EDB's Operations Manual. They are waiting for the federal manual to be published. They will adopt some of the language for our manual.

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OSH office has not heard back from Federal OSHA in reference to CASPA response of Gilbert Jackson.

Tom reported that we are “where we should be” in reference to our budget and spending. He additionally noted that we may be looking at a 15% legislative cut; we will have to wait until the budget is passed to find out exactly what is proposed. EDB’s budget is currently 94% salary based, any additionally cuts may include positions.

There is a new attorney in Legal Affairs, Jane Gilchrist. She will be taking John Hoomani’s position since he left for private practice. She will start in February.

Legal Review with Jennifer Chrisohon:

- Discussed Phil’s case: Complainant was terminated due to refusing to pay for damages to a truck he was driving; damages were \$2000; complainant was found at fault; company has written policy stating that employees will be dismissed for damages over \$500; company has unwritten practice that if employee pay back company for damages (up to insurance deductible) thru payroll deduction employee will not be terminated; complainant refused; complainant was terminated; would this be considered discrimination?
- (Jennifer’s Response): This would not be considered discrimination; does not violate REDA or WH; written policy was a condition of employment; states that any damages over \$500 employee will be terminated; employer should not be penalized for “trying to work with employee”; employer gave employee the “opportunity to make it right”; if there was no written policy then would have to look at past policies; employee required to sign authorization for payroll deduction; terminated for damages; not for WH complaint.

When working with a complaint that has a Collective Bargaining Agreement and requires mediation/arbitration, make sure your read the agreement thoroughly - wording must be specific.

Nancy conducted safety training. The topic was: Workplace Violence – Ways to Respond Professionally and Safely. EDB was reminded that if capital police is needed in our office, the code phrase to be used in a sentence is “Call Mr. Capps”. Employees are additionally reminded to escort visitors in and out of building.

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. If you have any comp time that you have not taken, please use as soon as possible.

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Tiffany reported that our web page has been recently updated to include the Paraphernalia Control Act.

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: 37 open OSH cases and 70 cases over 90 days.

Investigators have asked that Tiffany get a Point of Contact for USDOL Wage & Hour.

Next meeting: May (date to be determined).

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