

Minutes  
4/25/2012 OHE L/M Meeting

**Management:** Stephanie Wood-Garnett and Peg Rivers  
**PEF:** Annette Chambers, Chair, Carlos Garcia and David Lovell

**Recorder:** PEF was asked if we brought our own recorder because Management could not provide one. PEF mentioned that at the Statewide OHE Labor Management (L/M) Meetings both PEF and Management provided recorders; however at the local L/M meetings (which are held at the Deputy level); Management is expected to provide a recorder. Peg Rivers offered to record for the meeting. PEF explained that the purpose of providing a recorder is so that both sides can have a full discussion without being distracted by recording the topics discussed at the meeting. PEF did say that in future, if Management wasn't able to provide a recorder, to please let us know and we would see what we would do. The resolution for this meeting was that both Management and PEF took notes.

**Agenda:** PEF explained that an agenda is prepared by PEF and submitted to management. For today's agenda, there was some push back from the Management's representative because it appeared to be the same topics. PEF explained that topics or issues are kept on the agenda until a resolution is found to the matter/s of concern.

**Labor/Management Process:** PEF reviewed the L/M process and the structure of the Committees. There is Big PEF, the Statewide L/M Committee (which is represented by all of the Deputy Offices in the Department) and then there are local L/M Committees, for instance today's meeting with OHE. The intention of the L/M process is to partner as equals with management whenever possible, to resolve issues and matters of concern.

**Budget:** PEF asked now that the Budget has passed, will OHE be given any of the 91 new positions that were given to the Department?

**Management:** Were those new positions or just an increase in the fill level?

**PEF:** We need clarification on that. Why are we not using the general fund? PEF is concerned that the funds that are being swept to go into the General Fund are not being used to fund positions when the offices are revenue-generating. If the funds were used to support administrative needs; there wouldn't be funds to sweep.

**Management:** OHE has to make sure that we do not spend more than expected revenue. It was explained that in a revenue account, we have salaries, fringe and indirect costs.

**PEF:** Maintains that those funds should remain in OHE and be used to fund positions.

The discussion continued and PEF clarified that there has been some discussion about SED not being an Executive Agency and thus we should be able to fill positions a bit more easily. PEF also explained that based on a discussion had with a representative from the Federal Department of Education, a percentage of funds for federal programs are expected to be used to fund

administrative costs of the programs, thus staffing is expected to be covered as part of those federal funds received. The Department has lost three people from The Office of K-16 Initiatives and Access and, since some of those positions are federally-funded; those positions should be back-filled.

**Management:** Although SED may not be an Executive Agency; we are still expected to work with The Division of The Budget regarding filling positions. Thus waivers have to be filed and are at the discretion of Department's Senior Management and the Division of the Budget.

**PEF:** What are the Budget Priorities for 2013 – 2014?

**Management:** Technology, particularly the development of an interactive web-based program for the Office and College University Evaluation (OCUE) to be able to streamline the registration process for colleges seeking program approvals. This would be the development of an interactive web-based program for use with colleges and universities. IT is looking at current system/s to see what can be adapted.

**PEF:** Pointed out that there has been a history of contracting out these types of projects without the intended outcomes being met.

**Management:** We are trying to implement a system that is coordinated with other systems.

**PEF:** Having coordinated systems is a mutual goal. We would like to know, in advance - what the plans are; costs involved and who would do the work. PEF also encouraged using in-house IT staff to do the work. Contracting out the work should be avoided.

**Management:** Not sure what would be done; suggestions taken under advisement.

**PEF:** Are there expected changes to any of the federally-funded programs?

**Management:** Learn and Serve is set to sunset in August. The individual currently being paid under federal funds will be shifted to another funding stream.

**PEF:** Are there any current (or planned) Contracts for OHE and if so, where?

**Management:** Currently there are no Contracts and none are anticipated.

#### **LEGISLATIVE PRIORITIES:**

**PEF:** What are the Legislative Priorities for OHE?

**Management:** Early College Tuition Assistance Program (TAP) (Smart Scholars).

**PEF:** Spoke to the issue of the Higher Education Opportunity Program (HEOP) office; the general funded position in HEOP is a long-standing concern. PEF has asked for this position to be a budget priority in the 2011-2012 budget. It was not. We are asking again that this position be filled as a part of the newly passed budget or that it become a budget priority for the 2012-2013 budget

being prepared by SED. The justification is that the workload necessitates this position being filled. The entire office of K-16 Initiatives is being restructured in order to try and get work done. There are questions about whether or not restructuring will address the work needs

**STAFFING:**

**PEF:** Would like to see a push to fill vacancies because the need is great.

**Management:** Will continue to pursue.

**PEF:** Our position is that the federal government has provided administrative money for the administration of programs so that justification determination was made at the time the funds were appropriated to SED. Therefore, positions for federally-funded programs should be filled. PEF encourages the use of Federal funds to fill vacant federally-funded positions.

The Office of Teaching Initiatives has lost many evaluator staff, and also several clerical staff members. A reduced workforce creates several concerns: The number of staff has diminished but the work has not gone away. This means that an already stressed workforce is now faced with a larger scope of responsibility which equates to staff potentially being overworked and also being burned-out. PEF is also concerned that with a reduced workforce and a consistent work load, there is a risk of staff being requested to perform out-of-title work.

**Management:** Explained that some waivers have been requested and provided a listing to PEF. Management also explained the Waiver Process: If a need is seen, the Unit Head/s request a position from the Deputy, and must justify the need for a waiver. If the Deputy's office agrees, then the request is put on a critical fill list, and goes through the proper channels.

**The Office of Teaching Initiatives:**

**PEF:** The Office of Teaching Initiatives currently has no Director (since Bob Bentley left), that is solely working with and leading the office. PEF advocates for the vacant position to be filled with an individual who understands the regulations and can lead the office.

**Management:** Not sure where this stands.

**HR POSTING:** PEF asked Management to pass along appreciation to Human Resources (HR) for correcting a posting error for the ECS 1 positions in The Office of Teaching Initiatives and The Office of the Professions. Qualifications were listed in error and when it was brought to the attention of HR, the correction was made and the position/s was re-posted in a very timely manner.

**NEW UNIT – Test Security & Educator Integrity Office:**

**PEF:** PEF requested clarification regarding this office, scope of responsibility, etc.

**Management:** The office will focus on test security. It will be managed by Tina Sciocchetti under the direction of Val Grey in the Office of Management Services (OMS.) They are getting the following new positions: 5 Investigators. Waivers have been filed.

**WAIVERS:**

**PEF:** What waivers have been filed and what is the status of each?

**Management:** A list of waivers that have been filed has been provided to you which include:

Associate in Higher Education (G-26)	<b>STATUS:</b> Federal (Waiver is still in SED)
ECS II (Grade 23)	<b>STATUS:</b> (Waiver is still in SED)
Principal Clerk (G-14)	<b>STATUS:</b> (Waiver is at DOB)
(3) Clerks – Seasonal	<b>STATUS:</b> (Waiver is at DOB)
(3) Licensing Services Clerks (G-9)	<b>STATUS:</b> (Waiver is at DOB)
Senior Professional Conduct Investigator (G-18)	<b>STATUS:</b> (Wavier is at DOB)
Professional Conduct Investigator (G-14)	<b>STATUS:</b> (Wavier is at DOB)
Education Finance Specialist I (G-18)	<b>STATUS:</b> (Wavier is at DOB)

**Proposed Waivers:**

Assistant in Teacher Education

**PAY DIFFERENTIAL REQUESTED:**

**PEF:** Where does the request to have pay rate for the two long-term temporary workers in The Office of Teaching Initiatives adjusted to be commensurate with their evaluator duties?

**Management:** We had success; the pay differential has been approved and should be paid the first or second week of May; they will now be paid at the salary of a G-18 through special payroll.

**PEF:** We appreciate Management's recognition of this problem and the resolution sought. Our members have waited a long time for this issue to be resolved. Thank you.

**WORK ASSIGNMENTS:**

**PEF:** Where does the proposal for transcript evaluation to sunset (08/31/2013) stand at this time?

**Management:** The regulation has to be looked at again and a determination will be made regarding the status of this.

Meeting adjourned at 11:00 a.m.