

# Statewide Labor Management Committee (LMC)

## **\*\*Special Meeting\*\***

Meeting Minutes

April 2, 2020

1:00 pm

### Skype Tele-Conference<sup>1</sup>

#### **Members in Attendance:**

##### **Co-Chairs:**

Saundra Ross Johnson, Cabinet Secretary

Department of Human Resources (DHR)

Michael Begatto, Executive Director

American Federation of State, County &  
Municipal Employees (AFSCME)

##### **Secretary Co-Chair Designee**

Eric Episcopo, Director

Dept. of Labor Relations and Employment Practices (DHR)

##### **SLMC Members:**

Jennifer Biddle, Chief Bureau of Administration

Department of Corrections (DOC)

Nelson Hill, Assistant to President

United Food and Commercial Workers (UFCW)

Geoffrey Klopp, President

Correctional Officers Association of Delaware (COAD)

Nicole Majeski, Deputy Secretary

Delaware Department of Transportation (DelDOT)

Joseph Swiski, Chief of Administration

Dept. of Safety and Homeland Security (DSHS)

Jeffrey Taschner, Executive Director

Department State Education Association (DSEA)

Karryl Hubbard, Deputy Secretary

Delaware Department of Labor (DDOL)

##### **Subject Matter Experts (SME)**

Molly Magarik, Deputy Secretary

Department of Health & Social Services (DHSS)

Joanna Carlson, Human Resource Specialist III

Department of Human Resources (DHR)

**Minute Recorder:** Koshema Fassett, Labor Relations & Employment Practices Specialist (DHR)

#### **I. Call to Order**

Meeting was called to order by Episcopo at 1:00 p.m. with roll call conducted and confirmed quorum. Co-Chair Johnson thanked the participants for their attendance and introduced the Subject Matter Experts (noted above). Co-Chair Johnson asked if Co-Chair Begatto had any comments; none at this time.

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<sup>1</sup> In consideration of the Governor's declared State of Emergency and directive to apply social distancing as a result of the Coronavirus, this SLMC meeting was held by tele-conference.

## **II. Status of Coronavirus Disease (COVID-19)**

Co-Chair Johnson requested that Magarik provide relevant updates:

- The number of confirmed positive cases continues to climb and there has been an additional death; this person also had other conditions. However, it is important to note that the virus is not just impacting persons over 60 with other underlying conditions.
- It is imperative that if you feel sick, to please stay home. We should act as if we are sick and maintain our distance from others.
- Currently there is no vaccine or protocol for those that test positive. The treatment is the same if you feel sick and test positive or negative, which is to stay home, isolate from others, get rest and plenty of fluids. If the situation seems life threatening, contact 911; otherwise, if you are not well, stay in touch with your medical provider.
- Public Health currently has a team of nurses going to the long-term care facilities to provide more personal protective equipment (PPE). This team will conduct visits and provide education; they will also conduct unannounced visits to locations where there've been concerns. The goal for the team is to serve a technical resource.
- Appreciate all the employees continuing to work so hard during this time and with the constant changes.

Co-Chair Johnson thanked Magarik for her updates and asked about the current count or number of cases. Magarik stated that there were 368 cases as of last night; however, this may be an undercount. Magarik stated that this number may not be accurate due to testing, persons with symptoms but have not been tested; and the fact there is no current treatment. There have been 11 deaths, and 51 hospitalizations; however, there are persons in hospitals that are not Delaware residents and our data only considers Delawareans. Magarik stated that Public Health is also working with the hospitals to decompress (moving patients to alternative sites or home, if possible, to other locations to reserve beds for COVID-19 patients).

Co-Chair Johnson thanked Magarik for her comments and updates.

Co-Chair Johnson asked for Carlson to provide updates. Carlson presented:

- DHR continues to work with the agency human resource leads to answer questions and provide the best guidance and support as information continues to develop.

Co-Chair Johnson thanked Carlson for the update and inquired if there were any questions from members of the Committee.

Majeski inquired with the update to the school closures now being extended to the May 15, 2020, will the fourteen days of Personal Emergency Leave (PEL) will be extended. Co-Chair Johnson stated that they will research and review for a response.

Klopp stated that there needed to be clarification for essential employees, versus non-essential. Klopp stated that essential employees who have child care issues have not been able to take time off from work, and that these workers must be compensated differently for coming to work during this difficult time. Klopp stated that the essential employees are being treated differently and there must be clarity.

Co-Chair Johnson stated that each department has identified essential and non-essential employees and if he could offer more information. Klopp stated the issue with leave for child-care. Co-Chair Johnson suggested they speak later about those cases to ensure the guidance provided is being followed.

Co-Chair Johnson inquired if there were any other questions. Biddle stated that she felt Klopp's question also relates to the nature of the work, where if an employee calls-out or fails to come to work it results in other employees being frozen and the agency is not able to approve leave. Biddle stated it seems like we are not in a full State of Emergency because the employees are not being compensated under the Executive Order but being required to report to work; this is an issue at Kids (DSCYF), DOC and other agencies with 24/7 facilities. Co-Chair Johnson thanked Biddle for her comments.

### **III. Public Comment**

Co-Chair Johnson asked if there were any public comments or questions.

Todd Mumford, Lodge 10: Inquired if the emergency leave available until May 15<sup>th</sup>, or available through the duration of the virus. Carlson stated that the Emergency Leave is available until May 15<sup>th</sup> or until the public threat is lifted.

Taschner stated that the May 15<sup>th</sup> deadline is not connected to the current school closure, which is May 15, 2020. Taschner stated that the Emergency Leave available to State employees, is not in the same form or manner as it is for school district employees. Begatto stated the school buildings are open and functioning.

Tom Brackin, State Troopers: Inquired if there were any change or consideration for first responders to receive workers' compensation in the event they contract the virus during duty. Brackin stated that currently the process requires for the first responder to identify the event, incident or person they contracted the virus from approval, however, that is almost impossible in this current environment. Co-Chair Johnson stated that the workers' compensation process is unchanged; and the discussion of workers' compensation should be discussed later and kept separate from this COVID meeting update.

### **IV. Adjournment**

Meeting adjourned at 1:23 pm. with motion to dismiss by Co-Chair Begatto, second by Hill.