

**STATEWIDE PEF/NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
LABOR/MANAGEMENT COMMITTEE MINUTES****April 6, 2006**

Attendance:

PEF:

David Persson, LM Chair

Karl Berger, Albany LM Co-Chair

Chris Spies, Region 1

Joseph Battista, Region 3

Terry Tyoe, Region 6

Frank Flack, Region 6

Kevin Hintz, Region 9

Jim Kersten, Region 9

Wayne Bayer, Albany

Bill Wurster, Albany

Denise Stephens, Albany

Robert McDonough, Albany

Tim LeBarron, Albany

James Trossbach, Albany

John Donlon, Albany

Holly Clark, Albany

Kuldeep Gupta, Albany

Dylan Keenan, Albany

Mike Kanuk, SUNY East

Jim Kemenash, PEF

Josephine Rice, PEF

Management:

Joseph Lattanzio, DEC Director of Employee Relations

Carole LaVigna, DEC Director of Personnel

Mark Malinoski, DEC Assistant Director of Operations

Carl Gonzalez, DE Employee Relations

Mark Cadrette, DEC Health & Safety Unit

Marie Furlong, DEC Employee Relations [Minutes]

PEF's questions and statements are in bold faced type.*Management's responses are in italics.***It was mutually agreed that the minutes will be finalized within 30 days of the meeting. Updates to be forwarded when available.****I. New Business:**

A. Discussion

Management proposes additional changes to the structure of the agenda. Management suggests keeping the agenda to four or five major topics of discussion. Additionally, Management proposes the Committee pull the balance of the current agenda (i.e., New Business, Old Business) off the agenda and establish a more day to day exchange of information. Upon agreement to this proposal, the agenda could be streamlined and the information exchange(s) could be posted on both the DEC and PEF websites for employee review. Management welcomes PEF opinion on this consideration.

In the absence of Assistant Commissioner McKeon who is unable to attend this meeting, Management is prepared to discuss the Compressed Pay Period (CPP) Pilot Program, the work schedule policy (T&A Handbook), the AED program, Avian Flu, and provide Personnel and Operations updates.

The Department's current fill level is 3,350. Over the past year, we have promoted 370 employees and have acquired 43 new positions. Additionally, the Department has not hired any RACNE and NEWIPPC program people. Management hopes to continue in this positive direction.

PEF is agreeable to the off-line exchange utilizing the DEC and PEF websites and suggests questions and responses be dated. PEF will give further consideration to Management's proposal and report back.

Management's response: Management agrees.

1. Privatization

What are the number of contracts for consulting services, value of contracts, the number of contract employees performing such consulting services, types of services provided by such contract employees, the number of hours they work and their total compensation under the contract, at the Department of Environmental Conservation?

A contract for consulting services means any contract entered into by DEC for analysis, evaluation, research, training, data processing, computer programming, engineering, environmental health and mental health services, accounting, auditing, paralegal, legal, or similar services.

What were the appropriations, including reappropriations made for FY05-06 and recommended for FY06-07 for contracts for consulting services?

Management's response:

Contracting Out Computer Services

What were the expenditures by vendor for SFY 2005-06, budget costs, and purpose of contracted out computer support?

Management's response:

PEF requests an update on DECALS and MCI (WorldCom) remaining five (5) DECALS applications including the ad hoc query application and the sportsman education application responsibilities and OSC approval of the contract amendment. At current license sales level, when will the fund require another increase in the cost of a license or general fund bailout? What is the current annual cost of DECALS maintenance/operating costs including the Harvest Reporting System? When will DFW&MR take over operational responsibility for application?

Management's response: Sportsman Education is the last major application that has not yet been put into production and we continue to work with MCI. The Ad Hoc query capability is in place and the Albany HQ staff are using it for data requests and analysis in support of program needs. A rollout to a larger end user base is pending resolution of some current FOIL litigation.

The Department and MCI are currently working on a contract amendment to extend MCI past the current contract end date of May 2006.

The current monthly cost for the DECALS maintenance/operations varies from month to month as a function of the number of licenses processed through the Call Center and Internet Sales Application and average \$150,000 per month.

The Department will continue to contract with MCI for the operational maintenance and support for DECALS through the end of the current contract in May 2006 and will exercise the contract option to extend the contract.

As the Comprehensive Wildlife Conservation Strategy (CWCS) transitions to an implementation phase, has DEC used \$2,937,728 State Wildlife Grants funding to add six (6) new staff before the end of the 2005-06 fiscal year?

Management's response: We hope to add staff for this purpose in 2006-07.

The State Wildlife Grants program coordinator waiver was approved and the position, a Biologist 2 in Albany, was filled. Why is this position now a contract Environmental Program Specialist 1?

Management's response:

Why did DEC hire two NEIWPC Marine Biologists in Region 1 (East Setauket), as the Peconic Estuary Program Coordinator and Long Island Sound Habitat Restoration Coordinator, work traditionally performed by PS&T employees (Biologist 1- Marine)? One member left the agency & the other got a promotion & transferred to Central Office in Albany.

Management's response: The Division of Fish, Wildlife and Marine Resources did in fact hire NEIWPC staff in Region 1 to replace departing permanent staff. However, the permanent State targets freed up were used elsewhere in the Department. Item 37264, Biologist 1 (Marine), at Region 1/East Setauket was vacated by a resignation on 3/09/06. Item 49960, Biologist 1 (Marine), at Region 1/East Setauket was vacated on 11/03/05 because the incumbent received a promotion to a Biologist 2 (Marine), Item 49500. After Item 37624 was vacated, the Division's fill level was 393.85. The Division's fill level presently is at 390.7, but they have 15 unrestricted waivers to hire additional staff.

What is funding source for Hudson River Coordinator?

Management's response:

Is the Marine Endangered Species Program Coordinator a contract employee?

Management's response: This position is filled by an employee of the Atlantic States Marine Fisheries Commission using funding provided via the National Fish and Wildlife Foundation. The incumbent splits time between our Stony Brook and East Setauket offices.

2. Work Schedule Flexibility

On January 17, 2006, PEF/encon requested a meeting to address any of concerns and to discuss what actions need to be taken in order to implement CPP statewide.

Management's response: A meeting on the Compressed Pay Period issue will be scheduled for late April.

Regarding the Compressed Pay Period Pilot, there will be an internal Management meeting on 4/07/06. Executive will get input from the Regional Directors before there is any expansion of the program. We expect to get approval to move the program along. Subsequently, the PERC Committee will meet and work out whatever program expansion is agreed upon.

Regarding work schedules and PERC, PEF feels these issues are related and imposed core hours are problematic.

Management's response: Managers are empowered to decide work hours. These determinations should be based on operational needs.

Management has received PEF's letter on the work schedule policy (T&A Handbook). Our intention is to review the issues raised and determine which (any) of PEF's issues we can agree on. An internal group will meet shortly to review the PEF comments. Where possible, issues will be resolved. For exceptions to PEF comments, we will then meet to clarify and discuss.

PEF would prefer to have the answers in writing and then schedule a meeting with Management.

- a. When will DEC address PEF's January 12, 2006 letter on remaining area of dispute in the November 15, 2005 draft Employee Time and Attendance Handbook?**

Management's response: A meeting on this subject is being scheduled.

Regarding the T&A Manual, Management's scheduling of the training caught them off guard. Additionally, at the trainings, employees are being told that breaks are at the discretion of the supervisor. Citing longstanding past practice, PEF reminds Management that, per the contracts, breaks are mandatory.

The practice of this Agency has been to allow employees a paid morning and afternoon break period of not more than 15 minutes each. An employee may not, however, exchange these (break) periods for a shortened work day. Further, Management does retain the right to deny an employee their scheduled break period on a day(s) when it is an operational necessity. If any employee is experiencing a permanent (blanket) denial of break periods, they should contact the Employee Relations Office and/or their Union representative(s).

- b. Environmental Management Systems (EMS)**

Will DEC prepare an RFP to obtain bid proposals that develop and implement EMS ,and estimate the costs, including: an investment of internal resources, including staff/employee time; costs for training of personnel; costs associated with the hiring of outside consulting assistance, if needed; and costs for technical resources to analyze environmental impacts and improvement options, if needed?

Management's response: Asked and answered previously. DEC is not currently preparing any RFP to obtain bid proposals that develop and implement EMS.

3. Diversity

Diversity of the workforce includes as age, race, creed, color, national origin, sexual orientation, military status, sex, disability, genetic predisposition or carrier status, or marital status. How does DEC propose to increase diversity?

Has DEC completed edit of the Affirmative Action Plan?

Management's response: The Affirmative Action Office has not yet completed its edit of the Department's Affirmative Action Plan.

4. Promotional Ladders

- a. When will DEC update the table Comparison of Environmental Quality and Natural Resources Allocations? When is the next meeting scheduled?
Will Natural Resources staff need a Certification in their particular Profession/field for parity with engineers?**

Management's response: This table was recently updated. Personnel staff met with Bill Wurster to discuss moving forward with this. A group meeting will be scheduled soon.

It is not expected that an additional certification would be required if any of the Natural Resources titles are

reallocated.

- b. Will DEC discuss titles for development of parallel career tracks based on the work responsibilities for master professional titles of Biologist, Chemist, Engineering Geologist, Environmental Analyst, Environmental Engineer, Environmental Radiation Specialist, and Environmental Program Specialist? How can promotion exams test knowledge, skills, and abilities to assess the competence of people to be chosen for those titles?**

Management's response: Asked and answered previously. Yes. These titles will be discussed. Civil Service is confident that they will be able to develop appropriate exams to test for these competencies. Management would like to collaborate on this with PEF and would like their comments/suggestions. The Personnel and Training Offices will be increasing their efforts on recruitment and improving our orientation program. We are also planning for supervisory training efforts to be increased.

- c. Why were the parallel career tracks eliminated for Biologists 1 & 2s to take the promotional exams for EPS 2/3 & EA 2/3. EA 1s can take EPS 2 exams. Will DEC support & make a request to Civil Service to reinstate this career track?**

Management's response: Biologists, as well as all Grade 18s, were eligible to take the promotion exam for Environmental Program Specialist in 1993-94 as collateral titles. At that time, the EPS 1 candidate field was insufficient to provide enough candidates for the number of expected promotions. More recently, only the direct line title (EPS 1) was eligible for the EPS 2 promotion exam. Environmental Analysts were not admitted to the last exam in 2005. Civil Service Law requires that promotion exams be open to direct line titles. Collateral titles are included only when there is an insufficient number of candidates in the direct line title.

B. Information

1. Budget

- a. How many DEC positions are currently filled?**

Management's response: The Department currently has 3,350 filled positions.

- b. The Conservation Fund was over 5 million dollars in the red on 3/31/05. Will new license sale revenues overcome deficit? What is the impact of Patriot Plan section 14 to the Conservation Fund? What actions does DEC plan for Fiscal Year 06-07 to assure viability of the Conservation Fund?**

Management's response: After a deficiency budget was approved during State Fiscal Year 05-06, the Conservation Fund ended the State Fiscal Year with a cash balance. We will closely monitor both revenues and expenditures of the Fund and look to maximize Federal funds.

- c. Reports from the Legislature and communities indicate that the Department, DOB, Governor's office and legislature vastly underestimated the impact on state tax revenues of tax credits for developers and owners applying for Brownfield grants. Suggestions are being made that this legislation, because of the tax credits, is in essence becoming an "incentive to pollute".**

What corrective action steps are being proposed by DEC management to remedy this?

Management's response: DEC disagrees with that assessment and our individual project determinations reflect the intent of the Superfund legislation.

- d. Federal Fund support continues to shrink (a reduction of \$5 million in SFY2006-07) as a percentage of the Department's revenue. The budget projects that Federal Funds will support 17.6% of the Departments budget compared to 19.9% in SFY 2005-06. Fees and license revenue has increased to offset the reduction in Federal Funds. The loss of federal funds has resulted in large decreases in non-personal service**

appropriations for the Air and Water Quality and Fish, Wildlife, and Marine Resources programs. Will contacting out decrease in in these programs?

Management's response: Federal Fund appropriations included in the State budget are often not always a precise barometer of activity. It is too early to say what effect, if any, any decreases in Federal funds will have.

What is the impact of further NPS decreases of \$1M in Conservation Program maintenance, \$1.1M in Environmental Regulatory Program, and \$550,000 in Operations Program?

Management's response: It appears that this data is for one or more of the legislative bills and not reflective of the final State budget.

Executive Budget proposes the elimination of \$180,000 in personal services and \$91,000 in fringe benefits in the ENCON Magazine (Special Revenue-Other) Program. However, there is no corresponding decrease in FTEs. Please explain this elimination of funds.

Management's response: These costs have been transferred to the General Fund.

A \$4,514,000 decrease in the non-personal services appropriation in the Water Grants account within the Air and Water Quality program which is due to the loss of federal funds. Does this mean that less contract employees will be employed in this program?

Management's response: Not necessarily. As stated previously, the Department's goal is to fill all available State targets, a goal we met in SFY 05-06. That too is one goal for SFY 06-07. Contract employees would be hired when necessary and when funds from non-personal services categories are available.

A \$377,000 increase in the personal services appropriation for the Utility Environmental regulation account within the Environmental Enforcement program. Why is there no corresponding increase in FTEs for this program?

Management's response: This increase reflects the potential to reimburse agency personal service costs related to Public Service Law 18-a activities funded by the Utility Environmental Regulatory Account. Thus, there is no increase in FTEs.

A \$2,598,000 increase in the Special Revenue Other appropriation in the Forest and Land Program. Only the new \$500,000 appropriation for the Environmental Regulatory Account of this increase is related to an increase in FTEs. What is the purpose of this increase?

Management's response: As indicated in the question, \$500,000 is associated with five (5) Stewardship positions. The balance of \$2,098,000 consists of the following:

<i>Annual salary increase</i>	<i>\$383,000</i>
<i>Fringe benefit increase</i>	<i>\$135,000</i>
<i>NRA seasonals and related FB</i>	<i>\$600,000</i>
<i>MU with US Forest Service</i>	<i>\$ 30,000</i>
<i>Fixed costs for Belleayre</i>	<i>\$190,000</i>
<i>Energy related increases</i>	<i>\$660,200</i>
<i>Inflation</i>	<i>\$ 99,800</i>

A personal service increase of \$1.6 million or 10% and a \$2.7 million or 21.8% increase in non-personal services in the Operations Program. \$1.4 million of the non-personal services increase is attributed to contractual services which increase to a total of \$9.3 million. The additional 5 FTEs for this program are funded out of the new Environmental Regulatory account which is funded by a Special Revenue Other appropriation so the increase in the program's personal service appropriation is unrelated to this FTE increase. What is the purpose of this increase?

Management's response: \$600,000 is for annual salary increase; \$1 million was added for continuation of budgeted funds for Chronic Wasting Disease costs.

\$2.7 million NPS increase consists of the following:

Building leases costs	\$1,278,000 (note: these are contractual service costs)
Vehicle financing	\$ 389,400
Energy related increases	\$1,053,200
Other fixed costs	\$ 29,500

The Waste Tire Management & Recycling Account (Special Revenue-Other, maintenance undistributed) is increased by \$9.5 million or 52.8%. According to the Assembly, this increase is for activities related to reducing existing waste tire stockpiles, and developing in-state markets for recycling stockpiled and newly generated waste tires. There are no FTE increases for this program. Is this additional funding to be used for contracting out?

Management's response: This program is managed in collaboration with the Office of General Services. The majority of "contracting out" is for competitively bid construction contracts for clean-up of the Waste Tire sites.

Capital Projects appropriations are increased by \$38.6 million to \$569 million. According to the Assembly, \$120 million is appropriated for the State Superfund, \$15 million is for the Brownfield Cleanup Program and \$7.3 million for staff costs incurred for the program. According to the Assembly, there is a net \$6.8 million decrease in capital appropriations related to staff costs associated with the implementation of the Brownfield Cleanup Program and the Voluntary Cleanup Program. The decrease reflects the change in appropriation authority compared to the levels in the SFY2005-06 enacted budget which supported costs incurred in SFY 2004-05 and SFY 2005-06. Does this decrease affect state employees?

Management's response: This reduction will not change the number of staff available for the Superfund Program and will not affect State employees.

If an ERI is offered, how will the agency determine titles eligible for participation?

Management's response:

2. Civil Service

- a. **How many waiver requests are pending at DOB?
How many waiver requests did DOB approve?**

Management's response: On 5/05/06, 153 waivers were approved. There are no pending waiver requests.

- b. **Did Civil Service approve Job Classification Standards with professional titles of Engineering Geologist, Environmental Engineering Technician and Environmental Analyst?**

Management's response: All are still pending at Civil Service. We are also awaiting approval for the Environmental Analyst titles.

- c. **Did Management and Budget approve the submission of the Division of Fish, Wildlife & Marine Resources fiscal impact forms that request \$600,000 geographic pay differential for the Biologist 1 and Biologist 2 (Marine) for appointments in Region 1 and 2?
Is the geographic pay differential approximately \$ 5000 to \$20,000 for Biologist(Marine) Series for trainee levels G-13 & G-14, to G-18 (Biologist) and final at G-23 (Biologist 2)?**

Management's response: This is still pending in the Fiscal Office.

- d. Will DEC recruit candidates and hold an open competitive exam for the Associate Bacteriologist (Marine) position if there is no Senior Bacteriologist (Marine) title for promotion or a promotion field of at least 3 candidates? Has DEC reviewed the reclassification of this position once the incumbent is appointable to the Associate level? This is the only laboratory in NYS that is approved by the FDA to examine water samples for year-round monitoring of the sanitary conditions of shellfish harvest areas and supporting NY's shellfish industry.**

Management's response: Asked and answered previously. Yes. The Personnel Office has not received a request to reclassify this position.

- e. The recently passed Federal Energy Act legislation imposed new requirements on the states and EPA to increase inspections of chemical and petroleum bulk storage facilities. What is the DEC's analysis of the staffing impact and increased staff be requested to do this work?**

Management's response: Asked and answered previously. The impact of this legislation will need to be analyzed by the Program.

- f. Acting Positions**

PEF requests that waivers be submitted for the vacant positions and that they in fact be filled.

Management's response: We have and will continue to do so.

- 3. Continuing Education requirements for NYS Professional Engineers**

When will the Division of Lands and Forests Land Surveyors establish Land Surveyor continuing education credits for the DEC Education and Training to sponsor?

Management's response: The Training & Development Office has been notified by the State Education Department (SED) that DEC is now an approved sponsor and has the ability to grant credit for the GIS courses presented to our land surveyors. Each presentation must still meet SED guidelines before an individual program can be granted credit.

- 4. Laboratory Consolidation**

Where is DEC planning to relocate the DEC SUNY East labs? Will the labs be consolidated with other DEC divisions or Agencies at the new site? Will the new location result in expanded lab space and/or additional DEC staff?

Will DEC build a heavy duty Automotive Emissions Laboratory (EL) in Malta with funding from the Clean Water/Clean Air Bond Act under NYSERDA? Will DEC use NYSERDA's Environmental Monitoring, Evaluation, and Protection (EMEP) program to provide policy-makers with scientifically credible and objective information on the impacts of pollution associated with energy and electricity generation? PEF requests information on the format of the Automotive Emissions Lab Consolidation.

Fish and Wildlife opted out of the process to secure a new lab facility to stay in Delmar and Albany and do not want to fund this effort with Division funds (EPF). What is impact to the project?

Management's response: Management will follow up. Also, the Employee Relations Office is requesting that the Health & Safety Unit be involved in the planning process.

- 5. Scheduling of L/M Meetings**

The next meeting scheduled for June 28, 2006 has been rescheduled to June 22, 2006.

Management's response: Agreed.

C. Unresolved Topics

1. Environmental Monitors

Will DEC prepare an Environmental Impact Statement for the proposed Commissioner Policy to replace Organization and Delegation Memo #92-10? In response to PEF's March 2004 request, has the Department assembled information regarding how many independent environmental monitors the Department has caused to be hired?

Management's response: We are not able to respond at this time.

During October of 2004, DEC gave a public notice of its intent to change from On-Site Environmental Monitors being DEC career, civil servants to allowing the regulated entity to hire a private third-party consultant (a.k.a. "Independent Environmental Monitor") to perform this critical function of safeguarding public health. How many comments did DEC receive concerning this privatization proposal?

Management's response: We are not able to respond at this time.

Of these how many were favorable; how many opposed this concept?

Management's response: We are not able to respond at this time.

Did DEC receive comments from the business community on this proposal?

Management's response: We are not able to respond at this time.

Did any of these express concern about the wisdom of this change?

Management's response: We are not able to respond at this time.

What safeguards will DEC have in place to ensure monitors hired by polluters will exercise the same due diligence in ensuring that polluters comply with DEC's guidance, permits, regulation, and clean-up orders?

Management's response: We are not able to respond at this time.

When will the analysis of these comments will be completed?

Management's response: We are not able to respond at this time.

2. Health & Safety

Specific updates and actions on all outstanding H&S agenda items are itemized within the Statewide Health & Safety Labor/Management Committee meeting minutes which are available on the OER website and through the respective union representatives.

a.

PEF/encon requests written description of the NYS Threat Levels and security enhancements as implemented by the agency and Region. PEF/encon is concerned that threat level implementation be uniform in DEC and OGS buildings as it may affect employees who are required to be available for immediate recall and who must be prepared to return to duty within a limited period of time.

b. **18 DEC employees are now eligible for the Safety Incentive Differential. PEF/encon asks DEC to request that Civil Service expand the criteria to include employees that conduct investigations at hazardous**

substance spills or other hazardous substance emergencies; or inspect hazardous substance facilities sites (e.g., manufacturers, storage facilities, active/inactive waste sites); investigate and/or manage the cleanup of inactive hazardous waste sites.

- c. **When will all DEC public buildings be equipped with AEDs? How many Regions have AEDs? PEF/encon requests that DEC work to provide 100% training for staff in use of defibrillators.**

What is DEC doing to prepare for the potential avian flu epidemic or pandemic? Will meetings and/or field work be suspended to safeguard staff health? What provisions are being made to allow staff to work from home? Will DEC provide anti-viral medications to “essential” staff that will be required to work and exposed to avian flu and to family members of “essential” staff being required to work and exposed to avian flu?

PEF suggests there be a safety officer position at each regional office to provide adequate health and safety guidance.

PEF has a concern that the threat of avian flu will curtail pheasant and other bird-related programs. How will this affect seasonal and full time Biologist employees in Region 1? Do we have a contingency plan in place? These employees may be the first affected.

Management’s response: As previously stated, this and all similar matters are addressed via the Statewide Health & Safety Committee forum. However, Management does have the following updates.

The Department has submitted its final AED Implementation Plan to OGS. The DEC total for the full five years of the Implementation Plan is approximately 730 AEDs and would cost approximately \$2.5 million. We believe DEC is one of only two agencies who submitted their plan on time. The Department is concerned about getting the AEDs in time for the opening of the campgrounds. Executive to follow up with OGS to hopefully speed up the process. There is a possibility OGS may not make determinations until all agencies have submitted their plans. Our new AED Coordinator, Nanette Geary, will also be following up.

There is a Statewide effort being headed by the Department of Health to plan what steps could be taken to continue business in the event of an Avian Flu outbreak. We do not yet know the extent of this program. However, it is our understanding that all agencies are developing continuity of operations plans in the event we are forced to conduct business with a possible 25% or greater loss of staff. The Department’s Emergency Response Coordinator, Glenn Milstrey, is heading the DEC effort. In terms of possible outbreaks in wildlife (birds in particular), Programs are looking at responses that could be taken (disposal of wildlife, etc.). Glen Milstrey will update the Statewide Health & Safety Committee in this regard on April 25, 2006.

PEF feels they should have been involved in the planning process for the Supervisors Health & Safety Training Program.

Management’s response: The Department recently completed the first round of training. We trained 250-300 higher end supervisors. The turnout rate was exceptional with much positive feedback.

The next round will reach approximately 300 mid-level supervisors. Division and Regional Directors have been very supportive. All regions and Central Office will be included.

Management feels PEF was given ample opportunity to give input into the planning via the Statewide Health & Safety Committee meetings where there was significant discussion of the Program prior to its commencement.

3. 625 Broadway

- a. **PEF/encon requests that an electronic pedestrian crossing button be installed on Water Street.**
- b. **Why were all compost containers replaced with tall white trash top loaders? Does Waste Disposal meet recycling requirements for the Green Building Annual Eligibility Certificate under Article 19 of the Tax**

Law?

c. Please provide cost to Divisions to move Solid Waste staff from the 8th floor to the 9th floor, which displaced Pesticides now located on the 11th floor in wake of OGS decision to move a new non-DEC tenant into NYSDEC space?

d. What were the total costs (computer, telephone, lost productivity, etc.) for rearranging/moving most of the 11th floor DER 3 times in 3 years?

Management's response: As stated previously at the last Statewide L/M meeting, this and all similar matters are addressed via the weekly Central Office Union Update Meetings.

4. Office Moves

a. Has the State of New York Office of General Services (OGS) negotiated a lease agreement with the Galesi Group, the current landlord, for a new, one-story facility within the Rotterdam Corporate Park near the existing Regional Office building. for a full-service lease agreement, pursuant to the New York State Public Buildings Law, for approximately 29,000 usable square feet of general office space? Is the projected date for the Region 4 move still late 2006? Has management engaged in meaningful discussions for PS&T unit members in the context of a Joint Labor/Management Quality of Worklife Committee, which shall make recommendations to the Regional Director?

Management's response: The lease for the new Region 4 Office in Rotterdam has been signed. Meetings are occurring, and they are being organized and coordinated by OGS. There was a meeting on April 3rd that dealt with many issues with OGS, the Galesi Group, their contractor and the Department. To date, we do not have a construction schedule from OGS, but a late 2006 move in date is still attainable. We will share the schedule once we receive it.

The Regional Director has assembled a multi-disciplined building team which includes a representative from both PEF and CSEA.

b. What is the review status of the plans, specs, building code checklist and consultants' responses for the additional 28,000 square feet at the New Paltz office? What is the schedule to start the construction project?

Does management continue meaningful discussions for PS&T unit members in the context of Joint Labor/Management Quality of Worklife Committees?

Management's response: After an extensive review of bids that were received on February 8, 2006, Operations has now rejected all bids and have contacted OGS to enlist a new architect. The bids received totaled \$11,736,035 (17% over the engineer's estimate of \$10,038,854) and did not provide for a renovation of the existing building. Under a new design, we will include renovation of the existing building as a part of a new construction bid document with the goal of simplifying the construction resulting in a more cost effective solution to the project. The best case scenario for the project will be a design contract in place by late June 2006 and construction bid documents by December 2006.

The Region 3 Director has agreed to the formation of a group to share ideas and involve employees in the process.

DEC

PEF/ENCON

Joseph A. Lattanzio



DATE June 13, 2006

June 13, 2006