

October 21, 2015

The regular meeting of the Camden County Board of Social Services was held on Wednesday, October 21, 2015 at 12:00 p.m. in the office of the Board at 600 Market Street, Camden, New Jersey, with James H. Rhodes, Chair, presiding. The following members were present:

Susan Michielli, Vice Chair; Dr. Leonard Krivy, PhD, Secretary/Treasurer (via teleconference); Gwen DeVera

Also present were: Shawn Sheekey, Director; Christine Hentisz, Deputy Director; Martin F. McKernan Jr., Esquire, Board Counsel; Ed Hill, Esquire; MaryEllen Sittner, Personnel Officer; Mary Ann Pagano, Fiscal Officer; Greg Smith, Sr. Management Assistant; Sharon Hall, Administrative Clerk

Public Attendance: Gerald Baker, Vice President, Communications Workers of America-Local 1084 (CWA); Michelle Acevedo, Legislative Chair, CWA; Gladis Zambrana, Chief Shop Steward, CWA; Aida Cruz, CWA member, Darnell Hardee, CWA member, Aleesh Jones, CWA member, Michelle Byrd, CWA member, Sherold Simmons, CWA member, Amia Fisher, CWA member, Stephen Johnson, CWA member; Toni Bobiak, Vice Chair, Welfare Supervisors' Organization (WSO)

At 12:00 P.M., a quorum being present, Mr. Rhodes called the meeting to order, and announced that in compliance with the Open Public Meetings Act, the Courier Post Newspaper and the Philadelphia Inquirer were notified of the Board Meeting; notice of the agenda was posted in a prominent location at 600 Market Street and the County Clerk was notified.

Mr. Rhodes requested approval of the following items:

- Minutes of the September Board Meeting.
- The listed expenditures from both Clearing and Administration Accounts.
- The payment of salaries and traveling expenses for October.
- Requisition from the County Treasurer for administration expenses for November.
- To move funds, to be requisitioned from the State and County Treasurers less monies on hand for assistance payments for the month of November.

Mr. Rhodes requested a motion to approve.

Dr. Krivy moved to approve. Ms. DeVera seconded the motion, and there being no discussion on the motion, a vote was taken and the motion was adopted.

**OPEN SESSION  
Public Participation**

Mr. Rhodes asked the Board, meeting attendees, and members of the public introduce themselves.

Mr. Rhodes requested a motion to open the meeting for public participation. Ms. Michielli moved to open the Public Participation portion of the Open Session, seconded by Ms. DeVera.

Ms. Zambrana, Chief Shop Stewart, Local 1084, introduced CWA member, Aida Cruz, who stated that she has been an employee of the agency for 41 years and is planning to retire on November 30, 2015. Ms. Cruz stated she is reaching the age 60 where she has been having a lot of medical problems and she has been taking off from work and the agency is saying she is taking too many days off. Ms. Cruz stated that she is a conscientious worker and that none of her clientele would complain about her. One time she was out for four days and she brought her doctor's note in late. She brought the note in late and her complaint is that she is being suspended for one day for failure to provide a doctor's note timely while under DNS requirement. Ms. Sittner stated that there is a disciplinary process that leads up to suspension. Ms. Cruz stated that she had perfect attendance for many years and has a lot of sick time. She is getting ready to retire and she is trying to see doctors before she does the time because she doesn't know how the medical works. Ms. Cruz stated that she has severe pain in her arm but she came in because she has work to do. Mr. Sheekey stated that he knows that Ms. Cruz was recognized for Employee of the Quarter. The matter is not about her and is not about her performance. Mr. Sheekey stated that management encourages people to utilize FMLA if a person uses more sick time than what is deemed reasonable. He stated the agency is following the County policy. The County wants all its entities under the same practice, that's the whole point of the Transformation Initiative. The agency encourages people to take advantage of what they are entitled to. That is intermittent leave or, obviously, continuous leave if it is something serious. That covers the employee without question and that is what management tells people to do. Sick leave usage is routinely monitored. If someone's time usage is deemed excessive then management would work with Personnel to check to see if that employee was offered FMLA paperwork. That is what the County continually reinforces. Mr. Sheekey stated that Ms. Cruz referred to a number of doctor's appointments and in such cases it would be suggested that an employee get on intermittent FMLA so their sick time usage would be covered and the employee would be protected from disciplinary procedure for excessive absenteeism. Ms. Cruz asked who would fill out the paperwork. She is planning to see two specialists. Ms. Zambrana stated that this is a moral issue as Ms. Cruz has tons of sick time on the books. Ms. Cruz stated that she is being suspended tomorrow without pay. Mr. Rhodes asked Ms. Cruz if she had filed FMLA paperwork. Ms. Cruz stated, "No, I have not filed". Mr. Sheekey stated that rules are set, policies are set. It is not picking on individuals. Mr. Sheekey stated that anyone who uses 30, 40, 50 days of sick time will be questioned. Ms. Cruz was placed on Doctor's Note Status for exhibiting excessive absenteeism without being covered under a Leave. Mr. Rhodes stated that there are federal and state laws in New Jersey in place to protect workers. After some additional discussion, it was confirmed that Ms. Cruz has not filed FMLA paperwork and she has not spoken to anyone in the Personnel Department regarding her situation. Mr. Sheekey addressed Ms. Zambrana and stated that she knows the agency is fair and there have been times where cases were looked at and things have been put on hold until the details are reviewed and a rational conclusion can be made. That is what will be done here. Mr. Sheekey stated that Ms. Cruz and Ms. Sittner were to make an appointment to speak today regarding her attendance issues and to discuss FMLA eligibility. Mr. Baker stated that, "There are people in the agency like Ms. Cruz, myself and others who have 25 years of service with the agency who have accrued hundreds of sick days.

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I was told in the 1980's if I was a good worker and came to work there will be a time when we will pay you \$18,000.00 at the end. But we know that is out the window." Mr. Rhodes stated that it is not out the window, it was a negotiated agreement in the last contract. Mr. Baker stated, "I saved my time, I showed my dedication with perfect attendance, and if I decide, hey, I'm not going to be 62 and leave 280 days on the books, I'm going to take my sick days. Then we got this thing called 'Doctor Note Status' that was created here. But if I've got 15 days a year and I use 25 I don't want to end up like that young lady and hey, you're gonna get suspended because you used too many days that I've earned over 30 years. I don't expect an answer here, but I think it's a problem that we are going to have to deal with and I think the way government has dealt with it is by punishing the high end employees by saying you aren't using no 300 days. Years ago the guy would say I have about 200 days and will get paid for a whole year. I understand that government can't continue to allow that, but I don't think we should be sort of turning the screws on employees who have been here 20, 30, 40 years." Ms. Acevedo mentioned that she has concern about the amount of time provided to people under FMLA. She stated that, "If the agency is telling people they have to file FMLA papers, FMLA from her understanding, is for a chronic condition that a person may have in which they are missing time from work. I need that that FMLA there in case I should need surgery, or I am in the hospital for an extended period of time, or if I have a chronic condition that requires continuous medical attention." Ms. Acevedo stated, "I am concerned as to where FMLA is an absolute necessity to request because it is only available to workers for certain time periods. It appears we are saying, if you have to go to the doctors and you have used up your 15 days for that year, but I have 60, do I ask for FMLA and then, God forbid, I'm going to be out for three months after all those tests are all done and then I don't have FMLA to cover me for those three months." Mr. Rhodes stated that FMLA paperwork will be sent out on the fourth day if a person is out 3 days consecutively to give the worker the opportunity to file for it. If you have 60 sick days and you are using them, the only requirement here is that you start bringing in a doctor's note if you've reached a certain point. It's not as though you're not going to get paid, or lose your job. It is just something that the agency requires because there are those people who use up vacation time and then use sick days and so they are vacation or extension of vacation. It is that type of behavior that has led to certain policies to protect the employer against time abuse by certain employees. Mr. Baker stated, "That is understandable, but isn't that a broad net to catch such a limited amount of people." Mr. Rhodes stated that they agency could start picking and choosing who rules are applied to or, apply them equally across the board. He believes Mr. Baker would agree it is better to apply them equally or else there would be accusations of having favorites. Mr. Sheekey stated that when something changes and you look at someone's pattern of time and there is an anomaly, the person should be spoken to because is out of the norm for that person. Especially if that person has a good record of attendance. Mr. Baker stated that people are being met with 'you need to bring in a doctor's note' and discipline, and not a caring attitude. Mr. Sheekey stated that the agency is trying to look at usage in meetings with County HR. We're trying to get the entire County doing the same thing, and they are all in agreement that management has every right to look at time beyond the 15 allotted days, and has every right to want to encourage its employees to take advantage of FMLA when they need it so it protects them.

Mr. Baker, Mr. Rhodes, and meeting attendees thanked one another for the discussion.

Mr. Rhodes requested a motion to close the Public Participation portion of the Open Session. Ms. Michielli moved to close the Public Portion. Ms. DeVera seconded the motion and there being no discussion on the motion, a vote was taken and the motion was unanimously adopted.

The Open Session of the meeting continued.

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**UPDATE STATE AND FEDERAL POLICIES ..... Shawn Sheekey, Director**

Mr. Sheekey stated that all Board members would find a synopsis of informational transmittals, procedural bulletins, general assistance procedural bulletins and Division of Family Development instructions in their packet. If there were any questions on any of the material, Mr. Sheekey stated that he or his staff would be happy to comment on them.

Mr. Rhodes requested a motion to approve the Director’s Update on the State and Federal Policies.

Ms. Michielli moved to approved. Ms. DeVera seconded the motion and there being no discussion on the motion, a vote was take and the motion was unanimously adopted.

**Resolution 220-2015 – Resolution Authorizing the Camden County Board of Social Services to Renew its Membership in the Camden County Insurance Fund Commission ..... Ed Hill, Esquire**

Mr. Rhodes requested a motion to approve Resolution 220-2015 authorizing the renewal of the BOSS’s membership in the Camden County Insurance Fund Commission for a term of three years commencing January 1, 2016, or the effective date of membership, whichever occurs later.

Mr. Rhodes requested a motion to approve Resolution 220-2015.

Ms. Michielli moved to approve. Ms. DeVera seconded the motion and there being no other discussion on the motion a vote was taken and unanimously adopted.

**DIRECTOR’S REPORT..... Shawn Sheekey, Director**

Mr. Sheekey stated that there were two issues from the monthly DFD meeting that he would like to mention. One issue had to do with the Aged, Blind and Disabled (ABD) Medicaid. People are in nursing home, they’ve applied for ABD Medicaid and there is required five year financial look back that is very intensive. It can sometimes be very quick if there are no financial resources and other times there is five years of financial information needed and the family thinks they’ve supplied everything but the information sometimes prompts additional questions about deposits, withdrawals, etc. A complaint was made by the State Nursing Association that the counties are processing these cases too slowly. This has been an ongoing issue. The counties can deny these cases in 60 days and be done with them but all the while the family is trying to cooperate. Mr. Sheekey stated he does not think that this is that big of an issue here. The agency does get calls and works through them. The State would like to send in some Medicaid people to try to see what the agency’s backlogs look like as well as the rest of the State. Mr. Sheekey believes that CRM is going to start to help monitor the process on these cases. When the eligibility determination on some of these cases is denied, the hospital is not getting paid the time the client has been in there.

Mr. Sheekey stated that the other big issue that came up was the SNAP timeliness. September was the final month in the measurement period where all counties were to reach a 95 percent timeliness rate. Camden County did not reach 95 percent but ended up at 87 percent. The State came in and looked at 50 of our cases and did a re-review. Looking at cases that the agency deemed timely that they felt were untimely and visa versa. They have had these cases for almost a month now. Mr. Sheekey emailed Marybeth Schaedel, who is the head of SNAP at DFD, in order to inquire as to the results of the re-review because it sounds as if the statewide timeliness now hinges upon the final

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number out of Camden. If the 95 percent is hit there should be no federal sanctions. Given the progress that the State has made, Mr. Sheekey feels there will be good news that comes out of this. As of the report at the last meeting, the State has hit 95 percent timeliness for 30 day cases and the seven days expedited hit 97 percent timeliness. Mr. Sheekey stated he will continue to update the Board on this topic.

Mr. Sheekey stated that at the monthly County Welfare Directors' meeting the topic was the status of the KPMG report. KPMG was the company that came in to try to figure out where is the path forward in relation to the defunct CASS project. They did a gap analysis back in March, a report was to be supplied in June, it is now October and there is no report. There is a lot of frustration regarding technology. The concern is that the State will now have to rebid the entire technology project. The procurement process is slow and lengthy.

Mr. Sheekey stated that weekly meetings are still being conducted regarding the transition to a generic workforce. It appears the crowds have been a little better. The suggested ticketing system has been utilized. The traffic seems to be unpredictable but overall the numbers are down. Yesterday, the mail processes were discussed and there has also been reinforcement in training needs. This is a continual tweaking process. Ms. Zambrana mentioned that we recently had 20 prison releases that are being placed at the VOA and are applying for SNAP and General Assistance (GA) benefits. This is an increase in these types of cases. Mr. Sheekey stated that according to the State's overall quarterly statistics report, most categories are down. This gives the agency a chance to breathe and catch up. The commitment is to meet every week to discuss and hash out what is working and what is not working. Discussions with other counties indicate that results may start to be realized in a year as it is a large organizational change.

Mr. Sheekey stated that Essex County has reached out to Camden County regarding CRM and they are very interested in what the agency has done. Camden County has taken the lead in the State with the CRM process and Essex is very impressed with what Camden has done.

Mr. Rhodes requested a motion to approve the Director's Report.

Ms. Michielli moved to approve. Dr. Krivy seconded the motion and there being no discussion on the motion, a vote was taken and the motion was unanimously adopted.

**FISCAL REPORT..... Mary Ann Pagano, Fiscal Officer**

Ms. Pagano stated that each Board member has received in his or her packet copies of Fiscal Reports for the nine months ended September 30, 2015. She stated that three quarters of the year has expired and actual expenditures are within the prorated budget. The fund balance has increased by \$3.5 million dollars, however, it is important to know that, at this point in time, the agency has been overpaid by the State by \$2 million dollars. Future advance payments from the State will be reduced before the end of the year. In addition to that the agency has not resolved union contracts yet so there have not been any across the board increases. Staffing is at 25 under budgeted and costs have been held flat. So this puts the increase in fund balance into perspective.

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Mr. Rhodes requested a motion to accept the Fiscal Report for September 2015 as presented.

Dr. Krivy moved to approve. Ms. DeVera seconded the motion and there being no discussion on the motion, a vote was taken and the motion was unanimously adopted.

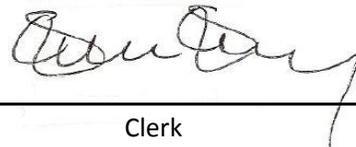
**OLD BUSINESS PUBLIC SESSION**

There was none.

**NEW BUSINESS PUBLIC SESSION**

There was none.

Mr. Rhodes requested a motion to close the Open Session and move to the Closed Executive Session to discuss personnel and legal matters. Dr. Krivy moved to discuss such matters in closed session. Ms. DeVera seconded the motion, and there being no discussion on the motion a vote was taken and the motion was unanimously adopted.



A handwritten signature in black ink, appearing to read "Clerk", is written over a horizontal line.

Clerk