

Rancor builds at state agency

Rise in employee complaints at Ohio Industrial Commission affecting operations, some say

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By the numbers

Grievances filed by union-
represented employees of the Ohio
Industrial Commission, 2007

111

Time spent by union members examining
grievances and dealing with labor matters
January 2007

49 hours, 56 minutes

December 2007

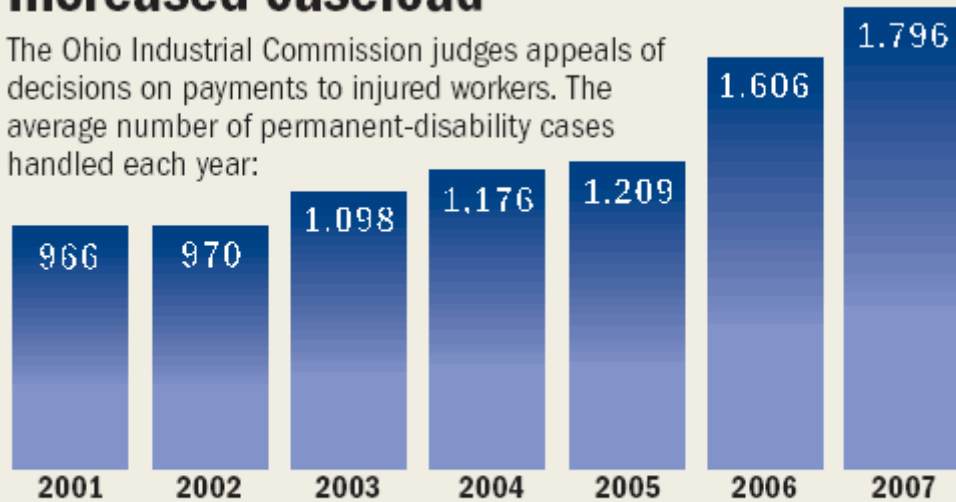
58 hours, 58 minutes

Ohio Industrial Commission employees

496

Increased caseload

The Ohio Industrial Commission judges appeals of decisions on payments to injured workers. The average number of permanent-disability cases handled each year:



Source: Ohio Industrial Commission

worker complained that she could use her breast pump [Click to enlarge](#) only during her lunch hour, it generated a paper trail of more than 500 pages -- thicker than the Columbus phone book.

Other employees filed dozens of union grievances of their own. Several objected that they were required to submit doctors' notes to take sick time. Others said they were punished for speaking out on workplace issues. One complained that she was docked pay for coming to work three minutes late.

In all, nearly a quarter of the unionrepresented employees of the Ohio Industrial Commission, a forgotten corner of the state bureaucracy that deals with injured workers' claims, filed grievances last year.

The labor-management conflicts have intensified even though Gov. Ted Strickland named two former union officials -- both Democrats -- to the top posts at the agency last year.

Before being elevated to executive director last summer, Patrick J. Gannon served on the three-member commission that oversees the agency's 496 employees. He acknowledged that the rancor is detracting from the agency's work and said he's trying to patch things up.

The Industrial Commission handles thousands of appeals of Bureau of Workers' Compensation decisions on benefits to injured employees. It also decides all claims from workers seeking lifetime disability pay because of the severity of their injuries.

The commission faced a growing backlog of cases before streamlining its process in early December.

Those claims inch through a labyrinthine bureaucracy, sometimes taking months to get to a hearing, while claims officers handling them also tangle with their managers over sick time, their attendance at training seminars, pregnancy leave and other issues.

The veteran Cincinnati-based claims examiner with the breast-pump complaint, for example, filed six union grievances late last year and this year over issues including retaliation, the denial of overtime and a request to change her work hours.

In December, the commission began to expedite the processing of total-disability claims by requiring its examiners to look at only three years of a worker's medical history, rather than a lifetime. Before that, the commission struggled to work through a backlog of cases that had reached 1,944 by the end of November, up from 1,760 a year earlier.

The delay leaves injured workers in limbo while the commission decides whether their injuries warrant lifetime compensation.

"They have created a very tense environment," said Darlene Harvey, a commission employee who left in December after 15 years, largely because of poor morale there. "There are injured workers who have been waiting a long time to get some kind of income. They're losing their homes."

Gannon acknowledged that workplace conflicts contributed to the backlog.

"Labor-management issues everywhere do have an effect on productivity," he said. "The

vast majority of employees are putting out the same amount of work, no matter what's happening with grievances."

Last year, 111 workplace grievances -- more than double previous years' levels -- were filed by some of the 370 Industrial Commission employees represented by the Ohio Civil Service Employees Association. Union members who work at the commission spent nearly 59 on-the-clock hours on grievances and other union business in December, up from 50 hours last January.

The grievances ran the gamut, from someone upset about being denied bereavement leave to a complaint on behalf of all claims examiners that work quotas are hurting the quality of their work.

The commission is setting quotas and punishing workers who fall short "to sacrifice the quality of our work product ... to reach the arbitrary quota that they have set," William T. Rose, a union steward, wrote in a July grievance.

Rose and other union officials declined to comment. Some said the atmosphere has grown so hostile, they would risk their jobs by speaking out.

The complaints could come to a head on Feb. 13, when leaders of the civil-service union meet with Gannon and Gary DiCeglio, who was a top official in the Ohio AFL-CIO chapter before Strickland appointed him as chairman of the commission in July.

"Our effort to put together a meeting is to see what can be resolved by sitting across the table rather than just filing grievances and (getting) responses," said Peter Wray, spokesman for the Ohio Civil Service Employees Association.

Strickland is aware of the problems but won't intervene before the meeting, spokesman Keith Dailey said.

The problems might go too deep to be solved in one meeting, however.

Adrienne Keller, who worked as the commission's communication director nearly three months before she was fired in September, said she spoke to employees in all departments while acquainting herself with the organization.

"The culture as I experienced it and heard from other people, it's very hostile, it's punitive, it's stifling," said Keller, a longtime publicrelations worker. "It has a direct effect on your productivity, no matter what your position is."

Gannon said he's trying to smooth over the ill will.

The conflicts have fanned speculation that Gannon's goal is to privatize the agency, an idea that he raised during a staff meeting in January.

In an e-mail from a commission spokeswoman, Gannon said he was merely suggesting that people in the private sector would gladly do the work of commission employees.

"Whenever you have a change, whenever you are doing something that hasn't been done before, I think it does put a strain on the relationship," he said. "This is like a marriage."

You've got to work on it."

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