

House Corrections and Institutions
2/07/2023
50/50 work schedule of correctional staff

Nicholas Deml, Commissioner, Department of Corrections

Overview:

The commissioner began the discussion by speaking on collected data from staff on the success of the 50/50 work schedule that began in September. (12 hours on, 12 hours off). The committee was very interested in challenging the success of the 50/50 work schedule. Despite the Commissioner sharing data to that shows its success among staff, Rep. Michelle Bos-Lun brought up personal stories from experiences with visiting staff in correctional facilities to the contrary.

The commissioner emphasized how the 50/50 resulted in more predictable schedules, although the hours are high, and he spoke about how less hours are not possible with staffing levels Rep. Michelle Bos-Lun spoke about the frequency of staff being on-call, and many having to work 12–16-hour shift at a time. The committee questioned the validity of these DOC surveys and if the staff are giving authentic answers. **Committee urged commissioner that successes are important but a realistic view of the situation and progress, even if it's not stellar, is necessary. Bring reality to the table.**

Following this point, Rep. Troy Headrick focused on the difference between intent and impact of the 50/50 program, to illustrate the fact that the department has had a history of a lack of communication with staff from the central DOC office, which can result in dissatisfaction in programs such as 50/50. Commissioner was slightly reluctant to acknowledge and analyze the impact and was focusing on the intent of the program. Commissioner Deml began to address the shortcomings of the DOC to provide staff with an adequate work-life balance, **which is especially difficult with the workforce shortages they are facing. He continued to emphasize that he knows the severity of the issue and the DOC are making efforts to address it.**

- Why is this so important, for staff and faculty of the DOC
 - Long hours, the brutality of the work is supported by the organization, the uniqueness of the job is acutely painful
 - Not doing a good enough job at being there for faculty and staff of security staff

- This work is deeply personal. The staff need our attention. Understand the pain points, and target solutions to pain points and hardship
- Need to support staff member wellness in response to the visceral and traumatic nature of the job.
- Data collection:
 - Communication with staff, in addition to objective data
 - Staff surveys
 - Captures more views, experiences, and perspectives
 - DEI data capture of underrepresented groups of staff
 - Anonymous staff communications
- **Four Priorities:**
 - Health and wellness
 - Diversity Equity Inclusion
 - Modernization
 - Staff and staffing
 - 2 staff surveys
 - Staff are committed
 - Have opportunities for career development
High employee retention after training
 - Springfield
 - 85 total staff (including 11 recruits in academy)
 - 78 CO
 - 7 Supervisors
 - 10 of those are on military leave
 - 11 are still in academy
 - Do correctional officers have access to data?
 - No due to security reasons
 - **50/50 is because of deployable staff, 65 total deployable staff**
 - Minimum threshold is met, total amount of staff – deployed or recruits
 - = minimum staff level that might trigger the 50/50 which is a vote by staff.
 - Only security staff vote
 - 4 of 6 are on 50/50
 - A high majority agreed to do 50/50

- **Michelle Bos-Lun**
 - **Trip to Springfield**
 - Staff saying that 50/50 is not working from her perspective, some having to do 12–16-hour shifts
 - 50/50 not working in the way was it was expected
 - Is the system working in the way it started?
 - Model was not intended for this
 - 8-hour schedules can have the same issues
- **Rep. Troy Headrick**
 - Committees task to hear all perspective
 - Intent and Impact
 - Intent VS Impact
 - Why do you think that chasm is so deep right now? Why do you think there is a large discrepancy between data and stories of staff?
 - Nicholas: still focusing on the intent: impact is starting to show
 - BUT WHY DOES IT EXIST?
 - Bad communication
 - Inherent tension with seniority
 - Keep and retain staff
- Inherent tension in the system of new staff wanting work/life balance, and senior staff wanting the same thing
 - **Rep. Tristan Roberts**
 - What is your big idea? Connection of mission to every individual?
 - have more impact on people that need it than in correctional institutions than in other sectors
 - showing investment to staff
 - History of communication has been horrific
 - Difference interpretation of history of the DOC in this meeting. Honesty is needed to look at these issues in order to address them.

Steve Howard, Executive Director, Vermont State Employees Association

- “Destroying the lives of correctional employees in the name of being dedicated to the mission”

Overview:

Mr. Howard was testifying to the committee of the severity of the workforce problem within the DOC, and there as the Executive Director of the Vermont State Employees Association (VSEA) to represent the employees. Mr. Howard consistently emphasized the lack of support from the governor and the central office (of DOC), to help solve the management and workforce issues that are occurring.

The committee was again trying to address this chasm that they discussed with the commissioner that exists with the distrust that employees have in the department, distrust that has potentially skewed data results. Mr. Howard confirmed that this distrust exists and is a driving force of the issues and miscommunications between the central office and the correctional facilities.

Mr. Howard continued to emphasize that members of the VSEA feel like they have made a good faith effort to outline ways to retain staff which haven't been fully acknowledged by the department. In this same vein, Mr. Howard detailed his main concern is that the Governor hasn't responded adequately to the needs of the DOC staff who are currently extremely overworked and have an increasing number of suicidal ideations among them.

The committee unanimously agreed that attention and resources need to be allocated to correctional facility staff, however, they questioned the nature of Mr. Howard's testimony. Mr. Howard repeatedly mentioned how the actions of the DOC will be perceived by members, for example, the hiring of a communications director will be seen as unfavorable. From Mr. Howard's perspective, the implementation of his position is another example of mismanagement in the central office that again doesn't directly impact facilities. This was met with some push-back by committee members, specifically, Rep. Tristian Roberts, who asked clarifying questions to make sure that the VSEA is communicating all efforts of the DOC and central office to address these issues, not just what members may perceive as shortcomings. After hearing the commissioner's testimony, where he acknowledged pain points in the system and outlined ways in which the department is trying to fix this issue, the committee was reluctant to agree that no effort is being made by the central office and the commissioner. The committee further questioned Mr. Howard's testimony in asking whether the proper senior channels are being followed to reach the Governor and his staff on these issues in an effective way.

Mr. Howard closed with emphasizing that he was there to testify on behalf of the staff and employees of the DOC who are working under a system that desperately needs attention.

- Double standards in management that influences the already present distrust in management and central office

- The members feel they have made a good faith effort to outline ways to retain staff which hasn't been acknowledged fully by department
- Members will hear from the commissioner's testimony that adding another position in the central office will solve issues in the field. The need is not there
- Trying to get the Governor to step up his leadership to help this area, feel as if the Governor isn't responding to DOC staff who are overworked and have increased suicidal ideations.
 - Didn't go through senior channels, effort of grandstanding?
- Continual expression of frustration, culture of distrust in the management

Clerk addressing chasm by accusing ED of having a biased testimony

Will members be informed of all aspects of what the DOC is doing from ED?