

OVRC Minutes

February 19, 2016

Call to order 9:00a.m.

ATTENDED BY REPS: F. Bragassa, A. Lutz, J. Lutz, B. White and S. Vincke (alt. acting for D. Neufarth). SECRETARY: Mot. ALTS: L. Litzinger. B.S.V.I.: Program Manager, C. Hauk. Area Managers, A. Kiefer and V. Smith. Training Coordinator, C. Lee. OPERATORS: J. Diakogeorgiou, L. Johnson, and M. Russell. Guests: J. Carroll, S. Hindel (trainee), and J. Stringer (NFB advocate).

MOTION (B. White/S. Vincke) to accept the minutes of the January 8th. 2016 meeting as presented. Passed unam.

COMMENT ON RECOMMENDATIONS OF THE MEETING OF January 8th. 2016.

F. BRAGASSA asked for confirmation that the secondary highway beverage contract (set to expire June 30) would be rebid. Chair so confirmed.

PUBLIC COMMENT:

M. RUSSELL reported examples of what he considered bad service by Coke on secondary highway rest areas. He asserted that many more rest area customers want Pepsi than Coke. And he described sites on the Ohio/Indiana border that he felt would make a good stand alone facility. S. HINDEL highlighted her difficulties attempting to successfully participate in the BE training program. K. Whelan read her detailed statement which is included as an Appendix to these minutes J. Stringer represented the National Federation of the Blind of Ohio's support for her efforts to secure a BE operator's license.

CHAIR ASSERTED THAT S. HINDEL'S COMPLAINTS ARE SYMPTOMATIC OF A FAILING TRAINING PROGRAM noting that only two operators have been licensed in the past two years, that sections of the

licensure exam are being scored as a series of individual exams and that the exam is being given before the on the job training experiences.

L. Johnson questioned accountability for seeing to it that trainees have the necessary computer skills and equipment to participate in training.

J. Lutz said that the Serve Safe certification should not be outsourced to the trainee to find and complete and that s/he should have all course materials in preferred format before beginning the course.

J. Diakogeorgiou noted that the present on line format does not allow enough opportunities for the trainee to ask questions, discuss material and check on h/er progress with the instructor.

Discussion followed concerning the stringency of licensure standards, with agency comments generally supporting greater and Committee comments generally supporting more lenient standards.

PM, C. Hauk said that B.S.V.I. plans to move the licensure exam back to being given after OJT. She said that the agency would work to resolve issues specifically relating to S. Hindel's situation. She also said that she plans to get J. Lutz's and D. Neufarth's input before rolling out training program revisions on April 6.

J. Lutz said that April 6 is too soon to allow the Committee to actively participate in that process.

MOTION (J. Lutz/S. Vincke) to recommend that B.S.V.I. do whatever is necessary to get Shelbi Hindel licensed as a BE operator. Passed unam.

CHAIR SAID THAT SHE WILL TRY TO GET A HADLEY representative to attend the March meeting and describe and answer questions about the Hadley BE training course.

TRAINING COORDINATOR, C. LEE announced that four candidates for training are presently in assessment. She said that the "Coffee 101" video that was produced at the most recent upmo in Columbus is available on line, and that that a procedure is in place for getting an upward mobility credit for viewing it.

J. LUTZ REVIEWED THIS YEAR'S STATEWIDE TRAINING AGENDA. The Chair floated the idea of extending the Saturday session to 1:00p in order to cover changes to the rules and allow ample time for questions and comments. There was some discussion about how best to insure the availability of hotel rooms for all operators including locals.

CHAIR INITIATED DISCUSSION ABOUT HOW BEST TO CREATE A BE JOB OPPORTUNITY from secondary highway rest areas withheld from the rebid (after June 30) secondary highway beverage contract.

MOTION (B. White/F. Bragassa) to rescind the recommendation made at the January 8, 2016 meeting to create a BE stand alone facility from three rest areas n SE Ohio by withholding them from the next secondary highway rest area beverage contract. Passed w/S. Vincke voting against.

MOTION (B. White/J. Lutz) to recommend that B.S.V.I. create a stand alone facility from the North and South rest areas on SR 23 in Wyandot county and the East and West rest areas on SR 30 in Richland county by withholding them from the next secondary highway beverage contract. Passed unam.

FOLLOWING PASSAGE OF THESE MOTIONS AM, V. SMITH PRESENTED A REVISED PLAN for creating sites available to be bid as attachments by adding snacks to nine of the rest areas remaining in the secondary highway beverage contract after June 30, as follows: SR 35 E/W in Galion County and W in Jackson County, SR 33 E/W in Hocking County, SR 33 E/W in Auglaize County and SR 30 E/W in Allen County.

PM REPORTED HER INTENTION TO HAVE THE BEAMS MOR INTERFACE AVAILABLE FOR OPERATOR TRAINING BY AUGUST 15 with a possible six-month extension. She said that drafts of pending form revisions would be ready for the Committee's review by the March meeting.

CHAIR INVITED INPUT to her and the V. Chair's agenda for their meeting with Director Miller. She said that she plans to discuss problems with BE

training and the damaging effect on BE sales and opportunities of B.S.V.I.'s "no commissions" interpretation of the AG's suitable site opinion. PM C. Hauk pointed out that many operators are opposed to paying commissions. RESPONDING TO THE PM'S QUERY ABOUT COMMITTEE NOTICE DISTRIBUTIONS the Chair said that all operators get minutes, meeting agendas, and meeting notices, and that the only the Committee gets area reports. The Chair requested that due to the number of recent staff changes, a current staff directory should be sent to all operators.

CHAIR BROACHED DISCUSSION OF ISSUES RELATING TO THE REMOVAL OF A SITE FROM AN ESTABLISHED FACILITY either as requested by the operator of the facility or by the local committee at the point where the facility is to be bid. Consensus supported a case-by-case approach because of the diversity and sensitivity of situations, and NO ACTION was taken.

PM ANNOUNCED THE AUDITOR OF STATE'S INTENTION TO AUDIT THE BE PROGRAM, checking the adequacy of its documentation and procedures. She said She said that it would not directly affect operators.

QUESTION AROSE AS TO THE EXISTENCE OF A POLICY OF SECRECY OF THE NAMES OF OPERATORS WHO HAVE SUBMITTED BIDS FOR A VACANCY. Committee members offered many reasons to keep names confidential before the posting deadline. PM said she saw no reason to keep them confidential after that.

PM ASKED FOR A MOTION SUPPORTING B.S.V.I.'s intention to recognize Montgomery County as an outstanding grantor/partner in BE's mission. She noted that the County has substantially supported the creation of many BE business opportunities even without the incentive of a BE priority there.

MOTION (F. Bragassa/J. Lutz) to support B.S.V.I.'s intention to formally recognize Montgomery County as the outstanding grantor/partner of the year. Passed unam.

CHAIR SUGGESTED THE CREATION OF AN AWARDS PROGRAM TO RECOGNIZE SPECIFIC OPERATORS FOR OUTSTANDING BUSINESS RELATED accomplishments and/or qualities.

CHAIR APPOINTED MOT AS THE NON COMMITTEE PARTICIPANT to work with her and a B.S.V.I. designee to draft an annual operator awards program.

J. LUTZ REPORTED THAT THERE IS TOO MUCH CONFLICTING INFORMATION about product labeling requirements that are supposed to become effective at the end of the year to be able to give operators guidance about what may be expected of them. He said that compliance would not apply to operators with fewer than twenty machines. PM said that she would find out what needs to be known and done.

ADJOURN

Respectfully submitted,
Mot

APPENDIX:

Date: February 15, 2016

From: Shelbi Hinde!

Subject: Appeal of Decision to Remove from Business Enterprise Program Training and Request for Reinstatement

Below is a chronology of my experience from the time I decided to make my vocational goal Business Enterprise Operator and began the process to get into the training program and my interactions with VRC Sharon Valade and Cynthia Lee, Training Coordinator for the Business Enterprise Program, to the present.

June 2014 -after many months of job development and job searches, I reached the conclusion that the best fit for me vocationally was to move into the Business Enterprise Program.

Once I had decided this was the best fit for me, I discussed this decision with my VRC, and we moved forward to request a meeting with Cynthia Lee to work on how to proceed with the process.

In August 2014, I met with Cynthia to take a math test and discuss the training; it is important to note here that this meeting was the first and only time I met in-person with Cynthia until August 17, 2015, when I was ordered to a meeting with her and Sharon to tell me I was being removed from training. Over the 12 months from this initial meeting I moved extremely slowly and with many delays along the way, but never once in that year did Cynthia ask to meet with me in person and never set a meeting up to discuss my progress or any concerns she had.

September and October 2014 were filled with getting a background check and a drug test, and I was asked to do a pretraining evaluation with Doug Brusio, which I completed; I received an outstanding evaluation from him (he gave me a copy of it). I was not given a copy of the evaluation or told how I did by Cynthia.

I was just asked by Cynthia to do another pretraining evaluation with Yvette Johnson Shackelforth at DFAS. I agreed and spent two weeks in December 2014 with her in her location. I was not given a copy of her evaluation and was not told how I did there. Only at the August 17, 2015, meeting, when I asked how I had done at Yvette's, was I told that I received an excellent evaluation.

In January 2015 I was contacted by Cynthia and told I was approved for training and that I needed to take Module 1, the safety and sanitation class, put on by the Health Dept. I was not given any information on how to sign up for this class and did not receive a copy of the textbook in Braille or audio tape or CD. After researching on my own, I found a class and attempted to sign up but could not get the computerized form to work. I contacted Cynthia to ask for help in completing the

form and asked for the book in a format that I could use. She attempted to complete the form for me, but I was unable to use it and eventually went to the Health Department and they helped me get signed up for the May class-all other classes were full.

I firmly believe that Cynthia told me I was not to move forward into any other modules until I had completed Module 1, the Servsafe class. I attended the class from May 3 to May 15. Eventually I did get a copy of the book on CD from Cynthia. I was now able to read the material during the class. I did not have the handouts in an accessible format until after the class was over. I sent these to Cynthia and did eventually receive a Braille copy. I took the final exam on May 15 and received a score of 93. I know this from the Health Department. August 17, 2015; Cynthia acknowledged that I had received the highest score of any trainee on this test since she has been in the job.

She did not meet with me in person to congratulate me or discuss the process of moving on to Module 2. In late May I attempted many times to download and read the modules using my very old desktop computer. It was determined that my old operating system would not function with the Moodie platform. Sharon found a loaner laptop and hired Functional Training to help me load and begin the modules. After I completed Module 2 and 3, the laptop began to malfunction and would repeatedly turn off in the middle of a session or else it would not start up. Sharon had Functional Training attempt to fix it. This was not successful. She had me use a computer at their location to move onto Module 4 and 5.

I was contacted by Cynthia on July 8, 2015, to see how I was doing with Module 3, and she seemed to be pushing me to take the quiz a second time. I requested help on some of the concepts in Module 3 since I had missed 2 out of 10 questions the first time I took it. She replied that I should Google math and/or go to the State Library for help. I had read the material several times and felt that I did understand it but wanted to sit down and talk

over the material one on one with someone. After going back and forth by email, she put a list of the remaining modules I needed to complete and put goal dates to try to complete them. At this time my laptop still was not working properly, but I had made good progress on Module 4 and 5 although I had not submitted them to her for grading yet. Cynthia was about to leave on a two- week vacation from 7/15 to 7/28, so I said I would do my best to move forward while she was on vacation. I held on to my work and plan to submit in early August when she returned. I did not take these suggested dates to be a strict timeline for completion of each Module, and I did not agree to such a thing. I was never told that not meeting these goals would be used as grounds to remove me from training.

I moved forward on my own while she was on vacation and finished Modules 4 and 5 and began working on Modules 6 and 7. I submitted my work to her when I knew she was back from vacation on August 5 and August 10. I continued working and was finishing up modules 6 and 7 by August 14 when I was contacted by Cynthia and ordered to come to a meeting with her and Sharon on Monday, August 17. I asked what the purpose for this meeting was, and she refused to tell me. I submitted these modules on August 15 before the meeting. Module 7 had a significant number of links to articles that were to be read and questions answered based on the reading. The links did not work.

Never once in those 35 days did Cynthia contact me to ask how I was doing or why I had missed submitting paperwork by the dates in her July 8 email. Since she was gone a good part of July, I believed these were just general guidelines for me, and I moved on my own to progress through the modules and waited to submit my work once she was back from vacation. There were no communications between Cynthia or my counselor and me that could have prepared me for the bombshell that was dropped on me when they said that I would not be allowed to complete the training program. I had been frustrated at the pace of the training, but I attributed this to a combination of Cynthia being new and moving a little slower as she learned the program and because of my technology issues along with the delay in getting the Servsafe class completed before I could move on to the later modules.

I filed an appeal under the rights afforded by the Rehabilitation Act. I requested mediation, and the agency agreed. According to the mediation agreement, I was required to complete the modules and score a minimum of 80 percent on the final exam. I have now successfully done both.

When I was reinstated to training, I was told that I must complete the modules at Functional Training Services, where I was closely monitored. My cell phone was taken, and someone literally stood outside the restroom when I was inside. I was also told that I could not talk to BEP operators and that I would have to travel outside of Columbus for the final OJT. What have I done to deserve such treatment?

One of the modules I had to complete was the creation of an employee handbook. The handbook I created was sent back with some comments and suggestions. I completely revised the handbook and spent many hours doing so. At this time I have still not been given a grade or any feedback on the revision.

I was then told that I must take the final exam prior to the OJT experience, which I do not understand since my training was not complete yet. Still I was being tested prior to completion of all my training. Even with this unfair requirement, I successfully passed the final with a 90% when all scores are totaled and divided by 7 test sections, well above the required 80%.

Here are my scores after a retake:

Mental Math 100% Pass

Menu Planning 87.5% Pass

Vending 94.4% Pass

BE Rules and Regulations 93.3% Pass

Customer Service and Marketing section was 72.7% and is now 100%

Employee Relations section was 41.9% and is now 90.3%

Daily and Monthly Reports section was 53.5% and is now 66.3%

I have worked very hard for more than 18 months to become licensed in the BE Program, and I have done everything I was asked to do and met all requirements. I believe that I will be a good operator, and BSVI has spent

many resources on my training. It is in all parties' interest to move forward and for me to be licensed in the program.