

FY 2021 Budget Narrative

Department/Program Description

The Labor Relations Board is charged with resolving labor relations disputes under the State Employees Labor Relations Act, Municipal Employee Relations Act, Labor Relations for Teachers Act, State Labor Relations Act, Judiciary Employees Labor Relations Act, Independent Direct Support Providers Labor Relations Act, and Early Care and Education Providers Labor Relations Act. The Board determines appropriate bargaining units, conducts representation elections, and adjudicates unfair labor practice charges in cases involving relations between employers (State of Vermont, Vermont State Colleges, University of Vermont, municipal employers, school districts, and small private employers) and their employees. In addition, with respect to the State, State Colleges and UVM, the Board makes final determinations on employee grievances, and provides assistance in resolving negotiations disputes. Further, there are other statutory provisions granting the Board jurisdiction to resolve disputes in various areas.

The Board consists of six citizen members paid on a per diem basis. The Board has two employees - a full-time Executive Director and a part-time (20 hours per week) Clerk.

Key Budget Issues

The Governor's proposed FY 2021 General Fund budget for the Board represents a 14% increase (\$36,526) from our FY 2020 General Fund budget. The net increase primarily results from the following circumstances:

- The major portion of the increase \$27,447-results from the expected retirement of the current Executive Director between January and May 2021 that will require additional transition funding. There will be an eight-week "double fill" period where the newly hired and departing Executive Director are both employed. The Board also will enter into a personal services contract with the outgoing Director for \$5,000 cost during FY2021 for consultation services during the early tenure of the newly hired Director.
- The Executive Director and Clerk received salary increases in FY 2020 which will carry over into FY 2021. The cost of these increases and accompanying benefit increases is \$3,647.
- The internal service fund (ISF) increases total \$5,463. This is primarily due to a \$5,057 Fee-for-Space increase.

Goals/Objectives/Performance Measures

The major goal of the Board is to ensure that cases coming before it are resolved justly and expeditiously. The ability to achieve this goal is significantly impacted by the Board's workload each year and the funds appropriated to support the Board's efforts.

The Board has developed several quantitative and qualitative performance measures to determine whether the strategies adopted by the Board are having a positive impact on indicators demonstrating whether the Board is achieving its goal of just and expeditious resolution of labor relations disputes. In the following table, quantitative performance measures, and the actual experience for calendar years, are set forth:

Performance Measures	2015	2016	2017	2018	2019
<i>Cases Filed</i>	51	73	60	54	52
<i>Cases Closed</i>	46	71	57	49	64
<i>Percentage of Cases Closed by</i>					
<i>Settlement of Withdrawal</i>	50	54	56	59	52
<i>Cases Open at End of Year</i>	21	23	26	31	19
<i>Board Hearing Days</i>	10	12	13	18	11
<i>Cases Heard</i>	7	12	6	13	10
<i>Average Days Between Case</i>					
<i>Filing and Case Closing</i>	156	150	167	170	194

These quantitative performance measures indicate that the steps taken by the Board have paid substantial dividends in the past several years in improving the timely resolution of labor relations disputes.

Existing performance measurements of the quality of Board resolutions of labor disputes concern appeals of Board decisions to the Vermont Supreme Court. There has been increasing effectiveness of Board decisions over time. During the past ten years, the number of Court decisions on

appeals of Board decisions has been substantially reduced. There have been only 18 Court decisions during this period, compared to 32 decisions during the preceding ten years. The Board has been fully affirmed in 16 cases of the 18, and reversed in the remaining two cases, an affirmance rate of 89 percent. During this period, the chance of a Board decision remaining in effect and not being reversed has been 98 percent.