

FY 19 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 whom are 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 2019 General Fund budget for the Board represents a 1.8% increase (\$4,451) from our FY 2018 General Fund budget. The increase primarily results from the following circumstances:

- The Executive Director and Clerk received salary increases in July of 2017 which will carry over into FY 2019. The cost of these increases is \$2,434.
- The State share of the medical insurance and dental insurance premiums, and other benefits, for the Executive Director and Clerk for FY 2019 is \$2,111 higher than the amount budgeted in FY 2018.
- The fee for space charge in FY19 is \$983 higher than FY18

The Board does not have flexibility as a small agency to absorb funding reductions from the Governor's proposed budget and still provide the current level of services. The Board is unable to absorb staff funding reductions given a small staff of 1.5 FTE positions. Also, the Board decreased the operating expenses portion of the budget to such an extent over preceding years that there is no remaining area for feasible reductions. This is a lean budget that trims services to what is essential to allow the Board to address a mandated workload.

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 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	2013	2014	2015	2016	2017
<i>Cases Filed</i>	56	69	51	73	60
<i>Cases Closed</i>	44	79	46	71	57
<i>Percentage of Cases Closed by Settlement or Withdrawal</i>	66	48	50	54	56
<i>Cases Open at End of Year</i>	26	16	21	23	26
<i>Board Hearing Days</i>	11	10	10	12	13
<i>Cases Heard</i>	5	13	7	12	6
<i>Average Days Between Case Filing and Case Closing</i>	145	131	156	150	167

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 13 cases of the 18, and reversed in 5 cases, an affirmance rate of 72 percent. During this period, the chance of a Board decision remaining in effect and not being reversed has been 98 percent.