

# FY 2022 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 2022 General Fund budget for the Board represents a decrease of \$13,823 (4.8%) from our FY 2021 budget. The net decrease primarily results from the following circumstances:

- The FY 2021 budget has one-time extra costs due to the retirement of the current Executive Director providing for additional transition funding for a six-week "double-fill" period where the newly hired Executive Director and the retiring Executive Director are both employed. This results in a one-time cost of \$16,318 during FY 2021. The proposed FY 2022 budget reflects this unique circumstance and ultimately results in a budget at a significantly lower level of funding than FY 2021.
- Another decreased cost for FY 2022 is \$2,050 in per diems for Board members.
- There are two primary areas of line item increases in the budget: 1) \$2,542 in salaries and benefits; and 2) \$2,024 net increase in Internal Service funds, primarily due to a Fee-for-Space increase.

The Governor's proposed budget allows the Board to provide the current level of services.

## 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:

<b>Performance Measures</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
<i>Cases Filed</i>	73	60	54	52	63
<i>Cases Closed</i>	71	57	49	64	62
<i>Percentage of Cases Closed by</i>					
<i>Settlement of Withdrawal</i>	54	56	59	52	54
<i>Cases Open at End of Year</i>	23	26	31	19	20
<i>Board Hearing Days</i>	13	18	13	13	19
<i>Cases Heard</i>	12	6	13	10	9
<i>Average Days Between Case</i>					
<i>Filing and Case Closing</i>	150	167	170	194	181

These quantitative performance measures indicate that the steps taken by the Board have paid substantial dividends 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 17 Court decisions

during this period, compared to 33 decisions during the preceding ten years. The Board has been fully affirmed in 13 of the 17 cases, partially affirmed in one case, and reversed in the remaining three cases. During this period, the chance of a Board decision remaining in effect and not being reversed has been greater than 98 percent.