

V O S H A R E V I E W B O A R D

Leigh Keyser Phillips, Chair of the Board

Fiscal Year 2016 Budget Request



VOSHA Review Board

Fiscal Year 2016 Budget Request

Leigh Keyser Phillips, Chair of the Board

Budget Development

Paul Rousseau CPA

AoA Chief Financial Officer

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AoA Deputy Chief Financial Officer

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Financial Director II

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VOSHA Review Board

FY 2016 Budget Request

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VOSHA REVIEW BOARD

Executive Summary

Philosophy:

The VOSHA Review Board carries out its statutory mandate to provide reviews of and hearings on Vermont Occupational Safety and Health Administration (VOSHA) citations for violations of safety and health standards in the workplace contested by Vermont employers.

Key Initiatives:

Hearings for VOSHA contested citations

The Review Board's part-time clerk manages all filings, correspondence, and other administrative matters, including scheduling hearings. The Review Board appoints hearing officers to hear each case, which is not resolved through settlement, and also reviews any hearing officer's decision on a discretionary basis.

Review Board Rules

The Review Board is responsible for establishing and updating the rules governing any case brought before it.

Funding Levels:

At the end of FY 14, the Review Board had a personnel change which will result in having to pay the full amount of its Clerk's benefits, as the Clerk's position is no longer a dual employment arrangement with another agency. Though there was a decrease in the number of cases on the Review Board's docket in the FY 2014, we anticipate having to use a significant portion of the remaining carry forward in FY 2015 to cover the increased personnel expenses as well as the cost of handling the anticipated hearings for the current docket. As a result of the increases, personnel expenses and reduction of carry forward funds, the Review Board's FY 2016 budget, after the required budget reductions, and decreased level of funding, will need a portion, if not all, of its remaining carry forward funds to cover any shortfall in covering its FY 2016 expenses. Without being able to increase its budget for FY 2016, the Review Board will also delay going through the administrative rules process, and the related expense, to update its rules of procedure until FY 2017.

Summary

The VOSHA Review Board provides Vermont employers with a forum for reviews of and hearings on any contested VOSHA citation for violations of workplace safety standards.

FY 2015 Budget to FY 2016 Request

 VOSHA Review Board



Section 1

**FY 2016 Budget
Submission**

State of Vermont

Fiscal Year 2016 Budget Development Form - VOSHA Review Board

	General \$\$	Transp \$\$	Special \$\$	Interdept'l Transfer \$\$	All other \$\$	Total \$\$
VOSHA Review Board: FY 2015 (As Passed)	24,605	0	0	24,605	0	49,210
Change in Salaries and Benefits	2,052			2,052		4,104
Change in Per Diem	1,700			1,699		3,399
Change in IT/Telecom Services and Equipment	551			552		1,103
Changes to Internal Allocations (DHR, DII, Insurance, FFS, etc)	522			522		1,044
Changes in Operating	723			723		1,446
						0
						0
Subtotal of increases/decreases	5,548	0	0	5,548	0	11,096
FY 2016 Governor Recommend	30,153	0	0	30,153	0	60,306

Program Budget Profiles

 VOSHA Review Board



Section 2

**FY 2016 Budget
Submission**

FY16 Appropriations Committee Questionnaire

VOSHA REVIEW BOARD

1.

a. What are your programs?

Under 21 V.S.A. Section 226(c), (d) and 230, the VOSHA Review Board has a statutory mandate to hear and decide any case involving an employer's contesting of any Vermont Occupational Safety and Health Administration (VOSHA) citation for alleged violations of safety and health standards in the workplace. The Review Board is also responsible for establishing and updating the rules governing any case brought before it.

b. How do these programs meet your core mission?

The VOSHA Review Board is meeting its core mission by providing all employers in Vermont with a forum in which to contest any VOSHA citation. The Review Board provides assistance in understanding the Review Board process and timely and fair hearings to all parties who appear before it.

2.

a. What does success in each program look like to Vermonters both those served by the program and the general population?

Vermont employers are provided with assistance to enable them to understand the hearing and review process for any contested VOSHA citation for alleged safety and health standards in the workplace. In addition, hearings and reviews are held in a fair and timely manner.

b. What performance measures are used to determine progress and what baseline data is available (current and proposed budget, # served, etc)?

The number of cases on the VOSHA Review Board's docket is used to determine its efficiency.

During the course of 2014 the VOSHA Review Board saw a total of **forty-two (42)** cases many of which had not closed in 2012-2013. By December 29, 2014, **sixteen (16)** of the 42 cases were pending. The dates on which these 16 cases were filed with the Review Board ranged from February 21, 2013 to December 8, 2014.

See bullets below describing the details of the 42 cases:

FY16 Appropriations Committee Questionnaire

26 Closed Cases:

- Three (3) of these cases went to hearing resulting in a Hearing Officer Decision with one Requests for Discretionary Review which was denied.
- Seven (7) of these settled. Four (5) of which had hearing officers assigned.
- Thirteen (13) were dismissed as a result of an informal conference
- One (1) was dismissed as a result of withdrawal from contest
- Two (2) were dismissed as a result of citation withdrawal

16 Pending Cases:

- One (1) of these cases has recently been received and a letter has been sent to Respondent to inform them their Notice of Contest has been received by the Review Board;
- One (1) of these cases are currently scheduled for hearings;
- One (1) has petitioned for review of the Hearing Officer Decision;
- One (1) has been denied a Petition for Review the Hearing Officer Decision and a Final Order is in process
- One (1) is waiting for paperwork from the Department of Labor to issue a dismissal motion;
- Two (2) are going through stipulation and settlement process;
- Four (4) have approved settlements which are ready for posting at location violation occurred; and
- Five (5) are waiting for information from the Department of Labor so that the Board can schedule a hearing

3. Is there a better way?

The current structure and operation of the VOSHA Review Board allows it to carry out its responsibilities in an efficient and cost-effective way. To continue to insure that it is carrying out its mission and responsibilities as efficiently and cost effectively as possible, the Review Board is in the process of (1) establishing a web page to provide online information and resources, relating to the VOSHA Review Board hearing and review process, to Vermont employers, as well as the general public, (2) revising and updating its rules and forms and (3) having the Clerk begin taking paralegal courses.

Program Performance*

*per 32 VSA §307(c)



VOSHA Review Board



Section 3

**FY 2016 Budget
Submission**

Vermont Occupational Safety and Health Review Board

Mission Statement:

The VOSHA Review Board was created under 11 VSA 230 for the purpose of providing reviews of and hearings on any Vermont Occupational Safety and Health Administration (VOSHA) citation for a violation of workplace safety and health standards contested by an employer.

Programmatic Mission Statement:

Provide all employers in Vermont with a forum in which to contest any VOSHA citation.

Goals:

Provide timely and fair hearings to all parties and assistance to employers, who appear before the Review Board.
Provide assistance to all parties and employers who appear before the Review Board in understanding the Review Board process.

Indicators:

Length of case docket is used to determine efficiency of Review Board.

Market:

The Review Board is available to all Vermont employers, who have contested a citation from VOSHA.

Resources:

Available carry forward funds should cover any increases in hearing costs not covered by the budget, due to the decreases in the FY 2015 budget. The change in personnel at the end of FY 2014, resulting in the Review Board's paying for all of its clerk's benefits, are contributing to the likelihood that carry forward funds will be needed. As a result, it is anticipated that a significant portion, if not all, of the carry forward funds will be used in FY2016. The current Review Board's programmatic resources are not expected to meet the future needs of the Review Board beyond FY16.

Programmatic Changes:

There are no significant programmatic changes anticipated for FY 2016.

Measuring Productivity and Efficiency:

Continue to schedule cases for hearings to reduce the number of open cases on the Review Board docket.

Capital Needs for the Program:

In FY 2016, there are currently no anticipated capital needs for the Review Board.

State of Vermont

Organization: 128000000 - VOSHA review board

Budget Object Group: 1. PERSONAL SERVICES

Budget Object Rollup Name	FY2014 Actuals	FY2015 Original As Passed Budget	FY2015 Governor's BAA Recommended Budget	FY2016 Governor's Recommended Budget	Difference Between FY2016 Governor's Recommend and FY2015 As Passed	Percent Change FY2016 Governor's Recommend and FY2015 As Passed
Salaries and Wages	16,377	15,808	15,808	18,844	3,036	19.2%
Fringe Benefits	4,053	17,554	17,554	18,622	1,068	6.1%
Contracted and 3rd Party Service	0	0	0	0	0	0.0%
PerDiem and Other Personal Services	16,417	3,838	3,482	7,437	3,599	93.8%
Budget Object Group Total: 1. PERSONAL SERVICES	36,846	37,200	36,844	44,903	7,703	20.7%

Budget Object Group: 2. OPERATING

Budget Object Rollup Name	FY2014 Actuals	FY2015 Original As Passed Budget	FY2015 Governor's BAA Recommended Budget	FY2016 Governor's Recommended Budget	Difference Between FY2016 Governor's Recommend and FY2015 As Passed	Percent Change FY2016 Governor's Recommend and FY2015 As Passed
IT/Telecom Services and Equipment	2,321	3,202	3,202	4,697	1,495	46.7%
Travel	697	1,000	1,000	1,000	0	0.0%
Supplies	156	300	300	300	0	0.0%
Other Purchased Services	8,554	1,336	1,336	1,883	547	40.9%
Other Operating Expenses	10	12	12	1,360	1,360	11,333.3%
Rental Property	5,949	6,160	6,160	6,163	3	0.0%
Budget Object Group Total: 2. OPERATING	17,688	12,010	12,010	15,403	3,393	28.3%
Total Expenses	54,534	49,210	48,854	60,306	11,096	22.5%

State of Vermont

Organization: 1280000000 - VOSHA review board

Fund Name	FY2014 Actuals	FY2015 Original As Passed Budget	FY2015 Governor's BAA Recommended Budget	FY2016 Governor's Recommended Budget	Difference Between FY2016 Governor's Recommend and FY2015 As Passed	Percent Change FY2016 Governor's Recommend and FY2015 As Passed
General Funds	27,262	24,605	24,249	30,153	5,548	22.5%
IDT Funds	27,272	24,605	24,605	30,153	5,548	22.5%
Funds Total	54,534	49,210	48,854	60,306	11,096	22.5%
Position Count				1.00		
FTE Total				0.50		

Budget Detail Reports

 VOSHA Review Board



Section 5

**FY 2016 Budget
Submission**

State of Vermont

Organization: 1280000000 - VOSHA review board

Budget Object Group: 1. PERSONAL SERVICES

		FY2014 Actuals	FY2015 Original As Passed Budget	FY2015 Governor's BAA Recommended Budget	FY2016 Governor's Recommended Budget	Difference Between FY2016 Governor's Recommend and FY2015 As Passed	Percent Change FY2016 Governor's Recommend and FY2015 As Passed
Salaries and Wages							
Description	Code						
Classified Employees	500000	15,313	0	0	0	0	0.0%
Exempt	500010	1,064	15,808	15,808	18,844	3,036	19.2%
Total: Salaries and Wages		16,377	15,808	15,808	18,844	3,036	19.2%

		FY2014 Actuals	FY2015 Original As Passed Budget	FY2015 Governor's BAA Recommended Budget	FY2016 Governor's Recommended Budget	Difference Between FY2016 Governor's Recommend and FY2015 As Passed	Percent Change FY2016 Governor's Recommend and FY2015 As Passed
Fringe Benefits							
Description	Code						
FICA - Classified Employees	501000	1,047	0	0	0	0	0.0%
FICA - Exempt	501010	81	1,210	1,210	1,442	232	19.2%
Health Ins - Classified Empl	501500	0	0	0	0	0	0.0%
Health Ins - Exempt	501510	0	12,782	12,782	12,782	0	0.0%
Retirement - Classified Empl	502000	2,620	0	0	0	0	0.0%
Retirement - Exempt	502010	177	2,704	2,704	3,224	520	19.2%
Dental - Classified Employees	502500	0	0	0	0	0	0.0%
Dental - Exempt	502510	0	676	676	994	318	47.0%
Life Ins - Classified Empl	503000	72	0	0	0	0	0.0%
Life Ins - Exempt	503010	0	66	66	68	2	3.0%
LTD - Classified Employees	503500	17	0	0	0	0	0.0%
LTD - Exempt	503510	3	38	38	44	6	15.8%

State of Vermont

Organization: 128000000 - VOSHA review board

		FY2014 Actuals	FY2015 Original As Passed Budget	FY2015 Governor's BAA Recommended Budget	FY2016 Governor's Recommended Budget	Difference Between FY2016 Governor's Recommend and FY2015 As Passed	Percent Change FY2016 Governor's Recommend and FY2015 As Passed
Fringe Benefits							
EAP - Classified Empl	504000	0	0	0	0	0	0.0%
EAP - Exempt	504010	0	34	34	30	(4)	-11.8%
Workers Comp - Ins Premium	505200	36	44	44	38	(6)	-13.6%
Total: Fringe Benefits		4,053	17,554	17,554	18,622	1,068	6.1%

		FY2014 Actuals	FY2015 Original As Passed Budget	FY2015 Governor's BAA Recommended Budget	FY2016 Governor's Recommended Budget	Difference Between FY2016 Governor's Recommend and FY2015 As Passed	Percent Change FY2016 Governor's Recommend and FY2015 As Passed
Contracted and 3rd Party Service							
Description	Code						
Other Contr and 3Rd Pty Serv	507600	0	0	0	0	0	0.0%
Total: Contracted and 3rd Party Service		0	0	0	0	0	0.0%

		FY2014 Actuals	FY2015 Original As Passed Budget	FY2015 Governor's BAA Recommended Budget	FY2016 Governor's Recommended Budget	Difference Between FY2016 Governor's Recommend and FY2015 As Passed	Percent Change FY2016 Governor's Recommend and FY2015 As Passed
PerDiem and Other Personal Services							
Description	Code						
Per Diem	506000	2,300	3,600	3,244	7,199	3,599	100.0%
Other Pers Serv	506200	14,117	238	238	238	0	0.0%
Total: PerDiem and Other Personal Services		16,417	3,838	3,482	7,437	3,599	93.8%
Total: 1. PERSONAL SERVICES		36,846	37,200	36,844	44,903	7,703	20.7%

State of Vermont

Organization: 1280000000 - VOSHA review board

Budget Object Group: 2. OPERATING

		FY2014 Actuals	FY2015 Original As Passed Budget	FY2015 Governor's BAA Recommended Budget	FY2016 Governor's Recommended Budget	Difference Between FY2016 Governor's Recommend and FY2015 As Passed	Percent Change FY2016 Governor's Recommend and FY2015 As Passed
IT/Telecom Services and Equipment							
Description	Code						
Communications	516600	0	6	6	6	0	0.0%
Telecom-Conf Calling Services	516658	0	4	4	4	0	0.0%
It Intersvccost- Dii Other	516670	0	0	0	0	0	0.0%
It Intsvccost-Vision/Isdassess	516671	503	682	682	1,268	586	85.9%
It Intsvccost- Dii - Telephone	516672	1,245	1,000	1,000	2,003	1,003	100.3%
It Inter Svc Cost User Support	516678	0	356	356	356	0	0.0%
It Int Svc Dii Allocated Fee	516685	573	1,154	1,154	1,060	(94)	-8.1%
Total: IT/Telecom Services and Equipment		2,321	3,202	3,202	4,697	1,495	46.7%

		FY2014 Actuals	FY2015 Original As Passed Budget	FY2015 Governor's BAA Recommended Budget	FY2016 Governor's Recommended Budget	Difference Between FY2016 Governor's Recommend and FY2015 As Passed	Percent Change FY2016 Governor's Recommend and FY2015 As Passed
Other Operating Expenses							
Description	Code						
Other Operating Expense	523199	0	0	0	1,348	1,348	0.0%
Single Audit Allocation	523620	10	12	12	12	0	0.0%
Total: Other Operating Expenses		10	12	12	1,360	1,348	11,233.3%

State of Vermont

Organization: 128000000 - VOSHA review board

Other Purchased Services		FY2014 Actuals	FY2015 Original As Passed Budget	FY2015 Governor's BAA Recommended Budget	FY2016 Governor's Recommended Budget	Difference Between FY2016 Governor's Recommend and FY2015 As Passed	Percent Change FY2016 Governor's Recommend and FY2015 As Passed
Description	Code						
Insurance Other Than Empl Bene	516000	19	22	22	23	1	4.5%
Insurance - General Liability	516010	30	34	34	37	3	8.8%
Photocopying	517020	0	26	26	26	0	0.0%
Postage	517200	0	26	26	26	0	0.0%
Postage - Bgs Postal Svcs Only	517205	223	500	500	500	0	0.0%
Agency Fee	519005	170	268	268	265	(3)	-1.1%
Human Resources Services	519006	93	460	460	1,006	546	118.7%
Administrative Service Charge	519010	8,020	0	0	0	0	0.0%
Total: Other Purchased Services		8,554	1,336	1,336	1,883	547	40.9%

Rental Property		FY2014 Actuals	FY2015 Original As Passed Budget	FY2015 Governor's BAA Recommended Budget	FY2016 Governor's Recommended Budget	Difference Between FY2016 Governor's Recommend and FY2015 As Passed	Percent Change FY2016 Governor's Recommend and FY2015 As Passed
Description	Code						
Fee-For-Space Charge	515010	5,949	6,160	6,160	6,163	3	0.0%
Total: Rental Property		5,949	6,160	6,160	6,163	3	0.0%

State of Vermont

Organization: 128000000 - VOSHA review board

		FY2014 Actuals	FY2015 Original As Passed Budget	FY2015 Governor's BAA Recommended Budget	FY2016 Governor's Recommended Budget	Difference Between FY2016 Governor's Recommend and FY2015 As Passed	Percent Change FY2016 Governor's Recommend and FY2015 As Passed
Supplies							
Description	Code						
Office Supplies	520000	136	300	300	300	0	0.0%
Stationary & Envelopes	520015	20	0	0	0	0	0.0%
Total: Supplies		156	300	300	300	0	0.0%
Travel							
Description	Code						
Travel-Inst-Auto Mileage-Nonemp	518300	697	1,000	1,000	1,000	0	0.0%
Travel-Outst-Auto Mileage-Emp	518500	0	0	0	0	0	0.0%
Total: Travel		697	1,000	1,000	1,000	0	0.0%
Total: 2. OPERATING		17,688	12,010	12,010	15,403	3,393	28.3%
Total Expenses:		54,534	49,210	48,854	60,306	11,096	22.5%

State of Vermont

Organization: 1280000000 - VOSHA review board

Fund Name	Fund Code	FY2014 Actuals	FY2015 Original As Passed Budget	FY2015 Governor's BAA Recommended Budget	FY2016 Governor's Recommended Budget	Difference Between FY2016 Governor's Recommend and FY2015 As Passed	Percent Change FY2016 Governor's Recommend and FY2015 As Passed
General Fund	10000	27,262	24,605	24,249	30,153	5,548	22.5%
Inter-Unit Transfers Fund	21500	27,272	24,605	24,605	30,153	5,548	22.5%
Funds Total:		54,534	49,210	48,854	60,306	11,096	22.5%
Position Count					1.00		
FTE					0.50		

Personnel Summary Reports

 VOSHA Review Board



Section 6

**FY 2016 Budget
Submission**

State of Vermont

FY2016 Governor's Recommended Budget Position Summary Report

1280000000-VOSHA review board

Position Number	Classification	FTE	Count	Gross Salary	Benefits Total	Statutory Total	Total
397001	05020E - Administrative Assistant B	0.75	1.00	18,844	4,360	1,442	24,646
Total		0.75	1.00	18,844	4,360	1,442	24,646

Fund Code	Fund Name	FTE	Count	Gross Salary	Benefits Total	Statutory Total	Total
10000	General Fund	0.25	1.00	9,422	2,180	721	12,323
21500	Inter-Unit Transfers Fund	0.50		9,422	2,180	721	12,323
Total		0.75	1.00	18,844	4,360	1,442	24,646

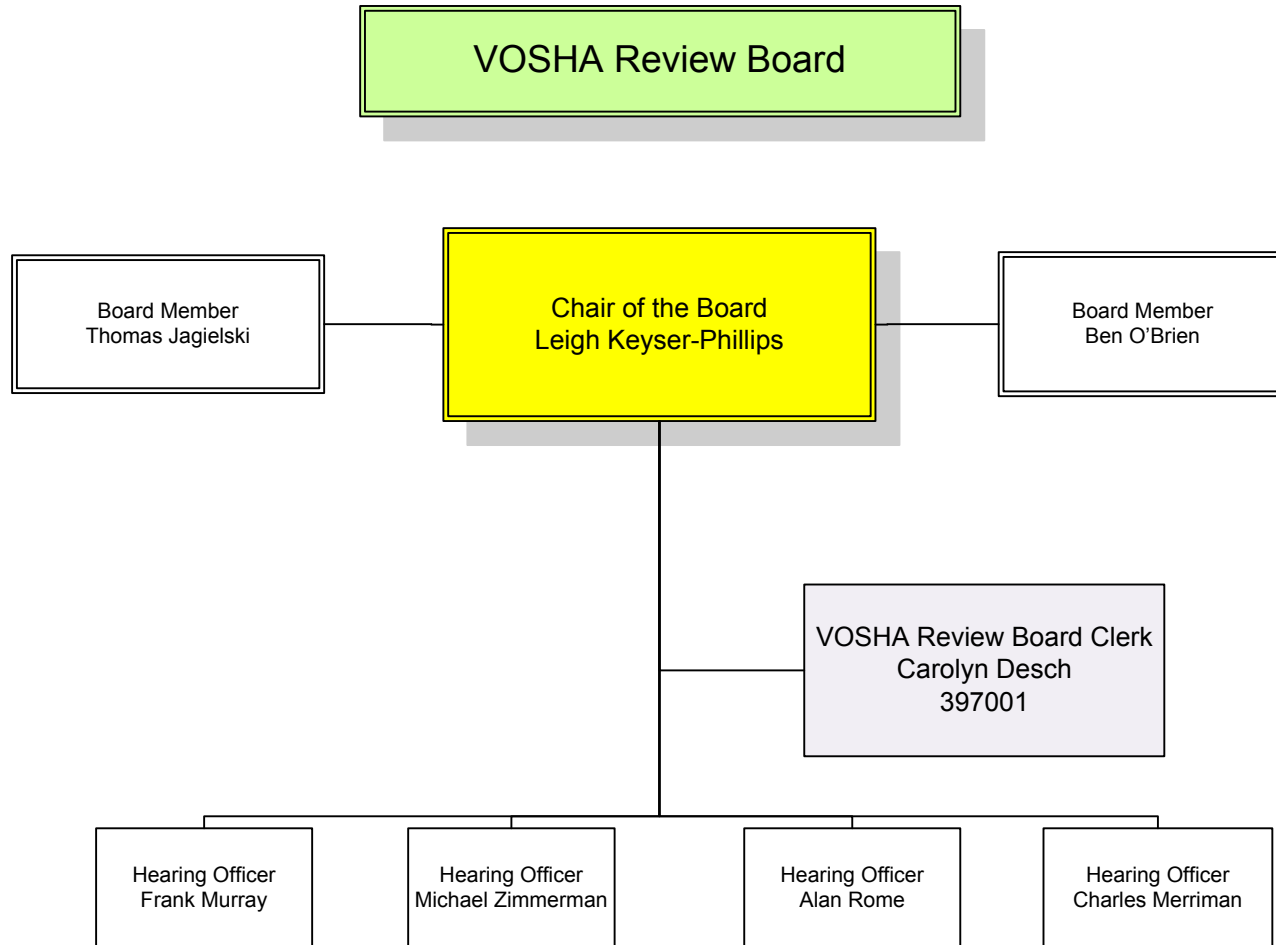
Organizational Charts

 VOSHA Review Board



Section 7

**FY 2016 Budget
Submission**



Federal Receipts, Interdepartmental Receipts & Grants Out

 VOSHA Review Board



Section 8

**FY 2016 Budget
Submission**

State of Vermont

Interdepartmental Transfers 1280000000 - VOSHA review board

Budget Request Code	Fund	Justification	Est Amount
5482	21500	Reimbursement from Labor Relations Board	\$30,153
		Total	\$30,153

Carry Forward Report

 VOSHA Review Board



Section 9

**FY 2016 Budget
Submission**

State of Vermont

VOSHA Review Board

Carryforward Projections

Program	Final Carryforward 6/30/2013	FY 2014 Appropriated Funding	FY 2014 Estimated Expenditures	Estimated Carryforward 6/30/2014
General Fund:				
VOSHA Review Board:	\$17,509	\$24,605	(\$42,114)	\$0
Total General Fund:	\$17,509	\$24,605	(\$42,114)	\$0
TOTALS:	\$17,509	\$24,605	(\$42,114)	\$0

Results-Based Accountability Report



VOSHA Review Board



Section 10

**FY 2016 Budget
Submission**

State of Vermont

Appropriation: 128000000 VOSHA Review Board

Objective:

Measures	Unit	FY 14 Targets	FY 14 Actuals	FY 15 Targets	FY 15 Estimate	FY 16 Targets
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Nothing to report this Fiscal Year.

Program Budget:	FY2014 Actuals	FY2015 Original As Passed Budget	FY2015 Governor's BAA Recommended Budget	FY2016 Governor's Recommended Budget
Personal Services				
Operating Expenses				
Grants				
Total Appropriation				
Total Program Cost:				