

VERMONT LABOR RELATIONS BOARD FISCAL YEAR 2017 BUDGET

INTRODUCTION/PRESENTATION

Overview of Board

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 2017 General Fund budget for the Board represents a 2.5% increase (\$5,613) from our FY 2016 General Fund budget. The increase primarily results from the following circumstances:

- The Executive Director and Clerk received salary increases in July of 2015 which will carry over into FY 2017. The cost of these increases is \$2,267.
- The State share of the medical insurance and dental insurance premiums, and other benefits, for the Executive Director and Clerk for FY 2017 is \$3,346 higher than the amount budgeted in FY 2016.

The Board does not have flexibility as a small agency to absorb any funding reductions from Governor's proposed budget and still provide an adequate level of services. The Board has only two staff with a total FTE of 1.5 positions. This is a 33% reduction from 1997 levels. The Board is unable to absorb any further staff funding reductions given such a small staff. Also, the Board decreased the operating expenses portion of our 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 and 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 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 |
|---|-------------|-------------|-------------|-------------|-------------|-------------|
| <i>Cases Filed</i> | 55 | 68 | 47 | 56 | 69 | 51 |
| <i>Cases Closed</i> | 52 | 70 | 60 | 44 | 79 | 46 |
| <i>Percentage of Cases Closed by Settlement or Withdrawal</i> | 60 | 59 | 63 | 66 | 48 | 50 |
| <i>Cases Open at End of Year</i> | 29 | 27 | 14 | 26 | 16 | 21 |
| <i>Board Hearing Days</i> | 17 | 16 | 7 | 11 | 10 | 10 |
| <i>Cases Heard</i> | 10 | 13 | 3 | 5 | 13 | 7 |
| <i>Average Days Between Case Filing and Case Closing</i> | 221 | 157 | 164 | 145 | 131 | 156 |

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 16 Court decisions during this period, compared to 47 decisions during the preceding ten years. In most of these 16 decisions, the Board decision has been upheld. The Board has been fully affirmed in 13 cases, and reversed in 3 cases, an affirmance rate of 81 percent. During this period, the chance of a Board decision remaining in effect and not being reversed has been 98 percent.