

# VERMONT LABOR RELATIONS BOARD

## FISCAL YEAR 2018 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 2018 General Fund budget for the Board represents a 3.7% increase (\$9,271) from our FY 2017 General Fund budget. The increase primarily results from the following circumstances:

- The Executive Director and Clerk received salary increases in July of 2016 which will carry over into FY 2018. The cost of these increases is \$3,879.
- The State share of the medical insurance and dental insurance premiums, and other benefits, for the Executive Director and Clerk for FY 2018 is \$618 higher than the amount budgeted in FY 2017.
- The fee for space charge in FY18 is \$2,749 higher than FY17.
- The amount allocated for Board member per diems in FY18 is \$685 higher than FY17.

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:

<b>Performance Measures</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>
Cases Filed	68	47	56	69	51	73
Cases Closed	70	60	44	79	46	71
Percentage of Cases Closed by Settlement or Withdrawal	59	63	66	48	50	54
Cases Open at End of Year	27	14	26	16	21	23
Board Hearing Days	16	7	11	10	10	12
Cases Heard	13	3	5	13	7	12
Average Days Between Case Filing and Case Closing	157	164	145	131	156	150

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 19 Court decisions during this period, compared to 43 decisions during the preceding ten years. The Board has been fully affirmed in 14 cases of the 19, and reversed in 5 cases, an affirmance rate of 74 percent. During this period, the chance of a Board decision remaining in effect and not being reversed has been 98 percent.

**FY 2018 GOVERNOR'S BUDGET RECOMMENDATIONS - PROGRAM PERFORMANCE MEASURES**

<b>AGENCY NAME:</b>	Vermont Labor Relations Board	
<b>DEPARTMENT NAME:</b>		
<b>DIVISION NAME:</b>		
<b>PRIMARY APPROPRIATION #</b>		
<b>PROGRAM NAME</b>	Elections and Dispute Resolution	
<b>PROGRAM NUMBER (if used)</b>		
<b>FY 2018 Appropriation \$\$</b>	\$	256,590.00
<b>Budget Amounts in Primary appropriation not related to this program:</b>	\$	-
		<b>SECONDARY APPROPRIATION #</b>
<b>Program Budget Amounts from other appropriation:</b>	\$	-
<b>Program Budget Amounts from other appropriation:</b>	\$	-
<b>Program Budget Amounts from other appropriation:</b>	\$	-
<b>Program Budget Amounts from other appropriation:</b>	\$	-
<b>Program Budget Amounts from other appropriation:</b>	\$	-
<b>TOTAL PROGRAM BUDGET FY 2017</b>	\$	256,590.00
		n/a

<b>POPULATION-LEVEL OUTCOME:</b>	(4) Vermont's communities are safe and supportive.	<b>Population-Level Outcomes Drop Down (scroll and select):</b> (scroll down and select) (1) Vermont has a prosperous economy. (2) Vermonters are healthy. (3) Vermont's environment is clean and sustainable. (4) Vermont's communities are safe and supportive. (5) Vermont's families are safe, nurturing, stable, and supported. (6) Vermont's children and young people achieve their potential, including: (6)(A) Pregnant women and young people thrive. (6)(B) Children are ready for school.
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<b>POPULATION-LEVEL INDICATOR:</b>		<b>An Indicator is:</b> A measurable condition of well-being for children, adults, families, communities. Examples: violent crime rate; median house price; unemployment rate; % of electric generation from renewable sources; % registered voters voting in general election; % structurally deficient bridges; etc. Not all performance measures have measurable Indicators, although the performance measure may well inform the ultimate Outcome and/or the state of the Outcome..
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		Performance Measure Data				
		FY 2015	FY 2016	FY 2017 Budget	FY 2017 BAA	FY 2018 Budget
<b>Performance Measure A:</b>	Cases filed/cases closed					
<b>Type of PM A:</b>	1. How much did we do? (a.k.a. quantity or output) (Good PM)	25				
<b>Performance Measure B:</b>	Average days between case filing and case closing					
<b>Type of PM B:</b>	2. How well did we do it? (a.k.a. quality or efficiency) (Better PM)	26				
<b>Performance Measure C:</b>	Success rate on appeals of Board decisions to Supreme Court					
<b>Type of PM C:</b>	3. Is anyone better off? (a.k.a. effectiveness or result/outcome) (Best PM)	27				

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<b>NARRATIVE/COMMENTS/STORY: Describe the program. Who/what does it serve? Are there any data limitations or caveats? Explain trend or recent changes. Speak to new initiatives expected to have future impact.</b>																																																		
<p>The major goal of the Board is to ensure that cases coming before it are resolved justly and expeditiously. The Board has consistently used many performance measures during the past 35 years to aid in determining whether this goal has been met. Performance Measures A, B and C are among the most significant measures. The data on these measures has been compiled on a calendar year basis, rather than fiscal year, so we are unable to use the table in this template to report our experience on these measures. Instead, we are using this narrative section to report our experience.</p> <table> <tr> <td>Performance Measure</td> <td>2011</td> <td>2012</td> <td>2013</td> <td>2014</td> <td>2015</td> <td>2016</td> <td>Cases Filed</td> <td>68</td> <td>47</td> <td>56</td> <td>69</td> </tr> <tr> <td>51</td> <td>72</td> <td colspan="4">Cases Closed</td> <td>70</td> <td>60</td> <td>44</td> <td>79</td> <td>46</td> <td>70</td> <td>Av. Day</td> </tr> <tr> <td>Case Open</td> <td>157</td> <td>164</td> <td>145</td> <td>131</td> <td>156</td> <td>149</td> <td colspan="5">% of Sup. Ct. Decisions</td> </tr> <tr> <td>Affirming Board</td> <td>100</td> <td>100</td> <td>NA</td> <td>100</td> <td>100</td> <td>33</td> <td colspan="5"></td> </tr> </table>		Performance Measure	2011	2012	2013	2014	2015	2016	Cases Filed	68	47	56	69	51	72	Cases Closed				70	60	44	79	46	70	Av. Day	Case Open	157	164	145	131	156	149	% of Sup. Ct. Decisions					Affirming Board	100	100	NA	100	100	33					
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