

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

Leigh Keyser Phillips, Chair

Fiscal Year 2020 Budget Request



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Leigh Keyser Phillips, Chair

Budget Development

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*Fiscal Year 2020 Budget Request
table of contents*

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

Governor’s FY2020 Recommend, Summary & Highlights	4
Program Performance Measures Budget Report	6
FY2019 to FY2020 Crosswalk	8
Budget Rollup Report	9
Budget Detail Report	10
Personnel Summary Report & Organizational Chart	15
Interdepartmental Transfers Receipts Report	17

VOSHA Review Board FY2020 Governor's Recommended Budget

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

Governor's Recommended Budget FY 2020 (\$ millions)



FY2020 SUMMARY & HIGHLIGHTS

- 4% budget increase over FY19 Levels
- Fully funding caseload reserve: The number of VRB cases brought before a hearing officer has fluctuated throughout the years. More recently, cases appealed to the VRB are requiring increased deliberation and research by the hearing officers, which in turn has resulted in increased costs for holding hearings. In addition, a recent significant increase in the VOSHA penalty fees may cause more employers to contest their citations, thereby increasing the Review Board's case load.
- In order to minimize caseload costs, the VRB's Clerk has been providing increased research and legal assistance to the hearing officers and the VRB.

VOSHA Review Board Executive Summary & Highlights

PHILOSOPHY

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

KEY INITIATIVES

Hearings for VOSHA contested citations

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

Review Board Rules of Procedure

The VRB is responsible for establishing and updating the rules governing any case brought before it. The VRB is currently working on revising these rules.

Review Board Record Retention Policy

To better comply with the Public Records Law, the VRB worked with the Vermont State Archives and Records Administration (VSARA) to update and improve its records management processes and procedures and to develop a new Agency Specific Record Schedule and also a Record Retention Policy, in FY16. Since then, the VRB has completed weeding out all its paper files in FY17 and continues to do so with current files in the regular course of business. As required by VSARA the Clerk attends annual training and updates the Record Retention Policy on an as needed basis. Lastly, current case decisions continue to be scanned and filed electronically, as well as physically.

Review Board Website

A VRB website was developed and went on line during FY16. An online case decision index continues to be updated with current VRB decisions as issued and past decisions as time allows. This index is sorted by issues/subjects that were addressed in the decision. In addition, The calendar on the website will continually be updated with upcoming VRB meetings and hearings.

FUNDING LEVELS

The number of VRB cases brought before a hearing officer has fluctuated throughout the years. More recently, cases appealed to the VRB are requiring increased deliberation and research by the hearing officers, which in turn has resulted in increased costs for holding hearings. In addition, a recent significant increase in the VOSHA penalty fees may cause more employers to contest their citations, thereby increasing the Review Board's case load. In order to minimize these costs, the VRB's Clerk has been providing increased research and legal assistance to the hearing officers and the VRB. She has taken courses, received a degree in Certificate of Paralegal Studies, passed a National Federation of Certified Paralegal Core Competency Exam giving her CORE Registered Paralegal accreditation.

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 2020 GOVERNOR'S BUDGET RECOMMENDATIONS - PROGRAM PERFORMANCE MEASURES BUDGET

PROGRAM INFORMATION		
1	AGENCY NAME:	VOSHA Review Board
2	DEPARTMENT NAME:	VOSHA Review Board
3	DIVISION NAME:	
4	PROGRAM NAME:	VOSHA Review Board
5	PROGRAM NUMBER (if used)	

FY20 PROGRAM BUDGET			
6	PRIMARY APPROPRIATION #	128000000	
7	FY 2020 Appropriation \$\$\$	\$92,350.00	
8	Portion (\$\$\$) of Appropriation Dedicated to Program	\$92,350.00	
			SECONDARY APPROPRIATION #
9	Program Budget Amounts from other appropriation:		
10	Program Budget Amounts from other appropriation:		
11	Program Budget Amounts from other appropriation:		
12	Program Budget Amounts from other appropriation:		
13	Program Budget Amounts from other appropriation:		
14	TOTAL PROGRAM BUDGET FY 2020	\$92,350.00	

FY18 PROGRAM ACTUALS			
	Fund	\$\$\$	Code
15	GF	\$36,213.00	10000
16	TF		20105
17	EF		20205
18	SF	\$36,213.00	21500
19	FF		22005
20	GC		20405
21	OTHER		
22	TOTAL ACTUAL FY18	\$72,426.00	

PROGRAM PERFORMANCE										
23	POPULATION-LEVEL OUTCOME: (3 VSA § 2311 (c))	(9) Vermont has open, effective, and inclusive government.		24	STRATEGIC OUTCOME: State Strategic Plan	(4) Modernize and improve the efficiency of State Government.				
25	POPULATION-LEVEL INDICATOR: (3 VSA 2311 (c) from 2014 Act 186)	Percentage of closed cases and percentage of cases closed in 12 months or less.		26	BREAKTHROUGH INDICATOR: State Strategic Plan	n/a				
<p><i>An Indicator is: 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..</i></p>										
	Performance Measure	Unit of Measure	Type	2015 Value	2016 Value	2017 Value	2018 Value	2019 Projection	2020 Forecast	
27	Percentage of closed cases at end of fiscal year.	Percentage	2. How well did we do it?	77%	69%	76%	76%	75%	75%	
28	Percentage of closed cases in 12 months or less	Percentage	3. Is anyone better off?	28%	93%	80%	100%	80%	80%	
29			select from drop down							
30			select from drop down							
31			select from drop down							
<p>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.</p>										
32	See attached narrative on next page									

FY 2020 GOVERNOR'S BUDGET RECOMMENDATIONS - PROGRAM PERFORMANCE MEASURES BUDGET

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

Closed cases at end of fiscal year

The VRB has no control over how many cases it receives from the VOSHA Division of the Department of Labor. However, once cases are received, the VRB strives to process them in a timely and efficient manner to keep the percentage of open cases as low as possible, while also maintaining due process. As a matter of course, there will always be some open cases at the end of a fiscal year, due to end of fiscal year filings and due to cases that are waiting for a decision or review process to be completed. During FY2018, the VRB handled a total of thirteen (13) cases, three of which were carried over from FY17. By the end of FY2018, only three (24%) of the total cases handled in FY2018 remained open and ten (10) cases (76%) were closed in 2018.

Closed cases in twelve months or less

Regardless of the above, the VRB strives to process cases within twelve months of being filed as a benchmark for determining if cases are being efficiently and effectively managed until they are closed. Fiscal Year (FY) 2018 ended with 100% of cases closed within one year or less. This is an increase from FY2017, however, of the remaining three open cases, all three will be over 12 months old by the time they are closed. This is a result of an increase in the complexity of the issues presented for the Hearing Officers and the VRB to consider, appeals, and hearing rescheduling due to issues beyond our control.

	# Cases	Closed	Open	New	Hearings	Hearing Days
FY19 so far	15	7	8	12	1	3
FY18	13	10	3	10	1	2
FY17	13	10	3	6	2	
FY16	22	15	7	15	2	
FY15	31	24	7	12	5	
FY14	62	43	19	7	2	

Fiscal Year 2020 Budget Development Form - VOSHA Review Board

	General \$\$	Transp \$\$	Special \$\$	Interdept'l Transfer \$\$	All other \$\$	Total \$\$
VOSHA Review Board: FY 2019 (As Passed)	44,333	0	0	44,333	0	88,666
Base Salary Increase	1,141			1,141		2,282
Base Benefit Increase	518			518		1,036
Rules and Procedure Review by Hearing Officers	1,250			1,250		2,500
Publish New Rules of Procedure	1,250			1,250		2,500
Change in Internal Service Fund Charges	131			131		261
Change in Operating Expenditures to Reflect Actual Expenditures	(93)			(93)		(186)
Change in Caseload Reserve	(2,355)			(2,355)		(4,709)
Subtotal of increases/decreases	1,842	0	0	1,842	0	3,684
FY 2020 Governor's Recommended Budget	46,175	0	0	46,175	0	92,350

State of Vermont - Budget Rollup Report

Organization: 1280000000 - VOSHA review board

Budget Object Group: 1. PERSONAL SERVICES

Budget Object Rollup Name	FY2018 Actuals	FY2019 Original As Passed Budget	FY2019 Governor's BAA Recommended Budget	FY2020 Governor's Recommended Budget	Difference Between FY2020 Governor's Recommend and FY2019 As Passed	Percent Change FY2020 Governor's Recommend and FY2019 As Passed
Salaries and Wages	21,820	22,266	22,266	24,548	2,282	10.2%
Fringe Benefits	29,407	30,001	30,001	30,956	955	3.2%
Contracted and 3rd Party Service	-	-	-	5,000	5,000	0.0%
PerDiem and Other Personal Services	9,290	23,383	23,383	19,236	(4,147)	-17.7%
Budget Object Group Total: 1. PERSONAL SERVICES	60,517	75,650	75,650	79,740	4,090	5.4%

Budget Object Group: 2. OPERATING

Budget Object Rollup Name	FY2018 Actuals	FY2019 Original As Passed Budget	FY2019 Governor's BAA Recommended Budget	FY2020 Governor's Recommended Budget	Difference Between FY2020 Governor's Recommend and FY2019 As Passed	Percent Change FY2020 Governor's Recommend and FY2019 As Passed
IT/Telecom Services and Equipment	2,972	3,592	3,592	3,480	(112)	-3.1%
Travel	369	1,000	1,000	500	(500)	-50.0%
Supplies	695	524	524	520	(4)	-0.8%
Other Purchased Services	1,059	1,085	1,085	1,217	132	12.2%
Other Operating Expenses	11	12	12	12	-	0.0%
Rental Property	6,803	6,803	6,803	6,881	78	1.1%
Budget Object Group Total: 2. OPERATING	11,909	13,016	13,016	12,610	(406)	-3.1%

Total Expenses	72,426	88,666	88,666	92,350	3,684	4.2%
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Fund Name	FY2018 Actuals	FY2019 Original As Passed Budget	FY2019 Governor's BAA Recommended Budget	FY2020 Governor's Recommended Budget	Difference Between FY2020 Governor's Recommend and FY2019 As Passed	Percent Change FY2020 Governor's Recommend and FY2019 As Passed
General Funds	36,213	44,333	44,333	46,175	1,842	4.2%
IDT Funds	36,213	44,333	44,333	46,175	1,842	4.2%
Funds Total	72,426	88,666	88,666	92,350	3,684	4.2%

Position Count				1		
FTE Total				1		

State of Vermont - Budget Detail Report

Organization: 128000000 - VOSHA review board

Budget Object Group: 1. PERSONAL SERVICES

		FY2018 Actuals	FY2019 Original As Passed Budget	FY2019 Governor's BAA Recommended Budget	FY2020 Governor's Recommended Budget	Difference Between FY2020 Governor's Recommend and FY2019 As Passed	Percent Change FY2020 Governor's Recommend and FY2019 As Passed
Salaries and Wages							
Description	Code						
Classified Employees	500000	21,820	-	-	-	-	0.0%
Exempt	500010	-	22,266	22,266	24,548	2,282	10.2%
Total: Salaries and Wages		21,820	22,266	22,266	24,548	2,282	10.2%

		FY2018 Actuals	FY2019 Original As Passed Budget	FY2019 Governor's BAA Recommended Budget	FY2020 Governor's Recommended Budget	Difference Between FY2020 Governor's Recommend and FY2019 As Passed	Percent Change FY2020 Governor's Recommend and FY2019 As Passed
Fringe Benefits							
Description	Code						
FICA - Classified Employees	501000	1,242	-	-	-	-	0.0%
FICA - Exempt	501010	-	1,702	1,702	1,878	176	10.3%
Health Ins - Classified Empl	501500	22,720	-	-	-	-	0.0%
Health Ins - Exempt	501510	-	23,222	23,222	22,936	(286)	-1.2%
Retirement - Classified Empl	502000	3,812	-	-	-	-	0.0%
Retirement - Exempt	502010	-	3,890	3,890	4,978	1,088	28.0%
Dental - Classified Employees	502500	1,308	-	-	-	-	0.0%
Dental - Exempt	502510	-	812	812	854	42	5.2%
Life Ins - Classified Empl	503000	184	-	-	-	-	0.0%
Life Ins - Exempt	503010	-	94	94	104	10	10.6%
LTD - Classified Employees	503500	50	-	-	-	-	0.0%
LTD - Exempt	503510	-	52	52	56	4	7.7%
EAP - Classified Empl	504000	30	-	-	-	-	0.0%
EAP - Exempt	504010	-	30	30	32	2	6.7%
Employee Tuition Costs	504530	40	167	167	100	(67)	-40.1%
Workers Comp - Ins Premium	505200	22	32	32	18	(14)	-43.8%
Total: Fringe Benefits		29,407	30,001	30,001	30,956	955	3.2%

State of Vermont - Budget Detail Report

Organization: 1280000000 - VOSHA review board

				FY2019 Governor's BAA Recommended Budget	FY2020 Governor's Recommended Budget	Difference Between FY2020 Governor's Recommend and FY2019 As Passed	Percent Change FY2020 Governor's Recommend and FY2019 As Passed
Contracted and 3rd Party Service		FY2019 Original As Passed Budget					
Description	Code						
Contr & 3Rd Party - Legal	507200	-	-	-	2,500	2,500	0.0%
Advertising/Marketing-Other	507563	-	-	-	2,500	2,500	0.0%
Other Contr and 3Rd Pty Serv	507600	-	-	-	-	-	0.0%
Total: Contracted and 3rd Party Service		-	-	-	5,000	5,000	0.0%

				FY2019 Governor's BAA Recommended Budget	FY2020 Governor's Recommended Budget	Difference Between FY2020 Governor's Recommend and FY2019 As Passed	Percent Change FY2020 Governor's Recommend and FY2019 As Passed
PerDiem and Other Personal Services		FY2018 Actuals	FY2019 Original As Passed Budget				
Description	Code						
Per Diem	506000	1,600	2,183	2,183	2,745	562	25.7%
Other Pers Serv	506200	6,286	20,200	20,200	15,491	(4,709)	-23.3%
Transcripts	506220	1,404	1,000	1,000	1,000	-	0.0%
Total: PerDiem and Other Personal Services		9,290	23,383	23,383	19,236	(4,147)	-17.7%
Total: 1. PERSONAL SERVICES		60,517	75,650	75,650	79,740	4,090	5.4%

State of Vermont - Budget Detail Report

Organization: 1280000000 - VOSHA review board

Budget Object Group: 2. OPERATING

			FY2019 Original	FY2019 Governor's BAA Recommended Budget	FY2020 Governor's Recommended Budget	Difference Between FY2020 Governor's Recommend and FY2019 As Passed	Percent Change FY2020 Governor's Recommend and FY2019 As Passed
IT/Telecom Services and Equipment		FY2018 Actuals	As Passed Budget	Budget	Budget		
Description	Code						
Communications	516600	-	-	-	-	-	0.0%
Telecom-Conf Calling Services	516658	-	28	28	-	(28)	-100.0%
ADS Enterp App Supp SOV Emp Exp	516660	637	-	-	-	-	0.0%
It Intersvccost- Dii Other	516670	-	-	-	-	-	0.0%
It Intsvccost-Vision/Isdassess	516671	1,007	1,037	1,037	991	(46)	-4.4%
ADS Centrex Exp.	516672	217	973	973	800	(173)	-17.8%
It Inter Svc Cost User Support	516678	-	443	443	443	-	0.0%
ADS Allocation Exp.	516685	1,111	1,111	1,111	1,246	135	12.2%
Total: IT/Telecom Services and Equipment		2,972	3,592	3,592	3,480	(112)	-3.1%

			FY2019 Original	FY2019 Governor's BAA Recommended Budget	FY2020 Governor's Recommended Budget	Difference Between FY2020 Governor's Recommend and FY2019 As Passed	Percent Change FY2020 Governor's Recommend and FY2019 As Passed
Other Operating Expenses		FY2018 Actuals	As Passed Budget	Budget	Budget		
Description	Code						
Other Operating Expense	523199	-	-	-	-	-	0.0%
Single Audit Allocation	523620	11	12	12	12	-	0.0%
Total: Other Operating Expenses		11	12	12	12	-	0.0%

State of Vermont - Budget Detail Report

Organization: 128000000 - VOSHA review board

		FY2019 Original		FY2019	FY2020	Difference Between	Percent Change
		FY2018 Actuals	As Passed Budget	Governor's BAA Recommended Budget	Governor's Recommended Budget	FY2020 Governor's Recommend and FY2019 As Passed	FY2020 Governor's Recommend and FY2019 As Passed
Other Purchased Services							
Description	Code						
Insurance Other Than Empl Bene	516000	25	27	27	27	-	0.0%
Insurance - General Liability	516010	45	45	45	44	(1)	-2.2%
Dues	516500	25	-	-	50	50	0.0%
Licenses	516550	25	-	-	-	-	0.0%
Printing and Binding	517000	45	-	-	100	100	0.0%
Photocopying	517020	-	26	26	-	(26)	-100.0%
Postage	517200	12	26	26	26	-	0.0%
Postage - Bgs Postal Svcs Only	517205	76	200	200	100	(100)	-50.0%
Instate Conf, Meetings, Etc	517400	45	-	-	-	-	0.0%
Agency Fee	519005	230	230	230	230	-	0.0%
Human Resources Services	519006	531	531	531	640	109	20.5%
Administrative Service Charge	519010	-	-	-	-	-	0.0%
Total: Other Purchased Services		1,059	1,085	1,085	1,217	132	12.2%

		FY2019 Original		FY2019	FY2020	Difference Between	Percent Change
		FY2018 Actuals	As Passed Budget	Governor's BAA Recommended Budget	Governor's Recommended Budget	FY2020 Governor's Recommend and FY2019 As Passed	FY2020 Governor's Recommend and FY2019 As Passed
Rental Property							
Description	Code						
Fee-For-Space Charge	515010	6,803	6,803	6,803	6,881	78	1.1%
Total: Rental Property		6,803	6,803	6,803	6,881	78	1.1%

		FY2019 Original		FY2019	FY2020	Difference Between	Percent Change
		FY2018 Actuals	As Passed Budget	Governor's BAA Recommended Budget	Governor's Recommended Budget	FY2020 Governor's Recommend and FY2019 As Passed	FY2020 Governor's Recommend and FY2019 As Passed
Supplies							
Description	Code						
Office Supplies	520000	166	300	300	300	-	0.0%
Food	520700	12	10	10	10	-	0.0%
Books&Periodicals-Library/Educ	521500	9	10	10	10	-	0.0%
Subscriptions	521510	191	204	204	200	(4)	-2.0%
Other Books & Periodicals	521520	316	-	-	-	-	0.0%
Total: Supplies		695	524	524	520	(4)	-0.8%

State of Vermont - Budget Detail Report

Organization: 128000000 - VOSHA review board

		FY2019	FY2019	FY2019	FY2020	Difference Between	Percent Change
		FY2018 Actuals	FY2019 Original	Governor's BAA	Governor's	FY2020 Governor's	FY2020 Governor's
		As Passed Budget	As Passed Budget	Recommended	Recommended	Recommend and	Recommend and
				Budget	Budget	FY2019 As Passed	FY2019 As Passed
Travel							
Description	Code						
Travel-Inst-Auto Mileage-Nonemp	518300	369	1,000	1,000	500	(500)	-50.0%
Total: Travel		369	1,000	1,000	500	(500)	-50.0%
Total: 2. OPERATING		11,909	13,016	13,016	12,610	(406)	-3.1%
Total Expenses:		72,426	88,666	88,666	92,350	3,684	4.2%
		FY2018 Actuals	FY2019 Original	FY2019	FY2020	Difference Between	Percent Change
		As Passed Budget	As Passed Budget	Governor's BAA	Governor's	FY2020 Governor's	FY2020 Governor's
				Recommended	Recommended	Recommend and	Recommend and
				Budget	Budget	FY2019 As Passed	FY2019 As Passed
Fund Name	Fund Code						
General Fund	10000	36,213	44,333	44,333	46,175	1,842	4.2%
Inter-Unit Transfers Fund	21500	36,213	44,333	44,333	46,175	1,842	4.2%
Funds Total:		72,426	88,666	88,666	92,350	3,684	4.2%
Position Count					1		
FTE Total					1		

State of Vermont

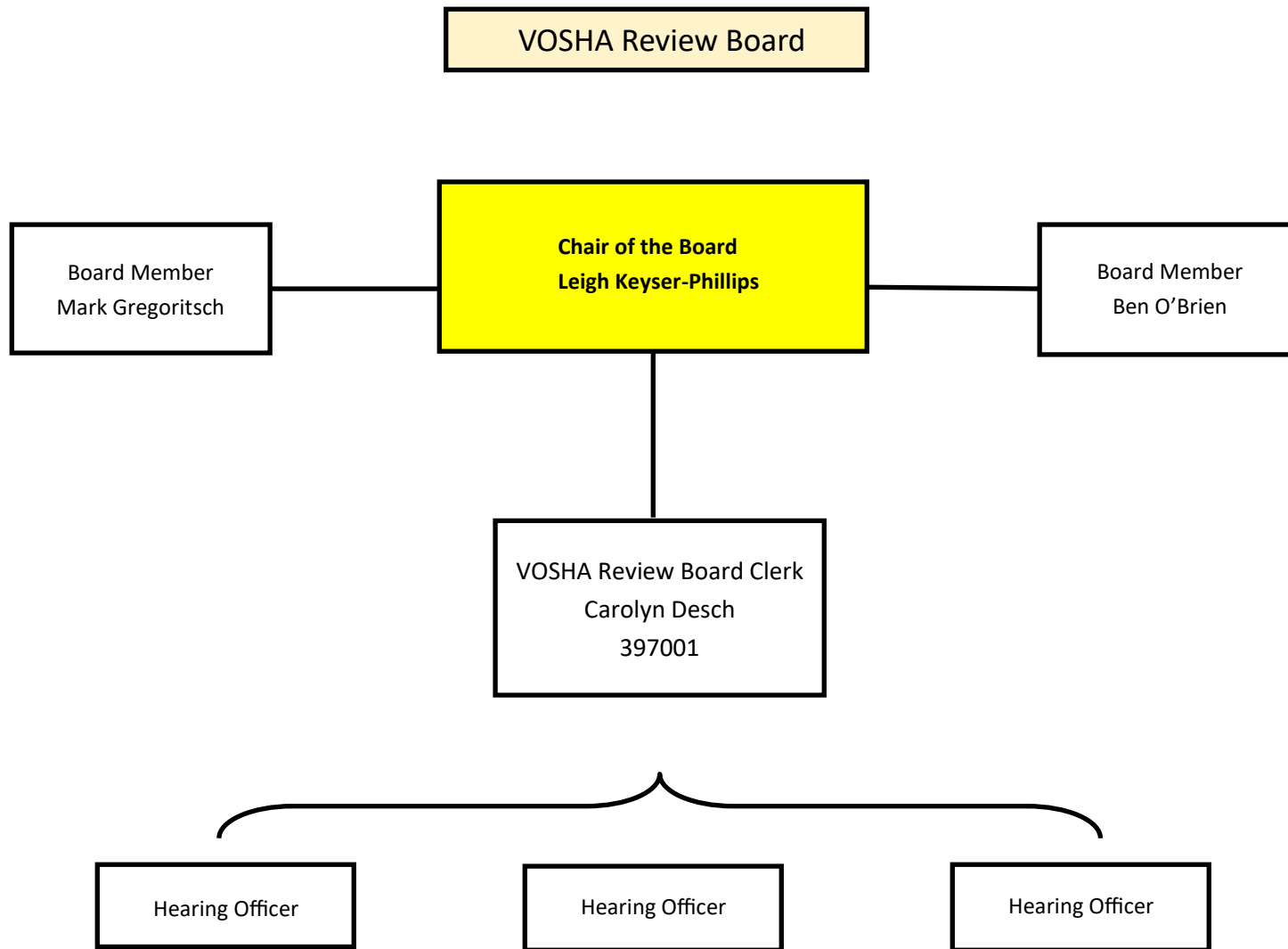
FY2020 Governor's Recommended Budget Position Summary Report

1280000000-VOSHA review board

Position Number	Classification	FTE	Count	Gross Salary	Benefits Total	Statutory Total	Total
397001	05020E - Administrative Assistant B	0.5	1	\$ 24,548	\$ 28,960	\$ 1,878	\$ 55,386
Total		0.5	1	\$ 24,548	\$ 28,960	\$ 1,878	\$ 55,386

Fund Code	Fund Name	FTE	Count	Gross Salary	Benefits Total	Statutory Total	Total
10000	General Fund	0.25	1	\$ 12,274	\$ 14,480	\$ 939	\$ 27,693
21500	Inter-Unit Transfers Fund	0.25		\$ 12,274	\$ 14,480	\$ 939	\$ 27,693
Total		0.50	1	\$ 24,548	\$ 28,960	\$ 1,878	\$ 55,386

Note: Numbers may not sum to total due to rounding.



State of Vermont - Interdepartmental Transfers Receipts

Department: 1280000000 - VOSHA review board

Budget Request Code	Fund	Justification	Est Amount
9065	21500	04100; Labor VOSHA Grant	\$46,175
		Total	46,175