

PUBLIC EMPLOYMENT RELATIONS BOARD

MISSION

The Public Employment Relations Board was created by the Public Employees' Fair Employment Act of 1967 and resolves labor disputes between public employers and employees. The Board provides mediation, fact-finding and arbitration in contract disputes for approximately 4,760 negotiating units in New York State. In addition, the Board settles questions of union representation, conducts hearings on charges of improper practices, designates Management/Confidential positions, makes determinations regarding applications for injunctive relief and acts as a clearinghouse for information on wages, benefits and employment practices.

ORGANIZATION AND STAFFING

The Board consists of a full-time Chair and two part-time members nominated by the Governor for six-year terms. The Board's jurisdiction includes State, county and local governments, certain special service districts, school districts and public authorities. Central offices are in Albany, with additional staff in Buffalo and Brooklyn.

BUDGET HIGHLIGHTS

The Executive Budget recommends **\$4.7 million All Funds** (\$4.1 million General Fund; \$0.6 million Other Funds) for the Public Employment Relations Board. This is an increase of **\$215,000** (decrease of \$96,000 General Fund; increase of \$311,000 Other Funds) from the 2008-09 Budget. Within these amounts, the Public Employment Relations Board is expected to fully absorb the responsibilities of the State Employment Relations Board, at a savings of \$1.7 million to the State.

The Executive Budget recommends a staffing level of **38 FTEs** for the Public Employment Relations Board, an increase of **1** from 2008-09. This change reflects the impact of assuming the responsibilities of the State Employment Relations Board.

PROGRAM HIGHLIGHTS

The Board provides three principal services: conciliation, settlement of petitions involving representation and rulings on charges of improper employment practices.

CONCILIATION

The Board provided assistance in approximately 320 of the 2,450 State and local contracts negotiated in 2007-08. The Board has followed many of these cases through the full range of impasse resolution steps: mediation, followed by either fact-finding or arbitration and conciliation. Beginning in 2009-10, the Board will now perform these functions for private employers and their unions.

REPRESENTATION

Through its Office of Public Employment Practices and Representation, the Board reviews all petitions from public employee unions and employers requesting the creation of new negotiating units or the transfer of members between units. It also reviews

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requests to remove positions from negotiating units and may designate them management or confidential. In 2009-2010, the Board expects to receive approximately 90 petitions raising questions about representation and to conduct 12 elections for representation.

The Board also addresses matters of bargaining unit changes through unit clarification/placement and management/confidential applications. In 2007-08, 81 such applications were received by the Board and 102 cases were resolved: 61 by settlement after a conference was conducted and 41 by issuing a decision. Approximately 90 applications of this type are expected in 2009-10.

EMPLOYMENT PRACTICES

The Board conducts hearings and renders decisions on improper practice charges, and received 782 charges of improper employment and negotiating practices in 2007-08 and expects 860 such charges in the coming year. In 2007-08, the agency wrote 148 decisions and closed, either by decision or settlement, over 775 improper practice cases. In advance of a hearing, each case must be addressed in a pre-hearing conference attended by the affected parties. If a case cannot be resolved, a Board administrative law judge must rule on the charge after conducting a formal hearing. Beginning in 2009-10, the Board will now resolve improper labor practices within the private sector which do not fall within the jurisdiction of the National Labor Relations Board.

ALL FUNDS APPROPRIATIONS (dollars)

Category	Available 2008-09	Appropriations Recommended 2009-10	Change	Reappropriations Recommended 2009-10
State Operations	4,469,000	4,684,000	215,000	0
Aid To Localities	0	0	0	0
Capital Projects	0	0	0	0
Total	4,469,000	4,684,000	215,000	0

ALL FUND TYPES PROJECTED LEVELS OF EMPLOYMENT BY PROGRAM FILLED ANNUAL SALARIED POSITIONS

Program	Full-Time Equivalent Positions (FTE)		
	2008-09 Estimated FTEs 03/31/09	2009-10 Estimated FTEs 03/31/10	FTE Change
Administration			
General Fund	37	38	1
Total	37	38	1

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STATE OPERATIONS ALL FUNDS FINANCIAL REQUIREMENTS BY FUND TYPE APPROPRIATIONS (dollars)

Fund Type	Available 2008-09	Recommended 2009-10	Change
General Fund	4,212,000	4,116,000	(96,000)
Special Revenue Funds - Other	257,000	568,000	311,000
Total	<u>4,469,000</u>	<u>4,684,000</u>	<u>215,000</u>
Adjustments:			
Transfer(s) From			
Special Pay Bill			
General Fund	<u>(171,000)</u>		
Appropriated 2008-09	<u>4,298,000</u>		

STATE OPERATIONS ALL FUNDS FINANCIAL REQUIREMENTS BY PROGRAM APPROPRIATIONS (dollars)

Program	Available 2008-09	Recommended 2009-10	Change
Administration			
General Fund	4,212,000	4,116,000	(96,000)
Special Revenue Funds - Other	257,000	568,000	311,000
Total	<u>4,469,000</u>	<u>4,684,000</u>	<u>215,000</u>

STATE OPERATIONS - GENERAL FUND SUMMARY OF PERSONAL SERVICE APPROPRIATIONS AND CHANGES 2009-10 RECOMMENDED (dollars)

Program	Total		Personal Service Regular (Annual Salaried)	
	Amount	Change	Amount	Change
Administration	3,648,000	6,000	3,373,000	89,000
Total	<u>3,648,000</u>	<u>6,000</u>	<u>3,373,000</u>	<u>89,000</u>

Program	Temporary Service (Nonannual Salaried)	
	Amount	Change
Administration	275,000	(83,000)
Total	<u>275,000</u>	<u>(83,000)</u>

STATE OPERATIONS - GENERAL FUND SUMMARY OF NONPERSONAL SERVICE AND MAINTENANCE UNDISTRIBUTED APPROPRIATIONS AND CHANGES 2009-10 RECOMMENDED (dollars)

Program	Total		Supplies and Materials	
	Amount	Change	Amount	Change
Administration	468,000	(102,000)	63,000	(20,000)
Total	<u>468,000</u>	<u>(102,000)</u>	<u>63,000</u>	<u>(20,000)</u>

Program	Travel		Contractual Services	
	Amount	Change	Amount	Change
Administration	62,000	(10,000)	301,000	(62,000)
Total	<u>62,000</u>	<u>(10,000)</u>	<u>301,000</u>	<u>(62,000)</u>

Program	Equipment	
	Amount	Change
Administration	42,000	(10,000)
Total	<u>42,000</u>	<u>(10,000)</u>

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**STATE OPERATIONS - OTHER THAN GENERAL FUND
SUMMARY OF APPROPRIATIONS AND CHANGES
2009-10 RECOMMENDED
(dollars)**

Program	Total		Personal Service	
	Amount	Change	Amount	Change
Administration	568,000	311,000	140,000	0
Total	568,000	311,000	140,000	0

Program	Nonpersonal Service	
	Amount	Change
Administration	428,000	311,000
Total	428,000	311,000