

Agency Programs/Activities: Inventory and Key Data
Public Employment Relations Board (PERB)

| Relation to Core Mission (H/M/L) | Spending Category (SO, ATL, CAP) | 3/31/09 FTEs (All Funds) | Program/Activity | General Fund Disbursements (\$000s) | | | | State Special Revenue Funds Disbursements (\$000s) | | | Capital Projects Funds Disbursements (\$000s) | | | |
|----------------------------------|----------------------------------|--------------------------|--|-------------------------------------|--------------|-------------------|----------------|--|--------------|-------------------|---|--------------|-------------------|--|
| | | | | 2007-08 Actual | 2008-09 Plan | 2009-10 Projected | 2006-07 Actual | 2007-08 Actual | 2008-09 Plan | 2009-10 Projected | 2007-08 Actual | 2008-09 Plan | 2009-10 Projected | |
| H | SO | 4.9 | Board Public Policy Activity & Appeals | 414.31 | 505.01 | 520.94 | 1.98 | 1.20 | | | | | | |
| H | SO | 1.7 | Court Litigation | 142.05 | 173.14 | 178.61 | 0.68 | 0.41 | | | | | | |
| H | SO | 0.1 | Strike Proceedings | 9.30 | 11.34 | 11.69 | 0.04 | 0.03 | | | | | | |
| H | SO | 0.2 | Injunctive Relief Proceedings | 17.76 | 21.64 | 22.33 | 0.09 | 0.05 | | | | | | |
| H | SO | 13.5 | Employment Practices & Representation | 1141.46 | 1391.34 | 1435.24 | 5.49 | 3.29 | | | | | | |
| H | SO | 8.4 | Impasse Resolution Activities | 950.40 | 1105.69 | 1132.98 | 3.41 | 2.05 | | | | | | |
| H | SO | 1.2 | Voluntary Grievance Arbitration | 101.46 | 123.67 | 127.88 | 0.49 | 0.29 | | | | | | |
| H | SO | 6.0 | Agency Operation & Administration | 507.32 | 618.37 | 637.89 | 2.44 | 1.46 | | | | | | |
| H | SO | 0.5 | Education & Information Clearing House | 42.28 | 51.53 | 55.16 | 0.20 | 0.12 | | | | | | |
| M | SO | 0.2 | Labor-Management Committees | 16.91 | 20.61 | 21.26 | 0.08 | 0.05 | | | | | | |
| M | SO | 0.1 | Opinions of Counsel | 9.30 | 10.16 | 11.69 | 0.04 | 0.03 | | | | | | |
| M | SO | 0.1 | Grievance Mediation/Arbitration | 8.46 | 9.23 | 10.31 | 0.04 | 0.02 | | | | | | |
| | | 36.9 | Total | 3361.00 | 4,044 | 4,164 | 15 | 9 | | | | | | |

**PUBLIC EMPLOYMENT RELATIONS BOARD (PERB)
PROGRAM INFORMATION SHEET**

Program:

Board Public Policy Activity & Appeals

Mandate:

Sections 200, 201, 205, 207, and 209-a, NYS Civil Service Law, Article 14 (Taylor Law).

Mandated Funding Level:

"Members of the board other than the chairman shall, when performing the work of the board, be compensated at the rate of two hundred and fifty dollars per day... The chairman shall receive an annual salary to be fixed within the amount available therefor by appropriation..." Section 205.3, NYS Civil Service Law, Article 14 (Taylor Law). "The board may appoint an executive director and such other persons... fix their compensation and provide for reimbursement of their expenses within the amounts made available therefor by appropriation." Section 205.4, NYS Civil Service Law, Article 14 (Taylor Law). The current program does not exceed the mandatory minimum cost.

Brief Description/History/Background:

With the enactment of the Taylor Law, NYS Civil Service Law, Article 14, in 1967 the Public Employment Relations Board was created as the agency responsible for public policy concerning matters related to public sector labor relations for all state, municipal, school district, and other governmental entities. The statute, as amended over 41 years, establishes procedures and PERB adopts and enforces rules and regulations for the resolution of representation and collective bargaining disputes, and the deciding of improper practice charges. The procedures call for lower level action on questions concerning representation and alleged violations of the statute, which are appealable to the Board. The Board continues to meet monthly to fulfill its statutory obligations.

Issues:

Difficult economic conditions weigh heavily on all levels of government and frequently impact labor relations. Strained finances often lead to a greater demand for PERB services resulting in an increase in representation, improper practice, and conciliation case filings which are appealed to the Board. In addition, recommendations advanced by the New York State Commission on Local Government Efficiency and Competitiveness that promote governmental consolidations and mergers, if implemented, will dramatically influence the caseload in each of these areas.

Population Served:

Every governmental body and the employees that they employ are clients of this and every PERB program. In 2005 this included 3,176 counties, cities, towns, villages, school districts and fire districts, plus the executive and judicial branches of the State, public authorities, public benefit corporations and other subdivisions. There were 615,000 positions under local civil service administration alone in 2006 and more than 1.5 million employees covered in all jurisdictions. Some 4,700 collective bargaining agreements are in place and renegotiated regularly between public employers and employee organizations.

Performance Measures:

On a quarterly basis, the number of cases appealed to the Board and board decisions are tracked. These are compared with the experiences of prior quarters and fiscal years to measure efficiency. Recent experience is shown below.

| Activity | 2003-04 | 2004-05 | 2005-06 | 2006-07 | 2007-08 |
|--|---------|---------|---------|---------|---------|
| Board Public Policy & Appeals | | | | | |
| Board Decisions & Certifications | 67 | 61 | 56 | 59 | 53 |

**PUBLIC EMPLOYMENT RELATIONS BOARD (PERB)
PROGRAM INFORMATION SHEET**

Program:
Court Litigation

Mandate:
Section 205.4, NYS Civil Service Law, Article 14 (Taylor Law).

Mandated Funding Level:

"The board may appoint an executive director and such other persons, including but not limited to attorneys ... fix their compensation and provide for reimbursement of their expenses within the amounts made available therefor by appropriation." Section 205.4, NYS Civil Service Law, Article 14 (Taylor Law). The current program does not exceed the mandatory minimum cost.

Brief Description/History/Background:

With the enactment of the Taylor Law, NYS Civil Service Law, Article 14, in 1967 the Public Employment Relations Board began implementing the provisions of the Act. A number of decisions issued by the Board are challenged in court. PERB's Director of Litigation is responsible for representing PERB in all court matters. In addition to appeals of Board decisions, the Director appears in court concerning enforcement proceedings, injunctive relief cases, and any other matters involving PERB.

Issues:

Difficult economic conditions weigh heavily on all levels of government and frequently impact labor relations. Strained relations in the workplace lead to labor and management being more litigious. Consequently, the Director is compelled to make more court appearances. In the event the recommendations advanced by the New York State Commission on Local Government Efficiency and Competitiveness that promote governmental consolidations and mergers are implemented, the Board will be involved in making determinations that will eventually result in appeals to the courts.

Population Served:

Every governmental body and the employees that they employ are clients of this and every PERB program. The extent of this jurisdiction is identified under the Board Public Policy Activity and Appeals program. Any public employer and public employee can potentially involve PERB in a matter that results in court litigation.

Performance Measures:

On an annual basis, the number of court cases in which the Director is involved is tracked. These are compared with the experiences of prior fiscal years. The number of court cases pending at the end of a fiscal year is shown below.

| Activity | 2003-04 | 2004-05 | 2005-06 | 2006-07 | 2007-08 |
|-------------------------|---------|---------|---------|---------|---------|
| Court Litigation | | | | | |
| Court Cases Pending | 26 | 21 | 20 | 17 | 10 |

PUBLIC EMPLOYMENT RELATIONS BOARD (PERB)
PROGRAM INFORMATION SHEET

Program:

Strike Proceedings

Mandate:

Sections 210 and 213 NYS Civil Service Law, Article 14 (Taylor Law).

Mandated Funding Level:

"The board may appoint an executive director and such other persons, including but not limited to attorneys ... fix their compensation and provide for reimbursement of their expenses within the amounts made available therefor by appropriation." Section 205.4, NYS Civil Service Law, Article 14 (Taylor Law). The current program does not exceed the mandatory minimum cost.

Brief Description/History/Background:

With the enactment of the Taylor Law, NYS Civil Service Law, Article 14, in 1967 the Public Employment Relations Board began implementing the provisions of the Act. One section of the statute prohibits strikes by public employees and requires PERB to investigate and adjudicate strike allegations. The Director of Litigation prosecutes strike charges.

Issues:

Difficult economic conditions weigh heavily on all levels of government and frequently impact labor relations. Strained relations in the workplace lead to labor unrest. The more unsettled the relationship becomes, the greater the possibility of strikes and litigation increases.

Population Served:

Every governmental body and the employees that they employ are clients of this and every PERB program. The extent of this jurisdiction is identified under the Board Public Policy Activity and Appeals program. Any public employer and public employee can potentially involve PERB in a strike matter.

Performance Measures:

On an annual basis the number of strike cases in which the Director is involved are tracked. These are compared with the experiences of prior fiscal years. Recent experience in which the Director was involved is shown below.

| Activity | 2003-04 | 2004-05 | 2005-06 | 2006-07 | 2007-08 |
|---------------------------|---------|---------|---------|---------|---------|
| Strike Proceedings | | | | | |
| Strike Cases | 0 | 0 | 4 | 0 | |

**PUBLIC EMPLOYMENT RELATIONS BOARD (PERB)
PROGRAM INFORMATION SHEET**

Program:
Injunctive Relief

Mandate:
Section 209-a.4, NYS Civil Service Law, Article 14 (Taylor Law).

Mandated Funding Level:

"The board may appoint an executive director and such other persons, including but not limited to attorneys ... fix their compensation and provide for reimbursement of their expenses within the amounts made available therefor by appropriation." Section 205.4, NYS Civil Service Law, Article 14 (Taylor Law). The current program does not exceed the mandatory minimum cost.

Brief Description/History/Background:

With the enactment of the Taylor Law, NYS Civil Service Law, Article 14, in 1967 the Public Employment Relations Board began implementing the provisions of the Act. One section of the statute requires PERB to entertain petitions for injunctive relief of alleged improper practices. PERB must make a determination whether or not to seek a court injunction. The Director of Litigation investigates, makes a determination, and if it is decided that an injunction is warranted, proceeds to court.

Issues:

Difficult economic conditions weigh heavily on all levels of government and frequently impact labor relations. Strained relations in the workplace often result. This causes more frequent claims of irreparable harm in the form of injunctive relief requests.

Population Served:

Every governmental body and the employees that they employ are clients of this and every PERB program. The extent of this jurisdiction is identified under the Board Public Policy Activity and Appeals program. Any public employer and public employee can potentially involve PERB in an injunctive relief proceeding.

Performance Measures:

On an annual basis the number of injunctive relief cases in which the Director is involved are tracked. These are compared with the experiences of prior fiscal years. Recent injunctive relief cases in which the Director was involved are shown below.

| Activity | 2003-04 | 2004-05 | 2005-06 | 2006-07 | 2007-08 |
|--------------------------|---------|---------|---------|---------|---------|
| Injunctive Relief | | | | | |
| Injunctive Relief Cases | 10 | 9 | 25 | 13 | 13 |

PUBLIC EMPLOYMENT RELATIONS BOARD (PERB)
PROGRAM INFORMATION SHEET

Program:

Employment Practices & Representation

Mandate:

Sections 205.5 (a, b, c, d), 206.2, 207, and 209-a, NYS Civil Service Law, Article 14 (Taylor Law).

Mandated Funding Level:

"The board may appoint an executive director and such other persons, including but not limited to attorneys ... fix their compensation and provide for reimbursement of their expenses within the amounts made available therefor by appropriation." Section 205.4, NYS Civil Service Law, Article 14 (Taylor Law). The current program does not exceed the mandatory minimum cost.

Brief Description/History/Background:

With the enactment of the Taylor Law, NYS Civil Service Law, Article 14, in 1967 the Public Employment Relations Board began implementing the provisions of the Act. Numerous sections of the law establish procedures the Board must carry out regarding the determination of representation status and improper practices. The Office of Public Employment Practices and Representation is responsible for implementing these provisions of the statute.

Issues:

Difficult economic conditions weigh heavily on all levels of government and frequently impact labor relations. Strained relations in the workplace lead to labor and management disagreeing about employment matters more often. Consequently, the Office of Public Employment Practices and Representation is increasingly called upon to adjudicate disputes and assist the parties in crafting ways to resolve them. Emerging technologies, such as GPS and email in the workplace, are producing an increase in improper practice charges. In the event the recommendations advanced by the New York State Commission on Local Government Efficiency and Competitiveness that promote governmental consolidations and mergers are implemented, the Office will be involved in making representation status determinations for new bargaining units and in hearing charges related to transfers of work. The changed employment relationship will likely engender increased litigation regarding alleged improper practices.

Population Served:

Every governmental body and the employees that they employ are clients of this and every PERB program. The extent of this jurisdiction is identified under the Board Public Policy Activity and Appeals program. Any public employer, union, and public employee can potentially file petitions and charges with the Office of Public Employment Practices and Representation.

Performance Measures:

The activity in the Office of Public Employment Practices and Representation is tracked annually and compared with the experiences of prior fiscal years. Recent experience is identified below.

| Activity | 2003-04 | 2004-05 | 2005-06 | 2006-07 | 2007-08 |
|---|---------|---------|---------|---------|---------|
| Representation | | | | | |
| Petitions Received | 104 | 125 | 74 | 117 | 86 |
| Clarification/Unit Placement Cases | | | | | |
| Applications Received | 60 | 58 | 47 | 50 | 60 |
| Improper Practices | | | | | |
| Charges Filed | 786 | 850 | 861 | 807 | 782 |
| Management/Confidential Cases | | | | | |
| Applications Received | 28 | 30 | 30 | 33 | 21 |

PUBLIC EMPLOYMENT RELATIONS BOARD (PERB)
PROGRAM INFORMATION SHEET

Program:

Impasse Resolution

Mandate:

Sections 205.4, 205.5 (i), and 209, NYS Civil Service Law, Article 14 (Taylor Law).

Mandated Funding Level:

"The board may appoint an executive director and such other persons, including but not limited to attorneys, mediators, members of fact-finding boards ... fix their compensation and provide for reimbursement of their expenses within the amounts made available therefor by appropriation." Section 205.4, NYS Civil Service Law, Article 14 (Taylor Law). The current program does not exceed the mandatory minimum cost.

Brief Description/History/Background:

With the enactment of the Taylor Law, NYS Civil Service Law, Article 14, in 1967 the Public Employment Relations Board began implementing the provisions of the Act. Section 209 of the law establishes procedures the Board must carry out to assist labor and management in the resolution of disputes in the course of collective negotiations. These extensive procedures include providing mediation, fact-finding, and arbitration, with PERB bearing nearly all of the cost. The Office of Conciliation is responsible for implementing these provisions of the statute.

Issues:

Difficult economic conditions weigh heavily on all levels of government and frequently impact labor relations. Frequently, this results in the parties experiencing great difficulty in their contract negotiations. This leads to an increase in the number of instances when the Office of Conciliation is called upon to provide mediation, fact-finding, and arbitration assistance. Sometimes the relationship between the parties becomes so strained that strikes occur and then the Office's resources are stretched beyond their limit. In the event the recommendations advanced by the New York State Commission on Local Government Efficiency and Competitiveness that promote governmental consolidations and mergers are implemented, the Office of Conciliation will be involved in negotiations for new bargaining units. The changed employment relationship will cause new and different issues to surface in bargaining and the mediators, fact finders, and arbitrators will be confronted with previously unseen and more difficult to resolve contract proposals.

Population Served:

Every governmental body and the employees that they employ are clients of this and every PERB program. The extent of this jurisdiction is identified under the Board Public Policy Activity and Appeals program. Any public employer and public employee organization can call upon the Office of Conciliation for impasse resolution assistance. More than 4,700 public sector collective bargaining agreements exist and they are renegotiated regularly. Dispute resolution services are mandated for all negotiations when the parties are unable to reach agreement on their own and the Office of Conciliation provides these services.

Performance Measures:

The activity in the Office of Conciliation is tracked annually and compared with the experiences of prior fiscal years. Recent experience is identified below.

| Activity | 2003-04 | 2004-05 | 2005-06 | 2006-07 | 2007-08 |
|--------------------------------|---------|---------|---------|---------|---------|
| Conciliation | | | | | |
| Negotiating Units | 4460 | 4597 | 4697 | 4730 | 4762 |
| Contracts Negotiable | 2320 | 2382 | 2322 | 2327 | 2456 |
| Brought to PERB for Assistance | 338 | 385 | 343 | 333 | 318 |

PUBLIC EMPLOYMENT RELATIONS BOARD (PERB)
PROGRAM INFORMATION SHEET

Program:

Voluntary Grievance Arbitration

Mandate:

The policy of the act to encourage public employers and recognized or certified employee organizations to enter into written agreements containing grievance procedures is derived from sections 203, 204, 205.5 (d), and 208, NYS Civil Service Law, Article 14 (Taylor Law). This program is considered "high" in relation to PERB's core mission because it generates a meaningful level of revenue. This helps contain the required General Fund allocation.

Mandated Funding Level:

"The board may appoint an executive director and such other persons, including but not limited to attorneys, mediators, members of fact-finding boards ... fix their compensation and provide for reimbursement of their expenses within the amounts made available therefor by appropriation." Section 205.4, NYS Civil Service Law, Article 14 (Taylor Law). The current program does not exceed the mandatory minimum cost. PERB assesses management and labor a filing fee when they utilize this program. These fees provide most of the funds deposited into PERB's Special Revenue Account, thereby keeping General Fund Appropriations lower than would otherwise be necessary.

Brief Description/History/Background:

With the enactment of the Taylor Law, NYS Civil Service Law, Article 14, in 1967 the Public Employment Relations Board began implementing the provisions of the Act. In furtherance of the policy to encourage public employers and recognized or certified employee organizations to enter into written agreements containing grievance procedures, the voluntary arbitration procedure is provided to (a) insure an efficient and orderly procedure for grievance arbitration, (b) assist the parties in remedying procedural deadlocks, and (c) effectuate the rapid adjudication of disputes and controversies. The Office of Conciliation is responsible for implementing this program. Filing fees are assessed for this service. These funds aid in paying for the various services provided by the Office of Conciliation.

Issues:

Difficult economic conditions weigh heavily on all levels of government and frequently impact labor relations. This results in an increase in the number of workplace grievances. The recommendations advanced by the New York State Commission on Local Government Efficiency and Competitiveness, if enacted, will make the interpretation of existing contract provisions uncertain, thus increasing the number of grievances that the Office of Conciliation will be asked to handle.

Population Served:

Every governmental body and the employees that they employ are clients of this and every PERB program. The extent of this jurisdiction is identified under the Board Public Policy Activity and Appeals program. Any public employer and public employee organization can call upon the Office of Conciliation to provide voluntary grievance arbitration assistance.

Performance Measures:

Grievance arbitration activity started being tracked in SFY 2005-06. The annual data is compared with prior fiscal years.

| Activity | 2005-06 | 2006-07 | 2007-08 |
|-----------------------------|---------|---------|---------|
| Grievance Arbitration Cases | 682 | 638 | 587 |

PUBLIC EMPLOYMENT RELATIONS BOARD (PERB)
PROGRAM INFORMATION SHEET

Program:

Agency Operation & Administration

Mandate:

Section 205.4 (a), NYS Civil Service Law, Article 14 (Taylor Law).

Mandated Funding Level:

"The board may appoint an executive director and such other persons ... fix their compensation and provide for reimbursement of their expenses within the amounts made available therefor by appropriation." Section 205.4(a), NYS Civil Service Law, Article 14 (Taylor Law). The current program does not exceed the mandatory minimum cost.

Brief Description/History/Background:

With the enactment of the Taylor Law, NYS Civil Service Law, Article 14, in 1967 the Public Employment Relations Board began implementing the provisions of the Act. Even though PERB was created in the Department of Civil Service, no officer or other entity in the Department of Civil Service shall supervise, direct or control the board in the performance of any of its functions. Therefore, PERB acts as an independent agency, responsible for its own budgetary, purchasing, human resource, press/public relations, information technology, and all other operational and administrative functions. The Executive Director and the Office of Administration perform these duties and manage the attending reporting obligations.

Issues:

Difficult economic conditions weigh heavily on all levels of government and frequently impact labor relations. This may give rise to a greater demand for PERB's services thereby increasing the need for greater administrative oversight.

Population Served:

Every governmental body and the employees that they employ are clients of this and every PERB program. The extent of this jurisdiction is identified under the Board Public Policy Activity and Appeals program.

Performance Measures:

Ongoing review of required reports submitted to the Office of the Comptroller, Division of Budget, Department of Civil Service, Commission on Public Integrity, Department of State, and other control agencies provides the mechanism for measuring the performance of agency operations and administration.

PUBLIC EMPLOYMENT RELATIONS BOARD (PERB)
PROGRAM INFORMATION SHEET

Program:

Education & Information Clearing House

Mandate:

Section 205.5 (e-h), NYS Civil Service Law, Article 14 (Taylor Law).

Mandated Funding Level:

"The board may appoint an executive director and such other persons ... as it may from time to time deem necessary for the performance of its functions, prescribe their duties, fix their compensation and provide for reimbursement of their expenses within the amounts made available therefor by appropriation." Section 205.4, NYS Civil Service Law, Article 14 (Taylor Law). The current program does not exceed the mandatory minimum cost. There is a fee schedule for PERB's publications.

Brief Description/History/Background:

With the enactment of the Taylor Law, NYS Civil Service Law, Article 14, in 1967 the Public Employment Relations Board began implementing the provisions of the Act. To fulfill its statutory obligations to conduct research and provide information, PERB publishes several documents covering various aspects of public sector labor relations, sponsors and participates in educational programs, for example the Statewide Taylor Law 40th Anniversary Conference, and addresses audiences on Taylor Law related topics. Previous spending reductions curtailed production of detailed analyses of collective bargaining, unit determination, and other pertinent issues.

Issues:

Difficult economic conditions weigh heavily on all levels of government and frequently impact labor relations. This may give rise to a greater demand for PERB's educational programs and third-party generated studies that the parties can rely on for objective analysis. The parties may call upon PERB more often for its expertise.

Population Served:

Every governmental body and the employees that they employ are clients of this and every PERB program. The extent of this jurisdiction is identified under the Board Public Policy Activity and Appeals program.

Performance Measures:

The appearances that staff members make to disseminate information regarding the Taylor Law are tracked. Careful records are maintained for conferences and programs that PERB sponsors. The number of publications sold and the revenue received is recorded on an annual basis.

PUBLIC EMPLOYMENT RELATIONS BOARD (PERB)
PROGRAM INFORMATION SHEET

Program:

Labor-Management Committees

Mandate:

The policy of the Act to promote harmonious and cooperative relationships between government and its employees is identified in section 200, NYS Civil Service Law, Article 14 (Taylor Law).

Mandated Funding Level:

"The board may appoint an executive director and such other persons, including but not limited to attorneys, mediators, members of fact-finding boards ... fix their compensation and provide for reimbursement of their expenses within the amounts made available therefor by appropriation." Section 205.4, NYS Civil Service Law, Article 14 (Taylor Law). The current program does not exceed the mandatory minimum cost.

Brief Description/History/Background:

With the enactment of the Taylor Law, NYS Civil Service Law, Article 14, in 1967 the Public Employment Relations Board began implementing the provisions of the Act. To further the policy of promoting harmonious and cooperative relationships between government and its employees, PERB assists them in establishing and maintaining labor management committees. These committees offer the parties a means of resolving issues of common concern in a collaborative manner away from the bargaining table and outside of the grievance procedure. The Office of Conciliation is responsible for implementing this program.

Issues:

Difficult economic conditions weigh heavily on all levels of government and frequently impact labor relations. At times, the parties look for less adversarial means of dealing with their problems. This program offers them the opportunity to engage in a problem-solving, outcome oriented process based on cooperation rather than conflict. Dire fiscal conditions might very well call for this type of dispute resolution strategy, thereby increasing the Office of Conciliation's activity in this area.

Population Served:

Every governmental body and the employees that they employ are clients of this and every PERB program. The extent of this jurisdiction is identified under the Board Public Policy Activity and Appeals program. Any public employer and public employee organization can call upon the Office of Conciliation to provide assistance with labor management committees.

Performance Measures:

The number of labor management committee facilitations are recorded on an annual basis and compared to the experience of prior years.

Attachment C

PUBLIC EMPLOYMENT RELATIONS BOARD (PERB)
PROGRAM INFORMATION SHEET

Program:

Opinions of Counsel

Mandate:

Board policy applying section 200, NYS Civil Service Law, Article 14 (Taylor Law), to "promote harmonious and cooperative relationships between government and its employees and to protect the public..."

Mandated Funding Level:

"The board may appoint an executive director and such other persons, including but not limited to attorneys ... fix their compensation and provide for reimbursement of their expenses within the amounts made available therefor by appropriation." Section 205.4, NYS Civil Service Law, Article 14 (Taylor Law). The current program does not exceed the mandatory minimum cost.

Brief Description/History/Background:

With the enactment of the Taylor Law, NYS Civil Service Law, Article 14, in 1967 the Public Employment Relations Board began implementing the provisions of the Act. To assure uninterrupted service to the public, PERB offers Opinions of Counsel to the parties in an effort to reduce the filing of unnecessary charges.

Issues:

Difficult economic conditions weigh heavily on all levels of government and frequently impact labor relations. Strained relations in the workplace often result. This causes more disputes to be litigated. Opinions of Counsel can help reduce the number of charges filed.

Population Served:

Every governmental body and the employees that they employ are clients of this and every PERB program. The extent of this jurisdiction is identified under the Board Public Policy Activity and Appeals program. Any public employer and public employee can request an Opinion of Counsel from PERB.

Performance Measures:

Only a few requests for Opinions of Counsel are received annually.

PUBLIC EMPLOYMENT RELATIONS BOARD (PERB)
PROGRAM INFORMATION SHEET

Program:

Grievance Mediation-Arbitration

Mandate:

The policy of the act to encourage public employers and recognized or certified employee organizations to enter into written agreements containing grievance procedures is derived from sections 203, 204, 205.5 (d), and 208, NYS Civil Service Law, Article 14 (Taylor Law).

Mandated Funding Level:

"The board may appoint an executive director and such other persons, including but not limited to attorneys, mediators, members of fact-finding boards ... fix their compensation and provide for reimbursement of their expenses within the amounts made available therefor by appropriation." Section 205.4, NYS Civil Service Law, Article 14 (Taylor Law). PERB assesses management and labor a filing fee when they utilize this program.

Brief Description/History/Background:

With the enactment of the Taylor Law, NYS Civil Service Law, Article 14, in 1967 the Public Employment Relations Board began implementing the provisions of the Act. To further assist public employers and recognized or certified employee organizations in the resolution of grievances, the grievance mediation-arbitration procedure is offered. The Office of Conciliation is responsible for implementing this program, which provides an expeditious means of settling grievances.

Issues:

Difficult economic conditions weigh heavily on all levels of government and frequently impact labor relations. This results in an increase in the number of workplace grievances, some of which may be handled through this process.

Population Served:

Every governmental body and the employees that they employ are clients of this and every PERB program. The extent of this jurisdiction is identified under the Board Public Policy Activity and Appeals program. Any public employer and public employee organization can call upon the Office of Conciliation to provide grievance mediation-arbitration assistance.

Performance Measures:

On an annual basis, the activity in the Office of Conciliation is tracked. This is compared with the experiences of prior fiscal years. Recent experience is identified below.

| Activity | 2004-05 | 2005-06 | 2006-07 | 2007-08 |
|---------------------------------------|---------|---------|---------|---------|
| Grievance Mediation-Arbitration Cases | 7 | 5 | 4 | 8 |