

PUBLIC EMPLOYMENT RELATIONS BOARD

MISSION

The Public Employment Relations Board (PERB) was created by the Public Employees' Fair Employment Act of 1967 and resolves labor disputes between public employers and employees. PERB provides mediation, fact-finding and arbitration in contract disputes for approximately 4,800 public sector negotiating units in New York State.

The 2010-11 budget made PERB also responsible for administering the State Employment Relations Act, in addition to the Taylor Law, and expanded PERB's labor-management oversight activities to include private sector employers that are not provided services by the National Labor Relations Board, the Federal Mediation and Conciliation Service, or the National Mediation Board.

Annually, more than 4,000 notices of contract expiration are filed with the Board by private sector employers or the unions that represent their employees. In addition, the Board settles questions of union representation, conducts hearings on charges of improper and unfair labor 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, public authorities, and since July 2010, private employers. Central offices are in Albany, with additional staff in Buffalo and Brooklyn.

BUDGET HIGHLIGHTS

The Executive Budget recommends **\$4.1 million** All Funds (\$3.6 million General Fund; \$575,000 Other Funds) for the Public Employment Relations Board. This is a decrease in the General Fund of **\$397,000 (-10 percent)** from the 2010-11 budget. The Executive Budget reduces each agency's General Fund State Operations budget by 10 percent. These savings are intended to be achieved through administrative efficiencies in non-personal service and negotiated workforce savings that minimize layoffs to the extent possible.

PROGRAM HIGHLIGHTS

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

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CONCILIATION

The Board provided assistance in 373 of the 2,386 State and local contract negotiations conducted in 2009-10, which represents a nearly 20 percent increase from two years ago. In addition, the Board is also performing these functions for private employers and their unions.

REPRESENTATION

Through its Office of Employment Practices and Representation, the Board reviews all petitions from public and private employee unions and employers requesting the creation of new negotiating units or the transfer of members between units. It also reviews requests to remove positions from negotiating units and, in the public sector may designate them management or confidential. In 2011-12, the Board expects to receive approximately 110 petitions raising questions about representation and to conduct 20 elections for representation.

The Board also addresses matters of bargaining unit changes through unit clarification/placement and Management/Confidential applications. In 2009-10, 83 such applications were received by the Board and 88 cases were resolved: 46 by settlement after a conference was conducted and 42 by issuing a decision. Approximately 100 applications of this type are expected in 2011-12.

EMPLOYMENT PRACTICES

The Board conducts hearings and renders decisions on improper and unfair labor practice charges. It received 893 charges of improper employment and negotiating practices in 2009-10 and expects 1,000 such charges in the coming year. In 2009-10, the Board wrote 139 decisions and closed, either by decision or settlement, more than 850 improper practice cases. In 2011-12, the Board will also resolve unfair labor practices involving the private sector employers that do not fall within the jurisdiction of the National Labor Relations Board.

ALL FUNDS APPROPRIATIONS (dollars)

Category	Available 2010-11	Appropriations Recommended 2011-12	Change	Reappropriations Recommended 2011-12
State Operations	4,543,000	4,146,000	(397,000)	0
Aid To Localities	0	0	0	0
Capital Projects	0	0	0	0
Total	<u>4,543,000</u>	<u>4,146,000</u>	<u>(397,000)</u>	<u>0</u>

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

Full-Time Equivalent Positions (FTE)			
Program	2010-11 Estimated FTEs 03/31/11	2011-12 Estimated FTEs 03/31/12	FTE Change
Administration			
General Fund	35	35	0
Total	35	35	0

The above table does not reflect layoffs that may be necessary in the absence of negotiated workforce savings.

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

Fund Type	Available 2010-11	Recommended 2011-12	Change
General Fund	3,968,000	3,571,000	(397,000)
Special Revenue Funds - Other	575,000	575,000	0
Total	4,543,000	4,146,000	(397,000)

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

Program	Available 2010-11	Recommended 2011-12	Change
Administration			
General Fund	3,968,000	3,571,000	(397,000)
Special Revenue Funds - Other	575,000	575,000	0
Total	4,543,000	4,146,000	(397,000)

STATE OPERATIONS - GENERAL FUND SUMMARY OF PERSONAL SERVICE APPROPRIATIONS AND CHANGES 2011-12 RECOMMENDED (dollars)

Program	Total		Personal Service Regular (Annual Salaried)	
	Amount	Change	Amount	Change
Administration	3,295,000	(295,000)	3,020,000	(295,000)
Total	3,295,000	(295,000)	3,020,000	(295,000)

Program	Temporary Service (Nonannual Salaried)	
	Amount	Change
Administration	275,000	0
Total	275,000	0

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**STATE OPERATIONS - GENERAL FUND
SUMMARY OF NONPERSONAL SERVICE AND MAINTENANCE UNDISTRIBUTED
APPROPRIATIONS AND CHANGES
2011-12 RECOMMENDED
(dollars)**

Program	Total		Supplies and Materials	
	Amount	Change	Amount	Change
Administration	276,000	(102,000)	37,000	0
Total	276,000	(102,000)	37,000	0

Program	Travel		Contractual Services	
	Amount	Change	Amount	Change
Administration	52,000	0	160,000	(102,000)
Total	52,000	0	160,000	(102,000)

Program	Equipment	
	Amount	Change
Administration	27,000	0
Total	27,000	0

**STATE OPERATIONS - OTHER THAN GENERAL FUND
SUMMARY OF APPROPRIATIONS AND CHANGES
2011-12 RECOMMENDED
(dollars)**

Program	Total		Personal Service	
	Amount	Change	Amount	Change
Administration	575,000	0	275,000	0
Total	575,000	0	275,000	0

Program	Nonpersonal Service	
	Amount	Change
Administration	300,000	0
Total	300,000	0