

PUBLIC AND PRIVATE EMPLOYMENT RELATIONS BOARD

MISSION

The Public and Private Employment Relations Board is the entity that will be created by the merger of the State Employment Relations Board (SERB) with the Public Employment Relations Board (PERB). This merger will achieve General Fund savings while continuing all of the services previously provided by the predecessor agencies. The new Board will resolve labor disputes between employers and employees in both the public and the private sectors. The Board will provide mediation, fact-finding and arbitration in contract disputes for approximately 4,300 public sector negotiating units in New York and will provide mediation and arbitration services in the private sector pursuant to Article 20 of the Labor Law. In addition, the Board will settle questions of union representation, conduct hearings on charges of improper or unfair labor practices, designate Management/Confidential positions, and act as a clearinghouse for information on wages, benefits and employment practices.

ORGANIZATION AND STAFFING

The Board will consist of a full-time Chair and two part-time members nominated by the Governor for six-year terms. The Board's public sector jurisdiction includes State, county and local governments, certain special service districts, school districts and public authorities and its private sector jurisdiction is delineated in Article 20 of the Labor Law. Central offices are in Albany, with additional staff in Manhattan, Buffalo and Brooklyn. The Board will have a workforce of 46 positions for 2003-04.

FISCAL BACKGROUND AND BUDGET HIGHLIGHTS

The Board will receive 95 percent of its funding from the General Fund, which will support its mediation, fact-finding, and arbitration services and administrative costs.

The Executive Budget recommends \$4.6 million in General Fund support for the Board, and the Board's remaining expenses of \$257,000 are financed by fees paid by employers and unions for filings and publications.

PROGRAM HIGHLIGHTS

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

CONCILIATION

PERB provided assistance in approximately 340 of the 2,250 State and local contracts negotiated in 2001-02. PERB followed many of these cases through the full range of impasse resolution steps including: mediation, followed by either fact-finding or arbitration and conciliation. SERB provided assistance in 83 mediations in that fiscal year.

REPRESENTATION

Through its Office of Public Employment Practices and Representation, the Board will review all petitions from public employee unions and employers requesting the creation of new negotiating units or the transfer of members between units. It will also review requests to remove positions from negotiating units and may designate them management or

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confidential. In 2001-02, PERB received 171 petitions raising questions about representation and conducted 11 elections for representation. SERB handled 28 representation matters in the prior fiscal year.

EMPLOYMENT PRACTICES

The Board will conduct hearings and render decisions on improper practice charges. PERB received petitions on 799 charges of improper employment and negotiating practices in the previous year. In 2001-02, PERB wrote over 158 decisions and closed, either by decision or settlement, over 795 improper practice cases. 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. SERB disposed of 19 unfair labor practice cases in the prior fiscal year.

ALL FUNDS APPROPRIATIONS (dollars)

Category	Available 2002-03	Appropriations Recommended 2003-04	Change	Reappropriations Recommended 2003-04
State Operations	5,715,000	4,836,000	(879,000)	0
Aid To Localities	0	0	0	0
Capital Projects	0	0	0	0
Total	<u>5,715,000</u>	<u>4,836,000</u>	<u>(879,000)</u>	<u>0</u>

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

Full-Time Equivalent Positions (FTE)

Program	2002-03 Estimated FTEs 03/31/03	2003-04 Estimated FTEs 03/31/04	FTE Change
Administration			
General Fund	38	44	6
Special Revenue Funds - Other	2	2	0
Total	<u>40</u>	<u>46</u>	<u>6</u>

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

Fund Type	Available 2002-03	Recommended 2003-04	Change
General Fund	5,497,000	4,579,000	(918,000)
Special Revenue Funds - Other	218,000	257,000	39,000
Total	<u>5,715,000</u>	<u>4,836,000</u>	<u>(879,000)</u>

Adjustments:	
Transfer(s) From	
Labor, Department of	
General Fund	(1,720,000)
Appropriated 2002-03	<u>3,995,000</u>

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

Program	Available 2002-03	Recommended 2003-04	Change
Administration			
General Fund	5,497,000	4,579,000	(918,000)
Special Revenue Funds - Other	218,000	257,000	39,000
Total	<u>5,715,000</u>	<u>4,836,000</u>	<u>(879,000)</u>

STATE OPERATIONS - GENERAL FUND SUMMARY OF PERSONAL SERVICE APPROPRIATIONS AND CHANGES 2003-04 RECOMMENDED (dollars)

Program	Total		Personal Service Regular (Annual Salaried)	
	Amount	Change	Amount	Change
Administration	3,634,000	(903,000)	3,303,000	(903,000)
Total	<u>3,634,000</u>	<u>(903,000)</u>	<u>3,303,000</u>	<u>(903,000)</u>

Program	Temporary Service (Nonannual Salaried)	
	Amount	Change
Administration	331,000	0
Total	<u>331,000</u>	<u>0</u>

STATE OPERATIONS - GENERAL FUND SUMMARY OF NONPERSONAL SERVICE AND MAINTENANCE UNDISTRIBUTED APPROPRIATIONS AND CHANGES 2003-04 RECOMMENDED (dollars)

Program	Total		Supplies and Materials	
	Amount	Change	Amount	Change
Administration	945,000	(15,000)	72,000	(7,000)
Total	<u>945,000</u>	<u>(15,000)</u>	<u>72,000</u>	<u>(7,000)</u>

Program	Travel		Contractual Services	
	Amount	Change	Amount	Change
Administration	70,000	(427,000)	794,000	412,000
Total	<u>70,000</u>	<u>(427,000)</u>	<u>794,000</u>	<u>412,000</u>

Program	Equipment	
	Amount	Change
Administration	9,000	7,000
Total	<u>9,000</u>	<u>7,000</u>

STATE OPERATIONS - OTHER THAN GENERAL FUND SUMMARY OF APPROPRIATIONS AND CHANGES 2003-04 RECOMMENDED (dollars)

Program	Total		Personal Service	
	Amount	Change	Amount	Change
Administration	257,000	39,000	57,000	2,000
Total	<u>257,000</u>	<u>39,000</u>	<u>57,000</u>	<u>2,000</u>

Program	Nonpersonal Service	
	Amount	Change
Administration	200,000	37,000
Total	<u>200,000</u>	<u>37,000</u>