

LSC Redbook

Analysis of the Executive Budget Proposal

State Employment Relations Board

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State Employment Relations Board

- Executive recommended funding of approximately \$3.8 million in both FY 2014 and FY 2015
- Over 2,500 cases managed in FY 2012
- Hosted five training conferences attended by more than 660 people in FY 2012

OVERVIEW

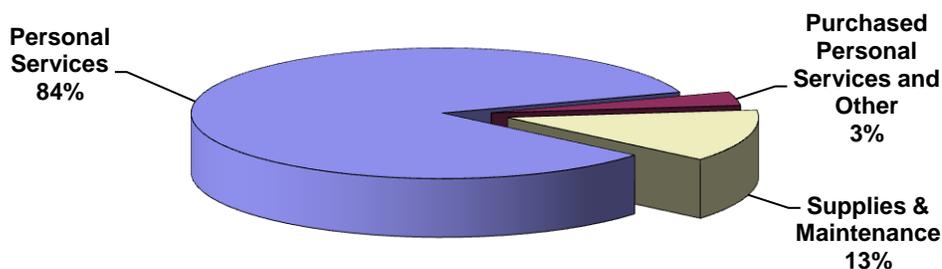
Agency Overview

The State Employment Relations Board (SERB) acts as a neutral party in carrying out Ohio's collective bargaining laws as they pertain to public employers and employees. Its responsibilities include overseeing representation elections, certifying exclusive bargaining representatives, monitoring and enforcing statutory dispute resolution procedures, mediating collective bargaining negotiations, adjudicating unfair labor practice charges, determining unauthorized strike claims, and providing information and training to parties in contract negotiations. H.B. 1, the main budget act for the FY 2010-FY 2011 biennium, consolidated the operations of the State Personnel Board of Review (SPBR) under the administrative structure of SERB. While SERB is responsible for dealing with matters concerning the Public Employees' Collective Bargaining Law, SPBR is an appeals body that hears cases filed by classified exempt employees at the state and local levels but whose jurisdiction extends to other specific civil service matters. While many of the office functions have been consolidated and reorganized, SERB and SPBR retain their own boards. Each board has three appointed members. As of January 2013, the boards employed 20 full-time permanent employees and five others on a part-time basis in addition to the members who are appointed to a fixed term. Both boards are supported almost entirely by GRF funding.

Appropriation Overview

The executive recommends funding of \$3.8 million in each fiscal year of the FY 2014-FY 2015 biennium, a less than 1.0% reduction in overall funding compared with estimated FY 2013 spending for the combined operations of both boards. Chart 1 shows the recommended funding levels for the FY 2014-FY 2015 biennium by object of expense. Like many smaller state agencies, personnel costs constitute the largest expense for SERB and SPBR and account for 84.0% of the total recommended appropriation for the FY 2014-FY 2015 biennium. The remaining amounts are slated for supplies and maintenance (13.0%), and purchased personal services and other expenses (3.0%).

Chart 1: Biennial Executive Budget Recommendations by Expense Category, FY 2014-FY 2015 (\$7.7 million)



SERB Operations

SERB is involved at every stage of the labor management relationship, administering the Ohio Public Employees' Collective Bargaining Act by mediating contract negotiations, investigating allegations of unfair labor practices, and resolving representation issues. The agency oversees 3,278 contracts covering 346,648 bargaining unit employees in the state of Ohio. Table 1 below shows the year-end case status of matters handled by the Board in FY 2011 and FY 2012.

Table 1. SERB Caseload Statistics, FY 2011 and FY 2012		
Action	FY 2011	FY 2012
Cases Filed	2,508	1,914
Fact Finder Report	106	130
Unfair Labor Charge	423	312
Representation Elections	84	52

Cases filed with SERB cover all areas of labor-management in the public sector, including mediation, strike determinations, representation, unfair labor practices, and so forth. During FY 2012, 1,914 new cases were filed with SERB, as compared to 2,508 in FY 2011. Additionally, SERB issued 130 fact-finder reports, oversaw 312 unfair labor charges, and conducted 52 representation elections.

SPBR Operations

SPBR hears appeals pertaining to suspensions, removals, fines, separations, reclassifications, abolishments, layoffs, and job classification status at the state and local government level. SPBR generally hears appeals from state, state university, county, and general health district employees whose positions are not covered by a collective bargaining agreement. Additionally, SPBR has jurisdiction over whistleblower cases, whether in the classified or unclassified civil service, as well as certain Occupational Safety and Health Administration matters. Another of SPBR's major responsibilities is

to assist the 225 municipal civil service commissions and personnel boards in dealing with such personnel matters. In FY 2012, SPBR issued 262 orders and opinions.

ANALYSIS OF EXECUTIVE PROPOSAL

Governor's Recommended Amounts for SERB and SPBR				
Fund	ALI and Name		FY 2014	FY 2015
General Revenue Fund				
GRF	125321	Operating Expenses	\$3,761,457	\$3,761,457
General Revenue Fund Subtotal			\$3,761,457	\$3,761,457
General Services Fund Group				
5720	125603	Training and Publications	\$85,000	\$85,000
General Services Fund Group Subtotal			\$85,000	\$85,000
Total Funding: SERB and SPBR			\$3,846,457	\$3,846,457

Operating Expenses (125321)

This line item covers the combined operating expenses of SERB and SPBR. The executive recommends funding of \$3.8 million in both years for operations, no change compared to estimated FY 2013 spending for this purpose. As noted before, the majority of funding is budgeted for payroll costs of board members, administrative law judges, labor relations specialists and mediators, researchers, and administrative staff working among the two boards. In all, the total amount of funding recommended for payroll is approximately \$3.2 million in each fiscal year, or about 84.0% of the total amount provided for both boards under the executive proposal.

Training and Publications (125603)

The recommended funding for this line item is \$85,000 in FY 2014 and FY 2015, 2.4% less than FY 2013 estimated expenditures of \$87,075. This line item is used to pay for research and training programs among the two boards. These activities are supported by the sale of various types of employee data collected by SERB, receipts from training seminars, and other sources of revenue deposited into the Training and Publications Fund (Fund 5720). Receipts from these sources totaled \$36,548 in FY 2012.

SERB's data collection and training functions are mandated by statute. The goal is to provide both employers and employee organizations with the ability to assess labor-management conflicts and resolve problems before they escalate into serious labor disputes. SERB organizes several informational conferences each year to train employers and unions on using SERB services and to provide training for impartial fact finders. During FY 2012-FY 2013, SERB held five conferences attended by a combined total of 668 people. Admission fees for these conferences ranged from \$150 to \$275. SERB currently has one additional conference scheduled in FY 2013, and four scheduled in FY 2014. In addition, SPBR produces a manual on civil service law and procedures for municipal civil service commissions.

State Employment Relations Board

General Revenue Fund

GRF 125321 Operating Expenses

FY 2010 Actual	FY 2011 Actual	FY 2012 Actual	FY 2013 Estimate	FY 2014 Introduced	FY 2015 Introduced
\$3,599,902	\$3,527,218	\$3,573,718	\$3,761,457	\$3,761,457	\$3,761,457
	-2.0%	1.3%	5.3%	0.0%	0.0%

Source: General Revenue Fund

Legal Basis: ORC 4117.02; Section 275.10 of Am. Sub. H.B. 153 of the 129th G.A.

Purpose: The line item funds the operating expenses of the State Employment Relations Board, including those related to the State Personnel Board of Review, which was placed under the administrative structure of the State Employment Relations Board in FY 2010.

General Services Fund Group

5720 125603 Training and Publications

FY 2010 Actual	FY 2011 Actual	FY 2012 Actual	FY 2013 Estimate	FY 2014 Introduced	FY 2015 Introduced
\$6,572	\$10,987	\$11,158	\$87,075	\$85,000	\$85,000
	67.2%	1.6%	680.4%	-2.4%	0.0%

Source: General Services Fund Group: Sale of clearinghouse data, publications, and proceeds from training seminars; grants, donations, awards, bequests, and gifts; reimbursements for professional services

Legal Basis: ORC 4117.24; Section 275.10 of Am. Sub. H.B. 153 of the 129th G.A.

Purpose: This line item is used to pay for the cost of compiling clearinghouse data, hosting seminars, and producing printed materials. In addition, the line item provides funding for grant projects, as well as labor-management and professional development programs. This line item is also used to pay costs incurred by the State Personnel Board of Review for producing administrative records and refunding overpaid security deposits.

FY 2014 - FY 2015 Introduced Appropriation Amounts

All Fund Groups

Line Item Detail by Agency			FY 2012	Estimate FY 2013	Introduced FY 2014	FY 2013 to FY 2014 % Change	Introduced FY 2015	FY 2014 to FY 2015 % Change
Report For Main Operating Appropriations Bill			Version: As Introduced					
ERB State Employment Relations Board								
GRF	125321	Operating Expenses	\$ 3,573,718	\$ 3,761,457	\$ 3,761,457	0.00%	\$ 3,761,457	0.00%
General Revenue Fund Total			\$ 3,573,718	\$ 3,761,457	\$ 3,761,457	0.00%	\$ 3,761,457	0.00%
5720	125603	Training and Publications	\$ 11,158	\$ 87,075	\$ 85,000	-2.38%	\$ 85,000	0.00%
General Services Fund Group Total			\$ 11,158	\$ 87,075	\$ 85,000	-2.38%	\$ 85,000	0.00%
State Employment Relations Board Total			\$ 3,584,876	\$ 3,848,532	\$ 3,846,457	-0.05%	\$ 3,846,457	0.00%