

**75th OREGON LEGISLATIVE ASSEMBLY – 2009 Regular Session
BUDGET REPORT AND MEASURE SUMMARY**

MEASURE: HB 5011-A

JOINT COMMITTEE ON WAYS AND MEANS

**Carrier – House: Rep. Nathanson
Carrier – Senate: Sen. Winters**

Action: Do Pass as Amended and Be Printed A-Engrossed

Vote: 16 – 4 – 2

- House – Yeas: Buckley, D. Edwards, Galizio, Jenson, Komp, Nathanson, Shields, G. Smith
- Nays: Garrard, Gilman, Richardson
- Exc: Kotek
- Senate – Yeas: Carter, Girod, Johnson, Monroe, Nelson, Verger, Walker, Winters
- Nays: Whitsett
- Exc: Bates

Prepared By: Michael Kaplan, Department of Administrative Services

Reviewed By: Michelle Deister, Legislative Fiscal Office

Meeting Date: May 29, 2009

Agency

Employment Relations Board

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Biennium

2009-11

Budget Summary*

	2007-09 Legislatively Approved Budget (1)	2009-11 Essential Budget Level	2009-11 Committee Recommendation	Committee Change from 2007-09 Leg. Approved	
				\$\$ Change	% Change
General Fund	\$ 1,813,556	\$ 1,858,241	\$ 1,773,332	\$ -40,224	-2.2%
Other Funds	\$ 1,724,436	\$ 1,809,436	\$ 1,808,088	\$ 83,652	4.8%
Total	\$ 3,537,992	\$ 3,667,677	\$ 3,581,420	\$ 43,428	1.2%

Position Summary

Authorized Positions	13	13	13	0
Full-time Equivalent (FTE) positions	13.00	13.00	12.50	-0.50

(1) Includes adjustments through the December 2008 meeting of the Emergency Board

* Excludes Capital Construction expenditures

Summary of Revenue Changes

The Employment Relations Board (ERB) generates the majority of its Other Funds revenue through an assessment to state agencies based on the number of covered employees, including employees from the Legislative and Judicial branches and temporary employees. ERB also receives fees for services including contract mediation fees to local governments, grievance and Unfair Labor Practice fees, interest based bargaining training fees, and filing fees for Unfair Labor Practice complaints and answers.

The subcommittee approved fee increases related to the administrative costs of providing service. Among them, the subcommittee approved an increase in the subscription rate for Board Orders, to \$150 annually, the per page transcription cost to \$1.50, the cost of a recorded hearing to compact disc to \$25, the copying fee to \$0.25 per page, and the hourly rate for facilitation services to \$60.

ERB receives General Fund revenue to support labor relations functions conducted on behalf of local governments. The total General Fund amount included in the budget approved by the subcommittee is \$1.77 million.

Summary of General Government Subcommittee Action

The mission of the Employment Relations Board is to resolve disputes concerning labor relations for an estimated 3,000 employers and 250,000 employees in public and private employment in the state. The agency is responsible for administering specific portions of Oregon law: the Public Employee Collective Bargaining Act, which governs collective bargaining in state and local government; the State Personnel Relations Law, which creates appeal rights for non-union state employees who believe they were treated unfairly in the workplace; and the private sector labor-management relations law, which addresses collective bargaining for private sector employers who are not covered by federal law.

The subcommittee approved a budget of \$3,581,420 total funds consisting of \$1,773,332 General Fund and \$1,808,088 Other Funds, including 13 positions (12.50 full-time equivalents). The approved budget is 1.23 percent more than the 2007-09 Legislatively Approved Budget. However, it represents a General Fund decrease of \$40,224.

The subcommittee approved Package 100, for \$4,400 Other Funds to maintain a subscription to collective bargaining decisions.

The subcommittee approved Package 101, for \$16,504 in one-time Other Funds expenditure limitation to replace 10 of the agency's 17 computers.

The subcommittee approved Package 103, which shifts \$48,647 of expenditures in the Mediation and Conciliation program from Other Funds fee revenue to Other Funds state assessment. This shift addresses the trend of fee revenue failing to reach projections. This package does not alter the total amount of recommended expenditure limitation.

Package 106 was approved for \$8,786 of General Fund to cover additional personal services expenses attributable to the reclassification of the agency's administrative law judge positions.

The subcommittee approved Package 801, a \$1,172 increase of Other Funds expenditure limitation for a technical adjustment meant to correct changes made to personal services costs during budget development.

Package 804 was approved, which continues reductions enacted during the 2007-09 biennium. Both one administrative law judge in the Hearings program and a mediator in the Mediation and Conciliation program area have been reduced by 0.25 FTE to 0.75 FTE each. This will result in a savings of \$117,119, \$93,695 of which is General Fund.

Finally, the subcommittee approved two revenue only policy packages. These packages, 102 and 105, relate to fees charged for administrative services including copying, fax filing, recordings, and the hourly rate which the board charges for facilitation services. The fee increases enable the agency to fully recover administrative costs associated with these activities.

Summary of Performance Measure Action

See attached Legislatively Adopted 2009-11 Key Performance Measures form.