

CHANGING LIVES

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FACT SHEET 2018-2019 Public Employees Relations Board (PERB) Funding REQUEST for AUGMENTATION

Purpose

Request that lawmakers approve an ongoing increase to funding to the Public Employment Relations Board (PERB) to support PERB's ongoing administration and enforcement of their state and local public sector collective bargaining laws.

Background

The Public Employment Relations Board is a quasi-judicial administrative agency charged with administering collective bargaining statutes applicable to California public employees, including state and local government employees, K-12 and higher education employees, transit employees, trial court employees, and judicial council employees. PERB's effective operations are critical to improve public sector employer-employee relations, and provide timely and cost-effective alternatives for employers, employee organizations, and employees to resolve labor relations disputes.

Since PERB was established over 40 years ago, its jurisdiction has grown from overseeing one statute covering approximately 470,000 employees to eight statutes covering approximately 2.7 million employees. PERB plays an invaluable role in providing administrative remedies to amplify and not abrogate a party's right to settle bargaining or representation disputes. However, PERB's staffing has not kept pace with the added increase in workload, compromising its ability to meet its mission of providing timely and effective solutions to all stakeholders in the collective bargaining process.

In a January 26, 2017 report to the Legislature, PERB notes that while its Office of the General Counsel has determined that 60 days is a reasonably effective period to complete investigations and issue unfair labor practice determinations, the time that such cases were open actually exceeded six months – approximately 199 days. In addition, the current average number of days for the Division of Administrative Law to issue a decision is up to 169 days, which is approximately three times as many days as nearly a decade ago. Further, with regard to mediation, while the goal of statutes governing mediation is to require that the process be initiated quickly, the first mediation now takes an average of 47 days to occur, which is up from 30 days in the 2015-16 FY.

What This Request Will Do

We strongly encourage the adoption of a \$5,000,000 ongoing augmentation. Ongoing and dedicated resources are urgently needed and will aid in alleviating PERB's backlog and assist in meeting its staffing and legislative policy priorities.

Key Contacts

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