

**NEW YORK STATE
PUBLIC EMPLOYMENT
RELATIONS BOARD**



Vol. 10, No. 3, March 1977

News

1974

NEGOTIATING EXPERIENCE

2,600 Negotiating Units
1,550 Contracts Negotiable
762 (49%) settled without third-party assistance
788 (51%) brought to PERB for assistance

Of 788 Impasses brought to PERB

493 Schools
295 Other Governments

Of 711 Impasses Resolved during 1974

325 (46%) Settled by mediation
134 Settled by mediation by fact finder
64 (9%) Settled by negotiations based on fact-finding report
128 (18%) Settled by acceptance of fact-finding report
55 (8%) Settled by post fact-finding conciliation
0 Settled by arbitration
5 (1%) Closed for other reasons

REPRESENTATION

160 Petitions received
33 Director's decisions
12 Board decisions
49 Board certifications
72 Petitions withdrawn
41 Elections involving 13,728 employees

IMPROPER PRACTICES

100 Cases pending at beginning of year
352 Charges filed
40 Hearing Officer decisions
30 Board decisions
296 Charges settled by agreement
129 Cases pending at end of year

MANAGEMENT/CONFIDENTIAL

23 Cases pending at beginning of year
33 Applications received
21 Director's decisions
0 Board decisions (No Appeals to board)
20 Withdrawn after conference
15 Cases pending at end of year

WORK STOPPAGES

16 Strikes
4,100 Employees involved
19,300 Man-days idle
1/100 of 1% Percentage of Estimated Working Time Lost
11 Board decisions on dues forfeiture

1975

NEGOTIATING EXPERIENCE

2,900 Negotiating Units
1,900 Contracts Negotiable
928 (49%) settled with out third party assistance
972 (51%) Brought to PERB for assistance

Of 972 Impasses brought to PERB

656 Schools
316 Other Governments

Of 892 Impasses Resolved during 1975

272 (31%) Settled by mediation
242 (27%) Settled by mediation by fact finder
155 (17%) Settled by negotiations based on fact-finding report
122 (14%) Settled by acceptance of fact-finding report
69 (8%) Settled by post fact-finding conciliation
29 (3%) Settled by arbitration
3 (0%) Closed for other reasons

REPRESENTATION

141 Petitions received
46 Director's decisions
16 Board decisions
67 Board certifications
45 Petitions withdrawn
60 Elections involving 48,420 employees

IMPROPER PRACTICES

129 Cases pending at beginning of year
541 Charges filed
46 Hearing Officer decisions
26 Board decisions
373 Charges settled by agreement
245 Cases pending at end of year

MANAGEMENT/CONFIDENTIAL

15 Cases pending at beginning of year
45 Applications received
16 Director's decisions
1 Board decision
13 Cases withdrawn after conference
31 Cases pending at end of year

WORK STOPPAGES

32 Strikes
177,745 Employees involved
1394,413 Man-days idle
17/100 of 1% Percentage of Estimated Working Time Lost
21 Board decisions on dues forfeiture

1976

NEGOTIATING EXPERIENCE

22,950 Negotiating Units
21,700 Contracts Negotiable
841 (49%) settled without third party assistance
859 (51%) Brought to PERB for assistance

Of 859 Impasses brought to PERB

541 Schools
318 Other Governments

Of 693 Impasses Resolved during 1976

161 (23%) Settled by mediation
209 (30%) Settled by mediation by fact finder
155 (22%) Settled by negotiations based on fact-finding report
81 (12%) Settled by acceptance of fact-finding report
47 (7%) Settled by post fact-finding conciliation
40 (6%) Settled by arbitration

REPRESENTATION

114 Petitions received
27 Director's decisions
5 Board decisions
56 Board certifications
42 Petitions withdrawn
43 Elections involving 46,365 employees

IMPROPER PRACTICES

245 Cases pending at beginning of year
509 Charges filed
62 Hearing Officer decisions
37 Board decisions after hearing officer report
22 Expedited Board decisions
372 Charges settled by agreement
298 Cases pending at end of year

MANAGEMENT/CONFIDENTIAL

31 Cases pending at beginning of year
48 Applications received
23 Director's decisions
0 Board decisions
23 Withdrawn after conference
32 Cases pending at end of year

WORK STOPPAGES

13 Strikes
224,824 Employees involved
2137,393 Man-days idle
26/100 of 1% Percent of estimated working time lost
13 Board decisions on dues forfeiture

¹Includes one 5-day strike by 63,000 New York City teachers, aides and paraprofessionals.

²Preliminary data

STRIKES

The Office of Counsel issued 14 charges against employee organization for violation of the Taylor Law strike prohibition. In addition, two charges were issued by the chief legal officer as is authorized by the Taylor Law. (One of these charges was dismissed by the Board in early 1977 on the basis that no strike was proved.) Counsel's Office investigated two other apparent strikes but no charges were issued because the union was not found to be responsible. Two of the charges issued in 1976 related to strikes that happened in the latter part of 1975.

The Board rendered decisions in 13 strike proceedings assessing penalties ranging from three months suspension of the dues check-off privilege to indefinite suspensions in the case of employee organizations previously penalized. For the first time the Board established a two-step procedure through which a union may apply for conditional restoration and full restoration of the dues deduction privilege.

MINI-PERBS

The number of mini-PERBS remained constant during the year; thirteen mini-PERBS are now in existence. No petitions were filed with PERB during the year challenging the determinations or conduct of these mini-PERBS.

Current mini-PERBS are as follows: Delaware County PERB, Hempstead PERB, Nassau County PERB, North Castle PERB, Town of North Hempstead PERB, Onondaga County PERB, Oyster Bay PERB, Town of Rye PERB, Suffolk County PERB, Syracuse City PERB, Syracuse School District Employment Relations Council, Tompkins County PERB and Westchester County PERB.

CHANGES IN THE LAW AND RULES

There were no changes made in the Law during the year. Two amendments were passed by the Legislature involving expansion of PERB's powers and the jurisdiction of New York City improper practice charges. Both were vetoed.

PERB clarified its rules of procedure on compulsory interest arbitration on May 14 and filed these amendments with the Secretary of State. The changes dealt with time for filing a response and the question of objections of the arbitrability of matters set forth by the petitioner or respondent.

RESEARCH

PERB's statutory responsibilities in the research area include compiling data on and acting as a clearing house

for studies on wages, fringe benefits and related conditions of employment; it undertakes special studies from time to time with respect to problems arising from the administration of the law, and monitors and reports settlement trends.

Current settlements are reported in PERB News as space permits and in a special bulletin published for the mediation, fact-finding, and arbitration panels. From time to time trend data on public sector settlements are published, usually at the end of the third and fourth quarters. Public sector employment constitutes about one sixth of wage and salary employment nationally, but no wage and salary data are systematically reported for this sector of the economy.

Bargaining outcomes in 1976 continued to reflect the fiscal difficulties faced by state and local governments. Contracts negotiated in 1976 produced smaller increases than 1975 settlements. New teacher contract negotiations resulted in an average salary schedule change of 2.8 percent statewide — 3.1 percent upstate and 2.2 percent in the New York suburban area (Nassau, Suffolk, Westchester, and Rockland Counties). Teachers with long term contracts — in the second year of a contract, for example — fared somewhat better, averaging 5.8 percent statewide if the contract provided for a fixed increase and 5.2 percent if related to a cost-of-living formula.

Increases in new police contracts averaged 6.6 percent; 7.3 percent where the settlement was negotiated and 6.3 percent for arbitration awards. Firefighter increases averaged 6.1 percent; 7.7 percent where the settlement was negotiated and 4.9 percent for arbitration awards.

Excluding firefighters and police officers, negotiated settlements for local government employees averaged 6.0 percent. Where such employees were covered by multi-year contracts, the average increase was 7.8 percent. There was a substantial increase in the number of legislative hearings at the county level and a substantial number of local government negotiations had not yet been completed by the end of the year.

The increases referred to above refer to changes in salary schedules and have been weighted by the number of employees involved.

PERB NEWS

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Public Employment Relations Board
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PERB published reports on wages and fringe benefits for various types of public employees in New York State. These reports are compiled from contracts on file and inquiries made to the parties to verify analysis of contracts. Wages and salary reports normally summarize salary schedules. Fringe benefit reports provide data on retirement plans, health insurance, sick leave benefits, vacation and holiday policies, and other benefits.

These reports are updated periodically, usually at the conclusion of the applicable negotiating cycle, so that revised data becomes available at the beginning of or early in the next cycle. When new developments or trends are detected, special reports are prepared or existing reports are revised to incorporate these developments.

The following reports were published during the year:

Wages and Salaries. Police (city, county, town, and village), firefighters, city blue collar, city clerical, county probation officer, county nurses, county blue collar, county clerical, county social services, and regional reports and non-instructional employees of school districts.

Fringe Benefits. Police and firefighter.

Other. Community colleges — salaries, fringe benefits, and related practices.

Data are furnished to advocates upon direct inquiry to assist in the preparation for negotiations and in the preparation of positions to be advocated at various stages of the impasse procedure. Technical assistance is also provided to neutrals upon request. Information supplied upon request usually comes from the contract files. An attempt is made to collect on a timely basis all public sector labor contracts. These files are open to the public and are used extensively by labor and management

representatives as well as labor relations specialists from the academic community. Settlement information is also received from mediators and fact finders as impasses are resolved.

PUBLIC RELATIONS

The continuing fiscal problems faced by state and local governments, including school districts kept the Taylor Law and PERB in the public eye. PERB, its staff and the Panel of Mediators and Fact-finders were very visible in newspapers, radio and television throughout the state. The large number of impasses brought to PERB created interest in the media for information on all phases of the conciliation procedures — mediation, fact-finding and post fact-finding conciliation.

To meet this need, data was supplied to the media on a daily basis in response to specific requests and also through more than 500 news releases.

The State Board has endeavored to communicate to the public and to its clientele as much information as possible on the Law, any changes and how these affect day-to-day operations, decisions and various data from its resource files.

This information was disseminated through the monthly **PERB News**, three basic guides to the Law — the **Taylor Law, Rules of Procedure** and **What Is the Taylor Law — And How Does It Work?**, and a compilation of **Official Decisions, Opinions and Related Matters**.

PERB staff participated in seminars and conferences throughout the year. It also conducted programs, in cooperation with the New York State School of Industrial and Labor Relations at Cornell to provide up-to-date data on labor relations for members of PERB's various panels.

PERB Newsletter

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