

ALASKA LABOR RELATIONS AGENCY
Minutes of Business Meeting
Friday, May 2, 2003, 10:00 a.m.

1. Call to order: The meeting was called to order at 10:00 a.m. by Vice Chair Dave Rasley, in Chair Aaron Isaacs' absence. Board Members Raymond Smith, Roberta Demoski, and Dick Brickley attended in person, with Colleen Scanlon attending by phone.

Staff members Margie Yadlosky, Jean Ward, Mark Torgerson, and Arvella Thomas also attended. A sign-up sheet was provided for public attendees.

2. Approval of minutes from September 29, 2002, business meeting: Board Member Colleen Scanlon pointed out a needed correction on the last page, Section C: Request from Commissioner Flanagan on Nabors. The word "buy" was misspelled and should have read "by." Board Member Dick Brickley moved to accept the minutes with the correction to spelling, and Board Member Roberta Demoski seconded the motion. Motion carried.

3. Old business:

a. Status of pending cases.

Agency Personnel Specialist Margie Yadlosky gave an overview of Unit Clarification cases. She noted the Agency continues to whittle away at the backlog that began several years ago. The streamlining procedures implemented in 1998 have been a significant factor in reducing the size of this caseload.

Board Member Raymond Smith asked why 1030-ULP had been pending since 2000. Margie explained that the case had been in abeyance for much of the time.

Agency Hearing Officer Jean Ward described why applicants would file an unfair labor practice (ULP). At Administrator/Hearing Examiner Mark Torgerson's request, Jean explained the various priorities for investigating ULPs, and the ULP process.

b. Budget.

Margie gave a budget report and described the Agency's current financial status. Mark reported on budget costs for the remainder of FY 2003, and the Agency's budget for FY 2004. This year continues a difficult period for the Agency's budget. Mark added that Margie does a great job of keeping an eye on the budget and providing assistance and advice on expenditure choices. The Agency has been frugal but still needed to postpone hearings from the prior fiscal year to the current fiscal year, to avoid over-spending.

Mark noted that the Agency requested an increase of \$20,000 in the FY 2004 budget. Commissioner Greg O'Claray supported the increase. However, the Office of

Management and Budget (OMB) declined to support it. The Agency ended up requested the same budget it received last year, a flat-lined budget. But the state House of Representatives has cut the request by another \$15,600, or 4 1/2%. Roberta asked if there was any indication why the House cut the Agency's budget. Mark said no, except our Agency is funded entirely with state general funds, and agencies so funded have become targets of reduction. The Senate approved the Governor's flat-line request, so the Conference Committee will make the final budget decision. Colleen said she would make a call to Representative Bill Williams and get a list of those representatives on the Conference Committee. Board Members discussed contacting the Committee. Mark said any help is appreciated because without adequate funding, the Agency would have to consider layoff of staff.

Budget constraints have affected travel decisions. The Agency has been challenged keeping travel costs for all six board members and the staff under the \$13,000 budget. Colleen asked if her Ketchikan residence would help. Mark said yes, as more cases were arising in Ketchikan. Colleen also let the agency know that when she traveled to Anchorage for a hearing she could stay with friends.

Board Vice Chair Dave Rasley asked how the budget is formulated. Mark explained that there is first discussion within the Department of Labor and Workforce Development. Then, Department representatives discuss the budget with staff at OMB, and OMB staff makes the final decision for the budget that the Governor submits to the Legislature. Dave stated that the case filings are increasing, and some cases require a lot of work.

4. New business: (Mark)

a. Board member update.

Board Chair Aaron Isaacs was absent due to several family deaths.

Everyone welcomed Colleen to the Board.

Board terms were discussed. The Board terms of Roberta and Dick expired in March 2003. These members need to submit application for reappointment to the Board. Mark said that Rebecca Hultberg from the office of Boards and Commissions is working on new appointments before addressing expired positions.

b. Annual Report.

Margie asked Board members to sign a resolution of approval if they concur with the content of the annual report. Mark stated the Agency would set a goal of getting the report completed and submitted by the end of February 2004.

c. Telephonic hearings to save money.

The Board discussed the option of holding hearings by telephone. Logistically, agency staff members have found this type of hearing difficult to run. Ray reiterated that face-to-face hearings are more effective than either listening to hearings by telephone, or listening to hearing tapes and reviewing the record after the hearing. The latter option precludes the Board member from asking questions at the time testimony is given. Board members again stated their preference to have staff schedule hearings during the week of the Board meeting. Mark has received comments from parties that they also prefer Board members to attend hearings.

d. ALRA Conference.

Mark described the annual conference put on by the Association of Labor Relations Agencies (ALRA). The ALRA conference is a great conference for labor relations boards and commissions, hearing officers and mediators. The ALRA Academy is designed to provide training for new board members, but experienced board members have benefited too. Colleen feels that budget funds should first be spent for hearings. Ray agreed. Mark also agreed but pointed out other benefits of ALRA membership, such as the email network that can provide quick research on various labor relations issues. Conference presentations are given by national experts in labor relations. The conference in 2005 is in Seattle, and Agency staff hope we can send several representatives.

e. Other business.

Mark distributed copies of Senate Bill 95. This legislation would require 72-hour notice of intent to strike before a union could actually strike. No notice is currently required.

A bill to create an Office of Administrative Hearings (SB 203) was distributed. Mark pointed out that the Department of Labor and Workforce Development is currently exempt from coverage under this legislation. Dave noted that hearing officers in this proposed office must practice law at least 2 years to qualify for a position. Jean added that putting our Agency into this legislation would be difficult because Agency staff members have multiple duties.

5. Public Comment:

There was no public attendance or comment.