

ALASKA LABOR RELATIONS AGENCY
MINUTES
Business Meeting

April 9, 1999, 10:00 a.m.

Department of Labor Building, 3301 Eagle St., Room 208

1. Meeting was called to order by Chair Alfred L. Tamagni, Sr., at 10:15 a.m. in the Department of Labor Building, Room 208, 3301 Eagle St., Anchorage, Alaska.

Present at the publicly noticed meeting were Alfred L. Tamagni, Sr., Chair; Blair E. Marcotte, Vice Chair; and Robert A. Doyle, Member. Other board members (Ray Smith and Karen Mahurin) were absent. Staff members Margie Yadlosky, Jean Ward and Mark Torgerson also attended.

A sign-up sheet was provided for members of the public. In attendance were Elizabeth Atkinson and Amy Dabbs.

2. Approval of December 11, 1998 business meeting minutes: Member Doyle moved to approve the minutes. Vice Chair Marcotte seconded the motion and the minutes were approved.

3. Old business:

- a. Status of pending cases.

- i. *Case flow chart.*

Board members reviewed the case flow summary report, which provides an overview of the work load by showing the number of cases filed and closed during a reporting period. Staff member Margie Yadlosky provided an overview of case filing and resolution activity, including the first quarter of 1999. She noted the Agency continues to make progress in reducing the total caseload. Moreover, since the beginning of fiscal year 1999 (July 1, 1998), staff have resolved 114 cases while 81 new ones have been filed. The Agency continues to pursue the newer cases as they are filed, while at the same time striving to reduce the backlog of older filed cases. Chair Tamagni described the caseload reduction as impressive. Board members then asked questions about some of the specific cases. Member Doyle asked if there were any priority cases because of negotiations. Jean Ward said no, but there is a decertification petition with the Alaska Court System, and a related unfair labor practice (ULP) charge. These are getting priority treatment.

- ii. *Update on unit clarification and unfair labor practice petitions.*

Margie said the Agency continues to reduce the unit clarification (UC) backlog. Unit clarification petitions are in various stages of resolution. She pointed out that open cases

decreased again during the past quarter. Questions were asked about some of the older pending cases. Jean described the status of the ULP cases. Chair Tamagni said we can help settlement by setting hearing dates and making it a priority for the parties. Jean said a new research tool the agency purchased recently should help speed up the legal research aspect of case determinations. Chair Tamagni asked if we are basing ULP decisions on the facts or the law. Jean responded that we base decisions on both facts and law. Chair Tamagni said we should shorten decisions and base them on the merits of the case.

b. Budget.

Mark and Margie outlined the status of the current fiscal year's budget, and the proposed FY 2000 budget. The Agency's FY 99 travel budget was reduced by \$5,000 as part of the cuts required by Governor Knowles. The Agency submitted a status quo budget for FY 2000 which begins July 1, 1999. This budget is very lean. The legislature is currently considering the budget and should have budget work done around the middle of April. The legislative session ends on May 19, 1999. As noted at the last meeting, even if the Agency gets the requested budget, we will need to find approximately \$8,300 to cover the vacancy factor and pay for personal services in the FY 2000 budget. In addition, there is no money for a contract hearing officer.

Chair Tamagni asked what the current year's travel budget was. Margie said \$19,300. Chair Tamagni wanted to make sure there are adequate dollars for Board travel.

c. Time goal discussion.

Mark outlined the time goals that staff recommended at the December 1998 meeting. They were: four months to complete ULP investigations; no more than three months between the prehearing conference and the hearing; and no more than 90 days from record closure to issuance of a decision. Mark wanted Agency staff to apply these targets for a period to determine whether they are appropriate. Member Doyle questioned whether we really need three months to write a decision. He asked if we could condense decisions from 30 to 3 pages.

Chair Tamagni said we should make decision and orders lay decisions. We should move away from the idea that cases are going to the supreme court. We should base decisions on the facts and the merits. Mark agreed agency staff should strive to be concise in their writing but it is important to write legally sound decisions. Member Doyle said writing shorter decisions might help the Agency reduce its backlog; we should focus on substance and not procedure. Chair Tamagni said we need to take care of our people and quit worrying about our image. We need to write clean, short and sweet decisions.

Chair Tamagni and member Doyle said it would be helpful to review the National Labor Relations Board's ULP procedures to determine how they conduct their ULPs. They

have some sort of priority system for completing ULP investigations. Chair Tamagni said the Agency should look for shortcomings and positive things at the NLRB. The Board asked Agency staff to arrange a meeting with the NLRB staff.

d. Other old business.

Mark said that, as requested by the Board, agency staff sent announcements of the board vacancy in a special mail-out in December. He also forwarded information from the Commissioner's office that the office of Boards and Commissions had received several applications for the vacant board position. It is hoped an appointment will be made in the near future.

4. New business.

a. Staff update.

Jean said staff were kept busy in December and January on work related to the two disputes regarding Anchorage School District employees. These disputes, involving the TOTEM strike and the school bus drivers' strike, eventually resulted in strikes by employees of each of the respective unions. Ultimately, the parties settled the disputes, and the bargaining unit members returned to work.

5. Public comment.

There were two attendees from the public: Elizabeth Atkinson and Amy Dabbs. There was no public comment.

6. Executive session.

The public meeting recessed at approximately 12:00 p.m., and the Board reconvened in closed session.