

PERC AGENCY OVERVIEW



**Prepared for the
SENATE SUBCOMMITTEE ON
GENERAL GOVERNMENT APPROPRIATIONS
February 7, 2013**

MISSION

The Public Employees Relations Commission is a small quasi-judicial agency created to resolve public sector labor and employment disputes and to otherwise effectuate the state's labor policy to promote harmonious and cooperative relationships between government and its employees, both collectively and individually, and to protect the public by assuring the orderly and uninterrupted operations and functions of government as prescribed by the Florida Constitution and state statutes.

The Commission serves over 600,000 employees and has jurisdiction over all state and local governments to include cities, counties, school boards and special taxing districts.

JURISDICTION AND AUTHORITY

Labor Cases

Public employees in the State of Florida have the constitutional right to collectively bargain. “Public employees” means employees of the state, counties, school boards, municipalities and special taxing districts. This includes all fire, police, corrections, school teachers and support personnel, attorneys, medical personnel, state troopers, toll collectors, sanitation employees and clerical, etc. It is estimated that there are well over 600,000 public employees in bargaining units throughout the State of Florida. The Commission holds hearings and resolves disputes about the composition of bargaining units and alleged unfair labor practices.

Employment Cases

PERC has jurisdiction over career service appeals in the State of Florida. There are state employees who have civil service privileges under the Florida Constitution concerning discipline, such as discharge, demotion and suspensions, etc. They have the right to appeal these actions to the commission, which will appoint a hearing officer to hold an evidentiary hearing to determine if there was cause for the discipline and, in certain cases, whether the discipline should be mitigated.

JURISDICTION AND AUTHORITY

LABOR

- **Labor Cases**
 - Art. I, s. 6, Fla. Const.
 - Ch. 447, Part II, Fla. Stat.
- **Other Labor Functions**
 - Union Registrations
 - Union Elections
 - Collective Bargaining Impasse Resolution

EMPLOYMENT

- **Career Service Appeals**
 - Art. III, s. 14, Fla. Const.
 - ss. 110.227, 447.207, Fla. Stat.
- **Other Employment Cases**
 - Veterans' Preference Appeals
 - Drug-Free Workplace Act Appeals
 - Age Discrimination Appeals
 - Forced Retirement Appeals
 - Whistle Blower Act Appeals

ORGANIZATIONAL STRUCTURE

The Commission is composed of a Chairman and two part-time Commissioners appointed by the governor for overlapping terms of four years, subject to Senate confirmation.

Total positions: 26

Functional units include:

- Legal/Hearing Officers
- Clerk's Office
- Elections
- Administrative/Operational support



ORGANIZATIONAL STRUCTURE

PERC employs nine hearing officers who are licensed attorneys with more than five years experience. The hearing officers hold hearings throughout the state on labor and employment disputes. PERC and its staff review hearing officers' recommendations. PERC issues a final order, which may be appealed directly to the District Courts of Appeal.

PERC has an Elections division that conducts elections throughout the state when public employees express the desire to be represented by a union.

PERC registers Unions, qualifying them to pursue representing employees.

PERC has an Impasse Resolution and Mediation Coordinator who oversees and orchestrates federally provided mediators and private employed arbitrators to resolve impasses in labor negotiations.

PERFORMANCE RESULTS

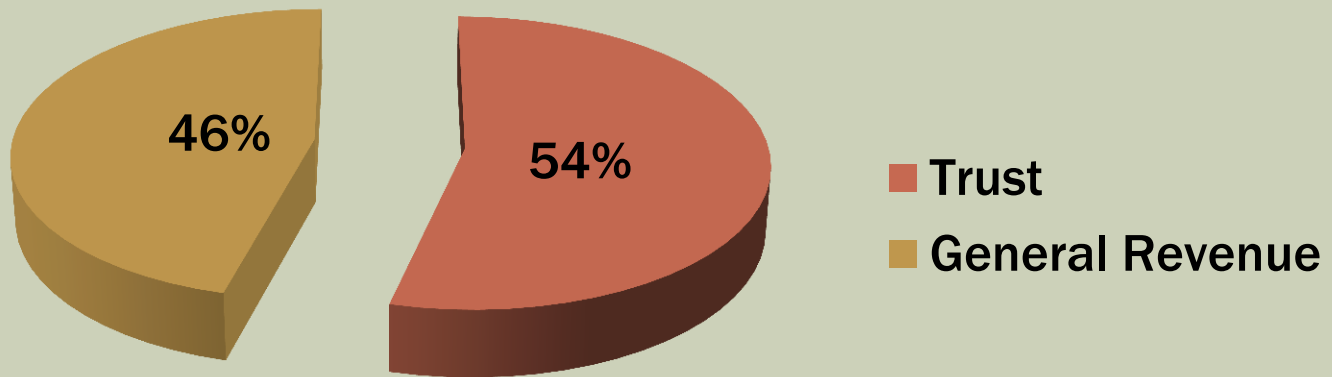
- **98%:** Percent of timely labor dispositions
- **99%:** Percent of timely employment dispositions
- **92%:** Percent of appealed dispositions affirmed or dismissed/withdrawn

(Commission decision affirmed by the appellate courts or cases dismissed/withdrawn by parties on appeal)

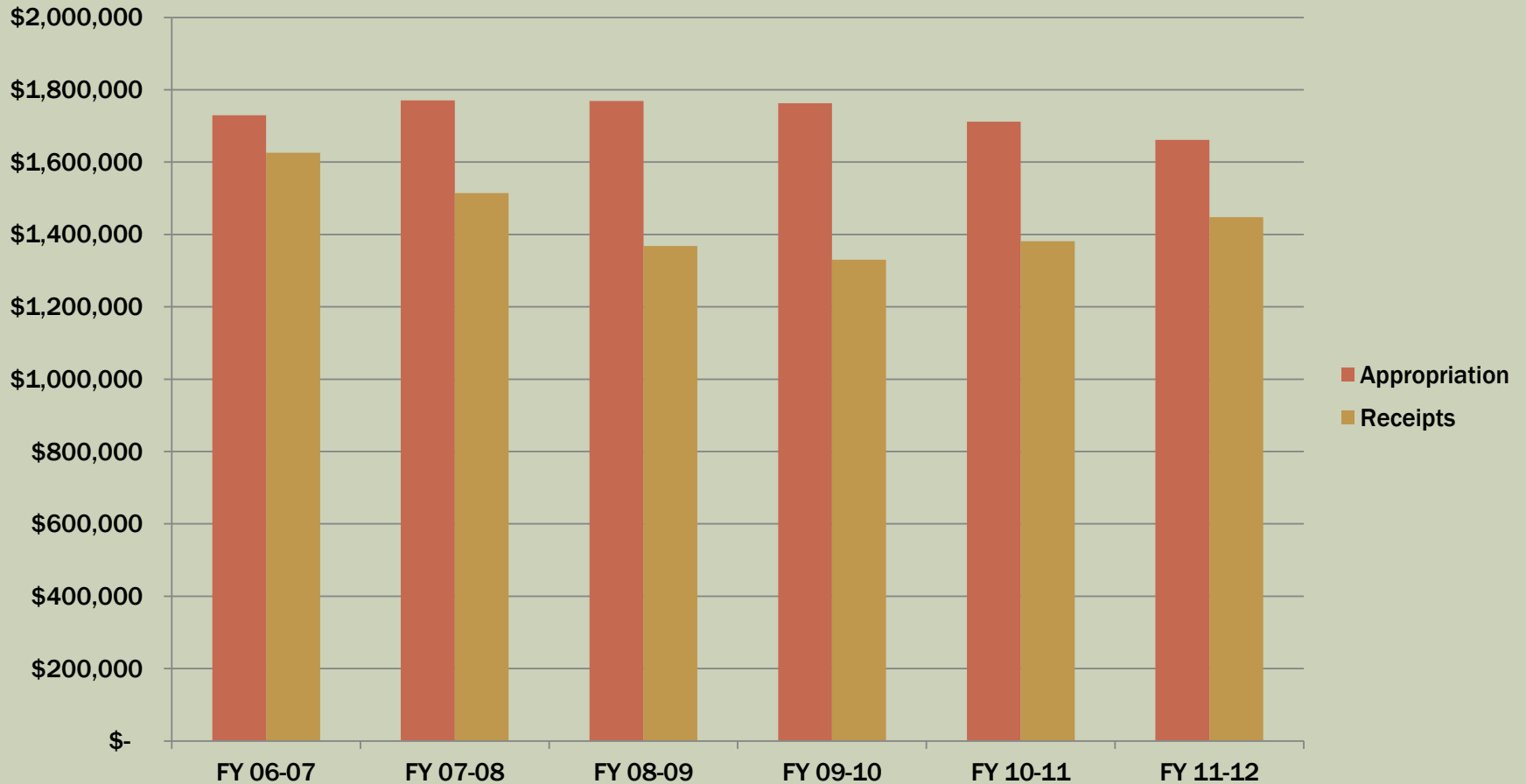


BUDGET OVERVIEW

2012-2013 Legislative Appropriation
Total: \$3.1M



TRUST FUND: APPROPRIATIONS VS. REVENUE RECEIPTS





PUBLIC EMPLOYEES RELATIONS COMMISSION

TOTAL BUDGET: \$ 3,081,251

2012-2013 Base Budget

GENERAL REVENUE	CATEGORY	TRUST FUND
\$ 1,290,359 (91%)	SALARIES/ BENEFITS	\$ 1,184,964 (71%)
\$ 9,277	OPS	\$ 53,628
\$ 27,094	EXPENSES	\$ 354,664 (21%)
\$ 7,399	OCO	\$ 5,721
\$ 35,070	Special Category CONTRACT SRVCS	\$ 32,500
\$ 10,493	Special Category RISK MANAGEMENT	\$ 15,903
\$ 34,314	Special Category ADMIN. OVERHEAD	\$ —
\$ 5,825	Special Category HR SERVICES	\$ 4,778
\$ 4,028	Special Category DP SERVICES	\$ 5,234
\$ 1,423,859	TOTAL	\$ 1,657,392

Significant Spending Categories Expense/Contracted Services

- **Rent – 48%**
- **Subscriptions – 7% - print/on-line**
- **Communications – 4.8% - suncom, ports, internet usage, telephone lines**
- **Postage – 4.5%**
- **Travel – 3.5%**
- **Equipment Maintenance – 12% copiers, facsimiles, scanners, etc.**

MATTERS OF CONCERN

- Trust Funding comes primarily from a distribution from the Local Government Half Cent Sales Tax. Declining sales tax revenues have resulted in Trust fund shortfalls.
- In the last five fiscal years staffing has been reduced by 26%.
- Technology – hardware and software. The Commission has not replaced workstations or laptops since 2005. Our current hardware has inadequate storage capacity to run current operating systems. The Case Management System software is failing in areas and requires maintenance or replacement.
- Position reductions have resulted in minimal staffing levels and no “back up” provisions. This leaves the Commission particularly vulnerable to an inability to perform its mission.
- Data Processing Services Appropriations are inadequate to pay for SSRC services. Current year estimated cost is 56% greater than the appropriation and Fiscal Year 2013-2014 projections include an additional 7% increase.
- Current leased space is inefficient.
- Meet legislative objectives and perform mission.