

TESTIMONY PRESENTED
BY:
W. Craig Zimpher, Chair
State Employment Relations Board

BEFORE:
Ohio Senate
General Government Committee

May 3, 2023

Mr. Chairman and members of the Committee, good afternoon. I am Craig Zimpher, Chair of the State Employment Relations Board, or SERB; I'm pleased and honored to be with you today to discuss the proposed biennial budget for SERB. SERB exercises jurisdiction over all aspects of Ohio's public sector collective bargaining process; our mission is to effect the efficient, fair, and objective administration and adjudication of the collective bargaining process.

In performing their duties, and achieving our mission, SERB's associates, themselves, developed a statement of culture, reflective of how we will achieve that mission, and which states:

- Integrity and objectivity in the way we conduct ourselves;
- Teamwork as we act with civility and mutual respect, towards achieving the common goal of our Mission;
- Greatness achieved by never compromising our work, providing excellent performance in serving our stakeholders, and pursuing continual improvements; and
- Sharing and celebrating in each other's successes and viewing challenges as opportunities.

Mr. Chairman, SERB's principal mission is to facilitate and promote orderly and constructive labor relations for our 2,732 public employers, and 329,000 state and local public employees; this mission must be understood to reflect the interests of all parties. SERB serves as the neutral, objective mediator or arbiter of matters arising in the collective bargaining process. Most importantly, however, our statutory mission of promoting orderly and constructive labor/management relations is designed to mitigate conflict through negotiation, mediation, fact-finding and impartial adjudication.

SERB's responsibilities include investigating and adjudicating unfair labor practice charges, determining the size and appropriateness of bargaining units, conducting union representation elections, and providing the parties in more than 1,000 collective bargaining negotiations annually with comparative wage, benefits, and contract data. The Bureau of Mediation serves the critical function of assisting employers and employees in negotiations, to avoid work stoppages and, to resolve or reconcile charges of unfair labor practices. During the past year our mediators were engaged in 60 mediation sessions involving the negotiation of 43 collective bargaining agreements. Additionally, they conducted "negotiation" training programs, or simulations, in which more than 100 labor and management practitioners participated.

During the last ten years, we have implemented several processes designed to reduce the friction costs of adjudication. Again, during the previous year 185 Unfair Labor Practice charges and 160 union representation matters were filed with the Board. The resolution of these cases requires thorough investigation, review and analysis by our professional Investigations staff. I believe all labor/management stakeholders would agree that, given the regulatory and practical requirements inherent in a fair and thorough review, our "delivery" timeframes are in the "best practices" category. The Board finds probable cause to warrant a hearing in approximately 6-7% of the cases. However, we require the parties to enter into a mediation process prior to the commencement of a formal, litigious, and often expensive hearing process. 57% of such referrals have produced a reconciliation of the issues; thereby avoiding the expenses and frictions of litigation.

In meeting these objectives, Mr. Chairman, we are absolutely committed to managing the agency in the most frugal and prudent manner possible.

Throughout the three previous biennia, SERB has proactively managed our budget challenges and maintained successful levels of service. Efficiencies have been realized by:

- Expanding use of personal service and intermittent contracts for Administrative Law Judges and Mediators;

- Discontinuing the production of hearing transcripts in all cases except those that are required by the Courts or specifically requested by the parties;
- Moving toward other paperless operations including: transmitting internal reports electronically, submitting investigation requests electronically, and using electronic correspondence wherever else appropriate;
- Implementing electronic contract filings on a voluntary basis, thereby saving significant staff time required to scan those documents;
- Gaining statutory authority to conduct mail-ballot representation elections instead of on-site elections;
- Eliminating travel reimbursement except for Mediators.

During this biennium SERB has continued its public education efforts through the conduct of labor/management relations seminars, attracting 530 labor or management participants. We will continue, for the thirty-first year, to publish the very widely utilized *Report on the Cost of Health Insurance in Ohio's Public Sector*. This report is an analysis of the employee health insurance plans provided by over 1,300 Ohio public employers. A copy of the most recent report, along with our agency's 2022 Annual Report, are attached to this testimony. Our Research and Training (R&T) staff maintains a comprehensive web-based data system that contains relevant data from all collective bargaining agreements. This database is heavily used by practitioners, with approximately 206,000 annual visits. Additionally, our staff prepares an average of 800 specialized reports every year.

The pandemic and resultant public congregation restrictions have seriously curtailed our "public training seminars". We have, nonetheless, produced labor management training programs through Microsoft Teams virtual communication, and resumed "in person" seminars that have attracted 750 attendees.

The FY 2024/2025 budget as presented by the Executive Branch, essentially a “status quo” budget, will allow SERB to continue to:

- Present Unfair Labor Practice cases to the SERB Board within 60 days of filing;
- Place representation cases on the SERB Board agenda well within our target of 180 days of filing;
- Support proactive mediation via virtual electronic communication to intervene where/when necessary and appropriate in contract negotiations or other labor/management situations to avoid work stoppage or other issues;
- Continue to provide timely and responsive reports to stakeholder requests for information and analysis related to the collective bargaining process;
- Allow SERB to continue educational and training programs for labor/management stakeholders.

A review of those 10 years reveals that our budgets have held steady; increases have been devoted exclusively to mandated wage increases (resulting from State Collective Bargaining Agreements) and staff longevity (not members’) salary adjustments.

When SERB was established in 1984, there were 51 full time employees. Those early years were reflective of a time when office practices were paper driven, no computers, no “cut and paste” word processing and limited electronic resources. Over time, SERB created electronic and other office efficiencies resulting in a 53% reduction in staffing from 1984 to the present staffing level of twenty-four (24). SERB has demonstrated a commitment to service, stewardship and prudent expense management.

Mr. Chairman and members, the following table reflects SERB's original requested budget and that recommended, and before you, by OBM.

	FY 24 Requested	FY 24 Executive	
GRF	\$ 4,554,069	\$ 4,421,423	\$ (132,646)

	FY 25 Requested	FY 25 Executive	
GRF	\$ 4,605,998	\$ 4,466,029	\$ (139,969)

Mr. Chairman and members, this concludes my testimony; I very much appreciate your attention and courtesy and would be happy to respond to any questions.

Thank you.