

New York State Public Employment Relations Board

Agency Mission:

PERB was created by the Public Employees' Fair Employment Act of 1967, and its mission is the enforcement of the Act; the protection of the rights of public employees to organize without interference or detriment; the assurance that public employers and employee representatives will engage in good faith collective bargaining to determine public employees' terms and conditions of employment; the determination of appropriate bargaining units and the direction of the process of representative selection; and issuance of determinations on charges of improper employment practices. The agency also has the statutory responsibility to provide impasse resolution services (i.e., mediation, fact finding and interest arbitration) and to determine whether strikes, prohibited by the Act, have taken place. PERB has jurisdiction over approximately 4,700 bargaining units in New York State, cities, towns, villages, school districts, public authorities and non-mayoral agencies of New York City.

The Board:

The Board hears cases on appeal and issues approximately 50 decisions per year. Approximately 20 percent of the representation decisions by the Public Employment Practices and Representation Director or the administrative law judges are appealed to the Board for review.

The Board is composed of three members, all appointed by the Governor and subject to confirmation by the New York State Senate. The Governor designates one of the members to serve as the full-time Chairman. The other two members are per diem members and may pursue other non-public employment. Each member is appointed for a six-year term, with one of the three terms expiring every other year. The Chairman, in addition to being a member of the Board, is the chief executive officer for the agency, responsible for carrying out policies set by the Board and for overseeing the function and administration of program sections.

The responsibilities of the Board include: 1) setting policy standards for the agency; 2) issuing final agency rulings on appeal from decisions and rulings by agency program sections; 3) assigning appropriate penalties against unions found to have engaged in work stoppage activities; 4) issuing rulings, as appropriate, regarding certification of unions seeking to represent public employees and the proper maintenance of provisions and procedures by local governments establishing 'mini-PERBs'; 5) enacting Rules of Procedure by which parties and agency personnel are bound; and 6) maintaining an appropriate panel of qualified labor relations neutrals to provide mediation, fact-finding and interest arbitration services on a per diem basis.

Deputy Chair and Counsel:

This office functions as the Board's legal counsel, primarily through its Deputy Chair, on a variety of legal issues including legislation and Board decisions. The Associate Counsel and Director of Litigation represents the Board on appeals from its decisions, and is responsible for seeking enforcement of Board orders where there is a failure by the parties to comply. It issues charges against unions which may have engaged in a strike, and conducts oversight of mini-PERB's to ensure conformity with the Taylor Law. Additionally, Counsel's office is responsible for the injunctive relief program enacted on January 1, 1995.

Public Employment Practices and Representation:

The Office of Employment Practices and Representation's primary area of responsibility is the processing and determination of employer, union and employee improper practice charges and representation cases. Representation cases deal with petitions to represent unrepresented public employees, petitions to represent already represented employees either in the current unit or in some other unit, and petitions to decertify the existing bargaining agent. Also included are applications by public employers to designate certain of their employees as managerial or confidential and petitions seeking unit placement or unit clarification. Improper practices are charges filed by individuals, employee organizations or public employers, alleging violations of the Act. The office handles approximately 1200 cases each year, issuing decisions in about 200 of these.

Conciliation Section:

The Office of Conciliation has primary responsibility for providing collective bargaining related dispute resolution services throughout the state. The three primary functions for which the Office is responsible are: 1) administration of the impasse resolution procedures, including mediation, fact-finding, and interest arbitration; 2) administration of the voluntary grievance arbitration and staff mediation/arbitration procedures; and 3) administration of the Labor-Management Committee program.

The annual mediation and fact finding workload results from impasses which occur in school districts, the state and virtually all local government jurisdictions, except the mayoral agencies of New York City. Recent years have averaged 350 impasse declarations annually.

The Conciliation office also maintains a collection of approximately 4,000 collective bargaining agreements that exist between the public employers and the employee organizations representing their employees throughout the state. The Office administers an annual survey that it sends to all public employers, requesting information about select employment terms in each of their bargaining units.

NEW YORK STATE PUBLIC EMPLOYMENT RELATIONS BOARD

Mailing Address: 80 Wolf Road, Suite 500

Albany, NY 12205-2656

Phone: (518) 457-2854

Fax: (518) 457-2664 or
(518) 485-9233

Internet Site: <http://www.perb.state.ny.us>

E-mail: perbinfo@perb.state.ny.us

Board Members: Jerome Lefkowitz, Chairman
Sheila S. Cole, Member
Vacant, Member

Deputy Chair and Counsel: William A. Herbert
Deputy Chair and Counsel David Quinn
Associate Counsel and Director of Litigation

Public Employment Practices and Representation:

Monte A. Klein, Director
Susan A. Comenzo, Assistant Director
David P. Quinn, Administrative Law Judge
Nancy Burritt, Administrative Law Judge
Kenneth S. Carlson, Administrative Law Judge
Melanie Wlasuk, Administrative Law Judge

Conciliation: Richard A. Curreri, Director
Kevin B. Flanigan, Assistant Director
Mary Krause, Supervising Public Employment Mediator

Administration: Anthony Zumbolo, Executive Director
Mary Beth Purcell, Administrative Officer

Regional Offices:

Buffalo:

Gregory Poland, Chief Regional Mediator
Jean Doerr, Administrative Law Judge
Lynn Fitzgerald, Administrative Law Judge
Supervising Public Employment Mediator, vacant

Brooklyn:

Philip Maier, Chief Regional Mediator
Angela Blassman, Administrative Law Judge
Elena Cacavas, Administrative Law Judge
Karen R. Kenney, Supervising Public Employment Mediator
Lori Matles, Supervising Public Employment Mediator